

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



PRESS CLIPPINGS

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

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

Issa Sesay, Others Angry



Gbao *Issa and Opande*

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Issa Sesay, Others Angry In Rwanda

By Ibrahim Foday

The former leader of the Revolutionary United Front (RUF) Gen. Issa Sesay who is currently serving jail term in Mpanga Prison, Rwanda together with other former fighters of the C.D.F and the Sierra Leone Military have expressed anger over their detention in a foreign country.

Speaking to The Exclusive from his prisons in Rwanda, the jailed RUF leader who doubles as the Coordinator for all Special Court Prisoners in that country said that their relationship of late with the Prison authorities has gone sour due to reasons beyond their knowledge.

Explaining further, Issa Sesay said the

whole trouble started when he was away in The Hague (Holland) to testify in the Charles Taylor trial.

According to him, their television set went off the air as a result of the Prison Authorities' failure to recharge their card. He said that the persistent refusal of the authorities to re-activate their TV prompted Ibrahim Bazy Kamara to protest over the violation of their basic rights.

The matter was reported to the Director of Prisons, Gerald Ntugerald who ordered that Bazy should be locked up in a special cell. At this juncture, Bazy refused to obey the Director's order which he said led to the slapping and kicking of

his colleague to the annoyance of other inmates. "They even referred to us as dogs," he fumed.

Furthermore, Issa Sesay did confirm that the Special Court facilitated the visit of a member of their families in March this year. According to him, the Director of Prisons accompanied their wives to the National Airport in Kigali for immigration regulations for their return to Sierra Leone. He furthered that his wife, Victoria Sesay later called him up and informed him that Director Ntugerald has proposed love to her and even suggested that they proceed to a nearby Guest House. This he said was confirmed by his wife in the pres-

ence of the Principal Defender of the Special Court and Deputy Commissioner of Prisons, Emmanuel Kalala.

The former rebel commander also frowned at the behavior of the Registrar of the Special Court; Madam Binta Mansaray who he said visited the Mpanga Prison Authorities in June this year.

According to him, she is not friendly compared to the previous Registrars. He said that Madam Binta Mansaray treats them as if they are animals, which he attributed to the main reason why the Rwandan Prison Authorities call them dogs. He concluded by saying that the outgoing Registrar has humanitarian feelings compared to the current one.

BBC Online

Tuesday, 23 November 2010

Jean-Pierre Bemba denies ICC war crimes charges

Jean-Pierre Bemba is facing five charges of war crimes and crimes against humanity

The war crimes trial of Congolese former rebel leader Jean-Pierre Bemba has begun at the International Criminal Court (ICC) in The Hague.

The former vice-president of DR Congo denies murder, rape and pillage in the Central African Republic (CAR).

The ICC chief prosecutor says the trial will show that commanders are responsible for their troops' actions.

Mr Bemba - the most high-profile figure to be tried by the ICC since it began its work in 2002 - denies the charges.

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

Via his lawyer, he pleaded not guilty to all of the charges as the hearing opened.

Chief ICC prosecutor Luis Moreno-Ocampo told the court that the militiamen who raped and killed hundreds of civilians in CAR in 2002-3 were under Mr Bemba's "effective authority and control".

Describing the rapes as "crimes of domination and humiliation", Mr Moreno-Ocampo said Mr Bemba had turned a blind eye to such attacks and was "even more responsible than his subordinates".

Mr Moreno-Ocampo told the court that its decision would "influence the behaviour of thousands of military commanders" around the world.

At the time of the alleged crimes, Mr Bemba was a militia leader in DR Congo.

His Movement for the Liberation of Congo (MLC) crossed the border from their stronghold in the northern Equateur province into neighbouring CAR to help the president put down a coup attempt.

Politically convenient?

The defence argues that once MLC forces crossed the border, they were under the control of the CAR authorities.

One of Mr Bemba's lawyers, Aime Kilolo, said ahead of the trial: "He will show that at no time could he be associated with allowing rapes or murders... nor did he have effective control of troops, nor was he responsible for discipline."

More than 700 victims are being allowed to take part in the trial. One of their legal representatives said they were still traumatised and needed "to break the silence".

