

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



Ruins of historic slave-trading fortress at Bunce Island, near Freetown.

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:

Tuesday, 22 July 2008

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

Tuesday, 22 July 2008

Braille version of IHL booklet launch

By *Betty Milton*

Students of the Milton Margai School for the Blind over the weekend received the Braille version of the International Humanitarian Law (IHL) booklet after it was launched by the Head of Delegation of the International Committee of the Red Cross (ICRC) Christoph Hartmann at the school at Wilkinson Road.

Launching the booklet, Mr Hartmann said that IHL is just common sense because it is sense that one applies during conflict. He added that IHL is not only there to prosecute defaulters but also to protect and prevent those who are not part of a conflict and so the Braille booklet is launched in the education of blind children in knowing about international law.

The ICRC head of delegation urged the pupils to use the book for its intended purposes “read, enjoy and learn about the court.”

In her statement which was read by a staff of the

Special Court, the Deputy Registrar Binta Mansaray said that there are other booklets which have been translated into Braille and this includes the Special Court agreement, and the ratification act.

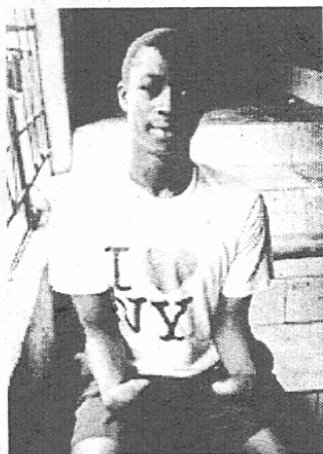
She said that the booklet will be in the library for the purpose of reading and therefore called on the pupils to use the book in a way that those coming after them will be able to use it again. She maintained that the Special Court

and the education center of the school for the blind came together to do this version of the IHL. The booklet she added will be of utmost importance to the pupils as well as the teachers because they can learn more about IHL in the Braille format. On behalf of the board members Rev. Christopher Samuels said that the event is historic in the sense that those “who does not know how the blind feels now know what it’s like to be blind.” He said “we the blind don’t need your sympathy but rather we want action and we want action now.”

Peep!

Tuesday, 22 July 2008

War Victims Project Approved



The Reparations Project submitted by the National Commission for Social Action (NaCSA) to the National Steering Committee of the Peace Building Fund (PBF) has been approved, 15th July 2008.

obligations under

Lome Peace Accord

The project will set the pace for the Government to meet its obligations in the Lome Peace Accord and respond to the **Truth and Reconciliation Commission's** (TRC) recommendations to implement the Reparations Programme for severely affected war victims.

This is an integral part of the process of promoting national healing, peace and reconciliation.



three million dollars to be allocated

It is a one year (August 2008-July 2009) catalytic fund amounting to three million dollars (US\$3 million) which will kick-start the reparations programme in the country and provide an opportunity to attract additional funding over the years from Government, Donors, National and International Institutions, Charity Organisations, Commercial and Business Houses, Private Contributions etc.

It will be recalled that the Lome Accord mandated the setting aside of funds from mineral exports to help those affected by the war.

extension of NaCSA's mandate

The recent extension of NaCSA's mandate to 2018 will enable it to implement the Reparations and other projects that

will further impact positively on the lives of Sierra Leoneans.

PBC to provide funds

The funds have been provided by the Peace Building Commission (PBC)

under the thirty-five million dollar (US\$35m) Pilot Peace Building Fund (PBF) negotiated by the Government of Sierra Leone.

Awoko

Tuesday, 22 July 2008

Chiefs undergo training on Human Rights

By Ishmael Bayoh

The Human Rights Commission will today complete a two days training of traditional chiefs on Human Rights in the Western Region at the Grassroot Gender Empowerment John Street.

Explaining the purpose of the training, the chairperson of the Human Rights Commission, Jamesina King said rights were to be enjoyed by all devoid of tribe, region and political parties. She said traditional authorities had a duty to perform in replacing the culture of violence and to eradicate violations from all forms.

Mrs King further explained that the protection of the women and the child should be recognized and that of the rights of the disabled whose primary responsibility and whose Human Rights violation

were mostly done in communities. She recognised the traditional authorities as valued partners in the promotion and protection of people.

The traditional authorities that are being trained will be served as trainers in their various localities.

General Superintendent of Police, Theophilus Senesie who chaired the opening of the training said the functions most times of the traditional rulers contradicts Human Rights - customary marriage, African marriage and religion and with other traditional practices.

He stated these included practices of some traditions like why women were not allowed to become paramount chiefs or some not entitled to inheritance.

Chief S.O Gbekie, a

Kono tribal Head in Freetown agreed that human rights violations were many and it was their responsibility as tribal heads to curb it. Mr Kedar Poudyal of the human rights and rule of law section of UNIOSIL said most times people contradict the principles of law and the traditional practices as he stated that it was because of the lack of separation between the two.

He however stated that human rights were all about dignity, prosperity, equality in society, harmony, development, inclusiveness and protection of the children. Mr Poudyal called on the traditional authorities to take the values of human rights to their various communities.

Julius S. Kamara from Network Community for Human Rights referred to

the traditional authorities as respectable people who take decisions that affect their communities whilst the acting deputy mayor Bobson Kamara also referred to the chiefs as key players in the

societies that are knowledgeable in traditional rules. Johannes Bassie, a disabled also spoke about the protection of the disabled in communities.

