

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



The V-Block engineering team. For more photos entitled “V-Block Engineers at Work,” see today’s ‘*Special Court Supplement*’. Submitted by Sheik Badhusha from The Hague.

PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

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

Wednesday, 10 April 2013

UNPR Launched

By Nancy Koroma

The United Nations Periodic Review and the updated 2012 elections monitoring documents were yesterday launched at the Atlantic Hall, National Stadium.

In giving the background to the civil society United Nations periodic review monitoring group Sierra Leone, Sulaiman Jabati, said the civil society coalition including the human Rights Commission, submitted a stakeholders report to the Geneva office and it was subsequently sent to the working group.

The stakeholders report also had a timeline which they went accordingly with. Fortunately, he continued, most of the issues that were raised as civil society organizations and human rights commission were articulated in the recommendation by UN member states. They as civil society organizations were part of the process, as they were able to push through these issues of concern. 129 recommendations were preferred by the working group, some of them were implemented were some of them are under implementation, out of the 129, 25 were accepted and 3 were rejected.

Statements were made by the Chief of Public Affairs, **Special Court for Sierra Leone**, Peter Anderson, representative from the Human Rights Commission and the Chairman Western Area Human Rights Commission.

The document was then interpreted by Sulaiman Jabatie in a power point presentation and officially he launched the

document.

The Universal Periodic Review (UPR) is a unique process which involves a review of the human rights records of all UN Member States. The UPR is a State-driven process, under the auspices of the Human Rights Council, which provides the opportunity for each State to declare what actions they have taken to improve the human rights situations in their countries and to fulfill their human rights obligations. As one of the main features of the Council, the UPR is designed to ensure equal treatment for every country when their human rights situations are assessed.

The UPR was created through the UN General Assembly on 15 March 2006 by resolution 60/251, which established the Human Rights Council itself. It is a cooperative process which, by October 2011, has reviewed the human rights records of all 193 UN Member States. Currently, no other universal mechanism of this kind exists. The UPR is one of the key elements of the Council which reminds States of their responsibility to fully respect and implement all human rights and fundamental freedoms. The ultimate aim of this mechanism is to improve the human rights situation in all countries and address human rights violations wherever they occur.

The Universal Periodic Review "has great potential to promote and protect human rights in the darkest corners of the world." Ban Ki-moon, UN Secretary-General

Reuters

Wednesday, 10 April 2013

U.S., others boycott Serbian politician's "inflammatory" U.N. session



The United States boycotted as "inflammatory" a meeting on international justice on Wednesday organized by a Serbian politician who heads the U.N. General Assembly - a session some nations say was intended merely to complain about the treatment of Serbs in war crimes tribunals.

The meeting and panel discussion were set up by former Serbian Foreign Minister Vuk Jeremic, who is serving as president of the 193-nation assembly. Some U.N. diplomats have privately accused Jeremic of using the General Assembly to promote his own career and his home country.

European and other Western nations have said Wednesday's session on international justice was a thinly veiled attempt to attack the international war crimes tribunal for the former Yugoslavia, which Serbia has criticized. Jordan and Canada joined the United States in boycotting the debate.

"The United States strongly disagrees with the decision of the president of the General Assembly to hold an unbalanced, inflammatory thematic debate today on the role of international criminal justice in reconciliation and will not participate," said Erin Pelton, spokeswoman for the U.S. mission to the United Nations.

"We believe that ad hoc international criminal tribunals and other judicial institutions in Rwanda, the former Yugoslavia, Sierra Leone and Cambodia have been critical to ending impunity and helping these countries chart a new, more positive future," Pelton said in a statement.

Pelton added that it was especially problematic that the day's events "fail to provide the victims of these atrocities an appropriate voice."

A senior Western diplomat said on condition of anonymity that Jeremic's decision to organize the meeting on April 10 - the day that Croatia's Nazi puppet state was established in 1941 - ensured that the "whole event took on a Serbian feel."

He added that Jeremic had refused to change the date after he was requested to do so by a number of delegations.

'ALMOST AN IMPEACHABLE OFFENSE'

Jordan's U.N. Ambassador Prince Zeid Ra'ad Zeid al-Hussein told a small group of reporters that Serbia's approach to the session on international justice was "almost an impeachable offense" - ostensibly referring to Jeremic's largely ceremonial post as the head of the General Assembly.

Since it was set up in 1993, the war crimes tribunal for the former Yugoslavia has indicted 161 people for crimes stemming from the wars that shattered the Yugoslav federation, of whom 15 have been acquitted. Several dozen suspects remain on trial.

Serbia and its ally Russia have sharply criticized the tribunal over recent decisions to free two Croatian generals and a Kosovo Albanian former guerilla commander.

Jeremic did not explicitly attack the Hague war crimes tribunals in his speech, though he told the assembly that international justice could be misused in a way that prevents reconciliation between former adversaries.

"Such outcomes would harm efforts to strengthen the rule of law, for no legal tradition recognizes the guilt or innocence of an entire nation," he said.

U.N. Secretary-General Ban Ki-moon defended the war crimes tribunals, the International Criminal Court (ICC) and other methods of ensuring accountability.

"The system of international criminal justice has ... given voice to victims and witnesses," Ban said.

