

**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

as at:

Friday, 9 December 2011

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Concord Times
Friday, 9 December 2011

Local News

The Sierra Leone Union of Photographers SLUP in collaboration with the Peace Museum has concluded a workshop on the collection of the country's war relics for future use at the Madam Wokie Hotel in Bo.

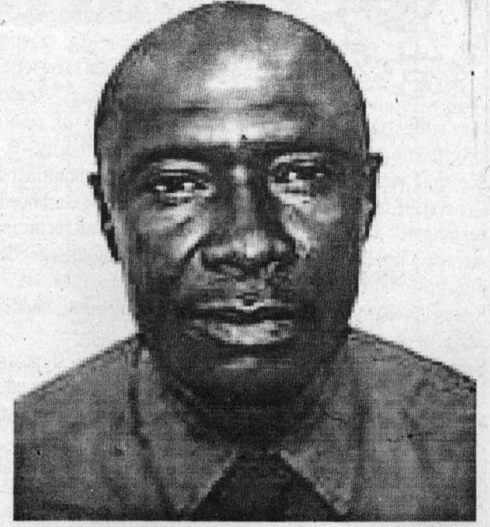
The seminar with the theme "Peace photos for Salone na we ol yone," attracted dozens of photographers from across the country. SLUP Secretary General, Sullivan

Photographers Conclude Workshop on War Relics

M.S. Kallon noted that the union was entrusted to carry out a patriotic venture, by collecting relics of the 11-year civil conflict and lauded the effort of the Southern Region Vice President of SLUP, Charles A. Williams for going the extra mile to ensure the success of the occasion. Chairing the occasion, Alie Katisco, a retired photographer who is also the vice president of the ruling All People's Congress youth wing,

thanked the Special Court for Sierra Leone Peace Museum for choosing the union to carry out the patriotic job. Representative of the Peace Museum, Joseph S. Dumbuya, highlighted the importance of the memorial museum which according to him was the initiative of the Special Court to collect, gather and archive some of the historical images and records of the war. Dumbuya said SLUP is expected to collect im-

ages on human rights abuses and violations, justice, crime scenes, battle attires and other relics related to the war for the museum that would be stationed in Freetown but have mobile exhibition facilities for the provinces. SLUP President, Steven E. Momoh thanked the Special Court and promised to ensure that his members carry out the job effectively noting that the camera is mightier than the pen.



Standard Times
Friday, 9 December 2011

PRESS RELEASE:

AdvocAid and GIZ Conduct Training for Female Prison Officers on the new United Nations Rules for the Treatment of Female Prisoners



In December 2010 the United Nations approved a set of rules concerning standards for the treatment of female prisoners. These are in addition to previous United Nations standards for the treatment of prisoners which were approved more than 50 years ago and do not adequately address the needs of women in the criminal justice system.

Women in the criminal justice system face many common problems which the Rules seek to address. For example,

1. Fewer women's prisons and locations far from home, family and friends
2. Problems in caring for dependent children who are left outside of prison
3. Problems in caring for dependent children in prison
4. Increased vulnerability to mental and physical abuse
5. Increased vulnerability to suicide and self harm
6. Personal hygiene and health care needs not being met
7. Economic and social disadvantages
8. Difficulties accessing justice
9. Increased stigmatization and difficulties with reintegration

On Monday 5 December 2011 and Tuesday 6 December 2011, AdvocAid (with the support of GIZ "Promoting the Rule of Law and Justice in Sierra Leone") trained 26 female prison officers in Freetown and officers from the Training School in Waterloo on these new standards. A handbook was also prepared which provides a portable and easy to understand reference to the new standards.

Mrs Kaikai, Deputy Directors of Prisons and the first female deputy in Sierra Leone, also participated in the training by providing a key note speech on the challenges facing female prison officers and sessions concerning safety and discipline.

AdvocAid and GIZ hope that the training will foster greater awareness and implementation of human rights for female prison officers in Sierra Leone and enhanced protection for girls and women in the criminal justice system. Sabrina Mahtani (Executive Director of AdvocAid) stated "Prison officers perform a crucial role in upholding safety in society and reformation of individuals and their work should be valued and commended. We hope this training will better enable them to respond to vulnerable women who find themselves in contact with the criminal justice system so that they are provided with the relevant support needed."

