

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



SCSL site, flashback to 2003.

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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Thursday, 26 May 2011

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Ex-rebel charged with contempt in Taylor trial

Judges at the Sierra Leone war crimes court have charged a former rebel fighter with contempt of court for trying to bribe prosecution witnesses in the trial of former Liberian president Charles Taylor, officials

said. Prosecutors in February requested a probe into allegations that a defence investigator and other people tried to bribe prosecution witnesses into recanting their evidence.

In a ruling made public on Wednesday (yesterday),

Judges charged alleged former Revolutionary United Front (RUF) rebel Eric Senessie with contempt, but dismissed allegations that a defence investigator had also tried to influence witnesses.

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Former rebel charged with contempt in Taylor trial

From page 1

"There are sufficient grounds to proceed against Eric Senessie for contempt of court, but ... there are insufficient grounds to proceed against any other person," the court said.

The ruling was made on Monday but only made public on Wednesday, said officials.

Senessie was charged with nine counts of contempt, including knowingly and willfully interfering with the court by

allegedly offering to bribe or influence five witnesses, including two protected witnesses to persuade them to recant testimony.

Prosecutors had alleged that Senessie told the witnesses he had been sent by Taylor's defence team to persuade them to change their testimonies against the former Liberian leader.

Taylor has denied all 11 charges of instigating murder, rape, mutilation, sexual slavery and

conscription of child soldiers during wars in Liberia and Sierra Leone in which more than 250,000 people were killed. He is accused of directing RUF rebels in a campaign of terror to plunder Sierra Leone's diamond mines for profit.

The hearings in the first war crimes trial of an African ruler started in June 2007 and ended in March. Judges are expected to hand down their judgment in coming months.

The Torchlight

Thursday, 26 May 2011

Give some of Gaddafi's held money to Sierra Leone and Liberia

By Kofi Akosah-Sarpong

US Congressman Brad Sherman (Democrat, California) thinks in the wake of NATO's expensive operations in Libya to contain Muammar Gaddafi's attempts to kill protestors and the budget battle on Capitol Hill, the seized Gaddafi money, totaling over US\$100 billion, should be used to pay for the Libyan no fly zone operations. That makes sense because of the humanitarian nature of the operations.

What also makes sense, humanly, are some Sierra Leoneans and Liberians at home and abroad campaigning for some of Gaddafi's apprehended money be given to their struggling country as mandated by the United Nations Special Court for Sierra Leone. Short of charges of crimes against humanity and war crimes the UN Special Court for Sierra Leone authorized Gaddafi to pay compensations for the victims of the civil war some of whom were murdered, raped, maimed and mutilated.

Over a million Sierra Leoneans and Liberians were killed as a result of the Gaddafi induced war. Gaddafi did

train, finance and encourage the deadly rebel groups Revolutionary United Front (RUF) and the National Patriotic Front of Liberia.

Swinging between sanity and insanity, Gaddafi came to the agonizing conclusion that he has caused irreparable damages to some Africans and decided to give some sort of financial aid.

Gibril Koroma, the Sierra Leonean publisher of the Vancouver, British Columbia based thepatrioticvanguard.com, making the case for Sierra Leonean victims wrote that, "A couple of years ago, Gaddafi realized he had hurt Africa too much and he started what he may have considered a reconciliation process by giving away millions of dollars in raw cash and all sorts of other gifts like cars and tractors to African leaders. He has

also been financing the United States of Africa project scheduled to kick off by 2017."

But the real victims of Gaddafi's atrocities - amputations, murders, raping, maiming and mutilations - the ordinary, innocent Sierra Leoneans and Liberians did not receive any of what Gibril Koroma indicated. Now is the time for them to get their compensations direct from Gaddafi's looted billions. Their case is as reasonable and human as US Congressman Brad Sherman's arguments for NATO.

