

**SPECIAL COURT FOR SIERRA LEONE  
PRESS AND PUBLIC AFFAIRS OFFICE**



Boats along Man O'War Bay, Aberdeen

**PRESS CLIPPINGS**

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

Thursday, 24 August 2006

Press clips are produced Monday through Friday.  
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**Local News**

Will Golley Suffer the Same Fate as Sankoh? / Concord Times

Pages 3-4

**International News**

UNMIL Public Information Office News Summary / UNMIL

Pages 5-8

Judge Who Pushed the War Crimes Envelope / Business Day

Pages 9-11

## Will Golley Suffer the Same Fate as Sankoh?

Thursday, 24 August 2006

Opinion

*Story: Sam Kargbo*

Recently, Richard Dicker, the Director of the International Justice Programme at Human Rights Watch (HRW) in America, made a rather poignant statement about the former Liberian President, Charles Taylor, who is now in The Hague awaiting trial for alleged war crimes. Dicker said that although his organisation was strongly opposed to Taylor being tried in The Hague instead of Freetown, there was a positive advantage in the relocation of the trial because Taylor would have easy access to medical care.

Dicker said: "Charles Taylor is entitled to and should receive high quality medical care for the period of his detention awaiting and during trial. It would be a source of enormous concern if Mr. Taylor's health was neglected while he's in detention awaiting trial."

The fact that Dicker sees a positive advantage in Taylor's removal from Freetown must be viewed critically. Is he implying that prison conditions in Sierra Leone are not up to standard and that prisoners' health are at risk because of poor medical services? This would seem to be the case.

It is in this light that we come to the case of Omrie Golley who has been charged with treason for allegedly plotting to overthrow the SLPP government. Golley's health is deteriorating fast as a result of the appalling conditions at Pademba Road Prison.

We are not interested in discussing the merits or demerits of the case. What we are interested in is the humanitarian aspect. Golley's lawyers have failed to get bail for their client who is in need of immediate medical attention. Given the poor conditions at Pademba Road, if Golley does not get treatment soon, he could well die.

Golley's lawyers are calling for better medical treatment for their client because there is only one doctor for 900 prisoners at Pademba Road. How could it be possible for sick prisoners to get proper medical attention in such a situation? It is not surprising that prisoners continue to die due to lack of proper health care.

One notable detainee at Pademba Road who died as a result of his incarceration was Foday Sankoh, leader of the Revolutionary United Front. He died in July 2003 in hospital after complications arose out of the stroke he had suffered earlier.

Sankoh's Senegalese wife, Fatou Mbaye Sankoh, was convinced that her husband would not have died then if he had received proper medical attention.

This is the same situation Golley has found himself. Ironically, Golley used to be close to Sankoh, having been a spokesman for the RUF. Are we right to think that the powers that be are deliberately placing similar obstacles in the way of Golley for him to suffer the same fate as Sankoh?

We hope not. But the cavalier attitude in which the court has handled the bail issue does not tell well for the justice system in Sierra Leone. After all, it is the duty of the authorities to ensure that apart from making sure that Golley has a fair trial, he should also "receive high quality medical care for the period of his detention awaiting and during trial," as HRW's Dicker put it in the case of Taylor.

However, it is clear that the Golley bail issue is causing concern

not just in Sierra Leone but also abroad. The British Foreign and Commonwealth Office have made several representations to the government but these appear to have fallen on deaf ears.

UN Secretary-General Kofi Annan, in his last report on Sierra Leone to the Security Council, said that Golley's case appeared to have been politically motivated. This was one of the many interventions that the UN has made on behalf of Golley since he was arrested in January this year. During his visit to Sierra Leone last month, Annan brought up Golley's case during discussions with President Kabbah but nothing

came out of this.

The problem with this recalcitrance on the part of the government is that it does not have a good record when it comes to prison deaths. Quite a few Sierra Leoneans who have knowingly or unknowingly tangled with this government have ended up dead.