After his forces intervened in CAR, Mr Bemba became a vice-president in DR Congo as part of a 2003 power-sharing deal between the government and various rebel groups to end years of conflict.

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.

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 also being tried at 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.

The Independent

Tuesday, 23 November 2010

International justice and Congo 'warlord' on trial

Test of court's credibility as millionaire businessman and former vice-president faces charges of mass murder, rape and pillage

By Daniel Howden, Africa Correspondent



AFP/GETTY, Jean-Pierre Bemba in The Hague

The International Criminal Court began a key test of its credibility yesterday on the first day of a trial against the most prominent government figure ever to be put in the dock at the Hague.

Jean-Pierre Bemba, a millionaire Congolese politician, businessman and alleged warlord, denied charges of rape, pillage and murder in central Africa and has assembled a formidable legal team in his defence.

The prosecution has set its sights on using the trial to define a commander's responsibility for his troops' actions. The ICC's chief prosecutor Luis Moreno Ocampo badly needs a win to shore up the reputation of a court set up to deal with large-scale atrocities. "The judges' definition of the responsibility of the commander will be a warning for all the military commanders in the world," he said ahead of the trial.

While there have been notable achievements at the ICC's temporary tribunals on the former Yugoslavia and Rwanda, the permanent court set up eight years ago is under pressure to prove its worth after the controversial indictment of Sudan's President Omar al-Bashir failed to result in an arrest. The trial will test Mr Ocampo's ambition to use the ICC to target those "most responsible" for serious crimes against humanity or war crimes. The trial of former Liberian president Charles Taylor is underway in the same city but is under the authority of the special court for Sierra Leone.

There was surprise in Democratic Republic of Congo two years ago when the 48-year-old Mr Bemba was arrested during a visit to Belgium. The former vice-president of the vast DRC was thought untouchable but yesterday was charged with two counts of crimes against humanity and three counts of war crimes relating to rape and killing campaigns carried out by forces under his control.

Mr Bemba's lead defence lawyer Nkwebe Liriss denied each of the five charges as they were read aloud.

The charges centre on the actions of Mr Bemba's MLC militia which in 2002 crossed into the neighbouring Central African Republic from northern Congo to help the president there put down a coup. It is alleged that his men went on a murder spree and raped 400 women and children. The defence will try to portray the trial as a politically motivated stunt to discredit their man. Mr Bemba's supporters in the DRC have accused the ICC of allowing itself to be used to remove the political rivals of the President Joseph Kabila.

The Brussels-educated scion of a wealthy family, Mr Bemba added to his wealth through interests in telecoms and air freight before becoming a leading politician in his troubled homeland. In 2006 he was the runner-up to Joseph Kabila, and retains a powerful support base around the capital Kinshasa.

But the prosecution will seek to remind the court of his forces' numerous victims in central Africa and the need to punish those most responsible. "Bemba's troops stole the possessions of the poorest people in one of the poorest countries in the world. Bemba's troops raped in their masses women, girls and the elderly and men – men with authority," Mr Ocampo told the court. "We are not saying Bemba committed crimes personally, that he raped women... but he did not stop them and that is the responsibility of a commander."

Margot Wallstrom, the UN's special representative on sexual violence in conflict, welcomed the trial saying it "represents a milestone in the history of international criminal justice and this is against the backdrop of wartime sexual violence having been one of history's greatest silences".

The ICC has stirred resentment in some African governments for its perceived fixation with the continent and public opinion on its neutrality in the Congo is split. However, there is strong public support for the court in Kenya where the ICC is aiming to bring the chief orchestrator of the country's disastrous post-election violence in 2007-08 to justice. Local politicians who have found themselves under investigation have sought to stir up feeling against the international court but have largely failed as Kenya's discredited justice system is widely seen as compromised.

Jean-Pierre Bemba

* Born into wealth in 1962 in the Democratic Republic of Congo (DRC), Jean-Pierre Bemba became a millionaire with interests in air cargo, mobile phones, coffee and wood. In the early 1990s, Bemba was personal assistant to DRC's (then Zaire's) self-appointed leader Mobutu Sese Seko, before he was overthrown in 1997.