Serbian President Tomislav Nikolic hammered away at the Hague tribunal in a roughly 45-minute speech to the assembly, telling participants that the "prosecution has been favored over the defense" and the court was guilty of the "most flagrant violation of human rights."

Richard Dicker of Human Rights Watch said Nikolic is well known as a denier of the Srebrenica genocide. More than 8,000 Bosnian Muslim men and boys were killed in the Bosnian town of Srebrenica in July 1995 by Bosnian Serb forces under the command of Ratko Mladic, who is currently on trial for crimes against humanity and other war crimes.

Jordan, Britain and others complained that the victims of Srebrenica had no voice in Wednesday's debate.

Croatian Ambassador Ranko Villovic also criticized the session, saying "truth, justice and reconciliation were not the values for which this debate was organized."

Some diplomats say Jeremic may be jostling to become the next president of Serbia. If he does not get Serbia's presidency, he is likely to try to become the next U.N. secretary-general, a position that is expected to be filled by an Eastern European, envoys say.

U.N. diplomats say Jeremic's name has been mentioned as a possible candidate to replace Ban after his term ends in December 2016. While Russia would support Jeremic, U.N. diplomats said there are less divisive candidates from Slovakia, Slovenia, Bulgaria and elsewhere.

The European Union's 27 member nations are attending the event but sending junior diplomats.

(Reporting by Louis Charbonneau; Editing by Will Dunham)

New York Times

Wednesday, 10 April 2013

Denouncing Serbian Tilt, U.S. Boycotts U.N. Meeting

By RICK GLADSTONE

The United States boycotted a United Nations General Assembly meeting on Wednesday, organized by the former Serbian foreign minister who is the body's current president, that in theory was about the role of international criminal justice but appeared to be a thinly disguised Serb complaint forum about the war-crimes tribunal for the former Yugoslavia.

Canada and Jordan joined the United States in the boycott of the two-day meeting, which included a General Assembly debate and panel discussion, while some other nations also criticized the meeting and sent low-level representatives. The event seemed to reopen emotional scabs about responsibility for ethnic slaughters committed in the Balkans conflicts of the 1990s, including the Srebrenica massacre, Europe's worst mass killing since the Holocaust.

Critics took offense that the General Assembly president, Vuk Jeremic, whose antipathy toward the Yugoslavia tribunal is well known, had invited as keynote speaker the like-minded president of Serbia, Tomislav Nikolic, but not the victims of Balkans atrocities who have found some measure of redress from the tribunal's prosecutions.

"The United States strongly disagrees with the decision of the president of the General Assembly to hold an unbalanced, inflammatory thematic debate today on the role of international criminal justice in reconciliation and will not participate," Erin Pelton, a spokeswoman for the United States mission to the United Nations, said in a statement. "We regret in particular that the way today's thematic debate and the related panel discussion are structured fail to provide the victims of these atrocities an appropriate voice."

A few diplomats, including Jordan's ambassador, Prince Zeid al-Hussein, a former United Nations peacekeeper in Bosnia, suggested that Mr. Jeremic had abused his authority as president to advance his nationalist agenda through the meeting, an accusation that Mr. Jeremic denied.

The Security Council established the International Criminal Tribunal for the former Yugoslavia in 1993 to prosecute those responsible for the slaughters, rapes and ethnic cleansing of the Balkans conflicts that fractured Yugoslavia. The tribunal is considered a precursor to others supported by the United Nations to deal with war crimes, including those for Rwanda, Sierra Leone and Cambodia, as well as the International Criminal Court.

The Yugoslavia tribunal indicted 161 people, according to its Web site, with proceedings concluded on 136 defendants and 25 still on trial. While the biggest number of cases are against Serbs or Bosnian Serbs, charges have also been brought against defendants of other ethnicities, including Croats, Bosnian Muslims and Kosovo Albanians, for crimes committed against Serbs.

But a tribunal appeals ruling in November, freeing two Croat generals convicted of crimes against Serbs, outraged many Serbs who had always viewed the tribunal as biased against them and as an instrument to taint their national image permanently. The ruling also was denounced by Serbia's ally Russia and was a catalyst for Mr. Jeremic's vow to convene a General Assembly meeting on the role of tribunals in national reconciliation.

As the date of the meeting grew closer, a number of invited guests, including the president of the International Criminal Court and the executive director of Human Rights Watch, decided not to attend.

Ban Ki-moon, the secretary general, disappointed some rights activists by attending, but he defended the tribunals and left before Mr. Nikolic spoke.

“We cannot expect to attain our goals of peace, development and respect for human rights without promoting and supporting a robust system of international criminal justice,” Mr. Ban said. “Supporting the tribunals and courts means respecting — and not calling into question — their independence, impartiality and integrity.”

Mr. Nikolic was blunt in his 45-minute speech, denouncing what he called the biased prosecutions, selective justice and “flagrant violation of human rights.”

Mr. Jeremic’s speech, opening the meeting, did not single out the Yugoslav tribunal, but to critics his intent seemed clear. “Reconciliation necessitates each side to accept its share of responsibility,” he said. An outcome that assigns communal blame, he said, “would harm efforts to strengthen the rule of law, for no legal tradition recognizes the guilt or innocence of an entire nation.”

Tanjug (Telegraphic Agency of New Yugoslavia)

Wednesday, 10 April 2013

Nikolić: Hague hinders regional reconciliation

NEW YORK -- President Tomislav Nikolić sharply criticized the International Criminal Tribunal for the former Yugoslavia (ICTY) at a United Nations debate on Wednesday.

