

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

Enclosed are clippings of the latest local and international press on the Special Court and related issues obtained by the Press and Public Affairs Office as of:

Monday, November 29, 2004

The press clips are produced Monday to Friday.
If you are aware of omissions or have any comments or suggestions please contact
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WITNESS TESTIFIES AT SPECIAL COURT

'MY SON WAS KILLED FOR RITUAL'

By Mohamed Mansaray

The 33rd Prosecution witness in the trial of CDF indictees of the Special Court, TF2-088 revealed in Freetown over the weekend that Kamajors murdered his son for ritual purposes in the Vutunya Chiefdom, Bo district on April 22, 1999.

He testified that he witnessed the event whilst he was traveling from Kpetewoma to Sembenu on that fateful day.

Led in evidence by a pro-

secution lawyer, Adao Wiafe at Court Room No. 1, New England in Freetown, the witness quoted Kamajors as telling him that they murdered his son to perform

what the witness referred to as "a ceremony" at Mongere, the home town of the first accused Samuel Hinga Norman.

The witness further testified

that his son was murdered by CO Vincent and CO Borbor Aruna who accused the deceased of stealing a fowl. He told the court that Chief Muiai of Nyandehun, David

Joseph camp commander at Nyandehun and his assistant Borbor Aruna, visited the scene of the crime the following day

SEE BACK PAGE

for about thirty minutes. "I saw a black polythene bag with Borbor Aruna when they were returning to Nyandehun", he told the court.

The witness testified that he later visited the scene and discovered that his son's stomach had been slit open right up to his throat and vital parts such as intestines, heart and lungs missing. "My son's remains were burnt in a valley at Kpetewoma and buried in the same location," he said.

In his examination-in-chief earlier, the witness told the court that Kamajors arrested and murdered four of his nephews in the chiefdom in April 1997. He said that the people were returning from a farm carrying cassava and a gun which he had kept hidden in his farm. "Three of them were executed and their bodies thrown into the Taia river," he said.

He went on to tell the court that the fourth person took to his heels but was shot in the back though he did not die immediately and accused the chief Kamajor James Bundu of master-minding the killings.

The witness further testified that Kamajors also murdered another of his nephews, Daddy, accusing him of fishing for the rebels. He told the court that another relative Jeneba was shot dead by CO Philip M'boma who accused her of serving as town mother (cook) for the rebels. "CO M'boma also killed Daddy using a machete," he said, and named Alhaji Hassan Sheriff a Battalion Commander, Gibriil Mansaray a Kamajor Clerk, Sundufu Samuka, Joseph Kulagbanda, John Rainbo as other commanders who participated in the killings. "All these Kamajors are my brothers," he said.

The witness went on to tell the court that he was tied with "FM1 rope" which cut deep into his flesh and was subjected to all forms of torture after he admitted making a remark that "Kamajors were behaving like cannibals." They also looted my house comprehensively," he said.

The witness was born in the Bo district and he gave his testimony in Krio through an interpreter in English from the witness protection box.

Court resumes at 9 am, this morning.

Special Court Set To Explode As: Hinga Norman Names Kabba, Berewa As Witnesses



Former CDF National Coordinator and Deputy Defence Minister Chief Sam Hinga Norman has prepared a long list of witnesses whom he might call upon to testify in his ongoing trial.

Among them are President Tejan Kabba, Vice President Solomon Berewa and his predecessor, former ECOWAS Heads of State who were signatories to the Lome Agreement, heads of UN organisations in Sierra Leone since the outbreak of the war and members of the diplomatic and consular corps.

