

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



See photo's from Sunday's semi-final match against G4 Security in today's '*Special Court Supplement*'.

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:

Monday, 22 November 2010

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217

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Female Prisoners Relocated To Special Court

It was reliably learned at the time of going to press that the inmates had already been moved. According to the Prisons Director, the detention facility has 18 cells that are enough to accommodate the 30 inmates they had as at last Thursday. He furthered that the facility also has space for the inmates to engage in recreational activities that will help rehabilitate them to become useful citizens again in society.

Mr. Showers admitted that they have been unable to cope with the increased convictions in the country. Asked about the quality of food they serve, he said they prepare what is good for human consumption, adding that they also provide good medical treatment to the inmates. The Director however maintained that more needs to be done to attain international standards in the country's prison. He commended the

Contd. Page 10

Director of Prisons Moses Showers last week disclosed in an exclusive interview with this medium that female prisoners held in the maximum security prison at Pademba Road would be relocated to the plush Special Court for Sierra Leone detention facility at Jomo Kenyatta Road.

Female Prisoners Relocated To Special Court

From Front Page
Ministry of Internal Affairs and Local Government for its effort, noting that the Minister will soon take the existing Prison Ordinance and Prison Rules of

1960 and 1961 respectively to parliament as part of their restructuring process.

After which, he went on, the Prisons Services would be renamed the Correctional Services.

Mr. Showers boasted of several achievements to point at since taking office in terms of capacity building.

He concluded by informing that they have recently established the

armed unit of the prison to deal with the perennial problem of prisoners escape.

Guinea: ICG Expresses concern over deteriorating situation



Guinean military leader General Sekouba Konate alias El Tigre (The Tiger).

Guinea's political and military leaders and the international community must take urgent measures to halt widespread attacks against defenceless civilians and to prevent political tensions from degenerating into large-scale ethnic violence and regional instability.

Following the announcement of presidential election results on 15 November, handing Alpha Condé victory over his rival, Cellou Dalein Diallo, the country has descended into violence, with two days of clashes in the streets of the capital, Conakry, and elsewhere. Defence and security forces have engaged in systematic attacks on supporters of Diallo's Union des Forces Démocratiques de Guinée (UFDG), a party associated mainly with the Peul ethnic group in major urban areas in the Fouta region. Earlier on, UFDG supporters were involved in attacking and destroying properties belonging to ethnic Malinké and Peul supporters of Condé's Rassemblement du Peuple de Guinée (RPG) party.

The election campaign had witnessed sporadic violence, but the situation has now deteriorated further. The active participation of the military - beating, molesting and shooting defenceless civilians and destroying their property - has changed the dynamics of the violence. One observer in the northern town of Labe told Crisis Group that armed soldiers were patrolling neighbourhoods and openly threatening civilians. Also, there are reports of Red Beret soldiers, notorious for human rights abuses, roaming in Peul neighborhoods in Conakry and hunting down Peul businessmen. At least twelve people were reported to have been killed in Conakry, and shots were heard in several other cities.

If Guinea's security and defence forces do not enforce greater discipline in their ranks, the country could quickly descend into further chaos. The possibility that the violence could feed into broader ethnic tensions within the army cannot be ruled out. Guinea's interim president, General Sékouba Konaté, and the Prime Minister, Jean-Marie Doré, must recognise that a violent crackdown on defenceless Peuls would severely damage their credentials and likely lead to open ethnic conflict. Continued violence

would ruin Guinea's transition process and endanger the prospects of substantial investment that could help stabilise the country. Condé's offer to constitute a government of national unity as a gesture of reconciliation should the Supreme Court declare him the winner, may help ease tensions.

But this move will not do enough to reverse this deteriorating situation, which is now far more serious than party supporters protesting election results. General Konaté announced an eight-day state of emergency on 17 November, while the Supreme Court reviews the election results. This will not help to stop the violence, however, especially if he continues to overlook the actions of the security and defence forces. Konaté must rein in the military and stop them from attacking civilians; all civilian and military leaders must be held accountable if they fail to do so.