AdvocAid is a civil society organisation which supports access to justice and strengthened rights for girls, women and their children in conflict with the law.

Our programmes include:

- Legal aid
- Welfare and rehabilitation services
- After care
- Preventative educational initiatives
- Strategic capacity building programmes
- Advocacy and policy reform

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"Gesellschaft für Internationale Zusammenarbeit" (GIZ) is the implementing agency of the German Government. GIZ's "Promoting the Rule of Law and Justice in Sierra Leone" is funded by the German Federal Foreign Office.

Note: Sabrina Mahtani worked at the Defence Office.

Business World Online

Friday, 9 December 2011

The still-unconvincing ICC

By Jemy Gatdula

Opinion

Thursday last week I had the honor of being invited to talk as reactor at the Regional Forum on the Rome Statute of the International Criminal Court organized by LAWASIA Philippines and the Konrad Adenauer Foundation. There I again raised my doubts -- not as to the need for the ICC (which is a different issue all its own) but on the wisdom of the Philippines joining it at this time.

To reiterate, the ICC is a permanent institution, exercising jurisdiction over persons for the most serious crimes of international concern. Envisioned to operate similarly to the International Court of Justice, the Court instead exercises jurisdiction over individuals committing the crimes of genocide, aggression, serious violations of laws and customs applicable to armed conflict, crimes against humanity, and other such crimes.

Note that the Philippines signed into the Rome Statute on 28 December 2000. The Senate gave its concurrence to this on 30 August 2011, with Philippine membership effectively starting on 1 November 2011. The Rome Statute of the International Criminal Court, it must also be remembered, entered into force on 1 July 2002. The ICC, like any criminal court, however, works prospectively. Thus, any statement (assuming the local advocates for the ICC were actually serious when they said it) that with the ICC former President Gloria Arroyo can be held accountable for whatever or that the alleged human rights victims during the Marcos administration can get justice or Japan can now be made to pay further reparations to the comfort women are clearly ridiculous.

Furthermore, it must be emphasized that the Philippines is not involved in any international armed conflict. The Philippines, definitely under legal definitions that we should be espousing for the sake of national interest, is also not engaged in any internal armed conflict. The chances of the Philippines, therefore, in making use of the ICC to protect its citizens is minimal. Notably, Malaysia, Indonesia, Vietnam, or China (our co-claimants to the Spratly or Kalayaan islands) or Libya, Saudi Arabia, United Arab Emirates, or Pakistan (where a lot of our OFWs are) are not parties to the ICC. This means that we can't even use the ICC to protect our soldiers defending our interests or OFW rights. In any event, there are other avenues available to the Philippines in that regard.

A further reason for the nonnecessity of the Philippines joining the ICC is the enactment of RA 9851 or the "Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity." While another ill-conceived and sloppily thought-out law, nevertheless, it does make Philippine membership in the ICC a completely un-urgent matter (if not a redundancy). In any event, we should not be distracted from the fact that any incident that occurs within the Philippines could validly and satisfactorily be dealt with by simply implementing our Constitution and domestic laws. At most, the application of international customary human rights law or provisions of international human rights conventions that the Philippines entered into, by way of the utilization of the doctrine of incorporation, as embodied in Article II, Section 2 of the Constitution, would suffice.

Which leads me to my biggest concern regarding our joining the ICC: the possibility that international criminal cases can be hurled against our police or military officers, even public officials, upon the mere instigation by any foreign or local individual. There is simply no safeguard against the probability that

prosecutions can be made against our public or military officials due to ideological or foreign funded interests. Which directs us to issues of national security and national interests. Assuming that the Philippines want to assert its rights in relation to territorial integrity, particularly in Mindanao, our public and military officials will now be working warily under the cloud that at any moment they could be hauled off to and imprisoned by an international court just because charges were filed by some domestic crusading lawyer out to make a name for himself.

That is why Sudan, Israel, and the US have “unsigned” from the Rome Statute. And that is why African countries are now thinking of doing the same, frustrated as they are that the ICC, after being in operation for nine years, seems only interested in prosecuting Africans, thus raising suspicions of Western or racial bias. Hence my insistence: yes, human rights in this country should be aggressively protected. But to do so is a matter I would trust fellow Filipinos with, who knows our particular circumstances (eccentric they may be) rather than some foreigner at The Hague.