The Serbian president expressed the view that the ICTY, known as the Hague Tribunal, has done nothing to help but has rather only hindered the process of reconciliation in the former Yugoslavia.

“Serbia and I are ready not to wait for 70 more years to reconcile with the neighbors that we used to live with together in the same state or (to reconcile) with those, I mean to say Kosovo-Metohija, with whom we live in the same country today. I am deeply convinced that the Hague Tribunal has only done harm to this process and that it has probably caused an unnecessary delay that will be carried over to the next generation. The process has certainly and to a large extent been slowed down and made more difficult,” said the Serbian president.

According to Nikolić, the tribunal is making one nation feel as being a victim of great injustice, while making another nation enjoy a feeling of great triumph.

“From the standpoint of science and ethics, the Hague processes can be put on a par with the processes led by the Inquisition and with the Paris and Moscow Trials. The proceedings against Serbs are motivated by desires to punish and retaliate; and retaliation, particularly in contemporary law, can never be justified as righteous. The Hague procedures are characterized by a total lack of justice and fairness,” said the Serbian president.

Speaking the first among a total of 50 member countries' representatives who have announced their participation in the debate, Nikolić said that all the penalties that have been voiced against Serbs at the ICTY put together amount to about 1,150 years, while the sentences against representatives of other nations for crimes against Serbs total 55 years.

The president recalled that Croat generals Mladen Markač and Ante Gotovina were released despite the fact that Croatian troops expelled more than 300,000 Serbs from areas that have been inhabited by their ancestors for centuries.

Also, more than 2,000 victims in Bratunac, Kravica and surrounding areas in eastern Bosnia, places of activity of the Bosniak (Bosnian Muslim) forces under the command of Naser Orić are still waiting to see at least some of the perpetrators receiving punishments, he added.

Serbs from Kosovo-Metohija have been victims to organized kidnappings and removal of organs from their bodies, which were later sold on the black market. History did not see such crimes before. Instead of processing the crimes, the Hague tribunal has destroyed the evidence, said Nikolić.

“Hundreds of thousands of exiled, and thousands of killed and kidnapped persons in Kosovo were not enough for The Hague tribunal to decide to punish the commanders and members of the so-called (Kosovo) Liberation Army; and not only that, since during the trial (of Ramush) Haradinaj, the tribunal allowed the accused to be involved in politics, which is an unprecedented move. What it actually allowed him to do is to eliminate and intimidate witnesses,” Nikolić added.

Nikolić believes that the verdicts reached by the tribunal are making the Serbian people feel frustrated and depressed while creating the feelings of exultation and triumph among the Croats and Bosniaks.

“It seems that for the greatest part, The Hague trials will not be able to lead to a real and complete truth and therefore, any reconciliation will be an imposed and insincere one. You cannot be fair to some and unfair to others. Also, how to explain away the fact that almost nobody, except in one case in Bosnia and in one case in Kosovo, has been convicted of crimes against Serbs,” said Nikolić.

Speaking at the thematic debate, entitled "Role of international criminal justice in reconciliation", which begun at the UN headquarters on the East River on Wednesday, and is being boycotted by the United States and ICTY representatives, Nikolić commented on the unwillingness of the tribunal's representatives to attend, observing that “if they did not respect the most ancient legal rule, "audiatur et altera pars" (hear the other side too), how can we expect even a minimum of law and justice of them?”

“The Hague tribunal has failed to meet that which they have proclaimed as their main goal - regional reconciliation; therefore, it (the ICTY) cannot be the future of international justice, but only its past and an ugly one at that. The only benefit derived from the existence of the Hague tribunal is that it has now become quite clear that the method of its creation and its entire work has shown that things should never be done in that way again,” he said.

As an expression of support for the work of the International Court of Justice, as the sole instance to enforce international justice, and because of Serbia's desire to contribute to the proclaimed goals of the Hague tribunal, Nikolić described in detail what Serbia has done in its cooperation with the ICTY so far.

Serbia has extradited 46 defendants, including two former presidents, government members, three chiefs of staff of its army and several police and army generals, including the director of intelligence service which, Nikolić says, has never been done by any other country.

Also, he added, Serbia has “almost given up on its sovereignty,” relieving more than 750 witnesses from the obligation to safeguard state secrets.

“Our cooperation with the Hague tribunal was our sincere desire to contribute to reconciliation in the former Yugoslavia, rather than a result of any kind of pressure. For that reason, and often threatening its national interests, Serbia has met almost all requests for assistance by the Hague prosecutor or defendants and not a single request to review its archives has been denied.”

At the same time, he said, “in the activities of the Hague Tribunal, Serbs in general have rarely been noted as victims ... save only in a few instances: Haradin Bala was convicted for crimes against Serbs in Kosovo and received a sentence of 13 years in prison; Zdravko Mučić got 9 years, Hazim Delić 18 years and Esad Landžo 15 years in prison.”

“These data may suggest a following conclusion: the perpetrators of war crimes on the territory of the former Yugoslavia are almost exclusively Serbs while, which is particularly interesting, there are almost no Serbs at all among the victims of the tragic wars. Someone is trying to establish the conclusion that the Serbian side alone was conducting killings and genocide in a bestial and orgiastic manner, while the other side sat on its hands, dealing with its daily routines and humanitarian work,” he said.