In addition, Guinea's two presidential candidates must now urge their supporters to allow the Supreme Court to conduct its work in peace, and they must warn them of the consequences of continued violence. Both Condé and Diallo should address the ethnic-tensions and polarisation that have dogged the second round of polls. Both candidates and the interim government need to come together and jointly call for an end to violence and a restoration of calm throughout the emergency period while the court deals with challenges to the election outcome. The following steps are needed urgently:

The Interim President and the Prime Minister should ensure discipline among the armed forces. General Konaté should immediately order them to stop attacking civilians; military commanders should be held accountable if they fail to restrain their troops. The United Nations Security Council should send a clear message that the current military leadership will be investigated for any crimes committed against civilians while executing orders.

The International Criminal Court should issue a statement reminding Guinean authorities of their obligations to protect civilians and avoid gross human rights abuses in the country.

BBC Online

Monday, 22 November 2010

Congolese ex-rebel Jean-Pierre Bemba to face ICC trial



Jean Pierre Bemba faces five charges of war crimes and crimes against humanity

The war crimes trial of former Congolese rebel leader Jean-Pierre Bemba is to start at the International Criminal Court in The Hague.

The former vice-president of DR Congo is accused of murder, rape and

pillage in the Central African Republic (CAR) in 2002 and 2003.

He is the most high-profile figure to face trial at the ICC since it began its work eight years ago.

The trial is expected to last several months.

The 48-year-old faces two counts of crimes against humanity and three counts of war crimes.

At the time of the alleged crimes, Mr Bemba was a militia leader in DR Congo, but his forces crossed the border from their stronghold in the northern Equateur province into the neighbouring country of CAR to help the president put down a coup attempt.

It is alleged that attacks carried out by his troops against the civilian population were widespread and systematic.

Politically convenient?

In a 2003 deal, Mr Bemba became a vice-president in DR Congo, as part of a power-sharing peace deal between the government and various rebel groups.



- Educated in Brussels, made millions in air freight and telecoms
- 1998: Formed MLC rebel group with Ugandan backing
- 2003: Becomes vice-president under peace deal
- 2006: Loses run-off election to President Kabila
- 2007: Flees after clashes in Kinshasa
- 2008: Arrested in Brussels on an ICC arrest warrant

Three years later, he stood in DR Congo's first democratic elections, losing a run-off against President Joseph Kabila. His supporters staged sometimes violent protests, claiming he had been cheated of victory.

He was arrested in Brussels in 2008, and handed over to the ICC.

His lawyers have claimed that the trial is intended to remove him from the Congolese political scene - allegations dismissed by both the ICC and the Congolese government.

The BBC's Peter Biles in The Hague says prosecutors will be trying to show that as a military commander, Mr Bemba was in control of his forces but did nothing to stop them committing the atrocities in question.

Mr Bemba has argued that he was not in command of the militia after it crossed the border.

The trial is expected to last several months.

This is the third ICC case to go to trial - the two previous ones concern the conflict in DR Congo.

Former Liberian President Charles Taylor is being tried at the The Hague but is being prosecuted by a special war crimes tribunal for Sierra Leone, rather than the ICC.

The ICC was established as a permanent court, so a special tribunal did not have to be set up after each conflict in which war crimes were allegedly committed.

The Canadian Press online

Friday, 19 November 2010

International Criminal Court monitoring Guinea violence, warns against excessive force

By: Mike Corder, The Associated Press

THE HAGUE, Netherlands - Investigators at the International Criminal Court are closely monitoring violence linked to disputed presidential elections in Guinea, the court's deputy prosecutor said Friday.

Fatou Bensouda urged Guinea's security forces to "refrain from any excessive use of force against the civilian population" after they declared a state of emergency this week amid escalating ethnic tensions.

At least seven people have been killed and scores injured since the Nov. 7 vote.

"I encourage the political leaders to further call their supporters and fellow citizens to calm and to avoid unrest," Bensouda added.