Frankly, I find it profoundly bizarre that the government is openly contemptuous of our very own Supreme Court and yet display huge confidence in a foreign “international” court. I also find it disappointing that, rather than make policies designed to advance national interests, our government instead prefers to stoop down and satisfy a single politician’s wish of joining an international tribunal.

Hirondelle News Agency

Thursday, 8 December 2011

Prosecution requests life imprisonment for captain Nizeyimana

Prosecution in the case of former Rwandan military officer, Captain Idelphose Nizeyimana Wednesday asked the International Criminal Tribunal for Rwanda (ICTR) to hand down life imprisonment sentence if the accused were convicted of crimes allegedly committed in the 1994 genocide.

"The only appropriate punishment according to the prosecution position is the imposition of sentence of life imprisonment," Prosecution Attorney Drew White said before the Chamber Presided by Judge Lee Muthoga during closing arguments.

White, quoting some of the rules of discipline of the Rwandan army told the Chamber that the accused was duty bound to ensure the defence of the nation and public order but said that was not the case with the accused, claiming he did not punish those under his commander who committed the crimes.

According to the prosecution, Nizeyimana was second in command, in charge of intelligence and military operations at the Non-Commissioned Officers School (ESO) in Butare, ordering, supervising and organizing massacres of Tutsis in various places in the region, including that of Tutsi Queen Rosalie Gicanda, on April 21, 1994.

White mentioned about 15 utterances which he said constituted to the accused intention to commit the crimes against the Tutsis. "The fate of the Tutsis have been sealed off, no Tutsi should survive or Inyenzi (Tutsis) should be exterminated clearly indicated the criminal intention," White quoted some of the statements allegedly given during the court proceedings.

About the accused involvement in the killing of Queen Rosalie Gicanda, prosecution said credible witnesses had testified on the event including her granddaughter and a cook.

Lead defence Counsel John Philpot on his side said his client acted appropriately as an army officer during war times. He submitted that the prosecution has failed to prove its case beyond reasonable doubts. "My client was not in charge of ESO (Non-Commissioned Officers School), had no real powers and did not have defecto powers over the alleged subordinates," he elaborated.

The Counsel also advanced defence of alibi showing that at some point in time within months of April and May, 1994, his client was at Mata Tea Factory in Gikongoro prefecture, conducting military training for new recruits.

"This trial is now under your hands. We urge you to stand up for the truth and justice to acquit Mr Nizeyimana," Philpot concluded.

Capt. Nizeyimana opened his defence case on May 9, 2011 to counter charges of genocide, extermination, murder and rape.

He was arrested in Uganda on October 5, 2009 and transferred to the UN Detention facility in Arusha, Tanzania the following day. He pleaded not guilty to the charges in his initial appearance on October 14, 2009.

His trial took off on January 17, 2011 and the prosecution called 38 witnesses, whereas the defence also called the same closed its case on February 25, 2011.

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Associated Press

Thursday, 8 December 2011

Rwanda genocide tribunal to intensify hunt for nine remaining fugitives

UNITED NATIONS — The prosecutor of the U.N. tribunal pursuing key figures in the 1994 Rwanda genocide plans to intensify the hunt for the nine remaining fugitives.

Justice Hassan Jallow is calling for greater cooperation from member states in the Great Lakes region of central Africa where many of the fugitives are located.

He told the U.N. Security Council on Wednesday that arresting the nine will serve the interests of international justice and regional peace and security.

Serge Brammertz, prosecutor of the Yugoslav war crimes tribunal, said that with the arrests this year of former Bosnian Serb military commander Ratko Mladic and former Croatian Serb rebel leader Goran Hadzic, all 161 people indicted by the court have been or will be held accountable.

