

**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:

Thursday, 9 July 2009

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

Appeal on Bashir Genocide Charges / <i>For di People</i>	Page 3
AU Leaders Ploy to Evade Justice for Crimes Against Humanity / <i>The New Citizen</i>	Page 4

International News

Lawyer Picked for U.S. War Crimes Post / <i>The New York Times</i>	Page 5
Justice in Africa / <i>New African</i>	Pages 6-7
The Case for the ICC / <i>New African</i>	Page 8
Treat Darfur With the Humanity it Deserves / <i>New African</i>	Pages 9-11
UNMIL Public Information Office Media Summary / <i>UNMIL</i>	Pages 12-15
ICTY Rejects Karadzic 'Immunity' Claim / <i>Radio Netherlands Worldwide</i>	Page 16
War Crimes Court to try Karadzic, Rejects 'Deal' / <i>Agence France Presses</i>	Page 17
Czech Republic Accedes to International Criminal Court / <i>CTK News</i>	Pages 18-19
Annan Sends Kenya List to the ICC / <i>Capital News</i>	Page 20
The ICC or Local Tribunal? / <i>Australia.To News</i>	Pages 21-22
Kenya to Decide on Violence Court by September-ICC / <i>Radio Netherlands Worldwide</i>	Pages 23-24
Africa Will Not Be Colonised Again: Gambian President on ICC / <i>Agence France Presses</i>	Page 25

For di People
Thursday, 9 July 2009

Appeal on Bashir genocide charges

PROSECUTORS AT the International Criminal Court (ICC) have appealed against the judges' decision not to indict Sudan's president for genocide.

The court issued an arrest warrant for Omar al-Bashir on charges of war crimes and crimes against humanity in March.

But the judges said there was insufficient evidence to support the three charges of genocide in Darfur.

The ICC chief prosecutor is in Ethiopia for talks with the African Union, which says Mr Bashir should not be charged.

At the AU summit last week, African leaders said their request to the UN Security Council to delay Mr Bashir's indictment had been ignored, so they would not help arrest Sudan's leader.

ICC chief prosecutor Luis Moreno-Ocampo, who is pushing for the genocide charges, is on the first leg of a trip to Africa that will also take him to eastern Democratic Republic of Congo.

ICC's BASHIR CHARGE SHEET

War crimes:

- Intentionally directing attacks against civilians

- Pillaging

Crimes against humanity:

- Murder

- Extermination

- Forcible transfer

- Torture

- Rape

In his appeal lodged on Monday, it said the prosecution had "submitted detailed evidence on the mobilisation and use of the entire Sudanese state apparatus for the purpose of destroying a substantial part of the Fur, Masalit and Zaghawa ethnic groups in the entire region of Darfur during more than six years".

Mr Bashir has denied all the prosecution's allegations, saying the state has a responsibility to fight rebels who took up arms in Darfur in 2003.

The UN says 300,000 people have died and more than two million fled their homes in that time.

The war crimes court, based in The Hague, has already issued two arrest warrants - in 2007 - for Sudanese Humanitarian Affairs Minister Ahmed Haroun and the Janjaweed militia leader Ali Abdul Rahman.

Sudan has refused to hand them over.

Mr Moreno-Ocampo has also requested warrants for three Darfur rebel commanders.

The New Citizen
Thursday, 9 July 2009

AU Leaders Ploy to Evade Justice for Crimes against Humanity

By Joseph Seidu Sherman, Editor-in-Chief, The Footprints News, USA

No human in any society where the laws are sacred to protect all and sundry is above the law. Neither any officer of the law may set that law at defiance with impunity. All the officers of government from the highest to the lowest are creatures of the law, and are bound to obey it.

The law is the only supreme power in any system of government, and every man or woman who by accepting office participates in its functions is only more strongly bound to submit by that supremacy, and to observe the limitations which it imposes upon the exercise of authority which it gives.

The decision by the African Union (AU) not to cooperate with a war crimes warrant of arrest, issued by the International Criminal Court against Sudan President Omar al-Bashir is absurd and a ploy by these African leaders to evade justice and prosecution. Recent development in international law suggests that this type of immunity, whilst it may be available as a defense to prosecution for local, or domestic crimes or civil liability, it is not a defense on international crime. International crime includes crimes against humanity, war crimes and genocide which are committed by war-lords or leaders of a country.

According to Amnesty International, the decision by the African Union member states on the 13th African Union summit held in Libya not to show support or solidarity for those in Darfur who suffered gross human rights violation makes a mockery of the AU as an international body. By supporting a wanted person accused of war crimes and crimes against humanity, it undermines the credibility of states who are party to the Rome Statute and the AU as a whole.

What is difference between Charles Taylor who is presently in the Hague on charges of so many counts on Human Rights abuses and Omar-al Bashir of Sudan who



Joseph S. Sherman - Author

is committing the most atrocious crimes and genocide on the people of Daffur? Is the petro dollar of General Mohamed Ghadaffi blinding these African leaders from seeing the truth?

Ghadaffi, an Arab- a notorious organizer of state terrorism, suicide bombing, murders and promoter of destabilization in Africa should not be seen as a benefactor of the African continent but an enemy of black Africans.

If Ghadaffi is a true African patriot, he should have been the first president to send troops to Liberia and Sierra Leone civil crises to quell the mayhem but since

he masterminded the destabilization of these two nations, he fell short of this good will mission. Can material and financial support bring back the lives lost in the two notorious wars?

It is a fact that immunity from prosecution is a well-founded and well-reasoned concept which is beneficial for all when applied honestly and scrupulously for the good and greater good of society. This means that a sitting president during his term in office must have a free hand to act boldly and courageously for public good; in doing so, such president or government official would not be hindered by fear for self or for repercussion of action embarked upon.

Immunity from prosecution undermines the principle of equality-in effect making some citizens more equal than others. It is also subject to abuses just as every other law is subject to abuse and adulteration by person with such disposition to manipulate and corrupt laws and rules for their personal benefits, instead of public benefit. It is the case, therefore, a president or government official desirous of subverting public interests and public good for evil and personal gain, could engage in actions that serve personal or parochial interest, which of course amounts to perversions of public and national interest.

It should be known that most African presidents and government officials may seek to cloak themselves in immunity from prosecutions for actions undertaken as public officials. Most African governments have witnessed repeated demonstrations of such abuse of immunity protections since independence. By allowing leaders and politicians to take refuge behind immunity, the system encourages them to commit crimes and exploit society with impunity.

It is high time African leaders revisit their policies on human rights because certain leaders lack of good governance, and accountability thus putting the lives and integrity of their citizens at stake.

The New York Times
Wednesday, 8 July 2009

Lawyer Picked for U.S. War Crimes Post

By MARLISE SIMONS

The White House has nominated Stephen Rapp, a well-known figure in international criminal law, to be ambassador at large for war crimes issues.

