

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



**PRESS CLIPPINGS**

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

**as at:**

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

Thursday, 12 July 2012

# CARL-SL, FBC Human Right Clinic debate on the impact of Taylor trial

By Betty Milton

The Centre for Accountability and Rule of Law Sierra Leone (CARL-SL) and the Fourah Bay College Human Rights Clinic (FBC/HR) yesterday held a debate on the theme 'incomplete justice or a step forward in the fight against impunity: impact of the Charles Taylor trial in Sierra Leone and beyond.'

In a statement by the Executive Director of CARL-SL Ibrahim Tommy, the work of the institution is to work on justice as one of the ways they do this is through court monitoring.

He disclosed that CARL-SL as an institution is an independent monitoring organization comprised of human rights and civil society activists that are committed to promoting accountability and rule of law.

The Executive Director maintained that the institution was established in 2004, as a Special Court Monitoring Group and in 2006, the mandate of the institution extended to

include the domestic court and it has worked with all of the trials at the Special Court and also familiar with most "we even do monitoring at international level" he said.

Tommy further stated that CARL-SL is also engaged in organizing outreach programs across the country disseminating the message of justice, rule of law and accountability, he said the partnership with FBC/HR is as he believes that Sierra Leone present a huge step to eliminate crimes against humanity and fostering rule of law.

One of the panelists Dr. Victor Silver Lecturer at the FBC said that people should not see the Charles Taylor trial as an isolated story but part of the war story. He added that the lesson learnt from the trial in Sierra Leone should set an example that there should be an end to senseless maiming and killing of innocent civilians.

Another lesson is that it should educate the people as to how to stop another trial. He also called on Sierra Leoneans that it is their responsibility to tell the

story not in a negative way that will fuel hatred among people or revenge.

Brima Sheriff Director Amnesty International speaking on the fairness of the trial of Taylor, said Charles Taylor received a trial before an international criminal tribunal that grants defendants certain rights designed to safeguard a fair trial.

On the impact of the Taylor trial he said "the long-awaited decision should provide Sierra Leoneans with some measure of justice and the full judgment will provide legal findings of fact that should contribute to answering critical questions about Sierra Leone's history of conflict."

On behalf of the Office of the Principal Defender, Special Court, he said the judgment of Taylor has some flaws as it is the Special Court that has proved that aiding and abetting is a crime in international court therefore "this is bad precedence and African leaders have to watch their back."



# 'Justice in Taylor's conviction for Sierra Leoneans

By Ibrahim Tarawallie

## - Amnesty Int'l boss

Country Director of Amnesty International Sierra Leone yesterday stated that the conviction of Charles Taylor by the Special Court for Sierra Leone has brought some measure of justice to the people of Sierra Leone even though it is just the first step in a long journey back to normalcy for them.

Delivering a lecture at a public discussion organised by Centre for Accountability and the Rule of Law in collaboration with the Fourah Bay College Human Rights Clinic on the topic: 'Incomplete Justice or a Step Forward in the Fight Against Impunity: The Impact of the Charles Taylor Trial in Sierra Leone and Beyond', Brima Abdul Sheriff said the conviction of the former Liberian leader was a step forward in the fight against impunity but it is incomplete since thousands believed to have committed serious crimes walk free on the streets of Freetown while the victims remain beggars.

"While his conviction brings some measure of justice for the people of Sierra Leone, it is just the tip of the iceberg. Thousands of persons suspected of unspeakable atrocities continue to enjoy immunity from the law because of the Special Court's limited mandate to try those bearing the greatest responsibility and the amnesty provision of the Lome Peace Accord that barred prosecutions in domestic courts," he said.

He maintained that for justice to be complete, it is important to call for the amnesty provision of the Lome Peace Accord to be repealed so that further investigations and

prosecutions for crimes committed during the conflict can be continued, as only by doing so will justice be had for the hundreds of thousands of victims.

"Failing to prosecute the perpetrators of crimes under international law gives the impression that they will not have to face the consequences of their actions.