Investor Duped

According to Chief Norman, some of the 'would-be' witnesses have already given indication of their willingness to testify - some ready to travel at the shortest notice at their own expense. Read on:

The Principal Defender
Defence Office, SCSL
Jomo Kenyatta Rd.,
Freetown

13th November 2004

Dear Sir/Madam:

List of Would-Be Witnesses

In the event I am served an indictment pursuant to Rule 52 of the Rules and in the event that I am arraigned pursuant to Rule 51(iii) of the Rule before the Trial Chamber of the Special Court for Sierra Leone or any other Court empowered to conduct judicial investigation into the event (conflict or war) in Sierra Leone covering the period 1st January 1991 to 19th January 2002, I may require the following listed, as possible, witnesses in the defence of Chief Samuel Hinga Norman-JP, National Coordinator of the CDF, former Deputy Minister of Defence and former Minister of Internal Affairs, now detained and awaiting (whether or not) to be indicted:

1. His Excellency the President of the Republic of Sierra Leone;
2. Hon. Vice Presidents, since 1996;
3. Hon. Chief Justice of Sierra Leone;
4. Hon. Speaker/Deputy Speaker of Parliament;
5. Hon. Leaders of Political Parties in Parliament;
6. Hon. Attorney General and Minister of Defence;
7. Hon. Minister of Foreign Affairs;
8. Hon. Minister of Finance;
9. Hon. Minister of Finance;

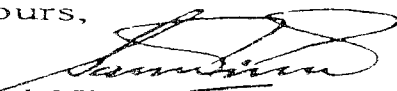
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10. Hon. Minister of Internal Affairs;
11. Hon. Minister of Local Government;
12. Hon. Resident Ministers;
13. Director of Public Prosecutions (DPP);
14. Heads of Diplomatic and Consular Corps (Past and Present);
15. President, Bar Association, SL;
16. Heads of UN Organisations in Sierra Leone, 1991 to present;
17. SRSGs and Heads of UNDP, 1991 to present;
18. Heads of Other Foreign Organisations: (a) UNAMSIL (b) ECOMOG (Liberia/Sierra Leone) (c) Executive Outcomes (d) IMATT (e) Sandline International;
19. All Permanent Secretaries/Director General;
20. Regional Secretaries;
21. SDOs/DOs (District Officers);
22. All Paramount / Regent Chief (149);
23. Chief of Defence Staff (CDS);
24. Army, Navy and Air Chiefs (SLA);
25. Inspector General of Police/SACs (SLP);
26. Leaders of Religious organisations;
27. Leaders of civic organisations;
28. Union leaders

The above listed, among others, may be among some ECOWAS Heads of State and Signatories to the Lome Agreement, signed on 7th July 1999, who may be required as witnesses for the Defence of the Detainee, Chief Samuel Hinga Norman in an eventuality.

Some would-be witnesses have been contacted and given indication of their willingness to testify (if and when contacted to do so) and some are ready to proceed to Sierra Leone at the shortest notice and at their own expense (some).

Highest respect,
Sincerely yours,



Chief Samuel Hinga Norman – J.P.

cc. Registrar
Prosecutor
Defence Team at home and Abroad
Family
File

Norman did not violate Protective measure

From Front Page
Whitaker. The response of the Defence Team came as a reply to the Prosecution's motion on the "Violation of the Orders on Protective Measures for Witnesses and for Contempt" filed

on the 25th October 2004. The Prosecution in its motion alleged that the First Accused had acted in violation of the Trial Chamber's decision, and were thus asking the Court to issue an order requesting the First

Accused to immediately cease any violation of the Decision on Protective Measures and order any necessary measures to prevent the First Accused from committing such violations in the future. Responding the Defence