While war raged in DRC between 1998 and 2003, Bemba seized vast areas of land by force as head of the Ugandan-backed Congolese Liberation Movement (MLC), and his businesses grew.

In 2003, the MLC became a political party and Bemba was sworn in as vice-president of DRC after declaring that he would lay down his arms. However, Bemba was defeated in DRC's first democratic presidential elections in 40 years in 2006 and his fighters were accused of associated waves of violence, though Bemba denies this.

Institute for War & Peace Reporting

Friday, 19 November 2010

Bemba Casts Shadow on Upcoming DRC Elections

Despite his detention at the ICC, indictee's hold over western DRC remains strong.

By Anjana Sundaram, Blake Evans-Pritchard, Héritier Maila, François Kadima - International Justice – ICC



Bemba retains strong support in the Kinshasa area. (Photo: Irene2005/Flickr)

- ¹With the war crimes trial of Jean-Pierre Bemba due to start in the Hague next week, it seems unlikely that he will run in the 2011 elections in the Democratic Republic of Congo, DRC - but the former vice-president continues to exert a large amount of political influence in the country.

Bemba, who remains the leader of the Movement for the Liberation of Congo, MLC, was arrested by Belgium authorities in 2008 and transferred to the International Criminal Court, ICC. He faces two counts of war crimes and three counts of crimes against humanity relating to atrocities he allegedly committed in the Central African Republic, CAR.

In the 2006 election, Bemba won a significant 42 per cent of the total votes cast, while incumbent president Joseph Kabila secured 58 per cent, according to the country's independent electoral commission. The outcome of the ballot was broadly accepted by international observers.

Most of Bemba's support comes from the west of the country, including the area around the capital Kinshasa, where many of his supporters remain critical of Bemba's detention, viewing it largely as an attempt by Kabila to get rid of a formidable adversary.

“Many people in the west [of DRC] feel that he was unfairly imprisoned,” Jason Stearns, an expert on the DRC conflict and creator of the popular blog Congo Siasa, said. “Congo is full of warlords and criminals... [people think that] the fact that one would exclusively pursue Bemba is unfair and biased against Bemba.”

It is not difficult to find people in the west of the country who are outraged by Bemba’s arrest and detention.

“Bemba should be freed before the election so that he can come and end the suffering of the Congolese,” Kalala Jean-Marie, who lives in Limete, an area of Kinshasa, said. “All the Congolese are counting on him, after being so disappointed by Kabila, and so he must be returned home. Bemba is innocent and [ICC prosecutor] Luis Moreno-Ocampo has not gathered sufficient evidence to prove his involvement in war crimes.”

Emmanuel Malonga, also from Kinshasa, says that Bemba’s continued detention at the ICC is unjust.

“The Congolese authorities have used the ICC to get rid of Bemba ahead of the 2011 elections,” he said. “But the MLC has a great vision for this country, and any candidate that stands against Kabila will be voted in.”

ALTERNATIVE TO BEMBA

One of the problems for the MLC at the moment is that there is no strong alternative to Bemba, who continues to command strong support in key areas.

As a wealthy businessman, Bemba is also thought to have sufficient funds to be a powerful challenger in the 2011 election, although many of his personal assets have now been frozen. This is so that, in the event that the ICC hands down a guilty verdict, compensation can be paid to his victims.

“It is very difficult for us to go forward if Bemba doesn’t come back to Kinshasa and lead our party,” Germain Kabinga, an MLC spokesman, said. “We are sure that, with Bemba in Kinshasa, we can win the election in 2011. Without him, winning the election will be very difficult.”

Like many in the MLC, Kabinga claims that the influence Bemba continues to wield makes him a political target for Kabila’s ruling party.

“We think that some people are working in the shadows to make certain that Bemba is out of Kinshasa when the elections are held in 2011,” he said. “This is why we say that this is a political trial.”

But Felix Tambwe, a member of the People's Party for Reconstruction and Development in Lubumbashi, which is allied with Kabila, told IWPR, “We have no interest in meddling in this case because the crimes have been committed outside of the DRC. What power do we have to influence the ICC? With Bemba as candidate, we are not afraid to go to the election because our candidate [Kabila] won in 2006. We just want justice to be done without bias. Only the ICC has the power or mandate [over whether to convict him or not]. This is nothing to do with the Congolese government.”

