

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

Enclosed are clippings of the latest local and international press on the Special Court and related issues obtained by the Press and Public Affairs Office as of:

Wednesday, February 16, 2005

The press clips are produced Monday to Friday.
If you are aware of omissions or have any comments or suggestions please contact
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'I Saw 40 Civilians Killed In Kamajor, Junta Clash

By Mohamed Mansaray

A Prosecution witness in the trial of CDF indictees of the Special Court, TF 2-001, said yesterday that he saw the remains of over forty (40) civilians in the streets of Bo, following clashes between Kamajors and junta forces sometime in 1997.

"But I did not know how they died," he said. The witness made these statements whilst he was being cross-examined by Charles Margai, who is defending the 3rd CDF accused, Allieu Kondewa at Court Room No. 1, New England in Freetown. Describing himself as a CID officer, who was at-

tached to Bo during that period, the witness informed the court that the corpses were later transferred to the Bo Government Mortuary and that no investigations were conducted into the killings.

He testified that he did not witness the battle but that he was at the Brigade

Headquarters obtaining statements from certain police officers.

The witness told the court in Krio, through an interpreter, that Kamajors launched several other attacks on Bo, including the one on the New Police Barracks along the Bo-Kenema highway that left

SEE BACK PAGE

Witness Testifies Against Kamajors

one Kamajor and a police officer dead.

"I witnessed these attacks, all of which took place in 1997 and I would normally go around to observe anytime there was one" he said.

The witness told the court under cross-examination that they registered 17,000 Kamajors when they entered Bo. He said that 2,000 of them (Kamajors) came from Kenema.

The witness informed the court that he did not know who the overall boss of the 17,000 Kamajors in Bo was. "All of them (Kamajors) were registered in one day," he testified.

Asked by Mr. Margai why they registered the Kamajors, the witness replied that he did not know. He told the court however, that the police supported the junta after the coup in 1997, but that they fell apart in the wake of the first Kamajor attack on Bo when the junta turned against the police.

Counsel defending the 2nd accused Moinina Fofana, Arrow

Bockarie, put it to the witness that the SSDs (now renamed OSDs) fought alongside with junta forces against the Kamajors during that period, to which the witness denied. The witness also testified that Kamajors burnt down houses in Bo but that junta forces did not. "The police fought alongside the Kamajors in order for the junta not to burn down the New Road Police Barracks," he said.

The three accused, namely, Samuel Hinga Norman, Moinina fofana and Allieu Kondewa are charged with individual criminal responsibility for offences committed by Kamajors against civilians during the war in Sierra Leone. Only Allieu Kondewa was present in court yesterday. The witness was led in evidence earlier by a prosecution lawyer, Joseph Kamara.

The trials continue.

*Sierra Times
Wednesday February 16, 2005*

More Kamajor Atrocities Revealed

From front page

Moinina Fofana and Aliou Kondewa

The witness who was being cross-examined by defence lawyer for Norman, Charles Margai, revealed to the court that he was in Bo in 1997 attached to the Criminal Investigation Department (CID) when the Kamajors first attacked the town to dislodge the AFRC/RUF junta forces in a bid to restore the Kabbah government which had been overthrow at the time.

The police officer said after the Kamajors had captured some sections of the town,

they started attacking their positions, claiming that they SLP had been supporting the junta forces.

Witness told how the CDF first attacked the township in August 1997 but denied taking part in the battle because he was not around.

TF2 001 told further that during this attack, by the Kamajors against the junta forces, no police officer was killed but that he saw over 40 corpses of civilians.

TF2001 told the defence lawyer that apart from this attack, several similar attacks took place in different places which he went and observed after they occurred.

Witness said in one of the attacks on the new police barracks along the Bo-Kenema highway, the junta forces dislodged the Kamajors.

Defence counsel Margai however told the witness that all he claimed the Kamajors did to him were not true.

Responding, the witness told the Court that the Kamajors did maltreat and torture him before he was arrested and later released on the orders of one of their bosses.

Witness who revealed that he was a Sergeant at the time told the court that during the disarmament exercise 17,000 Kamajors were registered in one day.

The Exclusive

Wednesday February 16, 2005

2:49am (UK)**Tackling the Scourge of Forced Marriages***By Tony Jones, PA*

An international conference is being held today to raise awareness of the scourge of forced marriages and so-called “honour” violence against women.

The Metropolitan Police is hosting the event in central London, which is co-sponsored by the Foreign and Commonwealth Office and the Home Office.

It aims to bring together a range of agencies and specialists working to combat forced marriages and the related issues of “honour” based violence. It will focus particularly on the police response to forced marriages.

Shami Chakrabarti, director of human rights organisation Liberty, is among those speaking at the conference.

Lesley Taylor, chief prosecutor at Sierra Leone’s Special Court, will also address the event ahead of a series of trials there relating to women kidnapped and forced into marriage during the country’s civil war.

Last month a new unit to combat the forced marriage was officially launched.

In October last year Government officials said a special unit within the Foreign Office had dealt with almost 1,000 cases of forced marriage since it was set up in 2000.

It had also rescued and repatriated to the UK 70 young people a year from overseas.

Although the issue was often assumed to affect only women, 15% of cases identified by officials involved men and boys.

The new Forced Marriage Unit – with six staff and an annual budget of £300,000 – will bring together functions of the Foreign Office and the Home Office in a bid to further boost success.