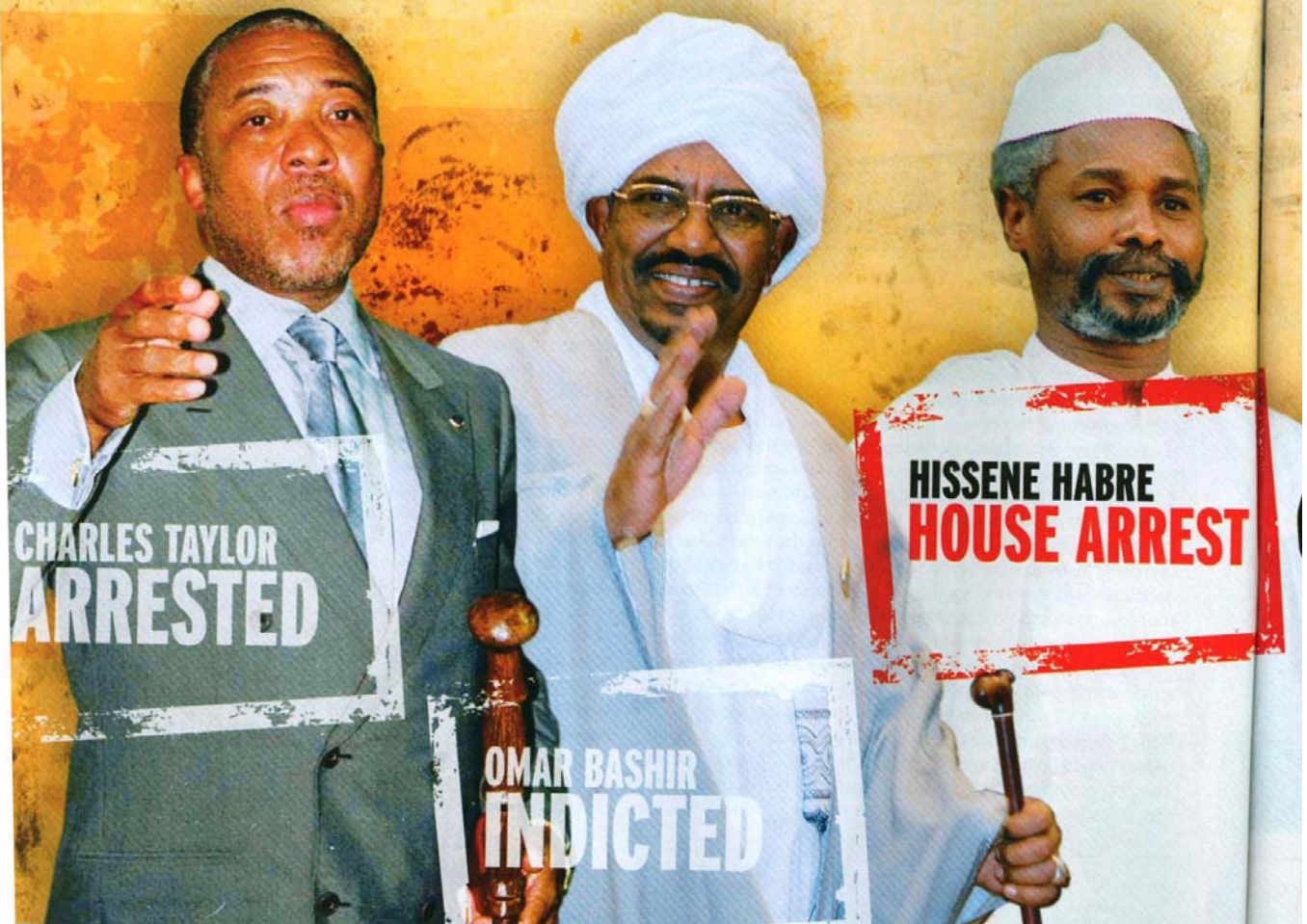
The ambassador at large, who works for the State Department, coordinates American policy on a variety of legal issues, including the response to international courts and tribunals and to grave violations anywhere of international human rights law.

The Obama administration, which has signaled its belief in a strong American role in upholding international law, is expected to give new weight to the office. Mr. Rapp, a former United States attorney from Iowa, has served at the United Nations tribunal dealing with the genocide in Rwanda and is the chief prosecutor of the Special Court for Sierra Leone, which is trying former President Charles Taylor of Liberia.

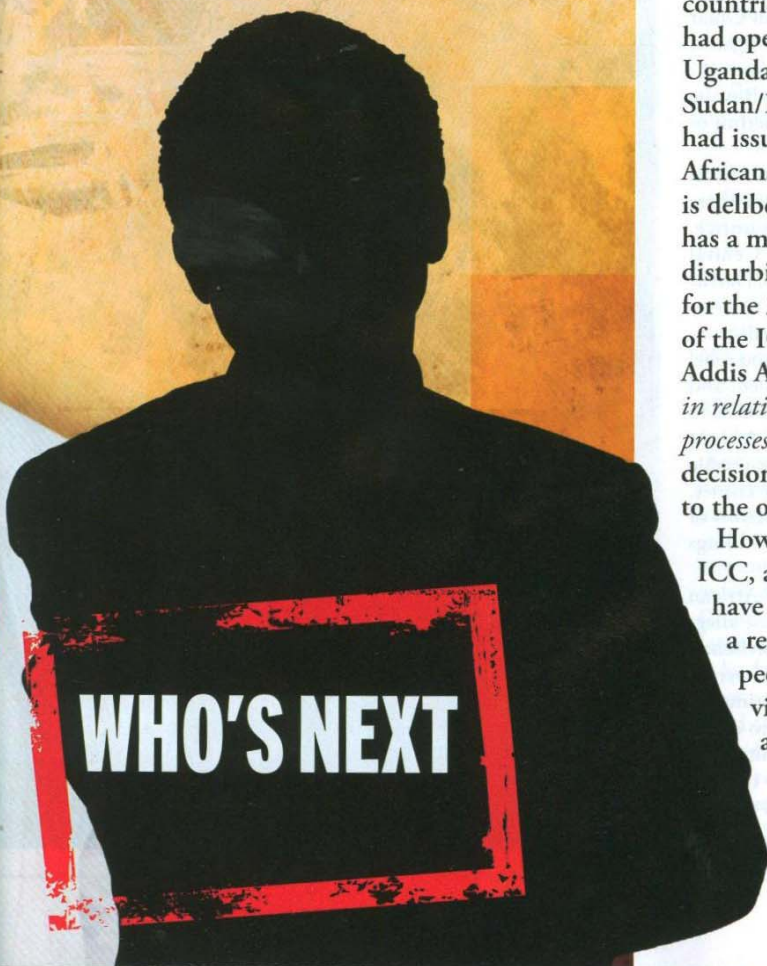
New African Magazine
July 2009

Justice in A

...the great debate continues



frica



TO COINCIDE WITH AN AFRICAN UNION (AU) meeting on the work of the International Criminal Court (ICC), we publish the first responses to our debate on the Court and why human rights NGOs often appear to pick on African personalities and causes that are disliked by Western governments. In other words, why don't we see human rights NGOs campaigning for the prosecution of Africans seen as the "darlings of the West" even if they commit the same human rights violations as the Africans disliked by the West? A typical example are the leaders of Rwanda and Uganda whose military adventures in DR Congo from 1996 to 2003 and their disastrous aftermath has led to the death of an estimated five million people in Congo.

