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, 25 November 2010

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

<table>
<thead>
<tr>
<th>News</th>
<th>Source</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>US Contributes Fund to Taylor Trial</td>
<td><em>Concord Times</em></td>
<td>3</td>
</tr>
<tr>
<td>“I Gained Nothing As a Soja”</td>
<td><em>Global Times</em></td>
<td>4</td>
</tr>
</tbody>
</table>

## International News

<table>
<thead>
<tr>
<th>News</th>
<th>Source</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Gives Millions of Dollars to Fund Taylor War Crimes Trial</td>
<td><em>CNN International</em></td>
<td>5</td>
</tr>
<tr>
<td>The U.S. Provides $4.5 Million to Fund Special Court for Sierra Leone...</td>
<td><em>US Department of State</em></td>
<td>6</td>
</tr>
<tr>
<td>The International Criminal Court Takes on Gender Crimes</td>
<td><em>The Guardian</em></td>
<td>7-8</td>
</tr>
<tr>
<td>Defense Concludes Examination of Investigator; Child Soldier Testifies</td>
<td><em>Lubangatrial.org</em></td>
<td>9-10</td>
</tr>
<tr>
<td>Russian 'Arms King' and Moscow's Secrets</td>
<td><em>UPI.Com</em></td>
<td>11-12</td>
</tr>
<tr>
<td>Senegal Will Accept Rwanda Convicts</td>
<td><em>Agence France Presse</em></td>
<td>13</td>
</tr>
<tr>
<td>Chamber Gants Amendments of Indictment for Rwandan Pastor</td>
<td><em>Hirondelle News Agency</em></td>
<td>14</td>
</tr>
</tbody>
</table>
US contributes funds to Taylor war crimes trial

The United States said Tuesday it expedited a 4.5-million-dollar grant to help fund the cash-strapped war crimes tribunal of former Liberian president Charles Taylor.

Taylor is on trial at the Special Court for Sierra Leone, seated at the International Criminal Court (ICC) in The Hague, on 11 counts of war crimes and crimes against humanity for his alleged role in the 1991-2001 Sierra Leone civil war that claimed some 120,000 lives.

"This grant was expedited due to the financial crisis the court is currently facing," the US State Department said.

"By all calculations, the court would have run out of money by early December which could have jeopardized the continuation of the Charles Taylor trial."

According to Washington, it is "imperative the international community prevents the Taylor trial from being suspended due to lack of financial resources."

Contd.

From page 3

"We hope other donor states will follow our lead and find ways to financially support the court until it has finished its mandate and justice has been served," the statement read.

The ICC's annual report, released in September, said that it faces a funding gap of 11 million dollars (eight million euros). The court has set a date of February 8, 2011 for the prosecution's closing arguments, followed by those of the defense the next day and rebuttals on February 11.

Taylor, 62, has pleaded not guilty to the charges.

Taylor's trial, which began in 2008, "is of enormous historical and legal significance as he is the first African head of state to be brought before an international tribunal to face charges for mass atrocities and gross violations of international humanitarian law," the US statement read.

"The Taylor prosecution delivers a strong message to all perpetrators of atrocities, including those in positions of power that they will be held accountable."

The special tribunal was set up to try those who bore the "greatest responsibility" for atrocities during Sierra Leone's war in which citizens were terrorized with rape and having their limbs hacked off.
"I Gained Nothing As A Soja"

By Sylvester Samba

A former commander of the Armed Forces Revolutionary Council (AFRC), Sahr Mohamed Buffer who is well known as Col. Savage has confessed to the people of Kono that he benefitted nothing when he was a soldier. The confession was made in Kamaa Chiefdom, Kono district on November 12 during a reconciliation process organised by Fambul Tok.

During the civil war, Col. Savage was accused and held responsible for war crimes committed in that part of the country. After the war, Kamaa Chiefdom was declared a no-go area for Col. Savage but with the help of Fambul Tok he was well received by the people where he openly asked for forgiveness for the atrocities he committed.

After the war was declared over in 2002, Col. Savage was arrested and sent to prisons for over eight (8) years and was released on April 28 2009.

Speaking to the people of Kono, Col. Savage said his time in prison is not enough and what is important is to meet with them and ask for forgiveness. He explained that no one should be proud of war because nothing good happens during war time.

