

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



PRESS CLIPPINGS

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

as at:

Friday, 23 March 2007

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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The News
Friday, 23 March 2007

Special Court gets new Registrar

The Secretary-General of the United Nations has appointed Herman von Hebel

Acting Registrar of the Special Court, following the departure of former Registrar Lovemore Munlo, SC. Mr. von Hebel has wide experience in international law. From 1991 to 2000 he was a member of the Dutch Ministry of Foreign Affairs, working within the Department of the Legal Adviser and the Directorate of Legal Affairs.

Between 1995 and 2000 he represented the Government of the Netherlands on the Preparatory Committee to set up the International Criminal Court. In 1998 he chaired the Working Group on the Definition of War Crimes at the Rome Conference, and from 1999 to 2000 he chaired the Working Group on the Elements of Crimes.

He joined the International Criminal Tribunal for Yugoslavia (ICTY) in 2001 as Senior Legal Officer.

Mr. von Hebel was appointed Deputy Registrar of the Special Court for Sierra Leone in July 2006.

He will remain as Acting Registrar until a decision has been made by the Secretary-General of the United Nations on the appointment of a new Registrar.

PEEP!

Friday, 23 March 2007

Tribute To Chief Sam Hinga Norman (2), Prof. Ajimfo Awundawolo, PPG (Political Prison Graduate)

That is likely why Chief Norman has kept quiet and barred my call when he saw my mobile phone number displayed on his mobile screen.

dead but not forgotten
But that is wishful thinking on my part.

What is true is that Chief Samuel Hinga Norman is now DEAD, but will remain unforgettable in the national history of mother Sierra Leone as a *National HERO*.

his sacrifice

In a booklet I authored, captioned: *'The SLPP Catechism'* which I wrote in 2003 I said this about Chief Hinga Norman and I quote:

'Chief Hinga Norman

was regent Chief of Koribondo in the Bo district, Southern Province of Sierra Leone, who also became the Chief Coordinating Organizer of the kamajor movement'.

'background'

"His background was appropriate to the task. He was a retired army officer who became active in national politics and registered as SLPP member. He skillfully organized and mobilized local young people and trained them in the bush using both the western and primitive tribal (African) rituals which became known as *initiation*... Hinga Norman got involved in the kamajor movement in order to stop the spread of rebel activity into the rural parts of the country, which subsequently helped, the SLPP regime stay in power.

What is a true and a historical fact which cannot be distorted, is that the *kamajors* helped the SLPP to regain power from the rebels (RUF-

AFRC-SOBEL). Whether Chief Hinga Norman went into excesses is not for me to say or pass judgement".

insensitive

For the SLPP leadership to remain insensitive to the *kamajors'* role in their regime will be a sign of ingratitude because the *kamajors* risked their lives and abandoned their families to fight for the RESTORATION OF SLPP to come back to power.

The party SLPP must look back and reward such people (*with honours*). The *kamajors* and its leadership, including Chief Sam Hinga Norman, ought to be re-

warded for their loyalty and patriotism as a sign of gratitude and appreciation instead of prosecuting them for the excesses they committed in the exercise.

primitive war

After, all, it was a primitive jungle warfare they were fighting based on the principle that *'munu-ch-ndapi-hugeh'*: translated literally means *'a fight does not need to be explained'*.

It was not a football game based on rules and regulations with a referee

It was a jungle war: where the rebels feared only the counter attacks from the *kamajors* - 'an eye for an eye'.

victory

This was the war in which he Chief Hinga Norman was involved and he fought it to victory. What is his reward? Please answer that for yourself.

caution

The interesting thing about that position on Chief Hinga Norman's role in the *kamajor* movement as stated by me was well appreciated by a highly placed person in our society and government who cautioned me not to expose everything

I know about Chief Sam Hinga Norman.

I appreciated his caution, but ignored it at my own panel.

Penfold

I was encouraged by Mr. Peter Penfold, who made his tribute to Chief Sam Hinga Norman to make public my own tribute to Chief Norman through this medium.

Today Chief Samuel Hinga Norman is pronounced DEAD but still lives forever.

'The evil that men do lives after them and, the

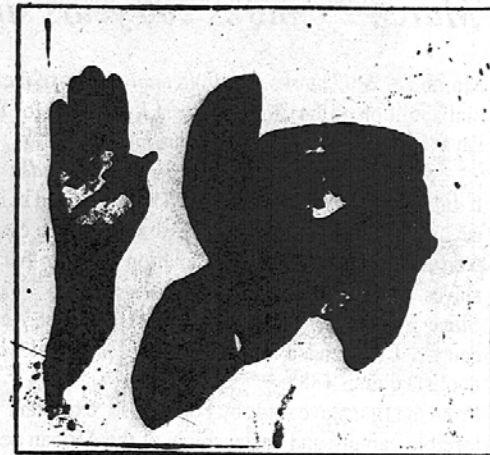
good is often interned in their bones'.