Nikolić said that “it is not true that in this war that destroyed us all only one side was getting killed and the other side was doing the killings,” adding that “perhaps it was all prelude to the seizure of Kosovo-Metohija from Serbia, which we now see at work and in which the organization composed of the most modern and supposedly fairest countries is involved. Yes, but (it is) also (composed) of the most powerful countries, whose 'ranks' were deserted by justice.”

“If a future researcher, a future historian, is to derive their conclusions about the war in Bosnia on the basis of the number of the accused and convicted Serbs, Croats and Muslims, he will only be able to

conclude that the Serbs alone killed Croats and Muslims, that almost not a single Serb was murdered and that the Croats killed the Bosniaks here and there, while the Bosniaks killed almost not a single Croat. This is a striking reflection of the state of affairs when it comes to the tribunal's lack of objectivity and impartiality," he said.

When it comes to the ICTY processes, Nikolić gave special attention to the lack of equality between the prosecution and the defense, as "in all proceedings, the prosecutorial party has in every sense been the favored side, to the detriment of the defense of the defendant" when it comes to resources and access to media.

Nikolić pointed to the case of Vojislav Šešelj as an example of the gravest violation of human rights of the accused, saying that the man "has spent almost full 11 years in prison before the trial against him even began, since the prosecutorial party was unable to obtain evidence for its pre-planned - read 'no evidence' involved - indictment, which is unprecedented in world history."

Nikolić also called on the tribunal and the UN to permit Serb prisoners to serve their sentences in Serbia.

"The purpose of the punishments should not be retaliation. Enlightened nations have long ceased to think of punishment as a means of revenge... But, one of the purposes of punishment is resocialization of defendants. Not forgiveness, but rather, as far as possible, their return to normal life. Making one serve a sentence of imprisonment in a foreign country, away from one's family, in an unfamiliar neighborhood and lacking the knowledge of the local language, can hardly contribute to the goals noted."

If Serbs who were convicted before the ICTY are allowed to serve their prison sentences in Serbia, Serbia can guarantee that these persons will receive no preferential treatment and that Serbia is willing to accept international supervision, Nikolić concluded.

Subašić removed from debate

President of the Mothers of Srebrenica association Munira Subašić was removed from the UN hall where the public debate on the work of international criminal tribunals is being held because she displayed the banner that reads "Republika Srpska, genocide" during the speech of Serbian President Tomislav Nikolić.

She attended the meeting as an observer at the invitation of UN General Assembly President Vuk Jeremic, without the right of addressing the participants.

As Nikolic was delivering his speech, Subašić displayed a T-shirt with "Srebrenica" writing on it, and attempted to raise the banner, but UN security guards approached her and removed her from the hall and the UN building.

The Serbian president did not interrupt his speech during the incident.

Huffington Post Blog

Thursday, 11 April 2013

Opinion

http://www.huffingtonpost.com/diana-jenkins/whitewashing-genocide_b_3061058.html

Whitewashing Genocide

The United Nations, which is supposed to represent the best of our collective aspirations for justice and human rights, yesterday represented the worst. Yesterday, the United Nations put on a passion play for genocide deniers, creating a political spectacle that tried to rewrite history.

The current president of the UN General Assembly is the former Serbian Foreign Minister Vuk Jeremic. He served a government dominated by the Serbian Radical Party whose founder is currently on trial for war crimes at the International Criminal Tribunal for the Former Yugoslavia (ICTY). Jeremic arranged the UN meeting ostensibly to debate the "Role of International Criminal Justice on Reconciliation" but really to complain about the treatment of Serbians at the ICTY and to generally savage the court. While refusing to permit representatives of the victims of the Bosnian conflict to speak, Jeremic used his position to allow Serbian President Tomislav Nikolic, a genocide denier, to make a speech in which he attempted to paint Serbs as the victims of the Bosnian conflict rather than its aggressors.

In Srebrenica in 1995, over 8,000 Bosnian men and boys were massacred on an industrial scale after repeatedly being raped and tortured. Over 25,000 women, children, and the elderly were forcibly transferred. Fathers were made to watch their sons suffer indescribable cruelties. Most of us who lived through this time will always see the rivers of blood. But not all of us. Ratko Mladic, the general who was in charge of the massacre, sees himself as an innocent patriot. And Tomislav Nikolic, in a June 2012 statement, said that, while crimes may have occurred, what happened in Srebrenica was not genocide. And that Serbians were victims of crimes as well.

I am proud that the United States, my adopted country, decided not to participate in this sham debate. In a statement, Erin Pelton, a spokeswoman for the U.S. mission to the United Nations said: "The United States strongly disagrees with the decision of the president of the General Assembly to hold an unbalanced, inflammatory thematic debate today on the role of international criminal justice in reconciliation and will not participate." Canada and Jordan also boycotted the debate.

The narrative of the Serbian ultra-nationalists is one where they cast themselves as the victims or, at most, morally equivalent to their victims. Both sides were responsible for war crimes, they argue. But the historical reality gets in the way. So these genocide deniers have decided to attack the courts themselves.