Take, for example, Conrad Roy. He was a journalist with a reputation for fairness and objectivity and someone who lived for his job. But when the Nigerians ousted the AFRC in 1998 he was arrested and sent to Pademba Road where he died.

Another who suffered a similar fate was Abdul Salami Williams, who served as Secretary of State for Labour under the AFRC. By the time he was released from prison by the SLPP government, Williams was in dire need of medical attention and when his German ex-wife attempted to get him out of Sierra Leone for urgent medical attention, the government refused to allow him to travel.

court and that it is down to the judge to decide whether or not to allow bail for Golley. But we all know that this government does intervene in the judicial process when it sees it fit to do so.

Take the case of Harry Yansaneh, the editor of For Di People newspaper, who died a year ago as a result of a beating he received from assailants associated with a Member of Parliament representing the SLPP. Nothing has been done to bring the culprits to justice.

This prompted the New York-based Committee to Protect Journalists (CPJ) to issue a statement recently calling for justice to prevail in Yansaneh's case. "It is outrageous that one year after our colleague's death, the state appears to have dropped this case. An official judicial inquest found that Yansaneh died as the result of a brutal beating, and a ruling party parliamentarian was implicated in the crime," said the CPJ's Africa Programme Coordinator, Julia

Needless to say, he died from medical complications brought about by his imprisonment at Pademba Road.

The recent death of the Chief Immigration Officer, Gloria Newman-Smart, is another example of how failure to provide proper medical care could turn out to be fatal. Ms Newman-Smart, who had a medical condition, also died as a result of complications brought about by her detention at Pademba Road.

Local human rights groups, such as the New Alliance Foundation, have regularly pointed out the folly of the government's inaction over Golley's health concerns. The government

Crawford.

"A serious attack on a journalist should not be allowed to go unpublicized, especially if it contributed to his death," Crawford said in a statement marking the first anniversary of Yansaneh's death.

So, it is obvious that even though the government is doing its best in terms of democracy, there is a huge deficit when it comes to respect for human rights. It does not augur well for Kabbah. What sort of legacy does he want to leave behind when he steps down from power next year: a regime that was impervious to human rights considerations?

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

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## **UNMIL Public Information Office Media Summary 23 August 2006**

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

### **International Clips on Liberia**

**BBC** Last Updated: Wednesday, 23 August 2006, 11:59 GMT 12:59 UK

#### **Liberia's post-war postage stamps**

Liberia has produced its first postage stamps since civil war began in 1989. Posts and Telecommunications Minister Jackson Doe unveiled two sets of stamps in the capital, Monrovia on Tuesday. They depict the elections last year and the inauguration this year of President Ellen Johnson-Sirleaf, Africa's first elected female head of state.

### **International Clips on West Africa**

#### **Russia demands release of tanker, crew seized near Sierra Leone**

MOSCOW, August 22 (Itar-Tass) --The Russian Transport Ministry has addressed the Foreign Ministry with a message over the seizure of the Russian oil tanker The Luchegrosk in the area of Sierra Leone. The ministry's press-service said the Transport Ministry insists on addressing the authorities of Sierra Leone with the request to help secure the release of the ship and to present official explanations of the incident. Earlier reports said the tanker was seized in Guinea.

#### **Ivory Coast Prime Minister Banny launches peace missions**

ABIDJAN, Aug 22, 2006 (AFP) - Ivory Coast's transitional Prime Minister Charles Konan Banny Tuesday launched peace missions across the war-divided country to explain his peace plan before elections supposed to be held by October 31. Composed of leaders of various movements, political party representatives and traditional chiefs, Banny said the teams would have "to convince" anyone in the West African state that "peace is not a word in vain", but a "precondition to development".

### **Local Media – Newspapers**

#### **Legislature Finally Approves Fiscal Budget**

*(The News, The Inquirer, The Analyst, Daily Observer, The Informer, Heritage, New Democrat and New Liberia)*

- Following several weeks of scrutiny, the National Legislature on Tuesday passed into law a fiscal budget of L\$7.5 billion. A joint conference Committee of the Legislature yesterday concurred in separate plenary sessions to approve the US\$129 million budget in Liberian dollar-equivalence.