Team argued that the First Accused has not engaged and is not engaging in a conduct that intimidates or is aimed at intimidating a potential witness or a potential Prosecution witness or any witness, and that the First Accused has therefore not committed contempt of the Special Court by knowingly and/or wilfully interfering with its administration of justice or otherwise. The Defence further submitted among other things that the said Witness Protection Measures are applicable to witnesses and potential witnesses under the terms

of Rule 34, 69, 75 and 79 of the Rules of Procedure and Evidence and that the addressee of the said letter is not a witness or a potential witness for the Prosecution and to the best of Defence information, the said addressee is not included either on the "Witness List" filed by the Prosecution on 26th April 2004, nor on the "Revised Witness List of core and back-up witnesses" filed on 7th October 2004. Moreover, it submits that far from engaging in intimidating conduct in violation of the Decision on Protective Measures, the First Accused by his said letter was requesting

the addressee of the letter "to please be in readiness to be available at any time the CDF Defence Team considers your suitability to testify in Court relative to activities that may be to your knowledge" and "with the sole understanding that we should all do our very best in revealing the truth" in the CDF ongoing trials. In its final submission, the Defence maintains that in all the circumstances, there has been no prima facie showing by the Prosecution of a reason for the Court to believe that the First Accused may be in contempt of the Special Court. Based on the foregoing, the Defence requests that the Court dismiss the motion of the Prosecution in its entirety.

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Defence team says...

Norman did not violate Protective measure

By Tamba Borbor
"The First Accused has not acted in violation of the Decision on

Protective Measures." This is the stance of the Court-appointed Defence Team of CDF indictee- Chief Sam

Hinga Norman comprising Dr. Bu-Buakei Jabbie, John Wesley Hall and Quincy
Contd. Page 2

'David Crane , Others Tamper With Statements' - Defence Lawyer Claims

By Mohamed Mansaray

Defence counsel for the third CDF accused Aliou Kondewa, Charles Margai has accused the David Crane-led prosecution team of tampering with the original statements of prosecution witnesses. Counsel made the accusation on Friday at Court Room No. 1, New England in Freetown.

Mr. Margai claimed that statements furnished the defence in advance of a witness testimony are not exhaustive but a mere summary of what the witnesses would be saying in court. "The actual testimonies of witnesses to such statement far out-weigh the statements in summary form."

Mr. Margai went on to claim that some prosecution lawyers acted as investigators of the witnesses. "Statements rendered in court have clearly manifested that some prosecutors acted as investigators of the witnesses," he claimed and questioned whether such prosecutors have any right under the court's statutes to remain in court during closed sessions.

"If these prosecutors remain in court during closed sessions, then the same right ought to be extended to investigators of the defence team to make the doctrine of equality of arms meaningful and equitable," he argued.

Reacting to the application, the Presiding Judge Benjamin Iloe had this to say: "This motion is too heavy and imposes very important issues of law. We don't even need to call on the prosecution to respond".

The Judge however advised Mr. Margai to formally communicate his concerns in writing to be served on the prosecution for deliberation. The court resumes at 9 am this morning.

Associated Press Worldstream November 26, 2004 Friday

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November 26, 2004 Friday

SECTION: INTERNATIONAL NEWS

DISTRIBUTION: Europe; Britian; Scandinavia; Middle East; Africa; India; Asia; England

LENGTH: 259 words

HEADLINE: Britain: Nigeria should return Liberian warlord for war-crimes trial

BYLINE: CLARENCE ROY-MACAULEY; Associated Press Writer

DATELINE: FREETOWN, **Sierra Leone**

BODY:

Britain's Africa minister is urging Nigeria to turn over indicted war-crimes suspect Charles Taylor for trial, saying Taylor's prosecution would send a message to the continent's other warlords.

"In Africa, there is the culture of impunity," Minister John Mullin said late Thursday in Freetown, **Sierra Leone**.

"Charles Taylor ought to account for his activities, as this would send a message to perpetrators in other countries that they will be held accountable for what they have done," Mullin said.

Taylor, a warlord-turned-president in neighboring Liberia, was indicted by a U.N.-backed war-crimes tribunal here for backing **Sierra Leone** rebels in a vicious 10-year insurgency in this diamond-rich nation.

Taylor fled into exile in Nigeria last year, as rebels pressed in on his capital and international pressure grew for him to leave.

Mullin stressed "we are not criticizing Nigeria for what it did at the time."

"We were all extremely grateful to President (Olusegun) Obasanjo of Nigeria when he took Charles Taylor out of Liberia. It was only for the short-term."