Georgette Seya, a member of the Alliance of the Presidential Majority, a political grouping formed by allies of Kabila, added, “No one is above the law and Bemba must answer for his actions. If he is innocent, he will be released, but the important thing is to make sure the law is applied in full, to deter other criminals to come.”

It is conceivable that Bemba could run in the DRC elections - which according to the constitution need to be held by next September at the latest - even though he is being detained by the ICC, since he has not been formally convicted.

There is a precedent for detainees being permitted to contest general elections. In 2007, the International Tribunal for Yugoslavia, ICTY, granted Ramush Haradinaj, a former Kosovo Liberation Army commander, permission to stand in the country’s elections whilst still on trial.

It looks unlikely, however, that the same scenario would happen in Bemba’s case.

Guillame Lacaille, an analyst at the International Crisis Group, says that the MLC's top leaders were already in agreement as early as November last year that if Bemba was not out of jail and able to campaign before the start of the electoral campaign, then another candidate would be chosen.

But Kabinga says that no decision has yet been reached.

"Certainly, one of the hypothesis is that [Bemba could still run], and we are working on this hypothesis," he said. "But we want to see whether, at the time of the election, Bemba is still being held by the ICC. Then we will decide what to do."

The question remains: if not Bemba, then who will lead the MLC into the next election?

Kabinga dismisses the question of a replacement for Bemba with a laugh, saying that he still holds out hope that the wealthy businessman can lead the party to triumph.

"The truth is that the only one who can represent our party in this election is Bemba," he said. "If the time comes and Bemba isn't available, then I'm sure that Bemba himself will tell us what to do. And it will certainly be in the right way to help our people to be free, to have a real leadership that can take us and our country forwards."

The question of who Bemba will endorse in his absence remains a crucial one, given his strength in the country. But some question his apparent popularity.

"It's not clear whether his popularity in the west [of the country] is due to the mobilisation of the party or the cult of personality... and the fact that he's from the west," Stearns said.

In the build-up to the elections in 2006, Bemba did not poll very strongly. It was only nearer to the elections that his support really started to grow, largely because rival Étienne Tshikseki fell out of favour with the electorate, according to Stearns.

In fact, the western Congo region may be more united in its hatred for Kabila than its allegiance to Bemba.

Filip Reyjents, law professor at the University of Antwerp, said that the support Bemba has built up in the west was stemmed from trying to "beat Kabila by voting for someone else".

Over the last four years, both Bemba and Kabila have faced weakening support from people in their respective strongholds in the west and east.

Bemba's rebel group was based in Equateur, a western province. Now that he no longer has a military presence there, some think that he may not be able to count on the same level of backing from the region.

Meanwhile, Kabila's presidency is under fire for not delivering on its four-year reconstruction programme, aimed at improving unemployment, infrastructure and education.

"He knows now that he has no popular base, except maybe in Katanga, as a tribal reflex," said Lacaille, referring to Kabila's home state. "His strategy is therefore to make sure that no serious candidate challenges him in 2011."

A CROSS-REGIONAL ALLIANCE

Both Bemba and Kabila's parties need to build key cross-regional alliances with strong local parties to stand a chance to gain an electoral majority.

In the east, Bemba never had much popularity and his troops are suspected of committing atrocities in the north-east. In the west, there is vitriolic hatred for Kabila.

Bemba's defence lawyer Aime Akilolo Musamba says that he has "never heard about Bemba endorsing another candidate". However, there are rumours of a possible alliance with Vital Kamerhe, speaker of the national assembly, who has a strong following in the east.

"The alliance with Kamerhe could be a winning ticket," Lacaille said. "That will be huge and it is a likely scenario."

An alliance with the MLC would give Kamerhe a party from which he could launch a bid for the presidency. But more importantly, it would give him the support that he needs in the west.

"If Kamerhe tries to build up an alliance with Bemba, it is with Bemba not with the MLC," Lacaille said. "The structure of the MLC may be... useful, but what will be more useful for Kamerhe is the benefit from the popularity of Bemba in the west."

