

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



Original 16th century map of the Guinea Coast identifying Sierra Leone as “Sierra Liona.”

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:

Wednesday, 1 July 2009

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Special Court for Sierra Leone
Outreach and Public Affairs Office

PRESS RELEASE

Freetown, Sierra Leone, 30 June 2009

Special Court Signs Enforcement Agreement With Finland

The Special Court for Sierra Leone on Monday signed an enforcement agreement with Finland which, upon ratification, would allow the Special Court to send a convict to serve the remainder of his sentence in that country.



The agreement was signed Monday by Special Court Acting Registrar Binta Mansaray and Finland's Ambassador to the Netherlands, Mikko Jokela. Ms. Mansaray thanked Ambassador Jokela for Finland's continued commitment to the Special Court, to international justice, and to ending impunity.

With the signing of this agreement, the Special Court has entered into enforcement agreements with five countries in Africa and Europe. The Court is continuing to seek additional enforcement agreements.

#END

The Special Court is an independent tribunal established jointly by the United Nations and the Government of Sierra Leone. It is mandated to bring to justice those who bear the greatest responsibility for atrocities committed in Sierra Leone after 30 November 1996.

'The ICC represents hope'

tion by the west.
His comment came ahead of today's meeting, the 13th Ordinary Session of the Assembly of African Union in Sirte, Libya, to discuss inter alia the 'unorthodox indictment of Sudanese President Omar Al Bashir at the ICC.'

Contd. page 3

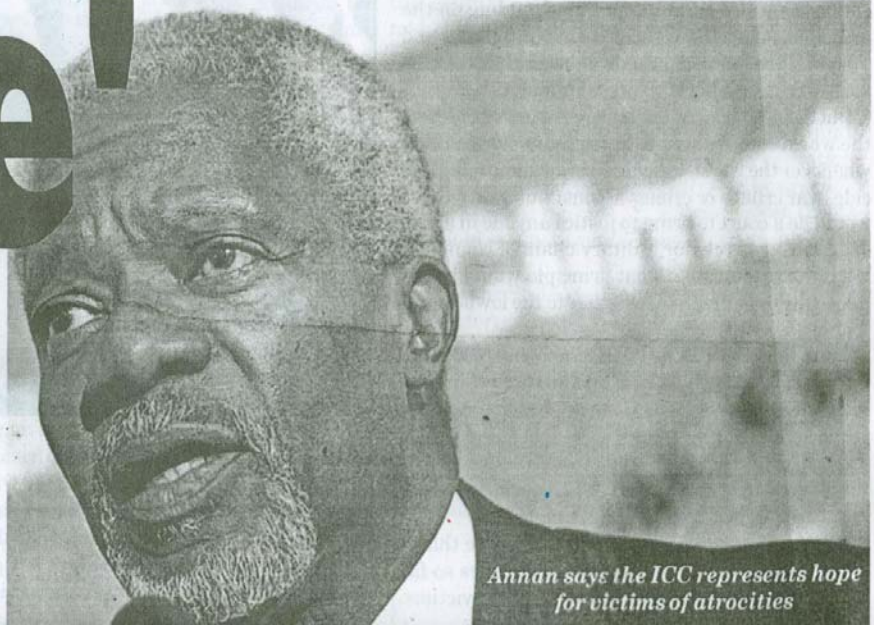
...says Kofi Annan

By Tanu Jalloh

Former UN chief Kofi Annan has challenged African leaders over the position and

existence of the International Criminal Court, ICC; an institution the latter have dismissed as a fixated machina-

President Koroma is Jose Mourinho'



Annan says the ICC represents hope for victims of atrocities

'The ICC represents hope'

From page 1

Observers say President Ernest Bai Koroma of Sierra Leone, who is also in Libya for the meeting, has never made any public statement on recent actions of the embattled court.

Meanwhile, for the first time, Mr Annan, one of the continent's diplomatic heavyweights, argued that: "The ICC represents hope for victims of atrocities and sends a message that no one is above the law. That hope and message will be undermined if the African Union condemns the Court because it has charged an African head of state."

Libyan leader Muammar Gaddafi has already set the tone by asking African leaders to consider withdrawing their membership from the International Crimi-

nal Court for what he said was "warped justice in favour of Europe."

However, getting the African leaders understand and appreciate the relevance of justice in world peace would seem a very tough challenge. But the former UN chief, whose promise of justice and its potential as a deterrent came closer to reality over the course of his ten years as UN Secretary-General, think the African Union should not abandon its promise to fight impunity.

He noted that unless indicted war criminals are held to account, regardless of their rank, others tempted to emulate them would not be deterred. "It's also important to remember that the ICC, as a court of last resort, acts only when national justice systems are unwilling or unable

to do so. There will be less need for it to protect African victims only when African governments themselves improve their record of bringing to justice those responsible for mass atrocities.

"Do these leaders really want to side with the alleged perpetrators of mass atrocities rather than their victims? Is the court's failure to date to answer the calls of victims outside of Africa really a reason to leave the calls of African victims unheeded? In my view, this outcry against justice demeans the yearning for human dignity that resides in every African heart. It also represents a step backward in the battle against impunity."

See page 2 for details of Kofi Annan's position on the ICC.

Concord Times
Wednesday, 1 July 2009

Africa and the International criminal Court

Opinion

By Kofi Annan

Eleven years ago when I opened the Rome conference that led to the founding of the International Criminal Court, I reminded the delegates that the eyes of the victims of past crimes and the potential victims of future ones were fixed firmly upon them. The delegates, many of whom were African, acted on that unique opportunity and created an institution to strengthen justice and the rule of law.

