

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



Kroobay. Photographer: Anne DeVoe

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:

Friday, 24 October 2008

Press clips are produced Monday through Friday.
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The Spectator
Friday, 24 October 2008

Jonny Paul Koroma in Ukraine

By Umaru Sannoh in Bo

Recently, information gathered by this press stated that the former Junta leader Johnny Paul Koroma is dead and that his remains were discovered in Liberia. This news was however not taken seriously by the Sierra Leonean populace as no thorough or full-proof test was done to ascertain the facts as to whether the remains were indeed Johnny Paul Koroma.

It was however hurriedly accepted by some members of the public including the international community. This report led to more investigations into the so-called demise of the former AFRC leader who is also an indictee of the Special Court for Sierra Leone.

The private investigations recalled that when the late General Masquito of the RUF was reported dead, several tests were done to ascertain his true iden-

tity and they proved it beyond all reasonable doubts but it was not so in the case of Johnny Paul Koroma. As a result, the death of the former AFRC leader is still questionable as ever. Sources say JP is alleged to be alive and kicking.

Latest information received from Europe states that the fugitive AFRC leader is dwelling somewhere in Ukraine. It is further alleged that the Special Court most wanted man was sported somewhere in Ukraine, bearded in disguise but looking haggard and weary, possibly due to hard times. The Special Court for Sierra Leone should therefore go to the Ukraine to get the facts, in order to keep their records straight.

The million dollar question is, is Johnny Paul Koroma really dead or is he in Ukraine as alleged. The actual truth will be revealed one day.



*Former Junta Leader
Johnny Paul Koroma*

Salone Times
Friday, 24 October 2008

Former Girl Rebel Tells Ordeal

*By Mariama Khai Fornah
In The Hague*

A former member of the Small Girl Unit of the rebel Revolutionary United Front (RUF) has testified in the trial of former Liberian president Charles Taylor on how civilians, among them children, were trained and used as attendants by rebel commanders.

Edna Bangura told the court that in April 1994 three RUF rebels raped her when she was 10 years old as the rebels attacked the northern town of Masingbi, in Tonkolili District. The 66th prosecution witness said her primary school was hosting their annual athletics meet when the rebels struck rudely interrupting it. She said she was raped by the rebels who abandoned her in the bush and was later discovered by the then RUF patrol commander OC Blood who took her along with him. He gave her a very heavy load which she carried walking several days from Masingbi to Buedu in

Kailahun District.

Edna said she underwent a 2-week training in a camp around Buedu together with 50 other captives trained by training instructor Monica Pearson whom the witness alleged spoke Liberian English. He explained how she used to carry a gun even though she was very young. "Because I was very small, the gun had a belt and at any time I wanted to use the gun I would just take the gun, put it somewhere higher than my height and then I would go underneath it and put it round me. I would put the gun somewhere that is taller than me and then I would go underneath it and put my head through the belt and then put it round me."

After her training she went on, she was enlisted in the Small Girls Unit (SGU) which to-

gether with the Small Boys Unit (SBU) comprised young girls and boys aged between 10 and 13 years, captured and conscripted by the rebels.

Edna said the rebel commanders used the SBUs as security guards who carried guns wherever their bosses went, and the SGUs as house help to the wives of the rebels. She said that life was only "safe" for women and girls in the jungle when they had a rebel they would point to as their "husband". She said women in the jungle without rebel husbands were treated far worse.

Responding to a cross-examination by prosecution lawyer Courtenay Griffiths the witness admitted that there were some errors in her previous interview. She testified in court that three rebels raped her, but she had previously told investigators that four rebels did. She attributed the inconsistency to the fact that she was meeting "such people" for the first time, saying she was not of a 'steady mind'.

BBC World Service Trust

Thursday, 23 October 2008

Report from The Hague

Former Liberian President Charles Taylor is being tried for allegedly sponsoring the RUF rebels that killed, mutilated, amputated and displaced hundreds of Sierra Leoneans. Mr. Taylor is accused of sending Liberian fighters and arms to the rebels for diamonds. But Charles Taylor's Defence team has argued that the Sierra Leone Government recruited Liberians who took part in the civil war. As Mariama Khai Fornah reports, Defence lawyer, Morris Anyah said former Sierra Leone President, Tejan Kabbah admitted to the recruitment of Liberians.