International criminal tribunals are potent weapons against those who would twist history for their own political agendas. Sometimes the trials are agonizingly slow as every nuance of the evidence is tested in the crucible of litigation. But a reading of the facts that survive this type of close scrutiny makes it impossible for those who would rewrite history to get away with it. These criminal tribunals do more than stop impunity and jail those who rape, torture, murder, and commit genocide. These criminal tribunals establish the facts in a way that can't be ignored.

Earlier this week during General Mladic's trial, a survivor of the Srebrenica massacre was testifying that after being rounded up and herded together with others, he had managed to survive by pretending to fall dead upon a burst of machine gun fire, and lay there while more machine-gunned bodies fell on top of him. General Mladic allegedly told the witness "F*** your mothers." Previously, a widow of the Srebrenica massacre said that General Mladic made a throat-slitting gesture at her.

To heal as a nation, as a region, as a world, we need to acknowledge what happened. We need to wipe away any attempts at impunity. Criminals have to be brought to justice. Victims have to be given an opportunity to tell their story to the world. If we pretend genocide never happened, then history will repeat itself. And none of us—whether we lived it, survived it, or just heard about on the news—should just stand by while politicians try to rewrite history.

That's why we need international tribunals: international criminal tribunals for the former Yugoslavia, for Rwanda, **for Sierra Leone** and Lebanon, for Cambodia -- and now the International Criminal Court (ICC) for the world. These judicial institutions not only administer justice, they create a record of truth. This is what happened: the good, the bad, and the ugly. They preserve evidence that can't be rewritten, or changed, or forgotten. They are the true vehicles of peace, for there can't be peace without justice.

I've been working with the ICTY and ICC for many years now. International criminal justice can be slow and frustrating. But I support the work of these institutions because I believe that without them genocide is more likely to be repeated. Without them, genocide will be an ever present threat to humanity.

The New Times (Rwanda)

Friday, 12 April 2013

ICTR Betrayed Rwanda, Justice Minister Tells UN

By Edwin Musoni

Justice Minister Tharcisse Karugarama has said the International Criminal Tribunal for Rwanda's refusal to let the country host records of trial proceedings constitute a betrayal.

Karugarama, who said the trial records are an integral part of Rwanda's history, told the United Nations General Assembly on Wednesday that ICTR has failed to serve its cause.

The ICTR was established in 1995 to try masterminds of the 1994 Genocide against the Tutsi. However, according to Karugarama, most of the masterminds of the Genocide are still at large and the biggest beneficiaries of ICTR have not been survivors of the Genocide or the country in general, but rather the technocrats running the ICTR apparatus.

"Technocrats running the ICTR system have denied Rwandans the right to host the archives, which constitute an integral part of Rwanda's history. For some obscure reasons, they have denied the Rwandans the right to own their own history. Rwanda feels betrayed by this kind of attitude," said Karugarama.

He was addressing a UN General Assembly meeting called by president of the assembly, Vuk Jeremic, on the 'Thematic Debate on the Role of International Criminal Justice in Reconciliation.'

This was the first ever debate on the role of the international criminal justice system in reconciliation, with its president stressing the vital part it must play not just in looking back on past atrocities, but in bringing former foes together to build a better and more inclusive tomorrow.

The minister also said he finds it "frustrating" that despite the existence of correctional facilities such as the one where prisoners from [the Special Court for Sierra Leone](#), are incarcerated in Rwanda, the technocrats running the ICTR system have denied Rwandans the right to host Genocide convicts, instead sending them to other countries such as Mali.

"This has frustrated survivors who feel that the ICTR does not value them. On the contrary, trials under Gacaca judicial system (the home-grown legal initiative), the perpetrators of the Genocide or their families were brought together with the survivors of the Genocide to collectively examine all aspects of the Genocide and punish those responsible for it. This gave chance for national healing and reconciliation," he added.

ICTR and Gacaca compared:

Figures show that in 10 years, the Gacaca courts spent about \$52m (about Rwf33b) to try close to two million cases of Genocide, while the ICTR spent \$1.5b (about Rwf1 trillion) to hear 75 case in 17 years.

Over time, the operations of the tribunal have been questioned, for varying reasons. First, by having Genocide suspects among its staff, some of whom ended up being indicted by the same tribunal; the sentences that have been deemed too lenient by some, and the high acquittal rate.

The ICTR is also accused of failing to arrest some of the key fugitives they indicted, including Genocide financier Felicien Kabuga; Protais Mpiranya, who headed the notorious presidential guards; and ex-Defence minister Augustin Bizimana.

"The time and cost of the trials at the ICTR in comparison to the trials in Rwanda demonstrate how, in the eyes of the Rwandan survivors, reconciliation cannot be achieved on the basis of international justice," said Karugarama.

In his criticism of the UN-established systems, Karugarama said the international criminal justice is in a crisis of credibility with regard to fostering national reconciliation in post-conflict situations.

"Neither the tribunals set up to address the issue nor the application of the principle of Universal Jurisdiction has succeeded in that objective. Hence, there is a need to review what we have achieved over the last two decades and chart a way forward for the future," he said.

The UN General Assembly chief, Jermic, said the big question is how international criminal justice can help reconcile former adversaries in post-conflict societies.

Meanwhile, the development comes at a time when Serbians are bitter over the recent International Criminal Tribunal for the Former Yugoslavia's acquittal of Croat Generals Ante Gotovina and Mladen Markac, who were initially convicted of purging ethnic Serbs in 1995.

