

**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:**

**Wednesday, 20 November 2013**

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

Wednesday, 20 November 2013

# HOW AND WHY THE SLA EMBRACED THE RUF

*Lt. Col. Salifu Lawrence Conteh [Rtd]*

*[Contd. From last edition]*

The meeting between the Army and RUF was successful because a common understanding was established amongst them. It was only during the meeting that they realized it was a brother fighting a brother war. With this new development, all hostilities between the Army and RUF came to an end.

The Army gained tremendous success although they were disappointed with ex-President Kabbah for his persistent excuse in ending the war. The RUF had no regard for him so it was impossible for ex President Kabbah to even talk to them, let alone mention the word "SURRENDER". This was so because the RUF and even the Army had no confidence in ex President Kabbah any longer. It was strange though that we saw ex President Kabbah took a posture before the former Ghanaian Head of State in Lungi saying "The war don don. I personally witnessed it at Lungi with international observers.

It may also please you to know that whenever the Kamajors plan to attack the Army, the RUF always sends a message and they also dispatch a sizeable number of men to assist in fighting the Kamajors. This was how the relationship between the RUF and SLA was created.

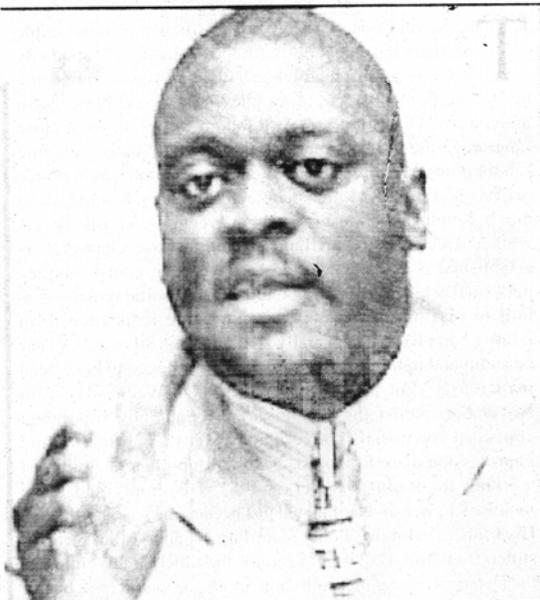
I am writing these series to educate the Sierra Leonean populace as to why the Army made the bold move to embrace the RUF. The SLPP detained the RUF Leader. Sent a team for a palace coup, made a civil defense militia. Neglected the RUF despite they were fighting to overthrow the APC.

This serie and the previous series will allow posterity to judge those who orchestrated the war and those who were merely pretending to want to end the war and the several plans made to kill and implicate a genuine fighter Johnny Paul Koroma.

Questions

Why was Johnny Paul Koroma a target?

How did Johnny paul escape justice?



Who were those who fought hard to bring Johnny Paul Koroma down?

\*Stand Firm Newspaper wishes to distance itself from the said article. We do not in any way subscribe to the writings of the writer.

## ICC: Africa Should Reject 'Free Pass' for Leaders

*Activists Call for Governments to Support Court at its Annual Meeting*

**African governments should reject special exemptions for sitting officials before the International Criminal Court (ICC), African organizations and international organizations with a presence in Africa said in a document released today. The ICC's annual meeting, the Assembly of States Parties (ASP), will take place from November 20 to 28, 2013, in The Hague, Netherlands.**

The ICC faces important challenges in Africa. In October the African Union said that the trials of Kenya's president and vice president, Uhuru Kenyatta and William Ruto, should be suspended and that all sitting national leaders should receive immunity before international courts.

"Immunity for government leaders before the ICC is contrary to the basic principle that no one should be above the law," said Georges Kapiamba, president of the Congolese Association for Access to Justice. "We should not deny justice to the victims and their families because their tormentors hold high political positions." The meeting's general debate and scheduled session on the impact of indicting sitting heads of state will offer African and other governments important opportunities to affirm support for the ICC's independent role in ensuring justice for the gravest crimes. "Human rights abuses by governments and armed groups remain one of the biggest challenges confronting people in Africa," said George Kegoro, executive director at the International Commission of Jurists-Kenya. "Ideally, domestic courts will ensure justice for these crimes, but the ICC serves as a crucial court of last resort when they are unable or unwilling."

Some African leaders have taken the position that the ICC is targeting Kenya. In Kenya, where the authorities failed to respond adequately to post-election violence, the ICC prosecutor's office acted to open an investigation. In all other situations before

the ICC, the situations were referred by the governments where the crimes took place or by the United Nations Security Council, as with Libya and Darfur, Sudan.

"The ICC is far from perfect, but it is not targeting Africa," said Angela Mudukuti, international criminal justice project lawyer at the Southern Africa Litigation Centre. "The majority of ICC investigations came about because African governments requested the ICC's involvement. These countries should work to dispel inaccurate information and to correct misperceptions about the court."

At the same time, there are double standards in the delivery of international justice that need to be addressed, the organizations said.