#### **Criminal Court Acquits Economic Saboteurs**

*(The News, The Inquirer, The Analyst, Daily Observer, The Informer, Heritage, Public Agenda and New Democrat)*

- The 12-man Jury at the Criminal Court "C" on Tuesday acquitted 11 former officials of the State-owned National Social Security Corporation (NASSCORP) of economic sabotage charges. In affirming the ruling, the Presiding Judge of the Criminal Court "C," Blamo Dixon, the defendants were "not guilty" of the crime of economic sabotage and should therefore be set free from answering any further charges regarding the crime.
- NASSCORP's former Director General, Orishall Gould, his deputy, Varfley Dorley and nine others were charged with economic sabotage for allegedly duping the Corporation of more than US\$450,000.

### **Lebanese Firms Awarded Contracts to Supply New Army Recruits**

*(New Democrat)*

- [sic:] Lebanese merchants in the country are being favored for huge contracts amounting to millions of dollars in the training of the new army, according to well-placed sources. [sic:] Defense Minister, Brownie Samukai, on Tuesday confirmed that a contract amounting to an undisclosed amount, has already been given to the Palm Hotel to feed recruits with local food such as cassava leaf and bitter balls.

### **Methodist University Graduates First Blind Student Today**

*(The Liberian Diaspora)*

- The United Methodist University will today confer undergraduate degrees on several candidates, including a blind student. The University will award Mr. Robert Kush Williams, Sr., a Bachelor of Arts degree in Sociology, making him the first blind Liberian to earn a university degree.

### **UNMIL and Government Accused of Refusing to Pay Benefits**

*(The Liberian Diaspora)*

- In a complaint of discontent filed to foreign missions in Monrovia on Monday, some 200 deactivated officers of the Special Security Service (SSS) accused UNMIL and the Government for "refusing" to pay benefits to the legitimate spouses of deceased servicemen and to those who should have benefited but were out of the country.
- [sic:] More frustrating they said UNMIL refused to pay those SSS men who went to collect their benefits after the exercise was over as was done for members of the Armed forces of Liberia.

### **Guinean Ambassador Denies Rumor of Civilians Fleeing into Liberia**

*(The Liberian Diaspora)*

- Guinean Ambassador to Liberia, Abdoulaye Dore, has dispelled a rumor that scores of civilians have fled into Lofa County as a result of a recent street demonstration in the Guinean commercial city of Macenta. He however confirmed that there was a demonstration by Guinean civil servants in the capital, Conakry.

### **SSR Wants Death Certificate before disbursing Benefits to AFL Widows**

*(The Liberian Diaspora and The Inquirer)*

- [sic:] It has been reported that widows of former soldiers of the Armed Forces of Liberia who died in active service have been asked to produce death certificates before receiving benefits on behalf of their late husbands.
- According to a concerned beneficiary, the Security Sector Reform or DynCorp needs the certificates to ascertain the veracity of the deaths but some widows said they had no means of obtaining death certificates or affidavits during the heat of the Liberian civil war.

### **Ex-Combatants Seized Sinoe Rubber Company**

*(The Liberian Diaspora)*

- [sic:] Thousands of ex-combatants of the defunct Liberian Peace Council and the Movement for Democracy in Liberia have reportedly seized the Sinoe Rubber Company. The former fighters who had been occupying and pillaging the plantation since the 1990s said that they would not leave the plantation until they are compensated

### **TRC Launches Peace Song in 16 Liberian Languages**

*(The Inquirer, Daily Observer, Heritage, The Informer and Public Agenda)*

- Liberia's Truth and Reconciliation Commission (TRC) will this week present to the public, a peace song produced in 16 major Liberian languages in standard and simple English, a statement issued by the TRC said.

### **SSS Officer Charged with Homicide**

*(Heritage and Public Agenda)*

- The Monrovia Magisterial Court has charged an officer of the Special Security Service (SSS), Darlington Bleh, with "Negligent Homicide" in connection with the murder of Emmanuel Williams. According to the charge sheet, Mr. Bleh "recklessly" discharged and shot Williams, a bodyguard to SSS Director Chris Massaquoi in early August during a shoot-out at Massaquoi's residence in Paynesville.