Most cases of forced marriage originate from south Asia, but British officials have also seen examples from east Asia, Africa and the Middle East.

Officials have dealt with cases involving Muslims, Hindus, Sikhs and Christians, said Mr Clarke.

Latest News:

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Met to discuss forced marriages

Forced marriages and so-called "honour" violence against women are being discussed on Wednesday.

The Met is hosting a conference at Kensington Town Hall, central London, to raise awareness and examine police responses to the issue.

Co-sponsored by the Foreign and Commonwealth Office and the Home Office the event will also find ways to improve the support victims receive.

A spokeswoman said it was difficult for young women to go to the police.

Women kidnapped

Shami Chakrabarti, director of Human rights group Liberty, said: "The disincentives for young women in particular to come forward are very real.

"The disincentives are in relation to possible deportation, housing, social services and so on.

"But it's not just about the authorities, it's about trying to have a discussion that is honest but sensitive in certain communities and how they can support the women concerned."

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Story from BBC NEWS:
http://news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/england/london/4269543.stm

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Herald Sun

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Police ire at Halloran delays

Keith Moor
16feb05

THE Victoria Police Association believes the sex case against Supt Peter Halloran in West Africa should never have got to court.

"It certainly wouldn't have in Australia," secretary Paul Mullett said.

Sen-Sgt Mullett was commenting after yet another delay in the five-month trial of the Victoria Police officer.

Supt Halloran is facing a charge of indecently assaulting a teenage girl in Sierra Leone.

A verdict was due to be handed down in Sierra Leone's High Court on Monday. However, the case has now been put off until tomorrow.

The adjournment is the latest in a succession of delays that has seen the Australian Government pressure Sierra Leone authorities to ensure Supt Halloran gets a fair and speedy trial.

Sen-Sgt Mullett said if the evidence presented in the Halloran case had been put up in an Australian court then the case would have been thrown out long ago.

"We argue the case would never have got to court in the first place in Australia," he said.

"But if the same evidence against him was presented before a court of proper jurisdiction here in Australia then the judge would have directed a jury to acquit."

Supt Halloran -- who took 12 months' leave from Victoria Police to work as commander of war crimes investigations with the UN-backed Special Court in Sierra Leone -- has denied indecently assaulting teenage girl Kadia Kabia in June last year.

Former Victoria Police officer Tim Carrodus, who spent weeks in Sierra Leone investigating the case, said Supt Halloran would not have been charged if correct procedures had been followed.

"If certain key people in the Special Court had acted more professionally and impartially then this would have been stopped before it really started," Mr Carrodus said.

"The original allegation was that a sexual assault had taken place in Supt Halloran's room.

"If that was the case there would have been physical evidence to either prove or disprove that, either by testing clothing and sheets or a medical examination of the girl," he said.
"Yet such basic steps weren't ordered by those in the Special Court responsible for the investigation."

The Sierra Leone police officer who charged Supt Halloran told the Herald Sun he was also surprised that Special Court investigators had not seized sheets and clothing and had the alleged victim examined by a doctor.

"That was the negligence of the Special Court," said Simeon Kamanda, the director of the Sierra Leone police department's family support unit.



It's not just a place on the map.



Rights: UN Chief Gets Tough On Recruiters of Child Soldiers

Inter Press Service (Johannesburg)

NEWS

February 14, 2005

Posted to the web February 15, 2005

By Thalif Deen

United Nations

Alarmed at the continued widespread abuse of children in war zones, U.N. Secretary-General Kofi Annan is calling for tough new measures to penalise those guilty of atrocities.

The proposed measures, detailed in a report to the U.N. Security Council, include the imposition of travel restrictions on leaders and their exclusion from any governance structures and amnesty provisions, the imposition of arms embargoes, a ban on military assistance, and restriction on the flow of financial resources to warring parties.

"This report represents the launch of a comprehensive compliance regime to ensure the protection of millions of children who are being brutalised in situations of conflict," Annan says.

The study, which will be presented to the Security Council on Feb. 23, identifies six "grave violations" described as "egregious abuses against children".

These include killing or maiming of children; recruiting or using child soldiers; attacks against schools or hospitals; rape and other grave sexual violence against children; abduction of children; and denial of humanitarian access for children.

Annan says there is a need to "transform words into deeds, protective instruments and standards into enforcement on the ground, and condemnation into accountability."

The secretary-general expects key U.N. and international bodies such as the Security Council, the General Assembly, the Commission on Human Rights, the International Criminal Court, and regional organisations and governments to take action against child abuse.

The study also expresses "grave concern" about recent reports of sexual exploitation and abuse of children by U.N. peacekeeping personnel -- specifically in the Democratic Republic of Congo (DRC).

"This is one of the most disturbing and grave incidents of abuse and exploitation of women and children," U.N. Under-Secretary-General Olara Otunnu, head of the Office of the Special Representative for Children and Armed Conflict, told reporters last week..

That such activities could be occurring "in our own house" was most alarming and required an end to impunity. Otunnu said the idea that U.N. personnel, including peacekeepers, would abuse their position to take advantage of local women and children was particularly troubling.

Conscious of the political sensitivities of member states, the report says the names of countries are only referred to in order to indicate the locations or situations where offending parties are committing violations.

The first list consists of national armies and/or armed groups that recruit or use children in situations of armed conflict (and are on the agenda of the Security Council). These include Burundi, Cote d'Ivoire, DRC, Somalia and Sudan.