FORNAH: Mr. Anyah read in Court former President Tejan Kabbah's testimonies before the Sierra Leone Truth and Reconciliation Commission admitting to the recruitment of Liberians into the Sierra Leone security apparatus.

According to the document read in Court, Mr. Kabbah said a group of ULIMO fighters under the command of one Brigadier David Livingstone Bropleh were incorporated into the Sierra Leone security forces and renamed Special Task Force. Mr. Anyah asked whether the 72nd Prosecution witness, Alpha Jalloh, on cross-examination knew that those who amputated him on January 18, 1999 were ULIMO fighters

ANYAH: President Kabbah is saying to the Truth and Reconciliation Commission that what was known as ULIMO was turned into the Special Task Force. Did you hear me read that, Mr. Witness?

WITNESS: I heard you.

ANYAH: The ULIMO fighters you heard of that were Liberians, you acknowledged that they joined the Sierra Leone Army. Yes? Correct me if I'm wrong.

WITNESS: Yes.

ANYAH: Do you agree that some of the persons that you encountered speaking Krio with a Liberian accent in January of 1999 were ULIMO, or former ULIMO fighters?

WITNESS: I did not know if they were ULIMO soldiers or not, but all I knew is that they were Liberian soldiers.

FORNAH: Former President Kabbah also said Brigadier Bropleh later fled Freetown with the Junta. President Kabbah before the TRC said the Special Task Force headed by Bropleh later fought against the ECOMOG.

ANYAH: Together they played an active role in all the attacks that displaced ECOMOG and government troops in such places as Koidu, Makeni, Kamakwie and Lunsar. They supported the January 6, 1999 attack of Freetown.

FORNAH: The 73RD Prosecution witness, Samuel John, who previously testified in the AFRC case in Freetown, was only presented to the Defence for cross-examination.

Another victim of the Sierra Leone war later took the stand to become the Prosecution 74th witness. Miss Akiatu Tholley testified the rebels who entered Freetown on January 6, 1999 flogged and dragged her until she became unconscious. She said the rebels entered a church and raped many of the displaced girls and women. Prosecution Lawyer Brenda Hollis asked Akiatu to explain what the rebels did to her.

WITNESS: Well at the time we were in the church, James forced me. He raped me and he damaged me.

HOLLIS: Madam Witness, when you say that he damaged you, can you tell the Judges what you mean? Madam Witness, do you need a few minutes?

WITNESS: Yes.

FORNAH: Earlier, the 71st prosecution witness, an amputee who started his testimony on Wednesday, concluded his cross-examination in Court on Thursday. He told the Court he encountered two Liberian English speaking rebels. But the Defence team disputed Mohammed Bah's account and said in the four interviews he had with the Prosecution he mentioned seeing Liberian English speaking rebels only once.

Meanwhile the Special Court for Sierra Leone has suspended hearing into Charles Taylor's trial for Friday. The Presiding Judge, Justice Teresa Doherty, said Friday would be used to train some workers of the Court. She said the Charles Taylor trial would resume on Monday.

For the BBC WST this is Mariama Khai Fornah reporting from The Hague.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

**UNMIL Public Information Office Complete Media Summaries
23 October 2008**

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

Newspaper Summary

UNMIL Will Remain Alert in Peace Building and Support for Rule of Law ... UN Deputy Envoy Assures

(The News)

- UN Deputy Envoy, Mr. Jordan Ryan, has assured Liberians that the UN Mission in Liberia (UNMIL) is committed to achieving the broader agenda of peace building, consolidating the rule of law, and strengthening national institutions by providing support to the Liberian government.
- Mr. Ryan made the statement when he awarded UN peacekeeping medals to 300 officers of the Ukrainian Aviation Unit for their contribution to peace and stability in Liberia. Commending the peacekeepers for their support, the UN Deputy Envoy said the peacekeepers' contribution to UNMIL is befitting of Ukraine's legacy in UN peacekeeping.
- "Liberia and the UN will always remember your contribution in maintaining peace and security in this country, because your deployment has ensured the safe transportation of colleagues, cargo and supplies throughout Liberia," Mr. Ryan noted. The DSRSG paid special tribute to the Contingent Commander, Colonel Taras Shliukharchuck, under whose able leadership the officers have performed satisfactorily.
- Since their arrival in Liberia in January 2004, the members of the Ukrainian Aviation Unit have flown mission personnel and VIPs, delivered cargo, organized medical flights, and provided observation flights and air escorts to force movement totalling 27,550 flight hours.