### **Government to Reduce Prices of Basic Commodities**

*(The New Liberia)*

- The Liberian Government on Monday announced that it will shortly reduce the prices of basic commodities on the Liberian market.
- President Ellen Johnson-Sirleaf told residents of Kakata in Margibi County where she had gone to launch a scholarship fund drive that the Government will soon introduce a new price structure aimed at addressing the hike in the prices of basic consumer goods in order to alleviate the hardship now being faced by Liberians.

### **Lebanese Merchant Denies Evading Taxes**

*(The News, The Inquirer, The Analyst, Daily Observer, Heritage and New Democrat)*

- A Lebanese businessman, George Haddad, yesterday denied claims by the Ministry of Commerce that his company, Bridgeway Corporation, had been evading taxes such that it owes the Government US3 million. Mr. Haddad denied the allegation when he appeared before members of the House of Representatives at the Capitol Building on Tuesday.

### **Local Media – Radio Veritas** *(News monitored yesterday at 6:45 pm)*

#### **Police Prevent Mob against "Isakaba Boys" at Monrovia Suburb**

- Correspondents said that officers of the Liberian National Police have prevented some residents of the Monrovia suburb of New Kru Town from mobbing 10 members of group known as the "Isakaba Boys" who allegedly terrorize residents of Monrovia.
- The angry mob surrounded the suburb's police depot demanding that the suspected criminals be turned over to them to face mob justice after they had been arrested early this morning with cutlasses and knives.

#### **Police Jail Suspected Murderer Working for UNMIL**

- A 53-year-old local employee of the United Nations Mission in Liberia was yesterday nabbed by police for allegedly killing one Morris Branny at Dixville, outside Monrovia. The suspect said that he stabbed the victim on Tuesday in self-defence.

#### **City Court Nullifies Rape Case against German-National**

- The Monrovia City Court yesterday dismissed proceedings in a rape case involving German-national Peter Blanquette when his wife accused him of raping her 13-year-old sister in 2005.
- The Court added that its decision to quash the case was based on the plaintiff's inability to produce evidence against defendant Blanquette and the victim's denial that she had been raped by the accused.

### **Restaurant Operators annoy with Army Trainers for Awarding Feeding Contract to Lebanese**

- Liberian restaurant owners yesterday said that they were annoyed with DYNCROPS, an American military group contracted to train the new Armed Forces of Liberia, for awarding to the Lebanese-owned Palm Hotel the contract to feed the new recruits.
- In a radio interview, the restaurant operators noted that it was unfair for the army trainers to award such a contract to foreigners when Liberian businesses were available to do the job.

### **Health Ministry Reports Outbreak of Cholera in Liberia**

- Acting Deputy Health Minister Dr. Moses Peewu`, announced yesterday that the ministry had recorded 9 deaths from cholera in different parts of Liberia, citing Grand Bassa County which reported four deaths, Margibi County one, Monrovia three and Clay Ashland, Bomi County one. Dr. Peewu added that 50 people were being treated for cholera at the John F. Kennedy Medical Center, the country's leading referral hospital. The Minister lauded MSF-Belgium and Merlin for intervening by sending medical kits to some of the affected areas.

*(Also reported on ELBS and Star Radio)*

### **Liberians Return from Refugee Situation in Ghana**

- Media reported yesterday that some 122 Liberian refugees returned home from Ghana on board a chartered plane and lodged at a transit center in order to be transported to their homes in rural Liberia. The returnees were met on arrival by representatives of the Liberia Refugee Repatriation and Resettlement Commission and UNHCR.