"In the long-term, and soon, Charles Taylor would have to be handed over to the **special court**," Mullin said.

Britain founded **Sierra Leone** in the 19th century as a resettlement site for freed slaves from Europe and the Americas.

Sierra Leone's insurgency - launched by rebels seeking control of **Sierra Leone's** government and diamond fields - ended by 2002, thanks largely to forceful military intervention by Britain and that of Guinea, which borders **Sierra Leone**.

LOAD-DATE: November 27, 2004

Kerala News, India

World ; UN officials stress need to eliminate violence against women
Friday, November 26, 2004

World News, United Nations officials, led by Secretary-General Kofi Annan, today stressed the need for building a world in which women enjoy their rights and freedoms on an equal basis with men.

“Violence against women is global in reach, and takes place in all societies and cultures,” he said in a statement marking the International Day for the Elimination of Violence against Women. “It affects women no matter what their race, ethnicity, social origin, birth or other status may be.”

Noting that gender-based violence is particularly pervasive in situation of armed conflicts, when women and girls become victims of rape and other forms of sexual violence, the Secretary-General said ending the impunity for such crimes is an important step.

Referring to the Special Court for Sierra Leone, he said for the first time forced marriage would be prosecuted as a crime against humanity.

Describing violence against women as “a challenge in itself,” since it could cause HIV infection, the Secretary-General observed that sexual violence increases women's vulnerability to the virus.

“All too frequently, the threat to violence forces women to have unprotected sex,” he said. “Violence can also make it impossible for women to seek information, follow treatment or even raise the subject for discussion.”

He said the UN Committee on the Elimination of Discrimination against Women continued to play a dynamic role in ensuring that the issue was a high priority for the international community, noting that the Optional Protocol to the Convention “gives women the right to petition, and has the potential to become a highly effective tool for addressing gender-based violence.”

Meanwhile, the head of the UN Children's Fund (UNICEF) also pointed out that systematic use of rape as a weapon of war was a violation of human rights that demands urgent attention and an end to impunity.

“The prevalence of rape and sexual violence during armed conflict is not a new problem, but it is as serious as it has even been,” said Executive Director Carol Bellamy. “Perpetrators of sexual violence during armed conflict are violating international law. States must hold them accountable, and there must be resources for victims to seek justice.”

She saw the use of rape in wars as “one of the most disturbing phenomena” of the past two decades. “In situations of armed conflicts, girls and women are routinely targeted in campaigns of gender-based violence, including rape, mutilation, prostitution, and sexual slavery,” she said.

Referring to conflict in the Darfur region of Sudan, the UNICEF chief observed that militias had routinely engaged in rape of young girls and women of all ages. “That conflict has forced more than a million people to leave their homes and seek refuge in makeshift camps,” she said. “But even there, women and girls are in grave danger of being sexually assaulted, particularly when they go beyond the camp for firewood.”

United Nations News Service

TANZANIA: Uphold international justice, official says

26 Nov 2004 15:16:06 GMT

ARUSHA, 26 November (IRIN) - International justice systems must be retained for effective prosecution of perpetrators of serious crimes, an official of the UN International Criminal Tribunal for Rwanda (ICTR) said on Thursday.

ICTR Prosecutor Hassan Jallow said international courts such as the ICTR, the International Criminal Tribunal for former Yugoslavia (ICTY) and the Special Court for Sierra Leone have proven viable in ensuring the prosecution of people bearing the greatest responsibility for crimes.

He was speaking at the beginning of a three-day colloquium of prosecutors in Arusha, Tanzania, which is also the headquarters of the Rwanda tribunal.

"We should now accept that large-scale brutal violations of human rights such as occurred on the level the world witnessed in Rwanda and the former Yugoslavia cannot be effectively dealt with through national systems or other quasi-criminal international procedures. The International penal sanction and option must be retained," he said.

