

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



**PRESS CLIPPINGS**

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

**as at:**

Friday, 21 November 2008

Press clips are produced Monday through Friday.  
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Charlestaylortrial.org  
Thursday, 20 November 2008

### **Afternoon Session: Cross-Examination of Expert Witness TF1-358 Continues**

3:00pm: Court resumed in open session and defence counsel for Charles Taylor Mr. Terry Munyard continued his cross-examination of Expert Witness TF1-358. Mr. Munyard focussed his cross-examination of the witness on issues relating to his previous statements to the prosecution and the photographs he identified in court. Counsel sought to determine those statements made by the witness to the prosecution and medical records of patients for whom he provided medical care, which were not disclosed.

Counsel first determined that the witness did not have a copy of his statement made to the prosecution and he offered to provide copies for reference by the witness. Counsel referred to the statement made by the witness to prosecution investigators on April 22 2004. The witness could not remember the names of the individuals who obtained the statement from him. Counsel asked the witness whether he made any statements prior to the April 22 2004 statements but the witness said that he could not recall. Counsel referenced certain portions of the statement in which questions were asked suggesting that the witness had made a prior statement to the April 22 2004 statement. The witness agreed with counsel that certain questions asked in that statement suggested that he had made a prior statement but he could not tell the date that the first statement was obtained.

When asked about how he was approached by the prosecution, the witness explained that sometime in 2004, on a date that he cannot remember, Special Court officials approached him at his hospital and asked for medical records of patients he had treated during the conflict from 1997 onwards. The witness said that he gave them the records that were in his possession, mainly photographs that he has already identified in court. He said that he did not give them any medical records. He said that the written medical records had disappeared, probably some were given to an International Medical NGO that he worked with during the conflict. On the remaining written records, the witness said that he could not find them. He said that they probably disappeared when he was transferring from his Institution No. 2 to Institution No. 3. The witness became a little confused at some point as to whether he gave the medical reports to the medical NGO or whether he gave them to Special Court personnel. The witness agreed with counsel that a written record could have been the best form of record keeping on patients whom he treated within this period.

Counsel referenced part of the witness's April 22, 2004 statement in which he was asked by prosecution investigators about the medical records and he said that he had given them to the Special Court before. He further said in the statement that the court officials should have photocopies of the said records. When asked whether they returned the copies to him, he said possibly so. He said that he misplaced the records when moving from Institution 2 to Institution 3. He then said that he had forgotten that he gave the records to the OTP. He again said that he did not give the records to the OTP but to a lady from the Special Court, without determining whether she was from prosecution. He said that a lady from the Special Court came to her at different times and asked for individual records of the patients. Counsel asked the witness to tell the court who the lady was and the grounds on which he could have given her medical records of patients. The witness responded that the lady identified herself as an official of the Special Court. He said that she had enough documentation on behalf of the Special Court investigative branch. He said that he might guess that she was from the prosecutor's office.

Counsel referenced witness's statement that his patients told him some of the rebels who attacked them had Liberian accents. Counsel sought to establish that the witness did not say so in his statement made in 2004. He asked the witness to tell the court why he only said so in later statements and not in his 2004 statement. The witness responded that in 2004, they did not ask him about that. Counsel further stated that

in his later statement, he was also not asked about that but he volunteered the information. Counsel asked the witness to tell the court when he knew he would testify against Mr. Taylor. The witness said that he cannot recall when exactly he was told. He, however, confirmed that trials were already taking place at the Special Court when he was interviewed but they did not tell him against whom he will testify. Counsel asked the witness whether he liked the Late Hinga Norman, former Coordinator of the CDF and whether he supported Mr. Norman's positions on the war. The witness said that while he met Mr. Norman once, he had no special relationship with him but agreed with some of his positions on the war. The witness said that while obtaining statements from him, at some point, they told him he would be an expert witness and it was later confirmed to him that it will be in the Taylor trial. Counsel asked that the witness be shown his statements made on the 17, 18 and 19 May 2007 but it was already time for the court to adjourn for the day.

