

**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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## **Cambodian Foreign Ministry** **Elated At Diplomatic Ties** **With Sierra Leone**

CAMBODIA established full diplomatic ties with Sierra Leone last week in an agreement signed at the United Nations.

Ministry of Foreign Affairs spokesman Koy Kuong noted yesterday that the countries shared turbulent histories, but had moved beyond these challenges and were looking forward to their partnership.

"This new establishment of Cambodia and Sierra Leone's diplomatic ties will help promote bilateral cooperation, trade, investment, tourism and other developments between the two countries in the future," Koy Kuong said.

Through most of the 1990s, Sierra Leone was gripped by a civil war that ultimately stretched 11 years and only concluded in 2002. As in Cambodia, a United Nations-backed tribunal was established to try individuals accused of war crimes as part of the conflict, which killed tens of thousands and displaced more than 2 million people.

Former Liberian president Charles Taylor is currently on trial in the Netherlands in relation to the conflict. Koy Kuong said there were no plans for Cambodia and Sierra Leone to open embassies in their respective countries.

## Premier News

Tuesday, 12 October 2010

## Death Penalty Is Ultimate Denial Of Human Rights

**T**he struggle to stop all forms of torture and the death penalty continues with Amnesty International-Sierra Leone (AI-SL) saying that death penalty is the ultimate denial of human rights.

*By Alpha Bedoh Kamara*

The Director of AI-SL made this pronouncement during the commemoration of the 'Death Penalty Day' at the AI-SL Howe Street Office yesterday.

"Amnesty International opposes the death penalty in all cases without exception regardless of nature of the crime, the characteristics of the offender, or the method used by the state to kill the prisoner," AI-SL director, Brima Sheriff said, while congratulating President Koroma for a 'death penalty-free three years'. "This year marks twelve years since Sierra Leone carried out her last execution," he said, noting that Sierra Leone has taken the lead to seek for an African permanent seat at the UN Security Council as an opportunity to live by example and respect UN Resolution 63/168 of 18th December 2008.

"This resolution reaffirms resolution 62/149 of 18th December 2007 that documents the decision of the UN General Assembly on a moratorium on the use of the death penalty," he said.

"Death penalty is the ultimate denial of human rights, and the premeditated and cold-blooded killing of a human being by the state in the name of justice. It violates the right to the life as proclaimed in the

Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment," he said, adding that there can never be a justification for torture or for cruel treatment.

He said like torture, an execution constitutes an extreme physical and mental assault on an individual, and reiterated that the physical pain caused by the action of killing a human being cannot be quantified, nor can the psychological suffering caused by foreknowledge of death at the hands of the state.

He said too many Governments believe they can solve urgent social or political problems by executing a few or even hundreds of their prisoners.

"Too many citizens in too many countries are still unaware that the death penalty offers society no further protection but further brutalization," he noted, adding that it is incorrect to assume that people who commit serious crimes as murder do so after rationally calculating the consequences.

He said often murders are committed in moments when emotion overcomes reason or under the influence of drugs or alcohol.

"Some people who commit violent crimes are highly unstable or mentally ill," he said.