Other smaller contenders include Tshiksekedi and Kengo wa Dondo, a former prime minister under Mobutu.

Tshiksekedi is an elderly, veteran politician who formed the first strong opposition movement to former president Mobutu Sese Seko. While he has the backing of a local party structure, most of his support is in the centre of the country, in the Kasai provinces and in Kinshasa.

Stearns says Tshiksekedi could extend his influence to urban centres outside Lubumbashi and Katanga, where intellectuals support his political stance.

But beyond that, in the rural areas, he could be weakened trying to build alliances with local political leader driven by ethnic rivalry. It's uncertain how much support he would have outside of Kinshasa.

Although he is generally lauded as a politician with principles, Tshiksekedi – who boycotted the last election which he decried as skewed and biased - will find it hard to counter his image as a withdrawn recluse, whose stubbornness and old age are working against him.

On the other hand, Dondo is the current president of the senate and is well-recognised, although his domestic popularity is weak and he may also be criticised for being too old. However, because he is respected and experienced, he may have the backing of Angola, who favour an economic alliance with DRC, which would allow him to build a larger campaign.

In any case, the elections come at a time of deep disillusionment with the political leadership.

In 2006, there was a high turn out for the first free elections, with hopes raised of a new leadership, new country and a new constitution. The enthusiasm slowly died as stagnation settled in and much remained the same year after year.

This report was produced by Anjana Sundaram and Blake Evans-Pritchard in The Hague, Heritier Maila in Lubumbashi and François Kadima in Kinshasa.

Lubangatrial.org

Monday, 22 November 2010

Public Testimony Resumes with Prosecution Investigator

By Judith Armatta

Public testimony resumed today in the trial of Thomas Lubanga at the International Criminal Court (ICC) after a week of closed sessions to take the testimony of ‘witness 582,’ an investigator for the Office of the Prosecutor (OTP), by deposition. Another OTP investigator, Nicolas Sebire, also known as ‘witness 583,’ testified based on his written statement submitted in evidence.

Trial Chamber I is hearing testimony about alleged witness tampering, following allegations that intermediaries used by the OTP bribed or coached witnesses to falsely testify that they took part in the 2002-2003 conflict in the Democratic Republic of Congo (DRC) as child soldiers in the militia of Mr. Lubanga. Intermediary 316, who testified earlier, denied the allegations.

Mr. Sebire has a long career in intelligence with the Paris Criminal Investigation Division on Anti-Terrorism, the International Criminal Tribunal for the former Yugoslavia, EUROPOL, the International Criminal Court, and INTERPOL. In court, he explained that the OTP turned to using intermediaries to locate potential witnesses when its movements in the DRC were restricted to certain times and geographic locations. Criteria for selecting intermediaries, according to the witness, included that they were not perpetrators of crimes and were not involved in the fighting.

An intermediary identified as ‘Mr. X’ was a Congolese intelligence agent. Initially, Mr. Sebire considered ‘Mr. X’ reliable because he was able to locate and contact individuals sought by the OTP. Later, however, he began to question this intermediary’s trustworthiness. Only after did Mr. Sebire learn that other members of the OTP and the ICC Registry were using ‘Mr. X’ to investigate matters for them. Neither ‘Mr. X’ nor ICC staff had informed Mr. Sebire beforehand, though he was considered the intermediary’s primary point of contact.

Mr. Sebire told the judges that he never suspected that ‘Mr. X’ might have been preparing witnesses to lie or to fabricate evidence. According to him, ‘Mr. X’ was not present during interviews with witnesses and was not given questions ahead of time.

‘Mr. X’ also introduced the investigator to ‘witness 35’ and ‘witness 15.’ Again, Mr. Sebire said ‘Mr. X’ was not present during interviews and was not given questions beforehand. ‘Witness 15’ earlier testified that ‘Mr. X’ bribed him to make false statements and that he (‘witness 15’) lied about his own identity. That surprised Mr. Sebire because witness’s story was consistent over several days of interviews. Another intermediary “systematically” referred to ‘witness 15’ by the same name he had given the OTP investigator. He had no suspicion that ‘witness 15’ might have lied.

