

**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:**

Thursday, April 28, 2005

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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We Yone. Thursday 28<sup>th</sup> April, 2005.

## JUSTICE OR JUST US

A RELEASE FROM THE SPECIAL COURT, AFRC DEFENCE TEAM.

A VIEW FROM THE WELL

BY WILBERT HARRIS

LEAD COUNSEL

The Special Court of Sierra Leone was created to try "those who bear the greatest responsibility" for the events which affected the lives of countless Sierra Leoneans both home and abroad. The principle referred to as "equality of arms" was built into the idea.

In pursuit of that mandate the Prosecutor enjoys UN diplomatic immunity. He has a staff packed with international experts such as investigators, translators, lawyers who are paid UN rates, unrestricted access to transport, witness support money and transport. They decide what material should be made available to the defence if any. If they have in their possession material from a witness they do not wish to use, they are not obliged to disclose the same to the defence as unused material. Financial resources appear not a problem for the Prosecution.

The Defence teams of the AFRC struggle with two investigators for the three AFRC indictees. The delicate balance of justice between both sides was disturbed when in March 2005 an unfounded allegation was made against the most effective investigator and family members of the three accused persons. The court ordered the suspension of four persons. An Independent Counsel Commissioned by the Registrar conducted an inquiry into the matters arising. We are yet to receive any information as to outcome of the inquiry despite the urgency of the moment.

The indictees have been in custody for a very long time. The pressures that brings together with not been able to see their loved ones at court are immense. The frustrations and constraints of ensuring effective

representation in the face of scarce resources and working tools is a heavy burden. It is a possible threat to justice and a fair trial for the AFRC indictees.

The court has been slow in revisiting the banning order, despite requests to do so. Conferences with clients have been consumed with the issue of the banning of their families and the investigator.

The real question is whether justice is or could be seen to be done. The answer unhappily must be in the negative. These detainees face serious charges. As I understand it applications by them to be visited by named persons have not been approved for several months. Attempts to gain entry to see the detainees are met with a refusal at the gate of entry. The intended visitors are told that entry is denied unless the court approves. A visitor to a detainee was subsequently visited by military police officers detained taken to Wilberforce Barracks and interviewed as to why he visited the Special Court. The detention lasted some five hours.

Trials carry with it a variety of pressures not common to our daily lives. Undoubtedly, the lawyers share in these pressures. Effective representation demands the absence of interference of these types. The presence and support of family members are necessary ingredients for the removal of some pressures.

The court by its failure to deal with such a major issue affecting the proper conduct of the trial is arguably contributing to the imbalance of the scales of justice. If I am asked whether the human rights of the detainee I represent are being observed I will reluctantly have to conclude in the negative.

Of the detainees Bazy Kamara was without proper legal representation and an investigator until shortly before the trial. As it stands he will be without the support of family members and friends during the long hours of travel through this trial.

Justice is an unfulfilled dream of the world governed by reason. To those who do not know, it lies in a mass of unread literature. To the rest of us it lies just around the corner. Trials are about achieving 'justice'. It is not about 'just us'.

Dated this 23<sup>rd</sup> day of April 2005.

New Vision. Thursday April 28<sup>th</sup>, 2005.

## **OPINION**

*By Wilbert Harris  
Lead Counsel*

### **Special Court Abuses Human Rights?**

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*FNS DAYBOOK April 27, 2005 Wednesday*

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FNS DAYBOOK

April 27, 2005 Wednesday

**EDITION:** FINAL

**LENGTH:** 179 words


**EVENT:** HOUSE INTERNATIONAL RELATIONS COMMITTEE

**SUBJECT:** Full committee markup of H.Con.Res.127, calling on the Government of the Federal Republic of Nigeria to transfer Charles Ghankay Taylor, former president of the Republic of Liberia, to the **Special Court for Sierra Leone** to be tried for war crimes, crimes against humanity, and other serious violations of international humanitarian law; H.Res.195, recognizing the 60th anniversary of Victory in Europe (VE) Day and the Liberation of Western Bohemia; a resolution recognizing the 60th anniversary of Victory in Europe (V-E) Day during WWII; and H.Res.193, Expressing support to the organizers and participants of the historic meeting of the Assembly to Promote the Civil Society in Cuba on May 20, 2005, in Havana.