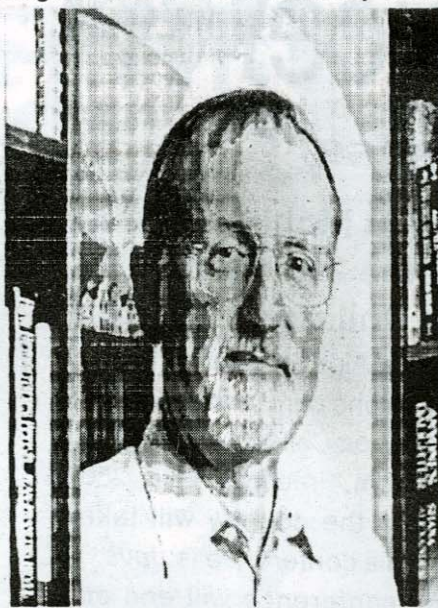
## **RWANDA REBEL FDLR LEADER MBARUSHIMANA HELD IN FRANCE**

The court said it believed Mr Mbarushimana was the executive secretary of the FDLR. A leader of the Rwandan FDLR rebel group has been arrested in France on war crimes charges, the International Criminal Court says. Callixte Mbarushimana is accused in the sealed warrant of 11 counts of murder, rape and other crimes during the long conflict in DR Congo. FDLR fighters were recently accused of taking part in the mass rape of several hundred people in eastern DR Congo. FDLR Inc: Congo's multinational rebels Q&A: DR Congo conflict They have denied any responsibility for the attacks. Some FDLR (Democratic Forces for the Liberation of Rwanda) leaders have been accused of taking part in the 1994 genocide of ethnic Tutsis and moderate Hutus in Rwanda. After a Tutsi-dominated group took power in Rwanda, they fled into what is now the Democratic Republic of Congo, sparking years of unrest across the border. The court said there were reasonable grounds to believe that Mr Mbarushimana was executive secretary of the FDLR, and as such, was criminally responsible for five counts of crimes against humanity and six counts of war crimes in 2009. In a statement, the court said Mr Mbarushimana had "personally and intentionally contributed to a common plan of conducting attacks against the civilian population" with the aim of creating a "humanitarian catastrophe". ICC Prosecutor Luis Moreno-Ocampo said Mr Mbarushimana's arrest was "a good day for justice" and marked a "crucial step in efforts to prosecute the massive sexual crimes committed in the DRC". But he warned there was "still a lot to do to break the cycle of impunity in the DRC". Another commander sought by the ICC for massive crimes, Bosco Ntaganda, is still at large in Goma and his forces roam the

## New Vision

Tuesday, 12 October 2010

### Book Review: *Blood on the Stone: The Diamond Wars in Africa*



By Ian Smillie, Ottawa, Canada

*This book is about how diamonds fuelled some of the most brutal wars in Africa.*

More than three million people died as a result of these wars in the 1990s and the early 2000s; many more millions of lives have been damaged, and the existence of entire nations has been called into question. The book is also about a campaign that began in 1998 to stop these 'conflict' or 'blood diamonds'. It is a campaign in which I have been deeply involved, but in this book I have mostly kept myself out of the story because it is one that involves hundreds of individuals, organizations and governments, each contributing in their own way.

How the campaign began for me, however, is a tale worth telling, not least because of the places it has taken me over a period of ten years: from the killing fields of Sierra Leone to the diamond bourses of Antwerp; from the

back streets of Jaffa in Israel to the august Security Council in New York; from Moscow to the barren lands of Canada's Northwest Territories, to refugee camps in Guinea, the Clinton White House and the witness stand of a war crimes trial in The Hague.

In 1997, a small group of individuals began meeting at the Ottawa offices of a non governmental organization (NGO) called Partnership Africa Canada (PAC) to talk about the war then raging in the small West African nation of Sierra Leone.

It was an eclectic group of people who were concerned that this increasingly horrific war had received so little attention – from the humanitarian aid community, the media and the United Nations. Tens of thousands of people had been killed, and fully half the population of the country had been displaced by marauding rebels, who marked their passing by chopping the hands off innocent civilians. Our little gathering, which we called the 'Sierra Leone Working Group' comprised two or three Sierra Leonean-Canadians, a couple of people like myself who had once worked in Sierra Leone, and others who had come to know the country in other ways.