Now that important legacy rests once more in the hands of African leaders as they meet in Libya today (WEDNESDAY 1 JULY). The African Union summit will be the first since the ICC issued an arrest warrant for Sudan's President Omar al-Bashir on charges of crimes against humanity and war crimes for his alleged role in the atrocities in Darfur. The AU's repeatedly stated commitment to battle impunity will be put to the test. On the agenda is an initiative by a few states to denounce and undermine the Court. In recent months, some African leaders have expressed the view that international justice as represented by the Court is an imposition, if not a plot, by the industrialized West.

In my view, this outcry against justice demeans the yearning for human dignity that resides in every African heart. It also represents a step backward in the battle against impunity. Over the course of my ten years as UN Secretary-General, the promise of justice and its potential as a deterrent came closer to reality. The atrocities committed in Rwanda and the former Yugoslavia moved the Security Council to set up two ad hoc tribunals, building on the principles of post-WWII courts in Nuremberg and Tokyo. These new tribunals showed that there is such a thing as effective international justice.

But these ad hoc tribunals were not enough. People the world over wanted to know that wherever and whenever the worst atrocities were committed—genocide, war crimes or crimes against humanity—there would be a court to bring to justice anyone in a government hierarchy or military chain of command who was responsible. That principle would be applied without exception, whether to the lowliest soldier or the loftiest ruler.

Thus the ICC was formed. It now has 109 state parties, including 30 African countries, representing the largest regional block among the member states. Five of the Court's 18 judges are African. The ICC reflects the demand of people everywhere for a court that can punish these serious crimes and deter others from committing them.

The African opponents of the ICC argue that it is fixated on Africa because its four cases so far all concern alleged crimes against African victims.

One must begin by asking why African leaders shouldn't celebrate this focus on African victims. Do these leaders really want to side with the alleged perpetrators of mass atrocities rather than their victims? Is the court's failure to date to answer the calls of victims outside of Africa really a reason to leave the calls of African victims un-

heeded?

Moreover, in three of these cases, it was the government itself that called for ICC intervention—the Democratic Republic of Congo, the Central African Republic, and Uganda. The fourth case, that of Darfur, was selected not by the ICC but forwarded by the UN Security Council.

It's also important to remember that the ICC, as a court of last resort, acts only when national justice systems are unwilling or unable to do so. There will be less need for it to protect African victims only when African governments themselves improve their record of bringing to justice those responsible for mass atrocities.

The ICC represents hope for victims of atrocities and sends a message that no one is above the law. That hope and message will be undermined if the African Union condemns the Court because it has charged an African head of state. The African Union should not abandon its promise to fight impunity. Unless indicted war criminals are held to account, regardless of their rank, others tempted to emulate them will not be deterred, and African people will suffer. We have little hope of preventing the worst crimes known to mankind, or reassuring those who live in fear of their recurrence, if African leaders stop supporting justice for the most heinous crimes just because one of their own stands accused.

Kofi Annan served as Secretary-General of the United Nations from 1997-2006 and is now President of the Kofi Annan Foundation

This work originally appeared in the International Herald Tribune

BBC World Service Trust

Tuesday, 30 June 2009

ENGLISH NEWS SCRIPT
COURTENAY GRIFFITHS DISSATISFACTION

30th June 2009

The former Liberian President Charles Taylor has been on trial for more than a year now on eleven count charges. But his Lead Defence Lawyer, Courtenay Griffiths has alleged that the Prosecution had amended its indictment adding that Mr. Taylor is a terrorist. Charles Taylor's Defence Team also accused the Special Court for Sierra Leone of unfair treatment ahead of the July 13 opening for the Defence. The BBCWST Adolphus Williams sent this report from The Hague.

The eleven count charges against Charles Taylor range from the recruitment of child soldiers to the enslavement of the civilian population of Sierra Leone by rebels allegedly supported by the accused Taylor.

But Taylor's lead lawyer, Courtenay Griffiths, is concern about an alleged additional grave charge.

GRIFFITHS: It is now being suggested – and it's the first time we're learning this – that Mr. Taylor was a terrorist from the 1980s when he was in Libya, and he continued to be a terrorist throughout, which means that we've got to deal with that whole period of events – not just the indictment period from 1996 to 2002. We've now got to deal with effectively the whole of Mr. Taylor's political life. So that means we've been endeavouring to find witnesses to address this now-broadened indictment.

WILLIAMS: The lead Prosecutor Mr. Stephen Rapp is not in The Hague as I report, but in a written reaction sent to me from Freetown by the Prosecution, it strongly denied any further amendment in the indictment since March 2006.

March 2006 Taylor's indictment was officially amended from 17 counts to 11 counts.

The Prosecution further stated the "Acts of Terrorism" was part of the original Indictment.

The Prosecution reiterated that it accuses Mr. Taylor of responsibility for the crimes committed by rebel forces which terrified Sierra Leoneans.

The Prosecution further stated that the acts of terrorism did not mean that Mr. Taylor was a terrorist running around exploding buildings, but the charge "Acts of Terrorism" was used by the rebels to achieve their aims and discouraged resistance from the people.

The Defence team also accused the Special Court of unfair treatment.

Courtenay Griffiths said the Defence is always at a disadvantage when it comes to time distribution between the two parties more especially allocating adequate time needed to prepare for their own side of the case.