Mr Bankole Morgan, the western area human rights officer stated that the two days training was to create opportunities and sharing of experiences on human rights issues.

Independent Observer

Tuesday, 22 July 2008

Human Rights training for Traditional Leaders underway in Freetown

By Mabel Kabba

Two days Human Rights training for Western Area Traditional Leaders organized by the Human Rights Commission of Sierra Leone on Monday commenced at the Grassroots Gender Empowerment Movement in Freetown

Chairperson of the Commission Jamesina King told participants that the training has been conducted in the various regions. Adding that one of the key objective was to engage such group of people in finding the way forward in promoting and protecting human rights issues,

She maintained that the training is to build their capacity and partnership noting that as state representative in their communities, it is their duty to promote and protect human rights without discrimination, especially among children, and persons with disability.

Kedar Poudyal of UNOSI Human Rights and Rule of Law section said traditional leaders play vital role in dissemination of information, indicating that some

traditional values coincide with human rights and to achieve success on human rights issues, joint responsibility is needed by all citizens.

He thus assured participants of his organization's commitment in building the capacity of the human rights commission in promoting and protecting human rights issues.

Representing the Local Council's, the acting deputy Mayor Mohamed Bobson Kamara requested for sufficient empowerment for traditional leaders on human rights activities, as it essential in seeking the welfare of their communities.

Chairman of the ceremony, Chief Superintendent of Police, Theophilus Senise said in most African region laws contradict human rights. Engaging traditional leaders, he maintained, will help on how they can utilize their traditional principles.

Julius Kamara of Civil Society Human Rights Committee urged the commission to look into the causes of human rights violations and sensitize people on human rights issues and democracy. He also urged them to form a network for community development on human rights, and build the capacity of family support units.

Representative from the Council of Village Heads and other representatives also made contributions.

Agence France-Presse

Tuesday, 22 July 2008

French director shocks UN with disturbing film on child soldiers

UNITED NATIONS - Agence France-Presse

French film-maker Jean-Stephane Sauvaire brought the horror of Liberia's civil war to UN headquarters this week with the screening of "Johnny Mad Dog", his brutal portrayal of child soldiering.

Sauvaire's film, which won the Prize of Hope at this year's Cannes film festival, is based on a novel by Congolese writer Emmanuel Dongala about two teens trying to survive civil war in an unnamed African country.

In an interview with AFP, Sauvaire conceded that his film was violent, but said that the gun-toting youngsters in the film, all war veterans, were not traumatized by the experience and rather found acting therapeutic.

He said he wanted audiences to understand what it was like to be a child soldier and to be shocked and moved by the stories in the film.

"How can you do a movie about the war if it's not violent?," he asked.

Tuesday night's screening was sponsored by the office of Radhika Coomaraswamy, the special representative of the UN Secretary General for Children and Armed Conflict, Special Court for Sierra Leone prosecutor Steven Rapp and France's UN Ambassador Jean-Maurice Ripert.

Emmanuel Jal, a former child soldier turned musician from Sudan, also attended.

The screening was followed by a panel discussion at which Liberia's UN Ambassador Milton Nathaniel Barnes urged the world to do more to control the proliferation of small arms which often end up in the hands of child soldiers.

"Those AK47s that you saw are plentiful," he said. "They are cheap and they are effective killing machines. I am personally of the belief that the real weapons of mass destruction are small weapons."

His counterpart from Sierra Leone, Allieu Kanu, commended the UN for its efforts to tackle the root causes of conflicts, but said countries like his and Liberia needed help in reintegrating former child soldiers.

"I believe the international community is not doing enough," he said. "These children who were recruited in my country, they're now roaming the streets of Freetown" (Liberia's capital.)

"They're traumatized but we don't have the means to counsel these children, to ensure these children are engaged in productive activities," Kanu added.

Sauvaire meanwhile explained that his biggest headache had been figuring out how to make a realistic war movie, complete with gun-wielding teenagers, while a United Nations arms embargo was in place.

The French director and the movie's producers asked the UN Security Council to lift the embargo for demilitarized arms so they could import weapons that had been adapted to shoot blank ammunition, but they were told they had to make do with replicas.

Thanks to special effects, the toy weapons look like the real thing in Johnny Mad Dog and this same quest for authenticity was what drove the movie itself," the 39-year-old French director said.

While the country is not specified in the film, Sauvaire in fact traveled to Liberia where he first chose 15 children, all veterans of war, from 500 to 600 he met.

He decided to shoot the movie there after visiting the west African country in 2004, a year after the end of its 14-year conflict in which 250,000 people were killed.

During the filming, which took place in 2006 and 2007, Sauvaire, who in 2003 shot a documentary in Colombia involving teen violence in "Carlitos Medellin," lived in the same house as the boys.

He developed such a rapport with them that he stayed in Liberia for another year after he had finished shooting.

And he set up the Johnny Mad Dog foundation, where the children can eat, sleep, attend courses and receive counseling.

Eventually, Sauvaire hopes to raise funds to develop the foundation into a non-governmental organization that will serve other child soldiers in the community.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

**UNMIL Public Information Office Complete Media Summaries
21 July 2008**

[The media summaries and press clips do not necessarily represent the views of UNMIL.]