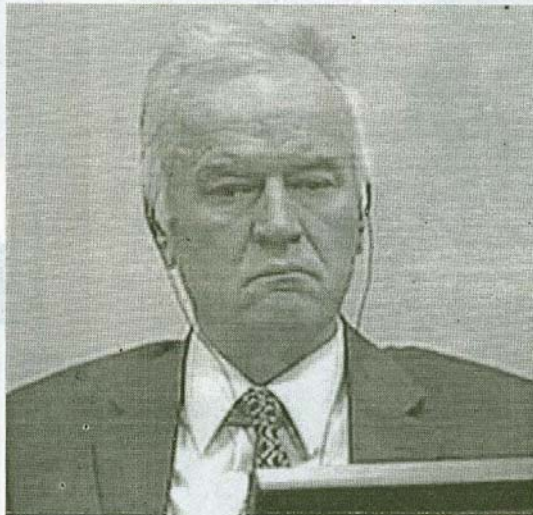
It ignores the distress of the victims and creates a risk of further violations. The failure to address impunity weakens state institutions, denies human values and debases the whole of humanity," he pointed out.

Sheriff added that he has not seen any impact of the Special Court into the justice system of the country.

On his part, Lansana Kotor-Kamara, who is a member of Mr. Taylor's defence team, stated that his conviction and sentencing for aiding and abetting the war in Sierra Leone was a big error in international jurisprudence and a bad precedence for Africa and its leaders.

"The Special Court is the first international criminal court to say that aiding and abetting is a crime. We will be appealing against the judgment," he said.

## Ratko Mladic's war crimes trial resumes at The Hague



*The Mladic trial hears from its first witness, Elvedin Pasic, who was a teenager when his village was attacked - there is a 30 minute delay to this feed*

**T**he first witness has taken the stand in the war crimes trial of former Bosnian Serb army chief Ratko Mladic.

Elvedin Pasic held back tears as he described surviving a mass killing in 1992 in the Bosnian village of Grabovica.

He told the International Criminal Court at The Hague how Bosnia's ethnic groups lived in peaceful coexistence until the outbreak of war in the 1990s.

Gen Mladic is charged with 11 counts of war crimes and crimes against humanity.

The 70-year-old ex-army chief denies the charges, which date back to the 1992-95 Bosnian War.

He was on the run for 16 years before his arrest and is one of the last key figures wanted for war crimes during the Bosnian War.

The trial was halted in May because of "irregularities" by the prosecution.

Some of the relatives of victims and survivors of the war have expressed concern that if the trial takes too long, Gen Mladic, who has suffered from heart problems, will die before a verdict is reached.

Mr Pasic, 34, is a Bosniak (Bosnian Muslim) from the village of Hvracani in northern Bosnia. He was a teenager during the war. He told the court: "Before the war we had a great time. We were playing basketball and football, we used to do everything together. Muslim, Croats and Serbs, we were all having a great time, respecting each other."

Things began to change in the spring of 1992, he said, when as a 14-year-old boy he first noticed a convoy of soldiers in the uniform of the Yugoslav national army giving

Muslims the three-fingered Serbian salute.

Mr Pasic went on to describe how bombs were falling on his area during the war and his village was overrun.

He was separated from the other men in his family and later survived the execution of around 150 people in the northern Bosnian village of Grabovica.

The BBC's Anna Holligan at the court in the Hague says the witness did not look at Gen Mladic.

Later this week, the court is due to hear from the retired British general, Sir Richard Dannatt, who served as deputy commander of Nato's force in Bosnia.

However, the Mladic defence team has called for his expert evidence to be thrown out, our correspondent reports.

There will also be an anonymous witness who survived the 1995 Srebrenica massacre. He is expected to tell the court how he saw prisoners being lined up in groups of 10 and executed.

Around 8,000 Bosniak men and boys from Srebrenica were killed after the town was overrun by Bosnian Serb forces in July of that year - in what was the worst atrocity in Europe since the end of World War II.

[credit bbcnews.com](http://credit.bbcnews.com)



Reuters

Thursday, 12 July 2012

## Genocide suspect Mladic rushed from court to hospital



By Thomas Escritt

AMSTERDAM | Thu Jul 12, 2012 6:57am EDT

(Reuters) - Former Bosnian Serb general Ratko Mladic was rushed to a Dutch hospital on Thursday, the fourth day of his war crimes trial, after asking for a break and slumping with his head in his hands.

Mladic, 70, is accused of genocide over the siege of the Bosnian capital Sarajevo and the 1995 killing of 8,000 Muslim men and boys in Srebrenica, Europe's worst massacre since World War Two.