GRIFFITHS: We were not given sufficient time in which to prepare the Defence case. Bear in mind, the Prosecution have had close to five years to prepare and investigate these allegations against Mr. Taylor. We've had a matter of months, and I don't think that's fair or equal at all.

WILLIAMS: But the Prosecution said Mr. Taylor was largely to blame for the delay in his trial.

Mr. Taylor was indicted in March 2003, but he was a fugitive for three years.

He was finally arrested and turned over to the Special Court in March 2006.

The Prosecution argued that Mr. Taylor In June of 2007 sacked his lead lawyer Karim Khan, or team of lawyers, after they had worked on his Defence case for over a year. Mr. Griffiths and his co-counsels had had the benefit of all the works and materials left behind by the previous team of Defence lawyers

According to the Prosecution, Taylor's current Defence team has been representing him for nearly two years now.

The Prosecution stated that Taylor's lawyers were given what it called "an extremely long period of time by international tribunal standards" to prepare for their case.

Taylor's lawyers filed a motion in the Appeals Chamber of the Special Court for additional time, but they lost the motion.

Mr. Griffiths also said the Defence Team was not satisfied with the July 13 date given by the Special Court to start its case.

He however said the Defence Team would start its case on July 13.

GRIFFITHS: We will do our best, of course, to begin our case. I cannot guarantee that our case will proceed without hiccups or adjournments. I cannot guarantee that. But we will endeavour to run our case as efficiently as possible. On July 13th, God willing, we will open our case, and thereafter, God willing, we will call Mr. Taylor to give evidence.

Adolphus Williams, BBCWST, The Hague

Star Radio

Tuesday, 30 June 2009

“Charles Taylor is a terrorist”... Prosecution alleges

Written by Matthias Daffah

The Defense Team of detained former Liberian President Charles Taylor says the Prosecution of the Special Court has accused Mr. Taylor of being a terrorist.

The Taylor Defense Team said the allegation followed the reported amendment of the Prosecution's indictment against the former Liberia leader.

Lead Defense Lawyer Courtenay Griffiths told the BBC World Service Trust the latest allegation came as a surprise.

He said this was the first time that the Prosecution had associated Mr. Taylor with terrorism.

Mr. Griffiths said with the latest allegation, the Defense team would now look back on Mr. Taylor's entire political life during the trial.

In a written reaction sent from Freetown, Sierra Leone, the Prosecution denied adding any new charge to the indictment.

The Prosecution argued that Taylor's indictment was amended from 17 counts to 11 counts in March 2006.

The Prosecution further stated in its dispatch that the charge "Acts of Terrorism," was part of the original Indictment.


United Nations **Nations Unies**
 United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 30 June 2009

[The media summaries and press clips do not necessarily represent the views of UNMIL.]

International Clips on Liberia

Willmar woman's personal mission to Liberia leads to a surprising gift

Source: McClatchy-Tribune Information Services Date: June 30, 2009

Jun. 30--Phebe, Liberia, is still a place where it can take months to receive a letter. The rainy season makes the roads utterly impassable, 85 percent of the population is unemployed, and it takes the help of missionaries and volunteers to provide basic health care services. This hilly, rainforest region of the West African nation is known as one of the poorest in the world. It can be a very dangerous place too. Carrie Van Epps has had to flee the country twice as rebels marched toward the Phebe Hospital where she has served as a volunteer nurse. She keeps going back, and giving back. This time, it's in a bigger way than she would have ever imagined. "I would never have considered building a school," said Van Epps at her home in Willmar. Thanks to a \$75,000 contribution from an anonymous person in Willmar, she is making it possible to construct an annex to a school in Phebe and erect a school for grades 1-6 in Sanoyea, a smaller, neighboring town. The local residents are doing the work. In Sanoyea, they felled a tree the size of a Minneapolis office building for the lumber they needed. In both Sanoyea and Phebe, women used shovels and buckets to dig up sand along a riverbank and carry it atop their heads to town to mix with cement and create a foundation.

International Clips on West Africa

Local Media – Newspaper

President Sirleaf Orders Halt to LPRC-Zakhem Contract

(The Informer, Daily Observer, National Chronicle, Heritage, The Analyst, The Inquirer, New Democrat)

- President Ellen Johnson Sirleaf has ordered the Liberia Petroleum Refining Company to put a hold to its contract with Zakhem International pending a review.
- Presidential Press Secretary Cyrus Wleh-Badio said concerns over inconsistencies in the contract sparked the order.
- The order from the President followed a halt placed on the contract by the Legislature pending review.
- Meanwhile, President Sirleaf has set up a five-man independent technical committee to review the contract and determine if it were signed in line with the laws of Liberia.
- Former Chief Justice Henry Reed Cooper chairs the committee which includes Alex Cuffy, Matthew Clarke, Anthony Autridge and Aloysius Jappah.

56 County Development Projects Abandoned

(The Informer, Daily Observer, The News, Heritage, The Parrot, New Democrat)

- A Special Presidential Task Force set up to audit County development projects has submitted its report to the President.
- According to the Executive Mansion, the team headed by Samuel Jackson inspected 122 projects in sixty four districts and found out that 56 of the projects are incomplete or abandoned.

- The Presidential Task Force in its report identified Grand Bassa, Gbarpolu and Cape Mount as Counties with high completion rate.
- The team also identified political interference, lack of capacity, ineffective monitoring and incompetence as hindrances.
- The Team was set up in January to review the projects following complaints that County Development funds were not being used as required.