IMF Holds Closed Door Meeting With "Embattled" President Pro-Temp

(The News, The Inquirer, The Analyst, Daily Observer)

- In the wake of leadership crisis at the Liberian Senate, the International Monetary Fund (IMF) Wednesday held closed door meeting with the 'suspended' President Pro-tempore Isaac W. Nyenabo at the Capitol. Yesterday's meeting between the IMF delegation and Pro-tempore Nyenabo lasted for half an hour.
- The meeting followed a letter addressed to Senator Nyenabo which was dated October 21, 2008 requesting a meeting with him at his office. The meeting was intended to discuss IMF program development and the status of debt relief.
- According to the IMF Resident Representative, Mr. Michael Tharkur, the delegation was in the country to conduct Liberia's Article IV Consultation, and the first review of performance under the Poverty Reduction Growth Facility (PRGF). Speaking to reporters following the meeting with Senator Nyenabo Wednesday, Mr. Tharkur said discussion centered on the IMF program development and status of debt relief. The IMF Resident Representative praised the Liberian government for the tremendous efforts in its economy recovery program.

President Sirleaf Addresses White House Summit

(Daily Observer, The News, The Inquirer, The Analyst, The Informer, National Chronicle)

- The media reports that President Ellen Johnson Sirleaf has called on development partners to see Liberia as a "Laboratory for Innovation". President Sirleaf said Liberia was well on its way to rebuilding institutions of government and welcoming the return of a vibrant civil society, a dynamic market-based economy and an open press.

- She pointed out that Liberia's progress has been possible because the country was out of conflict situation and is being seen as an emerging democracy in Africa. President Sirleaf made the statement during a White House Summit on International Development on Tuesday.
- The summit was attended by U.S. President George W. Bush, First Lady Laura Bush, Secretary of State Rice, U.S. government officials and members of the diplomatic corps. Speaking on the theme "The Importance of Country Ownership and Good Governance", the Liberian leader recalled that during the period of war, Liberia was associated with terminology like "child soldiers," "blood diamonds" and warlords.

Liberia Battles Unemployment - Launches "Cash for Work" Employ Scheme

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

- Vice President Joseph Boakai will today launch the Liberia "Cash for Work" temporary employment project.
- The project is intended to provide income support to vulnerable households in rural and urban areas.
- Under the project 17,000 persons will be employed for a period of two months over a two year period nationwide.
- The Liberia Agency for Community Empowerment(LACE) is to implement the project
- A release said beneficiaries of the project are expected to engage in simple work in response to the needs of their communities.
- Government and the World Bank signed an agreement in June this year to support Liberia in response to the global food price crisis.

Africa Will Have It Tough Under Obama – Two U.S. Resource Personnel Predict

(The News)

- Two American resource personnel have predicted that Africa will have it very tough under the Democratic Party's candidate Barack Obama's presidency. "It will not be all love, love; it will be tough love (for Africa)", they said. Journalist Eduardo Cue, a stringer correspondent for the U.S. News and World Report and Steven Rudy Ekovich, Associate Professor in the American University of Paris' International and Comparative Politics Department made the prediction Wednesday during a Digital Video Conference (dvc) involving representatives of some of Liberian political parties, university students and journalists. The dvc was held live between the American Embassies in Paris where the two panellists are based and Monrovia where the audience was. Speaking under the theme "United States 2008 General Elections", Cue and Ekovich said opinion polls have put Obama ahead of his Republican rival John McCain. But in response to a question as to how an Obama presidency would impact Liberia, both men pointed out that although Obama's ancestors are (partially) Africans, Obama is an American, and as an American President, Obama will protect and put America's interest above all other considerations. Journalist Cue and Associate Professor Ekovich said America's policy for Africa will "not change; neither Obama nor McCain presidency will change American policy toward Africa; reading both Obama's and McCain's plan for Africa is like reading the same script twice."

Radio Summary

Star Radio *(News culled today from website at 9:00 pm)*

Information Minister on Progress Made by Government after 1000 Days in Office

- In an interview, Information Minister Lawrence Bropleh has admitted that everything is not well in the country but that government has made some progress in addressing the plight of Liberians.
- Speaking as government celebrates one thousand days in power, Minister Bropleh said the salary of civil servants was increased following the identification of more than 17,000 ghost names on the civil servant payroll.
- He also spoke of reforms in the mineral industry with the setting-up of the Liberia Extractive

Industry Transparency Initiative and said government was committed to the fight against corruption.