Years before, and fresh out of university, I went to Sierra Leone to teach secondary school. I was posted to Koidu Town in Kono District in 1967, the heart of the country's lucrative diamond mining industry. It was, in almost every respect except for location and climate, a replica of the Klondike gold rush – a wild west kind of town with thousands of illicit diamond diggers, a vibrant Lebanese diamond mafia, and a company exporting two million carats a year worth of the best diamonds in the world to the cutting and polishing factories of Antwerp and beyond. In those days, people like me saw development in terms of roads, schools and hospitals. And all of these things were being built. In Koidu, some of my students walked five miles to school every day, and most could expect trouble at home if they didn't do well in class. Koidu Secondary School, the only high school in the country's fourth largest town, was two years old when I arrived, but parents, town elders and especially the students, wanted it to grow and thrive. None of them, and none of the teachers, could possibly imagine what was to come. Twenty five years of bad government,

mismanagement and corruption put Sierra Leone on the slippery slope to a war without precedent for its senselessness and its savagery. And the diamonds – which we teachers and students more or less ignored in those long ago days – would be at the epicentre of the tragedy.

I'm not sure if those of us in the Sierra Leone Working Group had a clear idea of where we were going in our 1997 and 1998 meetings. We raised a bit of money, and as the war worsened we talked with not a little irony about 'peace-building'. Finally, towards the end of 1998, one member of the group interrupted a discussion and said, 'Look, this war is all about diamonds, and until something is done about that, it will never end.' It was a eureka moment.

Adrian Labor, a young Sierra Leonean who had recently immigrated to Canada, worked as a computer programmer at the International Development Research Centre. He had hit the nail on the head. Reports about diamond theft by the Revolutionary United Front (RUF) were common, but none of the solutions proposed by those studying the war had addressed this issue. In fact, having lived in the diamond area, I saw Labor's point so clearly that I wondered why I had not thought of it myself. Within a couple of months we

had put together a modest funding proposal to study the issue. Working as a free-lance consultant and writer, I had the time that would be required if we could get some travel money, and if we could find others to work on it. We asked 12 Canadian NGOs to give us \$2000 each, and all but one said yes. We then asked for a matching grant from the Peacebuilding Fund of the Canadian Department of Foreign Affairs, and officials there too said yes. I had known Ralph Hazleton as a casual acquaintance for several years. He had a Ph.D. in economics and a mixed career in academia and international development.

He had run CARE relief operations in Liberia and then in Goma during the Rwanda crisis, and we had met, coincidentally, in Freetown, the capital of Sierra Leone, in 1996. Following a quadruple-heart bypass, Ralph had gone into semi-retirement, but now he was itching for an interesting assignment. When I suggested our project to him – all work and almost no pay – he said yes without hesitation. Lansana Gberie was a journalist in Freetown for six years, reporting through the early days of the escalating war. He received a US government

fellowship, and for a time worked on the Kansas City Star, alma mater of Ernest Hemingway, before going to Wilfrid Laurier University for a master's degree. He called me out of the blue from Toronto, where he had entered a Ph.D. program, and in short order, we had the team.

We worked on the issue through 1999, and as we delved into it, we discovered that diamonds in Sierra Leone were like a strand of wool dangling from a sweater. If you pull on it, the entire sweater begins to unravel, and if you pull on it long enough, you might find that it is connected to a lot of other things as well. That was the case with Sierra Leone diamonds. They were intimately connected to the war that had been fought in neighbouring Liberia until 1997, and they were now a mainstay in the expansionist ideas of Liberian warlord-turned-president, Charles Taylor. Conflict diamonds – as they came to be known – were what had kept a war in Angola going for almost two decades. The diamonds were laundered in half a dozen ways before they arrived in jewellery shops, but because nobody had ever asked questions before, most of those involved in the cover-up had taken no great pains to hide their trail. Antwerp, the centre of the world's diamond trade, had for years been importing

hundreds of millions of dollars worth of diamonds from countries where none were mined.

No questions were asked.

We discovered that we were not alone. A year before, a small British NGO, Global Witness, had published a hard-hitting report on blood diamonds in Angola. The people at Global Witness became allies as our work progressed. And we were helped indirectly by the United Nations. The UN Security Council had mandated its Sanctions Committee on Angola to set up an Expert Panel to study how and why the rebel group, UNITA, was able to sell hundreds of millions of dollars worth of stolen diamonds into the legitimate trade every year, with complete impunity.