In an interview with journalists, the Director of Fambul Tok, Mr. John Caulker said the process to reconcile Col. Savage with the people of Kono started in May 2009. He said Col. Savage was very determined to face the people and apologise openly. Although it was not easy, Col. Savage has expressed his thanks and appreciation to Fambul Tok for reconciling him with the people of Kono.
The United States is providing millions of dollars to fund the trial of Charles Taylor, the former Liberian president charged with war crimes for his alleged role in a civil war that killed tens of thousands.

Washington said it expedited the $4.5 million grant because the court is facing a financial crisis, and the U.S. urged the international community to donate to the court before its financial resources run out.

"By all calculations, the court would have run out of money by early December, which could have jeopardized the continuation of the Charles Taylor trial before the court reached a verdict," the State Department said in a news release Tuesday.

Officials moved the trial from the Sierra Leone capital of Freetown because of concerns it would spark instability in the region. It's the first time an African head of state has faced mass atrocities and war crimes charges at an international tribunal.

"The Taylor prosecution delivers a strong message to all perpetrators of atrocities, including those in positions of power, that they will be held accountable," the State Department said.

Prosecutors allege that Taylor, who was president of Liberia from 1997 to 2003, fueled the lengthy civil war that killed tens of thousands using riches from a diamond trade. The so-called blood diamonds are mined in war zones to support rebels and warlords. Blood diamonds have fueled bloody conflicts in Africa for more than a decade.

The trial has included testimony from actress Mia Farrow and supermodel Naomi Campbell.

In August, Campbell testified that Taylor gave her "dirty-looking" uncut diamonds in 1997 as a gift. Prosecutors were hoping her testimony would tie him to blood diamonds.

The trial opened in 2007, but Taylor boycotted the first session. It's expected to end by next year, and the appeals process could end by 2012, according to the State Department.
The U.S. Provides $4.5 Million to Fund Special Court for Sierra Leone Trial of Charles Taylor

Office of the Spokesman  
Washington, DC

On November 22 the Department of State released a $4.5 million grant for FY2011 to the Special Court of Sierra Leone. This grant demonstrates the U.S. commitment to ensuring that those most responsible for the atrocities committed during the war in Sierra Leone are brought to justice. This grant was expedited due to the financial crisis the Court is currently facing. By all calculations, the Court would have run out of money by early December which could have jeopardized the continuation of the Charles Taylor trial before the Court reached a verdict.

The Special Court for Sierra Leone was set up jointly by the Government of Sierra Leone and the United Nations. It is mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since November 30, 1996.

The SCSL indicted former Liberian President Charles Taylor and 12 others for war crimes and crimes against humanity in 2003, due to their involvement in and support of some of the worst atrocities in Sierra Leone’s civil war. The trials of three former leaders of the Armed Forces Revolutionary Council (AFRC), of two members of the Civil Defense Forces (CDF) and three former leaders of the Revolutionary United Front (RUF) have been completed, including appeals, leaving only the trial of Charles Taylor (two indictees died before the trial stage).

On June 16, 2006, the trial of Charles Taylor was transferred to The Hague because Taylor’s continued presence and trial in Freetown represented an impediment to stability in the sub-region, a threat to the peace of Liberia and Sierra Leone, and a threat to international peace and security in the region. The trial of Charles Taylor is close to completion; the defense evidence concluded on November 12 and a trial judgment is due in mid-2011 with an appeal to be resolved by early 2012.

The trial of Charles Taylor is of enormous historical and legal significance as he is the first African head of state to be brought before an international tribunal to face charges for mass atrocities and gross violations of international humanitarian law. The Taylor prosecution delivers a strong message to all perpetrators of atrocities, including those in positions of power that they will be held accountable. It is imperative the international community prevents the Taylor trial from being suspended due to lack of financial resources, which is why the United States rushed its FY2011 contribution to the Court. We hope other donor states will follow our lead and find ways to financially support the Court until it has finished its mandate and justice has been served.

As a major donor to the Special Court, the United States serves on the Special Court’s Management Committee in New York. To date, the United States has contributed $81,189,445 amount to the Special Court.
Bemba trial: the international criminal court takes on gender crimes

The trial of Jean-Pierre Bemba at the international criminal court in The Hague is ground-breaking in many respects Photograph: Robin Utrecht/EPA

The international criminal court (ICC) has been operational since 2002, yet victims of war crimes, crimes against humanity, and genocide are still awaiting the court's first judgment. The court as a whole has been hammered most recently for its slowness, for missteps in its first trial—the Lubanga case—and for not always showing gender sensitivity or, arguably, even gender competence in a few instances.