- The government of Ellen Johnson Sirleaf came to power in 2006, with a promise to improve the living condition of Liberians and fight corruption.

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

Final Argument in US\$500M Cocaine Cast Takes Place Today

- Final arguments in the US\$500 million cocaine case were due to have taken place today at criminal court "C" at the Temple of Justice.
- It case involves nine Ghanaians arrested onboard the "Blue Atlantic" with 92 barrels of cocaine.
- Defense and Prosecution lawyers will try to convince jurors hearing the case to arrive at a verdict in their favour.
- The prosecution during the trial said it found that the vessel has been engaged with drug trafficking across West Africa and beyond
- French Navy troops arrested the nine Ghanaians and their vessel in an area where they found the cocaine floating at sea but the Ghanaians denied any involvement.

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

TRC Accused of Bad Labour Practice

- A group of aggrieved employees of the Truth Commission has accused the commission of human rights violation and bad labour practices.
- Two spokesmen of the aggrieved workers, Mohammed Cammue and John Toe said the commission terminated their contracts without giving them severance benefits.
- They also alleged the TRC has refused to pay them their transportation allowances in the tone of US\$200 each for the period of seven months.
- Cammue and Toe further explained all attempts to prevail on the TRC to provide them their just benefits failed as the commission remains insensitive.
- The TRC aggrieved employees said they have since taken the commission to the Labor Court for redress.
- When contacted, TRC's Media Officer Richmond Anderson said the commission was prepared to settle the aggrieved employees but the matter was in court.

Vice President Boakai Launches "Cash for Work" Employ Scheme

Star Radio (Liberia)

Thursday, 23 October 2008

Transitional justice experts stress reparation

Written by Julius Kanubah

Four international experts on transitional justice have stressed the importance of reparation and justice in the TRC process.

The experts said the issue of reparation for victims of conflict must be taken seriously with apologies from the perpetrators.

The experts from the International Criminal Court in The Hague, Uganda, South Africa and Kenyan made the statement before the TRC.

They were addressing the Truth and Reconciliation on the issue of reparations for victims of the civil war.

The Executive Director of the ICC Trust Fund for victims Andre Laperriere said a legal justice system must also set-up to avoid a recurrence of conflict.

Also, a transitional justice expert from Uganda Dani Nabudere called on the TRC to consult the community on the issue of reparation.

An activist and victim of South Africa's apartheid system, Shirley Gunn advised the TRC to arrange the victims to decide the type of reparation.

An official of the Nairobi Peace Initiative in Kenya, George Wachira said the reparation process of the TRC must target the communities.

Inter Press Service (Johannesburg)

Thursday, 23 October 2008

Reparations Stretched Thin

By Mohamed Fofanah
Freetown

"Eight years ago my husband threw his haversack on his back and bade us goodbye. My two kids and I came out of the house and watched him leave. Water was dripping from our eyes uncontrollably; it was as if we were already mourning his death. He was bound for the war front."

Fatmata Kallon, a tall, rail-thin woman in her early 40s is seated on the front porch of her shack at Sorie Town, located at the hill top in the west end of Freetown, a fast-growing settlement of tin houses, with no running water.

"About three weeks after he left, we were informed that he was killed in an ambush at the Bo-Kenema highway by the rebels. Osman Kallon, my husband had been the nerve centre of the family. Since his demise things have been hell for us."

Kallon is among the large group of women described as war widows -- their total number is still unknown.

A Truth and Reconciliation Commission (TRC) was set up in 2002 to investigate the causes of Sierra Leone's 11-year civil war, a brutal conflict during which all factions were accused of committing gross human rights violations.

The TRC specifically recognised the effects of violence on women and the family structure. War widows -- in the words of the TRC's report, "women whose husbands were killed as a consequence of any abuse or violation and who, as a result, have become the primary breadwinners for their families" -- such women were designated as a privileged categories for reparations, notes the chairperson of the Human Rights Commission of Sierra Leone, Jamesina King.

The TRC recommended the provision of skills training and micro-credit schemes for these women, defined in its final report as to help equip and empower them to provide for their families.

But the National Commission for Social Action (NaCSA), the body that will be implementing the reparations, has no immediate plans to begin these projects.