As we all ponder over judgement that statement, let me close my tribute by saying that: *'Judgement Day is not just a day'*, but a court in perpetual session.

And that heights that great man reached and kept today were attained by sudden flight to Conakry - Guinea (in exile) while leaving behind trusted *kamajors* led by Chief Hinga Norman who fought to resist the rebels (RUF-AFRC-SOBEL) in order to retain power for the SLPP.

languish

Only to be forgotten to languish in a Special In-



'Chief Norman was a hero for Sierra Leone

ternational Court detention in indictment for war crimes and crimes against humanity as if Chief Hinga Norman was not part of humanity.

'May his soul rest in perfect peace,' while I (Prof

Ajimefo) remain guilty of the crime I committed against you as your country man.

Your death was willed by God and nobody else.



'Hinga Norman in Special Court care leaves for Dakar

Salone Times
Friday, 23 March 2007

THE SPECIAL COURT PUSH FOR AN UNFAIR ADVANTAGE FOR THE PROSECUTOR (II)

*By Ishamel Taylor-
Kamara, USA*

Fact or Fiction?

Trial Transcript: During an extensive colloquy (transcript, pages 7-17) with the three Judges on this issue, counsel for the first defendant Sam Hinga Norman argued forcefully that there were implications to the Court's decision to allow the Prosecution to append two annexes to its brief (which was timely filed). However, as counsel ultimately appeared to concede there was no prejudice to his client's rights, and counsel for the other defendants interposed no objections to the filing of the annexes. Thus, after hearing from counsel for the first defendant and the Prosecution on the matter, the Court issued its ruling, declaring that, among other things, no prejudice was demonstrated. (transcript, page 17). One observation that I should make (which is, clear from the colloquy referred to above) is that late or amended filings and requests for extensions of deadlines are all an unavoidable feature of trial practice. Sometimes, omissions are inadvertent; at other times, new or pertinent information is obtained at the eleventh hour. It is up to the Court to determine what is or isn't permissible. As demonstrated in the trial transcript, the Special Court is no different.

Bangura and Sandy-Gorgla Fourth Example: Third (sic), the Presiding Judge had a document addressed to the Court and certified by Raymond Ewing, a detention officer, which read that the first accused would not attend court on the day of the closing arguments for reasons which he, the first accused, would only disclose to the judges. The Prosecutor, however, submitted, and the Court agreed, that the Trial Chamber could conclude that the first accused had waived his right to be tried in his presence because the document was not signed. At least three questions can be raised on this issue. First, why could a detention officer trained by the Court certify a letter that was not signed? Second, why would the Trial Chamber agree with the Prosecutor's argument

that the first accused had waived his right to attend court for closing arguments when it is expressly stated in the letter that he would like to talk to the judges? Third, how did the judges know that the letter is from the first accused when they had already rejected it on the ground that it was not signed?

Trial Transcript: Once again, Bangura and Sandy-Gorgla are pulling teeth to support their unsupportable claim. I would like to cut to the chase and simply ignore the three rhetorical questions above. But first let me point out that, at least one of them renders the authors whole line of reasoning moot. If, as they seem to do, the authors consider the communication from Hinga Norman to be flawed because it "was not signed", then how could such communication be used as a valid means to advise the Court that the defendant's "right to be present" has not been waived. Either the communication is deemed valid or it is not.

In any event, according to the trial transcript (transcript, page 18), the detention facility of the Special Court submitted a document to the Court as certified by one of its supervisors, indicating that Hinga Norman, the first defendant, had refused to attend court on November 28, 2007 as a protest for a reason he would reveal only to the Judges. The document also indicated that although Hinga Norman refused to sign the document, he specifically did not waive his right to be present.

As Bangura and Sandy-Gorgla point out, the Prosecution submitted that the first defendant had by virtue of the material before the Court indeed waived his right to be present. The Prosecution, in a nutshell, argued that "absence due to protest is a waiver" (transcript, page 22). Defense counsel dis-

agreed, pointing out that the document presented to the Court expressly states that the first defendant "is not waiving his right to be present" (transcript page 19). Following a lengthy colloquy (transcript, pages 17-23) among the Chamber, the Prosecution and counsel for the first defendant, the Court ruled that the closing arguments should proceed, stating in pertinent part, "we deem that the [first defendant] has waived his rights [to be present] impliedly" (transcript, page 23).