In January 2000 we released our report, *The Heart of the Matter: Sierra Leone, Diamonds and Human Security*. The report accused Liberian President Charles Taylor of masterminding one of the worst wars on the African continent, paying for it with diamonds. We accused the diamond industry of complicity, and we said that Antwerp and the government of Belgium bore special responsibility for the traffic in illicit gems. And while we described the giant diamond

conglomerate, De Beers, as part of the problem, we said that as the largest and most powerful player in the diamond world, it had a special responsibility to become part of the solution. The report helped take the war away, intellectually speaking, from the rebels, who are often portrayed as mindless African savagery, placing it squarely into a more realistic construct: power and money.

The *Heart of the Matter* created a media sensation, at least it seemed that way to us. It resulted in front page stories in newspapers in Canada, Sierra Leone, Belgium and South Africa, and wide coverage elsewhere. The Belgian media accused us of being part of a Canadian plot to destroy the Belgian diamond industry.

Canadian Foreign Minister Lloyd Axworthy had more than one discussion with Belgium's Foreign Minister, Louis Michel, trying to persuade him that there was no conspiracy.

By the time the report came out, a peace accord had been reached in Sierra Leone, and a UN peacekeeping force had at last been sent to supervise the agreement. But in May 2000, the RUF kidnapped 500 UN peacekeepers as they moved towards the diamond fields, and the war began

*To be cont'd*



## BBC Online

Monday, 11 October 2010

### Rwanda rebel FDLR leader Mbarushimana held in France



*Callixte Mbarushimana personally contributed to the attack plans, said the ICC*

A leader of the Rwandan FDLR rebel group has been arrested in France on war crimes charges, the International Criminal Court says.

In a sealed warrant, Callixte Mbarushimana is accused of 11 counts of murder, rape and other crimes committed during the long conflict in DR Congo.

He last year told the BBC he denied any responsibility for war crimes and said FDLR fighters did not attack civilians.

FDLR fighters were recently accused of raping hundreds of people in DR Congo.

Again, the mainly Hutu FDLR (Democratic Forces for the Liberation of Rwanda) denied links to the attacks around the eastern Congolese town of Luvungi.

Some FDLR leaders have been accused of taking part in the 1994 genocide of ethnic Tutsis and moderate Hutus in Rwanda.

After a Tutsi-dominated group took power in Rwanda, they fled into what is now the Democratic Republic of Congo, sparking years of unrest in the region.

'Good news'

The ICC said that as executive secretary of the FDLR, Mr Mbarushimana was criminally responsible for five counts of crimes against humanity and six counts of war crimes committed throughout 2009.

In a statement, the court said Mr Mbarushimana had "personally and intentionally contributed to a common plan of conducting attacks against the civilian population" with the aim of creating a "humanitarian catastrophe".



*Thomas Fessy BBC News, Kinshasa*

The UN has long been asking France to act against Callixte Mbarushimana but it has not done so until now, through the ICC.

On the ground, it will certainly affect the Hutu-Rwandan rebel group's morale - it is a second major blow after the arrest last year in Germany of FDLR head Ignace Murwanashyaka.

Although this arrest is likely to encourage more combatants to come out of the bush and be demobilised, the military leadership remains strong in eastern DR Congo.

Recent attacks on the Congolese population have also shown the FDLR's capacity to make new alliances with local armed groups, whatever their ethnic origin.

ICC Prosecutor Luis Moreno-Ocampo said Mr Mbarushimana's arrest was "a good day for justice" and marked a "crucial step in efforts to prosecute the massive sexual crimes committed in the DRC".

But he warned there was "still a lot to do to break the cycle of impunity in the DRC" with 15,000 cases of sexual violence reported in 2009.