Guinea's November election is considered to be the nation's first democratic vote following 52 years of dictatorship. But it has been clouded by ethnic tensions that arose once the race was narrowed to two candidates from the country's two largest ethnic groups.

Bensouda said Guinean authorities should investigate the violence, adding that her office will scrutinize all reported violence "to determine whether crimes falling under the Court's jurisdiction are committed and should warrant an investigation."

Prosecutors at the world's first permanent war crimes tribunal already are looking into violence last year in Guinea, where presidential guard troops opened fire on demonstrators at the West African nation's main soccer stadium, killing dozens of people and injuring hundreds.

Most victims are believed to be Peul, the ethnicity of losing presidential candidate Cellou Dalein Diallo. His supporters rioted in the hours after the election results were announced late Monday. They were quickly put down by the mostly Malinke security forces, who belong to the ethnicity of the race's declared winner, Alpha Conde.

Voice of America

Monday, 22 November 2010

ECOWAS Court Rules Senegal Must Use Tribunal to Try Hissene Habré

Drew Hinshaw



Photo: AFP

Chadian President Hissene Habré on an official visit in Paris (file photo)

A regional court in West Africa has ruled that Senegal cannot, by itself, try Hissène Habré for war crimes the former Chadian dictator committed during the 1980s. The verdict comes as a green light for the special tribunal human rights lobbyists have long been calling for.

The decision reached by the West African Economic Community's regional court in Abuja arrived as a victory to Hissène Habré and his legal team - but it's also seen as a victory for the human rights advocates that have been campaigning to see the former Chadian coup leader jailed

for war crimes.

Habré stands accused of orchestrating 40,000 political murders committed during his eight-year so-called Toyota war with Libya, which the US-backed leader won after his army received some 400 pick-up trucks.

But 20 years after rebels forced Habré from the capital, the 68-year-old finds himself in house arrest in Senegal - a country that has gone so far as to revise its penal codes in order to bring Habré to justice.

Those revisions would allow Habré to become the first African head of state tried for war crimes by a fellow African nation, but in their appeal to the regional court of justice, his lawyers said he was being unfairly targeted by a state that has violated his human rights.

Habré's lawyer Francois Serres says the court's decision to support his appeal prevents the Senegalese state from trying his client.

He says the court has just rendered a very crucial judgment that confirms what Hissène Habré has been arguing for two years now.

When Senegal received an African Union mandate to try Habré, it wrote crimes laws into its legal code to retroactively apply to Habre, but Serres says those laws constitute one of the many ways Senegal has violated Habré's human rights.

The court has made sense of the mandate that Senegal recieved from the African Union, he said. It's ruled that Senegal cannot accomplish this mandate in light of the ongoing violations that have transpired over the past two years now, he says. Only - and perhaps - he added, a special tribunal or international court could fulfill this mandate.

And yet, a special tribunal is precisely what the Senegalese state says its preparing to organize, in a drive to try Habré that has drawn on for over four years.

In a statement e-mailed to Voice of America, today, Human Right Watch spokesperson Reed Brody said the court's decision finally allows Senegal to proceed with what would be a historic tribunal.

The preparations for such a tribunal, are already under way, Senegalese government lawyer Sadel Ndiaye says.

He says that the country is going to meet with the African Union, and consider how they can fund and operate a special African Union tribunal that will be tasked with the mission of finally trying Hissene Habre. He says this tribunal is going to be modeled off trials like those conducted on Sierra Leone, Rwanda, Yugoslavia.

Funding remains the final hurdle confronting such a tribunal, as the Senegalese Justice Ministry has yet to approve a case budget that international donors are comfortable with. Advocates lobbying for a cost-efficient and timely trial are scheduled to meet next week in a call for the process to begin.

Hirondelle News Agency

Friday, 19 November 2010

ICTR/Weekly summary - former Rwandan planning minister takes floor for his defence

Three trials continued this week before the International Criminal Tribunal for Rwanda (ICTR), including that of former Rwandan Planning Minister Augustin Ndirabatware, who started presenting his defence case against genocide charges he is facing.