A second list includes national armies and/or armed groups that recruit or use children (and are not on the agenda of the Security Council). These include Colombia, Myanmar, Nepal, the Philippines, Sri Lanka and Uganda.

Otunnu said that while efforts over the past several years had yielded "significant advances" and had greatly increased global awareness of and advocacy for child protection, the situation "remained grave and unacceptable."

Perhaps the only silver lining, he said, was that within the last two years, the numbers had slightly decreased: from some 350,000 child soldiers worldwide to about 300,000.

That, he explained, was primarily due to either political transition or lessening of tensions in several countries, including Angola, Sierra Leone and southern Sudan.

Otunnu singled out two countries -- Sri Lanka and Nepal -- as causes for concern. In Sri Lanka, where there was currently no fighting but also no peace, the separatist Liberation Tigers of Tamil Eelam (LTTE) continue to recruit children.

The report says the LTTE "has often carried out recruitment by force, abducting children while on their way to school or during religious festivities, and beating families and teachers who resisted the seizure of the children."

During 2004 alone, more than 1,000 cases of recruitment and re-recruitment were reported by the U.N. children's agency UNICEF. A high percentage of them were young girls.

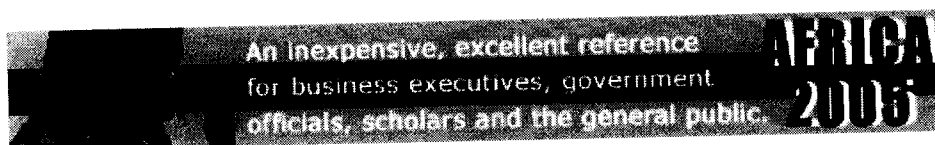
Last year, a coalition of non-governmental organisations (NGOs) urged Annan to prepare an annual list of governments and armed groups that recruit or use child soldiers in violation of international obligations.

Such a regular list, the coalition said, would keep violators constantly "named and shamed" for not protecting children during military conflicts.

The coalition included International Save the Children Alliance, Norwegian Refugee Council, Care International, Women's Commission for Refugee Women and Children, World Vision International and Coalition to Stop the Use of Child Soldiers.

The 1990 U.N. Convention on the Rights of the Child (CRC) sets the legal minimum age for recruitment at 15.

But an Optional Protocol to the CRC, which came into force in February 2003, outlawed the involvement of children under 18 in any hostilities and sets strict standards for the recruitment of those under 18.



U.N. Drops Liberia From List of Trouble Makers

The Analyst (Monrovia)

ANALYSIS

February 15, 2005

Posted to the web February 15, 2005

Since Charles G. Taylor announced that he had attacked the Liberian border town of Butuo in a bid to overthrow the military-cum-civilian administration of Samuel Doe, Liberia has not known rest.

What many, including top members of the international community, initially christened Liberia's internal affairs soon metamorphosed into a rolling fireball as scores of Liberians crossed the borders into neighboring Sierra Leone, Guinea, Cote d'Ivoire, and faraway Ghana and Nigeria droves in search of safety. By the middle of Taylor's "popular people's uprising," it was clear to ECOWAS, OAU, and the UN that the unfolding military campaign in Liberia against Doe was in fact a springboard for the destabilization of the entire West African subregion. It was then that Liberia was put on the list of countries fomenting trouble around the world either through the training and exporting of subversives or through outright terrorism. Fifteen years on however, that image of Liberia is changing, and as The Analyst's Staff Writer reports, the United Nations seems to agree that the passing of Charles Taylor has calmed the storm.

Reports say the United Nations has dropped Liberia from the list of nations with records of stirring up trouble and arming children for armed conflicts against its conventions and protocols.

A BBC report monitored by this paper Monday this week said the U.N. took the decision to drop Liberia from the list because the country is no longer engaged in the use of children in armed conflicts.

Besides, according to the report, Liberia is no longer involved in the adoption and raping of girls in conflict situation as was the case throughout the nation's civil conflict.

"Liberia has been dropped from a list of eleven African countries who have over the years committed crimes against children including the use of child soldiers as well as adoption and rape," the report said.

It also revealed that child soldiers have been used by armed rebel groups and government forces in 11 African countries but fall short of disclosing the names of countries found in this category.

Observers however noted that countries hotspots noted for child trafficking and use in open armed conflicts are Angola, Sudan, Liberia, Cote d'Ivoire, Sierra Leone, Rwanda, Burundi, Uganda, DR Congo, and Chad, amongst others.

Incidentally, Angola is amongst countries dropped from the UN list, according to the reports which indicated that the end of the civil war in Angola and recent reforms in that country had drastically reduced the incidence of child soldiers in that country.

The BBC report quoting a new United Nations report noted that recruitment of child soldiers, adoption and rape continued unabated in African countries despite international initiatives to stop it.

It then quoted Secretary General Kofi Annan as recommending, January 4 this year that stiff punitive measures be imposed on countries violating the prohibitions on child abuse.

The measures, according to Dr. Annan, should include the imposition of travel restrictions and armed embargo, amongst others.

As Liberia and Angola were dropped from the list of trouble countries, according to the report, the Sudanese Arab militias known as Jan-Janwee were added to the list for the first time this year.

The Arab Jan-Janwee militias who are fighting against the rebel SPLA of John Garang, reports say, is committing untold atrocities against women, children, and the elderly in that east African nation against international outcry.

