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UGANDA :

Attorney Says Uganda Soldiers Unlikely to Receive Fair Trial

Peter Clotney/voanews.com/September 30, 2013

Four Ugandan soldiers accused of subversive activities, including plotting to overthrow President Yoweri Museveni's government, are unlikely to receive a fair trial, according to their attorney, Ladislaus Rwakafuuzi.

The court has scheduled October 18 as the trial date of the accused.

"These young men were refused bail and the court reasoned that they are charged with the offense of rebellion and that if they are released they will join the rebellion. That amounts to prejudging the case," said Rwakafuuzi. "I thought the court will be there to be a neutral party to the defense of these young men. We are still looking at a strategy of whether we can continue in that court or not."

The four accused soldiers have been in detention since May 5.

Rwakafuuzi says the court's rationale for denying his clients bail undermines the principle of "innocence until proven guilty."

The government contends that James Karuhanga Nayebale, Moses Nuwagaba Kakarugahi, Abel Twinamasiko and Frank Ninsiima conspired with others to overthrow the government. If convicted, they could be sentenced to death.

The accused worked in the office of Uganda's renegade army General David Sejusa, who was coordinator for Uganda's intelligence agencies at the president's office.

The prosecution says the soldiers were part of a plot to overthrow the government.

“As serving officers they were supposed to report to the army leadership acts of subversion but they did not and actually took part,” said Colonel Paddy Ankunda, spokesman for the Uganda People’s Defense Forces (UPDF).

Rwakafuuzi says the charges against his clients are politically motivated.

“These are political charges because they have no proof backing them. Sejusa himself has not said that he is going to overthrow this government by force of arms,” said Rwakafuuzi. “He has only expressed the desire that there should be a regime change within the constitutional means. So to say that these people are guilty of subversion I think is very unfair and is very wrong.”

General Sejusa is in exile and has refused to return to Uganda from exile. Sejusa had called on the government to investigate rumors of a plot to assassinate administration officials who opposed to a reported plan for President Museveni to line up his own successor as president. The government has denied that any such plan exists.

“This is political harassment because since Sejusa is not here, they have to harass his people,” said Rwakafuuzi. “I don’t think it was unlawful to work with Sejusa and I think even the president worked with [Sejusa] and he has not been charged with treason.”

SOUTH AFRICA :

South Africa offers guidance in reconciliation for Turkey

Emine Kart JOHANNESBURG/DURBAN/hurriyetdailynews.com/October/01/2013

South Africa offers insight to Turkey on how to deal with the past and move on from grievances as the country’s 20th anniversary of the end of the brutal apartheid regime approaches

“So we are getting prepared for a life without Mandela,” says a South African young lady with a tone reflecting her sorrow.

Yet, the sound of her voice also reflects her confidence in the endurance of the guidance of Nelson Mandela who led the fight for democracy in her country which will mark its 20th anniversary of becoming a free country, that’s to say the end of the apartheid regime, next April 27.

The young lady, who was nine years old when democracy came to her country, doesn’t have concerns for the future that are alike to the concerns of many South Africans, who have been suffering from sharp discrepancies. Still, anxiety over the need for further democratization is common for a majority who are well aware of the vitality of democratization for eliminating those discrepancies.

Time in South Africa has its intense moments of both sadness and hopefulness.

The feeling of depression comes when seeing verbal and written documentation of what happened during apartheid regime, prompting one to ask “How can a human being do these things to another human being?”

Rosy moments which are fortunately dominant come as having witnessed what human pride has been able to succeed in achieving in the face of grave oppression.

Remembering the past in order to avoid repeating it

The South African Embassy has been hosting a group of journalists from Turkey on a packed familiarization program which covers Johannesburg, Durban and Cape Town.

The mutual eagerness of the two countries' for improving relations can be easily observed at governmental level, especially through bilateral visits that have taken place in the last few years reciprocally. Now, the South African side has apparently moved to improve people-to-people relations.