Bangura and Sandy-Gorgla Fifth Example: Finally, the Prosecutor noted that the Civil Defense Force was not illegal, considering its aims of restoring the democratically elected government. Nonetheless, he argued that he should use uncorroborated evidence against the defendants, and the Court agreed with him. How can the Court be perceived to be fair if it allows the Prosecutor to use evidence that has not been proven in the proceedings?

Trial Transcript: Before referring to the transcript, let me address the rhetorical question posed by Messrs. Bangura and Sandy-Gorgla. To begin with, it is the Court's role to determine what evidence is permissible. That is, during a trial, a Court rules on whether evidence is to be admitted or excluded—whether or not the evidence is deemed to be corroborated, uncorroborated, first-hand knowledge or hearsay. Unfortunately, Messrs. Bangura and Sandy-Gorgla have deliberately mischaracterized the meaning of the term "uncorroborated evidence" and the context in which it was used by the Prosecutor in the introductory portion of the Prosecution's closing arguments. To truly appreciate this deceit one has to read the relevant portions of the transcript (transcript, pages 25-29; particularly page 29). Essentially, during this phase, the Prosecution was laying out its case and in discussing its position as to how the Court should "evaluate the evidence

before it", addressed various types of evidence, one of them being uncorroborated evidence, i.e., evidence provided by only one source or backed up by another. This, of course does not make it unreliable; as the Prosecution points out, as with any single piece of evidence it should be assessed in the context of the totality of evidence; and just as importantly, only the Court can determine what weight it shall assign to that single piece of evidence within the whole. To better understand this, I provide here the penultimate paragraph of the transcript regarding this issue:

Mr. Staker: (Prosecutor) ... "It is, of course, the case that if evidence is uncorroborated that goes to weight. But, again, even uncorroborated evidence must be looked at in light of the evidence as a whole. If we have, for instance, uncorroborated evidence of a single witness of a particular attack on a particular village, if that evidence is consistent with other evidence of similar attacks on other villages at the same time that can be seen, when the evidence is viewed as a whole, to have been part of a single campaign fanning out to various villages in the region, the totality of evidence, in itself can be corroborative of that evidence. Certainly the fact that uncorroborative evidence is consistent with a general pattern of the evidence as a whole is a matter that must also go to the weight".

** This article was completed on the day reports concerning the sudden death of Hinga Norman in Dakar, Senegal were received in the United States. The author wishes to advise that the article being submitted today (February 22, 2007) was completed prior to the announcement of the first of such reports and accordingly, does not attempt to address the impact of this sad event on the analysis set forth herein. Ishmael Taylor-Kamara, Secretary General, Concerned Sierra Leoneans in North America, New York New York.*

Awoko

Friday, 23 March 2007

“The Child Rights Bill kills Culture”— P.C Caulker

By *Mohamed Fofanah*

Paramount Chief Charles Caulker yesterday in parliament argued that the “child rights bill kills culture”.

This summation of the bill by the Paramount Chief was made when the house was considering the bill in its second reading stage.

P.C Caulker dourly lambasted the pioneers of the bill who he referred to as “they”.

Telling them to “leave us with our culture” and in the same vein stated that, “they have made laws that got them in conflict with their children, laws that send their children out of their homes and sending parents to old people’s homes without taking care of them.”

He said the bill would affect the majority of his people and in fact get them all in jail if the bill was passed.

The Paramount Chief said nothing was wrong with his people marrying 13-year-old children considering the economic problems of such parents, adding that the bill was also opposing the ‘Bondo’ society but that the society was an informal

sector of education and circumcision was just one of its curricula.

P.C Caulker cautioned, “why should we go ahead to make laws that will affect the majority of our people.”

Many parliamentarians also agreed with the paramount chief that the child rights bill would be “killing the cultural values” of the Sierra Leone society.

Honourable Victor Reider, representing the Sierra Leone People’s Party, also warned that the bill should be discussed with uttermost seriousness “so we do not create an imbalance in our children.”

He stressed that even though UNICEF, which are the trail blazers of the bill, wanted the best for children in the country, they should know that “every nation has its culture,” noting that as much as they recognize the universality of humanity “we have cultural peculiarities.” He pointed out that the bill unfortunately tended to downplay “our cultural background, our core values and those things we considered sacred.”

Hon. Reider advised that the concept of the bill was fantastic but that they needed a proper telescopic look at it.

Honourable Baba Jigida described the bill as a “template from Europe designed to kill the identity of Africa”.

She added also that the bill was making “the child a parent and the parent a child”

Honourable Nyallo of the SLPP described the bill as “as another monster.”

He said the bill stipulated the setting up of a Children’s Commission which the government could not fund and would be looking to foreign donors who would dictate what should be done for children.