Whether the dropping of Liberia from the list of trouble countries in Africa is the beginning of the removal of U.N. sanctions is not known, but there are indications that it may as well be.

"Liberia's present predicament was brought upon it by Taylor's intransigence against the international community and his insistence on wanting to be a superman of West Africa. Now that he is gone, it is only a matter of months before the UN lift the embargo," notes one observer.

But analysts say why this appraisal of the situation may hold water, it would be far-fetched to put the lifting of sanctions to a matter of months.

"What about the failure of the NTGL to take administrative actions against corruption? Even though the imposition of the sanctions was intended to pressure Taylor into submission, and though Taylor is gone, the sanctions remain largely the tool the UN has to ensure that incoming Liberian government administration adhere to internationally accepted standards in contracting the nation's resources to foreign business consortiums. Taylor is gone, but he left behind an army of economic vultures more vicious than himself," they said.

No doubting it will be a while before the armed embargo and UN restrictions on diamond and timber sales are lifted, perhaps upon the sitting of a new democratically elected civilian administration.

Until then, analysts insist, the Bryant administration will have to regard the dropping of Liberia from the list of trouble country as a move to encourage the country to continue more on positive path and not as an end of the tunnel.

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Babangida Comes to Liberia

The Analyst (Monrovia)

NEWS

February 10, 2005

Posted to the web February 10, 2005

-Wants To Renew Ties

-But What Are His Anxieties For Liberia?

Ibrahim B. Babangida coming to Liberia seems to be an ordinary news or no news at all as far as present-day realities dictate. But back in time to the early 1990's between June and August to be precise when Monrovia was under siege by the rancorous NPFL, it would have sparked off a carnival in the streets of Monrovia. Then, he stood between mass death by starvation or bullets and peace through crack rescue and marathon political dialogue. He was the man that led his country to make the ultimate sacrifice so that Liberians may be rescued from themselves. More than eight years since his country ended that great sacrifice to save a neighbor, Babangida is coming to Monrovia but again at the time when the NPFL monster is still looming right under his nose in Nigeria.

"What are his socio-economic and political anxieties for Liberia?" is the question many will be asking. The Analyst's Staff Writer has been looking back at Babangida, his role in the Liberian peace process, and the expectations of the Liberian people.

Former Nigerian leader, General Ibrahim B. Babangida, is expected to pay a 3-day visit to Monrovia as guest of the Rotary Club of Monrovia.

A Rotary release issued yesterday said while in Monrovia, the visiting Nigeria leader will address the Centennial Anniversary Dinner of Rotary International on February 19, 2005 as Guest Speaker.

It however did not say on what topic the Nigerian leader will be addressing the club, but noted that the dinner will be graced by 200 dignitaries including government officials, diplomats, businessmen, community leaders, Rotarians and others.

Confirming Babangida's presence at the celebrations, the President of the Rotary Club of Monrovia who returned from Nigeria recently said Babangida has expressed happiness at being able to renew his longstanding ties with the Liberian people and noted that he looked forward to the visit, though a private one, with much expectation.

The dinner, according to the club, is intended to provide assistance to the poor and handicapped in Liberia.

While Gen. Babangida's visit to Monrovia is said to be a private one, it brings back many straining memories, given the guest's many contributions to the development of Liberia during the administration of Samuel Kanyon Doe.

Testimonies of the guest's dedication to the infrastructural development of Liberia are outstanding, according to observers who pointed to some of his outstanding deeds.

They refer to the Babangida Highway that links Liberia and Sierra Leone, presently the best highway in the country, and the Abraham B. Babangida Institute of International Studies at the University of Liberia, which now offers one of the best post-graduate studies in the country.

Back in May 1990 when the Liberian civil war that had been simmering in the interior of Liberia finally escalated and reached the nation's beleaguered capital where more than a million citizens and foreign residents were stranded and beseeching the world for attention, it was Babangida's Nigeria that rallied ECOWAS to take a stance, one observer recalled in fond memories.

"I was then living at the mercy of Prince Johnson's INPFL on Bushrod Island. Across town in the suburbs of Paynesville, Gardnersville, and Sinkor, the dreaded NPFL was gearing up for the final attack and millions of its 'enemies' were sitting, waiting for God's time.

It was then that Babangida rallied West Africa to form the ECOWAS peacekeeping force and thereby earned the wrath of Charles," says Johnny T. Sattee, 48, a college instructor who prides himself as the "historian of the Liberian peace process." While hundreds of his countrymen were being hunted and the foreign mission in Liberia was being devastated as warning that his country risked dire consequences for venturing rescue for Liberia, according to Sattee, Gen. Babangida pressed ahead, daring the consequences.

He recalled that Nigeria did not only station the largest number of peacekeepers and military hardware in ECOMOG throughout ECOWAS' nearly a decade-long peacekeeping mission in Liberia, but it also offered its expertise in the search for solution to the many dead ends in the peace process.

Gen. Babangida was not around to see the outcome of his efforts for peace in Liberia - his agenda for peace in Liberia was lost in the general scheme of things in Nigeria, Sattee recalled.

"Even though his plan for civilian rule for Nigeria was hijacked, leading to his replacement by military ruler Sunny Abacha, he did not abandon Liberia. He still influenced things," he said.

How much the general, whose plan for two-party Nigeria, earned him the wrath of ordinary Nigerians and civil right groups influenced things is not known, but many say he was instrumental in encouraging his country to venture into Liberia for the second time after spending some 8 billion U.S. dollars in peacekeeping efforts in Liberia as the leader of ECOMOG.