Having been here at a time when Prime Minister Recep Tayyip Erdoğan was expected to announce a long-awaited "democratization package," – that is to say a set of reforms which would hopefully ease resolution of the Kurdish issue through ending the three-decade long conflict between Turkey's security forces and the outlawed Kurdistan Workers' Party (PKK) – it becomes inevitable for the group coming from Turkey to dwell on the South Africa's experience via drawing parallels between the history and current shape of the Kurdish issue.

Yet, analogies may be misleading, sometimes even dangerous. When the issue is finding an honorable resolution for each and every citizen of Turkey, such an analogy may be offending for non-Kurdish citizens because of the feeling of having been associated with the apartheid rulers/supporters.

That is one thing. On the other hand, if reconciliation is a matter of finding common principles, South Africa offers precious guidance.

The ongoing experience here is a living portrayal of remembrance of grievances without grudges in order not to allow a repetition of such grievance. What Turkey has most of the times tried to do, however, is moving on via denial, with a mentality dictating to the oppressed to forget whatever s/he has been through. Nevertheless, any person or any people first have to remember what it wants to forget.

"You must know your past and the cruelty that was committed to your people. But don't keep this too much in mind because we are here to build a new South Africa. That is what you must commit yourselves to. You remember what has happened in the past so that, in future, you can avoid it," Mandela said in late 2003, when he returned to the Old Fort.

Old Fort, where Mandela was also once detained, is one of the three prisons-turned-museums forming Johannesburg's infamous century-old prison complex.

The complex, once home to thousands of prisoners such as Mahatma Ghandi, Robert Sobukwe and the students of the 1976 Soweto uprising, is on the Constitutional Hill which is also the site of the Constitutional Court.

Bricks from the demolished Awaiting Trial Block, part of the Old Fort prison complex, were used in the building of the Constitutional Court in early 2000s.

Recognition of grievances

Mandela's remarks above are displayed at a permanent exhibition at the Old Fort. The remarks are an echo of his reconciliation philosophy that is his legacy to the entire world, but not only to South Africa.

The use of bricks at the court, meanwhile, is one of the best examples showing how simply and clearly this philosophy is reflected in the daily lives of the South African people.

Since the last few years, there has been a mass campaign in Turkey for turning the notorious Diyarbakır Prison, scene of various types of humiliation and torture during the Sept. 12, 1980, era, into a human rights museum.

The fulfillment of such demand instead of "heralding a new prison" to Diyarbakır's people may be a unique moment of inspiration to be derived from South Africa at a time when the peoples of Turkey have long been eyeing recognition of their joint grievances.

TANZANIA :

Tanzania suspends two leading newspapers

September 30, 2013/cpj.org

Nairobi, September 30, 2013--The Committee to Protect Journalists condemns a decision by Tanzanian authorities to suspend two leading private Swahili dailies on accusations of sedition. The government issued a statement on Friday suspending Mwananchi and MTanzania for 14 and 90 days respectively.

Tanzanian authorities often rely on an arsenal of anti-media laws such as the 1976 Newspaper Act that allows the Information Ministry wide discretionary powers to ban publications, according to CPJ research.

"The government could have taken their grievances against Mwananchi and MTanzania to the Media Council of Tanzania, an ombudsman, rather than summarily suspending the publications," said CPJ East Africa Consultant Tom Rhodes. "We call on authorities to allow the papers to resume publication and to reform the laws that allow these suspensions, which are not in line with international standards of press freedom."

The statement said that Mwananchi's suspension was in connection with a story published on July 17, called "New Government Salary Scheme 2013," which was allegedly based on a classified document. Mwananchi Managing Editor Tido Mhando said the paper had published the article to inform the public, according to news reports.

Bakari Machumu, communications executive editor for Mwananchi, the company that publishes the paper, told CPJ that the paper had received and replied to two letters from the government on August 1 and August 22. On September 5, police summoned Mhando for questioning. Five days later, police also questioned Machumu.

The statement said that the Information Ministry had also taken offense to a second story, published on August 17, called "Muslims Pray Under Heavy Security," which was accompanied by a picture of a police dog. Authorities said the photograph implied that "the police had taken dogs to Islamic places of worship. This was not true."