Court Orders 53 Detainees Released

(The Inquirer, The News, National Chronicle)

- Criminal Court "B" has ordered the release of 53 people accused of aggravated assault and criminal mischief.
- The court's order followed a motion filed by the Montserrado Defense Council accusing the state of detaining the 53 people without trial.
- Attorney Sunifu Sheriff said the 53 people were indicted between 2006 and 2007 and has been in detention without trial and urged the court to dismiss the indictments.
- Under Liberian laws, people indicted during a term of court must be tried or released after two succeeding terms of court.

Experts Gather to Review Liberia's Health Curriculum

(The Informer)

- The School of Pharmacy at State-owned University of Liberia has begun a week-long workshop on the revision of its current curriculum.
- The workshop which is intended to up-grade the school's curriculum will enable students wishing to become Medical Doctors to be trained for two years in medicine related courses follow by the regular four years to obtain a Bachelor of Science (Bsc) degree.
- Speaking at the opening of the forum, the Director General of National Commission on Higher Education, Dr. Michael Slawon called for the inclusion of new disciplines in the curriculum of the School of Pharmacy.
- He named waste treatment, HIV/AIDS, environment and gender issues as some of the disciplines.
- Dr. Slawon said the current curriculum lacks contemporary issues to meet the challenges of sustainability.
- The Higher Education Commission Boss also stressed the need for the review and revision of the national curricula for all higher education institutions in the country.

12-Member Chinese Volunteer Delegation in the Country

(National Chronicle, Daily Observer)

- A twelve-member Chinese volunteer delegation has arrived in the country to perform voluntary services around the country.
- The delegation which will be assigned to render voluntary services at the Ministries of Foreign Affairs, Agriculture and Youth and Sports.
- Another area that Liberians will benefit from the Chinese gesture is at the John F. Kennedy Medical Center (JFKMC).
- Presenting the volunteers yesterday, the political officer the Chinese Embassy Gon Haodong said his Government is fulfilling a promise made to the Liberian Government. The volunteers are in the country for a period of one year.

Two Armed Robbers Admit Attack on Deputy Minister Zayzay

(The News)

- Two men taken to court on armed robbery allegation have openly confessed committing the act.

- Alvin Davies and Josiah Weah admitted attacking the home of Deputy National Security Minister, Peter Zayzay after hearing the indictment.
- Charges against a third man, Appleton Powell, were dropped for lack of evidence.
- Judge Everlina Quaqua has ordered Powell's release while the trial of the other two men continues Tuesday.
- During the attack in March of this year, the men chopped Minister Zayzay on the forehead with a cutlass. The cut was so serious that it damaged his gum and some teeth.

Claim of Mass "Defection" in New Armed Forces of Liberia

(The New Democrat)

- [SIC] There are reports of defection within the new Armed Forces of Liberia (AFL).
- Unconfirmed figures put the strength of the army down to 1,930.
- The new AFL had sometime ago reportedly passed its initial estimated strength of 2000 by a 100 men.
- Meanwhile, the Ministry of Defense said it is not aware of any defection in the army.

Local Media – Star Radio (*culled from website today at 09:00 am*)

President Sirleaf Orders Halt to LPRC-Zakhem Contract

(Also reported on Sky F.M., Truth F.M. and ELBC)

Most County Development Projects Incomplete or Abandoned

(Also reported on Sky F.M., Truth F.M. and ELBC)

ADB to Launch Development Reports on Africa

- The African Development Bank will on today launch the African Economic Outlook and African Development Report 2008/2009.
- The African Economic Outlook is a comprehensive report on the economic situation and prospects of Countries around the world.
- A statement issued in Monrovia said the Report provides in-depth analysis of key development challenges facing the African continent.
- According to the statement, Finance Minister Augustine Ngafuan will launch the report.
- This year's African Development Report is under the theme: Conflict Resolution, Peace and Reconciliation.

NCHE Wants New Disciplines Introduced in Universities

(Also reported on Sky F.M., Truth F.M. and ELBC)

Montserrado Bar gets 23 New Members

- At least 23 law school graduates were Monday admitted into the Montserrado Bar.
- Judge Peter Gbaynewleh presiding over the admission ceremony urged the new lawyers to respect the rules of court and sincerely defend the rights of their clients.
- Court sources says about 60 law school graduates should have been admitted into the bar but it is not yet clear why the Judiciary did not allow all of the graduates to go through the process.

Court Orders 53 Detainees Release

Radio Netherlands Worldwide
Wednesday, 1 July 2009

Karadzic Expects to be Acquitted



Radovan Karadzic intends to deny all counts of the indictment during his trial and says he expects to be acquitted.

Radovan Karadzic submitted a pre-trial statement to the International Criminal Tribunal for the former Yugoslavia (ICTY) in which he explains the terms on which he will base his defence.

Karadzic intends to deny all the counts in the indictment, claiming that he never "planned, instigated, ordered, or otherwise aided and abetted any of the crimes charged."

He also claims he was not member of a joint criminal enterprise and that as a superior he is not responsible for any of the crimes charged in indictment.

"He is not guilty of each and every charge alleged in the indictment," the statement says.

It also notes that Karadzic wants the basis of his trial to be such that prosecutors must prove its claims "beyond any reasonable doubt".