"The ICC's reach should be improved, but justice should not be denied in Africa because it is not yet possible everywhere," said Chinonye Obiagwu, national coordinator at Nigeria's Legal Defense and Assistance Project. "ICC members can demonstrate their commitment to victims by supporting prosecutions wherever the worst crimes are being committed."

The document released today is intended to promote common advocacy aims in advance of the ASP session. Organizations involved include the following: Burundi Coalition for the ICC, Center for Democratic Development of Ghana, Centre for Accountability and Rule of Law – Sierra Leone, Coalition for the ICC, Congolese Association for Access to Justice, Human Rights Watch, International Commission of Jurists-Kenya, International Crime in Africa Programme of the Institute for Security Studies, Legal Defence and Assistance Project of Nigeria, Media Foundation for West Africa, NamRights in Namibia, Nigerian Coalition for the ICC, Southern Africa Litigation Centre, and Transformation Resource Centre of Lesotho.

"Call for African ICC States Parties to Affirm Support for the ICC at the Assembly of States Parties Session" is available at:

## MmegiOnline (Botswana)

Tuesday, 19 November 2013

### **Dingake appointed to Special Court for Sierra Leone**

The Secretary General of the United Nations (UN) Ban Ki-moon has appointed Justice Dr Key Dingake to the roster of judges of the Residual Special Court of Sierra Leone. Says an Administration of Justice (AoJ) press release announcing this:

By Kgomotso Molelekeng,

"The Residual Special Court of Sierra Leone continues the mandate of the Special Court for Sierra Leone, a judicial body that was set up by the United Nations and the Government of Sierra Leone to preside over the prosecution of persons who bear the greatest responsibility for serious violations of international humanitarian law committed in Sierra Leone after 30th of November in 1996 during the civil war. The court lists offices in Freetown and The Hague."

AoJ says this assignment is an affirmation of the highest confidence the international community has in the judicial system and Government of Botswana. Dingake is a jurist and scholar of international repute. His career path straddles academia, the corporate world and the judiciary. "We have all the confidence that Judge Dingake will execute his assignment with fairness and integrity and make us all proud," the statement says. The appointment is not a full time assignment and Dingake will sit from time to time as may be required by the President of the Court.

## Rwanda Focus

Tuesday, 19 November 2013

### Whose Justice Is ICC Justice?

By Shyaka Kanuma

The setting of the conference was the famous Courtroom 600, in Nuremberg's Palace of Justice, a building of light brown walls and a sprawling red roof that looks like someone's outsized bungalow, but this one on a city street.

The two-day conference earlier this month - entitled "Building a Legacy"--sought to examine the impact or influence upon the International Criminal Court of the world's different international criminal tribunals beginning with the historic Nuremberg trials, on to the ad hoc tribunals of the ICTR and ICTY, and others like the special (hybrid) courts for Sierra Leone, Lebanon and Cambodia.

In attendance was a veritable who is who of officialdom of international criminal courts, among the more notable being: James Stewart, Deputy Prosecutor of the ICC; Hassan Bubacar Jallow, Chief Prosecutor of the ICTR; Serge Brammertz, Prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY); Leang Chea, National Co-Prosecutor of the Extraordinary Chambers in the Courts of Cambodia; Norman Farrell, Prosecutor at the Special Tribunal for Lebanon; **Desmond de Silva, a senior British lawyer who was instrumental in having former Liberian president Charles Taylor arrested**; Michelle Jarvis, senior legal adviser to the Chief Prosecutor ICTY; Klaus Rackwitz, Administrative Director of the European Union's Judicial Cooperation Unit, among others. ICC Prosecutor Fatou Bensouda seemed to be the only high-ranking official missing in that gathering!

I was among a group of fifteen journalists, from countries with one or another international criminal court dedicated to them, invited to Nuremberg, first for a two-day workshop, and then to the conference proper. Courtroom 600 does not look particularly imposing for a place famous for hosting the trials of a few of the most fearsome Nazis to serve the cause of the Third Reich: Hermann Goering, Ernst Kaltenbrunner, Julius Streischer, Joachim von Ribbentrop, Arthur Seyss-Inquart, Rudolf Hess... among the 21 senior Nazis to answer for their crimes in that location alone.

The courtroom can probably host 130 to 150 people comfortably; it is not big, but it has outsize influence in providing the framework of ideas - the Nuremberg Principles - for an international criminal court. Or, as the President of the ICC, Judge Sang-Hyun Song puts it, "The legal principals guiding the trials of the major German war criminals before the International Military Tribunal have become the foundational pillars of the Rome Statute." (For the uninformed, the Rome Statute created the International Criminal Court, which entered into force in 2002).

It was a unanimous sentiment during the conference that there should be justice for victims of atrocities; of widespread human rights violations; of war crimes, all crimes covered by the Rome Statute. But going by the discussions, and the vexatious issues the discussants grappled with, one is left with the certainty it will be a very long time before the ICC gains widespread acceptance as an organ working for all humanity. The ICC - as prominent a person among others as Nabil el Araby, Secretary General of the League of Arab States put it - will have to overcome a perception that it is a political tool serving a powerful few, such as the UN Security Council.