In contributing to the debate, everyone should be mindful of the fact we reported in the May issue: that, "by October 2007, the ICC had received 2,889 communications about alleged war crimes and crimes against humanity in at least 139 countries, and yet by March 2009, the prosecutor had opened investigations into just four cases: Uganda, DR Congo, Central African Republic and Sudan/Darfur – all in Africa. In addition, the ICC had issued 13 public warrants of arrest – all against Africans." This creates the impression that the ICC is deliberately targeting Africa or that the continent has a monopoly over crimes against humanity. This disturbing impression has become a major concern for the 30 AU member-states that are also members of the ICC. They held a closed-door meeting in Addis Ababa over 8-9 June "on the work of the ICC in relation to Africa, in particular in the light of the processes initiated against African personalities". The decisions made at the meeting were not disclosed to the outside world.

However, justice in Africa, the work of the ICC, and the stance of human rights NGOs have become hot debating topics in Africa. As a result, *New African* urges all Africans and people interested in Africa to join the debate via our pages. The following articles are just a snapshot of things to come. The debate begins now.

The Case for the ICC

The case for the ICC

By Lucile Mazangue

NOW THAT THE INTERNATIONAL CRIMINAL COURT (ICC) has issued a warrant against President Omar al-Bashir of Sudan for war crimes and crimes against humanity in Darfur, the claims that the Court unfairly targets African leaders are reaching a fever pitch. But the critics are ignoring the facts and doing a disservice to victims of heinous crimes.

Yes, the ICC's four investigations to date have been in Africa. In three of those cases, the governments of those countries where the crimes occurred asked the Court to help it pursue justice. This is exactly what occurred in my own country, the Central African Republic (CAR), and in Uganda and DR Congo. Darfur was referred to the Court by the UN Security Council.

In my country, there had been rampant violence against civilians during intensive fighting between government and rebel forces in 2002 and 2003. Civilians were killed and raped, and homes and stores were looted. My government asked the ICC to become involved and the highest court in the Central African Republic affirmed that the domestic justice system was unable to carry out the complicated process of prosecuting the crimes. The ICC's work in CAR is especially important for victims of sexual violence. Rape was much more widespread than killings and has been a focus of the ICC's investigation.

Suggesting that an investigation by the ICC is anti-African misses a critical point: when the Court investigates those allegedly responsible for serious crimes in Africa, it does so on behalf of African victims. The mandate of the Court is to hold perpetrators of genocide, crimes against humanity, and war crimes to account when national courts are unwilling or unable to do so. Many horrible abuses have, and continue to be, committed on our continent. If African countries built up their ability to carry out active and effective investigations and prosecutions of these crimes, fewer cases from Africa would arrive at the ICC.

Of course, the ICC's mandate is far from perfect. Its reach is limited largely to crimes committed in countries that have ratified the Court's treaty. Not surprisingly, a number of major powers, including the US, Russia and China have not joined. This undercuts the Court's ability to ensure that it can pursue justice wherever serious crimes occur. It is something that civil society and nations need to work to change, and they can only do that by supporting the Court, not attacking it.

The significance of ensuring justice for some victims should not be dismissed because it is not yet possible to achieve justice for all. For this reason, recent developments at the AU are quite disturbing. At its last summit meeting, the AU not only decided to seek a suspension of the Bashir indictment, but it also decided to hold a meeting of African members of the ICC to exchange views "*on the work of the ICC in relation to Africa, in particular in the light of the processes initiated against African personalities.*" The purpose of such a meeting would appear to be nothing other than whipping up greater hostility towards the ICC that could be used to weaken it.

That is just the opposite of what African leaders should be doing. Victims are looking to these leaders – especially the African ICC members – to speak out strongly and forthrightly about the importance of the Court as a means to end the all-too-widespread violence against the African people. It is especially important for Burkina Faso and Uganda, who are ICC members and currently serve on the UN Security Council, to take a positive leadership role. While the Court is still in its early stages, the ICC is the only definitive international check against unbridled abuses.

About 30 African countries are members of the ICC, and African states played an influential role in the establishment of the Court. African states were some of the first to ratify the ICC treaty, and provide the largest representation from any region that is part of the Court. Instead of trying to weaken the Court, they should proudly support its mission, building its strength to a point at which the non-member nations will be under pressure to join.

African ICC members consistently express support at annual meetings of the Court, but have remained far too quiet in the public debate. The question is: will our leaders continue to let the Court take a beating, or will they begin to stand up for justice much more clearly and strongly? Allowing efforts to ensure justice to be denigrated poses serious risks for victims and ordinary people across Africa. The meeting of AU member states of the ICC [held over 8-9 June in Addis Ababa] was an important moment to reverse the negative trend. The people of Africa expect their leaders to be on their side, and on the side of justice.

(Lucile Mazangue is a member of the Association of Female Lawyers of the Central African Republic.)

New African Magazine

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Inside the ICC: Prosecutor Luis Moreno-Ocampo (centre) and his team. Far right: 6 March 2006: The former Liberian president, Charles Taylor, arrives in The Hague in handcuffs

Treat Darfur with the humanity it deserves

By Joseph A. Manoba

SYSTEMATIC ACTS OF RAPE, MURDER AND PILLAGE ARE SOME OF the crimes that have characterised the unending violence against the Darfuri people of Sudan. Why should they suffer such a cycle of violence? And why shouldn't the criminals who attack them be held accountable for their actions? One thing is certain in my mind – and as surely it must be in the minds of the leaders of Sudan and the AU – that the Darfuris are human beings whose culture is pieced together with the rest of the world. Their humanity is one with all of us.

So, after being consistently subjected to genocidal violence, why shouldn't the people of Darfur have the support of the AU, African leaders and scholars in the effort to end the attacks and to hold those responsible accountable? Surely our leaders are acting politically in the indictment of Sudan's president, Omar al-Bashir, rather than with the suffering of the Darfuris in mind.

Should the crimes committed against the Darfuris be justified by the arguments put forth for suspending the indictment, including that the fragile peace in Southern Sudan will crumble, or that the perpetrators of crimes committed against Iraqis or Palestinians should be first held accountable?

President Bashir, diplomats, and other outspoken members of the public who have voiced these weak arguments should be reminded that the Darfuris were born free and are entitled to enjoy the rights to life, to protection and justice, among others. These rights are not conditional on whether the people of Iraq or elsewhere also are free to enjoy their rights. They are individual rights guaranteed to the Darfuris in accordance with the constitution of Sudan and with international law.