Already in poor health when arrested in Serbia last year after 16 years on the run, Mladic has several times said he is too ill to stand trial. He complains that he suffers from the effects of a stroke, has problems with his teeth, and has been admitted to hospital with pneumonia.

Prosecutors and relatives of victims fear that he could die without facing justice, as happened with former Yugoslav strongman Slobodan Milosevic, who died in a Dutch prison cell in 2006 while on trial before the International Criminal Tribunal for the former Yugoslavia in the Netherlands.

Tribunal spokeswoman Nerma Jelacic told Reuters: "He (Mladic) complained he was feeling unwell during the hearing, so the hearing was adjourned."

The court said the hearing would resume on Friday if Mladic could attend. Otherwise, an update would be given, Jelacic said.

"He really looked unwell," Mladic's lawyer Branko Lukic told Reuters. "It was a huge surprise for all of us because he'd been looking in pretty good shape."

A Reuters witness said Mladic asked for a break shortly after Thursday's session opened. He then put his head in his hands, and the judge called for medical staff and adjourned the hearing.

A member of Mladic's defense team had accompanied him to hospital, Lukic said.

Earlier this year, the opening of the trial had to be postponed after it emerged that the prosecution had failed to disclose thousands of pages of evidence to the defense.

(Additional reporting by Radosa Milutinovic; Editing by Sara Webb and Mark Trevelyan)

## Policymic

Tuesday, 10 July 2012

### Ratko Mladic Trial at ICC Exposes Flaws of International Justice



On Monday the International Criminal Tribunal for the former Yugoslavia heard its first eyewitness testimonial in the war crimes trial of former Bosnian Serb army chief Ratko Mladic. In an emotional speech, Elvedin Pasic, 13 at the time of the war, recalled his experience fleeing from his besieged Bosnian village.

Critics of international justice point to the inaction of the International Criminal Court and the International Criminal Tribunal for the former Yugoslavia. The ICC's powers are more diverse than the Tribunal's; therefore, more can be done to bring criminals to justice. The ICC claims to operate fairly, yet it doesn't investigate the root causes of the war crimes, such as political agendas. The Tribunal has scratched the surface at delivering justice to the people of Bosnia, Serbia, and Croatia, but the legal process is taking too long. War survivors and relatives of victims are worried that officials

like Mladic will die before the court reaches its final verdict.

Mladic denies 11 counts of war crimes and crimes against humanity. After 16 years in hiding, he was arrested in May 2011 in a village in northern Serbia. His indictment states that he is accountable for the national, political, and religious persecution of Bosniak (Bosnian Muslims) and Bosnian Croat civilians. Mladic is one of many other high-ranking officials to be held on trial for the crimes committed during the Bosnian War in the former Yugoslavia.

Mladic led the Bosnian Serb army during the 1992-95 war. In 1992 he took control of the newly assembled Serb army in Bosnia and began the siege on Sarajevo, in which more than 12,000 people died. In 1995 he commanded his forces to overrun Srebrenica, a Bosniak safe haven protected by the UN. Around 8,000 boys and men between the ages of 12 and 77 were systematically shot.

As it stands, international law is unjust because it protects certain nations from legal scrutiny. The trouble is that the Tribunal only accepts cases that took place within the Former Yugoslavia and that were referred by UN Security Council. In addition to accepting cases from the Security Council, the ICC has jurisdiction in the territories of nations that have ratified the Rome Statute, which China, the United States, and Russia have not.



Biases exist in both the ICC and the Tribunal's systems. The ICC combats impunity, but strangely only in the African continent, where the Security Council's and NATO's interests lie. In the Democratic Republic of the Congo, the Court did not investigate the role of multinational corporations on mineral and land disputes that led to the deadliest war in African history. In Libya, the ICC's quick decision to indict Seif Gaddafi and Abdulla Senussi was expedited by the Security Council's and NATO's cooperation. Perhaps instead of celebrating the ICC's and the Tribunal's achievements, we should be asking more of them.