Honourable Afsatu Kabba, representing the All People’s Congress, supported the bill in its entirety, stating that in looking at children’s affairs they should take into cognizant the “first call principle” which held that whatever circumstances the parents were faced with the interest of the child was paramount.

She said the rights of the child were international conventions and Sierra Leone which is part of the universe should conform to these conventions.

She advised that if there were cultural or traditional inhibitions to the passing of

Contd. Page 4

The Child Rights Bill kills Culture

From Page 2

the child rights bill then the bill should be sent back to the legislative committee to be looked at. Hon Dauda Kamara (APC) counseled that, “man on earth is not static, they are changing, responding to the tides of

change.” Honourable A.O.D George endorsed the argument of ‘change’ while supporting the bill.

Finally the motion was made and seconded for the bill to go to the legislative committee after the second reading.

Hon Eddie Turay (APC), the chairman of the legislative committee, announced that all stakeholders should send their recommendations to the committee concerning the bill by a week’s time which would be looked into for the final document.

United Nations  Nations Unies
United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 22 March 2007

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

International Clips on Liberia

BuaNews 22 Mar 2007

Title: Pakistani peacekeepers refurbish school in Liberia

Over 200 Liberian students will benefit from a school recently refurbished by United Nations blue helmets, officials from the world body's peacekeeping mission said this week. At a dedication ceremony, UN Mission in Liberia (UNMIL) Force Commander Lt.-General Chikadibia Isaac Obiakor said the school project was to the recovery effort in Liberia, which is rebuilding following a brutal civil war.

Bryant risks jail confinement

By Michael Kpayili / Staff Writer

The Liberian Times.com - March 22, 2007 - The former Chairman of the defunct National Transitional Government of Liberia Charles Gyude Bryant is likely to go to jail if his US.6 million criminal appearance bond is not found to be legal.

The Government of Liberia responded after three day duration after the bond was filed as prescribed by law, and declared the rejection of the USD2.6 million bond, terming it as insufficient and invalid.

UN Says Liberia Needs External Support

VOA News – March 22, 2007 - The United Nations says Liberia needs to focus on economic development to ensure the country continues redeveloping peacefully after more than a decade of civil war. To help with this task UN Secretary-General Ban Ki-Moon is requesting that the United Nations extend the mandate for its peacekeeping force in Liberia for another year. The UN deputy special representative of the secretary-general, Jordan Ryan, says the United Nations is pleased with the progress Liberia has made since the end of its civil war

International Clips on West Africa

BBC Last Updated: Tuesday, 20 March 2007, 09:41 GMT

Sierra Leone honours Africa slave campaigners

By Yvonne Ndege-Burke and Mohammed Fajah-Barrie

As the UK marks 200 years since it abolished the slave trade, Sierra Leone has decided to purge its capital, Freetown, of streets named after the British and replace them with the names of Africans who fought in the abolition movement.

Freetown, as its name implies, was founded in 1787 as a home for freed slaves and many residents have welcomed the move to recognise African heroes on its streets.

Local Media – Newspaper

Government Cancels Storage Charges on Items at Major Port

(The Inquirer and The Informer)

- A release issued by the Executive Mansion yesterday said that the Government waived storage charges on personal effects, humanitarian and medical items currently at the Freeport of Monrovia following a meeting, Tuesday between President Ellen Johnson Sirleaf and management of the National Port Authority who hoped that the move would alleviate the plight of ordinary citizens, returnees and institutions.

President Likely to Reshuffle Cabinet

(New Democrat, Liberian Express and National Chronicle)

- During a phone-in programme, "Conversation with the President", President Ellen Johnson Sirleaf said that when she appointed people following her induction as President in January, 2006, she did so with the spirit of "political accommodations" and was currently evaluating them in order to move forward.

Associates of Taylor Frustrated

(Heritage)

- A group known as "Association Campaigning for the Innocence of former President Taylor" said that it is frustrated that the detainees' Lawyers stopped visiting him because of the continuous presence of cameras in his cell. The Association's spokesman John T. Richardson told reporters in Monrovia yesterday that the decision of the Court to install cameras in Mr. Taylor's cell was wrong and called on the Liberian Government to make representation to the Special Court sitting in The Hague about the latest development.

UN Peacekeepers Decorated with Medals

(The Informer)

- The Namibian contingents serving with the United Nations Mission in Liberia (UNMIL) were yesterday decorated with "Medals" for their role in restoring peace in Liberia. Addressing the honorees, UNMIL Force Commander Lt.-Gen. Chikadibia Obiakor commended the Namibians for their part to calm the situation that surrounded the takeover, from ex-combatants, of the Guthrie Rubber Plantation in Bomi County.