A thought that may have struck an African observer during the conference would be this: "Can one for instance draw a straight line from Hermann Goering to Kenyan President, Uhuru Kenyatta?"

Goering was one of Adolf Hitler's closest henchmen and one of the principle architects of the Nazi criminal enterprise in a period of war that led to the deaths of an estimated 50 million people and, ultimately, the Holocaust that claimed the lives of six million Jews.

Uhuru Kenyatta is one of the people whose "situations" currently is before the ICC.

Goering's crimes (together with those of every Nazi) were very public knowledge by the time the armies of Russia, the US and UK defeated the Third Reich in 1945. Europe was a wasteland of starvation, internally displaced people, concentration camps, trauma and fear resulting from wars started by Nazis. Everyone knew who was responsible: Hitler, Heinrich Himmler, Goering and others of that ilk.

Kenya in the aftermath of election violence in 2007 to early 2008 still was very much a functioning society despite the fact over 1000 people had lost their lives, thousands more internally displaced, widespread looting in the aftermath, and landscapes of burnt houses and shacks. The local finger of blame was pointed at top politicians, both incumbent and opposition, as well as some media people. Uhuru Kenyatta was not the head of state at that time. The man in charge was Emilio Mwai Kibaki. Samoel Arap Ruto was not the leader of the opposition. Raila Amolo Odinga held that distinction.

The apparent contradictions here lead critics of the ICC to conclude either that someone has been very lax about maintaining the high standards of the Nuremberg Principles along their evolution into the Rome Statute, or the ICC isn't much more than a political tool to whip the less powerful of the world with. As a Kenyan journalist we were with wondered, "How is it possible that people that weren't number one, or even number two during the election violence are the ones now being held accountable?"

Nabil el Araby of the League of Arab States, says, "Often, the International Community and those working with the ICC ask why many countries, including Arab countries, are reluctant to ratify the Rome Statute. Reasons vary but a common one lies in the perception of the ICC as a political tool of the Security Council."

### **Ratification of the ICC:**

The ICC has jurisdiction over crimes committed in countries that have ratified, and thus are members of the ICC, also known as states parties to the ICC.

The most powerful countries in the world, the United States, China, Russia, which also form the core of the permanent members of the UN Security Council, declined to ratify the treaty. Just like the vast majority of the Arab world: you won't for instance find Egypt, Saudi Arabia, Syria, Iraq or any other country like that among the states parties. Israel too is not there.

On the other hand Western European and Latin American countries almost all seem to have acceded to the statute - including those two European nations that are permanent members of the UN Security Council, namely the United Kingdom and France.

A clear pattern emerges here. Those countries most involved in wars, or most likely to start wars, such as the US, Russia, China, Israel, even India, Pakistan and others have made a calculated decision to avoid ratifying anything to do with the ICC. And those nations historically suspicious of anything to do with

Western institutions, namely the overwhelming majority of Arab states, have given the ICC a very wide berth.

But those largely peaceful countries of Western Europe that have very few reasons to fight wars (for whom the US provides a security umbrella under NATO) have been the most enthusiastic endorsers and promoters of the Rome Statute, and the ICC by extension. Same with Latin America, a continent of largely peaceful and economically resurgent countries. The worst crimes in Latin America, i.e. the violence of drug cartels in Mexico are not "Rome Statute crimes".

The conclusion is that those countries with no fear that their citizens, or soldiers will ever find themselves before an international criminal court are the most ready to endorse the ICC. And those at the opposite end of the spectrum are the least enthusiastic about the court. In fact, a country like the US is so suspicious of the ICC's motives that it has reserved itself the right to liberate, by force if all else fails, any US national that ever finds themselves in ICC detention. Even though, according to the articles of the Rome Statute, no American, or Russian or national of a permanent member of the UNSC can be investigated by the ICC Pre-Trial chamber - because permanent members reserve the right to veto such investigations even before they get off the ground. This power of the veto may be one reason, according to a lawyer I talked to, that the UK and France were confident enough to ratify the Treaty despite their propensity to invade other countries. (Another reason both European powers ratified it may have been to avoid the shame of appearing to be the rogue elements of Western Europe).

The anomaly in all this seems to be Sub-Saharan Africa. The majority of black African countries - 34 in total - acceded to the Rome Statute and were some of the most enthusiastic backers of the ICC. Yet, with a few exceptions here and there, they are neither the most peaceful nor stable countries. And soon they have found themselves bearing the brunt of ICC investigations, arrests and indictments.

To be continued...

## South Sudan News Agency

Tuesday, 19 November 2013

Analysis

### **Pugilism Over the Case of Human Rights Abuses in Pibor County--Jonglei State**

-SNIP-

... not overlooking the case of Charles Taylor the former Liberia President, Taylor was not in the field neither his country atrocities but was partially indigent to distant himself from horrendous crimes enriched by Revolutionary United Front (RUF) rebel which was led by Foday Sankoh in neighborhood Sierra Leone and bargaining from what was so called "blood diamonds". Because Taylor was responsible for "aiding and abetting as well as planning for some of the most heinous and brutal crimes recorded in the human life history he was convicted and sentence to 50 years in prison."

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