## International Criminal Court

Tuesday, 10 July 2012

### Thomas Lubanga Dyilo sentenced to 14 years of imprisonment



*Mr Thomas Lubanga Dyilo in ICC Courtroom I for his sentencing hearing on 10 July 2012 © ICC-CPI/Jerry Lampen/ANP*

Today, Trial Chamber I of the International Criminal Court (ICC) sentenced Thomas Lubanga Dyilo to a total period of 14 years of imprisonment. The Chamber, composed of Judge Adrian Fulford, Judge Elizabeth Odio Benito and Judge René Blattmann, also ordered that the time from Mr Lubanga's surrender to the ICC on 16 March 2006 until today should be deducted from this sentence. Mr Lubanga Dyilo was found guilty, on 14 March 2012, of conscripting and enlisting children under the age of 15 and using them to participate in hostilities in the Ituri region in the Democratic Republic of the Congo, from 1 September 2002 to 13 August 2003.

The Presiding Judge, Adrian Fulford, delivered a summary of the Trial Chamber's decision during an open hearing held today. He explained that the Chamber considered the gravity of the crimes in the circumstances of this case, with regard, *inter alia*, to the extent of the damage caused, and in particular "the harm caused to the victims and their families, the nature of the unlawful behaviour and the means employed to execute the crime; the degree of participation of the convicted person; the degree of intent; the circumstances of manner, time and location; and the age, education, social and economic condition of the convicted person".

He highlighted that the crimes for which Mr Lubanga has been convicted, comprising the crimes of conscripting and enlisting children under the age of 15 and using them to participate actively in hostilities, are undoubtedly very serious crimes that affect the international community as a whole. The Presiding Judge added that the "vulnerability of children mean that they need to be afforded particular protection that does not apply to the general population, as recognised in various international treaties".

Judge Fulford indicated that the Chamber has, however, reflected certain other factors involving Mr Lubanga, namely his notable cooperation with the Court and his respectful attitude throughout the proceedings.

Judge Elizabeth Odio Benito has written a separate and dissenting opinion on a particular issue. She disagrees with the Majority's decision to the extent that, in her view, it disregards the damage caused to the victims and their families, particularly as a result of the harsh punishments and sexual violence suffered by the victims of these crimes.

## Human Rights Watch

Tuesday, 10 July 2012

Press Release

### **African Union - Support International Justice - Letter From African Civil Society and International**

The African Union should demonstrate support for justice for victims of grave international crimes at its summit meeting from July 9 to 16, 2012, African civil society organizations and international organizations with a presence in Africa said in a letter sent on July 5 to African foreign ministers.

The African Union should play a stronger role in supporting international justice, the organizations said. They urged governments not to renew African Union calls for non-cooperation in the arrest of International Criminal Court (ICC) suspect President Omar al-Bashir of Sudan. They also raised concerns about proposed plans to expand the jurisdiction of the African Court of Justice and Human Rights to prosecute international crimes. And they called for the African Union to ensure that Senegal fulfills its pledge to prosecute Hissène Habré, the former Chadian president who is implicated in crimes against humanity.

The letter was endorsed by organizations across Africa that are among the most active participants in an informal network of African civil society organizations and international organizations with a presence in Africa who work to promote justice for war crimes, crimes against humanity, and genocide.



# The Guardian

Wednesday, 11 July 2012

## Rwanda is hindering justice for Congo's atrocity victims

Rebel leader Thomas Lubanga may now be in jail, but Rwanda continues to support his co-accused, Bosco Ntaganda



General Bosco Ntaganda, who was chief of military operations under Thomas Lubanga. Photograph: STR New/Reuters



Anneke Van Woudenberg

The sentencing on Tuesday of Thomas Lubanga, a rebel leader from eastern Democratic Republic of Congo was a rare victory for Congolese victims of atrocities. There have been few occasions during my 13 years of documenting abuses in Congo by Lubanga and others in which justice was done. This was one of those moments.

The trial at The Hague and 14-year sentence for Lubanga's use of child soldiers sent the strong message from the international criminal court (ICC) that this is a grave crime that will be punished by the full force of the law. The verdict firmly told warlords and military commanders around the world who use children in war, that they could face justice. But it is also important for another reason: it shines a spotlight on Lubanga's co-accused, Bosco Ntaganda, who remains at large in eastern Congo and is getting help from Rwandan army officers. Ntaganda was the chief of military operations under Lubanga and is wanted by the ICC for similar crimes. Unlike Lubanga, he eluded arrest, joined another armed group and, in 2009, was made a general in the Congolese army. His promotion was a slap in the face for his victims. Not only was Ntaganda rewarded with a high rank and able to wine and dine in eastern Congo's best restaurants, but forces under his command continued to use child soldiers and commit killings and rape.