American to Build Paper Mill in Liberia

(Heritage)

- American investor, Mr. Steve Bonnie of the Arkansas-based Tarco Logging Company disclosed plans to establish a paper manufacturing plant in Liberia, lamenting that it was disheartening that Liberia which has virgin forests would import papers.
- According to a release from the Office of Vice President Joseph Boakai who the American visited, Mr. Bonnie stated that the paper mill would not only produce enough for local consumption but also for export and would, in the process, establish a water purification plant for locals in his concession area, build small schools and health centers in addition to constructing new roads and planting trees in line with the Country's reforestation programme. For his part, Vice President Boakai restated the Government's policy of welcoming all well-meaning investors but re-echoed that all investment plans would be scrutinized in line with Government's policy of upholding transparency and accountability.

Local Media – Radio Veritas *(News monitored today at 9:45 am)*

Government Waives Storage Charges on Personal Effects at Major Port

(Also reported on ELBS and Star Radio)

Taylor's Associates Frustrated by Restricted Visits with Imprisoned Taylor

(Also reported on ELBS and Star Radio)

American to Build Paper Mill in Liberia

(Also reported on ELBS and Star Radio)

Government Agency Issues Passes to Operators of State-owned Vehicles

- The General Services Agency Director-General, Mr. Willard Russell announced that a new system has been put in place to properly manage Government assets in the Country with drivers of Government vehicles being issued passes which include the names of the driver and the institution the drivers work for. Mr. Russell told reporters that the introduction of the system would curb misuse of Government property. He said that already, over 400 of such passes have being issued and warned that violators of the pass system would be prosecuted.

(Also reported on ELBS and Star Radio)

Inter-Agencies Discuss Children Welfare in Voinjama

- Talking Drum Studio correspondents in Voinjama, Lofa County said that about 100 inter-agency representatives from the Liberia, Côte d'Ivoire and Guinea have gathered in the County to discuss issues affecting children from the four countries under the auspices of the International Rescue Committee and USAID. The correspondents added that the conference would focus on building the capacity of child protection agencies to identify and respond to issues related to children in the sub-region

(Also reported on ELBS and Star Radio)

Catholic Groups Appeal to Ireland to Drop Troop Withdrawal Plan

- In their Position Statement, Don Bosco/Liberia and Trocare/Ireland appealed to the Government of Ireland to reconsider its decision to withdraw its troops serving with the United Nations Mission in Liberia as the Irish plan to withdraw its troops from Liberia in May. The groups thought the move would not augur well for peace in Liberia as the Country needed time to adjust as a post-conflict society.

(Also reported on ELBS and Star Radio)

Local Media – Star Radio *(News culled from website today at 9:00 am)*

University Students Hail UN for Extending Mission in Liberia

- University of Liberia campus-based Student Integration Movement commended United Nations Secretary-General, Ban Ki-Moon for extending by one year, the Mandate of the United Nations Mission in Liberia, contending that the extension was important as the restructuring of the Country's armed forces and other security apparatuses was yet to complete.

Complete versions of the UNMIL International Press Clips, UNMIL Daily Liberian Radio Summary and UNMIL Liberian Newspapers Summary are posted each day on the UNMIL Bulletin Board. If you are unable to access the UNMIL Bulletin Board or would like further information on the content of the summaries, please contact Mr. Weah Karpeh at karpeh@un.org.

Spero news

Thursday, March 22, 2007

<http://www.speroforum.com/site/print.asp?idarticle=8623>

By Stephanie Nieuwoudt

Rwandan prosecutor races to complete cases

The court in Arusha winds up next year, and the chief prosecutor is short of time

Justice Hassan Bubacar Jallow, chief prosecutor at the International Criminal Tribunal for Rwanda (ICTR) sits comfortably in his chair, like all men and women who are used to power.

His CV runs to six pages recounting his many achievements, but giving nothing away about the private man.

Jallow, 57, has been in a number of jobs that called for strong leadership - justice minister and Supreme Court judge in Gambia; judge for the appeals chamber of the United Nations Special Court for Sierra Leone; and an elected judge for the International Criminal Tribunal for the former Yugoslavia, ICTY. He also worked on the African Charter on Human and People's Rights which was adopted in 1981.

When he took the job at the ICTR in September 2003, he walked into an institution facing criticism for the slow progress of its cases, as well as the fact that there were no indictments against members of the Tutsi-dominated Rwandan Patriotic Front, RPF, the ruling party, and President Paul Kagame in relation to their possible crimes committed by them during the 1994 genocide.

Nor did it help that his predecessor - Switzerland's Carla Del Ponte - was clearly unhappy that her contract with the ICTR was not renewed. Prior to September 2003, she was chief prosecutor for both the ICTY and the ICTR. UN Secretary-General Kofi Annan then decided to split the jobs and brought in Jallow for the Rwandan tribunal.

