

**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

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Press clips are produced Monday through Friday.
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FBC, UK varsity on Special Court legacy

By Mustapha Sesay

The Department of Mass Communication, Fourah Bay College and the Centre for International Media Analysis, Research and Consultancy, University of Bedfordshire, United Kingdom on Wednesday hosted one-day seminar on the social and legal impact of the trials of the UN-backed Special Court for Sierra Leone on the peoples of Liberia and Sierra Leone.

Chairperson of the seminar, Bernadette Cole who is also the Co-Director of the British Academy funded research project said that the project aimed at the development of a scholarship that would analyze the impact of war crimes trials in both Sierra Leone and Liberia. She said that a similar seminar had been organized in Monrovia.

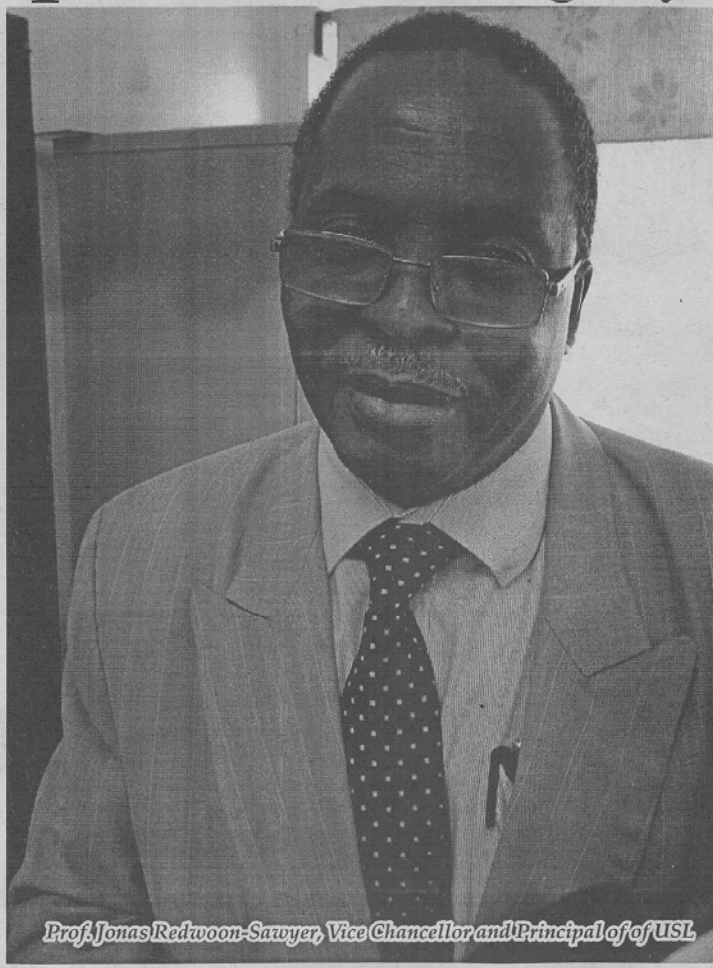
In his presentation on the media and transitional justice, Magistrate Binneh Kamara, Lecturer at the Department of Mass Communication and a PhD student of the University of Bedfordshire said that very little academic research had been done to gauge the impact of media coverage on the democratic processes in both Sierra Leone and Liberia. He said that when journalists and propagandists put out "hate speeches" on their various media outlets, that had the propensity to plunge any country into

conflict as was the case in Rwanda.

In his keynote address, former Deputy Prosecutor of the Special Court for Sierra Leone and current head of the Anti-Corruption Commission, Joseph Fitzgerald Karama said that one of the most significant developments in the field of international criminal law was the establishment of the Special Court because of its hybrid structure and the fact that it was situated in the country where the crimes took place.

Kamara said that prior to the establishing of the Court, child recruitment into war combat was never a crime but that the court made it so, adding that many people had since been charged for such a crime in the International Criminal Court. He however pointed out that because of the uniqueness of some of the rules of the Special Court, domesticating those rules into the country's justice system would be difficult.

Two plenary sessions followed the opening ceremony during which several presentations were made on the legacies of the Special Court; the wider legal implications of the trials on the two countries, on civil society as well as the challenges and successes of the media's coverage of the trials, among other topics.



Prof. Jonas Redwoon-Sawyer, Vice Chancellor and Principal of of USL

Premier News
Thursday, 14 March 2013

"Special Court Supports The Empowerment of Civil Society" -ACC Boss

The former Deputy Prosecutor of the Special Court for Sierra Leone and the current Commissioner of the Anti-Corruption Commission, Joseph Fitzgerald Kamara recalled that the Special Court strongly supported the empowerment of civil society so as to ensure the sustainability of the legacy initiatives it sought to undertake.