Those who speak out against the indictment instead of against the injustices the Darfuris have suffered ought to be further reminded that the ICC, which is responsible for the indictment of Bashir, is not an executioner which upon receiving the suspect will place him in front of a firing squad. It is an international criminal tribunal with fair trial and due process guarantees. Suspects brought before the Court have a right to defend themselves against the charges. While some claim the ICC unfairly targets African leaders, they have not answered the question: Who is a president of an African country that he or she should not be held accountable if suspected of perpetrating serious crimes against the people he ought to be protecting? It is the responsibility of Africans to hold accountable a person of authority such as a head of state when he is suspected of having committed crimes against innocent Africans. One should be reminded as well that three of the ICC's four current cases were referred to the Court by African governments themselves – ie, Uganda, CAR and DR Congo. The fourth – Darfur – was referred by the UN Security Council.



Today it is Darfur, tomorrow it could well be Tanzania or Ethiopia. How long should this go on? How long should an ordinary and average citizen be subjected to this suffering while the perpetrator of the crimes enjoys the protection of power?

The AU held a meeting of states that are party to the ICC to review cases against African personalities. Our leaders should support, not undermine, the holding of perpetrators to account.

African countries have the responsibility to protect and ensure that genocide, crimes against humanity, war crimes, and other horrible acts are not perpetrated against innocent civilians. They should also make sure that those responsible are brought to justice. When the state fails in these responsibilities, it is only right that the international community should step in.

(Joseph A. Manoba is a lawyer and coordinator of the Ugandan Coalition for the ICC.)

ICC doing the job of failed African judiciary

By Roland Abeng

FOLLOWING THE INDICTMENT IN MARCH OF SUDAN'S President Omar al-Bashir by the ICC, and the fact that the rest of the Court's cases involve crimes committed by Africans, one wonders how "international" the ICC is.

The ICC is currently either carrying out investigations or has already reached an advanced stage in four African cases. Only one of these, the Darfur situation, was not initiated by the African governments themselves who, very surprisingly, are now dragging their feet in assisting the Court to complete its mission.



“While the Court is still in its early stages, the ICC is the only definitive international check against unbridled abuses. It has so far been doing a tremendous job.”

So, should Africans and the AU have an alternative to the ICC? For an answer, please ask yourself whether there are even five African countries with judicial systems that can try grievous crimes fairly and equitably? What continental judicial institution currently exists that can effectively try those accused of wrongdoing?

The ICC is a court of last resort. Its treaty provides that the Court will not interfere with the judicial system of any country if the country is able and willing to try equitably those accused of grievous crimes. The Congolese warlord, Lubanga Dyilo, for example, would not be tried at the ICC if DR Congo’s judicial system were capable of handling fairly such alleged criminals.

The ICC has not replaced viable national efforts. Rather, it helps attain justice where other options are not possible. If anything, it has probably reduced the number of ad hoc international tribunals that would have been created to address crimes in Africa. African governments are infamous for waiting until things deteriorate and then blaming the UN, Europe, or the US for non-intervention. Pan-African judicial institutions are either dormant or still have to go beyond the stage of the conventions that created them.

Everyone agrees that there is impunity for abuses at the highest levels on the continent. It is also agreed that these crimes are perpetrated, in most cases, by the very leaders who are supposed to protect the people. Africans also agree that a judicial institution

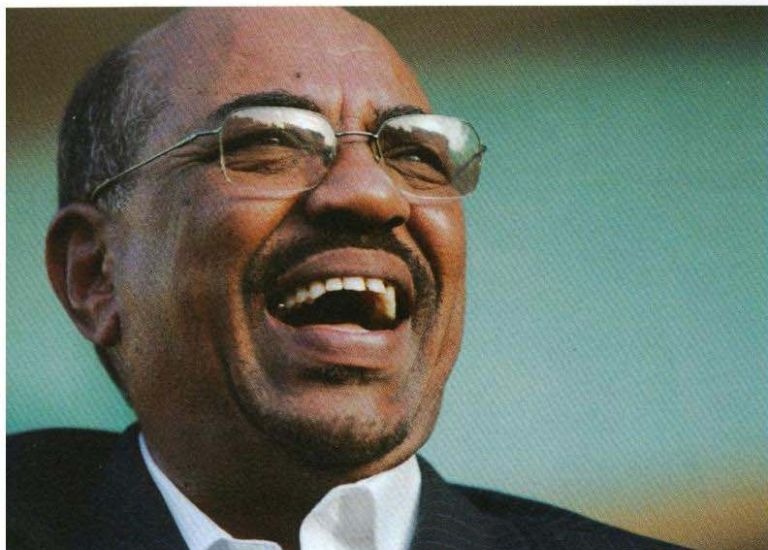
on the continent or elsewhere is needed to try and punish those perpetrating such crimes. The best and maybe only option for Africa for the time being is the ICC, which has so far been doing a tremendous job despite the difficult circumstances.

Africa’s support for the work of the ICC will not only help reduce impunity and grievous crimes, but will go a long way to make democracy and good governance a reality, even when our countries’ constitutions give our leaders immunity.

The Pan-African Lawyers Union met recently to support the position of the AU in asking the UN Security Council to suspend the ICC’s arrest warrant against President Bashir. It is truly disturbing that legal practitioners should mix themselves up with politicians in a venture that can only be lethal to the very ideals they should defend. Suspension of the ICC’s case against Bashir would cripple the Court’s independence and its credibility. It would also endorse impunity for alleged war crimes and crimes against humanity and encourage the notion that governments could do as they please.

It is important that the ICC addresses the worst crimes that fall within its mandate wherever they occur, and this will mean expanding its cases beyond Africa. The ICC has already begun the initial work in Afghanistan, Colombia and Georgia where crimes are under analysis by the Court.

Some serious crimes have been committed in countries that



Sudan's president, Omar al-Bashir, has had the support of the AU; but human rights NGOs want the AU to support the ICC instead

are not yet members of the ICC, and we all need to work for wider membership of the Court. I would like my own country, Cameroon, to move beyond just being a signatory and ratify the ICC treaty. But no one can deny that many horrible crimes that merit the ICC's attention have and continue to be committed in Africa. It is time to face that reality and to praise rather than to belittle the ICC's work.

(Roland Abeng, a Cameroonian lawyer, is the vice-chair of the Africa Steering Committee of the American Bar Association and a member of the International Criminal Bar.)

NGOs want AU to support the ICC

On the fringes of the 45th ordinary session of the African Commission on Human and Peoples' Rights held in the Gambian capital, Banjul (9-11 May), a number of African human rights NGOs met and passed a resolution calling on African countries and the AU to fully cooperate with the ICC in its efforts to bring to justice suspected perpetrators of war crimes. Below is their resolution.