"Another commander sought by the ICC for massive crimes, Bosco Ntaganda, is still at large in Goma and his forces roam the Kivus killing and raping. He must be next," said Mr Moreno-Ocampo.

The FDLR is one of the most powerful rebel forces operating in eastern DR Congo, where they are believed to make millions of dollars a year by controlling mines rich in gold and other minerals, and extorting money from local people.

Mr Mbarushimana, who has been living in Paris, has described the force as a freedom movement, fighting "to liberate the Rwandan people from the yoke of the fascist regime" of the governing Rwandan Patriotic Front (RPF).

He has always said he is innocent but that he is "ready to face justice if they come with allegations".

Lambert Mende, a spokesman for the Congolese government, welcomed Mr Mbarushimana's arrest.

"It's good news for the Democratic Republic of Congo and the whole Great Lakes region as Mbarushimana led from Europe the FDLR's armed bands which spread death and destruction in our country and threatened security in their own country," he told the AFP news agency.

Rwanda has twice sent its troops into DR Congo, saying they are needed to stop Hutu fighters, such as the FDLR, from using Congolese territory to attack Rwanda.

This led to the six-year conflict in DR Congo and the deaths of some five million people.

## The New Times (Kigali)

Tuesday, 12 October 2010

### Rwanda: Gov't Welcomes Mbarushimana's Arrest

Edmund Kagire

Kigali — The government has welcomed the move by the International Criminal Court (ICC) to arrest of Callixte Mbarushimana, one of the top commanders of the Democratic Forces for the Liberation of Rwanda (FDLR), terming it as a "positive step".

Mbarushimana was arrested yesterday by the French Police on an arrest warrant issued by the ICC for war crimes and crimes against humanity committed in Congo.

Reacting to the arrest yesterday, the Minister of Justice, Tharcisse Karugarama, said that the arrest of Mbarushimana, who is likely to be transferred to The Hague in a couple of days, is a "first step" towards the international community coming up to apprehend the heads of the terrorist group roaming freely.

"For us, we think anybody arresting anyone for such crimes is a positive development and as the government of Rwanda, we welcome that. We want to congratulate the ICC for having taken that bold initiative,"

"It is one step at ago and that is one good step. We hope ICC will continue to fulfil other steps to apprehend these wanted people. It was long overdue," said Karugarama, who is also the Attorney General.

Mbarushimana's arrest follows the arrest of two other top leaders of the group; Ignace Murwanashyaka and Straton Musoni by Germay authorities last year. The duo was denied bail by the German Court in June.

The French Ambassador to Rwanda Laurent Contini also confirmed the arrest.

"Yes I confirm the news. Mr. Calixte Mbarushimana was arrested in France this morning and was transferred to the hands of the prosecution."

In a press statement released by the ICC shortly after the arrest, the Chief Prosecutor Luis Moreno Ocampo commended France for a smooth and efficient operation.

"We are grateful to the French authorities for executing the arrest warrant and we are thankful for the excellent cooperation of the many parties involved in the investigation, including France, Germany, the DRC and Rwanda. This is a clear example of positive complementarity in action," said Ocampo.

He termed the arrest of Mbarushimana as a "crucial step in efforts to prosecute the massive sexual crimes committed in the DRC" by the former Ex-FAR rebels who have wrecked havoc in the region since 1994.

Another top FDLR commander Col. Seraphim Bizimungu, is also on the run following the recent gang rapes of about 500 persons by the rebels.

Mbarushimana is charged with 11 counts of crimes against humanity and war crimes including killings, rape, persecution based on gender and extensive destruction of property committed by the FDLR during most of 2009.

The Executive Secretary of the National Commission for the Fight against Genocide (CNLG) Jean de Dieu Mucyo, also welcomed the arrest saying that it is high time that the international community took the responsibility to arrest all those wanted criminals still on the run.