The last time he was here in the late 1980s as guest of the Liberian government, he rode in open-top presidential limousine with his friend Samuel Kanyon Doe, waving white handkerchiefs as symbol of prosperity of Nigerian-Liberian relationship.

He was here to dedicate the "Ibrahim B. Babangida International High Way" and a monument erected in his honor at the border town of Bo near the Liberian-Sierra Leone border.

Almost eighteen years later, he is coming back but to a ragged nation with sprawling ghettos and IDP camps.

"What are his anxieties? What does he think about the presence of Charles Taylor in Nigeria vis-à-vis his arraignment before the War Crimes Tribunal currently sitting in Sierra Leone? Has he washed his hands off Liberia now that he is out of the limelight of Nigerian and therefore subregional politics?" are the questions cropping from many silent Liberians' hearts and Babangida will have to do a good job of providing answers.

But there are fears that he may prefer a quiet visit, away from the glare of the press and public attention.

What his visit will turn out to be is a development that many look forward to if not for what he can do for Liberia now, for what he was.

Perhaps constant travelers to Sierra Leone and Grand Cape Mount County by road and students of the Ibrahim B. Babangida Institute of International Studies will be his best fans. Where thousands of junior and secondary school students stood to welcome him some eighteen years ago, they may stand to call the man Babangida back home.

Perhaps then, Doe will rest in his grave.

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Liberian Refugees Start Returning to Area Hardest-Hit By Civil War, UN Reports

UN News Service (New York)

NEWS

February 15, 2005

Posted to the web February 15, 2005

In a vote of confidence for Liberia's peace process, refugees have begun returning home to Lofa county, the hardest-hit area during the West African country's 14-year civil war, with the largest-scale displacement, the United Nations refugee agency reported today.

In an operation assisted by the UN High Commissioner for Refugees (UNHCR), a first convoy of 140 Liberians left Guinea's Kouankan camp for Voinjama, the main town in Lofa in northern Liberia, less than three weeks after the Government declared the area, the last place to end fighting and demobilize after the 2003 peace accords, safe for returns.

About 34 per cent of the estimated 340,000 Liberian refugees in neighbouring countries and the majority of the half million internally displaced persons (IDPs) are expected to return to Lofa county. Some 100,000 refugees are expected to return to Liberia this year.

"The start of repatriation to Lofa is yet another indication of the achievements made in returning peace to Liberia," UNHCR country representative Moses Okello said at a ceremony at the Guinean-Liberian border.

"Lofa is strategic in Liberia's economy, being the largest food-producing county. As such, return to the area also means a boost in farming activity," he added.

UNHCR has facilitated the return of some 7,200 refugees since the voluntary repatriation operation started last October. Overland convoys arrive on a regular basis from Sierra Leone and Guinea while repatriation by sea and air are organized from Ghana and Nigeria. Another estimated 100,000 Liberian refugees returned on their own in 2004.

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Rights: World Still Blind to Genocide, Warns Former UN Officer

Inter Press Service (Johannesburg)

NEWS

February 15, 2005

Posted to the web February 15, 2005

By Christy Helbinger
New York

Ten years after Western nations silently watched the senseless murder of 800,000 Tutsis in Rwanda's genocide, the international community is going "the same route" in Sudan, warns Lt. Gen. Romeo Dallaire, former Force Commander of the U.N.'s mission for Rwanda (UNAMIR.)

The Western world did not put enough resources into preventing the Rwandan genocide because it was focused on tensions in Yugoslavia, said Dallaire. Likewise, said Dallaire, Sudan is being sacrificed for another conflict.

"We're not going to Darfur (because) we're so involved in Iraq," said Dallaire at the New York City stop of his first U.S. book tour. "There are no lessons learned in stopping the violence and rape and decimation of an ethnic group."

Racism and disinterest are part of both conflicts, he says. "Black Africans don't count unless there's something there for us," he said.

Dallaire's memoir of his time in Rwanda, "Shake Hands with the Devil", is a bestseller in his native Canada. A documentary of the same name, which chronicled the general's first return to Rwanda in 2004, received the "Audience Award" at last month's Sundance film festival.

Dallaire struggled for 10 years to write his version of the tragic events in Rwanda. Its 500 pages are filled with regret, sorrow, and painstaking detail about how UNAMIR fell apart. Blow-by-blow, Dallaire tracks the peacekeepers' transformation from guardians of Rwanda's future to observers of the systematic killing of the Tusti ethnic group. Dallaire personally transforms as well, from optimistic careerist to shell-shocked and incapacitated leader.

The turning point for the mission and its leader happens early in the book, four months before the genocide began. Dallaire's forces, then involved for five months, were aware of what they called "a shadow force" that was neither Hutu nor Tutsi military factions. One night, an informant from that group, the Hutu Power movement, "Jean-Pierre", approached Dallaire's officers and laid out the Hutu's plan for genocide.

Dallaire says he was told by Kofi Annan, then under-secretary-general for peacekeeping operations, not to act on the information. Further, Annan told him to give the data to the leader of the official Hutu political party -- and one of the orchestrators of the secret plot.

Dallaire deeply regrets not acting on Jean-Pierre's advice and preventing the genocide: "My failure to persuade (U.N. headquarters in) New York to act on Jean-Pierre's information still haunts me."