WE, THE PARTICIPANTS OF THE NGO FORUM ON THE participation of NGOs in the 45th Ordinary Session of the African Commission on Human and Peoples' Rights, held at the Kairaba Hotel in Banjul, Gambia on 9-11 May 2009;

Recalling the Resolution on the Ratification of the Treaty on the International Criminal Court by the African Commission on Human and Peoples' Rights, Banjul (1998), the Declaration and Plan of Action of Grand Bay, Mauritius (1999), the Resolution on the Ratification of the Statute of the International Criminal Court (ICC) by OAU/AU member states, Pretoria (2002) and the Resolution on ending impunity in Africa and on the domestication and implementation of the Rome Statute of the ICC of the African Commission on Human and Peoples' Rights (2005);

Further recalling the adoption in 2005 of the World Summit Output Document where member states of the United Nations expressed their commitment to the protection of civilians from genocide, war crimes, crimes against humanity and ethnic cleansing;

Noting with concern the numerous human rights abuses in parts of the African continent, most notably that women and children have suffered the heaviest brunt of acts of genocide, war crimes, crimes against humanity and other crimes recognised under international human rights and humanitarian law;

Recalling that the establishment of the ICC represents an important development in the struggle against impunity for the most serious crimes as crimes of war, crimes against humanity and genocide, and that there is no peace without justice;

Noting that by attempting to punish those responsible for these crimes, the ICC is a crucial court of last resort in defending African victims and attempting to prevent the future occurrence of such atrocities;

Committed to the development of national capacity to address international crimes, and noting that under the complementarity principle, the ICC has jurisdiction only when national states are unwilling or unable to investigate and prosecute international crimes;

Recalling further that three African states (Uganda, DR Congo and Central African Republic) voluntarily referred situations on their territories to the ICC and that the UN Security Council referred Darfur to the ICC, given the gravity of crimes there;

Noting that only 30 African states have ratified the Rome statute;

Call on the African Commission on Human and Peoples' Rights to:
Urge the member states of the African Union that have not yet done so to ratify the Rome Statute and to ensure its effective implementation at the national level;

Urge the member states of the African Union (AU) to support victims by promoting judicial and other efforts to end impunity as well as promoting accountability for serious crimes under international law, including through strengthening support and collaboration with the ICC;

Encourage the AU to include members of the African Commission on Human and Peoples' Rights in any discussions relating to impunity, including the ICC, in light of its role in the promotion and protection of human rights in Africa;

Encourage the assembly of heads of state and government of the AU to urge its member states, including those under investigation by the ICC, to fully cooperate with the Court in its efforts to bring to justice suspected perpetrators of international crimes;

Call on AU member states to demonstrate their commitment to protection of civilians by taking steps to institutionalise the Responsibility to Protect;

Ensure that the worst crimes under international law are adopted as crimes under national law and investigated and that those responsible are brought to justice in their domestic courts in accordance with internationally recognised fair trial standards;

Appoint a special rapporteur on fighting impunity in Africa, to carry out activities aimed at ensuring that those responsible for the worst crimes under international law are brought to justice; and strengthening international rule of law. ■ **NA**

UNMIL Public Information Office Media Summary 08 July 2009

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

International Clips on Liberia

The Plot to oust Liberia's leading lady

By Claire Soares

Independent.co.uk

Wednesday, 8 July 2009 ...Africa's first female president was propelled to power on a tide of democratic passion from voters eager to turn the page on the years of civil carnage. Ellen Johnson-Sirleaf was hailed as the woman whose level head and calm, almost grandmotherly, demeanour would help Liberia quietly rebuild and prosper. Now the bloody past is coming back to haunt her. The country's Truth and Reconciliation Commission (TRC) this week recommended that the President be barred from holding public office because of her wartime conduct. The move has shocked the West African nation, where Mrs. Johnson-Sirleaf still enjoys huge popularity, and speculation is already swirling that this is not a case of Liberia's leading lady being unmasked as a villain, but rather Machiavellian political maneuvering ahead of the 2011 elections. "She has her enemies and her rivals, and they have been sufficiently influential to get this recommendation included," said Stephen Ellis, a veteran Liberia watcher and the author of *The Mask of Anarchy*. "She has a major political fight looming now. If the recommendation is taken up by parliament and becomes law, then of course she's in real trouble."

International Clips on West Africa

Nottingham Evening Post: Notts journalist's tales of hope from freetown

Source: Nottingham Evening Post Date: July 08, 2009

Oliver Smith had worked hard to meet some of the people who control the streets of Freetown in Sierra Leone. That was paying dividends for his documentary film, but it wasn't necessarily safe. "We had one pretty scary near miss where we went into a slum," he explained. "We'd made friends with one gang in Freetown, but the word was out that another was out to get us." Lowdham native Oliver, 22, had never experienced anything quite like that before. But it was a necessary risk for Freetown: *Coming of Age*, the documentary he filmed in 2007 with a Canadian filmmaker friend, Arwen Kidd. Oliver recently screened the film to Human Rights DocFest, a Canadian documentary film festival, for its debut. He's now looking for opportunities to show it in Britain. The recent university graduate received an education when he landed in Freetown. Not even his first decision, how to get from the airport to the city, was straightforward. There are three ways across the lagoon that separates city and airport. The Foreign Office recommends none of them.

UPDATE 1-Ivory Coast launches 60 billion CFA franc bond

(ABIDJAN, July 8 (Reuters) - Ivory Coast has launched a five-year bond bearing 6.95 percent interest, hoping to raise 60 billion CFA francs (\$128.1 million) to boost the West African nation's

economy, a leading manager said on Wednesday. The bonds are in units of 10,000 CFA francs and are on sale in West Africa's eight-nation CFA zone between July 2 and 14, an official at Sogebourse, one of the lead managers for the issue, told Reuters. Ivory Coast is the world's top cocoa grower and used to be one of the most stable and economically successful countries in West Africa. But it is still struggling organise elections meant to complete reunification after a 2002-2003 war left it divided. Despite the political stagnation and some fears of fresh violence, many investors remain optimistic after Ivory Coast reached a decision point for debt relief under the Heavily Indebted Poor Countries (HIPC) initiative earlier this year.

Local Media – Newspaper

“Fear” Grips TRC Commissioners, Report Threats to Their Lives

(Liberian Journal, Daily Observer, Public Agenda, Liberian Express)

- Reports say fear has gripped Commissioners of the Truth and Reconciliation Commission of Liberia (TRC) following the release of its final report.
- The report said TRC Commissioners and staff have reported threats to their lives and as a result some of them have gone into hiding.
- In a release, the Liberia Human Rights Commission (LHRC) called on Government and the United Nations Mission in Liberia (UNMIL) to provide protection for members of the commission.
- The group said the citizens' confidence in the U.N. could be severely shaken, if not diminish, if harm is inflicted on any member of the TRC.

House of Representatives Approves 2009/2010 Fiscal Budget

(The Inquirer, Daily Observer, Heritage, Liberian Journal)

- The House of Representatives has approved the 2009/2010 budget with an increment in the figure submitted by the Executive.
- The House increased the budget from over US\$347 million to more than US\$371 million.
- Authorities at the House said the lawmakers captured additional revenues in the tone of over US\$24 million.
- The additional revenues were captured from the Mittal Steel Agreement, Maritime Bureau and the Liberia Petroleum Refining Company (LPRC).
- Other sources of the additional revenues are the Agricultural Development Bank, Roberts International Airport (RIA), Liberia Telecommunications Corporation (LTA) and the Liberia Domestic Airport Authority (LDAA). The approved budget would be sent to the Senate for concurrence.