"It is a positive development. We hope justice will be delivered. It is high time the international community took its responsibility. Our worry is that sometimes countries go back on their decision and release such people, we hope it won't be the case," Mucyo said.

## The New Times (Kigali)

Tuesday, 12 October 2010

### **Rwanda: Erlinder Has No Immunity - ICTR**

James Karuhanga

Kigali — A decision by the Appeals Chamber of the International Criminal Tribunal for Rwanda (ICTR), has paved the way for the government to continue with the prosecution of Prof. Peter Erlinder.

Tharcisse Karugarama, the Justice Minister, said yesterday that the government is set to proceed with trial after the ICTR "removed all possible doubts on why he is being pursued".

Karugarama stressed that the essence of that judgment, particularly in paragraphs 28, 29 and 30 of the Chamber's ruling, was to the effect that Erlinder was being prosecuted in Rwanda for crimes committed outside his normal duties as defence counsel at the tribunal.

"We welcome this decision and we will implement the part that relates to us, as a country. We shall proceed to prosecute him on charges that he committed outside his duties as defence counsel," he noted, stressing that Rwanda respects the functional immunity for Defence Counsel.

"The importance of this judgment is that the Appeals Chamber has unequivocally removed any doubt about the basis for prosecuting Peter Erlinder - namely, that he is not being prosecuted for crimes, or for utterances or for actions related to his work at the ICTR," Karugarama said.

He underscored that Erlinder is being prosecuted for things he did in his private or academic world and had nothing to do with the utterances or actions in his capacity as an ICTR defence attorney.

Part of paragraph 27 states that while in Rwanda: "He was therefore not immune from personal arrest or detention as provided for under Section 22 (a) of Article VI of the Convention."

The Appeals Chamber also stressed that when Erlinder was arrested in Kigali, on May 28, on allegations of Genocide denial, he was in Rwanda "for reasons unrelated to his work at the Tribunal."

The controversial US lawyer who had come to represent Victoire Umuhoza Ingabire, the president of the yet-to-be-registered party, FDU-Inkingi, is part of a revisionist network, most of them defence lawyers of the ICTR.

While in detention, Erlinder faked illness several times, including a suicide. He was released on bail on compassionate grounds to allow him to seek medication for depression and other mental issues.

# Kenya Broadcasting Corporation

Tuesday, 12 October 2010

## Muite lambast politicians over ICC

Written By:Carol Gakii



Constitutional lawyer Paul Muite has termed as diversionary tactics, demands by lawyers representing senior security officers listed to give statements to the International Criminal Court - ICC investigators.

Muite says demands that the government sets out rules for the statement taking first are aimed at derailing the process.

Speaking to Kenya Broadcasting Corporation-KBC- on phone, Muite called on the security bosses to cooperate with the investigators.

He called on the lawyers to stop misleading their clients arguing that the delay cannot stop ICC investigators from doing their job.

The senior counsel stated that ICC has a way of gathering evidence in the event it does not receive full cooperation.

The lawyers claim that the process was complex and therefore it requires strict guidelines.

The officers targeted by the ICC are those who served in Rift Valley, Nyanza, Western, Nairobi and Coast provinces at the time of the violence.

The PCs in office at the time were Ernest Munyi (Coast), Abdul Mwasera (Western), Hassan Noor Hassan (Rift-Valley), James Waweru (Nairobi) and Paul Olando (Nyanza).

The PPOs include Grace Kahindi and Antony Kibuchi (Nyanza), Everet Wasige (Rift Valley), King'ori Mwangi (Coast), Francis Munyambu (Western) and Njue Njagi (Nairobi).

Justice minister Mutula Kilonzo had said Lady Justice Kalpana Rawal could start presiding over the recording of statements from security chiefs on the basis of the Evidence Act.

However, the lawyers are challenging the minister to explain which provision of the Act allows recording of the ICC statements.