The Sierra Leonean journalist and academic Aroun Rashid Deen, currently a doctoral candidate at New York University, in making the case for

Gaddafi to pay compensation to Sierra Leonean and Liberian fatalities, argued that "Muammar Gaddafi was the mastermind and key financier of the brutal war that left hundreds of thousands dead in Sierra Leone in West Africa in the 1990s. The war would not have happened in the first place had it not been for the desire of the Libyan leader to punish the government of Sierra Leone for what he regarded as its siding with the West in the 1980's when Gaddafi was at loggerhead with particularly the United States and Britain.

"It was also part of Gaddafi's broader agenda including his geopolitical ambition to destabilize much of West Africa and establish satellite states in the region to be headed by puppet regimes that will be doing his biddings. The decade-long war ripped Sierra



Leone apart. Thousands of its victims, whose arms and limbs were chopped off by rebels, were reduced to paupers, roaming the streets as beggars in Freetown and other cities. Children as young as a day old were also among those whose arms and limbs were hacked off by Gaddafi's rebels. Pregnant women, too, were disemboweled with delight in their display of ghastly brutality."

Jesmed F. Suma, of the US-based Sierra Leone Policy Watch, a policy think tank and civic engagement group, argues insightfully that, "In 2008, in an unprecedented act of contrition, Italy agreed to pay reparation of US\$5 billion to Libya for Rome's past injustices for 30 years as colonial master over Libya in the early years of the last century. Also in 2008 Libya was ordered to pay US\$6 billion to the victims on-board the French Aircraft UTA Flight 772 for Libya's role in the bombing of the flight over

Niger in 1989. In addition Libya agreed to also pay US\$1 million to each of the other 170 non-American victims.

"Libya also paid the US Govt. US\$1.5 billion for Libya's role in the Lockerbie Bombing that took the life of 270 victims and for the Berlin Disco Bombing that killed 3 and wounded 200. Now with regards to Sierra Leone and Liberia, Gaddafi sponsored a rebellion that killed thousands of poor, innocent men, women and children. These victims deserve the same justice as the victims of the Lockerbie bombing or the Libyan victims of Italian injustice."

If Gaddafi has paid all these sums of money for his evil schemes, the time has come, through African and global institutions, for him to do same to the over million Sierra Leoneans and Liberians either slaughtered, raped, or maimed.

The Sierra Leone government, the diaspora Sierra Leonean lobby, the Mano River Union, the transnational African lobby, the Economic Community of West African States, regional giant Nigeria, the African Union, the United Nations, the European Union, and the African Development Bank, among others, should campaign for Sierra Leone and Liberia to get some of the billions of dollars seized from Gaddafi for the damages he brought upon these countries.

Radio Netherlands Worldwide

Wednesday, 25 May 2011

Sierra Leone rebel charged with contempt in Taylor trial

Judges at the Sierra Leone war crimes court (SCSL) have charged a former rebel fighter with contempt of court for trying to bribe prosecution witnesses in the trial of former Liberian president Charles Taylor.

In a ruling made public on Wednesday, Judges at the Special Court for Sierra Leone charged an alleged former Revolutionary United Front (RUF) rebel with contempt of court, but dismissed allegations that a defence investigator had also tried to influence witnesses.

The Sierra Leonean was charged with nine counts of contempt, including knowingly and willfully interfering with the court by allegedly offering to bribe or influence five witnesses, including two protected witnesses to persuade them to recant testimony.

Prosecutors had alleged that the RUF rebel told the witnesses he had been sent by Taylor's defence team to persuade them to change their testimonies against the former Liberian leader.

Influencing witnesses from Mpanga prison

In a another ruling, the judges also accused four other Sierra Leoneans with contempt of court, including two SCSL convicts who are serving their sentences in Rwanda.

From the Mpanga prison in Rwanda, Briza Bazy Kamara and Santigie Borbor Kanu attempted to bribe a protected witness to recant their testimonies. In December last year, the duo allegedly made phone calls from Rwanda and used two intermediaries, who are also indicted of contempt charges, to influence the witness.

Kamara and Kanu - members of the Armed Forces Revolutionary Council - were sentenced to 45 and 50 years imprisonment respectively for their role in the Sierra Leone war in 2007. Their sentences were upheld on appeal a year later.