Defense counsel, Jean-Marie Biju-Duval, elicited the witness’s agreement that the OTP established an office in Bunia in 2006, and by 2007 it was easier for the investigative teams to move around, though the security situation still required the use of armored vehicles. He did not say how this affected the OTP’s use of intermediaries while court was in open session.

Regarding ‘intermediary 316,’ Mr. Sebire told defense counsel that he began working with his team in April 2005, and he used his services until he left ICC employment in September 2007. He had contact with ‘intermediary 316’ throughout that time though with variable frequency. Mr. Sebire considered him a critical intermediary because he made contact with members of the Union of Congolese Patriots (UPC),

the group prosecutors allege Mr. Lubanga headed. Under cross-examination, the witness admitted that he never asked ‘intermediary 316’ to provide documents verifying the identity of potential witnesses. The OTP tried to secure that information and sometimes asked the witness to bring identity documents with him to the interview.

In response to Mr. Biju-Duval, Mr. Sebire said that he gave ‘intermediary 316’ a favorable recommendation when the OTP recruited him for a temporary contract as a field liaison. He was not consulted when ‘intermediary 316’ applied for a permanent liaison position. The intermediary was not selected because his work was mostly logistical, according to the witness. Still, Mr. Sebire later used him for intelligence gathering and to set up witness contacts. Reference was then made to an “incident” where OTP investigators from another team accused ‘intermediary 316’ of lying about threats against witnesses. Mr. Sebire said he was not in charge of either team at the time and could not comment.

Mr. Sebire’s testimony and cross-examination were interrupted numerous times when the judges ordered the session closed to the public for security purposes. It necessarily lessened public understanding of the testimony.

The chamber spent the last 20 minutes of today’s session attempting to help the parties resolve outstanding issues regarding disclosure. At the Chamber’s urging, prosecuting attorney Manoj Sachdeva agreed to provide defense counsel with a list of categories of documents ‘witness 583’ was given in preparation for testifying, though the witness claimed not to have used them.

Mr. Sachdeva resisted disclosing internal emails concerning possibly false testimony by its witnesses. The prosecutor’s concern was that it would set a precedent for disclosure of internal communications in other matters and impede the prosecution’s ability to make assessments. Mr. Sachdeva distinguished between opinions and facts, agreeing that facts should be disclosed but not opinions. (For example, a communication that states, “I consider this witness to be unreliable” is an opinion and not subject to disclosure. However, in the statement, “I consider this witness to be unreliable because he said X or did Y,” X and Y are subject to disclosure.) Presiding Judge Adrian Fulford appeared to accept this distinction. Mr. Sachdeva agreed to provide the judges with the disputed emails for their further consideration.

Judge Fulford ordered the parties to try to resolve remaining issues between themselves following adjournment of today’s session. Should they not be able to, they will advise the chamber, which will address the matter Tuesday morning when the trial resumes. Cross-examination of Mr. Sebire will then proceed.

Institute for War & Peace Reporting

Monday, 15 November 2010

Intermediary Denies Bribing Witness

He rejects allegations that he offered money and then coached an individual who went on to testify for the prosecution.

By Wairagala Wakabi

An intermediary of the prosecution office at the International Criminal Court, ICC, last week denied that he bribed an individual to falsely claim to investigators that he had served as a child soldier in the group Thomas Lubanga allegedly commanded.

During his five days of testimony, beginning on November 8, Intermediary 316 also claimed that he did not receive any irregular payments from the court while he worked for the Office of The prosecutor, OTP, in the Democratic Republic of Congo.

Testifying with face and voice distortion, he rejected allegations that he offered money and then coached the individual who went on to testify for the prosecution.

The individual in question, referred to as Witness 15, testified briefly in June 2009 as a prosecution witness, but his testimony was brought to an abrupt end when he stated that the intermediary had told him to tell lies.

Last March, the witness was called back by the court to testify afresh.

Last week, prosecuting lawyer Manoj Sachdeva read to Intermediary 316 excerpts from the March testimony by Witness 15.