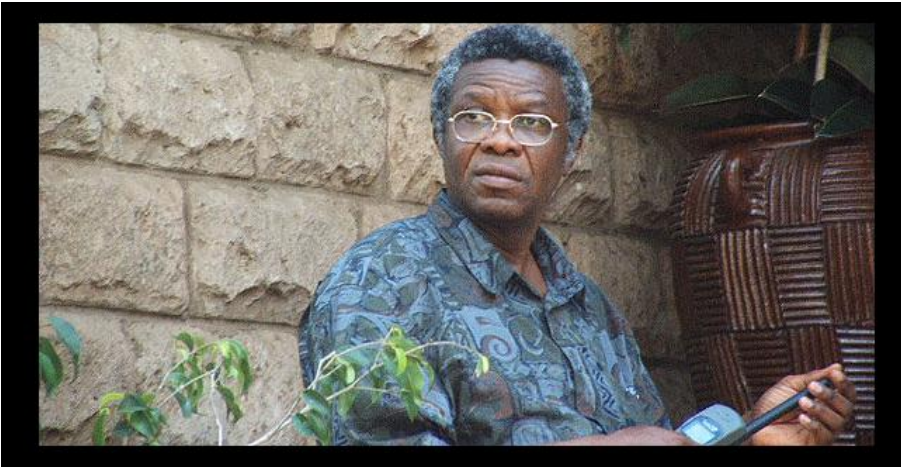
"Doctor Karadzic intends to defend himself with respect and dignity. If the law is applied fairly and the truth about the events in Bosnia is allowed to come out, he is confident that the trial chamber will find him not guilty," the statement concludes.

The tribunal says the trial of Radovan Karadzic is expected not to start before September.

Radio Netherlands Worldwide

Tuesday, 30 June 2009

Kenya rules Rwanda genocide fugitive's assets to stay frozen



A Kenyan court ruled that the assets of Felicien Kabuga, a fugitive wanted for financing Rwanda's genocide, should remain frozen until the Rwanda tribunal finishes the trials of those suspected of the 1994 massacre.

In May, Kenya froze the assets of Kabuga, Rwanda's most-wanted man who has a \$5 million US bounty on his head. His wife, Mukazitoni Josephine, objected to the ruling and

applied to have the court order lifted.

"I hereby dismiss the preliminary objection (from Mukazitoni)," Judge Muga Apondi ruled. "That means that the orders I made on May 6 are in force till further notice."

Financing genocide

Felicien Kabuga is believed to be the main supporter and financier of the Interahamwe militia that killed some 800,000 ethnic Tutsi and moderate Hutu during the 1994 massacres. He bankrolled the Hutu militias who wielded their machetes during the 100-day genocidal frenzy.

Kabuga is accused of using his vast assets to propel the massacres by affording a platform to disseminate the message of ethnic hatred through the foundation of a radio station, Radio Télévision Libre des Mille Collines (RTLM). Besides he provided weapons, uniforms, and transportation to the Interahamwe.

Through his company Kabuga is alleged to have made massive purchases of machetes, hoes, and other agricultural implements knowing that they would be used as weapons of murder.

Political influence

Kabuga is also accused of exercising considerable influence over radical political party members, militiamen, and the local authorities as their main financier and backer. It is these local authorities and militiamen, together with members of the military, who massacred the Tutsi population and moderate Hutu in Rwanda.

The International Criminal Tribunal for Rwanda (ICTR) in Arusha is seeking him since 1997 for conspiring to commit genocide and crimes against humanity. However, he used his wealth to evade arrest and justice.

The prosecutor at the Tanzania-based International Criminal Tribunal for Rwanda (ICTR) has said Kenya has failed to act against Kabuga despite information by its own police force indicating he is in the east African country.

On the run

Kabuga fled Rwanda in July 1994 and sought asylum in Switzerland on a valid visa. Following his deportation there, he was able to fly to the Democratic Republic of Congo before an official complaint against him could be lodged. Since then he is believed to linger in Kenya.

Kabuga soon became one of the primary targets of investigations by the ICTR. He managed to escape several times, most probably because Kenyan president Daniel Arap Moi protected him.

In 2002 the US offered a reward up to US \$ 5.000.000 for any information leading to the capture of Kabuga. Early 2003, Kabuga, again, was able to avoid an attempted arrest by both the Kenyan police and the FBI in Nairobi. The police informer tasked with entrapping Kabuga was found dead later. It is now hoped that the new financial restrictions on Kabuga brings capture in sight.

ICTR

The UN court says there is evidence Kabuga entered Kenya, applied for residency status, had his visa approved and opened a bank account.

ICTR's main priority is to track down 13 remaining fugitives wanted for genocide, war crimes and crimes against humanity. The court, set up in 1994 to try the masterminds of the massacres, has convicted 32 people and acquitted six others.

It was originally expected to complete all trials by the end of 2008 and had until 2010 to hear appeals before winding up. However, cases have spilt over and the ICTR says it is working hard to finish hearing evidence in all trials by the end of 2009.

BBC Online

Tuesday, 30 June 2009

Second Khmer Rouge victim talks

The second of three living survivors from the Tuol Sleng detention centre run by the Khmer Rouge has told a Cambodia tribunal how he was tortured.

Former mechanic Chum Mey, 63, told the United Nations-backed war crimes court that his toenails were torn out and he was subjected to electric shocks.

He said he was tortured repeatedly for 12 days and nights.

His testimony follows that of another survivor, the painter Van Nath, in the trial of prison director Comrade Duch.



Chum Mey cried as he told the tribunal about how he was tortured

Chum Mey told the tribunal he had been working at a sewing machine factory in 1978 when he was brought to Tuol Sleng to be tortured on suspicion of espionage.

"While I was walking inside I said (to a guard), 'Brother, please look after my family.' Then the person kicked me on to the ground," he said, adding the man swore at him and told him he would be "smashed".

Chum Mey told judges he was photographed, stripped and handcuffed before being taken to his interrogators.