"Because skills training and micro-credit schemes for these women needs a lot of planning and the money that we have now will be insufficient to take this venture on board, when we have more funding we will consider that recommendation," the Reparations Program Manager, Amadu Bangura, told IPS.

NaCSA instead has chosen to give priority to the implementation of a housing project, providing housing to only three other categories affected by the war: adult war wounded, adult amputees and adult victims of sexual violence. The housing project which was not a reparation recommendation by the TRC.

"I feel so deprived and the loss of my husband during the war will be more painful to me and my family if the reparations recommendations set out by TRC will not be followed strictly by NaCSA for whatever reasons," Kallon appealed.

Bangura maintains that the housing project was is in line with the recommendations of the Reparations Steering Committee after analysing the TRC report and finding that 49 percent of victims called for the provision of housing.

He stated that when they did their assessment they found out of the 960 amputees and war wounded had been registered by the Amputee and War wounded Association, 500 of them have already been provided with housing by international NGOs.

"We want to continue with what has been started and finish off the 460 beneficiaries that remain. We intend to start off with 50 houses for amputees and 25 for war-wounded beneficiaries," Bangura pointed out.

Bangura said that the whole reparations programme is expected to start next year, as soon as the verification process of beneficiaries is concluded. It is expected to last for six years.

Each house will cost \$6,500 dollars, taken from the present reparations budget total of three million dollars.

"Housing is the best reparations and I support NaCSA to include housing," says Jusu Jarka, the chairman of an association of amputees and war wounded who stand to benefit from the housing project. Jarka is the only active representative of beneficiaries in the reparations committee.

"I agree that housing is very good, but if the TRC in their wisdom expressly did not recommend it, they must have taken into consideration many factors like limited budget for the reparations," said Jariatu Kamara, a war widow. "So I do not see any justification in providing housing for one set of people and excluding the skills training and micro credit schemes that were directly proposed for us in the report. It is unacceptable."

Jamesina King said that the TRC Report makes provisions for amendment of the reparations recommendations by the implementing body, but only with the unanimous consent of the members of the Advisory Board to the proposed amendment.

"The HRCSL was not aware that such directions had been followed before the housing decision was taken and at what level."

She told IPS that they have done a letter to NaCSA to request an explanation and justifications for making the amendments to the TRC reparation recommendation.

\$2.3 million is expected to be expended on reparations for amputees, war wounded, sexually violated and children victims in the project's first year.

Amadu said that the Reparations Committee was expecting funding from the government which is still not forthcoming.

In addition, he said that the committee has developed a five-year strategic funding plan to attract international donors and if they have the funds they will implement all the TRC recommendations before the end of the six year Reparations Programme.

"We have suffered greatly during the war and up till now we are suffering. We are helplessly looking at NaCSA to help us get our lives back. Whatever decision they will be taking on reparations, we hope will be selfless and should be in the spirit of the TRC report that has made provision for us," Kallon pleaded.

The TRC Report stated that they were enjoined by statute to give special attention to the needs of women and girls because while the majority of victims were adult males, perpetrators singled out women and children for some of the most brutal violations of human rights recorded in any conflict.

The report states that "it is only when the legal and socio-political system treats women as equals to men, giving them full access to economic opportunities and enabling them to participate freely in both public and private life, that they will realize their full potential."

The National (UAE)

Thursday, 23 October 2008

<http://www.thenational.ae/article>

War crimes court falters on first trial

Matt Brown, Foreign Correspondent

Alleged Democratic Republic of Congo warlord Thomas Lubanga at the International Court of Justice in The Hague, The Netherlands. Ed Oudenaarden / AFP

The International Criminal Court's first case, seen by many as setting the tone for the fledgling body, is off to a rocky start.



Judges this week ruled that the trial of Thomas Lubanga, a Congolese militia leader, should remain suspended but ordered Mr Lubanga to stay in custody, effectively leaving the war crimes suspect in legal limbo.

The trial was originally suspended in June just days before it was to be the six-year-old court's first trial. A panel of judges suspended the trial because prosecutors would not share evidence with the defence.

Mr Lubanga is accused of recruiting child soldiers to fight in his Union of Congolese Patriots militia during the bloody Ituri conflict in the eastern Democratic Republic of Congo from 2002 to 2003. More than five million people have been killed in the 10-year civil war.

The Ituri conflict has raged in north-eastern Congo after the war officially ended.

Analysts said the botched trial is a serious blow to Hague-based ICC and to the victims of the conflict, who were hoping for justice.

