

**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:

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Press clips are produced Monday through Friday.
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Government of Sierra Leone

Friday, 2 November 2013

Press Release

German Ambassador Presents Credentials

FREETOWN, 31st October, 2013; The Ambassador of the Federal Republic of Germany to the Republic of Sierra Leone has presented his letters of credence to His Excellency President Dr Ernest Bai Koroma during a ceremony held at State House, Freetown.

Receiving the German Envoy, Christian Rumpelcker, President Koroma said Sierra Leone is proud of the long standing bilateral relationship between Sierra Leone and the Federal Republic of Germany with the country benefiting from cooperation and assistance in many areas, including support through the United Nations, for the establishment of the Truth and Reconciliation Commission, **the Special Court for Sierra Leone**, Peace Building Fund and the UNDP 'Arms for Development'.

-SNIP-

New Liberian

Monday, 28 October 2013

CJL Remembers Five American Nuns Killed in Liberian Civil War

“They called themselves freedom fighters, but they killed innocent people; we pray for those liars”. These were the words of the late Roman Catholic Archbishop, Michael Kpakala Francis, expressing his remorse and antipathy surrounding the horrific killing of five catholic nuns at the evil hands of war criminals who maimed, raped, and murdered more than 250, 000 innocent Liberians and foreign nationals during Liberia’s 14-year civil war.

Under the notorious code name of “Operation Octopus”, the rebel forces of the National Patriotic Front of Liberia (NPFL) of convicted war criminal Charles Taylor, carried out a gruesome campaign of indiscriminately killing innocent Liberians and foreign nationals in the Barnersville community located on the outskirts of Monrovia, the country’s civic and commercial capital.

Verifiable and documented reports, including revelations made at the public hearings of Liberia’s Truth and Reconciliation Commission (TRC) a few years ago, uncovered that the Operation Octopus was conceived with the purpose of implementing a program to ensure that the NPFL exerted full and total control over the City of Monrovia and its environs. This would become the NPFL’s scorched-earth policy and template for prosecuting its senseless war throughout the 90’s, making the city unsafe and unlivable for its inhabitants, and meting out unspeakable crimes to instill fear and submission in the populace.

This particular operation was spearheaded by one General Christopher “Mosquito” Vambo, who, acting on orders from his high commandant Charles Taylor, held the nuns captive, had them disrobed and bludgeoned to death. The Illinois-based missionaries, Sisters Kathleen McGuire, Barbara Muttra, Agnes Mueller, Mary Kolar, and Shirley Kolmer, were all brutally murdered by Charles Taylor and his militia. Although, Mr. Taylor was charged for war crimes in neighboring Sierra Leone and sentenced to a 50-year prison term by the International Crimes Court (ICC), neither he nor other war crimes perpetrators were charged for war crimes in Liberia.

Nearly 21 years after this horrendous criminal act that was carried out on October 20, 1992, the Coalition for Justice in Liberia (CJL) wishes to remember these five nuns for their sacrificial humanitarian services they rendered the people of Liberia, many of whom are living impoverished and traumatized war victims. The enviable missionary work of these nuns, who left the comfort of their homeland in the United States to come to Liberia to help educate its youth and treat its sick should not go unnoticed as thousands of Liberian youth who otherwise would not have had that opportunity. They benefitted greatly from their tremendous sacrifice and generosity. One youth recalling his experience, remembered the nuns as “loving, kind, and caring” in all that they did during their many years in Liberia.

Moreover, CJL recognizes and applauds the significant contributions the nuns and the Catholic church have made in some of the remotest areas of the country that are yet to experience the presence and impact of the national government’s policies.

Today as we remember these nuns, CJL feels compelled to call attention to the quest for justice for the victims of the Liberian civil war. We cannot ignore the fact that those estimated 250,000 innocent Liberians and foreign nationals who lost their lives at the brutal hands of war perpetrators, are yet to experience the bells of justice. The country now rightfully brags about 10 years of peace, with the support of the international community, which all Liberians must celebrate and fight to keep, but at the same time,

we must remind our fellow compatriots that our peace is still fragile and we can only have sustained peace when it is rooted in justice. Let us not forget that peace is not only the absence of war or tension, it is foremost the presence of justice. As Liberians, we can only enjoy real peace when war perpetrators who committed crimes of war and crimes against humanity, face the full weight of justice. CJL will not relent in its advocacy for truth and justice, and will continue to immortalize those who died in this senseless war that left deep scars on our nation.