Del Ponte said publicly that the UN had bowed to pressure from Rwanda. Kagame had called for her resignation, and she believed this was because she had started investigations against former RPF members.

The lack of indictments of RPF members remains a source of intense criticism.

Interviewed by IWPR in his sunny office at the tribunal in the northern Tanzanian town of Arusha, with 3,000 meter Mount Meru in the distance, Jallow simply said, "The office of the prosecutor is working on the RPF cases. The work is ongoing."

The ICTR has not so far been able to prosecute RPF members because it depends heavily on the cooperation of the Rwandan authorities to pursue prosecutions.

Observers remain skeptical that anything will be done to bring alleged RPF perpetrators of abuses to justice, since the ICTR has to wrap up all cases by 2008 and its appeal cases by 2010.

Commenting on his experience working under both Del Ponte and Jallow, a prosecutor who wishes to remain anonymous told IWPR, "Del Ponte was used to making public statements. She was always running around. In contrast, Jallow is extremely calm. He is a diplomat, not just in the way he deals with the government of Rwanda, but also with people working under him."

Jallow laughed gently when asked about his management style. "I listen carefully before I take decisions. I may not make many public statements, but I do respond publicly when it is necessary," he said.

For Jallow one of the biggest challenges of the job is to bring witnesses to court to testify against those accused of the 1994 genocide, in which an estimated 800,000 to one million people - Tutsis and moderate Hutus - were systematically killed in just 100 days.

"It is especially difficult to deal with sexual-offence witnesses," he said. "There is a lot of reluctance among these victims to come to court and to testify. We have had to work very hard to make sure these witnesses are available and are brought to court.

"We work in an adversarial process, which can be extremely difficult for the witness. Every witness who has been subjected to a sexual crime knows that her evidence will be tested and challenged. For the duration of the trial, she will have to relive every moment of the ordeal over and over as she is questioned and cross-examined by the defence team as well as the prosecution."

It is difficult to persuade women who have since married to give evidence, and others may not wish to publicize their ordeal or simply want to look to the future rather than the past.

"I wish that we could have been more successful regarding sexual violence offences," he said. "There are difficulties in investigations, preparation and presentation of prosecution cases for all these reasons. The prosecution has consistently charged for rape where it believes there is evidence to support it. Of the 86 accused who have been indicted at the ICTR so far, 37 have been charged with rape and 22 are still on trial. Of the 12 completed rape cases, only four have been convicted on rape counts. The remaining eight were convicted on other counts."

He admitted that the rate of convictions for rape has been low, despite the fact that sexual violence was a widespread strategy used by perpetrators of the genocide. "We intend to improve on this in the remaining cases," he said.

Although the Rwandan government's cooperation is crucial to the functioning of the ICTR, relations have often been less than cordial. Kagame has made scathing comments about the ICTR, claiming that the court was established "to do as little as possible," and accusing the West of allowing "French leaders" to get off scot-free even though he says they "directly took part in the genocide by aiding the Hutu militias".

When the indictees Emmanuel Bagambiki, a senior official in the former Hutu government, and André Ntagerura, former minister of transport and communication, were acquitted a few years ago, there were protests against the ICTR decision from Kigali. Ordinary people as well as government officials were unhappy with the acquittals.

Jallow visited Rwanda to explain the judicial process and managed to calm emotions. In an interview with the Rwandan news agency Hirondele, he said, "We need support and help from Rwanda in terms of providing us with evidence we can present to the court to make sure that we have a successful prosecution."

He says the relationship with Rwanda has improved dramatically. The ICTR is working closely with the country on many levels, including training lawyers and others in the legal fraternity.

"I empathies with the people of Rwanda," he said. "I listen to the government of Rwanda, and then I put forward my own position. I have tried to enforce a positive partnership which is both to the benefit of the Rwandan people and to the rest of the world.

"The ICTR owes it to the victims and survivors to make sure the process where perpetrators of the genocide are brought to justice is seen through and brought to a conclusion."

Jallow travels to Rwanda at least every six weeks to see government officials, and often meets Kagame. He has visited major massacre sites and most of the provinces, and speaks to survivors, potential witnesses and officials about possible co-operation with the ICTR.

"The Rwandans are trying to put in place witness protection program for witnesses testifying in national and gacaca courts," he said. "It is a big challenge for the community. Not only does justice have to be administered, but the witnesses later have to be re-integrated into their communities."

The 12,000 or more community-based "gacaca" courts work in the open air, using traditional rather than formal judicial procedure. They are being used as an alternative to courtroom trials because of the sheer number of cases - some predicted that these would have otherwise taken 150 years to conclude. The ICTR is involved in a skills-enhancement program to help the authorities administer the gacaca courts.