The scenes he witnessed will also haunt the reader. The extent of murder was so great, he says, that Hutus relied on dump trucks to remove the corpses. Individual scenes are also chilling, such as in a church where 200 children were killed after completing their prayers.

What makes Dallaire's account especially gripping is that it comes from a man who, before Rwanda, had idealised military service. His father fought in World War II and Dallaire grew up seeing the military as liberators, not as observers.

While witnessing the horror in Rwanda, he recalls that military generation: "Fifty years after my mentors had fought in Europe, I had been left here with a ragtag force to witness crime(s) against humanity."

He wrote this account, he says, to do what he can to prevent situations like Sudan. "I pray that his book will add to the growing wealth of information that will expose and help eradicate genocide in the twenty-first century."

After leaving Rwanda, Lt. Gen. Dallaire became the highest-ranking Canadian officer to be diagnosed with post-traumatic stress disorder. He is currently a fellow at the Carr Centre for Human Rights at Harvard University studying conflict resolution and working towards "an era where we won't create conflict." He also runs a foundation that supports schools and orphanages in Rwanda.

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General Bizimungu Told People Not to Spare Tutsis - Witness

Hirondelle News Agency (Lausanne)

NEWS

February 15, 2005

Posted to the web February 15, 2005

Arusha

A prosecution witness in the trial involving four former Rwandan army officers on genocide charges before the International Criminal Tribunal for Rwanda (ICTR) on Tuesday alleged that the former chief-of-staff of the Rwandan army General Augustin Bizimungu ordered Hutus at a meeting held on the night of 6-7 April, 1994, to kill Tutsis.

The witness code-named GAP, for protective purposes, claimed that several government and military officials attended the meeting in Mukingo commune (Ruhengeri, Northern Rwanda) including the accused. The witness recalled that, "all speakers at the meeting stated that President Juvenal Habyarimana was shot down by Tutsis and hence no Tutsi should be spared".

The president's plane was shot down on the evening of April 6th, 1994 after he attended a meeting in Dar-es-Salaam, Tanzania.

General Bizimungu allegedly told participants in the meeting to "set up roadblocks to ensure that no Tutsi escaped" and that "in the morning more weapons would be supplied".

GAP narrated that General Bizimungu delivered the weapons at the Mukingo communal office and Ruhehe hill (Ruhengeri) using a military vehicle. GAP added, "Bizimungu told me how to distribute the weapons; I should give them to Interahamwe and to the responsables of cells [local leaders]".

The Interahamwe were the youth militia of the ruling party at the time, and are believed by the prosecutor to have perpetrated the massacres, which claimed the lives of an estimated one million Tutsis and moderate Hutus.

The witness claimed that the distributed "weapons were used to kill Tutsis".

Prosecution witness GAP claimed the accused participated in several meetings with other genocide suspects also before the ICTR including the President of the National Assembly and Secretary-General of the MRND, Joseph Nzirorera, Casmir Bizimungu, former Health Minister and Juvénal Kajelijeli, former mayor of Mukingo.

During those meetings, the witness testified that the General Bizimungu "taught the ideology that the Rwandese Patriotic Front were Tutsis who oppressed us for a long time" and hence the Interahamwe and soldiers should track down all Tutsis and RPF collaborators.

In this so called Military II trial, Bizimungu is jointly accused with the former chief of staff of the Gendarmerie (Para-military police), General Augustin Ndindiliyimana, the former commander of the Reconnaissance battalion, Major François-Xavier Nzuwonemeye and his deputy, Captain Innocent Sagahutu.

The four military officers have all pleaded not guilty. The trial continues with cross-examination of the witness on Wednesday.

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SECURITY COUNCIL ELECTS RONNY ABRAHAM OF FRANCE TO INTERNATIONAL COURT OF JUSTICE, - ACTING CONCURRENTLY WITH GENERAL ASSEMBLY

(2005-02-15)

Fills Vacancy Created by Gilbert Guillaume's Resignation; Will Serve Remainder of Nine-Year Term -- until 5 February 2009

The Security Council this morning, meeting independently, but concurrently with the General Assembly, elected distinguished jurist Ronny Abraham (France) to the International Court of Justice, to fill the vacancy created by the resignation of Judge and former President Gilbert Guillaume, as of 11 February.

Mr. Abraham will serve for the remainder of his predecessor's nine-year term — until 5 February 2009. Judge Guillaume was elected as a member of the Court as from 14 September 1987 and was re-elected as from 6 February 1991 and from 6 February 2000.

The Council elected Mr. Abraham, the sole candidate nominated by the national groups, by a vote of 15 in favour. Under the terms of the Court's Statute, the candidate who obtains an absolute majority of votes in both the Assembly and in the Council is considered elected. In the Security Council, eight votes constitute an absolute majority and no distinction is made between permanent and non-permanent members of the Council. The electors in the General Assembly are all 191 Member States, and, accordingly, 96 votes constitute an absolute majority.

The composition of the Court will now be as follows (terms expire on 5 February of the year in parenthesis): Ronny Abraham (France) (2009); Awn Shawkat Al-Khasawneh (Jordan) (2009); Thomas Buergenthal (United States) (2006); Nabil Elaraby (Egypt) (2006); Rosalyn Higgins (United Kingdom) (2009); Shi Jiuyong (China) (2012); Pieter H. Kooijmans (Netherlands) (2006); Abdul G. Koroma (Sierra Leone) (2012); Hisashi Owada (Japan) (2012); Gonzalo Parra-Aranguren (Venezuela) (2009); Raymond Ranjeva (Madagascar) (2009); Francisco Rezek (Brazil) (2006); Bruno Simma (Germany) (2012); Peter Tomka (Slovakia) (2012); and Vladlen S. Vereshchetin (Russian Federation)(2006).