Tanzanian authorities also banned MTanzania, part of the New Habari Publishers company, in connection with articles that alleged police involvement in attacks against citizens and suggested government incompetency in contending with terrorist threats, the statement said. The statement pointed out three articles: "The Bloody Presidency," published on March 20; "Revolution Cannot Be Avoided," published on June 12; and "The Government Stinks of Blood," published on September 18.

The statement said the paper had been warned on multiple occasions to stop publishing "inflammatory content." The paper's managing editor, Absalom Kibanda, said in an interview with Cloud FM that New Habari had not been given the opportunity for a hearing to defend the paper before the closure.

New Habari Managing Director, Hussein Bashe, said on Twitter that Mtanzania's weekly sister paper, Rai, will be published as a daily during the suspension.

Assah Mwambene, Director of Information who wrote the statement, did not immediately respond to CPJ's calls and messages for comment.

In July 2012, authorities banned the critical weekly MwanaHalisi for a series of articles that accused the government of involvement in a brutal attack against a leader of doctor's strikes in the country, Managing Editor Saed Kubenea said.

KENYA :

Kenyan mall attack: 39 still missing, says Red Cross

Associated Press in Nairobi/theguardian.com/Monday 30 September 2013

Minister says it is possible people are reporting the missing to the Red Cross and not to the police

More than three dozen people remain unaccounted for almost a week after the end of the four-day terrorist attack on Nairobi's Westgate mall which killed at least 67, the Kenyan Red Cross has said.

The Red Cross's report of 39 missing people conflicts with the government's contention that there are no remaining missing people from the attack that began on 21 September, and suggests that the death toll could still rise as investigators dig through the rubble of the partially collapsed mall.

"The numbers with us are what we are still showing as open cases that are reported to us," said Abbas Gullet, head of the Kenyan Red Cross. "The only way to verify this is when the government declares the Westgate mall 100% cleared – then we can resolve it."

At least 61 civilians and six security troops were killed in the attack. Government reports on the number of terrorists killed have been confusing and at times contradictory.

The president, Uhuru Kenyatta, said last week that five attackers had been killed by security forces' gunfire, and his office said one or more might be trapped under the building's rubble.

In an interview on Citizen TV late on Sunday night, however, the interior minister, Joseph Ole Lenku, said two attackers had been hit by gunfire and that the building was thought to have

collapsed on three others.

Later in the interview he said all five Islamist attackers were thought to be under the rubble, and that no bodies of any terrorist suspects had been recovered. "We are sure they never got out of the building, so let the forensic examination establish the exact truth," he said.

When pressed about the government's initial estimate that 10 to 15 terrorists could have been involved in the attack, Lenku conceded that the figure could have been wrong, or that some could have escaped.

"We do not rule out the possibility that when we were evacuating people in the first stages of the operation it is possible some could have slipped out," he said. "And that is why we are holding a number of people for interrogation; that is why we immediately sealed off the points of exit, the airports."

Gullet said the Red Cross number of missing had been dropping over the past week as bodies had been positively identified and as some missing people had been reunited with their families. On Friday the Red Cross said the number of missing people stood at 59.

The Nairobi city morgue said it had no remaining bodies recovered from the Westgate attack as of Friday.

On Sunday Lenku said police had no missing persons reports from the mall attack, and that authorities did not believe there had been any hostages in the mall building when it partially collapsed.

He left open the possibility, however, that things might change. "We think – unless the forensic investigation shows otherwise – we really do think that there were weren't any hostages," he said.

In the television interview later on Sunday, Lenku indicated it was possible that people were reporting the missing to the Red Cross and not to the police. "Why is this not being reported to the police?" he asked. "Kenyan must learn to use the government machinery to do their report."

Investigators from Britain, the US, Canada and Germany are participating in the investigation into the attack and are aiding Kenyan forensic experts poring through the mall complex. Results are not expected until later this week at the earliest.