Newspaper Summary

Police Clarifies that Officers Arrested for Robbery not “Armed Robbers”

(New Democrat)

- Police authorities have clarified that officers arrested and disrobed last week are “robbers” and not armed robbers. The clarification comes after photos of six officers created a stir amongst Monrovia’s residents, forcing some police officers to abandon many of their assignments in the city.
- Police at the commercial district of Red Light were mobbed Friday by angry residents and marketers following the publication of a story that six officers were arrested and disrobed for being engaged in various robberies around Monrovia. The New Democrat reports that on Saturday, traffic came to a halt on the Freeway for hours due to police absence, while in other parts of the city there was a visible absence of police officers.

Monrovia in Floods - Properties Destroyed, Homes Submerged, Residents Dislodged

(The News, The Inquirer, New Democrat, National Chronicle, Daily Observer)

- Several communities in Monrovia and its environs have been submerged by floodwater.
- The media reports that torrential rains throughout Sunday morning destroyed thousands of dollars worth of properties in Monrovia and surrounding communities, leaving several persons dislodged. The News newspaper reports that communities in the vicinity of the SKD Sports Complex including King Gray, Kpelle Town and SKD Boulevard in Congo Town were affected by the floods.
- Water overflowed into several residential buildings and business houses including the CFE Distributors in Congo Town, destroying several valuables and goods. The mango swamp and drainages in Congo Town overflowed as culverts along the SKD Boulevard were washed away, making it difficult for pedestrians and vehicles to get across.

Amnesty International Abhors Death Penalty for Armed Robbers

(Liberian Express)

- Despite an overwhelming public approbation for the passage of a bill seeking death penalty for armed robbery and other violent crimes, a front page news article in the Liberian Express newspaper suggests that Amnesty International is diametrically opposed to the Bill.
- The armed robbery Bill has been sent to President Ellen Johnson Sirleaf for final approval before it is enforced. But the internationally acclaimed human rights group, according to the Liberian Express newspaper, wants President Sirleaf veto the Bill on grounds that the legislation is in bad faith, and entirely inconsistent with the purpose of the Protocol to which the Liberian government acceded, which aims to abolish the death penalty.
- “The surest way is to strengthen the criminal justice system and the capacity of law enforcement agencies not to carry out state killings which have never been shown to be a deterrent.”

Human Rights Expert says Rape Penalty is Harsh in Liberia

(Liberian Express)

- A United Nations Independent Expert on Human Rights, Technical Cooperation and Advisory Services in Liberia, Dr. Charlotte Abaka, says life imprisonment is a harsh penalty for person found guilty of rape, even though she acknowledged that the continued increase in armed robberies and rape cases is a security issue. According to the Liberian Express newspaper she opted for an urgent need for far reaching reforms in policing, judiciary and corrections sectors.
- "In addition, actions need to be taken to ensure that protective and punitive measures are enforced in relation to the ongoing scourge of sexual violence," she said.

Government Announces Protocol for July 26

(Heritage, The News, The Inquirer, Daily Observer, The Monitor)

- The Ministry of Foreign Affairs has announced special protocol surrounding the official program marking the commemoration of the 161st Independent Anniversary of the Republic of Liberia which takes place in Kakata, Margibi County.
- According to a Foreign Ministry release signed by Assistant Minister for Public Affairs, Josephus Moses Gray, the national orator for this year's Independence Day celebration is Dr. Sakui Waibu Suo-Godoe Malakpa. Dr. Malakpa is a son of Liberia who hails from Lofa County, and a Professor of the Ohio University, USA. He is also a Braille Specialist and a distinguished illustrious Scholar and Academician with acclaimed achievements.
- The Foreign Ministry disclosed that during this year's celebration, former President of the Republic of Mozambique and Chairman of The Africa Forum, Joaquin Chissano, at the head of a five member delegation, will arrive in the country to participate in the 161st independence anniversary celebrations.
- The Heritage, Inquirer, Daily Observer and Monitor newspapers report that several prominent statesmen and individuals will be honoured for their invaluable and humanity services rendered the Government and people of Liberia. Prominent among those to be honoured are five Catholic nuns who were massacred during the 1992 infamous "Operation Octopus" onslaught on Monrovia.

US\$2.5M Needed to Stabilize Transport System – MTA Boss says

(The News)

- The Managing Director of the Monrovia Transit Authority (MTA), Mr. Slewon T. Weah has appealed to government for increment in its budget in order to acquire equipment to stabilize the transport system in Liberia. The MTA boss said he wants US\$2.5 million allocation to help him purchase spare parts for buses and other solve mechanical problems.
- Mr. Weah observed that MTA being a public transport should be supported to meet the needs of commuters in Monrovia and its environs. The MTA Boss made the appealed at the weekend when he appeared before the Joint Legislative Sub-Committee on Appropriation and Expenditure at the Capitol. Mr. Weah reminded members of the committee that US\$1.9 million allotted in the 2008/2009 draft budget for the MTA was inadequate to purchase equipment for the smooth operation the entity.