**LOCATION:** 2172 Rayburn House Office Building -- April 27, 2005

**CONTACT:** 202-225-5021 [http://www.house.gov/international\\_relations](http://www.house.gov/international_relations)

**LOAD-DATE:** April 26, 2005

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*Financial Times (London, England) April 27, 2005 Wednesday*

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Financial Times (London, England)

April 27, 2005 Wednesday  
London Edition 1

**SECTION:** MIDDLE EAST & AFRICA; Pg. 9

**LENGTH:** 544 words

**HEADLINE:** Taylor accused over attempt to kill Guinea leader

**BYLINE:** By DINO MAHTANI

**DATELINE:** LAGOS

**BODY:**

The chief prosecutor of a UN-backed war crimes court in **Sierra Leone** has accused Charles Taylor, exiled former Liberian president, of masterminding an assassination attempt on the president of neighbouring Guinea in January this year.

David Crane, a former US Defense Department lawyer, said he had evidence that Mr Taylor backed the gunmen who fired on President Lansana Conte's convoy in Conakry, the Guinean capital. "His assassination attempt on Conte marks him as a true threat to international peace and security," Mr Crane said.

The **Sierra Leone special court** has already indicted Mr Taylor on 17 counts of crimes against humanity for his role in supporting **Sierra Leone's** rebels in a war that caused tens of thousands of deaths. Mr Taylor has yet to face trial.

The warlord-turned-president was at the centre of more than a decade of conflict in Liberia that spilled into neighbouring west African countries. He agreed to step down as Liberia's president in 2003 when Nigeria offered him asylum to prevent further bloodshed as rebels surrounded Monrovia, the Liberian capital.

Regional analysts say Guinea is considered the weakest link in the chain of interlinked countries in west Africa that Mr Taylor may be eyeing as a base for a new regional war. General Conte's health is a concern to those who fear a power vacuum if he dies. He has ruled Guinea since taking power in a coup in 1984.

A recent report by Human Rights Watch documented detailed interviews in August last year with 60 former fighters from different conflicts in the region. It noted a third of them had been solicited by different recruiters to fight either for or against General Conte.

A **special court** document obtained by the Financial Times alleges that Mr Taylor, who escaped detention in the US in 1985, has also broken the terms of his asylum in Nigeria by

travelling to Ouagadougou, Burkina Faso's capital, in February.

There, the document alleges he met collaborators including Francis Galawolo, a Liberian lawyer who has recently announced his ambitions to contest Liberia's presidential elections slated for October.

The document also alleges that Mr Taylor's masterplan includes toppling the government in Ivory Coast. Both Guinea and Ivory Coast backed Liberian rebel movements that conquered swathes of the largely forested country.

Hardliners in the Ivory Coast government say Mr Taylor and the government of Burkina Faso have supported Ivorian rebels in the west and the north of the country respectively.


Analysts say Guinea, which has a third of the world's known bauxite reserves, would provide Mr Taylor with ample resources to fund a new war chest. Mr Taylor sustained his previous campaigns through the sale of timber and diamonds from Liberia and **Sierra Leone**. International investigators say he also laundered diamonds through al-Qaeda.

The **special court** has been lobbying hard for Mr Taylor to be handed over for trial, but the Nigerian government says it can only do this when an elected Liberian government asks Nigeria to extradite him.

The Nigerian government said it would never have allowed Mr Taylor to leave the port city of Calabar, where he is supposed to be held.

"There is not a single iota of truth in that allegation," Remi Oyo, presidential spokeswoman, said.

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*Africa News April 27, 2005 Wednesday*

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Africa News

April 27, 2005 Wednesday

**LENGTH:** 1605 words

**HEADLINE:** Liberia;  
Taylor's Grand Scheme Exposed

**BYLINE:** The Analyst

**BODY:**  
Sponsors Presidential Aspirants

Enlists Bush's Sympathy Thru CIA Connections

When, in the early days of his administration, Charles Taylor told journalists during one of his leisurely radio pep talks that he was the most "mischievous" Liberians, most of his loyalists thought he meant to frighten would-be trouble makers.