As the trial of former Congolese vice president Jean-Pierre Bemba opens in The Hague for crimes committed in the Central African Republic, the ICC has a chance to demonstrate its ability to hold a high profile and speedy trial meeting minimum fair trial standards and to prove that it takes sex crimes very seriously.

The Bemba trial is groundbreaking in many respects, including for its treatment of sex crimes and for the presence of women in decision-making positions within the court:

- It is the first case before the ICC to be focused almost exclusively on sex crimes. While murder and pillage are also charged, it is first and foremost a rape crimes trial: rape as a war crime and rape as a crime against humanity.

- It is the sole charge (at least issued publicly) by the court against any individual for the horrific atrocities committed in the Central African Republic related to the 2002-2003 coup.

- The charges are against the highest level accused to go on trial before the ICC. Bemba was a vice president in the DRC and the leader of the Movement for Liberation of Congo (MLC) rebel group.

- There has been no other international war crimes trial before any war crimes tribunal where three female judges have sat on the bench. In contrast, it would be wholly unremarkable, indeed downright common, if three male judges were sitting on the case, as that is simply the norm. The presiding judge, Sylvia Steiner from Brazil, has expertise and training in women's rights. Her colleagues are Judge Kuniko Ozaki from Japan and Judge Joyce Aluoch from Kenya. Thus, female judges from Latin America, Asia, and Africa will adjudicate this historic ICC trial focused on gender crimes.
• It is the first case before the ICC where a female trial attorney (Petra Kneuer) is taking the lead as the senior trial attorney prosecuting the case. Deputy Prosecutor Fatou Bensouda will also lead the prosecution in this case (Bensouda also is a lead counsel for the prosecutor in the other two trials ongoing before the court.)

• This is the court's first command responsibility case. Bemba is accused of incurring command responsibility for crimes committed by subordinates over whom he had effective authority and control. He is alleged to have failed in his duty to prevent, halt, or punish the crimes committed by subordinates.

• Sex crimes against women, men, and children alike were reportedly used as a "tool" to terrorise, demoralise, and dominate the civilian population in the CAR. Many rapes were committed by multiple perpetrators and/or in front of family members. Several survivors of rape and gang rape reportedly contracted HIV/AIDS; many women and girls became pregnant as a result of the sexual violence.

Many eyes will be on the ICC during the Bemba trial. The case has the potential to rival, and in some aspects perhaps even exceed, the legal significance of the landmark Kunarac (Foca) judgment before the international criminal tribunal for the former Yugoslavia (ICTY). Kunarac was the ICTY's first trial of multiple accused to focus exclusively on gender-related crimes, resulting in the tribunal's first convictions for rape, torture, and enslavement as crimes against humanity for the brutal treatment of women and girls in the town of Foca.

While the Katanga and Ngudjolo case, currently before the ICC's trial chamber II, does include significant rape and sexual slavery charges, the gender crimes in that case are incorporated as part of an array of crimes—including conscripting child soldiers, murders and attacks against the civilian population, and property crimes—they are not front and center as with Bemba. (It should also be mentioned that the Katanga and Ngudjolo case has two female judges sitting on that trial.)

In recent years, a number of UN security council resolutions have condemned conflict-related sexual violence and increasingly urged an end to impunity for these crimes; they have also demanded women's inclusion in decision-making positions in peace and accountability efforts. (See e.g., SC res 1325 of 2000, 1674 of 2006, 1820 of 2008, 1888 of 2009, 1889 of 2009 and 1894 of 2009.)

Sexual violence as a tool of warfare is now widely recognized as one of the most heinous—and despicable—crimes committable. Society is increasingly acknowledging that the shame and stigma wrongly placed on the survivors belongs instead on the weak, cowardly, and dishonorable perpetrators of sex crimes.

The sex crimes in the Central African Republic were first brought to the attention of the ICC by an investigative report issued by the International Federation for Human Rights in February 2003. After conducting its own lengthy proceedings, the ICC finally opened a full investigation in May 2007, and a warrant of arrest was issued for Bemba a year later, when he was in Belgium.