### **Court adjourned.**

### **Mid-Morning Session: Prosecution Completes Examination of Witness TF1-358; Defence Begins Cross-Examination of Witness**

12:00pm: Prosecution counsel Mohamed Bangura completed the examination of Expert Witness TF1-358 and defence counsel Terry Muniyand commenced cross-examination of the witness.

### **Examination Continues**

Witness TF1-358 continued the identification of various photographs and prosecution counsel Mohamed Bangura asked that said photographs be admitted into evidence.

Counsel first asked that the witness be shown photograph No. 54. The witness said that the photograph was given to him by the former minister of information and it showed injured people being carried manually and some in push carts. The witness said that some of the injured people brought to his institution were carried in like manner.

The next photograph that was shown was taken by the witness himself in January 1999. The photo showed the interior of a burnt building which the witness said was institution No. 1. He said that the building was destroyed when an announcement was made that all injured persons should go to institution No. 2 for medical treatment.

The witness identified photograph No. 68. He said the photograph was taken by himself showing the exterior of burnt institution No. 1.

Prosecution counsel stated that those were all the photographs he had for identification. Counsel then drew the witness's attention to a previous photograph which he said was an 8 months old baby whose hand was amputated and was treated by the witness. The witness said that he treated other babies of the same age as the one in the photo. He recalled the story of a baby that was brought to him in 1998 whose right eye was permanently opened due to injuries sustained. He said that according to what he was told, the baby was the only survivor of a massacre in a house. He said the baby was rescued by two gentlemen who said they discovered the baby sucking the breast of a dead young woman. The baby, they said was lying in dried blood.

The witness said that in his entire career as a medical practitioner, he never saw or envisaged seeing such influx of patients with such gruesome medical conditions. He said that since he treated those patients, he has never been confronted with same circumstance.

Prosecution counsel informed the court that that was the conclusion of his examination of the witness.

### **Cross Examination by Mr. Terry Munyard**

At the commencement of the cross-examination, defence counsel for Charles Taylor Mr. Terry Munyard informed the witness that he had several questions and he did not want the witness to misconstrue them as being a disregard for his career and experience or for the humanitarian work he did during the conflict in Sierra Leone.

Counsel said that he had several questions about the photographs that had been identified by the witness. Counsel referenced the photographs that were given to the witness by the former minister of information to be used on his trip to the USA in 1999. He asked the witness whether he returned them to the minister when he went back to Sierra Leone. The witness said that he did not give them back to the minister but kept them for himself. He said that he kept the photographs in his office and that they are still in his possession in Sierra Leone. He said that the photographs had writings at the back.

The witness said that he first made a statement to the Office of the Prosecution (OTP) in 2004. The witness said that he cannot say whether the prosecution investigators made an index of the photos but he said that they noted what he told them about the photographs. He said that the investigators were Sierra Leoneans and they could identify certain areas in the photographs. Counsel called the names of two persons from the OTP who the witness agreed were not Sierra Leoneans. Counsel asked the witness whether he told the prosecution investigators that the photographs given to him by the minister were taken by the minister himself. The witness responded that they might have misquoted him but that he did not tell them that the photographs were taken by the minister himself.

Counsel referenced a lady from Germany who appears in two of the photographs identified by the witness. Counsel asked whether the lady worked with the witness. The witness responded that she was an auxiliary dentist who was in Sierra Leone on a humanitarian mission. He said that the lady did not render any medical assistance to victims.