"The current situation is a disaster for the court and more importantly the victims of the crimes that Lubanga allegedly committed," said Lisa Clifford, an ICC analyst for the Institute of War and Peace Reporting (IWPR).

"The ICC's already shaky credibility has taken another serious blow in Congo, where people are understandably asking whether it is acceptable to release him, even if mistakes were made in the case."

The court's appeals chamber ruled that the trial chamber must again decide on whether to release Mr Lubanga with or without conditions.

"Pending the new determination, Mr Lubanga shall remain in the custody of the court," said presiding judge Sang-Hyun Song, of the tribunal's appeal chamber. "The trial chamber was wrong in finding that the inevitable consequence of the decision to stay the proceedings was his unconditional and immediate release."

In gathering evidence for the case, prosecutors promised witnesses confidentiality, which is allowed under ICC statutes. However, Sylvia Steiner, an ICC judge, ruled in June that prosecutors were not using

confidentiality agreements as a last resort to get their hands on evidence, but were “extensively gathering documents under such provision”.

Much of the confidential testimony is from UN peacekeepers, who are still operating in the region and fear reprisals if they are not kept anonymous.

Luc Walley, a lawyer for victims in the Lubanga case, said the trial should continue or risk undermining victims’ trust in the court.

“People could feel that if there is no national justice that can stop them, and international justice is not able either, then it would be logical to go on with recruiting child soldiers, and other crimes under the jurisdiction of the court,” he said according to the IWPR.

In another blow to the ICC, the pretrial hearing of Jean-Pierre Bemba, scheduled for Nov 4, was postponed on Wednesday to allow the defence more time to prepare. As a result, the court is now without a functioning trial.

The ICC accuses Mr Bemba, the former vice president of DR Congo, of a wide range of crimes allegedly committed by his men when they fought a coup attempt in the neighbouring Central African Republic at the request of the then president Ange-Felix Patasse.

The ICC said Mr Bemba’s Movement for the Liberation of Congo carried out attacks against civilians in the Central African Republic “during which rape, torture, outrages upon personal dignity and pillaging were committed”.

The ICC was established by treaty 10 years ago and began work in 2002 as the world’s first permanent war crimes court.

It was designed to replace the need for ad hoc courts, such as the ones set up to try suspects of the Rwanda, Yugoslavia and Sierra Leone conflicts.

So far, the court has only investigated crimes committed in African conflicts. The court has been criticised in Africa for pursuing justice at the expense of peace.

In July, the ICC prosecutor asked the court to indict the most high profile suspect to date – Omar al Bashir, the president of Sudan. Judges are currently deciding whether to indict Mr Bashir on charges of war crimes and genocide in Sudan’s Darfur conflict.

The ICC’s first indictments were for Joseph Kony and his commanders of the Lord’s Resistance Army, a rebel group from northern Uganda. Mr Kony has refused to sign a peace deal to end Uganda’s 22-year civil war until the ICC drops its arrest warrants. The leader remains at large.

Local mediators trying to end Uganda’s civil war want the ICC warrants dropped to facilitate the peace process. International human rights groups, however, have urged African governments to arrest the LRA leaders and bring them before the ICC.

The Weekly Observer (Kampala)

Wednesday, 22 October 2008

ICC Has Given Us a Surprise Gift

OPINION

By Simwogerere Kyazze

I have been a rather loquacious critic of the International Criminal Court [in all its permutations] from its inception in 2002 until around six weeks ago, when my youngest sister married one of its top prosecutors.

Before filial loyalty curbed my enthusiasm, I used to argue that the ICC's biggest problem was lack of credibility as it dispenses victor's justice.

The same way that history is written by the victor, the last man standing almost always feels he's earned the right to pass judgment on the vanquished. The Americans routinely dispense this brand of justice (prosecuting and hanging Hitler's top Nazi collaborators; baiting the Shiites into that farcical trial and hanging of Saddam Hussein; and most controversially, labeling almost every Prisoner of War from the Afghan war as an "enemy combatant")! Ironically, the eager beavers have resisted all calls to ratify the ICC regime because they have a good idea what would happen to US soldiers who occasionally kill innocent civilians in Afghanistan, Iraq and the Pakistani border regions.

Lately of course, my criticism of this business of mostly white people prosecuting mostly black and brown people, has become slightly nuanced [for obvious family reasons].