By Joseph S. Margai



Prof. Jon Silverman (right) ACC boss Joseph Kamara (centre) Mrs. Bernadette Cole (left) at the seminar yesterday

He made this remarks in his keynote address during a seminar on the Social and Legal Impact of the Special Court for Sierra Leone and Liberia held at the Seminar Room, University House Fourah Bay College campus.

The Seminar which was organized by the Mass Communication Department, Fourah Bay College and the Department for International Media Analysis, Research and Consultancy, University of Bedfordshire in the United Kingdom brought together participants of University of Sierra

Leone, the Anti-Corruption Commission chairman, Prof. Jon Silverman from the University of Bedfordshire in the UK, President of the Sierra Leone Association of Journalist Mr. Umaru Fofana and members from the media among others.

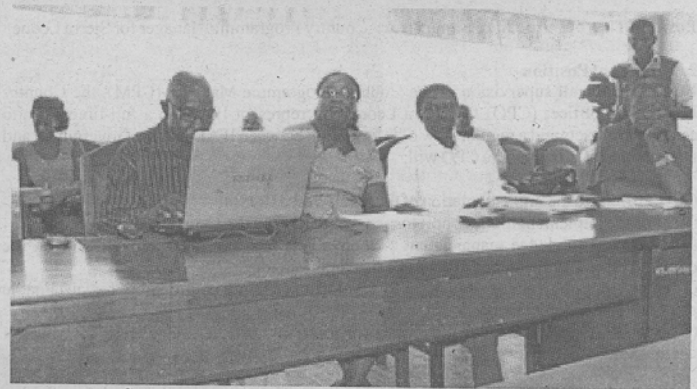
The ACC boss said the outreach section of the Special Court, as well as other sections worked very closely with civil society organizations since the court's inception, adding that the outreach section established a Special Court Interactive Forum (SCIF) where various civil society organizations

working in the justice sector gathered to discuss issues pertaining to the court and national legal system."As a result of the National Victims commemoration conference that was held in March 2005, members of SCIF drafted an "Action Plan" which identified problems in the national legal system and provided a detailed plan for the way forward. The engagement broadened the scope of the interaction with civil society and ensured coordination of efforts," he said.

The chairman of the seminar who is also the Dean of the faculty of Arts Mrs. Bernadette Cole said the

Special Court for Sierra Leone was established just after the brutal civil war, adding that a branch was opened in The Hague to precede the Charles Taylor trial.

"BBC World Service Trust provided support for Sierra Leonean journalists to travel to The Hague to cover the Charles Taylor trial. The Special Court for Sierra Leone put an end to brutality," she said, noting that with the British Academy-funded research project, a partnership has been created between the Universities of Bedfordshire and Fourah Bay College, University of Sierra Leone.



Cross section of the participants at the seminar yesterday

She disclosed that the objectives of the seminar was to provide an opportunity to discuss the legal and social impact of the trials conducted by the Special Court for Sierra Leone in the country where the crimes were committed, to position

appropriate forum for bringing together a representative selection of those who participated in and have been affected by the trials, among others.

The vote of-thanks moved by Mrs. Williette James, lecturer Mass Communication Department FBC.

Associated Press

Thursday, 14 March 2013

Khmer Rouge's Ieng Sary dies during genocide trial

By By SOPHENG CHEANG

Ieng Sary, who co-founded the brutal Khmer Rouge movement in 1970s, was its public face abroad and decades later became one of its few leaders to be put on trial for the deaths of an estimated 1.7 million Cambodians, died Thursday morning before the case could be finished. He was 87.

His death before any verdict was reached in the lengthy case dashed hopes among survivors and court prosecutors that he would ever be punished for his alleged war crimes stemming from the darkest chapter in the country's history.

Ieng Sary was being tried by a joint Cambodian-international tribunal along with two other former Khmer Rouge leaders, both in their 80s, and there are fears that they, too, could also die before justice is served. Ieng Sary's wife, former Social Affairs Minister Ieng Thirith, had also been charged but was ruled unfit to stand trial last year because she suffered from a degenerative mental illness, probably Alzheimer's disease.

Lars Olsen, a spokesman for the tribunal, confirmed Ieng Sary's death. The cause was not immediately known, but he had suffered from high blood pressure and heart problems and had been admitted to a Phnom Penh hospital March 4 with weakness and severe fatigue.