San Francisco Bay View

Wednesday, 7 December 2011

Kabila, Tshisekedi, Congo and the International Criminal Court

This KPFA Weekend News report was broadcast on Dec. 4, 2011, two days before ICC Chief Prosecutor Luis Moreno Ocampo warned: "This Court can investigate and prosecute you if you are responsible for committing ICC crimes, irrespective of position and irrespective of political affiliation." – Ann Garrison, KPFA

By Eric Kamba



Members of Joseph Kabila's Republican Guard, formerly known as the Presidential Security Group, walked ahead of him as he left a polling station in Kinshasa after voting. – Photo: Finbarr O'Reilly, Reuters

If the International Criminal Court and ICC Chief Prosecutor Luis Moreno Ocampo were committed to international justice, they would issue

an arrest warrant for sitting Congolese President Joseph Kabila. However, there is one problem with issuing an arrest warrant for a sitting president; most sitting presidents are also commanders-in-chief of their national armies, so issuing an arrest warrant can be seen as a declaration of war.

Of course this didn't stop Luis Moreno Ocampo from issuing a warrant for Libyan head-of-state Muammar Qaddafi in June 2011 after NATO had already gone to war, backed by no more than a U.N. Security Resolution creating a "no-fly zone," to topple his regime. In October, Ocampo said that, before withdrawing the arrest warrant for Qaddafi, he was waiting for forensic evidence that he had been extrajudicially executed, without trial at the ICC or anywhere else, at the conclusion of NATO's war.

The torture, murder and desecration of the body of a captured head of state and military commander, with video documentation posted to the Web for all the world to see, seemed of little concern to Ocampo. He went on to rule that the new regime of the Libyan National Transitional Council, which was responsible, could justly try Qaddafi's son, Saif al-Islam.

The ICC continues to press for the arrest of Sudanese President Omar al-Bashir if and when al-Bashir dares travel to a neighboring African country. They haven't yet started a bombing campaign to topple his regime, despite constant sabre rattling by John Prendergast and his ENOUGH Project and the rest of the humanitarian hawks,

including Samantha Power, who is now senior director for Multilateral Affairs on Obama's National Security Council.



*ICC chief prosecutor Luis Moreno-Ocampo arrives at a news conference to comment on the arrest warrants issued for Libyan leader Muammar Gaddafi, his son Saif al-Islam and Libyan intelligence chief Abdullah al-Senussi in The Hague.
– Photo: Jerry Lampen, Reuters*

On Nov. 30, Interpol, acting on a warrant from the ICC, arrested deposed Ivory Coast President Laurent Gbagbo and flew him to an ICC detention unit to stand trial for

crimes against humanity, though not until many months after his house arrest by the French and U.N.-backed victors in the civil war that broke out over the country's still disputed 2010 election.

An ICC arrest warrant for the Democratic Republic of the Congo's Joseph Kabila is almost unimaginable because the Western powers that control the ICC have been expected to do whatever it takes to keep Kabila in power. In August, Friends of the Congo Executive Director Maurice Carney told WBAI AfrobeatRadio:

"The power structure in Kinshasa and the foreign governments and foreign corporations that back them are going to make sure that Joseph Kabila wins this election – or it can be said that he wins the election – because Kabila is their man, and he's their man because he's provided unfettered access to Congo's resources. And the Western powers and foreign governments, multinational corporations do not want to see anybody come in that could potentially overturn contracts that have been put in place that facilitate the extraction of tens of billions of dollars from the Congo to Western investors."

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Nevertheless, the case for arresting Kabila needs to be made, if not at the ICC, then at least in the court of public opinion.



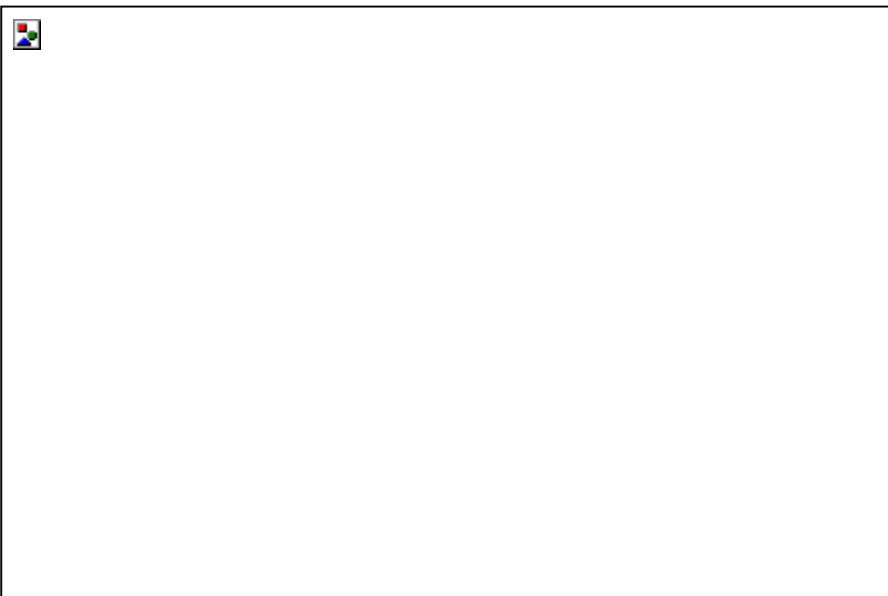
Republican Guard soldiers shot and killed at least 12 civilians in Kinshasa, Democratic Republic of Congo, on Nov. 26, at the end of the electoral campaign. In a number of cases, including here outside N'djili Airport, they shot indiscriminately into crowds and at bystanders. – Photo: Finbarr O'Reilly, Reuters