Senate Rejects Labour Minister-Designate, Confirms Others

(The Informer, National Chronicle, Heritage, Inquirer)

- The Senate has rejected the confirmation of Labor Minister-designate, Tiawon Gongloe.
- The Senate rejected Counselor Gongloe through a majority vote during a closed-door session on Tuesday.
- Speaking to reporters, Senate Pro Tempore, Cletus Wortorson said the confirmation of Inspector General of the Police-designate, Marc Amblard, has been put on hold pending some clarifications.
- The confirmation of Mr. Amblard has been facing hitches after he admitted having no knowledge on security and the police.
- Meanwhile, the Senate has confirmed Cllr. Christina Tah as Justice Minister and Cllr. Wilkins Wright as Solicitor General.

House of Representative Scrutinizes TRC Report

(Heritage, The News, Liberia Express)

- The House of Representatives has ordered an investigation into the final report of the Truth and Reconciliation Commission submitted to the body.

- In its sitting Tuesday, the House mandated its Peace and Reconciliation Committee to conduct the investigation for two weeks.
- The House also announced a seven-member panel to work with the Peace and Reconciliation Committee to examine the TRC final report.
- The Committee and panel would review the TRC final report and the dissenting opinions filed by Commissioners Pearl Browne Bull and Kafumbah Konneh.

Traditional Council Calls for Calm Following TRC Report

(The Inquirer, National Chronicle, Daily Observer)

- The Chairman of the National Traditional Council of Liberia has called for calm amidst tension over the recommendations of the Truth and Reconciliation Commission.
- Chief Zanzar Karwor said the council was worried about the level of reaction that has greeted the recommendations from the TRC saying it should in no way threaten the fragile peace the country is enjoying.
- Chief Karwor said all 700 chiefs from around the country are expected in Monrovia to mitigate the tension evolving from the Truth and Reconciliation Commission final report.
- Meanwhile, the Liberia Council of Churches (LCC) has called on the public to refrain from utterances that have the propensity to adversely affect the peace of the country saying it would convene a special leadership consultation tomorrow to review the final report of the TRC.

Warlords Release List of More “Violators”

(The Informer)

- [SIC]Former warlords and heads of warring factions have released a list of individuals which they say the Truth and Reconciliation Commission of Liberia (TRC) did not include in the final report.
- The former warlords’ reaction is in an apparent response to their names being listed in the TRC report as “most notorious perpetrators”.
- The report among other things called for their prosecution for various crimes including murder, looting, rape, forced recruitment, massacre, dismemberment of pregnant women and cannibalism amongst other.

Local Media – Star Radio *(culled from website today at 09:00 am)*

House of Representatives Approves 2009/10 Fiscal Budget

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

Senate Rejects Labour Minister-Designate, Confirms Others

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

Civil Society Groups Seek Clarity on “Amnesty Act”

- Three Civil Society Organizations, the Foundation for Human Rights and Democracy, the Catholic Justice and Peace Commission (JPC) and the Liberia Democratic Institute (LDI) have written the Speaker of the National Legislature to provide them data of an act passed by the 51st National Legislature in 2003.
- The Act is “to grant immunity from both Civil and Criminal proceedings against persons in Liberia from acts and crimes committed during the war”.
- They claimed the Act was passed when Monrovia was engulfed with fighting between LURD and government forces.

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

House Investigates TRC Report

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

Traditional Council Calls for Calm Following TRC Report

Truth F.M. *(News monitored today at 10:00 am)*

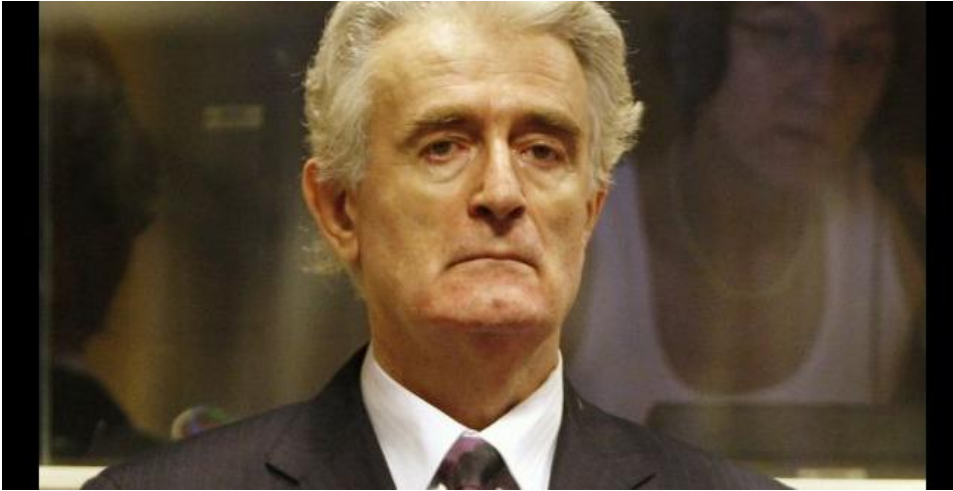
Two Correction Officers Indicted For Escape of 22 Prisoners in May

- The Grand Jury of Montserrado County has indicted two employees of the Ministry of Justice for permitting the escape of at least 22 inmates from the Monrovia Central Prison.
- According to the five-count indictment, Officers Joseph Weah and Nathan Blay conspired with the prisoners in May this year allowing them to escape the detention facility.
- The Correction Officers are expected to face trial during the August term of court.

Radio Netherlands Worldwide

Thursday, 9 July 2009

ICTY rejects Karadzic 'immunity' claim



The UN war crimes tribunal for the former Yugoslavia Wednesday rejected an application for immunity by the former Bosnian Serb leader Radovan Karadžić.

Karadžić argued that he should be granted immunity from prosecution because of an agreement he says he struck with the United States

Government in 1996.

Three judges of the International Criminal Tribunal for the former Yugoslavia (ICTY), in The Hague denied a motion by lawyers for Karadžić, saying he had not been able to establish that there has been an abuse of process.

Karadžić says that he reached a deal with US representatives, led by senior official Richard Holbrooke, that he would be immune from any subsequent war crimes prosecution if he gave up politics and withdrew from public life in mid-1996. Holbrooke has denied Karadžić's claim.

But the ICTY agreed with prosecutors that Karadžić could not show that any such agreement was arranged under the authority of the Security Council, which set up the tribunal to handle the cases of the worst atrocities committed during the Balkan wars.

After more than a decade as a fugitive, Karadžić – who served as the president of Republika Srpska and commander of Bosnian Serb forces during part of the 1990s – was arrested a year ago and transferred to The Hague to stand trial on charges of genocide, complicity in genocide, extermination, murder, wilful killing, persecutions, deportations, inhumane acts and other crimes.