But observers say if the arbitrariness of his administration, the reported connection of administration with the Al Qaeda ring of terror that involved gunrunning and diamond smuggling, the double-crossing of the Greater Diamond Company leading to its premature departure from Liberia, the double-crossing of Sam Bockerie leading to his death and, and the taking of UNAMSIL hostages in **Sierra Leone** just to play the Godfather, amongst others did not show Taylor's dark side and give him the undisputable "Most Mischievous Liberia" title, then the events that have been unfolding since he ran into exile are bound to do just that.

Fresh revelations by a former bureau chief of the authoritative Washington Post in West Africa, Douglas Farah, says a number of presidential aspirants for the October 2005 polls are part of a grand scheme by Taylor's to hold the rein of the next president in Liberia as a way of ensuring protection against extradition to face justice in **Sierra Leone**. (Nigeria vowed to turn Taylor over only to an elected government in Liberia.) The Analyst's Staff Writer has been looking at the revelations.

Journalist Douglas Farah, a Washington-based think tank and former bureau chief of the Washington Post for West Africa, has revealed plans by exiled former president Charles Taylor to install a protege in power in Liberia in an effort to escape prosecution in **Sierra Leone**.

Writing in the Monday, April 25, 2005 edition of the Washington Post, Farah who has been investigating Taylor's financial network for the Coalition for International Justice in Washington, D.C. said Taylor's scheme to commandeer the outcome of the 2005 elections was well in its advanced stages of implementation.

"[My] investigation has found that Taylor is spending some of the millions of dollars he looted to pay for campaigns of several of Liberia's presidential contenders," Farah disclosed.

According to Farah's article, "A Protected Friend of Terrorism" Mr. Taylor's financial empire, built on shell companies and businesses stretching from Nigeria to Europe and the Caribbean, is feeding resources to his longtime business associates and military loyalists inside Liberia.

He revealed neither the identities of the companies and businesses nor the longtime business and military loyalists in Liberia but noted: "He will have the protection of whoever wins the October election. The new government will then make sure Taylor can return home and never face the court. Once he outlasts the court's mandate, he will have escaped prosecution and will continue to wreak havoc." With the mandate of the Freetown **Special Court**, funded largely by the U.S., due to expire by the end of the year, Taylor is likely to escape justice, but Farah said things do not have to turn out that way provided Washington acted appropriately.

Insisting that the Bush Administration was not doing enough to extradite Taylor to **Sierra Leone** to face justice, he said Taylor's escape would raise fundamental questions about the U.S. government's commitment to fighting global terrorism and cutting off its African connections.

"The Bush administration is touting the rule of law and democracy as priorities in its effort to create stability and defeat terrorism. Yet it remains curiously apathetic about the activities of one of the world's most notorious indicted war criminals, a man who is also an abettor of al Qaeda and Hezbollah. I am speaking of former Liberian president Charles Taylor, who has not only escaped answering for his crimes so far but who may be given an opportunity to repeat them if the United States does not act," Farah said in his article.

He said further, "It seems to matter little here that Taylor's efforts to escape justice may well succeed because of U.S. inertia." Indicted on 17 counts of crimes against humanity, he said, Taylor poses a clear and present danger to West Africa and U.S. interests.

"Yet the State Department continues to respond to congressional inquiries with bland assurances that everything is fine and Taylor is no longer a problem.

It's not true," Farah insisted.

The former bureau chief then warned that unless Taylor was turned over quickly to the U.N.-backed **Special Court** for **Sierra Leone** to stand trial, he would never face punishment for the crimes he committed in the region at the cost of tens of thousands of deaths and hundreds of thousands of lives destroyed.

"Taylor's were brutal, vicious crimes. For more than a decade he presided over forces that murdered, raped and mutilated children; they also abducted children to use them as cannon fodder. He created 'Small Boys Units' made up of specially trained children who, while high on amphetamines, were used to raze villages and murder civilians. He trained and supplied the Revolutionary United Front in neighboring **Sierra Leone**, whose signature atrocity was hacking off the arms, legs and ears of civilians, many of them children," he said.