"We are disappointed that we could not complete the proceeding against Ieng Sary," Olsen said, adding the case against his colleagues Nuon Chea, the Khmer Rouge's chief ideologist, and Khieu Samphan, an ex-head of state, will continue and will not be affected.

Ieng Sary founded the Khmer Rouge with leader Pol Pot, his brother-in-law. The communist regime, which ruled Cambodia from 1975 to 1979, claimed it was building a pure socialist society by evicting people from cities to work in labor camps in the countryside. Its radical policies led to the deaths of an estimated 1.7 million people from starvation, disease, overwork and execution.

Ieng Sary was foreign minister in the regime, and as its top diplomat became a much more recognizable figure internationally than his secretive colleagues. In 1996, years after the overthrown Khmer Rouge retreated to the jungle, he became the first member of its inner circle to defect, bringing thousands of foot soldiers with him and hastening the movement's final disintegration.

The move secured him a limited amnesty, temporary credibility as a peacemaker and years of comfortable living in Cambodia, but that vanished as the U.N.-backed tribunal built its case against him.

The Khmer Rouge came to power through a civil war that toppled a U.S.-backed regime. Ieng Sary then helped persuade hundreds of Cambodian intellectuals to return home from overseas, often to their deaths.

The returnees were arrested and put in "re-education camps," and most were later executed, said Youk Chhang, director of the Documentation Center of Cambodia, an independent group gathering evidence of the Khmer Rouge crimes for the tribunal.

As a member of the Khmer Rouge's central and standing committee, Ieng Sary "repeatedly and publicly encouraged, and also facilitated, arrests and executions within his Foreign Ministry and throughout Cambodia," Steve Heder said in his co-authored book "Seven Candidates for Prosecution: Accountability

for the Crimes of the Khmer Rouge." Heder is a Cambodia scholar who later worked with the U.N.-backed tribunal.

Known by his revolutionary alias as "Comrade Van," Ieng Sary was a recipient of many internal Khmer Rouge documents detailing torture and mass execution of suspected internal enemies, according to the Documentation Center of Cambodia.

"We are continuing to wipe out remaining (internal enemies) gradually, no matter if they are opposed to our revolution overtly or covertly," read a cable sent to Ieng Sary in 1978. It was reprinted in an issue of the center's magazine in 2000, apparently proving he had full knowledge of bloody purges.

"It's clear that he was one of the leaders that was a recipient of information all the way down to the village level," Youk Chhang said.

Ieng Sary was arrested in 2007, and the trial against him started in late 2011. He faced charges that included crimes against humanity, war crimes and genocide.

Only one other former Khmer Rouge official has been put on trial: former prison chief Kaing Guek Eav, who was sentenced to life in prison.

Prime Minister Hun Sen has openly opposed additional indictments of former Khmer Rouge figures, some of whom have become his political allies.

Pol Pot himself died in 1998 in Cambodia's jungles while a prisoner of his own comrades.

Ieng Sary declined to participate in his trial, demanding that the tribunal consider the pardon he received from Cambodia's king when he defected in 1996. The tribunal, formally known as the Extraordinary Chambers in the Courts of Cambodia, previously ruled that the pardon does not cover its indictment against him.

He denied any hand in the atrocities. At a press conference following his defection, he said Pol Pot "was the sole and supreme architect of the party's line, strategy and tactics."

"Nuon Chea implemented all Pol Pot's decisions to torture and execute those who expressed opposite opinions and those they hated, like intellectuals," Ieng Sary claimed.

Ieng Sary was born Kim Trang on Oct. 24, 1925, in southern Vietnam. In the early 1950s, he was among many Cambodian students who received government scholarships to study in France, where he also took part in a Marxist circle.

After returning to Cambodia in 1957, he taught history at an elite high school in the capital, Phnom Penh, while engaging in clandestine communist activities.

He, Ieng Thirith, Pol Pot and Pol Pot's wife eventually formed the core of the Khmer Rouge movement. Pol Pot's wife, Khieu Ponnary, also was Ieng Thirith's sister; she died in 2003.

Pol Pot was known as "Brother No. 1", Nuon Chea as "Brother No. 2" and Ieng Sary was "Brother No. 3."

In August 1979, eight months after the overthrow of the Khmer Rouge by a Vietnam-led resistance, Ieng Sary was sentenced in absentia to death by the court of a Hanoi-installed government that was made up of former Khmer Rouge defectors like Hun Sen, the current prime minister. The show trial also condemned Pol Pot.