Agence France Presses

Wednesday, 8 July 2009

War crimes court to try Karadzic, rejects 'deal'

THE HAGUE (AFP) — The war crimes trial of Radovan Karadzic will go ahead as planned, the International Criminal Tribunal for the former Yugoslavia said Wednesday, refusing to be bound by an alleged immunity deal between the Bosnian Serb wartime leader and US negotiator Richard Holbrooke.

"The chamber does not accept the accused's contention that the tribunal is bound by the agreement" he claims to have made with Holbrooke -- architect of the Dayton peace accords that halted the Bosnian conflict -- in July 1995.

Karadzic claims that Holbrooke promised on behalf of the UN Security Council, which set up the court in The Hague, that he would enjoy immunity from prosecution in return for disappearing from the public eye.

Holbrooke, now US President Barack Obama's special envoy to Pakistan and Afghanistan, has repeatedly denied making any such deal.

The court also said Wednesday that Karadzic had failed to establish that Holbrooke was acting with the Security Council's authority.

The court's ruling is in line with a submission made in June by the prosecution that "even if the alleged agreement exists... it could not be legally binding before this tribunal."

Karadzic, 64, was arrested in Belgrade in July last year after 13 years on the run. He faces 11 counts of genocide, war crimes and crimes against humanity, which he denies.

The tribunal already ruled last December that an immunity deal would not be binding and could not stop the prosecution.

Karadzic for his part claims to have 15 witnesses of the accord with Holbrooke, including former Bosnian Serb parliament speaker Momcilo Krajisnik and former Bosnian Serb foreign minister Aleksa Buha.

He also wants the court to hear Swedish Foreign Minister Carl Bildt, another former mediator in the Bosnian conflict, saying that he too can confirm the deal.

Karadzic's lawyer is to meet Bildt on July 14, the court said, adding that though it had made its ruling the talks could be useful.

UN judge Iain Bonomy said last week Karadzic's trial was unlikely to start before September.

The charges relate mainly to his role in the 44-month siege of Sarajevo that left 10,000 people dead, and the July 1995 massacre of around 8,000 Muslim men and boys in Srebrenica -- Europe's worst atrocity since World War II.

CTK News (Czech Republic)

Wednesday, 8 July 2009

<http://www.ceskenoviny.cz/news/zpravy>

Czech Republic accedes to International Criminal Court



Prague - President Vaclav Klaus today signed an agreement on the Czech Republic's accession to the International Criminal Court (ICC), Martin Erva from the press department of the Presidential Office told CTK.

The parliamentary assembly of the Council of Europe criticised the Czech Republic for failure to ratify the implementation of the ICC in January.

After years of hesitation, the Czech Parliament recognised the ICC last October.

There were doubts whether the agreement is in keeping with the Czech constitutional order.

Guarantees for this were given by former justice minister Jiri Pospisil.

The Czech Republic is the last EU country to ratify the agreement, though its representatives signed it as early as April 1999.

The ICC has not been recognised by Russia, China and the USA, three of the five permanent members of the United Nations Security Council.

The Greens asked Klaus to ratify the ICC in February. Its representatives said that by his reluctance Klaus was harming the Czech prestige during the country's EU presidency.

Klaus dismissed the allegation. He argued that he had not signed it over serious legal defects.

He asked former foreign minister Karel Schwarzenberg for an explanation of the agreement.

Klaus is also reluctant to sign the Lisbon treaty and the Addendum Protocol to the European Social Charter.

Established in Rome in 1998, the ICC is the first independent and permanent judiciary body that can try individuals over genocide, crimes against humanity and war crimes.

Author: ČTK

Capital News

Thursday, 9 July 2009

<http://www.capitalfm.co.ke/news/Local/Annan-sends-Kenya-list-to-the-ICC-5051.html>

Annan sends Kenya list to the ICC

BY MICHAEL MUMO

NAIROBI, Kenya, Jul 9 - Former UN chief Kofi Annan has now sent the envelope containing the list of post violence perpetrators to prosecutor at the International Criminal Court at The Hague.

Capital News has learnt that Annan dispatched the secret list to Luis Moreno Ocampo following his meetings with Kenyan officials in Geneva recently.

He said his action follows talks he held with government officials led by Justice Minister Mutula Kilonzo, Lands Minister James Orengo and Attorney General Amos Wako last week.

Mr Annan says in a dated July 9 to Prime Minister Raila Odinga: "I wish to inform you that the Panel of Eminent African Personalities has handed over to the Prosecutor of the International Criminal Court, the sealed envelope and supporting materials entrusted to me by the Waki Commission on 17th October 2008."

The chief mediator further avers: "I have written in similar terms to President Kibaki."

Mr Annan recalled the meeting he held with the Kenya Government delegation last week: "We discussed the status of the implementation of the National Accord and progress on Agenda Item Four reforms including modalities of the establishment of a Special Tribunal, as recommended by the Commission of Inquiry into the post election violence in Kenya."

The envelop has been handed over to Mr Ocampo together with supporting materials that were given to Mr Annan by Justice Philip Waki last October.

Australia.To News

Wednesday, 8 July 2009

<http://www.australia.to/index>

The ICC or local tribunal?

Written by Ohaga Paul.

The International Criminal Court or Local Tribunal? A dilemma for the Kenya's political elites

Let me start by saying that irrespective of which way we prosecute the post election violence perpetrators, (The Hague or local tribunal), if the Truth Justice and Reconciliation Commission is not fast- tracked and implemented- then the general elections in 2012 will be like a Christmas party for the devils.

I am not a prophet of doom but anyone who witnessed the violence immediately after the announcement of the election results in the 2007 general elections, would agree with me that there are so many underlying factors than what we are being made to believe and far deep atrocities that have been committed by our politicians that led to the violence.

For the past one and half years, Kenyans have been treated to media frenzy topic: whether the post election engineers should be prosecuted in the International Criminal Court (ICC) or face a special tribunal back home.

Research has been conducted by almost every researching body in the country including radio stations, newspapers and television channels- all pointing out to a common feeling on the ground- that the post- election chaos suspects be tried in The Hague.

Many voices have been raised on the subject with sides pulling apart on which option is best to take. This nonetheless, has taken us nowhere and we are still grappling with the two ideas.

Many Kenyans nevertheless, view the ICC as the best option since they have lost faith in the corrupt- to- the- knee, malfunctioning and non- performing judiciary in the country.

For decades, many social, political and economic crime offenders especially the political elites have evaded prosecutions because of arm-twisting of the judicial process and influencing courts in their favor.

This therefore explains why very few people would campaign for a local tribunal to try the post poll violence suspects.

I however, tend to differ. Not because I am in support of the architects of the violence but because neither The Hague nor local tribunal will resolve our differences. Why? Consider the following reasons.