The Congolese government dismissed calls for Ntaganda's arrest and said he was necessary for the peace process in eastern Congo. But Ntaganda's victims and Congolese human rights activists did not buy this argument. For them, Ntaganda was the poster-child for the impunity that plagues Congo.

Lubanga has the dubious distinction of being the first person ever to be tried and convicted by the ICC. The court, which was established in July 2002, took six years to try the case. Numerous difficulties occurred along the way, including the prosecution's failure to disclose evidence to the defence and to comply with court orders to disclose other information. The problems were eventually overcome, and the new ICC prosecutor should make sure she learns from these mistakes.

But now Ntaganda may be feeling the net tightening around him. In March, following Lubanga's guilty verdict and new attempts by the Congolese government to dilute Ntaganda's power base, he mutinied and orchestrated a new rebellion, known as the M23. His forces continued to commit crimes. The ICC prosecutor requested a second arrest warrant against him for murder, pillage and rape which he had committed while he was with Lubanga's militia. Crucially, the Congolese government in April said it was finally prepared to arrest him.

No more than an estimated 600 men joined Ntaganda's rebellion, which seemed to suggest that his life on the run might be short-lived. Instead, this past week, Ntaganda's M23 rebels took over numerous villages and towns in Rutshuru territory, overthrowing the defences of the Congolese army and United Nations peacekeepers in the area.

Critical to the rebel's advance was military support from Rwanda. For weeks Human Rights Watch and others have uncovered evidence that Rwandan military officials have been supplying weapons, ammunition and recruits to Ntaganda and his forces. He was allowed into Rwandan territory and some Rwandan soldiers crossed the border to support him. On 29 June, a UN group of experts published a report with an addendum that exposed in detail the extent of Rwandan military support to the M23, including the involvement of senior officials. The Rwandan government vigorously denied the allegations, but in light of the evidence, their denials rang hollow.

If countries such as Rwanda can permit their military to assist an ICC war crimes suspect, and let him escape arrest without consequences, then international justice efforts will be undermined.

President Paul Kagame of Rwanda is visiting the UK this week. The British government, which is the single largest bilateral aid donor to Rwanda, should use the opportunity to send a strong message that it will not tolerate any military support to Ntaganda and that Rwanda should play its part in arresting him for trial at The Hague. That will help strengthen the ICC and provide a measure of relief to the thousands of Congolese victims who long for justice.

## Daily Maverick

Wednesday, 11 July 2012

Opinion

<http://dailymaverick.co.za/article/2012-07-11-justice-and-hypocrisy-preachy-britain-ignores-its-kenyan-crimes>

### Justice and hypocrisy: Preachy Britain ignores its Kenyan crimes



The Brits seem more than happy to lecture the rest of the world about the importance of international justice, but less keen to hold themselves to account. SIMON ALLISON reports on how four octogenarian Kenyans are shaming a fallen empire.

Britain's foreign secretary William Hague seemed unconscious of the irony as he stood up on Monday before the legal and diplomatic community in The Hague – the world capital of international justice – to deliver a speech on why war crimes and human rights abuses should never go unpunished. “We have learnt from history that you cannot have lasting peace without justice, accountability and reconciliation,” he said, a sentiment hard to contest.

And yet, at almost the same moment, four Kenyan octogenarians were arriving in London, looking for Britain to give them exactly that. Bundled up against the chilly British summer, the former fighters in Kenya's notorious Mau Mau rebel movement – Ndiku Mutua, Paulo Nzili, Wambugu wa Nyingi and Jane Mara – are suing the former colonial overlords for torturing them during their fight for independence in the 1950s and 1960s.

The Mau Mau rebellion was a particularly dark chapter of colonial history. While atrocities committed by Mau Mau fighters against British settlers and other Kenyans are relatively well known, the widespread torture and abuse employed by the British administrators and military is often forgotten, even though it was on a much grander scale.