In his own defence evidence, Ndirabatware denied his political party, MRND, or himself to have ever made hate speeches against ethnic Tutsis.

The accused explained that he attended several MRND political meetings in his home prefecture of Gisenyi, northern Rwanda, in 1992, but in all of them he never heard any hate speeches made by party leaders. He claimed further that during his entire period as minister of planning between 1990 and 1994 he never served Rwandans on ethnic grounds.

Before entering the witness box, his lead counsel Peter Herbert presented opening statements for the defence case and sought for acquittal of the accused, claiming that there was no evidence to prove the charges against him.

Defence hearing continues Monday.

Other trials involve former mayor of Kivumu Commune in Kibuye prefecture (Western Rwanda) Grégoire Ndirahimana and top leaders of MRND, Mathieu Ndirumpatse, who was the president and his vice-president Edouard Karemera.

In the trial of Ndirahimana the prosecution closed its case on Friday after calling 14 witnesses. Defence hearing is expected to start on January 17, next year. About 40 witnesses would testify for the accused.

During trial of MRND top leaders, Ndirumpatse called five witnesses to defend him. The hearing continues next Monday when the defendant is expected to continue calling his witnesses. Karemera has already completed his defence case.

FK/ER/GF

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Thursday, 18 November 2010

ICTR/Hategekimana - judgement of military officer to be delivered in December

The International Criminal Tribunal for Rwanda (ICTR) will deliver its judgement on December 6, in the case of genocide-accused and former Rwandan military officer Lieutenant Ildephonse Hategekimana.

According to a scheduling order by ICTR made available to Hirondelle News Agency on Thursday, the judgement would be handed down by Trial Chamber II presided by Judge Arlette Ramaroson from Madagascar.

A native of Mugina Commune, in the former prefecture of Gitarama, central Rwanda, Hategekimana has pleaded not guilty to five charges, including genocide, crimes against humanity, murder and rape.

According to the indictment, the massacres against ethnic Tutsis were allegedly carried out at Ngoma parish, Matyazo primary school, Matyazo dispensary and at Beneberika Convent in Butare prefecture, Southern Rwanda, between April and May 1994.

The prosecution alleges that the accused was present when soldiers from Ngoma military camp, where he was then the commander, and armed civilians actively participated in the massacres.

During closing arguments on April 28, 2010, the prosecution requested for maximum penalty of life imprisonment to be imposed on the accused if convicted of the offences, but the defence sought for his acquittal.

Prosecution counsel William Egbe from Cameroon claimed that the evidence adduced by several witnesses showed the accused was directly responsible in killings of numerous people in extremely brutal manner.

"Taking into consideration the gravity of the offences, individual and superior responsibilities, absence of mitigating factors, the prosecution proposes the most appropriated sentence for the defendant to be imprisonment for the remainder of his life for each count found guilty," Egbe emphasized.

However, Togolese lead defence counsel Ahlonko Dovi claimed that the prosecution did not prove their case beyond reasonable doubt. "Serve justice to Hategekimana by simply acquitting him for the sole reason of inadequate evidence," the counsel pleaded.

Hategekimana was arrested in Congo Brazzaville on February 16, 2003 and transferred to Arusha UN-Detention three days later.

His trial started on March 16, 2009. The prosecution concluded its case on May 4, 2009 after presenting 20 witnesses and the defence rested its case on October 7, same year, after fielding the same number of witnesses.

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Emg.rs

Monday, 22. November 2010

<http://www.emg.rs/en/news/serbia/139122.html>

Malovic to open "Justice and War Crimes" conference

The conference will mark the beginning of training sessions for court and prosecution employees, organised by the International Criminal Tribunal for the Former Yugoslavia (ICTY) within the Justice and War Crimes Project.

Minister of Justice Snezana Malovic will open a "Justice and War Crimes" conference at 14.00 on 22 November, at the Legal Academy in Belgrade, Karadjordjeva 48.

The conference will mark the beginning of training sessions for court and prosecution employees, organised by the International Criminal Tribunal for the Former Yugoslavia (ICTY) within the Justice and War Crimes Project.