Counsel referenced Photograph No. 27 which the witness said was a photograph of victims from the northern part of Sierra Leone and who the witness said he was told were amputated in early 1998. Counsel asked the witness whether it is possible that those injuries took place in late 1997. The witness responded that based on his assessment of the injuries, it was possible for those injuries to have taken place in late 1997. On the issue of writings on the back of photographs given to him by the minister, counsel asked the witness whether the writings were “rebels burnt by civilians.” The witness responded that he cannot remember. He said that during the first three weeks of the January invasion of Freetown, there were large chunks of cases to be treated but they reduced as time went on. He said that when the case loads reduced, he had time to take photographs of patients and buildings in order to keep records. Counsel presented two photographs to the witness which seemed to be the same but taken from different angles. The witness responded that the photographs were different from each other. Counsel asked the witness whether because of mind tricks, it is possible that he now sees more dead bodies in his mind than he saw ten years ago. The witness said that no mind tricks have affected him over these years. He said that he visited the mortuary site on different days and as those days went by, people took away the dead bodies and so they kept reducing.

### **Christmas Visit to the Amputee Camp**

The witness earlier said that he visited the amputee camp with gifts for his patients in 1998. Counsel asked the witness whether it is possible the visit was made in 1999. The witness disagreed with counsel. He said that there were different situations in 1998 and 1999 because those patients from the provinces were treated in 1998 and that in 1999, there were completely different circumstances. The witness said he has doubts whether the same children he visited in 1998 were still at the amputee camp in late 1999. He

said that the amputee camp was closed down three years ago. Counsel also referenced notes that photographs 44, 45 and 46 were taken in 1999. The witness responded that it could have been an error.

Reference photograph 44, which showed an 8 months old toddler, counsel asked the witness whether he had said the unidentified man in the same photo was his patient instead of the toddler. The witness said he had not said so. Counsel asked whether if it is true that the lady whose eyes were plucked out was treated and handed back to her relatives. The witness agreed with counsel. On the baby who was discovered sucking the breast of a dead woman, counsel asked whether the witness had said that the baby was accompanied by her father or that some people came and said they were related to the child's parents. The witness responded that the relatives were all killed when the father was away and that he was later discovered. He said he did not say that the baby was accompanied by his father.

### **Meetings with the Prosecution**

Counsel asked the witness about various meetings that he has had with the OTP. The witness said that he has had several meetings with them but cant say the sequence in which the meetings took place. Counsel asked the witness about his last meeting with OTP on Tuesday of this week. The witness said that he did meet with OTP and that he made some clarifications and amplifications to his statements. The witness said that he cant recall if any notes were taken on Tuesday because he was so tired after the long flight to The Hague. He said that in the Tuesday meeting, he made clarifications to dates and some other issues in the statements. Counsel asked the witness whether he told prosecutors anything that was not disclosed in previous statements. The witness said no. Counsel asked him to tell the court the things that he said he had clarified or amplified. The witness responded that he cannot remember but that any clarifications made were very minor. When asked whether he was given a copy of his statement, the witness said yes he did. Counsel asked about the originals of photographs and the witness said that no one told him to bring the originals to The Hague. He said that he, however, thought of bringing them but that he forgot.

Court adjourned for lunch break.

### **Morning Session: Examination of Witness TF1-358 Continues**

10:00am: Court resumed in open session and prosecution counsel Mr. Mohamed Bangura continued the examination of Expert Witness TF1-358.

Mr. Bangura spent the whole of the morning session showing photographs to the witness for identification and admission into evidence by the court.

Counsel first asked that the witness be shown Photograph No. 8. The photograph, which the witness said was taken by himself showed a makeshift shed with dying patients. He then identified Photograph No. 9, which he said was taken by himself showing a burnt out building of Institution No. 1.

The witness identified Photographa No. 11 with two photographs which showed one taken by the witness of a bilaterally amputated patient and the second one taken by the witness's assistant on his instruction.

Photographa No. 11 was taken by the witness in 1998 at Institution No. 2 showing young female and male children who were both fire-burn victims of rebel atrocities.

The next photograph was taken by the witness in January 1999 at Institution No. 2. It showed victims of the January 1999 invasion of Freetown upon whom the witness had done surgeries.

Photograph No. 20 was taken by the witness in mid-1998 at Institution No. 2 and it showed a 12 year old boy who was thrown into a fire by rebel forces. He said that boy had 2 to 3 degree burns and was badly malnourished.