Since he was in charge of the Khmer Rouge guerrilla movement's finances, Ieng Sary was believed to have used his position to amass personal wealth.

On Aug. 8, 1996, a Khmer Rouge rebel radio broadcast announced a death sentence against him for embezzling millions of dollars that reportedly came from the group's logging and gem business along the border with Thailand. But the charge appeared to be politically inspired, recognition that he was becoming estranged from his comrades-in-arms.

He struck a peace deal with Hun Sen and days later led a mutiny of thousands of Khmer Rouge fighters to join the government, which was a prelude to the movement's total collapse in 1999.

As a reward, Hun Sen, who has ruled Cambodia almost unchallenged for the last two decades, secured a royal amnesty for Ieng Sary from then-King Norodom Sihanouk, who himself was a virtual prisoner and lost more than a dozen children and relatives during Khmer Rouge rule. The government also awarded Ieng Sary a diplomatic passport for travel.

Between his defection and arrest, Ieng Sary lived a comfortable life, dividing time between his opulent villa in Phnom Penh and his home in Pailin, a former Khmer Rouge stronghold in northwestern Cambodia.

He and some of his former aides in the Khmer Rouge, intellectuals who were in a second generation of the group's leadership, made a short-lived attempt at forming a legal political movement.

The Cambodian Daily

Thursday, 14 March 2013

Legal Experts Meet to Mull KR Tribunal's Legacy

By Lauren Crothers

Despite the glacial pace of proceedings in the Khmer Rouge tribunal's second case, allegations of rampant political interference in the court's investigations and now a strike by translators who have not been paid since November, Cambodian and international legal experts met on Tuesday to once again mull the legacy the war tribunal will leave.

Though it has long been argued that the U.N.-backed tribunal would be a positive role model for the country's national courts to follow, several controversial court rulings last year—including the jailing of radio station owner Mam Sonando and Born Samnang and Sok Sam Oeun, who are believed to have been framed for the murder of a union leader—have raised questions as to whether the war crimes court is having any effect whatsoever.

“The model used by the ECCC [Extraordinary Chambers in the Courts of Cambodia] is considered better than the International Criminal Court, but its best practices have not yet been implemented in domestic courts,” Thun Saray, president of local rights group Adhoc, told the conference organized by the Cambodian Human Rights Action Committee, the Cambodian Bar Association, and the Konrad Adenauer Foundation.

“The main objective is to think about the positive legacy of the ECCC,” Mr. Saray said. “A society that provides no justice provides no stability.”

Bar Association President Bun Honn, who was recently at the center of controversy after he prohibited lawyers from speaking to the media without prior consent, chose to focus on the definition of “legacy.”

“Legacy could be used in a way to develop a trust in the law and the courts,” he said.

Panhavuth Long, a program officer for the Cambodian Justice Initiative organization, asked the conference who will mold the tribunal's legacy, as much needs to be done to reform the judicial system.

“How do we make judges, lawyers and prosecutors have a conscience about conflicts of interest?” he asked the guests. “And who will play a leadership role in the legacy?”

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Agence France Presse

Thursday, 14 March 2013

Dutch prosecutors appeal Rwandan's genocide sentence

THE HAGUE: Dutch prosecutors on Wednesday appealed a Rwandan-born woman's six-year sentence for inciting genocide, insisting she deserved harsher punishment because she was a "co-perpetrator" of the 1994 massacres in the central African nation.

In the first such conviction, a court in the Netherlands earlier this month sentenced Yvonne Basebya, a 66-year-old Dutch citizen, to six years and eight months for her role in the slaughter of almost a million people, committed by Hutu extremists against minority Tutsis and moderate Hutus.



Rwandan-born Dutch national Yvonne Basebya (R), speaks with her lawyer Victor Koppe (C) as she waits on March 1, 2013 at The Hague court of justice. (AFP/ANP/Jerry Lampen)

Basebya was however acquitted on charges including war crimes and perpetrating genocide, for which prosecutors demanded a life sentence.

"We have formally lodged an appeal against the sentence," prosecution spokesman Paul van der Zanden told AFP.

Basebya "played a greater role than just inciting youngsters to commit genocide. The public prosecutor has come to the conclusion that her role should be examined again as a co-perpetrator," Van der Zanden said.

A judge at a March 1 hearing in The Hague found that although Basebya "called for hatred" it was not enough to convict her as a co-perpetrator of the slaughter of 110 Tutsis hiding in the Pallotines Church just south of the Rwandan capital, Kigali.