May the Souls of these Nuns and those who died in the reckless carnage of Operation Octopus, forever be remembered.

United Nations News Centre
Thursday, 31 October 2013

International court chiefs brief UN Assembly on progress, challenges



Senior officials from the top United Nations judicial body – the International Court of Justice (ICJ) – and from the International Criminal Court, briefed the UN General Assembly today, highlighting the work of the courts over the past year tackling their respective cases.

“During the last 12 months, the International Court of Justice has continued to fulfil its role as the forum of choice of the international community of States for the peaceful settlement of every kind of international dispute over which it has jurisdiction,” Judge Peter Tomka, President of the Court said, briefing the General Assembly at UN Headquarters in New York.

He said that the Court has cleared its backlog of cases and detailed for the Assembly the progress of as many as 11 contentious cases with which it dealt over the past year.

The Hague-based body – often referred to as the “World Court” – held public hearings in and is currently deliberating three cases, a maritime dispute involving Peru and Chile, an interpretation of a 1962 judgement in the case concerning the Temple of Preah Vihear between Cambodia and Thailand, and the case concerning whaling in the Antarctic between Australia and Japan, with New Zealand intervening.

The Court also delivered two judgements this year, the first in a territorial and maritime dispute involving Nicaragua and Colombia, and the second in the frontier dispute between Burkina Faso and Niger. In addition, the ICJ delivered six Orders in other cases.

“It should be emphasized once again...that, since the Court has been able to clear its backlog of cases, States thinking of submitting cases to the principal judicial organ of the United Nations can be confident that, as soon as they have completed their written exchanges, the Court will move to the hearings stage without delay,” he told the Assembly.

Also briefing the Assembly was Judge Sang-Hyun Song, President of the International Criminal Court (ICC), who provided an update on the eight situations before the Court Uganda, the Democratic Republic of the Congo (DRC), the Central African Republic (CAR), Mali, Kenya, Côte d’Ivoire, the Darfur region of Sudan, and Libya.

“The ICC has attracted considerable international attention in the past months, especially in Africa. Some voices have urged the Court to show flexibility on certain issues,” noted Mr. Song. “I would like to underline that while the ICC will naturally try to find practical solutions to the challenges it faces, such solutions must be consistent with the legal framework set by States in the Rome Statute.”

With regard to Kenya, the ICC today decided to postpone the trial of Kenyan President Uhuru Kenyatta, which was set to begin on 12 November, to 5 February 2014 to allow further time for preparation of the case.

Mr. Kenyatta is charged, as an indirect co-perpetrator, with five counts of crimes against humanity consisting of murder, deportation or forcible transfer, rape, persecution and other inhumane acts allegedly committed during the post-election violence in Kenya in 2007-2008.

The ICC is an independent, permanent court that tries persons accused of the most serious crimes of concern to the international community as a whole, namely the crime of genocide, crimes against humanity, war crimes and the crime of aggression.

Mr. Song reminded Member States that the issues which engage the ICC’s mandate have tremendous societal and political significance in the countries concerned. “ICC decisions will often be welcome to some and disappointing to others. But the reasons driving the Court’s decisions are always legal, not political.

“In five years’ time, many ad hoc courts and tribunals will have closed their doors. The ICC’s role in the global efforts for peace, security and the prevention of mass atrocities will be even more pronounced than it is today.”

Premier Times (Nigeria)

Friday, 18 October 2013

World court excuses Kenya president, as ex-ICC prosecutor slams colleagues

A former prosecutor for the court said his colleagues ignored political realities in the case against President Kenyatta

The International Criminal Court said Friday it will excuse President Uhuru Kenyatta of Kenya from attending all his impending trial for crimes against humanity, as the world court faces increasing pressure over the trial.

Judges at the court excused Kenyan President Uhuru Kenyatta from “continuous presence” at the trial, after a majority vote, with presiding Judge Kuniko Ozaki dissenting, the ICC said in a statement.

Mr. Kenyatta’s trial is due to start on November 12. He is facing the charges alongside his vice, William Ruto.

They are accused of instigating a wave of violence in which at least 1,200 people died after the country’s disputed election in 2007. They have denied the charges and have asked that the trial be rescheduled.

African leaders have accused the ICC of bias against them, saying the court has dedicated much of its time prosecuting alleged offenders from the continent while ignoring similar violators elsewhere.

Last week, the African Union passed a resolution calling for immunity for its serving leaders, and urging its members, including Mr. Kenyatta and Mr. Ruto, not to appear before the ICC until the United Nations Security Council responds to its demands.