Another challenge for Jallow has been to pare down the list of individuals to be brought before the ICTR.

"We investigated hundreds of people," he said. "Due to time constraints, the ICTR has to wrap up its trials by 2008 and complete appeal cases by 2010. We had to find other places to prosecute some of the perpetrators. We have handed over 30 files to Rwanda."

A lot of criticism against the ICTR has revolved around the huge amount of time spent on cases. Under Del Ponte, groups of indictées were thrown together and tried jointly. This has led in some cases to trials that have dragged on for years. A case in point is the so-called Butare trial, in which a former minister of family affairs, Pauline Nyiramasuhuko, is on trial with five others. The case has been going on for six years.

Since September 2003, the prosecutor's policy has been to proceed with individual cases. While existing multiple-accused cases have been allowed to continue, no more have been filed in the last three years. The statistics show that on average, the individual cases do not take more than four months to try.

In the trial of Tharcisse Renzaho, a former prefect of Kigali charged on six counts of genocide, complicity in genocide, crimes against humanity, murder and rape, the prosecution recently completed its case in just 12 days.

Negotiating guilty pleas has also been an important part of the completion strategy. Of the cases concluded, seven have been guilty pleas.

After nearly four years as the chief of prosecution at the ICTR, Jallow concluded, "I have learned more about law. I have learned about the intricacies of prosecution and the investigation of genocide crimes, and I have had to deal with many technical and logistical challenges."

He is certain the world needs preventive measures to ensure that genocide never happens again.

"This can be achieved by creating a good-governance environment in each country where core values like human rights and the equality of all people are respected," he said. "As a community and as individuals, we

have to go back to basic values where people are taught to respect each other, to love their neighbors and to be forgiving. If there is respect, other things flow from that.

"Some may think the idea of love and respect for neighbors is naive, but in Rwanda - where these elements were lacking neighbors turned against neighbors, religious leaders against their flocks and family members against each other."

Asked about the charge that international tribunals are "western" judicial systems alien to Africa, Jallow replied, "The tribunals have been established by the Security Council of the United Nations, which represents the international community. Rwanda requested a tribunal to be set up, and the standards and laws of the [Rwandan and Yugoslav] tribunals are universally accepted ones."

Rumor has it that the ICTR will close its doors at the end of 2008, and the appeal cases will move to The Hague. Jallow's appointment runs until September 2007, but it seems reasonable to anticipate that this will be extended.

He himself was non-committal when asked whether he wanted to stay on until 2008 or even 2010.

"The prosecutor is appointed by the Security Council of the UN. The decision lies with them," he said.

Stephanie Nieuwoudt is a South African freelance journalist based in Nairobi who reports for IWPR Africa on the ICTR trials in Arusha. This article originally appeared in Africa Reports, produced by the Institute for War and Peace Reporting (IWPR).

OHCHR News

Thursday, 22 March 2007

HIGH COMMISSIONER FOR HUMAN RIGHTS CALLS FOR PROBLE INTO KILLINGS IN NEPAL'S CENTRAL REGION

Statement by Louise Arbour, United Nations High Commissioner for Human Rights, Geneva,

I am deeply shocked by the news of at least 25 killings in Nepal.

Reports received indicate that these deaths, alongside many injuries, occurred during clashes between the Madheshi People's Rights Forum (MPRF) and the Communist Party of Nepal (Maoist) in the Terai area of the Central Region of Nepal. My Representative has today been visiting the site of the incident in Gaur to assess the situation and to support her teams currently in the region in investigating the circumstances which led to the many killings and injuries.

Our teams confirmed, first hand, the killing of 25 individuals, most of whom died of severe head wounds apparently caused by beatings from bamboo sticks. Despite the fact that there were a considerable number of law enforcement personnel in the region, only a small number were deployed to the scene of the incidents.

I urge the authorities to take all necessary steps to initiate a full and impartial investigation into the killings and other violent incidents and to hold accountable anyone found to be responsible. Such incidents must not be allowed to jeopardize the peace process, which is so essential to bringing about the long-awaited enjoyment of human rights to all sectors of Nepalese society. It is the responsibility of the leaders of all groups and parties to ensure that their supporters resolve their differences through dialogue.

UN News Service (New York)

Thursday, 22 March 2007

UN Peacebuilding Commission On Maiden Mission Abroad

A delegation from the newly established United Nations Peacebuilding Commission is half way through its first-ever mission, a five-day visit to Sierra Leone, as part of reinforced efforts by the world body to prevent countries emerging from civil war and other conflicts from slipping back into bloodshed.

The 12-member delegation, which winds up its visit on 25 March, has already held intensive talks with President Ahmad Tejan Kabbah and other senior officials of the small West African country, which after 11 years of civil war has now entered a peace consolidation phase.