UBALL Launches Bushrod Island Branch...CEO Dismisses '419' Claim

(Daily Observer, The News, Liberian Express, The Informer, Heritage, The Monitor)

- Africa's Global Bank, United Bank for Africa-Liberia Limited (UBALL) last Friday launched its Bushrod Island Branch at the Sigma Building opposite the City Builders on UN Drive in Monrovia. The Central Bank of Liberia (CBL) recently granted a full banking license to the United Bank for Africa Liberia Limited to operate in the country as a full commercial bank under the laws in order to better serve the Liberian people as well as the international community.
- UBALL Managing Director/CEO Ebele E. Ogbue noted that the operation of his bank in Liberia marks the emergence of foreign banks in Liberia to strength the industry and to provide

banking services that will cater to everyone ranging from taxis drivers to members of the international community.

- Speaking at the launch of the bank, CBL Deputy Executive Governor, Ethel Davis noted the CBL has been cautious that the granting of licenses to potential banks has to be based on their financial strength, managerial and operational capacities.

Radio Summary

Star Radio *(News culled today from website at 9:15 am)*

Several Communities Submerged by Floodwaters

(Also reported on Truth F.M. and ELBC)

Government Boasts of Winning Landmark Cases

- Government says it won two land mark cases during the May term of court in its fight against impunity.
- A release issued in Monrovia said one of the cases involved seven people convicted of murder in Nimba County.
- They were a part of a mob responsible for starting a fire that burned the Tappita Police station in which a female inmate died.
- The other case involves a clan chief and six other tried for subjected scores of elders in Butuo in Nimba County to torture and degrading treatment through “sassy-wood” or trial by ordeal which has since been outlawed.

Malaria Control Programme Begins Series of Activities Nationwide

- The National Malaria Control Programme says it would begin series of malaria control programmes nationwide.
- The group said it would commence a five-day training of dispensers from across the country and that it will take place simultaneously in Bomi, Grand Bassa and Montserrado Counties
- The Malaria Control Programme will also hold a one-day retreat for 40 local government officials. The first phases will take place over the next 3 months.

(Also reported on Truth F.M. and ELBC)

TRC Resumes Hearings in Montserrado Today

- The Truth and Reconciliation Commission (TRC) will today resume public hearings focusing on Montserrado County saying some of the hearings would be conducted in camera.
- About twenty would-be victims and perpetrators are expected to appear during the hearings which will be at the Monrovia City Hall.
- In an interview, TRC Commissioner Pearl Browne Bull, the five-day event is intended to corroborate previous accounts of would-be victims with those of the responses of the alleged offenders.
- Commissioner Bull who has oversight mandate of Montserrado hopes the process would reflect a path to genuine healing and reconciliation.

New York Times

Tuesday, 22 July 2008

Arrest Gives Credibility to War Crimes Tribunals

By DAVID ROHDE

The arrest of Radovan Karadzic on Monday gave badly needed credibility to international war crimes tribunals that have struggled for years to bring fugitives to justice, according to former prosecutors, legal experts and human rights groups. And the arrest bolstered arguments from tribunal officials that patience, multilateral diplomacy and creativity can make the institutions more effective.

“It’s building up piece by piece,” said Martha Minow, a law professor at Harvard and an expert on war crimes trials. “This is building up the legitimacy of these institutions.”

Mr. Karadzic will be the third high-profile figure to be brought before a United Nations-backed tribunal on war crimes charges in the last six years, following in the footsteps of President Charles Taylor of Liberia and the Serbian president, Slobodan Milosevic. For years, supporters of the tribunals have argued that if leaders were brought to trial the courts could serve as a deterrent.

But Mr. Karadzic, who remained free for nearly 13 years, made a mockery of the International Criminal Tribunal for the Former Yugoslavia, which in 1983 became the first such body established by the United Nations.

Although repeatedly seen in public when American and NATO forces entered Bosnia in 1996, he was not arrested, in part out of fear that seizing him could cause a violent backlash against NATO forces.

Instead, the United States and the European Union tried to use economic and diplomatic pressure on Serbia to force his arrest. Until Monday, the policy appeared to be a failure.

At the same time, other war crimes tribunals established by the United Nations came under fire. The International Criminal Tribunal for Rwanda was criticized by Rwandans as being hugely expensive, based outside Rwanda and largely detached from the country itself. And the establishment of the International Criminal Court — a permanent tribunal intended to prosecute war crimes globally — was delayed for years by tortuous negotiations and fierce opposition from the Bush administration.

Only last week, the prosecutor of the International Criminal Court was criticized for requesting that genocide charges be filed against President Omar al-Bashir of Sudan. Critics warned that the move would complicate peace negotiations for the Darfur region of Sudan and never lead to Mr. Bashir’s arrest, given the international community’s poor track record on arresting fugitives.

After Mr. Karadzic’s arrest, legal experts said his capture bring subtle new pressure to bear on the Sudanese leader.

“When Karadzic was indicted back in 1995, nobody really expected he’d ever actually get arrested,” said Gary Bass, a professor of politics and international affairs at Princeton University and the author of “Stay the Hand of Vengeance: The Politics of War Crimes Tribunals.” “It’s not clear how exactly Bashir could wind up in The Hague,” he added, “but the Karadzic example has got to make Bashir think hard.”

Privately, officials from the war crimes tribunals have argued that the United States and its allies have lacked the political will to make arrests and at the same time failed to use a complex array of diplomatic and economic measures to bring fugitives to justice. The international community has more options than either using military force to arrest a fugitive or doing nothing, they say. Economic sanctions, indictments and travel restrictions all place small but steady pressure on individuals accused of war crimes and on their patrons.