Scheduled to speak are Head of the European Commission delegation to Serbia Vincent Degert, acting president of the Belgrade Court of Appeal Radmila Dragicevic-Dicic and War Crimes Prosecutor Vladimir Vukcevic.

The conference is an example of Serbia's good cooperation in two central components, implemented by the OSCE through its Office for Democratic Institutions and Human Rights.

The project is implemented with the ICTY, the UN Interregional Crime and Justice Research Institute, the OSCE missions in former Yugoslav countries and with the EU's financial assistance.

Deutsche Welle

Monday, 22 November 2010

<http://www.dw-world.de/dw/article/0,,6253662,00.html>

How far have we come? Nuremberg Trials museum opens

Großansicht des Bildes mit der Bildunterschrift: Courtroom 600 is still a functioning courtMemorium, a new museum commemorating the Nuremberg Trials, opened this week. Speaking at Sunday's opening ceremony, a former US prosecutor called for the Nuremberg spirit to continue to be upheld today.



Courtroom 600 is still a functioning court

Sixty-five years after the opening of the Nuremberg trials, the courtroom that witnessed Nazi leaders being found guilty of war crimes has been transformed into a museum commemorating the momentous events which saw the eyes of the world fixed on this

Bavarian city.

Benjamin Ferencz, a former US prosecutor in the war crimes trials, and one of the few people participants still alive to have taken part in the trials, returned to Nuremberg at the age of 91 to speak at the opening of the museum on the anniversary of the world's first war crimes trial.

Speaking at the inauguration of the new museum, Ferencz said, "When I left Germany for the first time after World War II and left Nuremberg, my biggest regret was that I never heard from any German saying 'I'm sorry.' I would never have believed that I would come back 60 years later and would hear a completely different voice and a different plan in the same country."

Collecting evidence

At just 27, Ferencz was the chief prosecutor at the trial of 22 Nazis in 1947, one of the 12 trials that followed the trial of the major war criminals. After graduating from Harvard law school in 1943 he immediately joined the US Army, gathering evidence of Nazi crimes as the Americans liberated the death camps Buchenwald, Mauthausen and Dachau.

Speaking in the courtroom in which he led the case for the prosecution in 1947, Ferencz said, "I've seen the crematoria with the bodies packed outside and the bodies burning inside ... I have seen the destruction of German cities, of French cities, of British cities ... I don't know if we will ever turn the page completely, people will always doubt whether it is possible for human beings to behave in such an inhumane way."



Bildunterschrift: Allied flags decorate the exterior of the building

Fair trials

During the war, Soviet leader Joseph Stalin called for the mass executions of German soldiers and Nazi leaders to be carried out when victory was won. In contrast, Britain, France and the USA demanded that the Nazi perpetrators answer for their crimes in a front of a legal court. It was this insistence which led to the International Military Tribunal opening its first court session on November 20, 1945 in Courtroom 600 at the Palace of Justice in Nuremberg.

While Nazi leaders Adolf Hitler and Heinrich Himmler escaped justice by committing suicide at the end of the war, 21 other leading Nazis were put on trial in Nuremberg. Under the spotlight of the world's media, the city associated with fanatical Nazi rallies was reborn as the city which hosted the first ever war crimes trial. Named the 'trial of the century' by the media, it lasted 218 days before the accused were led to the dock to hear judgment on October 1, 1946.

Bildunterschrift: Großansicht des Bildes mit der Bildunterschrift: Goering committed suicide before his death sentence was carried out

Although Hermann Goering escaped his sentence by committing suicide shortly before he was due to be hanged, Foreign Minister Joachim von Ribbentrop and the Head of the Armed Forces, Wilhelm Keitel, were hanged in Nuremberg prison in October 1946 along with eight others.



The very dock in which Hermann Goering and other leading Nazis were sentenced to death is now part of the new Memorium exhibition housed in an attic area above Courtroom 600, which remains an active criminal court.