The Guardian

Thursday, 11 April 2013

Congo: 'We could do what we wanted' says soldier who raped 53 women

As the G8 tries to address sexual violence in the DRC, perpetrators and victims speak out about mass rape in Minova



Nzigire Chibalonza, 60, was raped by three men on 22 November 2012. She has since been rejected by her husband. Photograph: Fiona Lloyd-Davies

In a small house on a hill overlooking Lake Kivu, a young Congolese army soldier recounts the crimes that he and his comrades committed in the town of Minova a few months ago. "Twenty-five of us gathered together and said we should rape 10 women each, and we did it," he said. "I've raped 53 women. And children of five or six years old.

"I didn't rape because I am angry, but because it gave us a lot of pleasure," says 22-year-old Mateso, not his real name. "When we arrived here we met a lot of women. We could do whatever we wanted."

As William Hague unveils a sexual violence prevention strategy at a meeting of G8 foreign ministers in London this week, what happened in Minova is a stark reminder of the huge challenges facing those seeking to solve the problem of rape in the Democratic Republic of the Congo .

On 22 November last year thousands of exhausted, battered and bruised Congolese army troops descended on Minova having just lost a battle with the rebel M23 fighters in Goma, the main city in eastern Congo some 30 miles away.

Their retreat was haphazard and chaotic. The soldiers were embarrassed, angry, upset and out of control; their commanders had disappeared and the battalion and regiment structures had disintegrated.

When they arrived in Minova they were drunk, hungry and violent. The locals suffered two nightmarish days of looting, rape and murder before the army managed to restore some discipline among its troops.

Hundreds of women were raped. It is impossible to accurately state the number of cases as victims frequently fail to come forward, fearing that their communities and even their husbands will reject them,

but local hospital director Dr Ghislain Kassongo said that he had dealt with well over 100 women with rape-related injuries after the army rampage.

At a rape victim refuge centre a couple of miles from Minova, 60-year old Nzigire Chibalonza tells the horrific story of what happened to her when the soldiers came to her shop. "They beat us and beat us, and then they started to rape. Three men raped me – two from the front and one from behind," she says, tears welling in her eyes as she nervously grabs and twists fistfuls of her dress.

"My head is still not right. I thought I had Aids, and now my husband mocks me. He calls me the wife of a soldier, he has rejected me," she says. The refuge centre, set up and run by a local woman who was herself a multiple rape victim, is the only place she has to go. It is home to a traumatised but resilient community of women who work and care for each other. One of the victims who spoke to the Guardian at the centre was just 14.

The scale of criminality in Minova has forced the army to take action. Military prosecutors in North and South Kivu provinces – Minova is right on the border between them – have made powerful statements, even threatening to arrest the officers who failed to control their troops.

"There have been a lot of troubles here. The soldiers are traumatised by war and so commit serious acts and crimes," said Mokuta Amdondo, the North Kivu military prosecutor. "This is where military justice is of the utmost importance. We have not hesitated to put in place the processes to arrest the soldiers who have raped and pillaged the civilian population in Minova.

"If [the victims] are unable to identify the soldiers who committed the crimes, then we'll apply the hierarchy principle: the commanders of the units must be pursued for these incredibly serious crimes committed by soldiers under their control."

Observers hope that a successful investigation can make Minova a watershed moment in the construction of a functioning justice system in eastern Congo. "Minova is at the centre of something, as far as justice is concerned in the DRC," says Charles Guy Makongo of the American Bar Association in Goma. "That the investigation is already ongoing is good. But the trials and certainly the convictions will change several things in the justice sector, in the fight against impunity and the process of building the rule of law in the DRC."

To date there have been few concrete developments. Military justice personnel on the ground told the Guardian they did not want to be involved in the case if it would lead to charges against officers, as they feared a backlash from powerful army figures. So far only three soldiers have been arrested – a sub-lieutenant, a corporal and a South Kivu-based soldier of no rank.

"If justice is done, this might stop the soldiers raping," says Chibalonza. "I will go wherever I need to go to in order to testify against these men because what they did to me was so awful. If they are punished I do feel justice will have been delivered."

Until some significant arrests are made, however, the women of Minova remain sceptical that justice will be done or that impunity will end. "The government says it will arrest these soldiers and officers," says the head of the victim refuge centre, who wishes to remain anonymous. "They may arrest some, but then later they will just set them free again." Unfortunately it is the gloomy predictions of the sceptics that have, so far, proved correct.

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Special Tribunal for Lebanon

Thursday, 11 April 2013

Press Release

Tribunal condemns attempts to interfere with judicial process

Leidschendam, 11 April 2013 –The Special Tribunal for Lebanon condemns in the strongest possible terms the latest attempt to interfere with the proper administration of justice by publishing a list of alleged witnesses and potentially endangering the lives of Lebanese citizens.

The list of persons that could be placed at risk by this irresponsible website is not, in fact, an accurate reflection of official court records.

The Tribunal will not comment on the Prosecution’s witness list as submitted in the Pre Trial Brief as it is currently confidential by a judicial order.

Those behind the website purporting to unveil the “truth”, are in grave breach of journalistic ethics and employ questionable methods such as Internet hacking.