"We came here to look on the ground for first-hand information on issues that the Commission is meant to deal with and to identify challenges to the peacebuilding process," said Ambassador Frank Majoor, Permanent Representative of the Netherlands to the UN, who headed the delegation in his capacity as chair of the Commission's Country Specific Meetings on Sierra Leone.

After earlier discussions in the Commission, the Government and the UN mission in Sierra Leone jointly conducted an analysis of critical gaps in peacebuilding efforts and drew up a national priority plan that has been endorsed by the stakeholders and includes youth employment and empowerment, democracy and good governance, justice and security as well as public service delivery.

Mr. Majoor said the working visit helped the delegation to determine specific priorities and gaps within these wider priority areas for the Commission to solicit extended support from donor countries.

He emphasized that the Commission is now closer to an integrated framework - a compact between the Government, donors, the UN, the private sector and civil society - to sustain the national and international commitment to support peacebuilding and stability in Sierra Leone over the years to come.

He and other delegation members described the consolidated approach on various tracks to peacebuilding and development, thus maintaining the continuity of already existing mechanisms such as the Poverty Reduction Strategy Project and the Peace Consolidation Strategy.

Earlier this month, Sierra Leone received \$35 million from the UN Peacebuilding Fund, established from voluntary contributions to aid countries which have recently emerged from war from slipping back into conflict, with Sierra Leone and another formerly war-torn African country, Burundi, the first nations to be referred to it.

Although the two countries have made much progress in emerging from their devastating civil conflicts, they continue to face great political and economic challenges, the Commission said then.

UN News Service (New York)

Friday, 23 March 2007

Human Rights Problems in Liberia Require National, International Response - UN

Problems relating to juvenile justice, due process, law and order structures and violence against women and children persist in Liberia, a new United Nations human rights report on the country says, calling for national and international efforts in response while citing progress in legislating against these abuses.

Covering the period between August and October 2006, the report pays particular attention to the fact that the Rape Amendment Act is not yet adequately implemented by the national authorities charged with the investigation, prosecution and trial of suspects, despite clear legislative provisions.

"The very small number of cases indicted and tried to date is an indicator that far more needs to be done to ensure that the various institutions of justice coordinate to address rape as a crime and as a human rights violation," it states.

The report also draws attention to continued cases of possible excessive use of force by police officers and police custody beyond the 48 hour constitutional limit. Private security guards working on rubber plantations "failed to observe the limits of their authority," while instances of mob justice and vigilante action marked a "worrying response to the incapacity of the police to protect the community from crime."

Concerns are also raised regarding the inability of the judiciary to uphold human rights standards, constitutional guarantees and legal procedure. At the same time, conditions in prisons and detention facilities are called "very poor." People in State custody are put at risk by "strained food supplies and unacceptably poor hygiene." Lengthy pre-trial detention and bad conditions reportedly led to disturbances in several counties.

The administration of juvenile justice, long a problem in Liberia, also comes under scrutiny in the report, which cites cases involving juveniles not handled in accordance with the law.

Women and girls in some areas of Liberia remain at risk of female genital mutilation, including forced submission to the practice. In addition, trial by ordeal, where suspects are tested with torment, remains a "serious threat" to the establishment of the rule of law and the enjoyment of fundamental rights.

The plight of children living in orphanages is also a matter of concern, because of their vulnerability to neglect. "Unfortunately, orphanages remained an attractive option to parents and guardians who lacked financial means to provide for their children," the report notes.

On the positive side, human rights at rubber plantations "appear to be improving" particularly on Guthrie plantation, according to the report, but it warns that the security situation in Firestone plantation "has deteriorated and may exacerbate the human rights concerns noted in relation to the exercise of police powers by the private security guards there."

The 43-page report cites progress in strengthening Liberia's legal framework, including the ratification of international treaties and the passage of key legislation. It also contains a number of recommendations aimed at supporting the Government's continuing efforts to strengthen human rights protection through the democratic rule of law.

It calls on the Government of Liberia to complete ratification of all human rights treaties which it has already signed and to ensure that the Rape Amendment Act is fully implemented. "A concerted and ongoing effort towards community education and sensitization to sexual assault issues, including broader discrimination against women, should be undertaken in cooperation with nongovernmental organizations," the report states, calling for a number of other concrete measures to address the problem of rape.

Courts, police stations and prisons should be equipped with adequate supplies of basic equipment to allow proper management of files and recordkeeping, to protect fair trial standards, UNMIL says, calling also for the Government to review the juvenile justice system and improve conditions in detention centres and prisons.

Measures are also needed to address the situation at rubber plantations, the report says, urging the Government and its international partners to work towards carrying out past agreements on the issue.