In a twist that upped the pressure even more on the ICC, a former chief prosecutor of the court on Thursday condemned his former colleagues over the Kenya case, warning that the indictments could damage the international justice system.

David Crane, the U.S. lawyer who built the case against Liberia’s former president, Charles Taylor, said prosecutors at The Hague had ignored political realities in pursuing the Kenyan prosecution. He said that “could be the beginning of a long slide into irrelevance for international law”.

“I would never have indicted or gotten involved in justice for the Kenyan tragedy,” Mr. Crane said. “It’s placed them in a situation where they are damned if they do or damned if they don’t.”

There are reports that France is working on a UN resolution that would defer the Kenyan cases for 12 months.

Mr. Crane said the cases he built during three years of investigations in West Africa from 2002-05 took into account local politics as well as the law.

He branded former prosecutor, and Argentinian lawyer, Luis Moreno-Ocampo, who indicted the Kenyan leaders of being “over-ambitious” and having “political tin ear”.

Mr. Moreno-Ocampo was a celebrity in Kenya when the country came close to a civil war and as many as 400,000 people lost their homes after the election in 2007.

With many seeking justice, he led the ICC to step in after the country's National Assembly could not agree on an alternative to a deal under which a national tribunal was meant to be set up to try the guilty.

He lost the popularity after he included Messrs Kenyatta and Ruto-then candidates for the country's 2011 presidential elections- among those indicted.

Friday's ruling states that the Kenyan president must be physically present during the opening and closing statements, hearings where victims "present their views and concerns in person," the verdict, and any other sessions determined by the court.

The judges said that the exemption was granted "to accommodate the demanding functions of [Mr. Kenyatta's] office as President of Kenya".

Nehanda Radio (Zimbabwe)

Monday, 4 November 2013

Opinion

The ICC: Time for Africa to take charge

By Wisdom Katungu

On the 12th of October 2013, the extra ordinary session of the Assembly of the African Union, in Addis Ababa sought to review Africa's relationship with the International Criminal Court.

Kenya's Uhuru Kenyatta: ICC case delayed

This decision was not only long overdue, but is very plausible and it should be the first of the several other drastic measures the continental body needs to take in order to promote the continent's self-reliance both politically and economically in order to ensure that Africa takes its rightful place in the global village.

Although the AU did not unilaterally call for the mass pull out of its members from the ICC, a clear message was sent to the west and the world that Africa will not continue to tolerate abuse and humiliation through the biased application of pseudo international law.

I firmly believe that African countries should unanimously pullout of the ICC. The following are my reasons.

Political organ

It is no secret that the ICC is a being used by the west, through their financial influence, to become a political organ targeting the cradle of mankind. The AU has at some point described the ICC as a racist, justifiably so.

The reason for that pronouncement was based on the fact that since its inception 12 years ago, the ICC has unashamedly targeted Africans. This is despite the fact since its birth, we have witnessed the most atrocious war crimes of our generation in Iraq and Afghanistan.

The masters of those war crimes continue to walk freely. Since the inception of the ICC, the world has witnessed wanton breach of international law and disregard of the UN Security Council by the so called super powers without any consequences.

On a daily basis, the Obama regime murders innocent women and children in Pakistan through drone attacks. Where is the ICC? The ICC only becomes visible when Kenyans fight in post-election violence.

Surely the domestic courts can handle those cases effectively and the perpetrators of such violence can be brought to book through the Kenyan justice system. The ICC is clearly a political organ and it has deviated from the good intentions that it was created for.

When it was created many in Africa welcomed it as a solution to unabated conflict and impunity, a cancer that is slowing down the continent's development. This explains why a number of cases have been brought to the court by the African countries themselves.

However, it is worrying that the court itself seems to be paying its attention only to Africa and paying a blind eye to the war mongers in the west.

To underline that the ICC cannot be taken seriously, Robin Cook, the former British Foreign Secretary once said that the ICC was not set up to bring the British prime ministers or the United States presidents to book. So the question is if the ICC is not meant for the British and American leaders, then for whom was it set up? Practice shows that it was meant for African leaders.

Selective application of justice

The ICC was purportedly created to promote security, peace, justice and reconciliation. However it has become a joke because of the way it selectively targets Africans. If the ICC could charge Omar al Bashir with war crimes for his role in the Darfur genocide and recently Uhuru Kenyatta and his deputy for their role in the Kenyan post election violence, then surely George Bush and Tony Blair should definitely face war crimes for their role in the Iraq war.