Undermining a leader's or regime's legitimacy can also serve as leverage.

"The third way is what the world needs," said one war crimes investigator who spoke on condition of anonymity. "The problem is we are thinking two ways: we accept him or we go to war with him."

Critics point out that the tribunals' track records have, until now, been poor. Mr. Karadzic's arrest now does not make up for more than a decade of successful defiance. The amount of time it took to pressure Serbia to arrest Mr. Karadzic shows how easy it is for states to defy and divide the international community.

For years, many of survivors of the 1995 massacres in Srebrenica — for which Mr. Karadzic was indicted on genocide charges — mocked the Yugoslavia tribunal as a toothless and expensive show put on by the international community. They said the court, which is based in the Netherlands and has an annual budget of \$150 million, would remain a multimillion-dollar failure until Mr. Karadzic and his military commander and co-defendant, Gen. Ratko Mladic, were arrested.

Richard Goldstone, a South African jurist who served as the Yugoslavia tribunal's first chief prosecutor and indicted Mr. Karadzic in 1995, said it was critical that Serbian officials also arrest General Mladic, who remains free and is believed to be hiding in Serbia as well. "I just hope that Mladic is not that far behind," he said.

Human rights groups said the arrest of Mr. Karadzic had the potential to significantly bolster the clout of the long-maligned tribunals. Richard Dicker, director of Human Rights Watch's International Justice Program, said that Mr. Karadzic had come to "personify impunity."

"For international justice, this is a very good thing," he said. "I think it validates that justice has a long memory and a long reach."

BBC

Monday, 21 July 2008

AU rejects Bashir Darfur charges

The African Union has called for the UN Security Council to suspend war crimes accusations against Sudan's President Omar al-Bashir over Darfur.

The African foreign ministers said the request to charge Mr Bashir would jeopardise the peace process.

The International Criminal Court (ICC) accuses Mr Bashir of genocide in Sudan's troubled Darfur region.

The Security Council has the power to delay ICC indictments by up to 12 months, reports the AFP news agency.

"The African Union requests the UN Security Council to defer the process initiated by the ICC, taking into account the need to ensure that the ongoing peace process is not jeopardised," Nigerian Foreign Minister Ojo Maduekwe told reporters after a meeting of the AU's Peace and Security Council in the Ethiopian capital, Addis Ababa.

Earlier, Kenya's President Mwai Kibaki said any move to indict Mr Bashir would be "counter-productive".

ICC chief prosecutor Luis Moreno-Ocampo has asked the court for a warrant to arrest Sudan's leader.

Mr Moreno-Campo has accused the Sudanese leader of running a campaign of genocide that killed 35,000 people outright, at least another 100,000 through a "slow death" and forced 2.5 million to flee their homes in Darfur.

The AU supplies most of the 9,000 peacekeepers in Darfur. The UN took joint control of the operation at the start of the year but the violence is continuing.

On Sunday, the head of the Arab League Amr Moussa met President Bashir to discuss the accusations.

Mr Moussa said a plan drawn up by the Arab League to solve the crisis had been well received in Khartoum.

During a meeting in Cairo on Saturday, the Arab League condemned the ICC's call to arrest Mr Bashir on war crimes charges.

The Arab League said the ICC's move was "unbalanced".

"In so far as work is concerned, we had very, very serious discussions for the duration [of] a little less than two hours," Mr Moussa said.

Mr Moussa did not reveal any details of the Arab League's plan, but the organisation called for Sudan to hold credible trials for those accused of war crimes in Darfur.



Mr Bashir is accused of masterminding the deaths of thousands in Darfur



Voice of America

Tuesday, 22 July 2008

African Union Demands Security Council Suspend ICC Indictment of Bashir

By Peter Clotney
Washington, D.C.

The African Union (AU) has called on the United Nations Security Council to suspend the International Criminal Court's (ICC) indictment of Sudanese President Omar Hassan al-Bashir for Darfur war crimes. The AU contends that the indictment would not only destabilize the country, but also undermine efforts to resolve the ongoing humanitarian crisis in the Darfur. The African Union's Peace and Security Council, which recently met in Addis Ababa, Ethiopia, reportedly also requested creation of a panel of eminent Africans to come up with recommendations on how to address issues of accountability and reconciliation raised by the Darfur conflict. El- Ghassim Wane is the spokesman for the African Union. He tells reporter Peter Clotney from Addis Ababa that the African Union would not condone impunity for human rights abuses.

"The Peace and Security Council deliberated and decided on the matter in light of two considerations. The first one is of course the unflinching commitment of the African Union to combating impunity, and ensuring that those responsible for human rights violations in Darfur are brought to book. The second element is the need to preserve the gains made in the peace process and ensure our efforts, which we are jointly deploying with the UN, especially in Darfur. And it is in light of that that the Peace and Security Council made this request to the UN to defer the process initiated by the ICC," Wane noted.

He said the African Union is in the process of coming up with a commission to address the issue of accountability and others over the Darfur crisis.

"There is also a decision requesting a commission to put in place within one month an independent high level panel made up of distinguished Africans to come up with in-depth and concrete recommendations on how best to address the issues of accountability, combating impunity, reconciliation and healing in Darfur," he said.

Wane denied that the African Union delayed raising concerns when recommendations were made to the Security Council before the ICC requested President Bashir's possible indictment.