*(Also reported on ELBS and Star Radio)*

### **Lawmakers Pass Fiscal Budget after bickering over Allocations**

*(Also reported on ELBS and Star Radio)*

### **Criminal Court Acquits Economic Saboteurs**

*(Also reported on ELBS and Star Radio)*

### **Lebanese Rice Dealer Denies Evading Taxes**

*(Also reported on ELBS and Star Radio)*

*Complete versions of the UNMIL International Press Clips, UNMIL Daily Liberian Radio Summary and UNMIL Liberian Newspapers Summary are posted each day on the UNMIL Bulletin Board. If you are unable to access the UNMIL Bulletin Board or would like further information on the content of the summaries, please contact Mr. Jeddi Armah at [armahj@un.org](mailto:armahj@un.org).*

## Business Day (South Africa)

Wednesday, 16 August 2006

### Judge Who Pushed the War Crimes Envelope

By Michael Bleby

IN SEPTEMBER 1998, the International Criminal Tribunal for Rwanda handed down a world-first judgment. Rape, the three tribunal judges declared, was a crime against humanity and constituted genocide.

The conviction of Jean-Paul Akayesu, former mayor of Taba, in central Rwanda, on rape-related genocide was not a prospect he faced at the beginning of his trial.

It was only during his trial on charges including murder, torture and inhumane treatment that victims began giving evidence of widespread sexual abuse.

Durban-born Navanethem Pillay was one of three international judges hearing evidence. She is credited with halting the trial and allowing the prosecutor to amend the charge sheet against Akayesu, against the objections of the defence, to include charges related to sexual violence.

"They would talk about sexual violence, and the judges asked more questions - not only me, but the other two judges as well," she says, in the lounge of her Durban Ridge home. "We allowed all this evidence in, horrendous rapes and gang-rapes of children and so on."

The Akayesu judgment pushed the envelope on prosecuting rape in war further than work that had already taken place in the international tribunal for the former Yugoslavia, says Richard Goldstone, a former chief prosecutor at both the Yugoslav and Rwandan tribunals.

"In her judgment she, for the first time, gave an international law definition of rape," Goldstone says. This got away from a male-centred approach focusing solely on penetration, and talked instead about a physical invasion of a sexual nature and done in a coercive way.

Later judgments narrowed the definition, but the precedent this judgment set advanced the prosecution of sexual crimes in war.

For Pillay, the first black woman appointed to the high court in SA, co-founder in 1992 of international human rights organisation Equality Now and one of five appeal judges at the International Criminal Court in The Hague, the law is personal. Her experiences influence her judgments. The decision to interrupt the Rwandan trial and allow new evidence was one example.

"We always say judges are professional, we apply the law impartially without any preconceptions - that's true - but you can still apply the law with an understanding of the context. In this case genocide, and 800000 people killed, women and children sexually abused," says Pillay, 64.

Not all judges see things the same way. Two of the three judges on the Special Court in Sierra Leone in 2004 refused to amend the charge sheet against three accused pro-government militia members to include sexual crimes, after the prosecution uncovered evidence late in the process. The judges further refused to allow any evidence in court of a sexual nature, even in the context of other crimes, such as torture.

Cecile Aptel, a legal adviser who worked with Pillay at the Rwanda tribunal, says a judge's ability to empathise with victims strengthens him or her.

"It doesn't make them less impartial, but gives them that sense of having empathy. Not a sense of being less critical, but much more committed."

Pillay is a soft-spoken woman with a warm sense of humour. Dressed casually for a day at home, she berates the photographer in a self-conscious way for snapping her without make-up. She offers macadamia chocolates that, on a sunny Durban day, lie untouched during the interview.

She says her own upbringing has focused the way she sees the law. The daughter of a bus driver and a mother who had never been to school, she grew up in Clairwood, a poor Indian area of Durban, in a large Tamil-speaking family. Thanks to her determined mother, Pillay made it into primary school at age six. Many girls had to wait until 10, so limited were schools in number.

The inequality of growing up poor and black in apartheid SA was clear early on. At age six, her father's conductor stole money from her. She gave evidence in court, which sent the conductor to prison, but they never got the R5 back. The need to understand human rights pushed her and other black students into law.

While Pillay is quick to say her own experiences were easier than those of many of her African colleagues, they influenced how she looked at life and the law.