The victims in this case have been waiting for justice for nearly ten years. The international criminal court has the opportunity and the responsibility to provide at least some measure of justice for the carnage allegedly committed by this Congolese warlord in the Central African Republic. Domestic courts must also be supported to hold fair and impartial trials against lower level suspects. Hopefully, the ICC will provide a model for both international and national justice processes redressing atrocity crimes.
Defense Concludes Examination of Investigator; Child Soldier Testifies

By Judith Armatta

OTP Investigator

Defense counsel Jean-Marie Biju-Duval concluded the cross-examination of Mr. Nicolas Sebire, investigator for the Office of the Prosecutor (OTP) of the International Criminal Court (ICC), on issues of abuse of process in the trial of Thomas Lubanga for conscripting, enlisting, and using child soldiers in the Democratic Republic of Congo in 2002 and 2003. Trial Chamber I is hearing testimony about alleged witness tampering, following allegations that intermediaries used by the OTP bribed or coached witnesses to falsely testify that they took part in the 2002-2003 conflict as child soldiers in the militia of Mr. Lubanga.

Mr. Biju-Duval focused his concluding inquiry on what attempts the OTP investigators made to verify the identities of contacts provided by ‘intermediary 316’ who testified earlier, denying allegations of wrongdoing. The witness replied that they checked the OTP archives and found nothing negative. Attempts to check other sources were unsuccessful or he did not know the results. Nor did the OTP investigators check the accuracy of factual information provided by ‘intermediary 316’ with his spouse, Mr. Sebire said in response to defense counsel.

Neither the victims’ counsel nor the prosecution had further questions and Mr. Sebire was excused from court.

Protected Witness

The prosecution called a protected witness, apparently a former child soldier, to counter defense claims that prosecution ‘intermediary 316’ coached and bribed witnesses to falsely testify that they fought in Mr. Lubanga’s militia while they were under legal age. The witness testified with face and voice distortion to hide his identity. The Chamber closed the session to the public at several points to protect his identity as well. He was not referred to by a number during open sessions, though he has testified in this trial earlier. The prosecution advised the Chamber at an earlier session that it would recall ‘witness 38,’ a former child soldier, who would testify that ‘intermediary 316’ did not tell him to lie. Today’s witness could well be ‘witness 38.’

The witness described meeting with ‘intermediary 316’ who verified that the witness had taken part in the fighting by his demobilization card and his ability to identify his commanders. ‘Intermediary 316’ then arranged for the witness to meet with a representative of the OTP.

The prosecutor took the witness step by step through his contacts with ‘intermediary 316’ from the time of his first meeting with an OTP investigator in March 2006 through the last contact in January 2007. The witness stated that at no time did he discuss with ‘intermediary 316’ the substance of his interviews with the OTP investigators. The intermediary facilitated contacts with the OTP, securing travel documents, and making travel arrangements. He accompanied the witness to the first interview and took him to the airport for the second interview. Occasionally, ‘intermediary 316’ called him to see how he was doing.
He described one occasion where he called ‘intermediary 316’ to assist him in securing the return of the mobile phone given to him by the OTP from a third party who was holding onto it and would not return it. The intermediary contacted the police who saw that it was returned to him. After that, he merely encountered ‘316’ on the street and spoke with him briefly.

In June 2006, the witness returned from his school in Bunia where ‘intermediary 316’ lived to his parents’ home in Ituri. In January 2007, he moved back to Bunia to attend university. As a result of receiving numerous threatening phone calls in March and April, however, he sought the ICC’s help and was moved to Kinshasa. The last time he had contact with ‘intermediary 316’ was in January 2007, he testified, when he saw him in Bunia. It was a casual and brief exchange of pleasantries. The witness repeated several times that at no time did he discuss the substance of his interviews or testimony with ‘intermediary 316.’ He took seriously the OTP investigator’s admonition not to talk to anyone about it.

At the close of direct examination, the prosecutor led the witness through a series of direct questions on whether ‘intermediary 316’ ever asked him to give a particular account or gave or promised him a reward for what he would say or made an agreement with him to provide false stories to the ICC. The witness emphatically said he had not. “I only said what I knew or had done. I did not blow anything out of proportion or leave anything out. It is a question of morality, of ethical standards. I am from a Christian family. . . . Lying is a sin. I would rather have problems with myself than problems with morality.”

Defense counsel will cross-examine this witness tomorrow beginning at 9:30 a.m.