The Court, located in The Hague, is the United Nations principal judicial organ. It adjudicates disputes between States, and its legal opinions are binding. The Court also gives advisory opinions to the United

Nations and the specialized agencies when requested to do so. According to Article 2 of the Statute, judges are to be elected, regardless of their nationality, from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are of recognized competence in international law. Article 9 requires electors to bear in mind that the body as a whole should represent the main forms of civilization and the principal legal systems of the world.

The meeting began at 11:03 a.m. and adjourned at 12:10 p.m.

Background

The Security Council had before it a memorandum by the Secretary-General on the election of a member of the International Court of Justice (document A/59/683-S/2005/51), which lists the composition of the Court and describes the procedure for election in the Council and the General Assembly. The Court consists of 15 judges, elected for a term of nine years. Its current President is Shi Jiuyong (China), and the Vice-President is Raymond Ranjeva (Madagascar).

During the election, the Council and the Assembly will proceed, independently of one another, to elect one member to fill the vacancy. If, in the first ballot in either the Assembly or the Council, no candidate receives an absolute majority, a second ballot will be held. Balloting will continue in the same meeting until a candidate has obtained the required majority.

When a candidate has obtained the required majority in one of the organs, the President of that organ will notify the President of the other organ of the name of that candidate. Such notification is not communicated by the President of the second organ to the members until that organ has itself given a candidate the required majority of votes.

If the Assembly and the Council do not select the same candidate, they will proceed to a second meeting and, if necessary, a third meeting, following the same procedures. If the vacancy remains unfilled after a third meeting, a special procedure set out in the Statute of the Court may be resorted to at the request of either the Assembly or the Council. According to Article 12 of the Statute, a joint conference of six members, three from the Assembly and three from the Council, may be formed to choose, by the vote of an absolute majority, one name for each seat still vacant. Such name or names will be submitted to the Assembly and the Council for their respective acceptance.

If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, fill the vacant seats by selection from among those candidates who have obtained votes either in the Assembly or in the

Council. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.

The curriculum vitae of Ronny Abraham, the candidate nominated by the national groups, is contained in document A/59/684-S/2005/52, and the submission of his nomination by the national groups is contained in a note by the Secretary-General (document A/59/682-S/2005/50).

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U.S. Proposal for a Darfur Tribunal: Not an Effective Option to Ensure Justice

A U.N. Commission of Inquiry that the United States helped create recently found that the International Criminal Court (ICC) is the “single best mechanism” and the “only credible way” of ensuring justice for Darfur’s victims. The U.N. Commission of Inquiry also detailed in depth in its report why other mechanisms would be inadvisable to bring justice for atrocities in Darfur. (See U.N. Commission of Inquiry on Why Alternatives to the ICC Are Inadvisable for Darfur for relevant excerpts from the report.) Because Sudan is not a party to the treaty establishing the ICC, a Security Council referral is needed for the court to prosecute crimes committed in Darfur.

Ignoring the commission’s strong recommendation that the Security Council immediately refer the situation in Darfur to the ICC, Washington has indicated that it opposes a Security Council referral because it does not “want to be party to legitimizing the ICC.” Instead it has proposed a new tribunal based in Tanzania administered by the United Nations and the African Union. The U.S. proposal may sound attractive on its face, with emphasis on encouraging “African ownership” and using an infrastructure “already in place” at the International Criminal Tribunal for Rwanda to “begin operating quickly.” However, upon closer scrutiny, the U.S. proposal for a new tribunal for Darfur simply does not present a viable option to effectively handle the challenges of ensuring justice for crimes committed in Darfur.

The U.S. Proposal Spells Delay, and Delay Means Death

The U.S. proposal states that its tribunal for Darfur could “begin operations without delay” because it would share physical infrastructure with the International Criminal Tribunal for Rwanda (ICTR). However, setting up the tribunal would likely take a long time and create unnecessary delay. This would undermine the deterrent effect of prosecutions and likely lead to more lives being lost.

1. Setting up a new tribunal requires a lot more than physical infrastructure.

- A statute, rules of procedure and evidence, and regulations need to be negotiated, staff would need to be recruited, and qualified judges and a prosecutor would need to be appointed. These are extremely time-consuming tasks.
- The proposed staff appointment process – coordination between the African Union and the U.N. Secretary-General – can also be expected to be a time intensive bureaucratic process. Appointing judges for the second trial chamber at the Sierra Leone Special Court, which took months and months, gives an indication of how difficult this can be.

2. In reality, the ICTR doesn’t have infrastructure to spare.

- With pressure to complete trials by 2008, the ICTR is operating at full capacity.
- In an address to staff on February 10, the ICTR president stated that increasing courtroom capacity and scheduling new trials while handling the eight trials already in progress is a challenge. An additional courtroom is currently being constructed to ensure more steady progress to complete trials.
- The ICTR is also considering sending some of its cases to national courts so that it can complete functioning on schedule.
- This is not a situation where there is spare infrastructure. The basis for the U.S. proposal seems to be lacking.