“When I was asked questions about a battle, which had occurred in a particular village, I was supposed to give the names of certain people who were in the army in no particular order. We were getting ready in this fashion,” read the testimony from the witness about allegedly being coached by the intermediary.

“This is false,” the intermediary replied. “I did not give him any names, and I did not make any comments concerning this.”

In his March testimony, Witness 15 stated that he had agreed to tell lies to investigators because Intermediary 316 was spending money on him.

“At the time he had money,” the witness had stated in March. “He would buy me drinks and he encouraged me to take action. He would give me a bit of money and I agreed to lie.”

The intermediary said last week those claims were false. He also denied that he told the witness to claim to investigators that he knew children who were conscripted into the Union of Congolese Patriots, UPC – the group prosecutors allege Lubanga headed – and that he knew girl child soldiers who conceived while they were fighters with the group.

Lubanga is on trial at the ICC over recruitment, enlistment, and use of child soldiers in DRC.

The intermediary gave most of his testimony in closed session, so it was not clear how he responded to other claims that Witness 15 made against him.

Lubanga’s defence team is preparing an application asking judges to dismiss the case on the grounds of abuse of process related to the alleged coaching of witnesses by intermediaries of the court’s prosecution office.

Mabille says this application will be lodged around December 12. All the witnesses scheduled to give evidence in the trial are expected to have completed testifying by the end of this month.

In his 2005 statement, Witness 15 claimed that there were children, some as young as 12 years old, in the military training camp run by the UPC at Mandro village and at the UPC headquarters in Bunia town.

He also claimed that while with the UPC, he often saw top military men in the UPC's armed militia when they routinely visited the UPC headquarters to meet Lubanga.

However, when he took the witness stand in March 2010, he contradicted his 2005 statement by claiming that he never served in the UPC militia. He also stated that his earlier claims that he saw military commanders Bosco Ntaganda and Floribert Kisembo at the UPC headquarters were false too.

In his 2005 statement, the witness described his alleged abduction by UPC fighters, the training he purportedly underwent at Mandro, and punishments meted out to errant trainees. He told investigators about an incident in which some soldiers were executed after being tied to a tree.

When the witness declared in court last March that all these lies were the handiwork of Intermediary 316, judges ordered the immediate disclosure of his identity. The identities of two other intermediaries have also since been disclosed to the defence. Judges subsequently ordered two intermediaries and two investigators they worked with to testify about the role they played in the alleged corruption of evidence.

Prosecutors are due to call back the first witness, who testified for them and told the court that he was a former child soldier in the UPC.

According to prosecutors, Witness 38 was introduced to the OTP by Intermediary 316, and would testify as a rebuttal witness to affirm that this intermediary never asked him to lie to court.

Meanwhile, defence lawyers questioned the intermediary about the various payments he received from the ICC.

Defence lawyer Marc Desalliers asked the intermediary whether he received a salary before November 2005, when he got a contract from the court.

The intermediary responded that he was only reimbursed for his expenses while doing work for investigators of the OTP.

"During the informal stage of your dealings with the OTP between the month of April 2005 and beginning of your contract in November 2005, did you receive any salary?" Desalliers asked again.

"I would say no, there was no salary," the witness replied. "There was reimbursement for expenses incurred. However, as things developed the OTP paid for my needs in terms of salary because I had to give enough time to working in the field."

He said before he got a contract with the ICC's prosecution office, his payment was based on the number of days he worked.

The intermediary clarified that, although there were payment vouchers before he got the contract, which indicated that he had a salary, in fact he only got a daily subsistence allowance for the days he worked.

The trial is continuing this week with the evidence of a new witness

IWPR's weekly updates of the Thomas Lubanga trial are produced in cooperation with the Open Society Justice Initiative of the Open Society Institute, OSI. Daily coverage of the trial can be found at <http://www.lubangatrial.org/>.

RTT News

Tuesday, 23 November 2010

EU Pledges Support To Lebanese Government, UN Tribunal

European Union Foreign Ministers have reiterated their continued support to the unity government in Lebanon and the U.N.-backed Special Tribunal for Lebanon (STL) probing the 2005 assassination of former Prime Minister Rafik Hariri.