Last trial

Charles Taylor is the last man to stand trial before the SCSL. He denies 11 charges of war crimes and crimes against humanity, including murder, rape, mutilation, sexual slavery and conscription of child soldiers in Sierra Leone. Judges are expected to hand down their judgment in the coming months.

Reuters

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Prosecutors in February requested a probe into allegations that a defence investigator and other people tried to bribe prosecution witnesses into recanting their evidence.

In a ruling made public on Wednesday, judges charged alleged former Revolutionary United Front (RUF) rebel Eric Senessie with contempt, but dismissed allegations that a defence investigator had also tried to influence witnesses.

"There are sufficient grounds to proceed against Eric Senessie for contempt of court, but ... there are insufficient grounds to proceed against any other person," the court said.

The ruling was made on Tuesday, court documents showed.

Senessie was charged with nine counts of contempt, including knowingly and willfully interfering with the court by allegedly offering to bribe or influence five witnesses, including two protected witnesses to persuade them to recant testimony.

Prosecutors had alleged that Senessie told the witnesses he had been sent by Taylor's defence team to persuade them to change their testimonies against the former Liberian leader.

Taylor, has denied all 11 charges of instigating murder, rape, mutilation, sexual slavery and conscription of child soldiers during wars in Liberia and Sierra Leone in which more than 250,000 people were killed.

He is accused of directing RUF rebels in a campaign of terror to plunder Sierra Leone's diamond mines for profit.

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Hirondelle News Agency

Wednesday, 25 May 2011

Ex-Rwandan defence minister alleges Nizeyimana had no position at ESO

Former Rwandan Minister of Defence, Brigadier General Emmanuel Habyarimana told the International Criminal Tribunal for Rwanda (ICTR) Wednesday that genocide-accused, Captain Idelphonse Nizeyimana had no leadership position in the hierarchy of the Non-Commission Officer Military Academy (ESO).

"Captain Nizeyimana was nobody in the battle order," General Habyarimana told the Chamber presided by Judge Lee Muthoga as he was being examined in-chief by the accused Co-Counsel, Caineche Lussiaa-Berdou.

Prosecution among others claimed that Captain Nizeyimana was in charge of Intelligence and Operation, technically known as S2 and S3 respectively in the military structure at ESO in Butare prefecture, South Rwanda during the genocide.

General Habyarimana who was testifying in defence of Capt. Nizeyimana said whereas the Commander of ESO during the time in question was Marcel Gatsinzi, the position of S2 and S3 was occupied by Lieutenant Colonel, Tharcisse Muvunyi, already convicted for his involvement in genocide.

He said there was none in the position of Second in Command and the same is the case with the post of officer in charge of Physical Education and Sports whereas Captain Nizeyimana who was put next after Lt .Col Muvunyi had no official leadership position.

General Habyarimana, now living in exile in Belgium, previously worked at ESO and at the Senior Military Academy School (ESM). He further explained that when it comes to disciplinary action or prosecution of soldiers or officers, those with such authority included Chief of the Armed Forces, minister of defence, operational sector commanders and unit commanders.

"Those who are not in those position cannot punish or execute disciplinary action against any soldier or officer," he explained adding that "all others if need be are supposed to report indiscipline soldiers or officers to their respective commanders for action."

Asked by Co-Counsel Lussiaa-Berdou if he met with the accused when he spent one night at ESO on April 21, 1994, the witness responded "I did not see him."

Capt. Nizeyimana among others is also alleged to have ordered, supervised and organized the massacres of Tutsis in various places in Butare, including that of Queen Rosalie Gicanda, the widower of the last but one Rwandan King Mutara III, Rudahingwa on or about April 21, 1994.

The prosecution took over the floor to cross examine the witness.

NI/FK/ER/GF

Voice of America

Thursday, 26 May 2011

Rwandan Genocide Suspect Arrested in Congo

Authorities in the Democratic Republic of Congo have arrested a key suspect in Rwanda's 1994 genocide.

The International Criminal Tribunal for Rwanda said Wednesday that former Hutu militia leader Bernard Munyagishari was arrested in joint operation by the Congolese army and the court's tracking unit in Kichanga, North Kivu.