But the ICC has given those of us who are nauseated by blatant abuses of power corruption, an unexpected gift. It has become a forum for humiliating past (Foday Sankoh-Sierra Leone; Charles Taylor-Liberia) and present (Omar al Bashir-Sudan) African leaders. Our own obnoxious Joseph Kony is still in hiding partly because of the large ICC shadow looming over him on charges of abduction, murder, rape and lopping off non-combatants' bits.

Yet even with its splashy prosecution of Slobodan Milosevic (late of Serbia) and Radovan Karadzic, it's the elevation of individual culpability in current European jurisprudence that has put the fear of god in scores of Uganda's splashiest characters. What our friends are most terrified of is something called the "secret indictment". What happens is that the justice department in Sweden might be investigating a Ugandan suspected of smuggling illegal immigrants into the EU. It issues a sealed warrant of arrest to all 27 EU members, and once Joe Blow sweeps through Heathrow, or Schipol, all it takes for Sweden to have their man is for his details to show up on the system.

That's what happened on April 3. Ananias Tumukunde, one of President Museveni's aides was arrested; eventually charged; and convicted on bribery charges.

This "secret indictment" business started with Gen. Augusto Pinochet, a former military strongman in Chile, who confidently flew to London for medical treatment in 1998, only to be arrested and charged with the torture and death of Spanish citizens during his years in power (1973-1990). The old man eventually survived by feigning dementia, diabetes, failing eyesight, arthritis, etc. Still, dictators around the world were put on notice.

That the ICC Prosecutor for Darfur had the temerity recently, to seek a warrant of arrest for Sudan's Bashir, who's after all a sitting president, is unprecedented in the extreme. It's also a sign of coming times.

So now you know why some senior UPDF officers would not dare disembark anywhere in Europe [except perhaps in Moldova]. There is after all the pending case of looting of DR Congo's mineral wealth; recruiting child soldiers...

More generally, it's heartening that ordinary Ugandans can go where these African big men and women [with power and piles of ill-gotten cash] can only dream of.

The proliferation of secret indictments in Europe and North America has actually made some of Uganda's richest and/or most powerful citizens virtual prisoners on the African continent with destinations limited to Cairo, Cape Town, Kuala Lumpur or Beijing! Of course if you know how vainglorious this type is, you also know that they [and especially their spouses], prefer to spend our money in upscale stores like London's Selfridges or New York City's Saks Fifth Avenue.

No more.

No more elite education for their progeny either. The evolving sanctions-regime in the West now targets even nominally innocent children. The children of Zimbabwe's Robert Mugabe and other top Zanu-PF officials have all been expelled from universities in the US, Canada, New Zealand, Australia and the EU, and can now only spend their parents' millions in South Africa (their ostentatious displays and narcissist materialism are easily distinguishable).

Oh, and no more foreign accounts to hide ill-gotten wealth. Since 9-11, it has become virtually impossible to move large sums of money from the 'South' to the 'North', without attracting the attention of the FBI and Homeland Security in America.

You have also probably heard stories of seemingly well-heeled Ugandans being denied visas at foreign embassies in Kampala. Actually, a lot more ordinary Ugandans are routinely turned away from choice destinations like Britain or the US. But that's mostly because the consular officers can easily tell the potential tourist and Statue of Liberty aficionado from someone who is simply trying to escape extreme hardship for kyeyo in East London or Boston. It's not the fault of the visa-issuing officer that Uganda's recent macro-economic success has mostly benefited those who "fought" and the few compradors who've joined the praise choir.

The Brits and Americans have a right to keep "economic refugees" from their shores.

But it's nice to know that they're "equal opportunity offenders" who routinely stick it to diplomatic passport holders [with a shady past and present]. So, while they turn down thousands of visa requests every year, foreign embassies continue to accept ordinary blue passport-holding Ugandans who visit Diasporic relatives and sometimes stay on for kyeyo.

With secret indictments, blanket travel bans, snubs from Oxbridge, Harvard, and JP Morgan Chase, our thieving friends are not getting much love from the West.

It only gets worse: the world's best hospitals are in Europe and North America. So bad are Ugandan hospitals that President Museveni was once forced to fly his daughter to Germany for antenatal care. We're lucky our president is still mostly welcome. Some of his subordinates who collectively neglect hospitals and then use taxpayers' money to fly self and family to Europe and North America, have seen even that window slammed shut.

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