"They asked me to tell them the truth - how many of us joined the KGB and CIA," Chum Mey said, referring to the Soviet and United States intelligence agencies.

"I told them I did not know any CIA or KGB. Truly, I did not know those terms."

"I kept responding that I didn't know anything about the CIA and KGB, but they used a pliers and twisted off my toenail," he said.

"I confessed that I had joined the CIA and KGB but it was a lie. I said it because I was so badly beaten."

Chum Mey's torture stopped once his captors realised he was able to fix cars - and they put him to work mending machinery.

Van Nath

On Monday, fellow survivor Van Nath described how hunger had driven him to eat insects, and said he had also eaten the food beside corpses of starved fellow prisoners.

About 15,000 people were detained at Tuol Sleng in the late 1970s, but only seven are thought to have survived - three of whom are still alive today.

The tribunal has already heard plenty from Comrade Duch himself - as well as a number of expert witnesses.

"The conditions were so inhumane and the food was so little," Van Nath told the tribunal, as he broke down in tears. "I even thought eating human flesh would be a good meal."

Comrade Duch, whose real name is Kaing Guek Eav, is accused of overseeing the torture and extermination of prisoners at the jail.

Earlier in his trial, the 66-year-old admitted responsibility for his role as governor of the jail, and begged forgiveness from his victims.

But he also insisted that he did not hold a senior role in the regime, and that he had had little choice but to work there.

Four other former Khmer Rouge leaders are currently in detention at the court, and are expected to face trial in 2010.



Maoist regime that ruled Cambodia from 1975-1979

Founded and led by Pol Pot, who died in 1998

Abolished religion, schools and currency in a bid to create agrarian utopia

Up to two million people thought to have died from starvation, overwork or execution

Mercury News.com

Wednesday, 1 July 2009

Khmer Rouge survivor's paintings saved his life

By SOPHENG CHEANG Associated Press Writer

Cambodia))«12»PHNOM PENH, Cambodia—A survivor of the Khmer Rouge's main prison said Wednesday that his ability to paint larger-than-life images of the regime's late leader, Pol Pot, and portraits of other communist icons helped save his life.

Bou Meng was put to work painting portraits that glorified Mao Zedong of China and North Korea's Kim Il Sung and another that mocked Ho Chi Minh, the father of Vietnam's communist revolution.

"I was ordered to paint a picture of Ho Chi Minh's head on the body of a dog," 68-year-old Bou Meng told a U.N.-backed tribunal. Cambodia's archenemy was neighboring Vietnam, which eventually invaded to oust the Khmer Rouge in 1979.

Bou Meng was the third and final survivor of the S-21 prison to testify at the U.N.-backed trial of Kaing Guek Eav—better known as Duch—who headed the Khmer Rouge's notorious facility in Phnom Penh between 1975-1979. An estimated 1.7 million Cambodians died from forced labor, starvation, medical neglect and executions under the regime.

Duch is accused of overseeing the torture of some 16,000 prisoners before they were executed. Seven people are believed to have walked out of S-21 alive, only three of whom are alive today.

Bou Meng, like the other two survivors, said torturers beat him relentlessly to force a confession that he was a CIA spy.

"I didn't even know what the CIA was," he said. "I kept repeating my answer and they kept beating me."

The beatings stopped when his jailers found out he had a skill that could serve them.

"I survived because I could paint exact portraits of Pol Pot," he said. His first job was to copy Pol Pot's image from a photograph and make a towering painting that was 10 feet high and 5 feet wide (3 meters high and 1.5 meters wide). It took three months to complete.

Duch then ordered him to make three more paintings of Pol Pot and the other communist leaders.

Duch would sometimes oversee his work and smile at him when he did a good job or give him cigarettes, Bou Meng said.

Survivor Chum Mey, 79, testified Tuesday that he endured beatings, electric shocks and had his toenails pulled out but was spared execution because he knew how to fix cars, tractors, sewing machines and typewriters.

The only other living survivor, 63-year-old Vann Nath, testified Monday that he too escaped execution because he was an artist and painted portraits of Pol Pot.

Duch, (pronounced Doik), is charged with crimes against humanity, war crimes and murder. He has previously testified that being sent to S-21 was tantamount to a death sentence and that he was only following orders to save his own life.

Duch is the first senior Khmer Rouge figure to face trial and the only one to acknowledge responsibility for his actions. Senior leaders Khieu Samphan, Nuon Chea, Ieng Sary and Ieng Sary's wife, Ieng Thirith, are all detained and likely to face trial in the next year or two.

Washington Post
Tuesday, 30 June 2009

International Court Under Unusual Fire

Africans Defend Sudan's Indicted Leader

By Colum Lynch
Washington Post Staff Writer

UNITED NATIONS -- When Luis Moreno-Ocampo charged Sudanese President Omar Hassan al-Bashir with war crimes last year, the International Criminal Court prosecutor was hailed by human rights advocates as the man who could help bring justice to Darfur.

Today, Moreno-Ocampo appears to be the one on trial, with even some of his early supporters questioning his prosecutorial strategy, his use of facts and his personal conduct. Bashir and others have used the controversy to rally opposition to the world's first permanent criminal court, a challenge that may jeopardize efforts to determine who is responsible for massive crimes in Darfur.

At issue is how to strike a balance between the quest for justice in Darfur and the pursuit of a political settlement to end an ongoing civil war in the western region of Sudan. In recent months, African and Arab leaders have said the Argentine lawyer's pursuit of the Sudanese president has undercut those peace prospects.