These two gangsters attacked a sovereign state without mandate from the UN Security Council and we are still waiting for them to show us the weapons of mass destruction they were looking for. All we see is unabated bloodshed and looting of oil in Iraq yet the two continue to live lives of luxury, with no justice in sight for the victims. As long as Bush and Blair roam the streets freely, the ICC remains a mirage.

African voices backing the ICC

When the AU announced its intention to debate its relationship with the Hague based ICC, some eminent African figures raised concern and raised objections to that idea. Of note were Koffi Annan, the former UN Secretary General and Desmond Tutu.

Annan pointed out that it would be shameful if African nations were to pull out of the ICC. Archbishop emeritus Desmond Tutu stated that African countries should stop Sudan and Kenya from trying to drag Africa out of the ICC.

I am particularly interested in Tutu's comments because he has at some point called for the arrest of Tony Blair for his role in the Iraqi conflict.

However, what the 1984 Nobel Peace prize laureate fails realise is that the same ICC which has failed to bring Tony Blair to book has indicted 28 Africans for far lesser crimes than Blair and his accomplice Bush.

What Tutu is again failing to appreciate is that Charles Taylor is to serve a lengthy term in some jail a couple of miles from where Bush lives in comfort.

Legal force

The legal principles underlying the creation of the ICC leave a lot to be desired and that is why countries like American have enacted laws that protect their citizens from prosecution by the ICC.

The Americans have actually gone a step further declaring their right to invade the Hague to free Americans citizens that might have indicted and facing prosecution. The Australians have also wittingly taken similar measures.

Africans are however expected to send their citizens, including sitting presidents, to face humiliation in this sham of a court. In the recent past, the discord surrounding the court's affairs is so humiliating from an African perspective.

An example is that of Al Bashir's case when countries like South Africa declared that they would hand him over to the ICC if he sets foot on their territory whilst others welcomed him with both hands.

It is important now that the AU has taken a bold step in dealing with the ICC and from now onwards, we expect African countries to speak with one voice and condemn the manner in which the court operates.

Both Luis Moreno Ocampo, the first prosecutor of the ICC and Fatou Bensouda, his successor, are legal minds of great repute. Their achievements in international law should enable them to take the necessary steps to ensure that the court operates freely, fairly and consistently.

As long as the court continues its bias against Africans, Africa will unanimously pull out, rightly so. As the current prosecutor, Bensouda should spruce up the court's damaged reputation by revisiting the conflicts in Iraq, Afghanistan, Kosovo, Libya, as well as the current drone war by the Obama regime and bring all those who have killed innocent women and children to book.

Way forward

The AU has not resolved to pull out of the ICC but that still remains an option if the court's conduct does not change drastically. I still believe October 2013 Addis Ababa summit laid a foundation for the AU to demand respect from the west and the world at large.

The next step by the AU should now focus on the reform of the United Nations, especially the long overdue permanent seat in the Security Council. The fact Africa deserves a permanent seat on the Security Council is not debatable.

Africa cannot continue to look to Russia and China for decisions that affect the continent. The AU should build from the Addis Ababa summit and begin to take some drastic decisions aimed at uprooting poverty on the continent.

With the vast amount of mineral and other resources on the continent, Africa cannot continue to rely on aid from nations can barely survive without those same African resources. Africa needs a united voice on issues affecting the continent.

This includes uniting in stopping aggression against any African countries be it overt in the form of economic sanctions and political aggression or covert in the form of pseudo international law through the ICC.

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The New Liberian

Sunday, 4 November 2013

Opinion

Should Africa Quit ICC or ICC Quit Africa? Rethinking ICC – Africa Relations

By Ndegwa Kungu

With the current judicial proceedings at the International criminal court (ICC) indicting current African leaders, ICC and its entire systems has come under heavy scrutiny from fanatics and sympathizers as well. All through the years, the very existence of the court and its prominence had been at the periphery of the public sphere that majority of the common citizenry knew little or nothing about it.

Most currently, regional politics in Africa have drastically shifted attention to ICC interrogating its relations and mode of doing business with Africa. With the Kenyan case alongside other African cases in the ICC judicial mileage, Africa as a continent through the African union has deliberated pulling out of the Rome statute that automatically binds them to the ICC political and perceived judicial arbitrage. It is now as a scholar and a Pan- Africanist, I contest this thought and decision as cowardice and challenge the African Union to explore the dynamics of reverting and rephrasing the premise from should; “Africa should pull out of the ICC protocol” to “ICC should pull out of Africa”.