**Trial Schedule**

Among administrative matters the Chamber took up at the beginning of today’s session, Mr. Sachdeva raised an anticipated need for additional time, arguing that the defense has widened its inquiry on abuse of process to include whether the OTP failed to investigate exonerating evidence. The prosecutor pointed out that witnesses were never questioned in court about false identities. The OTP requested that 10 days be added to the schedule. Under this regime, the defense would have until January 10, 2011 to file a request for the charges to be dismissed due to abuse of process, and the prosecution would have until January 21, 2011 to respond. Presiding Judge Adrian Fulford said the Chamber would reflect on the OTP request.
Russian 'arms king' and Moscow's secrets

PRETORIA, South Africa, Nov. 23 (UPI) -- Viktor Bout, a Russian alleged to be the world's most prolific gunrunner, is languishing in a New York prison awaiting trial on terrorism charges.

And that seems to be causing some concern in Moscow.

Before he was arrested in a Bangkok hotel in a U.S. Drug Enforcement Administration sting operation March 6, 2008, Bout, a former officer in Soviet intelligence, allegedly sold arms by the planeload across the Middle East, Asia, Africa and Latin America.

Africa was his main stamping ground. He supposedly delivered arms that fueled a score of wars, allegedly selling to dictators and rebels alike -- and sometimes, reportedly, to both sides at the same time.

He is believed to have used a fleet of aged Soviet-era cargo aircraft he bought at bargain basement prices right after the Soviet Union collapsed in 1989 and hired daredevil pilots who'd been discharged by the Soviet air force as surplus to requirements.

With access to vast piles of Soviet weaponry, he is suspected to have armed the Taliban and the Northern Alliance in Afghanistan, the Revolutionary United Front in Sierra Leone, Charles Taylor's barbaric regime in Liberia, the CIA-backed Units movement in Angola, various warring factions in the Congo, and Abu Sayyef, an Islamist group in the Philippines linked to al-Qaida.

In many of his alleged African operations he was purportedly paid in "blood diamonds" by people like Taylor, who is on trial for war crimes at the special tribunal in The Hague.

Bout, 43, who speaks six languages, allegedly created a network of airlines that were based at various time in the United Arab Emirates, South Africa, Belgium, Britain and a dozen other countries.

The Americans have wanted Bout for some time but were never able to grab him. He took refuge in Moscow, where he lived openly and freely, and apparently with the sanction of the Kremlin and Russia's intelligence community, which blocked all extradition efforts.

But he was lured out of Moscow to Bangkok by DEA agents posing as arms buyers for the Revolutionary Armed Forces of Colombia, a narco-terrorist organization. It wanted an arsenal of surface-to-air missiles to shoot down U.S. surveillance aircraft.

Bout spent more than 2 1/2 years in Bangkok's Klong Prem maximum-security prison fighting extradition to the United States. He lost that legal battle was flown to New York for arraignment, despite stringent Russian protests.

Moscow was outraged that the Americans could grab a Russian citizen in a foreign country and whisk him off to New York to stand trial, even though he was never convicted of any crime in Thailand.

On Nov. 17, Bout pleaded innocent in a Manhattan court to the four terrorism-related charges, including conspiracy to kill U.S. citizens. He faces life in prison if convicted.
The Russians appear to be worried about what Bout might divulge about their clandestine operations around the globe and, in particular, their suspected covert arms sales to foes of the United States, like Iran, to negotiate a light sentence.

Throughout the lengthy legal proceedings in Bangkok, Bout, as far as is known, maintained a stoic silence about his purported Kremlin connections.

But Moscow sought to prevent his extradition to the United States at all costs.

Bout is widely believed to have strong links to the GRU, Russia's military intelligence, which unlike the KGB wasn't dismantled after the fall of communism and continues to operate globally.

In the 1980s, when Bout was operating in Soviet-backed Mozambique in East Africa, he served under KGB chief Igor Sechin, now Russia's deputy prime minister and arguably one of the most powerful figures in the Kremlin today.

"Moscow fears he might reveal his connections with intelligence and organized crime networks that reach high levels in the Russian government, a concern doubtless shared by other countries he dealt with," says the U.S. global security consultancy Stratfor.

"While such information is no longer actionable, it remains Bout's main bargaining chip with the prosecution."

But the GRU is known to be active in shady arms deals even now. In October, U.N. officials in Sudan found four Russian Sukhoi Su-25 ground attack aircraft on an airstrip in the war-torn Darfur region.