"There is really no a late move as such. As you are aware, the UN Security Council referred the matter to the ICC through resolution 1593. We as AU, there is a referral to the ICC, but there is also a request that was made through the AU to support efforts at reconciliation and healing in the Sudan. And on the strength of that resolution we undertook a number of initiatives. We organize a number of meetings and came up with recommendations of how we could push forward this agenda of combating impunity," Wane pointed out.

He said President Bashir's indictment would not help efforts to resolve the crisis in Darfur.

"But what we believe is that under the current circumstances and given the security of the process in Sudan, given also the process being made in the implementation of the Comprehensive Peace Agreement (CPA) signed between the government and the SPLM (Sudan People's Liberation Movement), really we believe that the application by the prosecutor of the ICC wont be helpful to the peace process," he said.

Wane said the African Union wants those who perpetrated crimes to be fully dealt with.

"We made a request not only for the deferral of the process and the way within the framework of the ICC, but the Peace and Security Council also did also come up with a roadmap on how to address the issue of impunity, accountability, and the issue of reconciliation and healing. It is our hope that the high level panel that the chairperson of the commission requested to be set up will be able to come up with concrete recommendations that would take into account the genuine concerns of all those who believe that the perpetrators of human rights violations in Darfur should be brought to justice,' Wane pointed out.

Voice of America
Monday, 21 July 2008

Sudanese Officials Meet With AU on ICC Charges

By Derek Kilner
Nairobi
21 July 2008

Sudan is trying to rally diplomatic support for rejecting war crimes charges against President Omar al-Bashir by the International Criminal Court. As Derek Kilner reports from VOA's East Africa bureau in Nairobi, Sudanese officials presented their objections to the African Union Peace and Security Council in Addis Ababa.

Following the decision by the International Criminal Court's chief prosecutor to seek the arrest of Sudanese President Omar al-Bashir for his role in the conflict in the country's western region of Darfur, Sudan has attempted to bolster international opposition to such a move.



AP Photo

Abdel Basit Sabdarat,
Minister of Justice of Sudan
(File)

A Sudanese delegation led by Justice Minister Abdel Basit Sabdarat went before the African Union's main security organ. The deputy head of Sudan's diplomatic mission in Ethiopia, Akuei Bona Malwal, described Sudan's opposition to issuing an arrest warrant for President Bashir.

"It should be deferred until we establish peace. Because these things they have no time limit, what is the rush now? The idea is that this warrant be deferred until there is a peace process. Of course, we are all against impunity [exemption from punishment] and we hope there will be justice at the end of it. We are not saying he should not go on investigating, but he should not go on arresting the head of state at this junction," said Malwal.

Malwal said he believes AU officials were receptive to Sudan's arguments. Following the presentation, the Peace and Security Council took up the issue of the ICC indictment in a closed session.

ICC judges are deciding whether to grant chief prosecutor Luis Moreno-Ocampo's request for an arrest warrant, which could take up to a few months. With enough diplomatic backing from countries in Africa and the Middle East, as well as from China and Russia, it is possible that the U.N. Security Council could ask that the warrant be deferred for one year.

The head of the Arab League, Amr Moussa, is in the Sudanese capital, Khartoum, to discuss the case against President Bashir. Both the Arab League and the African Union, have expressed concern with the attempt to prosecute President Bashir.

U.N. officials, aid workers and political analysts have also cautioned that an arrest

warrant could invite violent retaliation in Darfur, and jeopardize peace efforts, not only in Darfur, where such efforts have largely failed to get off the ground, but also in South Sudan, where a 2005 peace agreement appears increasingly precarious.

Many human rights advocates, meanwhile, have applauded Moreno-Ocampo for striking a blow against impunity. President Bashir would be the first sitting head of state charged by the court.

Moreno-Ocampo is seeking charges of war crimes, crimes against humanity, and genocide for President Bashir. He has also said he is investigating the role of rebel leaders in an attack on AU peacekeepers last year in Darfur.

A joint U.N.-African Union mission took over from that force in January, but has suffered a number of setbacks. Fewer than 10,000 of the planned 26,000 troops have been deployed. Earlier this month, seven peacekeepers were killed in an ambush, and another was killed last week.

The U.N. estimates that between 200,000 and 300,000 people have died in the conflict in Darfur since 2003. The Sudanese government says no more than 10,000 have been killed.

Voice of America

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DRC Rebels Accused of Civilian Executions

By Peter Clotney
Washington, D.C.

In the Democratic Republic of Congo (DRC), the National Congress for the Defense of the Congolese People (CNDP) rebel group loyal to renegade general Laurent Nkunda is reportedly provoking fights against other militia groups and causing instability in the restive North Kivu province. President Joseph Kabila's government is accusing the rebel group of going on rampage and executing civilians whom they claim to be members of other militias in the area.

The government adds that actions of the CNDP rebels are undermining the cessation of hostilities agreement recently signed between the government and other rebel groups in North Kivu. But the rebels deny the accusation, blaming the government for the deaths of the civilians. Anneke Van-Woudenberg is the senior researcher for Human Rights Watch in the Democratic Republic of Congo. She tells reporter Peter Clotney that peace seems to be elusive to most of the residents in North Kivu province.