Munyagishari was sought on charges of genocide, crimes against humanity and rape.

Munyagishari is currently being held in Goma pending his extradition to the the Tanzania based ICTR.

The United States had offered a \$5 million dollar reward as an incentive for help in capturing Munyagishari.

Extremist Rwandan Hutus killed an estimated 800,000 Tutsis and moderate Hutus during the 1994 genocide over a three month period.

Voice of America

Thursday, 26 May 2011

US Jury Deliberates in Rwanda Genocide Trial

A jury in the midwestern U.S. state of Kansas has begun deliberations in the case of an elderly immigrant accused of committing genocide 17 years ago in Rwanda.

Prosecutors and defense attorneys ended their closing arguments Wednesday in the case against Lazare Kobagaya.

The 84-year-old man is charged with lying to immigration officials about his past to obtain U.S. citizenship in 2006. Prosecutors say he claimed on immigration forms that he lived in Burundi during Rwanda's 1994 genocide and denied ever committing a crime.

The prosecution says Kobagaya, an ethnic Hutu, ordered the killing of Tutsi neighbors in his Rwandan village of Birambo, and organized an attack on a nearby mountain that killed thousands of fleeing Tutsis.

The defense has painted a different picture of Kobagaya, saying that during the genocide he helped to save his wife, who is a Tutsi. Defense attorneys say Kobagaya has been falsely accused by villagers who did take part in the killings and received reduced sentences for claiming Kobagaya and others were involved in the genocide.

If convicted, Kobagaya could face deportation from his Kansas home back to Rwanda.

During Rwanda's 1994 genocide, extremist Hutus killed an estimated 800,000 Tutsis and moderate Hutus.

Institute for Security Studies

Monday, 23 May 2011

Libya: Justice Remains Key to Resolving Crisis

Anton du Plessis

Pretoria — On the 26th of February 2011 the United Nations Security Council (UNSC) unanimously passed Resolution 1970 (2011), referring the `situation` in Libya to the International Criminal Court (ICC). The resolution was part of a robust set of UNSC measures directed at the Libyan regime, including a travel ban and asset freezes for Libyan leader Muammar Gaddafi and his associates, as well as an arms embargo.

It is the first concrete action by the UNSC in respect of the events that began earlier in February, as increasing reports of widespread attacks on civilians in Libya confirmed the lengths to which Gaddafi will go to cling to power. It is also fitting that Gaddafi – who has recently been central to undermining the ICC through his political influence in the African Union – should now find his regime’s crimes referred to the Court by all members of the UNSC, including Africa’s powerhouses South Africa and Nigeria. As with all the other matters currently before the Court, the target of the investigation is an African country, which critics of the ICC will be quick to point out. Like the case of Darfur, Sudan, the investigation will have to take place in respect of a state that is not a party to the Rome Statute of the ICC and despite the government under investigation being overtly hostile to the proceedings. For these reasons, sceptics are likely to conclude that it will result in the same difficulties that have left the Court politically isolated in Africa. Moreover, arguments abound that the ICC arrest warrants might negatively impact efforts towards re-establishing peace in Libya, including the AU-sponsored peace talks that are currently underway.

And so the Libyan referral finds itself situated within the broader Africa - ICC narrative that is underpinned by perceptions that the Court has an unhealthy preoccupation with the continent. While the Court’s African focus is in large part explained by the invitations extended to it by African states for assistance in tackling mass crimes, this perceived African bias has drawn much criticism from the AU. The relationship between the AU and the ICC has suffered as a result. It is thus telling that all three African states on the UNSC voted in support of the Libyan deferral. Regardless, one can assume that Libya’s repressive leaders – like the powerful elites in Kenya and Sudan – will nevertheless attempt to undermine the ICC’s efforts by exploiting the perceptions about the Court’s African workload. There are many good reasons why all 15 members of the UNSC voted for the referral. The early involvement of the Court enables the prospect of justice to deter future atrocities, and alter the conflict dynamics in a game-changing manner. It is encouraging therefore that the Court responded so quickly. On 16 May 2011, Luis Moreno-Ocampo, the ICC Prosecutor disclosed that according to the Office of the Prosecutor (OTP), Gaddafi, his son Saif al-Islam, and intelligence chief Abdullah al-Sanussi, bear the greatest responsibility for ‘widespread and systematic attacks’ on civilians that amount to crimes against humanity and war crimes. It is now for the ICC judges to decide whether or not to issue warrants for their arrest.