Kibaki or Raila

If there was no Kibaki or Raila; we wouldn't have gone to war. So the people who should top the Waki secret list in Kofi Annan's safe custody should be both President Mwai Kibaki and Prime Minister Raila Odinga.

This is based on a very simple logic. They in one way or another masterminded, or orchestrated or supported or had an idea on what was going on or what was about to happen or the commands that were being issued by their subordinates- and with you permission, I will quote a section of the ICC statutes.

The ICC law which Kenya is a signatory- states: "A superior shall be criminally responsible for crimes within the jurisdiction of the court committed by subordinates under his or her effective authority and control as a result of his or her failure to exercise control properly over such subordinates, where:

The superior either knew, or consciously disregarded information which clearly indicated that the subordinates were committing or about to commit such crimes; the crimes concerned activities that were within the effective responsibility and control of the superior; and the superior failed to take all necessary and reasonable measures within his or her power to prevent or repress the commission or to submit the matter to the competent authorities for investigation and prosecution.

This section therefore puts both Kibaki and Raila on the spot.

The Hague

Many Kenyans are hesitant in backing the formation of a special local tribunal to try architects of the post election violence mainly because they don't believe in the judicial system.

They argue that even though The Hague, will take far too long in fighting impunity that has been associated with the Kenyan history, at least justice will have prevailed.

To them, the number of those prosecuted or the period it takes doesn't matter. Similarly, the lack of transparency that is associated with many tribunals in Kenya is another setback that makes Kenyans view The Hague as their only option.

The Local Tribunal

For those that support the establishment of the local tribunal, the argument is that the ICC is painfully too slow and will take forever to prosecute the suspects. And for a country that is crying for justice, this is not the viable option

Two, that the ICC will only go for the top cream offenders leaving a whole lot more suspects in the equation like the middle level and the lower level suspects.

Lastly, that by prosecuting the suspects in the International Criminal Court, the violence amongst ethnic communities may be rekindled taking us back to where we are avoiding.

The Truth Justice and Reconciliation Commission.

Unlike in the last two groups, I believe that in trying to avoid a repeat of what happened in 2007, neither the local tribunal nor The Hague, will best serve our case.

In my view, the first fundamental thing we need to do- is to fast track the already established Truth, Justice and Reconciliation Commission and then has it fully implemented.

This way, we will not only bring together the various warring communities but will as well deal with the historical and transitional injustices and the far more important land issues among many other things.

Once this has been implemented, we can now move to the second step which involves prosecuting the suspects either locally or internationally.

What makes the last option better than the rest is that there will be peace, the truth will have been known on who did what and where and there will be forgiveness amongst us.

So irrespective of where the suspects are prosecuted, we will be prepared for it. Besides, it has worked in Liberia- a country that experienced a similar situation we are facing.

By Ohaga Paul.

Radio Netherlands International

Wednesday, 8 July 2009

Kenya to decide on violence court by September-ICC

By International Justice Desk



Kenya will decide by September whether to create a local court for perpetrators of 2008 post-election violence, but the International Criminal Court (ICC) will step in if it fails to do so.

"If Kenya cannot do it, I will do it. There will be no impunity," ICC chief prosecutor Luis Moreno-Ocampo told Reuters Tuesday.

Kenyan President Mwai Kibaki and Prime Minister Raila Odinga hope to overturn parliamentary opposition to establishing a court at home to try those behind several months of violence that killed at least 1,300 people and displaced 300,000.

Justice for the victims of the worst explosion of violence in Kenya's post-independence history is regarded as a crucial step to ensuring stability in the east African nation of 35 million people that is the region's economic powerhouse.

The next election is due in 2012.

Ocampo said Kenyan officials had indicated to him at a meeting last week that they hoped to have a clear plan for a tribunal by September, after which about a year would be needed to set it up correctly.

"They said that in September they will come with a specific plan," Ocampo said of a meeting last week with Kenyan officials. "They think they will take one year ... They can decide. It's their decision. I am not imposing a deadline."

Strained coalition

Kenyan media have quoted some local officials as saying the case would go to the ICC by July 2010 if a local court was not up and running by then. But Ocampo said there was no specific timeline from his end.

"Kenya is a sovereign country. My duty is not to provide deadlines. .. It is a big issue, and we have to respect Kenyan institutions. Parliament will have the final word. If Kenya is carrying on national proceedings, I will not intervene."

The tribunal issue has added a further strain to Kenya's wobbly coalition, set up to end the 2008 violence.

Under the terms of a government-accepted inquiry, crisis mediator Kofi Annan was mandated to hand an envelope with the names of 10 top suspects to the ICC if no local court is established. The list includes prominent politicians and businessmen, Kenyan political sources say.

Annan said in June he would hand over the envelope if a local tribunal had not been established by the end of August.

Ocampo said his team was carrying out preliminary investigations, but he had not seen the envelope.

"Kofi Annan gave me an envelope when he was Secretary-General of the U.N. with 52 names in the Darfur case. I didn't use 52 names ... The important part is the evidence they collected," he said.

"Kenya is providing us with information, so we can start to collect information now. So next year, if they are not ready, we can do it immediately."

A rump of rank-and-file Kenyan legislators have opposed the government's push to set up a local court, saying it would go the way of past inquiries and fail to prosecute anyone.

Agence France Presses

Tuesday, 7 July 2009

Africa will not be colonised again: Gambian president on ICC

DAKAR (AFP) — Gambian President Yahya Jammeh on Monday called the practices of the International Criminal Court unacceptable and warned that Africa would not be colonised again.

Jammeh told state owned GRTS television shortly after returning home from an African Union summit in Libya, "What is also not acceptable is the fact that any Western country can have a court that can indict an African head of state".

"It is unacceptable and we are telling them enough is enough," he said.

"My position is that Africa will not be colonised again in any way. Our agreement is that Africa is a continent, we should be able to punish and try our people since we have been dealing with our own problems."

Reacting to the African Union stance on the war crimes warrant against Sudanese President Omar al-Beshir, Jammeh, a retired army officer and former wrestler, told state television African leaders at the summit had come to the conclusion that "enough is enough".

"There are worse criminals in the world who have invaded countries and killed millions of people for the past two to three hundred years and nothing came of it."

"They came to Africa and killed thousands of people who resisted slavery, and hundreds of thousands who wanted to be free, and nobody says sorry. As we speak today, they have invaded other countries that are innocent, killed their president and looted the country, killed millions and displaced over 10 million people all in the name of democracy and fighting dictatorship", he said.

He added, "I am not saying that there should be impunity for anyone but let there be equal dispensation of justice".

Jammeh said the International Criminal Court came into being with the cooperation of many African countries including Gambia

But he added, "all these indictments that we are hearing [about] are only African heads of state. Not a single Western sitting head of state has been indicted."

Beshir, for whom the International Criminal Court (ICC) earlier this year issued an arrest warrant on charges of war crimes and crimes against humanity in Darfur, has dismissed such allegations as "propaganda".

The ICC is the world's only independent, permanent court with the jurisdiction to try genocide, crimes against humanity and war crimes.