Again without naming names, he said Taylor hosted diamond buyers from al Qaeda and Hezbollah for several years, allowing the two designated terrorist groups to earn and hide their wealth in an asset that is untraceable and easily convertible to cash." He recalled that Taylor - under military siege from two rebel groups - accepted Nigeria's offer of asylum in August 2003, paving the way for the formation of an interim government to run the country until elections this October.

"The asylum deal was backed by the Bush administration and Britain's Tony Blair. The terms of the agreement with Nigerian president Olusegun Obasanjo were that Taylor [must] not be



allowed to participate in 'active communications with anyone engaged in political, illegal or governmental activities in Liberia.' In return, Obasanjo would not be criticized for harboring an indicted war criminal.

Obasanjo promised to turn Taylor over only if the new Liberian government requested it," he revealed. But he noted that even the deal is not holding as Taylor flouted every essential aspect of it with impunity even as Washington pumps money into Liberia's electoral process with the make-believe that elections will end all of Liberia's troubles.

"There is clear evidence -- gathered by the court, U.N. officials in Liberia and European intelligence services -- that Taylor has made a mockery of the asylum agreement, meddling in Liberia's electoral process by phone, e-mail, fax and cash payments." More than that, he disclosed, Taylor funded and planned an unsuccessful January assassination attempt against Lansana Conte, the president of Guinea.

He gave no details of the plot but indicated that Taylor's exile in Nigeria was not paying off in terms of security for the subregion and the advancement of the peace process in Liberia.

As evidence of Taylor's continued interference in Liberia and neighboring countries, he quoted UN Secretary General Kofi Annan as informing the Security Council, last month, of a collusion between Taylor and a group of individuals considered his loyalists in Liberia.

"U.N. Secretary General Kofi Annan last month told the Security Council that Taylor's former military commanders and business associates as well as members of his political party maintain regular contacts with him and are planning to undermine the peace process in Liberia." He also quoted the Freetown court's chief prosecutor, David Crane, as saying that Taylor was still ruling the country from his house arrest.

Yet the Bush administration, he noted, has offered no support for turning Taylor over to the court. The State Department has, in several recent briefings, equivocated on whether U.S. policy really supports such a move.

"Part of the reason may be Taylor's long association with U.S. intelligence services. During much of the 1990s, Taylor was close to Moammar Gaddafi, the main financier of Taylor's wars. Taylor regularly reported on his meetings to U.S. intelligence agencies and was paid for the information. While the use of informants is necessary, protecting Taylor in the face of unspeakable atrocities just because of that historical relationship should not be tolerated," Farah said.

He however revealed that faced with the administration's apathy, a bipartisan group of legislators were taking the lead.


The bipartisan group that is co-sponsoring a concurrent resolution calling for Taylor's expeditious handover to the court, according to him, includes Representative Ed Royce, a Republican from California; Sue W. Kelly, a Republican Representative from New York; Frank R. Wolf, a Republican Representative from Virginia; Victor F. Snyder, a Democratic Party Representative from Arkansas, and Tom Lantos, a Democratic Party Representative from California.

He said while the congressional action was helpful what was really needed was the administration's active support for Taylor's immediate extradition.

"The administration must acknowledge that Nigeria acted in the best interests of the region by taking him and thank Obasanjo for his help. Britain has already done this. But Obasanjo must have the political cover of public U.S. support to hand Taylor over. If Taylor escapes prosecution, West Africa will be endangered and U.S. moral leadership severely diminished,"

he said.