Meanwhile, the Kenya National Commission on Human Rights - KNCHR says the rights of individuals listed to be interviewed by ICC investigators must be protected.

Commissioner Hassan Omar says if the demands by lawyers representing security bosses expected to be interviewed by ICC investigators were aimed at protecting the safety of their clients then they must be granted.

Speaking also to KBC, Hassan said the ICC investigation is a serious issue and witness protection is paramount.

At least five provincial commissioners, six provincial police chiefs and several district commissioners, who served in the post election violence hotspots, are expected to record statements.

## Digital Journal

Sunday, 10 October 2010

<http://www.digitaljournal.com/article/298764#ixzz128vPRiBz>

### ICTR Lawyers: No International Justice for Congo Special

By Ann Garrison.

Human rights activists around the world have called for international justice and an end to impunity in the wake of the UN Mapping Report on Human Rights Abuse in the Democratic Republic of Congo.

The report, which covers the period from 1993 to 2003, was released on October 1st, by the Office of the United Nations High Commission for Human Rights. UN High Commissioner for Human Rights Navi Pillay says that, though it covers a time period ending in 2003, these crimes continue because the perpetrators have never been prosecuted. Defense lawyers for the International Criminal Tribunal on Rwanda say, however, that there is no reason to expect justice from an international criminal tribunal.

The UN report suggests a mode of transitional justice in Congolese courts, but much of the international community has reacted skeptically, because the Congolese judicial system is barely functioning. A coalition of Africa advocates, including Friends of the Congo, Africa Faith and Justice Network, and many others, also say that justice is not possible in Congo because Rwanda and Uganda are occupying eastern Congo, and plundering its natural resource wealth, with Congolese President Joseph Kabila's collaboration. They will focus instead on pressuring President Barack Obama to end the U.S.A.'s longstanding military and diplomatic support for Rwandan President Paul Kagame, whose army is most controversially implicated in the report, in war crimes, crimes against humanity, and genocide against Rwandan Hutu refugees and Congolese Hutus in Congo.



*Ugandan President Yoweri Museveni has ruled Uganda since 1986.*

Ugandan President Yoweri Museveni and his army are implicated in the same crimes, and both reacted angrily to the report. This week Kagame, also said, at the swearing-in ceremony for his Cabinet ministers, that he will not respond to foreign donors pressuring him to create political space for the opposition in Rwanda. On Saturday morning, October 9th, Victoire Ingabire Umuhoya, leader of the FDU-Inkingi, Rwanda's broadbased opposition coalition of parties, confirmed that the security operatives always outside her home have been replaced by police with firearms, a least six of whom were visible from inside. She also said that expanding the mandate of the International Criminal



Public domain

*Spanish protestors objecting to the July 2010 visit of Rwandan President Paul Kagame to attend a UN conference, pressured Spanish Prime Minister Jose Luis Rodriguez Zapatero to cancel his scheduled meeting with Kagame.*

Tribunal on Rwanda, to include the crimes of the Rwandan army and others in Congo, was the best hope for international justice.

But International Criminal Tribunal on Rwanda defense lawyers Christopher Black and Peter Erlinder say that the power of the U.S., the UK and their allies so distorts international justice tribunals that international justice is not possible.

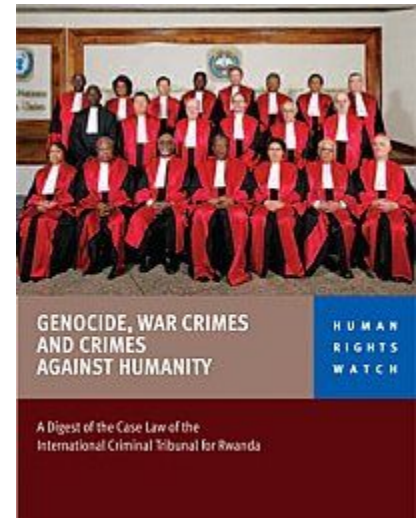
ICTR defense lawyer Christopher Black, who recently published, "The Rwandan Patriotic Front's Bloody Record and the History of UN Cover-Ups," in Monthly Review Zine, says that the International Criminal Tribunal on Rwanda will never charge officers of Kagame's army because, if charged, they will implicate their U.S. and European allies:

***"They're never going to charge the RPF, because it would be too dangerous. If you start charging the RPF, RPF officers, to save their necks, are going to start talking about others. And then you're going to get up to the Americans and the British and the Canadians and the Belgians. The whole thing would fall apart. They don't dare do that."***



FDU-Inkingi Party

*Victoire Ingabire Umuhuza says that the UN Report confirms what has long been a "Pucinella" secret that many knew but pretended not to know.*



Human Rights Watch

Cover of Human Rights Watch publication "Genocide, War Crimes and Crimes Against Humanity A Digest of the Case Law of the International Criminal Tribunal for Rwanda," issued in January 2010. Human Rights Watch agreed with ICTR defense lawyers Black and Erlinder that the legacy of the tribunal is tainted by its failure to prosecute leaders of Rwandan President Paul Kagame's ruling Rwandan Patriotic Front party.

Peter Erlinder says that the U.S. controls the decisions of the Security Council, and/or ignores them, as it did, with impunity in Iraq, and that it will therefore control any attempt to expand the mandate of the International Criminal Tribunal on Rwanda.

***"If the United States wants something to happen, in terms of punishing these criminals, there's a way to do it. If the U.S. doesn't want it to happen, it won't happen, tribunals or no. Because the United States controls the ICTR; because the United States controls the I.C.C.; because the United States controls the Security Council. So extending the mandate of the ICTR has no effect unless the policy of the United States changes to allow the prosecution of the RPF and Kagame for the crimes that are already known, that they've committed, and those crimes have been known for 15 years."***

Erlinder agrees with the coalition now focused on Obama's response to the report. He says that the goal should be changing U.S. policy in East/Central Africa, which has been shaped by the determination to control geostrategic resources, most of all, those of resource rich Congo.

*An excerpt of the UN Mapping Report on Human Rights Abuse in the Democratic Republic of Congo, 1993-2003, is available at Monthly Review Zine, and the entire report is available on the website of the UN High Commission on Human Rights.*



Aljazeera

Monday, 11 October 2010

## **DR Congo warlord trial to resume**

Thomas Lubanga, the Congolese warlord, will not be released and his trial for crimes of war can resume, the Hague-based International Criminal Court (ICC) has ruled.

Friday's ruling by the ICC's appeals body overturns a decision by a lower court in July to release Lubanga and halt his trial.

"The decision to stay proceedings must be reversed," Sang-Hyun Song, president of the court's appeals chamber, said.

Lubanga (49), went on trial in January 2009 on charges of recruiting child soldiers and sending them to fight during the five-year civil war in the Democratic Republic of Congo which ended in 2003. But earlier this year, the lower court had ruled that a fair trial was no longer possible because the prosecution was refusing to hand over information to the defence.

The ICC suspended the trial on 8 July, after criticising Luis Moreno-Ocampo, the chief prosecutor, for abusing court processes and ignoring judges' orders.

Ocampo had refused to obey a court order to disclose the name of an "intermediary" who had helped the prosecution team to find witnesses.

Prosecutors quickly appealed, blocking Lubanga's release. They have since revealed the identity of the intermediary.

In Friday's ruling, Song found the prosecutor's behaviour wrong, but called the trial chamber's decision to stay the proceedings "drastic".

"The trial chamber erred by resorting immediately to a stay of proceedings without first imposing sanctions and allowing such sanctions an opportunity to bring about the prosecution's compliance with its order," Song said.

Lubanga surrendered to the court in March 2006 and has pleaded not guilty to the charges. The trial is the first for the international court. — aljazeera.