The prosecutor of the International Criminal Court, Luis Moreno O'Campo and the prosecutor of the Special Court for Sierra Leone, David Crane, are among 80 international judiciary experts attending the colloquium, whose theme is "Challenges of International Criminal Justice.

Jallow called for increased support for international justice systems to facilitate investigations, apprehension and transfer of suspects.


"It [international justice] must be applied to hold those bearing the greatest responsibility as the ICTR, ICTY and Special Court for Sierra Leone have done in the case of former heads of state, heads of government, cabinet ministers, heads of local government and leaders of the military," he said.

"International criminal justice is, despite all its constraints, challenges and shortcomings, is viable and feasible," he added. "It is necessary if peace and justice is to be maintained."

The prosecutors' colloquium coincides with the 10th anniversary of the ICTR.

The UN Security Council established the tribunal in 1994 to bring to trial the perpetrators of the April-July 1994 genocide in Rwanda. The Rwandan government estimates that 937,000 Tutsis and politically moderate Hutus died in the genocide.

Currently, the tribunal has 70 suspects in its custody, and trials of 25 of them are ongoing while 18 others are awaiting trial. It has handed down 23 judgments since its inception, including three acquittals.

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Chicago Tribune November 28, 2004 Sunday

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Chicago Tribune

November 28, 2004 Sunday
Chicago Final Edition

SECTION: PERSPECTIVE ; ZONE C; Pg. 1

LENGTH: 1260 words

HEADLINE: INHUMAN;

In a post-9/11 world, does America still stand tall on rights?

BYLINE: By Emma Gilligan, a University of Chicago postdoctoral fellow.

BODY:

As the global human-rights movement watched the humiliation of prisoners at Abu Ghraib, it was shaken yet again by the cost of the Sept. 11 terrorist attacks and their aftermath.

Sept. 11 has cast the international human-rights community into murky moral waters. The policies of the Bush administration on Afghanistan, Iraq, the USA Patriot Act, Guantanamo Bay and Abu Ghraib have forced us not only to question the shifting consensus on humanitarian intervention but also to tackle the problem of securing human rights against the challenges of national security.

We are also questioning whether America has lost its pre-eminence in the global struggle for human rights.

Can America keep lecturing other countries on democratic reform and universal human rights while being viewed by many as an international outlaw? Is America still a member of a multilateral alliance, or is it a country that adheres to a frightening exceptionalism that reaches to Guantanamo Bay, Cuba, and to torture cells in Pakistan and Jordan?

Western governments are lowering their gaze from extensive human-rights violations, ignoring the plight of Chechen villagers, and refugees in the deserts of Australia, crudely bartering silence for support against international terrorism.

This is establishing a dangerous precedent.

The same impulse drives our readiness to accept the Chinese depiction of the struggle in its Xinjiang region and the Russian portrayal of the conflict in Chechnya as struggles with international terrorism.

Such claims might bear a modicum of truth, but they fall far short of full and truthful explanations of the issues involved.

The compromises have reached a point of unsettling magnitude. The rising tension in the human-rights movement over the methods and rhetoric of the war on terrorism has raised profound questions of principle and strategy. Human-rights activists' answers have been varied and at times contradictory.

For better or worse, America is now firmly entrenched in the war in Iraq.

Critic of invasion

Kenneth Roth, executive director of Human Rights Watch, has criticized the Bush administration's increasing dependence, in the absence of weapons of mass destruction as justification for going to war, on the phrase "humanitarian intervention."

While such intervention traditionally has been justified by the threat of continuous or imminent mass slaughter, the Iraqi regime, however tyrannical, posed no such threat in March 2003.

For Roth, "we conclude that, despite the horrors of Saddam Hussein's rule, the invasion of Iraq cannot be justified as a humanitarian intervention."

To others, the motive of the Bush administration mattered less than the consequences.