Next photograph was taken by the witness at Institution No. 2 in mid-1998 and it showed a young boy who was amputated by rebels in the north of Sierra Leone.

Photograph No. 21 was taken by the witness and it showed a young farmer who was amputated by rebel forces in the north of Sierra Leone.

Photograph No. 26 was taken by the witness in mid-1998 at Institution No. 2 and it showed four persons—a male adult, a young man and two females amputated by rebel forces. The two women were from the east of the country while the elderly man was from the north.

Photograph No. 27 was taken by the witness in mid-1998 at Institution No. 2 and it showed three child victims standing with a lady who had been depicted in previous photographs.

Photograph No. 31 was given to the witness by the former Minister of Information and it showed rebels who were caught and were dealt with by civilians. It was taken in January 1999.

The next photograph showed a set of photos on one page. The witness took two of the photos while the other two were given to him by the former minister of information.

The witness identified several other photographs, some of which were taken by himself and some taken by the former minister of information. Some of the photographs showed buildings such as police stations, banks, etc which were destroyed during the January 1999 invasion of Freetown and some showed dead bodies of civilians in front of the Cannaught Hospital in Freetown. He further identified several other photographs taken by himself when he took Christmas gifts to amputees at the amputee camp in Freetown. He said that some of the amputees were his previous patients when they were wounded by rebel forces.

In Photograph No. 51, the witness identified a lady at Institution No. 2. He said that the lady had been gang raped by seven rebels in the central part of Freetown during the January 1999 invasion of Freetown and her eyes were plucked out so that she could not identify her victims. He said that the lady was a suckling mother who had gone out to find food to eat. He said he provided medical attention for the witness but since she was also mentally unstable, he had to provide counselling services for her.

Court adjourned for mid-morning break.

# The Patriotic Vanguard

Thursday 20 November 2008

## **The legality of the amnesty enshrined in the Lomé Peace Agreement**

By Mohamed Kunowah-Tinu Kiellow, The Netherlands.

On the 7th of July 1999 the government of Sierra Leone, in a dire need for peace in Sierra Leone, signed a peace treaty with the RUF at Lomé in Togo. A peace agreement that would bring a halt to the bloodletting war that had eaten into the political, social and economic fabric of the society of Sierra Leone. Resolution 1260 of 20 August 1999 welcomed the signing of the above-mentioned Lomé Peace accord, which was meant to put an end to almost ten years of fighting in Sierra Leone, and commended the government for its courageous efforts to achieve peace through legislative and other means already taken towards the implementation of the Lomé Peace Agreement.

A year later the permanent representative of Sierra Leone to the UN wrote a letter to the president of the Security Council advocating for a special court for Sierra Leone to try members of the RUF. On August 14, 2000 the UN Security Council at its 4185th meeting in New York adopted Resolution 1315(2000) that mandated for the setting up of a Special Court in Sierra Leone. The Secretary General was asked to negotiate an agreement with the government of Sierra Leone to create an independent Special Court consistent with this resolution. On January 16, the government of Sierra Leone officially signed the establishment of a United Nations-sponsored special court to try those who bear the greatest responsibility for atrocities perpetrated during the civil war.

Resolution 1315 of 14 of August 2000 was in sharp contrast with the resolution on Sierra Leone passed by the council a year earlier. In this paper effort will be made to give an answer the key question: Is the setting up of the Special Court not in contravention of Lomé Peace Agreement?

Article 1 of the Statute stipulates the court's temporal and personal jurisdiction: the Court shall have jurisdiction over those persons who bear the greatest responsibility for serious violations of international and humanitarian law committed in Sierra Leone since 30 November 1996(the time of signing the first peace treaty between the rebels and the government: the Abidjan Agreement).

The jurisdiction *ratione temporae* runs from 30 November 1996, the date of an earlier ceasefire - the Abidjan Accord - that also provided for an amnesty.