3. By contrast, the ICC could open investigations relatively quickly and efficiently.

- The ICC is a fully functioning institution. Although it would need to hire several investigators, it already has in place a statute, rules of procedure and evidence, staff, judges, and physical infrastructure.
- By beginning investigations quickly, it could maximize the deterrent effect of prosecutions to stop the violence

against civilians in Darfur.

The U.S. Proposal Would Lack the Necessary Permanence to Outlast Obstruction

The U.S. proposal for a new tribunal for Darfur would lack the staying power to withstand predictable non-cooperation by the Sudanese government in the hopes of running out the tribunal's clock.

1. Ad hoc tribunals are, by their nature, temporary.

- The U.S. proposal states that its tribunal would "operate for 3-5 years, renewable annually as needed."
- Because no one wants to support a single-issue court forever as they are expensive, the new tribunal for Darfur would in practice be time-limited like the existing ad hoc tribunals for the former Yugoslavia, Rwanda, and Sierra Leone.

2. Their time-limited nature creates an incentive for non-cooperation.

- Radovan Karadzic and Ratko Mladic are still at liberty some nine years after indictment by the Yugoslav tribunal. In the face of criticisms over expense and delay, this tribunal is under international pressure to wrap up operations by 2010.
- Charles Taylor continues to evade prosecution before the Special Court for Sierra Leone. Due to financial considerations, the court is expected to operate for less time than other ad hoc tribunals, maybe as little as four years.
- Time-limited courts encourage trying to run out the clock as a way to evade justice.

3. Demonstrated staying power is essential for maximizing the deterrent effect of any justice institution assigned responsibility for Darfur.

- The government in Khartoum is likely to remain in power for several years.
- Because those who might be investigated and tried for crimes include persons in or close to the Sudanese government, non-cooperation is predictable.

4. The ICC is here to stay.

- As a permanent international court, the ICC does not face pressure to complete operations before international support wanes.
- It can outlast non-cooperation – precisely the signal that needs to be sent to those most responsible for committing serious crimes in Darfur.

The U.S. Proposal Would Mean Needless Expense for a Weaker Result

The U.S. proposal argues that it does not see a significant difference in cost between its proposal and referral, and that the proposed court may even be less costly. However, ICC prosecutions are unlikely to come anywhere near the estimated cost of the U.S. proposal.

1. The U.S. proposal for a new tribunal for Darfur is likely to cost far more than the ICC.

- According to the U.S. proposal, its tribunal is expected to cost \$30 million for the first 6-8 months and then up to \$100 million annually.
- The entire budget for the ICC for 2005 is approximately \$88 million. This includes investigations into three different situations and payment for general staff and judges.
- While the ICC would have to hire additional investigators, this expense cannot compare with the estimate for the new tribunal for Darfur.

2. The U.S. wants countries that already pay for the ICC – a capable and far preferable option – to share the cost for the U.S. proposed tribunal.

- The U.S. proposal says that the "preferred funding option" is U.N. assessed contributions. This would mean that countries that pay for the ICC, the preferable option, would pay for this new tribunal.

The U.S. Proposal is a Far Cry from being the “African Alternative”

The U.S. proposal says that its tribunal would be “more appropriate” than referral to the ICC as it “takes full account of and reinforces” the African Union (AU) role in addressing the Darfur conflict. This is misleading and inaccurate.

1. The ICC has widespread support in Africa.

- The African Union has many member states that are strong supporters of the ICC and that were heavily involved in the establishment of the court.
- Four AU countries have further demonstrated their support for the ICC by asking the court to investigate crimes committed in their countries.
- Additionally, the ICC can, by statute, sit in Africa.

2. The AU is unlikely to support the U.S. proposal.

- The diverse membership of the AU is unlikely to come to consensus about this court. What the United States is probably trying to do is attract the support of a few African countries to give it the imprimatur of African legitimacy.

3. There are real questions about the legitimacy of the U.S. proposed new tribunal for Darfur.

- It is quite likely that the United States would end up shouldering much of the cost of its tribunal, particularly since there is strong opposition on the Security Council to paying for a new ad hoc tribunal.
- This would certainly cast doubt on the tribunal’s legitimacy and make the court highly dependent on the goodwill of the United States to keep it running. The United States could kill the court at any time.

The Proposed Temporal Jurisdiction for the U.S. Tribunal Offers No Significant Advantage

The United States argues that its tribunal would be preferable because serious crimes were committed in Darfur prior to July 1, 2002 – when the ICC’s jurisdiction begins.

1. However, the overwhelming majority of serious crimes committed in relation to the conflict were committed after July 1, 2002.
2. The advantages of speed and staying power of the ICC outweigh any benefit of being able to potentially prosecute a small number of additional crimes.

Related Material

U.N. Commission of Inquiry on Why Alternatives to the ICC Are Inadvisable for Darfur

Special Focus. February 15, 2005

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United Nations



Nations Unies

United Nations Mission in Liberia
(UNMIL)

**UNMIL Public Information Office Media Summary
14 Feb 2005**

Defense Lawyers Say Transitional Government Invited Czech Arms Dealer
(The Inquirer and The Analyst)

- Lawyers defending alleged Czech arms dealer Dalibor Kopp have provided evidence that Mr. Kopp is in Liberia at the invitation of transitional government Vice Chairman Wesley Momo Johnson. Editor's note: The Czech government has accused Mr. Kopp of arms trafficking. He is also accused of providing arms to former President Charles Taylor.