Libyan leader Moammar Gaddafi and Gabon's Jean Ping, the two leaders of the African Union, are mounting a campaign to press African states to withdraw from the treaty body that established the international tribunal. "The attacks against the court by African and Arab governments in the last nine months are the most serious threat to the ICC" since the United States declared its opposition to it in 2002, said William Pace, who heads the Coalition for the International Criminal Court, an alliance of 2500 organizations.

Moreno-Ocampo defended his work in a lengthy interview, saying that his office offers the brightest hope of bringing justice to hundreds of thousands of African victims and halting mass murder in Darfur. "It is normal: When you prosecute people with a lot of power, you have problems," said Moreno-Ocampo, who first gained prominence by prosecuting Argentine generals for ordering mass murder in that country's "dirty war."

The International Criminal Court was established in July 2002 to prosecute perpetrators of genocide, war crimes and crimes against humanity, building on temporary courts in Bosnia, Cambodia, Rwanda and Sierra Leone.

Since he was appointed in 2003, the prosecutor has brought war crimes charges against 13 individuals in northern Uganda, Congo, the Central African Republic and Sudan, including a July 2008 charge against Bashir of orchestrating genocide in Darfur. Pretrial judges approved the prosecutors' request for an arrest warrant for Bashir on March 4 on charges of war crimes and crimes against humanity, but rejected the genocide charge.

The Bush administration initially opposed the court, citing concerns of frivolous investigations of American soldiers engaged in the fight against terrorism. But President Obama -- whose top advisers are divided over whether Sudan continues to commit genocide -- has been far more supportive of the court.

The violence in Darfur began in early 2003 when rebel movements took up arms against the Islamic government, citing discrimination against the region's tribes. The prosecutor has charged that Bashir then orchestrated a campaign of genocide that has led to the deaths of hundreds of thousands of Darfurian civilians from disease and violence, and driven about 2 million more from their homes.

Bashir has openly defied the court, saying that it has only strengthened his standing. "The court has been isolated and the prosecutor stands naked," said Sudan's U.N. ambassador, Abdalmahmood Abdalhaleem Mohamad.

The prosecutor's case "has polarized Sudanese politics and weakened those who occupy the middle ground of compromise and consensus," said Rodolphe Adada, a former Congolese foreign minister who heads a joint African Union-U.N. mission in Darfur.

In remarks to the U.N. Security Council in April, Adada challenged Moreno-Ocampo's characterization of the situation as genocide and said that only 130 to 150 people were dying each month in Darfur, far fewer than the 5,000 that Moreno-Ocampo says die each month from violence and other causes. "In purely numeric terms it is a low-intensity conflict," Adada said.

African leaders with abysmal human rights records seek to discredit Moreno-Ocampo because "they fear accountability" in their own countries, said Richard Dicker, an expert on the ICC at Human Rights Watch. Dicker concedes that Moreno-Ocampo has made missteps that have played into the hands of the court's enemies.

In September, Human Rights Watch raised concern in a confidential memo to the court about low staff morale and the flight of many experienced investigators. It also cited the prosecutor's 2006 summary dismissal of his spokesman after he filed an internal complaint alleging Moreno-Ocampo had raped a female journalist.

A panel of ICC judges, after interviewing the woman, concluded that the allegations were "manifestly unfounded." Then an internal disciplinary board recommended that Moreno-Ocampo rescind the dismissal, arguing that the prosecutor had a conflict of interest in firing the spokesman.

An administrative tribunal at the International Labor Organization ruled that while the spokesman's allegations were ultimately proved wrong, he had not acted maliciously because he believed his boss had engaged in improper behavior. It required a settlement payment of nearly \$250,000 for back pay and damages.

Moreno-Ocampo, in the interview, declined to respond to the criticism of his personal reputation, saying, "I cannot answer unfounded allegations."

The case against Bashir rankles many African leaders, who say it is hypocritical. They note that the Security Council, which authorized the Sudan probe, has three permanent members who never signed the treaty establishing the court: the United States, Russia and China. "The feeling we have is that it is biased," said Congo's U.N. envoy, Atoki Ileka.

Alex de Waal, a British expert on Darfur, and Julie Flint, a writer and human rights activist, maintain that Moreno-Ocampo is the problem. They recently co-wrote an article in the *World Affairs Journal* citing former staff members and prominent war crimes experts who are critical of the prosecutor for not conducting witness interviews inside Darfur and for pursuing a weak charge of genocide against Bashir.

"It is difficult to cry government-led genocide in one breath and then explain in the next why 2 million Darfuris have sought refuge around the principal army garrisons of their province," Andrew T. Cayley, a British lawyer who headed the prosecutor's Darfur investigation, wrote in the *Journal of International Criminal Justice* last November.

Christine Chung, a former federal prosecutor and senior trial attorney for the prosecutor until 2007, dismissed the piece as "character assassination" and said the prosecutor's decision to stay out of Darfur was "in the end correct. The Sudanese government indeed detained and tortured persons believed to be cooperating with the ICC."

Moreno-Ocampo said he remains convinced that Bashir is committing genocide. "I have 300 lawyers, all brilliant people, with different opinions, but then I make the decision," he said. "I still think it's genocide, and I will appeal."