"What Human Rights Watch has published today is a report detailing a 10-day investigation mission that we conducted in eastern Congo, and specifically in the province of North Kivu. And what we found is that since the signing of the ceasefire, six months ago, that the rape and the killing of civilians continue. Now, one of those groups are indeed the soldiers of Laurent Nkunda, a renegade general who has been operating here in eastern Congo," Van-Woudenberg pointed out.

She said other military groups in the area are also involved in destabilizing that part of the Democratic Republic of Congo.

"His troops (Nkunda) are not the only ones. Human Rights Watch also documented serious killings by a coalition of three other armed groups. These are Congolese Hutu groups called the PARECO (Coalition of Congolese Patriotic Resistance) and the Mai Mai, but also the Rwandan Hutu groups who have been operating here in the forest of eastern Congo for the past 14 years. So what we found is an ongoing serious situation for the protection of civilians, and for most people there is no peace," she said.

Van-Woudenberg describes the abuse of human rights allegedly being committed by government forces also as unseemly.

"First of all these soldiers of the Congolese army are also involved in human rights abuses. They are looting from the local population, and raping women and girls, but perhaps as importantly, we have discovered that they also continue to support this coalition of armed groups including the Rwanda Hutu groups some of whom participated in the genocide in 1994. This is the group that the Congolese government have claimed they will seek to disarm, a group that is supposed to return to Rwanda. But in fact we have found that the Congolese government continues to support them and their allies, which means that we seriously question the government's commitment to this process," Van-Woudenberg noted.

She said Human Rights Watch has begun meetings with other armed groups and stakeholders to find a solution to the problems documented in the report.

"Human Rights Watch have been meeting for the past two days with leaders from all of the armed groups as well as from senior officers from the Congolese army, and other government officials to tell them what we have documented in our investigations, and urging them to act on this. And we very much hope that they will take this seriously," she said.

Van-Woudenberg said there was need for an international effort to implement the peace process.

"But of course one of the other things we have been urging is for the international facilitators to the peace process, which includes the United States, and the European Union, and we have said to them, let's make central to this peace process the protection of civilians. And we are urging appointment of a special advisor on human rights so that we can ensure that the protection of civilians and respect for human rights is at the center of this peace process, and not a forgotten issue that is never dealt with," Van-Woudenberg pointed out.

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http://nazret.com/blog/index.php?blog=15&title=ethiopia_justice_delayed_but_hopefully_n&more=1&c=1&tb=1&pb=1

Ethiopia - Justice Delayed, But Hopefully Not For Long!

By Alemayehu G. Mariam*

Posted on July 21, 2008

In September, 2004 President George W. Bush lamented, "The world is witnessing terrible suffering and horrible crimes in the Darfur region of Sudan, crimes my government has concluded are genocide." In July, 2008, President Omar al-Bashir officially became the numero uno wanted man for orchestrating genocide, war crimes, crimes against humanity and murder in the Darfur region of the Sudan.



In his application for an arrest warrant at the International Criminal Court (ICC), prosecutor Luis Moreno-Ocampo alleged that over the past five years al-Bashir had "masterminded with absolute control" and "appointed key personnel to implement" a criminal plan "to destroy in substantial part the Fur, Masalit and Zaghawa ethnic groups as such. Forces and agents controlled by AL BASHIR attacked civilians in towns and villages inhabited by the target groups, committing killings, rapes, torture and destroying means of livelihood." Bashir is accused of causing the deaths of 35,000 people "outright". Drawing parallels to the Jewish Holocaust, Moreno-Ocampo explained that "these 2.5 million people (Darfurians) are in camps. They don't need gas chambers because the desert will kill them." He said he had no choice but to proceed with full legal action because al-Bashir "wants to end the history of the Fur, Masalit and Zaghawa people. I don't have the luxury to look away. I have evidence."

Of course, al-Bashir is presumed innocent until proven guilty. But in a public display of bravado, al-Bashir sneered at the charges and denied the jurisdiction of the ICC. He had already rejected extradition requests by the ICC to hand over Ali Kushayb, ("janjaweed butcher of Darfur") and Ahmed Aroun (former Interior Minister and later Minister of State for Humanitarian Affairs). Last month, al-Bashir assured members of his Popular Defense Force, "I swear to God, I swear to God, I swear to God we will not hand over any Sudanese to the International Court." For now, al-Bashir does not appear to be overly concerned; and it is unlikely that he will be the last Sudanese official to be sought by the ICC for criminal prosecution.

The Legal Significance of an al-Bashir Indictment

Genocide, crimes against humanity, war crimes and other gross violations of human rights often take place because the criminals who commit them believe they can do so with absolute impunity. History seems to support their view. In the past, the international community has failed to stop genocide, war crimes and crimes against humanity in Rwanda, Kosovo, Cambodia, Liberia, Sierra Leone and many other countries. Even today, the same international community has turned a blind eye to the genocidal crimes of Meles Zenawi in Ethiopia and Somalia, well documented in the 113-page Human Rights Watch report, "Shell-Shocked: Civilians Under Siege in Mogadishu". Criminals like al-Bashir, Zenawi, Mengistu, Pol Pot, Charles Taylor, Slobodan Milosevic, Foday Sankoh and others calculated they can literally get away with the murder, torture and persecution of hundreds of thousands of people because there is no one around to hold them accountable. The lack of firm and determined international action has emboldened them to publicly display contempt for the rule of international law. In their arrogance, they convinced themselves that they are above the law, any law.