Kenyan authorities have detained a total of 12 people in connection with the attack, including one on Sunday. Three people have been set free, including a British man who was reported to have been arrested last week as he tried to board a flight from Nairobi to Turkey with a bruised face, Britain's Foreign Office said.

The militant group al-Shabaab has said it carried out the mall attack to punish Kenya for sending its troops into neighbouring Somalia to fight the al-Qaida-linked militant group, which had seized large parts of that country for years before being dislodged from the capital, Mogadishu.

AU/AFRICA :

Au Mali, les attaques contre l'armée se multiplient dans le Nord

Le Mali était sous forte pression en ce début de semaine après une escalade de violences dans le Nord. Des affrontements ont opposé soldats maliens et hommes du Mouvement national de libération de l'Azawad (MNLA) pour la deuxième journée consécutive, lundi 30 septembre à Kidal, fragilisant un peu plus la situation dans ce bastion de la rébellion touareg. Ces échanges de tirs se produisent à nouveau dans cette grande ville du nord, chef-lieu de région à plus de 1 500 km au nord-est de Bamako et fief du MNLA.

La veille, deux civils avaient été tués dans une attaque-suicide à Tombouctou, revendiquée lundi par AQMI selon des médias mauritaniens, et des soldats avaient échangé des tirs avec des hommes armés. Des militaires maliens ont affirmé avoir été attaqués en fin d'après-midi par des hommes armés, sur lesquels ils ont réussi à prendre le dessus après deux heures d'échanges de tirs. Des militaires de l'opération française Serval et de la mission de l'ONU, la Minusma, sont venus en renfort, mais sans intervenir, selon un responsable du gouvernement de Kidal.

Dimanche soir, le MNLA a toutefois accusé les soldats maliens d'"actes de provocation", et annoncé que trois de leurs hommes avaient été blessés dans les tirs. "Des soldats maliens ont délibérément ouvert le feu sur une unité mobile du MNLA alors que celle-ci circulait dans le centre de Kidal", "en tirant des rafales de mitraillettes", affirme le groupe. Selon lui, le chef de l'unité, qui figure parmi les blessés, était "descendu de son véhicule en levant les mains pour bien montrer que son unité n'était nullement dans une position de belligérance". "Cette flagrante agression a poussé le reste de l'unité à riposter", ajoute-t-il dans un communiqué publié sur son site Internet.

DIALOGUE SUSPENDU AVEC LE GOUVERNEMENT

Ces violences se sont déroulées non loin d'une banque où, deux jours auparavant, des militaires maliens avaient été visés par une attaque à la grenade, qui avait blessé deux soldats. Ils ont aussi été précédés, dans l'après-midi, d'une explosion, imputée dans un premier temps à un kamikaze qui aurait manipulé accidentellement sa ceinture explosive. Mais dimanche soir, le gouverneur de Kidal a infirmé ces informations, indiquant que l'explosion avait eu lieu "dans un magasin où se trouvaient des armes qui n'appartiennent pas à l'armée régulière", et avait fait un blessé grave.

Kidal est un fief du MNLA, le mouvement de rébellion touareg qui avait déclenché, en janvier 2012, une offensive contre l'armée malienne dans le Nord. Après l'intervention française, un an plus tard, le MNLA, qui avait été entre temps évincé du terrain par les djihadistes, a repris le contrôle de Kidal en février, y refusant la présence des armées et administrations maliennes. Jusqu'à la signature, en juin, d'un accord avec le gouvernement malien et deux autres groupes armés (un touareg, un arabe) ayant leurs bases dans le Nord.

Cet accord paraphé à Ouagadougou avait permis le cantonnement des hommes du MNLA et l'arrivée, début juillet, de soldats maliens, puis de l'administration. Mais le 26 septembre, les trois groupes armés signataires de l'accord ont annoncé qu'ils suspendaient leur participation aux discussions avec le gouvernement malien, l'accusant de ne pas respecter ses engagements. Les autorités maliennes ont assuré être toujours disposées au dialogue.