In my contention, i am completely opposed to Africa pulling out of the ICC but instead contend that Africa should use its tyranny of numbers to push for a political bid that campaign for ICC to pull out of Africa. Why do I recommend this argument? To answer this question, I am obliged, briefly to explore developments on ICC and its relations with Africa as a continent and nuance this to its relations with the global west. Pan-Africanism pointing on alleged biasness to Africa has heavily contested this relationship; however, I leave this judgment to your providence as a reader as it is far –fetched in this article.

Bellowing from the Rome statute, the international criminal court (ICC) was formed with the sole objective of “ending impunity, mediating crimes against humanity as well as war crimes”. I enjoin the objectives on parenthesis as they compose the main agenda of the institution in its entirety and still underline the open-ended nature of the jurisdiction presented by omission of scope of power to allude to its universality.

In this article, I am obliged to note the redundant nature in which the court has conducted the business of disseminating justice through time across the globe. I contend that despite its universal claims to justice, ICC is obsessed with African politics and more so leaders in expense of the West who have also been actors against universal justice system.

In the recent past, there has been a resurgence of conflicts around the globe with examples in Conflicts in Iraq, Iran, Syria while in Africa region Kenya, Sudan, Somalia, Congo and Mali just to mention a few. In all these cases, ICC has managed to take hostage of the political situation in Kenya, Somalia and Sudan with the indictment of top official political leaders to trial. While this is the case, I am lost in the definition and the scope of definitions, application of its judicial power given that the same atrocities have been committed directly or indirectly by political leaders from powerful states yet the court take no judicial measure to indict western political leaders.

At some point out of arrogance, if not ignorance super powers have defended this anomaly suggesting that the respective countries are not signatories to the Statute. It is at this juncture that I pose a question of is there limit of justice?. Will humanity sit back silently to witness atrocities against humanity being

committed and still stay silent on assumption that the very law that regulates does not bind the perpetrators does not bind them. If this is the case, I think there is need to reinvent the wheel of philosophy that gives prominence to humanity to law.

For example, the case of the Rwandan crisis that led to the infamous genocide, the African continent was represented as a continent of savage inhabitants full of barbarism. Coming closer the recurrent civil wars evident in most of the African countries have fastened the far-fetched ideology of African human cannibalism from the perspectives of the west. However, a long historical journey of ancient imperialism clearly reveals the dark past of sadism and impunity perpetrated by the western lords.

The silent graves and the monumental slave houses established and used by the former colonies masters is just a somber reminder of the failure of the ICC to administer universal justice to the unsung heroes and heroines who can only be venerated but rarely celebrated. A closer look at the narrow door of no return at slave house at the door of no return at Goree Island in Dakar, Senegal renders a mental imagery of the pain, degradation and neglect of human rights by the slave master, yet up to date the ICC vibrant noble duty to service the world with justice has ignored this err. Glance of these ancient histories awakens my spirit of pan-Africanism to question the authenticity of ICC in meeting its international mandate of Justice for all humanity.

On this note, while the authenticity of Africa and African countries participation in the Rome statute that endorses the ICC protocol is highly contested, i argue that Africa should push ICC to pull out of Africa and instead address the unmentioned cases of injustice perpetrated by the west, and lords of poverty as described by Graham Hancock. I suggest that it is high time that African countries learn how to exercise their sovereignty alongside African nationalism to overcome western neo-imperialism that currently dominates the region.

Commencing this debate, I am placing the continent on the spot criticism for its kleptocracy in the management of regional politics. It is this state of underdevelopment in most of the African countries that has subjected the continent to a culture of aid dependence, hence paving way for western manipulation.

Currently “Aid” for which i abbreviate as “Agenda for Indefinite Displacement” has constantly displaced African supremacy, at some point earning derogatory titles such as “Failed states, Third world states, Fragile states) titles that constantly reflect in the way Africa is perceived internationally. Following Greg Mills’s assertion in his book “why is Africa poor and what Africans can do about it”, Africa has the capacity to change the cynical yet sarcastically picturesque image painted by the West.

Only after doing this will such puppets of the international community such as the ICC respect imbued authority of an African state. On this ground pulling out the ICC further makes the continent vulnerable to further manipulation than the initial cost of contesting for a voice in the global community altogether. On this note, AFRICA SHOULD RETHINK THE ROLE AND PLACE OF ICC in the continent.