Any attempt to knowingly and willfully interfere with the judicial process, including disclosure of confidential material or threatening, intimidating, or otherwise interfering with potential witnesses, is taken very seriously by the four organs of the Tribunal.

The Tribunal can confirm that it has requested the assistance of Lebanese authorities and others in this matter so that appropriate measures may be taken if necessary.

While there are measures currently being undertaken by the Tribunal in response to the website that purports to name alleged witnesses, discussing those measures in public could hinder our efforts.

The Hindu (India)

Thursday, 11 April 2013

Opinion

<http://www.thehindu.com/opinion/op-ed/ending-wartime-rape/article4603269.ece>

Ending wartime rape



HEALING SCARS: As the perpetrators often continue to live with shameful impunity, there must be measures designed to improve evidence gathering which will lead to more prosecutions. Photo: AP

The impunity with which sexual violence is used in conflict is a reason why reconciliation efforts fail in such societies

Too often, the world seeks to end a conflict and rebuild war-torn societies without addressing the very reasons that make reconciliation so difficult and which contribute to renewed violence.

Wartime rape and sexual violence is one of those reasons.

Two weeks ago I visited the Democratic Republic of Congo (DRC) and was handed a photograph of a five-year-old girl who had been raped. As I moved from refugee camps, to hospitals, and meetings with people fighting for justice, I heard more and more appalling stories of lives destroyed, women ostracised from their families, families broken and victims given life threatening illnesses after being attacked when foraging for firewood. And all this while, the perpetrators continue their 'normal lives' under the cover of shameful impunity.

In many of the major conflicts of the past 20 years, from Bosnia to Rwanda and from Libya to Sierra Leone, rape has been used as a deliberate weapon to scar political opponents or entire ethnic or religious groups.

The scars inflicted do not easily heal, and never disappear. Instead, they often destroy families and corrode communities.

Sadly, the same story is being repeated again in Syria today, where there are horrific reports of civilians being raped and tortured, and violations being committed with the deliberate intention of terrorising political opponents.

Responding to this challenge is our responsibility as political leaders of democratic states that believe in human dignity. We have to try and stop this abhorrent crime that has affected so many and work to eradicate the use of rape as a weapon of war.

Treated as secondary

This is not an easy task and there are many obstacles.

First, there is the fear and shame of the victims themselves. Understandably, often they are reluctant to come forward because of the stigma attached to being raped. This reluctance is then made worse by the lack of sensitive physical and psychological support available to victims.

Second, there is the difficulty of gathering evidence that can be used in court cases, which means that few successful prosecutions are ever mounted.

Since 1996, as many as 500,000 women have been raped in the DRC alone, and only a tiny fraction of these cases end up in court. This only reinforces the culture of impunity.

Third, rape tends to be treated as a secondary issue by the international community when responding to conflict. As a result, survivors are neglected, funding is insufficient or simply withheld, and perpetrators roam free.

Finally, there is not enough support for the U.N. agencies, local organisations and human rights defenders, who are assisting the survivors on the ground. As a result they are severely under-funded and face real difficulties in responding effectively. All of these are barriers which can and must be surmounted.

This week I will be asking fellow G8 Foreign Ministers to agree on a historic political statement that sets out our shared determination to work to end sexual violence in armed conflict, to tackle the lack of accountability that exists for these brutal crimes, and to ensure comprehensive support for victims.

I am seeking a wide set of practical commitments that include recognising that rape and serious sexual violence are grave breaches of the Geneva Conventions; greater funding and long-term support for survivors; and support for a new International Protocol that will set out agreed standards for investigating and documenting sexual violence.

These measures are designed to improve evidence gathering and lead to more prosecutions, they will empower survivors to come forward, and they will ensure that victims receive the long-term support that they need to rebuild their lives with dignity. I am hoping for an ambitious agreement in London on Thursday.

But this is only a beginning. We will use the support from the G8 as a foundation to build a strong international coalition against wartime rape and sexual violence in conflict at the U.N. and more widely.

The G8 represents some of the world's largest economies, with huge international reach and combined influence. When its members come together in common endeavour, they are capable of bringing about real and lasting change in the world.

This week, that lasting change will be to begin a process aimed at ending one of the most devastating aspects of modern warfare, and addressing one of the main reasons why it is so difficult for communities to come back together after conflict. It is our duty as political leaders of free countries and human beings to shatter impunity for those who use rape as a weapon of war, and ensure that its victims are never again abandoned.

(William Hague is the British Foreign Minister.)

The News (Pakistan)

Thursday, 11 April 2013

<http://www.thenews.com.pk/Todays-News-1-170715-Mladic-ejected-from-court>

Mladic ejected from court

THE HAGUE: Wartime Bosnian Serb army chief Ratko Mladic was removed from a UN war crimes court Wednesday for challenging harrowing testimony from a survivor of the 1995 Srebrenica massacre. Mladic, who is on trial at the court in The Hague on various charges, including genocide, over the 1992-95 Bosnian war, began muttering as the witness started testifying about Srebrenica, the worst atrocity in Europe since World War II.

There were conflicting reports as to what Mladic actually said, with the witness saying he heard him utter the word “lies” as well as “fuck your mothers” as he left the International Criminal Tribunal for the former Yugoslavia (ICTY) courtroom. Mladic’s lawyer however said the Bosnian Serb ex-general had merely accused the witness of regurgitating testimony “learnt by heart”.