Goering committed suicide before his death sentence was carried out

Lingering cases

The inauguration of the museum, which was attended by the German and Russian foreign ministers as well as representatives of the United States, France and Great Britain, symbolizes the gradual end of Nazi war crimes being pursued in the courts, leaving the history books to judge those who may have escaped justice.

Earlier this month, Michael Seifert, known as the 'Butcher of Bolzano,' died at the age of 86 in an Italian hospital after being extradited to Italy from Canada in 2008. He was serving a prison sentence for murdering 11 people at a prison camp in Bolzano. Seifert was one of the few Nazi war criminals still known to be alive. Few witnesses from the time remain, making it increasingly difficult for the courts to continue the work started in Nuremberg at the end of the war.

The ongoing trial of 90-year-old John Demjanjuk, accused of murdering 27,000 at the Sobidor death camp in Poland, may prove the last time a suspected Nazi war criminal is seen in the dock.

Precursor of the ICC

The Nuremberg Trials leave a legacy that extends beyond the Nazi period. At the outset of the trial in 1946, US Chief Prosecutor Robert H. Jackson proclaimed, "The wrongs which we seem to condemn and punish have been ... so devastating, that civilization cannot tolerate their being ignored, because it cannot survive their being repeated."



Bildunterschrift: Two original courtroom benches, and old film images, are part of the exhibit.

Two original court benches, and old film images, are part of the exhibit

Despite Jackson's words, Courthouse 600 was not the last court to hear allegations of war crimes. The Nuremberg Trials paved the way for the establishment of the International Criminal Court (ICC), as well as being the first court to establish the legal precedent of crimes against humanity.

In the late 1940s the court at Nuremberg was the target of much criticism. The trials were held in difficult circumstances, and some historians believe they would have been carried out differently with hindsight. Yet Nuremberg is still seen as a model, having established a theory of international law which holds that the perpetrators of such crimes be held to account for their actions.

Ferencz bore witness to this at the end of the war, and on Sunday used his speech as an opportunity to criticize those countries who, he says, are not giving their full support to the ICC, those whom he believes, have lost the spirit of Nuremberg.

"The object is not to punish people for crimes against humanity," he said. "The object is to prevent those crimes; by the time you are punishing you have failed." Quoting Judge Jackson, Ferencz argued that aggression is the supreme international crime, and the law must be applied equally to everyone. Looking down at the podium, the former chief prosecutor then asked the audience, "How far have we come?"

Author: Naomi Scherbel-Ball, Nuremberg

Editor: Ben Knight

The museum exhibit is held in the attic above Courtroom 600, which remains an active criminal court. The courtroom will however be open to the public when not in use.

Gulf News

Saturday, 20 November 2010

A travesty of a tribunal

The investigation into Rafik Hariri's murder seems to be motivated more by politics than justice

By Abdel Bari Atwan, Special to Gulf News



Image Credit: Dwyann Ronald V. Trazo/©Gulf News

The UN's Special Tribunal for Lebanon (STL), currently taking place in the Hague, is reportedly under pressure from the US to release an indictment of those it considers responsible for the February 14, 2005 assassination of former Lebanese prime minister Rafik Hariri.

Why is the US so interested in the findings of this international court? It has not previously displayed much appetite for trials at the Hague. Certainly we have yet to see any Israeli war criminals brought before the International Criminal Court there.

Nor have the architects of the illegal war in Iraq, former US president George W. Bush and former UK prime minister Tony Blair, been brought to the Hague to account for their crimes — including the murder of more than a million innocent Iraqis. Yet there is a vast amount of incriminating evidence, much of it obligingly provided by the accused themselves between the covers of lucrative, recently released, autobiographies.

Why was there no clamour for international tribunals to investigate the many other political murders in the region, from Pakistan's Zia-ul-Haq to Palestine's Yasser Arafat, or the Lebanese Druze leader Kamal Junblatt, to name but a few?

One can only conclude that the STL is motivated more by politics than the desire for justice.