They were part of a shipment of 15 jets Amnesty International says were sold by Moscow to the Khartoum government via Belarus in violation of a 2005 U.N. arms embargo. Russia denies the accusations.
Senegal will accept Rwanda convicts

Arusha - Senegal has signed with the United Nations an agreement on taking in convicts sentenced by the International Criminal Tribunal for Rwanda (ICTR), the court announced on Tuesday.

The pact means that Senegal will become the eighth country willing to let people convicted by the ICTR serve out their prison terms in jails that meet specified UN standards.

The court, based in Arusha, Tanzania, is trying the principal suspects in the Rwandan genocide of 1994, in which about 800,000 people were killed, mainly minority Tutsis.

The agreement was signed Monday in Dakar on behalf of the ICTR by its clerk, Adama Dieng, and for Senegal by Justice Minister Cheikh Tidiane Sy, tribunal spokesperson Roland Amoussouga told AFP.

The other countries that have come forward to take in ICTR convicts are Benin, France, Italy, Mali, Swaziland, Sweden and Rwanda itself. The ICTR has thus far completed 52 cases, with 36 convictions, according to its website.

Prisoners have chosen to leave the Arusha holding cells for Mali, Benin, Italy and Sweden to serve out their terms.

The Rwandan government has maintained that it is the primary destination for people convicted by the ICTR and has had a special prison built to meet the international standards required. But no ICTR convict has been transferred to Rwanda.

- AFP
ICTR/Uwinkindi - chamber grants amendments of indictment for Rwandan pastor

The International Criminal Tribunal for Rwanda (ICTR) has allowed the prosecution to make amendments of the indictment in the case of Rwandan Pentecostal Church Pastor, Jean-Bosco Uwinkindi, and ordered his further appearance to be conducted on December 1, 2010.

"The prosecution to file the indictment as amended in accordance with this decision in English by November 25, 2010," Trial Chamber III presided by Judge Dennis Byron said in its decision posted in the ICTR website and made available to Hirondelle News Agency Wednesday.

In the new indictment, the prosecution seeks, among others, to withdraw the count of conspiracy to commit genocide, add more details to the charges based upon new evidence available to them, correct the defendant's name and add joint criminal enterprise and aiding and abetting as forms of participation.

"The defence does not oppose the addition of greater specificity in the proposed amended indictment, the withdrawal of count of conspiracy to commit genocide and correction of Jean Uwinkindi's name. The Chamber finds that greater specificity and deletion of a count as well as correction of name will provide an ameliorating effect that does not prejudice Uwinkindi," it ruled.

The defence had earlier opposed to the addition of joint criminal enterprise and aiding and abetting as forms of participation because such would not be ameliorating, arising from a lack of the prosecution's diligence and would cause prejudice and delay.

However, the Chamber ruled that the prosecution filed its application for proposed amended indictment only two months after the defendant's initial appearance and was, therefore, diligent in bringing the change promptly.

"Further, the Chamber will provide Uwinkindi with sufficient time and resources to conduct his investigation and therefore the addition of aiding and abetting will not prejudice him," it said.

The Chamber's decision to allow the amendments of the indictment comes after the prosecution had filed a motion, seeking to transfer Uwinkindi's case alongside two others to Rwanda for trial.

Uwinkindi was arrested on June 30, 2010 in Uganda as he was coming into the country from the neighbouring Democratic Republic of Congo (DRC). He was transferred to Arusha and made his initial appearance on July 9, 2010. He pleaded not guilty to three charges of genocide, conspiracy to commit genocide and extermination as a crime against humanity.

Pastor Uwinkindi, who was born in Rutsiro commune, Kibuye prefecture (west Rwanda) in 1951, is alleged to have led several attacks against Tutsis who took refuge in his own parish of Kayenzi, in Bugesera region (east Rwanda).

It is claimed that in July 1994, when Pastor Uwinkindi fled Rwanda, approximately two thousand corpses were found near to the church of Kayenzi. He also allegedly collaborated with the then MRND ruling party before and during the genocide in 1994 to incite killings of Tutsis including those in Kanzenze commune.

Uwinkindi is the second genocide suspect to be arrested in Uganda in less than a year. In October 2009, Uganda apprehended, former Rwandan military officer, Captain Idelphonse Nizeyimana, after he entered the country from DRC. The latter's trial has been set to begin on January 17, next year.

FK/ER/GF

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