Caroline Elkins, a Harvard professor, documented much of this in her book *Britain's Gulag: The Brutal End of Empire in Kenya*. Columnist George Monbiot summarised her findings in the *Guardian*: "Interrogation under torture was widespread. Many of the men were anally raped, using knives, broken bottles, rifle barrels, snakes and scorpions. A favourite technique was to hold a man upside down, his head in a bucket of water, while sand was rammed into his rectum with a stick. Women were gang-raped by the guards. People were mauled by dogs and electrocuted. The British devised a special tool which they used for first crushing and then ripping off testicles. They used pliers to mutilate women's breasts. They cut off inmates' ears and fingers and gouged out their eyes. They dragged people behind Land Rovers until their bodies disintegrated. Men were rolled up in barbed wire and kicked around the compound."

In all, Elkin finds that about one and a half million people were detained by the colonial administration - other estimates suggest between 10,000 and 25,000 rebels were killed.

And yet, despite Britain's oft-proclaimed commitment to international justice, the country has been reluctant to confront its own shameful heritage. The court case brought by the four Kenyan claimants is a test case, potentially opening Britain up to hundreds of similar legal challenges and a compensation bill running in the millions. It has been opposed by Britain at every step.

Painstakingly, lawyers for the Kenyan litigants have had to force Britain to release potentially incriminating documentation. Much of this, however, was already destroyed by colonial authorities in an apparently deliberate cover-up attempt (see my colleague Kevin Bloom's scathing piece on this subject: *File destruction 101: How to whitewash the colonial legacy of 'cool Britannia'*). Even more outrageously, the UK government has argued that, even if the allegations are true, it bears no responsibility. Instead, it is the current Kenyan government – as the legal successors to the colonial administration – that should be held culpable.

Though this is clearly a nonsensical argument, and was rightly thrown out by a judge earlier this year, it is true that the Kenyan government has hardly been a pillar of support for the Mau Mau veterans' battle for compensation and accountability. Funding and organising the legal challenge has instead been left to the Kenyan Human Rights Commission, which has been strongly critical of the government's lack of involvement and especially funding.

"Despite assurances of both financial and political support by our government, no help has been forthcoming," said KHRC senior programme officer Tom Kagwe. This inaction is in stark contrast to the Kenyan government's enthusiastic support of the current politicians indicted by the International Criminal Court, which apparently extends to covering legal fees. Another KHRC official, George Morara, said Kenyan politicians are trying to keep their own skeletons in the closet.

"Most of them were collaborators," he told the BBC. "They benefited from suppressing Mau Mau and they don't want the full history to come out now."

Neither, one suspects, does William Hague, who in the entirety of his nearly 4,000-word speech neglected to mention the Kenyan case even once. He did, however, say a few things which lawyers for the litigants might want to bring up in the next round of hearings, due on July 16 and likely to centre on whether the statute of limitations has already passed on Britain's human rights abuses in Kenya.

Not according to Hague it hasn't. "The lesson of the last two decades is that if you commit war crimes, crimes against humanity or genocide you will not be able to rest easily in your bed: the reach of international justice is long and patient, and once set in train, it is inexorable. There is no expiry date for these crimes," he told his audience.

He also averred in no uncertain terms that Britain was committed to correcting its own mistakes. "It does sometimes happen that we fall short of our own standards. Mistakes are made. Governments can follow

bad policies based on mistaken assumptions, or make poor decisions when confronted by competing priorities or urgent crises. But the test of our democracy is our willingness to shine a light on the mistakes of the past and to take corrective action – as we are doing in many ways including through domestic legislation, independent inquiries, changes to our machinery of government and the issuing of new guidance to our staff.”

Well, Mr Hague, your democracy is being tested right now, by four old Kenyans who want Britain to at least acknowledge the brutality of their colonial regime. So far, there’s been a distinct lack of light being shone on anything. It might be time for you to bring that torch out, or, at the very least, stop lecturing others on how to do it. DM

*Photo: Mau Mau veterans (L-R), Ndiku Mutua, Paulo Nzili, Jane Muthoni Mara, General Secretary of the Mau Mau association Gitu Wa Kahengeri and Wambugu Wa Nyingi stand in front of 10 Downing Street before delivering a letter of protest, in London June 24, 2009. Mutua, Nzili, Mara, Nyingi and another Kenyan began legal action against the British government on Tuesday, accusing the former colonial power of torture during Kenya's fight for independence more than half a century ago. REUTERS/Nigel Roddis*