Charging al-Bashir for his atrocious crimes in Darfur shows that international criminals who commit heinous crimes against humanity are not immune from legal accountability. That is the central point of the ICC prosecutor in seeking the indictment of al-Bashir: No one is above the law, including a sitting head of state! This fundamental

transformation in the international criminal legal system is of historic importance. It breaks both the pattern of factual impunity long enjoyed by these ruthless criminals, and shatters the perception that they are invincible, untouchable and unaccountable.

From Pinochet to al-Bashir: "Bad Boys, Bad Boys! What You Gonna Do, What You Gonna Do When the ICC Catches You!"

Moreno-Ocampos's application for an arrest warrant has plunged all war criminals and human rights violators around the world -- heads of state and street thugs alike -- in deep legal anxiety. The ominous jingle of the World's Most Wanted Criminals must be ringing in their heads: "Bad boys, bad boys, what you gonna do, what you gonna do when the ICC catches you!"

An indictment of al-Bashir will help greatly in the expansion and validation of international criminal procedure under the Rome Statute and other conventions because it reinvigorates and establishes on a solid footing the whole idea of "extra-territorial" and "universal" jurisdiction. Simply, this means judges and prosecutors in any country can seek extradition of genocide, war crimes and crimes against humanity suspects for alleged crimes committed outside their national jurisdictions. That happened to the late Chilean military strongman Augusto Pinochet and five other retired military officials nearly a decade ago. The Spanish Judge Juan Guzman indicted Pinochet and the others for crimes committed not only against Spanish citizens on Chilean soil, but also on charges that he is criminally responsible in the disappearances of 3,000 Chileans and the torture of hundreds of thousands of others.

An al-Bashir indictment will advance the cause of human rights and international justice immeasurably by facilitating the actual prosecution of these criminals. For instance, judges and prosecutors, particularly in democratic countries, can seek prosecution of international criminals under the Torture Convention of 1984, which requires states either to prosecute any suspected torturer found on their territory, regardless of where the torture took place, or to extradite the suspect to a country that will prosecute him. Signatory states could be required to effectively enforce the Geneva Conventions (particularly the Fourth Convention dealing with protection of civilians during war time) on the conduct of war, which requires each participating state to "search for" persons who have committed grave breaches of the conventions and to "bring such persons, regardless of nationality, before its own courts."

Another important outcome of an al-Bashir indictment and trial could be the development of sophisticated legal theories for the prosecution of genocide, war crimes and crimes against humanity suspects. Jurisdiction over such crimes need no longer be limited to conventional criminal acts such as unlawful political and wartime killings. It may now be possible to prosecute suspects for such crimes as rape and sexual slavery, intentional starvation of civilian populations (weaponization of famine), terrorism of civilian populations, collective punishments, destruction of livelihoods and other inhuman acts that are intended to inflict great psychological harm to individuals and groups in society.

Al-Bashir Can't Run and Can't Hide!

If the ICC judges issue an arrest warrant, they will have effectively made al-Bashir a prisoner in his own country. Even as a head of state he will be restricted to the Sudan unable to travel or cross international borders. In the past, Interpol (the international criminal police organization) has issued "Red Notices" for suspects and fugitives from justice wanted by the ICC, which means al-Bashir could be arrested any time he crosses an international border. He will remain free as long as he stays in power, or figures out a way to bring about a political resolution to the Darfur crises that will cause a recall of the warrant. Otherwise, once indicted al-Bashir will remain a wanted man for the rest of his natural life, wherever he may be. He won't be able to run or hide. We are hopeful that the three judges before whom the application for al-Bashir's arrest warrant is made will in due course sign it; and that al-Bashir will be brought to trial. We are encouraged by the prosecutor's 11-0 record on his arrest warrant applications to the ICC over the past 5 years since he took office.

There is much talk of "the-sky-will-fall-if-al-Bashir is indicted". They say the Darfur peace process will be scuttled and U.N. peacekeepers will be attacked by the notorious janjaweed and so on. Similar alarms of doom were sounded when Sloboda Milosevic ("the butcher of the Balkans") was first indicted in 1999, and died before the completion of his trial. The sky did not fall when the warlord Charles Taylor of Liberia was arrested in 2003. Taylor is currently on trial in the Hague; and Liberia is at peace under Ellen Johnson-Sirleaf, the first elected woman president in African history. In the final analysis, we can not pin our hopes of peace and the observance of the rule of law on war mongers and stone-cold criminals. Darfurians are entitled to justice! As Moreno-Ocampo said, al-Bashir "wants to end the history of the Fur, Masalit and Zaghawa people. I don't have the luxury to look away. I

have evidence." The international community has an obligation to bring about the end of the history of al-Bashir. It does not have the luxury to look away!

The Long Arm of International Law

Martin Luther King said, "The moral arc of the universe bends at the elbow of justice." Today, the long arm of international law stretches to grab international criminals and bring them before the bar of justice from any point on the planet. For as long as there are determined and unrelenting prosecutors like Moreno-Ocampo, the likes of al-Bashir, Zenawi and Mengistu can be sure that one day the long arm of international law will catch them and bring them to kneel down before the altar of justice. Our question: "Bad boys, bad boys, what you gonna do, what you gonna do when the ICC catches you!"

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