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*International Enforcement Law Reporter May 2005*

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May 2005

**SECTION:** LAW OF WAR, CRIMES AGAINST HUMANITY, AND ECONOMIC SANCTIONS; Vol. 21, No. 5

**LENGTH:** 530 words

**HEADLINE:** European Parliament Passes Resolution Calling for Action to Ensure Taylor's Court Appearance

**BYLINE:** Bruce Zagaris

**BODY:**

On February 28, 2005, the media reported that the European Parliament had adopted a resolution calling on the European Union and its member states to take immediate action to ensure former Liberian President Charles Taylor's appearance before the **Special Court** in **Sierra Leone**. n1

n1 *Renewed Pressure for Taylor Surrender; EU Member States Press Button on Nigeria*, THE ANALYST (Monrovia), Feb. 28, 2005 (<http://allafrica.com/stories>).

The European Parliament resolution calls on the European Union and its members to build international pressure in order to bring about Charles Taylor's extradition. The resolution explains that the EU members have contributed more than \$30 million to support the functioning of the **Special Court** for **Sierra Leone** and that the European Union has contributed \$800,000 Euro to support the **special Court**'s work.

The resolution requests Nigeria to turn Taylor over to the court, for the United Nations to work toward this goal, and for the U.N. Security Council to urgently consider this issue. n2

n2 *Id.*

The **Special Court** indicted Mr. Taylor on 17 counts of war crimes and crimes against humanity for his role in contributing to the murder, rape, abduction and mutilation of thousands of civilians during **Sierra Leone**'s civil war from 1991 to 2002. After resigning the Liberian presidency under pressure in August 2003, Mr. Taylor accepted Nigeria's offer of asylum for the sake of peace in Liberia.

Despite substantial international pressure on Nigeria to surrender Taylor to the **Special Court**, Nigerian President Olusegun Obasanjo has rejected all such pleas, saying Taylor accepted Nigeria's offer of asylum for the sake of peace. n3

n3 *Id.*

Allegations have been made that Taylor remains in frequent contact with members of his former government, and that he also may be supporting an insurgency directed at Guinea with fighters loyal to him, including combatants from the former Revolutionary United Front of **Sierra Leone**, the Liberian Anti-Terrorist Unit and Special Security Service, and numerous Guinean dissidents. n4


n4 *Id.*

Since July 2003, the **Special Court** for **Sierra Leone** has operated in Freetown and is expected to operate on a short time frame, approximately three years. Voluntary contributions constitute its principal source of funding. The **Special Court** has encountered significant difficulties in raising adequate funds to operate. n5

n5 *Id.*

The resolution of the European Parliament indicates the key role played by the EU in helping establish and support the **Special Court**. The short-time period and funding difficulties of the **Special Court** illustrate key problems encountered by ad hoc international criminal tribunals. The resolution indicates the dilemma of Nigeria: on the one hand, it has helped to end the civil war in Nigeria by offering asylum to Mr. Taylor; on the other hand, now the Nigerian government is under pressure from the international community and **Special Court** to surrender Mr. Taylor. Meanwhile, the clock ticks and makes his surrender even more time-sensitive.

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# SLPP's Loathing Of TRC Report:

## *The Reasons*

*From Last Issue*  
The statements lent themselves to misinterpretation by the Kamajors, who in many instances used them as a justification to mount attacks on military positions in the Southern Province, as well as at selected strategic points in the Northern and Eastern Provinces, many of which

caused violations against civilians by one or both sides in the process.

**Fuelling the Conflict**  
"the Commission finds that the War Council and the President were fully and timeously apprised of events that were taking place on the ground in Sierra Leone during their period in exile. They did not act to stop the violations being carried out

by CDF elements nor did they speak out against them. As such, they are held responsible for the acts of their agents on the ground".

### **Knowledge of CDF Atrocities**

"The Commission finds that the Government was aware of human rights violations and abuses carried out by the CDF, through the role of its Deputy Defence Minister, Chief Samuel Hinga Norman who served as CDF National Coordinator

and members of the War Council at Base Zero. The Government was further kept informed through its Security Committee briefings and through reports received from ECOMOG, but failed to take steps to stop them. The Commission, accordingly, holds the Government responsible for the violations and abuses of human rights committed by the CDF".

### **Arbitrary Detentions**

**and Prosecutions**  
"The Government of Sierra Leone deployed a "catch-all" strategy to round up all persons associated with the AFRC regime, however loosely, and to imprison them arbitrarily without charge. Many civilians were detained for no other reason than the fact that they retain their jobs as civil servants under the AFRC regime".