Amnesty International (AI)

Tuesday, 29 June 2009

13th African Union Summit of Heads of State and Government, 1 to 3 Jul 2009

Source: Amnesty International (AI)

Ref: TIGO IOR 63/2009.010

Colonel Mu'ammar al Gaddafi
 Leader of the Revolution
 Office of the Leader of the Revolution
 Tripoli
 Great Socialist People's Libyan Arab Jamahiriya

Dear Colonel al Gaddafi,

I am writing to urge you to use your position and leadership to ensure that the 13th Ordinary Session of the Assembly of the African Union (AU), scheduled to take place between 1-3 July 2009 in Sirte, Libya, renews and reaffirms commitments made by previous sessions to ending impunity for crimes under international law committed in Africa and elsewhere in the world.

At the international level, the AU Assembly should support the work of the International Criminal Court (ICC), the International Criminal Tribunal for Rwanda and the Special Court for Sierra Leone, all courts created largely because of the initiative and support of African states. At the national level, the AU Assembly should encourage all AU member states to take effective steps to reform their criminal justice systems to ensure that perpetrators of human rights violations, including those who commit acts of genocide, war crimes and crimes against humanity are brought to justice.

THE INTERNATIONAL COURT – A COURT FOR, NOT AGAINST, AFRICA

Africa played a leading – indeed, decisive - role in 1998 in the establishment of the ICC. Thirty African states have ratified the Rome Statute of the International Criminal Court (Rome Statute) so far, nine other African states have signed it and other African states are contemplating ratifying it in the near future. In addition, 17 states parties have enacted or drafted legislation implementing the Rome Statute.

African states strongly supported the creation of the ICC as a court of last resort to ensure that African victims of genocide, crimes against humanity and war crimes receive justice and reparations whenever states were unable or unwilling to investigate and prosecute such crimes. Three African states, the Central African Republic, the Democratic Republic of the Congo and Uganda referred situations in their own countries to the ICC on the ground that they were not able to investigate and prosecute such crimes. A fourth country, Côte d'Ivoire, has recognized the ICC's jurisdiction to investigate and prosecute crimes in its territory or by its citizens abroad.

African civil society has recently reaffirmed its strong support for the ICC to bring to justice perpetrators of genocide, crimes against humanity and war crimes committed against African victims and to award reparations when their own courts are unable or unwilling to do so, for example, in recent statements adopted at meetings in Banjul, Cape Town and Kampala (Forum on the Participation of NGOs preceding the 46th Ordinary Session of the African Commission on Human and Peoples' Rights, Karaiba Beach Hotel, the Gambia, 9 to 11 May 2009; Statement by Representatives of African Civil Society and the Legal Profession on the Implications of the African Union's Recent Decisions on Universal Jurisdiction

and the Work of the International Criminal Court in Africa, 11 May 2009; Statement Expressing African Civil Society Support for International Justice, Kampala, 29 May 2009). In addition, the meeting of African states parties to the Rome Statute at the Headquarters of the African Union from 8 to 9 June 2009 made a number of positive recommendations in support of international justice.

As noted above, three of the four situations under investigation were referred by African states parties and the fourth was referred by the Security Council, with the support of African members, without a dissenting vote. The Prosecutor is examining situations in other continents, including those in Afghanistan, Colombia, Georgia and the Palestinian Occupied Territories with a view to deciding whether investigations should be opened.

In the light of the above, Amnesty International urges you to ensure that the AU Assembly support the ICC in its efforts to secure justice for African victims by:

- Asking the AU Commission to expedite the adoption of a memorandum of understanding regarding cooperation with the ICC and the opening of a liaison office of the ICC in Addis Ababa;
- Urging AU member states to cooperate with the ICC in the investigation and prosecution of crimes committed against African victims;
- Urging AU member states to oppose any requests to the ICC by the Security Council to defer an investigation or prosecution of such crimes, as that would obstruct international justice.
- Urging all AU member states which have any concerns about any aspect of the work of the ICC with respect to the investigation and prosecution of persons suspected of crimes committed against African victims to address those concerns in the procedures under the Rome Statute, including Article 19, providing for challenges to admissibility of cases, and Article 119 (1), providing for raising any question related to the judicial functions of the ICC before the ICC.

TAKING EFFECTIVE STEPS AT THE NATIONAL LEVEL TO SECURE JUSTICE FOR AFRICAN VICTIMS

In addition to taking these steps at the international level, it is vital for AU member states, as part of their commitment to ending impunity in Africa, to take the following steps at the national level:

- Define crimes under international law, including genocide, crimes against humanity, war crimes, torture, extrajudicial executions and enforced disappearances, as crimes under national law in accordance with the strictest standards of international law, subject to penalties reflecting their grave nature, but excluding the death penalty and other cruel, inhuman or degrading punishments;
- Define principles of criminal responsibility, including command and superior responsibility, as principles of national law in accordance with the strictest requirements of international law;
- Exclude improper defences, such as the defence of superior orders, necessity and duress, in national law, but permit them to be taken into account in mitigation of punishment;
- Ensure that national courts can exercise jurisdiction in all cases over such crimes no matter when, where or by whom they were committed;

- Ensure that effective extradition and mutual legal assistance agreements exist with all states, with safeguards against the death penalty, torture and other ill-treatment, unfair trial or other human rights violations; and
- Promptly, thoroughly, independently and impartially investigate all such crimes in accordance with international law and standards for investigations, and, whenever there is sufficient admissible evidence, prosecute those suspected of such crimes in fair trials that exclude the death penalty and torture and other ill-treatment.

I am confident that if these recommendations are made by the Assembly that they will make a great contribution to ending impunity for crimes under international law committed against African victims.

I am sending a copy of this letter to heads of state and government and minister of foreign affairs of African Union Member states.

Yours sincerely,

For Irene Khan
Secretary General