It is widely anticipated that the STL is about to indict members of Hezbollah for Hariri's assassination. This would suit the US-Israeli agenda for the region. Hezbollah gained in international respectability when it joined Prime Minister Sa'ad Hariri's unity government in November last year, yet the threat it poses to Israel remains unabated.

Israel failed to defeat Hezbollah when it invaded southern Lebanon in July 2006 and the organisation has developed greater military strength since. Armed by Iran, Hezbollah possesses tens of thousands of missiles, many capable of penetrating deep into Israel.

If members of Hezbollah were to be indicted and tried for Hariri's assassination, the present government would almost certainly disintegrate, with the country descending into sectarian conflict and Hezbollah relegated to the political hinterland inhabited by criminal militia and terrorists. Another possibility would be a coup by Hezbollah. In either case, an attack by the US or Israel would be green lighted by the international community.

Then there is the possibility that the assassins were, in fact, Israeli agents. An indictment of Hezbollah would provide a diversion from this line of enquiry. Israel cannot afford any more bad press after the flotilla massacre and the murderous 2008/9 assault on Gaza. Assassination is, after all, an Israeli speciality — it is only 10 months since Mossad agents, travelling on fake western passports, murdered Hamas military commander Mahmoud Al Mabhuh in his hotel room in Dubai.

Hezbollah leader Hassan Nasrallah offered evidence implicating Israel in August, but the STL has yet to take this on board. Meanwhile Nasrallah is urging Sa'ad Hariri to join him in boycotting the STL altogether and threatens violent retribution if any of his men are charged with the murder.

Dubious history

Unusually, the STL has the power to try those it accuses in absentia — a worrying circumstance given the dubious history of the tribunal since it started work in March 2009. There is no guarantee that any evidence produced before the STL is genuine, so much has already been fabricated for political purposes.

Initially the STL implicated Syria in the assassination, relying on the testimony of four top military figures who later retracted their evidence. Hezbollah has called for a full enquiry by the Lebanese Judicial Council into this so-called 'false witnesses' scandal which, it says, undermined the integrity of the STL.

UN-backed investigations have inspired little confidence in the region since former UN chief weapons investigator in Iraq Scott Ritter resigned in protest at the CIA's infiltration of his inspectorate.

Many fear that the STL has been similarly infiltrated in order to pass on intelligence about Hezbollah and other hostile groups to Israel.

On October 28, for example, investigators from the STL attended a Beirut women's clinic frequented by members of the Islamic Resistance. While the official purpose for such a provocative excursion remains a mystery, the visitors were able to examine hundreds of files containing the most private records. Are we to believe that the plot to assassinate Rafik Hariri gestated in one of these women's wombs?

Prime Minister Sa'ad Hariri is in a difficult situation. Naturally he wishes to identify — and prosecute — the people who murdered his father, but his natural desire for justice has been hijacked by US and Israel for their own ends.

The Israelis alone would benefit from a situation where the Lebanese government was in disarray and sectarian conflict re-ignited. If Hezbollah expended all its energies and resources in a lengthy civil war it would pose much less of a threat abroad.

In a bid to avert such a scenario, and the possibility of the conflict spreading to other Arab states, Saudi Arabia and Syria have joined forces to produce a five-point compromise plan. The details have not been revealed but it is widely rumoured that Sa'ad Hariri would be advised to declare Hezbollah innocent if its men are indicted by the STL.

Syria may also be mindful of the steady expansion of Iranian influence in the region. By backing Hamas in Gaza and Hezbollah in southern Lebanon, Iran is gradually increasing its military pressure on Israel, yet a full-blown regional conflict (in which Syria would undoubtedly side with Iran and Hezbollah) would be premature.

I am all for justice, and for punishing the assassins who killed Sa'ad Hariri's father, one of the most outspoken supporters of Lebanese unity and the rights of the Palestinians. But I cannot endorse a travesty based on forgery and deceit, intent on destruction and ruin and another Muslim bloodbath. We have already witnessed such a tragedy in Iraq.

Abdel Bari Atwan is editor of the pan-Arab newspaper Al Quds Al Arabi.

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