In a joint statement issued after a meeting in Brussels on Monday, they reaffirmed their "full support" to the STL and expressed serious "concern at intimidation and condemn(ed) attempts to hinder the work of the STL."

"The Council (of EU Ministers) is convinced that achieving international justice on the killing of Rafik Hariri and others, and preserving stability in Lebanon are mutually reinforcing," the statement said.

The Foreign Ministers also reaffirmed "full support for the Government of National Unity led by PM (Saad) Hariri, established in the wake of democratic elections."

The EU statement came hours after Canadian public broadcaster CBC News reported citing inquiry sources and documents that the evidence collected by Lebanese police and later by U.N.-backed investigators "points overwhelmingly to the fact that" Rafik Hariri's assassins were from Hezbollah.

Meanwhile, several unconfirmed news reports suggested that the STL was close to issuing indictments against eight Hezbollah members for their involvement in the 2005 assassination of Rafik Hariri.

The developments have triggered fears of fresh violence in Lebanon, as Hezbollah leader Hassan Nasrallah has warned that he will not allow the arrest of any of the group's members in connection with Hariri's assassination.

Lebanon was in the verge of a civil war in May 2008 after a political crisis triggered street fighting between supporters of Hezbollah and those of a pro-Western Sunni group led by Rafik's son and current Prime Minister Saad Hariri. That conflict was averted with the formation of a unity government involving the political wing of the Hezbollah.

Though Hezbollah has consistently denied any involvement in Hariri's assassination and dismissed the U.N. tribunal as an "Israeli project," Saad Hariri has pledged to see the U.N.-backed investigation through.

Rafik Hariri and 22 others were killed in a bomb blast in Beirut in February 2005. Though no one has yet been charged with his assassination, the case is currently the subject of a United Nations inquiry, which was launched after the U.N. Security Council (UNSC) found that the Lebanese investigation had serious flaws.

The STL is a special court set up to investigate a series of attacks in Lebanon, including the assassination of Rafik Hariri. It was established in line with a 2007 UNSC resolution at Lebanon's request. It was formally opened at Leidschendam, near The Hague, in March, 2009.

By RTT Staff Writer

Cambridge News

Tuesday, 23 November 2010

<http://www.cambridge-news.co.uk/Business/Jeweller-joins-war-on-blood-diamond-trade.htm>

Jeweller joins war on blood diamond trade

City jeweller Vanessa Burkitt is to head an investigation into the way diamonds are traded.

The horrific wars within some African countries, funded in part by illegal trade in rough diamonds, have dissipated in the last decade, but the war crimes trial of former President Charles Taylor of Liberia in The Hague, brought the topic of 'conflict' or 'blood diamonds' back into the news.

This made the headlines when supermodel Naomi Campbell gave evidence in August 2010 that she had been given a handful of diamonds by the former leader.

Now, Ms Burkitt, who is managing director of Catherine Jones in Cambridge and a member of the national committee of the British Jewellers Association (BJA), will be leading a review of how rough diamonds are sold.

Simon Rainer, of the BJA, said: "The industry has been shocked by the atrocities in the Marange diamond area of Zimbabwe and there has been deep debate within the industry about the sale of rough diamonds.

"We look forward to working with non-government organisations such as Human Rights Watch, which has raised concerns over brutality against thousands of informal miners working on alluvial deposits in Zimbabwe."

The review will take evidence about human rights and working conditions in mines.

There is already a monitoring system in place, known as The Kimberley Process, to stem the flow of conflict diamonds – rough diamonds used by rebel movements to finance wars against legitimate governments, but Kimberley does not look at human rights. The trade in these illicit stones has fuelled decades of devastating conflicts in countries such as Angola, Cote d'Ivoire, the Democratic Republic of the Congo and Sierra Leone.

Ms Burkitt said: "People buy diamond jewellery to mark the most precious moments in their lives.

"This review will set out the current state of the diamond trade. It will also aim to identify what work can be done so that, when someone buys a diamond engagement ring, there is an understanding of the journey of the gem and a reassurance that the trade has sought to ensure, wherever possible, that it has been legally traded from mine to finger."