“There is no need to explain that these types of comments are inappropriate,” a clearly annoyed judge Alphons Orie said as he ordered Mladic out of the courtroom.

Africa Review (Kenya)

Wednesday, 10 April 2013

Burundi MPs seek transitional justice tips from SA

By PHOCAS KANUNI in Bujumbura



Burundian parliament in session. A section of the MPs are in South Africa to seek lessons on transitional justice. PHOCAS KANUNI | NATION MEDIA GROUP AFRICA REVIEW

Ten Burundian MPs are in South Africa to consolidate the draft Bill governing their country's Truth and Reconciliation Commission (TRC).

The visit, organised by the American Friends Service Committee from April 6 - 12, is bringing together the MPs under the framework of dialogue and exchange.

The 10 are members of the Commission for Justice and Human Rights and are in South Africa to seek experience in the field of transitional justice.

They are expected to think out a more appropriate law to promote the establishment of a TRC that is efficient and which complies with international standards, while taking into account Burundi's realities.

The draft Bill governing the TRC, currently under scrutiny, was submitted to the National Assembly on December 18 last year.

Apart from meeting with the board of the South African Parliament and the department of Constitutional Development of South African Parliament, the delegation was also expected to have talks with the vice-president of South Africa's TRC.

The MPs will also seek the views of former commissioners and experts from various African TRCs in addition to the testimonies of various civil society organisations, including associations of victims.

The victims

Furthermore, the MPs will chat, via Skype, with the former president of the Togo TRC, Bishop Nicodème Barrigah and other experts from Ghana and Sierra Leone.

Instances of transitional justice were supposed to be implemented in 2001, but Burundians were still waiting 12 years later.

The Arusha agreement for peace and reconciliation in Burundi, signed on August 28, 2000, provides for the establishment of two bodies; TRC and implementation of a Special Tribunal for Burundi.

Before the end of the civil war, the role of TRC to establish responsibilities on serious acts of violence that devastated the country from independence to 2000, was ratified in the agreement.

Although the Burundian parliament adopted in December 2004 a law governing the commission, it was yet to be established.

The government feels that the opportunity to establish a Special Tribunal should be based on the findings of the Truth and Reconciliation Commission.

The civil society has expressed concern over the absence of the Special Tribunal, arguing that nothing had been planned for the victims and that in the absence of a court, a general amnesty could be granted to even those suspected of unforgivable crimes.

Associated Press
 Thursday, 11 April 2013

Macedonia: War crimes convict gets hero's welcome

By KONSTANTIN TESTORIDES

SKOPJE, Macedonia (AP) -- Tens of thousands of people gathered in Macedonia's capital Thursday to welcome home a former police officer who served eight years in prison for committing war crimes during a 2001 insurgency by ethnic Albanian militants.

Johan Tarculovski was greeted at the airport in Skopje by relatives as well as conservative Prime Minister Nikola Gruevski and other government officials. His return was broadcast live on television.

The 39-year-old was convicted by a U.N. tribunal in 2008 for the murder of three ethnic Albanian civilians and the destruction of 12 homes during a police raid on a village near the end of the six-month insurgency. He was released from a prison in Germany this week after serving eight years of a 12-year sentence.

Large billboards and posters bearing the words "Welcome home Johan" were draped over building fronts and placed in public bus windows in the capital, where Tarculovski's supporters gathered from around the country to attend an outdoor welcoming party.

Earlier, at Skopje's Alexander the Great Airport, supporters chanted Tarculovski's name and waved red-and-yellow Macedonian flags after he arrived on a government plane.

Tarculovski was the only Macedonian to be convicted by the International Criminal Tribunal for the former Yugoslavia, based at The Hague in the Netherlands. His conviction is a source of resentment among many in the country's Slavic-speaking majority.

Macedonia broke away peacefully from the Yugoslavia in 1991 but was rocked by the insurgency that claimed some 200 lives a decade later. An internationally brokered peace agreement granted state job quotas and other rights to ethnic Albanians who make up a quarter of the country's 2.1 million people.

The government has filed four unsuccessful petitions at the Hague tribunal against former ethnic Albanian rebels it accused of committing war crimes. The cases were also eventually dropped by local courts due to amnesty provisions of the 2001 ceasefire agreement.

"Macedonians have never accepted the U.N. tribunal findings that only Macedonians were responsible for the conflict," Pavle Trajanov, a former interior minister, said in a television interview.

Albert Musliu, an ethnic Albanian political analyst, said there was a sense of disappointment in the minority community.

"I would understand if his return was celebrated by his family, friends, and fellow fighters from 2001," he told The Associated Press. "The question is whether all this deserved such a huge celebration that included government officials. I'm a little disappointed that such celebration was held for the man who was sentenced for war crimes against civilians of this country."

After arriving home, Tarculovski laid a wreath at a monument for those killed in the ethnic conflict.

"I express my gratitude to all those who gave their lives and defended Macedonia," he told supporters. "Thank you all for the support. It meant everything to me. Long live Macedonia."

Tarculovski was convicted over an attack on August 12, 2001, at the village of Ljuboten, in northern Macedonia, which government forces said was being used as a staging post for insurgent attacks.

Special Court Supplement
V-Block Engineers at Work, in Pictures
Monday, 8 April 2013 in The Hague