Considering international military intervention in Kosovo, East Timor, Haiti and Bosnia-Herzegovina, activists such as Michael Ignatieff, Carr professor of human-rights practice at Harvard University, and Thomas Cushman, a professor of sociology at Wellesley College, support the war in Iraq on humanitarian grounds.

Neither activist supported the crude deception that accompanied the justification, but they think nonetheless that this may well turn out to be a war of liberation for the Iraqi people. Human rights, after all, are driven by empathy, by our ability to imagine the suffering of the weak and act openly to counter it. One can understand the view of the war's supporters.

For that very reason we need to ask some courageous questions.

Are the standards we deploy to deal with threats to international security and tyrannical regimes outdated?

Should war be launched only as a response to aggression or may one be started pre-emptively?

Terrorists do not play by the traditional rules of war. Should we respond with our inherited rules of warfare?

Probably not.

Yet the strategies Western governments can deploy to prevent terrorism extend beyond the debates of humanitarian intervention and pre-emptive strikes.

As the most elite experts on human-rights issues gathered recently for the inaugural conference of the Human Rights Institute at the University of Connecticut, Mary Robinson, a former UN human-rights commissioner, urged that we address the causes--political and social--of terrorism.

Those concerns are poverty, support for grass-roots organizations and oppressed states.

Citizens, as Robinson argued, need the financial and intellectual muscle to mobilize and act on their own behalf.

"We have to tackle the root causes," Robinson said. "Let us remember the comprehensive insecurity of the powerless, those who suffer from hunger, a 10-year-old HIV orphan in Africa. . . Security now trumps all other concerns."

It is exactly the disenfranchised and the marginalized who remain susceptible to the manipulation of corrupt leaders. Aryeh Neier, president of the Open Society Institute observed that the difficulty is that "humiliation is a very significant factor in promoting terrorism. . . . It can be used by corrupt leaders to manipulate a population."

Forms of humiliation

That humiliation may be economic or political.

It is a renowned factor in occupied states. How do we prevent the Palestinians and Chechens from resorting to terrorist violence when few resources are available to them? When they suffer the daily humiliation of oppression against stronger and more powerful states? There are grievances that have never been healed, and as long as we keep inflicting those wounds, they will multiply--legitimately or not.

Humiliation extends to the way the U.S. is treating its prisoners at Guantanamo Bay and Abu Ghraib. That kind of humiliation not only incites frustration and anger among America's opponents, but it also violates the right to human dignity.

Comparing the conditions of prisoners on Robben Island in South Africa to those held at Guantanamo Bay, the former chief prosecutor for the UN criminal tribunals on Rwanda and Yugoslavia, Judge Richard Goldstone, noted the extreme anguish felt by prisoners at Guantanamo Bay.

"The problem is when people do not have any idea what will happen to them," he said. "They are scared that they have dropped off the radar screen, that they have been forgotten."

How we handle issues of due process is central to our integrity.

When we compromise the values of our most hard-won and sacred institutions, we achieve little.

As Judge Geoffrey Robertson of the UN **Special Court** for **Sierra Leone** concluded, "There is the problem of fair trials for people who have been demonized by the people who try them. . . . Could Osama bin Laden, for example, be tried in a New York court? Would the people be dispassionate enough?"

He is correct when he argues that international precedents are being set. And given that ad hoc trials are acceptable to try criminal leaders, why not try terrorists in absentia too?

Western governments cannot in good conscience endorse and participate in a policy of rendition in which foreign prisoners are transferred to Jordan and Pakistan where torture is acceptable. Granting aid to countries such as Uzbekistan for the use of their air bases is a moral tradeoff that does not help the civilian population under Islam Karimov's corrupt regime.

Most agree that balancing human rights and national security will not be easy.

Terrorists, terrorist acts and their political grievances are a fact of our contemporary lives.

There is no Promised Land of established fact when you are dealing with a largely invisible and unpredictable threat. But we know that national security should not trump human-rights concerns.

Such an approach is doomed to ambivalence and failure and would lead to our moral defeat.