The infamous killings at the church in April 1994 were widely regarded as the first proof that a genocide was under way in Rwanda.

The mass killings -- carried out largely with clubs and machetes -- were sparked when the plane carrying Rwanda's then-president Juvenal Habyarimana, a Hutu, was shot down on April 6, 1994.

His death was blamed on Rwanda's Tutsi population, and over the next three months some 800,000 people, according to UN figures, were hacked to death.

Basebya followed her husband, Rwandan former MP Augustin Basebya -- himself a former investigator for the International Criminal Tribunal for Rwanda -- to live in the Netherlands in 1998. She acquired Dutch nationality in 2004.

Dutch courts can try Netherlands citizens for genocide, or foreign suspects if the genocide was committed after October 1970, following a recently changed law to broaden prosecution possibilities for the most serious of all crimes.

A Dutch appeals court in July 2011 sentenced Rwandan citizen Joseph Mpambara to life in prison for war crimes committed in Rwanda in 1994, before the new genocide clause went into effect in April this year.

UN must refer Syria war crimes to ICC, says Amnesty

The UN Security Council must refer war crimes committed by both sides in Syria's two-year conflict to the International Criminal Court, Amnesty International said on Thursday.



A fire rages following shelling by forces loyal to Syria's President Bashar al-Assad. Amnesty said the UN should refer Syria war crimes to the International Criminal Court. Photo: Reuters

“How many more civilians must die before the UN Security Council refers the situation to the prosecutor of the International Criminal Court so that there can be accountability for these horrendous crimes?” asked Ann Harrison, Amnesty's deputy director for the Middle East and North Africa.

The London-based human rights watchdog has repeatedly accused both the regime of President Bashar al-Assad and opposition fighters in Syria of war crimes and other abuses.

“While the vast majority of war crimes and other gross violations continue to be committed by government forces, our research also points to an escalation in abuses by armed opposition groups,” Harrison said in a statement.

“If left unaddressed such practices risk becoming more and more entrenched -- it is imperative that all those concerned know they will be held accountable for their actions.”

Amnesty said it has documented regime forces' use of “internationally banned weapons against civilians”, and “the torture and summary killing of soldiers, pro-government militias and civilians” captured or abducted by rebel fighters.

It had also researched the army's use of ballistic missiles on the northern city and province of Aleppo.

“Hundreds of residents, many of them children, were killed and injured in three such recent attacks which wiped out entire families,” said the rights group.

It gave the testimony of one woman, identified as 31-year-old Sabah, who lost three daughters, her husband, her mother, her sister and her other sister's three sons in one missile attack.

“They were all killed; what is left for me in this life?” Sabah is quoted as saying.

Also in Aleppo, “the bodies of men and boys - shot in the head, hands tied behind their backs -- are recovered almost daily from the river,” Amnesty said.

“The bodies float downstream from a part of the city under the control of government forces.”

The organisation also documented abuses by rebel fighters, among them the use of child fighters and even an executioner.

“A video... shows a boy apparently aged between 12 and 14 holding a machete standing over a man -- later identified as Colonel Izz al-Din Badr,” said Amnesty.

“He lies prostrate on the ground with his hands behind his back. A voice in the background shouts: ‘He doesn’t have the strength.’ The boy brings the machete down on the man’s neck, cheered on by members of an armed opposition group.”

Tens of thousands of people have been killed and hundreds of thousands uprooted in the conflict, which erupted in March 2011 with Arab Spring-inspired protests that led to an armed insurgency following a brutal crackdown.

Pravda.ru

12.03.2013 13:30

<http://english.pravda.ru/world/europe/12-03-2013/124032-hague-0/#>

It's all vague in The Hague

March 11th marked 10 years since the beginning of operation of the International Criminal Court (ICC) in The Hague. The idea was well-intentioned - to make sure that no politician responsible for a serious crime goes unpunished. However, so far the court has not been doing well, largely due to the fact that Russia, USA, China, and India are not involved in its work.

The document on the establishment of the ICC signed on July 17th, 1998 at a conference in Rome was called "the Rome Statute." It came into effect on July 1st, 2002, and on March 11th, 2003 its actual work began. The basic idea was creating an international unit for investigating genocide, war crimes and crimes against humanity. The ICC residence is located in The Hague, the same place where the International Court of Justice is located. But the ICC does not report to the UN, although the cases there are initiated on the recommendation of the Security Council.