"Once you have a proper understanding of what it's like to suffer violence and discrimination, you have an understanding of the context in which you are judging."

She only went to high school because of bursaries. When the chance to go to university came, her school teachers went around the community collecting money for the girl with potential.

"They could only do that for one student out of 30," she says. "The whole 30 deserved to go."

She studied law at the University of Natal. It was clear, however, that the law syllabus taught bore little relevance to the apartheid-stricken country in which the black students were living.

"The law we were taught at university, lots of property law and commercial law and nothing to do with pass law offences, had nothing to do with the Immorality Act and the lack of human rights. We were reading about private international law and public international law and dealing with marine law and bills of exchange and corporations, and outside people were being charged for sleeping together."

In addition, the white legal profession showed little interest in challenging the status quo.

"Articled clerks and lawyers were detained, they were being assassinated and the Law Society wouldn't murmur one bit. They kept blacks out of the profession by making the entrance exam, especially the bookkeeping, so hard that people who had got their two degrees would fail that practice exam."

After graduating, and looking for a job, Pillay came up against a triple wall of discrimination.

"Wherever I went looking for work, these three factors were against me. One was class - 'Is your father lawyer? Is he a businessman?' - two, 'You're black, we can't have white secretaries taking dictation from you', and gender - 'You're a woman, what if you fall pregnant?'"

Despite the accolades for being, in 1967, one of the first black women to set up a law practice as an attorney, Pillay says this was because she had no choice. Her first case was defending activist Phyllis Naidoo, then a banned person, who had forgotten to report to police as required every Monday. She was nursing a baby, but was still required to spend nine days in prison.

At 28, Pillay was involved in her first terrorism trial, defending trade unionists.

"When you're young, you learn the law and hope to help implement it. It's gradually you realise you're doing a disservice to the people, creating the illusion that you can get justice under laws that are oppressive and all directed against you."

In 1972 she managed to get an acquittal of a client charged under the Terrorism Act - no small feat - by convincing the court that her client had been holding meetings with other farmers simply to discuss fencing problems.

Pillay's own husband, Gaby Pillay, who was also a lawyer, was detained under the Terrorism Act in 1971 and again in 1972. Using his power of attorney, Pillay was able to secure a court order that unlawful methods of interrogation were not to be used on him.

He was released later that year, but subsequently became an alcoholic. The two divorced in 1996 and he died in 1999.

"I suppose so much of it can point to the experiences people can have after detention. He was never the same after that."

In 1981, dispirited with the law in SA, Pillay went to study international humanitarian law at Harvard, taking one of her two daughters. She went back to Harvard in 1984 to do a doctorate, taking both daughters this time. Her husband stayed in SA. One of her daughters now works as a sales consultant at Tiffany's in New York. "She's selling stupid jewellery," Pillay says, raising her eyes in mock horror. "Anything but law, as you can see."

Her other daughter works as an urban planner for the Johannesburg metro. Her pride in both daughters is evident.

A human touch is something colleagues value. Aptel remembers, after the long working days under hard conditions at the Rwanda tribunal, a concerned Pillay would often ask her staff if they had eaten. If not, she would order food or go home and cook it herself, and send it back to the staff with her driver.

By 1988, Pillay's involvement with the international human rights movement saw her travelling to 19 countries on tour with Bruce Springsteen, Peter Gabriel and Sting, popularising the declaration of human rights.

It was a bittersweet experience to be offered a role on the Rwanda tribunal in 1995 - very soon after her appointment as an acting high court judge. Pillay's knowledge was in demand. Her doctoral thesis had been on institutional racism in the law, and the future of the profession in SA was being hotly debated.

While there was a great temptation to stay, Pillay was drawn to the demands elsewhere.

Her belief in international criminal justice is the driving force that has seen her stay with the Rwanda tribunal for eight years (four as president), then join the International Criminal Court for a six-year term in 2003.

"If we can make that work we can end impunity, particularly in Africa, because there are so many leaders who have robbed and stolen, killed and then they get refuge on the French Riviera," Pillay says.