"The then Attorney General and Minister of Justice,

Solomon Berewa, set out the policy of the Government towards collaborators in a letter entitled 'Present Position relating to the Collaborators of the AFRC Junta'. The use of language in this letter was dangerously ambiguous. It was open to wide interpretation and consequently led to abuses and violations on the ground. Mr. Berewa

Contd.

## SLPP's Loathing Of TRC Report:

From Front Page

criminalized acts of collaboration with the AFRC and sought to have all persons falling into that category detained in the custody of the state. This new category was not codified in law but it led to the detention of thousands of Sierra Leoneans".

"The Commission finds that the arrests, detentions, prosecutions and trials that followed the establishment of this policy were politically motivated and culminated in numerous human rights violations and abuses. The Commission finds that the departure from recognized legal and constitutional standards was the result of deliberate planning and authorization by the Government of Sierra Leone. While the Government's objective of reasserting its political ascendancy and sending out a strong message that coup plotters would not be tolerated was just, the means used were not. The Commission finds that the means employed were unconstitutional and resulted in human rights violations and abuses"

sufficiently quelled or controlled. Many civilians were executed arbitrarily on allegations of so-called "collaboration" while many others were beaten up, harassed or molested on similar grounds. A clear

### Court Martial of 37 Soldiers

"The Court Martial of 37 soldiers of the SLA, which concluded with 34 guilty verdicts and three acquittals on Monday 12 October 1998, did not allow for the

***The Commission finds that the arrests, detentions, prosecutions and trials that followed the establishment of this policy were politically motivated and culminated in numerous human rights violations and abuses. The Commission finds that the departure from recognized legal and constitutional standards was the result of deliberate planning and authorization by the Government of Sierra Leone.***

message or other assertion of control by the Government or ECOMOG may have prevented such violations".

### Role of the Attorney-General and the Minister of Justice

"The Commission finds that the then Attorney-General and Minister of Justice Solomon Berewa, played a particularly conspicuous role in the conduct of both the civilian

right of the accused to appeal, the right to an effective defence, and the right to be fully informed of the charges. The Commission finds that the trial was conducted in contravention of the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights".

The SLPP Government's Role in the Peace Process and the Failures of Power Sharing

"A pattern of summary executions, torture, floggings, beatings and arbitrary detentions was recorded by the Commission. It encompasses acts that were carried out by both private actors and agents of the state".

### Mob Justice

"The Commission finds that the mob justice prevalent during the transitional period between the ECOMOG intervention of 12 February, 1998 and the restoration of President Kabbah on 10 March, 1998 was not

***The Commission finds that the mob justice prevalent during the transitional period between the ECOMOG intervention of 12 February, 1998 and the restoration of President Kabbah on 10 March, 1998 was not sufficiently quelled or controlled. Many civilians were executed arbitrarily on allegations of so-called "collaboration" while many others were beaten up, harassed or molested on similar grounds.***

and the military trials. The Attorney-General, Mr. Solomon Berewa, exercised his discretionary power of prosecution in an arbitrary fashion. Furthermore, Mr. Berewa sat on the Mercy Committee whose role it was to advise the President on the issuance of pardons for the 34 condemned soldiers. The Commission finds that Mr. Berewa held an inappropriate amount of power in deciding the fate of the persons he had himself selected for trial".

"The appointment of the former head of the AFRC Johnny Paul Koroma, as chairman of the Commission for the Consolidation of Peace (CCP) by the President was meant to bring the AFRC into the peace process. The Commission finds the appointment to have been a strategic mistake. It jeopardized the success of the CCP alienated the RUF and served to reward a soldier who had committed treason and plunged the country into a ruinous nine months of military rule by the AFRC".

"The Government did not fulfill several undertakings made in the Lome' Peace Accord. The position foreseen for the RUF in parastatals, diplomacy and other public bodies did not materialize. The promise to bestow equal status upon RUF office holders were not honoured. The Commission finds that spirit of power sharing was not promoted by the Government".