Regarding the role of justice in securing peace, it is now well established that the prosecution of senior leaders helps to ensure justice and can – in the long run – help end conflict. As highlighted by James Goldston, executive director of the Open Society Justice Initiative, in a recent article, the indictment by the UN-backed International Criminal Tribunal for the former Yugoslavia (ICTY) of Bosnian Serb leader Radovan Karadzic and his military chief, General Ratko Mladic on the eve of the Dayton peace talks did not detract from the negotiations. In fact the charges may have actually helped mediators ensure

successful negotiations between the Bosnians, Serbs and Croats. The same argument holds in relation to Yugoslav President Slobodan Milosevic. In May 1999, the ICTY's indictment of Milosevic raised concerns that a peace deal would not be reached. Nevertheless, on 11 June 1999 the war ended with Milosevic accepting the terms of the peace negotiations. After the September 2000 elections Milosevic lost power and was handed over to the ICTY in June 2001. Similarly, African leaders responded to the indictment of Charles Taylor by the Special Court for Sierra Leone (SCSL) with great indignation. They argued that the judicial process would negatively impact on potential peace in both Sierra Leone and Liberia. Nevertheless, both countries are now at peace and Charles Taylor's trial at the SCSL is nearing completion.

Beyond these general arguments about the role of international justice in Africa, the ICC's involvement in Libya should, however, not be conflated with other developments stemming from the conflict. Indeed, three weeks after the Libyan referral to the ICC by the UNSC under Resolution 1970, the Security Council on 17 March adopted Resolution 1973 on the situation in Libya. Ten UNSC members voted for the resolution (Bosnia and Herzegovina, Colombia, Gabon, Lebanon, Nigeria, Portugal, South Africa, and permanent members France, the United Kingdom, and the United States). Five (Brazil, Germany and India, and permanent members China and Russia) abstained, with none opposed. The resolution formed the legal basis for military intervention in the Libyan civil war, demanding 'an immediate ceasefire' and authorising the international community to establish a no-fly zone and to use all means necessary short of foreign occupation to protect civilians.

Military intervention in Libya began on 19 March, as fighter jets of the French Air Force destroyed several pro-Gaddafi vehicles advancing on Benghazi, a rebel stronghold. On 31 March, NATO assumed command of the no-fly zone, while air strikes against ground targets remain in the hands of the coalition. The intervention succeeded in preventing pro-Gaddafi forces from capturing Benghazi, and is ongoing. Aside from the fact that African states – including South Africa – voted in favour of Resolution 1973, there has been a recent chorus of African government voices attempting to distance themselves from the Resolution, which they believe is being misinterpreted and abused by NATO and coalition countries.

The situation in Libya remains dire and Gaddafi appears intent on entrenching himself through violence and repression. It is thus likely that the ICC will continue its focus on these abuses. This focus is appropriate, both in the fight for accountability for these crimes, and as a public declaration that Gaddafi's violent defiance of his own peoples' wishes will not be ignored. In short, the decision to involve the ICC in Libya through UNSC 1970 was and remains correct. It is important that whatever criticisms African leaders now raise against UNSC Resolution 1973 and its authorisation of force in Libya, not be allowed to detract and distract from the important role that the ICC has rightly been asked to play.

In short, the baby of the ICC must be kept in the bathwater that is Libya's ongoing humanitarian and human rights nightmare. For that to be achieved it will be vital for the international community and civil society to guard against cynical conflation of criticisms against coalition and NATO efforts at enforcing Resolution 1973 on the one hand, and the ICC's efforts to investigate and prosecute serious international crimes on the other.

Anton du Plessis is Programme Head, International Crime in Africa Programme, ISS Pretoria Office