In “DR Congo, Reign in Security Forces,” published on Dec. 2, 2011, Human Rights Watch reported that at least 18 Congolese people had died and 100 more had

been wounded in pre-election violence during the last three days of Congo’s presidential and parliamentary campaigns. Most, they said, had been shot on the streets of Kinshasa by sitting President Joseph Kabila’s Republican Guard, a force of 10,000 to 15,000 formerly known as the Special Presidential Security Group. Republican Guardsmen had fired indiscriminately into crowds of supporters rallying for Tshisekedi and had killed innocent bystanders, including a 27-year-old mother of five, who was shot in the head while walking home from the shop where she worked.

Military of the Democratic Republic of the Congo (FARDC) officials state that the Republican Guard answers to the head of state, President Joseph Kabila, not to them.

Having cheered the International Criminal Court’s arrest of former Ivory Coast President Laurent Gbagbo, whom France and the U.N. sent in troops to depose, Human Rights Watch should, for the sake of its own credibility, also call on Ocampo to arrest Joseph Kabila – and a long list of other African dictators and war and genocide criminals supported by the West, including Rwanda’s Paul Kagame, Uganda’s Yoweri Museveni and Ethiopia’s Meles Zenawi.



This supporter of Étienne Tshisekedi was shot by President Joseph Kabila’s Republican Guard while marching to meet Tshisekedi at N'djili Airport in Kinshasa. – Photo: Finbarr O'Reilly, Reuters

On Tuesday, Dec. 6, 2011, the Democratic Republic of Congo sat on a knife edge, bracing for further protest and violence in response to announced election results that leading opposition challenger Étienne Tshisekedi and his supporters have already

declared fraudulent. Thousands fled across the border from Congo-Kinshasa to Congo-Brazzaville. Thousands more in the global diaspora protested Western and South African government collaboration in a fraudulent election. On the same day, ICC Chief Prosecutor Luis Moreno Ocampo issued this statement:

“Leaders from all sides must understand this: My office is watching the situation in the DRC very closely. As we have shown in both Kenya and Cote d’Ivoire, planning and executing attacks on civilians for electoral gain will not be tolerated. This court can investigate and prosecute you if you are responsible for committing ICC crimes, irrespective of position and irrespective of political affiliation.

“I urge leaders, commanders and politicians on all sides to calm your supporters. Electoral violence is no longer a ticket to power, I assure you. It is a ticket to The Hague.”

The fierce determination of the Congolese people, inside the country and in the worldwide diaspora, and the civilian massacres committed by Kabila’s Republican Guard, which were photographed by Reuters, videotaped by Agence France Presse and documented by Human Rights Watch, may have forced Ocampo’s hand or, rather, that of the Western powers he serves. To what or to what degree remains to be seen.

But whatever they do next, the world should know that the Congolese people have chosen Étienne Tshisekedi. Those who want to stand with them should urge their own governments to honor their choice, not sitting President Joseph Kabila, who could not be elected without massive voter fraud and whose troops fired indiscriminately on civilians in the final days of the campaign.

Eric Kamba is an activist and editorial writer and a social worker with the Boston-based Congolese Development Center. He says he cannot safely return to his home in Congo so long as Joseph Kabila remains in power. Eric can be reached at ekamba@aol.com.