The decision to establish the International Criminal Court was adopted a few years after the commencement of the tribunals for former Yugoslavia and Rwanda that saw bloodshed in the 1990s. There is no need to remind about the specifics of the tribunal for the former Yugoslavia. An overwhelming number of those sentenced to long prison terms are Serbs, while Croats, Bosnian Muslims and Kosovo Albanians are sentenced much more rarely. Not only Serbia and Russia, but even many politicians in the West have questions for this tribunal.

In contrast to the Tribunal for the former Yugoslavia, where the tone was set by the judges from the Western countries, the composition of the ICC looks much more diverse. It consists of 18 people, including two judges from Asia, two from Eastern Europe, three from Africa, four from Latin America, seven from Western Europe, North America and Australia and Oceania. The jurisdiction of the Court is to review the crimes committed after July 1st, 2002.

It can only bring to justice people of those countries that have signed and ratified the Rome Statute. However, third country nationals can be held accountable in the event it is requested by the UN Security Council. The first stipulation is severely limiting for the judges. It is sufficient for the influential countries with veto power in the UN Security Council to not ratify the Rome Statute, and its citizens automatically escape liability.

To date, the treaty establishing the ICC was signed by 115 countries, but not all of them have ratified it in the Parliament. Among those who agreed to "not hide" their citizens are European Union countries, Norway, Switzerland, and Japan. In the Western Hemisphere, the document was signed and ratified by nearly everybody - Canada, Brazil, Argentina, and Mexico. In general, the court may well work. But not everything is smooth.

Take the UN Security Council, for example. Only France and the UK have ratified the document. As for Russia and the United States, they showed rare unanimity towards the ICC. Both countries signed the document, but have not ratified it. The American interest is clear - they are fighting too much, and their citizens commit too many crimes. The case of Iraqi prison "Abu Ghraib" alone could last many years. But the Americans are adamant and stated that no one except the U.S. can judge their countrymen.

Unlike the U.S., Russia is not launching wars around the world. However, a local conflict in South Ossetia still took place. If Russia ratifies the Rome Statute, the Russian military can be brought to justice. Mindful

of the particular bias against Russia exhibited by Westerners (and some of the Muslim East), Russian citizens could be condemned for nothing. In this case, the behavior of the U.S. is also a serious argument.

The fifth permanent member of the UN Security Council, China, has not signed the document and has not ratified it. India, Turkey, Belarus are in the same boat. Belarusians do not fight anywhere, but Indians and Turks launch local wars now and then, and all kinds of things happen at these wars. The relentless enemies Israel and Iran have not ratified the document "just in case." Not that many countries want their citizens to be judged by others.

It turns out that the International Criminal Court is occupied exclusively by conflicts in Africa. Thomas Lubanga, the leader of the "Union of Congolese Patriots," a citizen of the Democratic Republic of Congo (DRC), appeared before the ICC. In early 2012 he was found guilty of using children in hostilities in the civil war in the DRC. The leaders of the Lord's Resistance Army in Uganda will face the same accusations.

Gradually the judges got to the heads of state. In July of 2008, the ICC issued an arrest warrant for Sudanese President Omar al-Bashir. He is accused of genocide of the residents of the rebellious province of Darfur, where over the past few years hundreds of thousands of people were killed. Today, the region is home to the "blue helmets" of the UN. As for Al-Bashir, with whom the West has not been dealing for a long time, is still in power in Sudan and simply does not go where he can be caught.

But if al-Bashir is really to blame for the charges against him, the story of Muammar Gaddafi seems more unsightly. When in the summer of 2011 NATO aircraft actively helped the opponents of the Libyan leader, the ICC issued a warrant for the arrest of the Colonel. In addition, Gaddafi's son Saif al-Islam was declared wanted along with Libya's former intelligence chief Abdullah al-Senussi. The Colonel did not get to The Hague as the Islamists and favorites of NATO simply tore him apart.

Today former President of Côte d'Ivoire Laurent Gbagbo is waiting for his fate in the Hague prison. He is considered the main culprit in the conflict that broke out in the country two years ago. In the spring of 2011 he was captured by French special forces, and later Gbagbo was brought to The Hague. He was charged with crimes against humanity, but the sentence has not yet been released.

During 10 years of its existence the ICC clearly has not yet been able to show itself as a respected and independent entity. Most of the leading world countries simply do not recognize it. In the areas where it works, judges still carry out orders of the West to prosecute the unwanted leaders. What is the difference between the International Criminal Court and the International Criminal Tribunal for the former Yugoslavia? So far the only difference is the nationality of the accused.

Pavel Chernyshev

Pravda.Ru