Articles 2 and 5 of the Statute deal with jurisdiction *ratione materiae*, and cover three sets of crimes: crimes against humanity; violations of law applicable in internal armed conflicts and certain crimes under Sierra Leonean law. Generally speaking, the Special Court has personal jurisdiction (*Ratione Personae*) over persons most responsible for serious violations of international humanitarian law and Sierra Leonean law committed in Sierra Leone since 30th November 1996.

In order to appease the rebels, concessions were made to the rebels. One of the most important concessions was a blanket amnesty to all rebels. Article IX of the Lomé Agreement made this broad concession. At the signing of the Lomé Agreement in July, 1999 it was widely accepted by the UN, the government of Sierra Leone and the governments of other countries involved that the price of peace was complete impunity for all those who had committed serious violations of international humanitarian law. In the Peace Agreement no means of judicial accountability was provided for to try the violators of international and national laws. The only means of non-judicial accountability provided was the Truth and Reconciliation Commission. The RUF would have refused to sign the Agreement if the government had insisted on including in it a provision for judicial action against the RUF and had excluded the amnesty provision from the Agreement.

However, it must be pointed out that at the signing of the Lomé Agreement, strong reservations were made against the Agreement by the UN Representative concerning its amnesty provisions. The sum total of the reservations relating to the amnesty provision was that the Agreement was concluded without prejudice to the right of the UN to take other appropriate action to address the issue of impunity in relation to gross violations of international humanitarian law, war crimes and crimes against humanity. The UN Special representative made it crystal clear at the signing ceremony that the amnesty clause “shall not apply to the international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law.

This standpoint of the UN Representative was later buttressed by a landmark decision made by the Appeals Chamber in *The Prosecutor v. Morris Kallon and Brima Buzzy Kamara* case. The Chamber reaffirmed that “an amnesty granted to any person falling within the jurisdiction of the Special Court in respect of the crimes referred to in articles 2 to 4 of the present Statute shall not be a bar to prosecution.” Moreover, the grant of an amnesty for international crimes therefore is not only in breach of international law, “but is in breach of an obligation of a State towards the international community as a whole.”

Furthermore, the RUF leadership had since the signing of the Accord reneged on that Agreement, and had resumed the atrocities, which have always had as their targets mainly civilians, including women and children. They still murdered and amputated them and used the women and children as sex slaves. They also abducted over 500 United Nations peacekeepers and seized arms, weapons and uniforms, and even killed some of the peacekeepers. All this took place in spite of both sides’ commitment to adhere to the Agreement. This was a grave violation of the Agreement, which makes the amnesty provisions invalid and no longer applicable.

Moreover, the doubts about the applicability of the Lomé amnesty clause to serious crimes were removed by article 10 of the Statute of the Special Court for Sierra Leone, which provides that amnesty does not bar the prosecution of crimes contained in articles 2 and 4 of the Statute, namely crimes against humanity (art. 2), violations of article 3 common to the Geneva Conventions and Additional Protocol II (art. 3) and other serious violations of international humanitarian Law (art. 4).

Additionally, the amnesty granted by that Agreement was only in respect of violations of Sierra Leone domestic law before the 7th of July 1999, and not after that date. The amnesty is only valid as from the beginning of the war up to 7th July 1999. There was no amnesty for the violation of Sierra Leonean law committed after 7 July 1999.

Lastly, it must be noted that Article 6(5) of the Second Additional Protocol relating to the protection of victims of non-international armed conflicts requests authorities in power ‘to endeavour to grant the broadest possible amnesty to persons who have participated in the armed conflict, or those deprived of their liberty for reasons related to the armed conflict, whether they are interned or detained’. This provision, however, relates to the particular nature of armed conflicts within a state. It aims to assimilate combatants in such conflicts with those of international conflicts, who are usually not prosecuted for normal combating activities (unless they violate humanitarian law). Thus, the intention of this provision is not to grant immunity from prosecution for breaches of humanitarian law. The amnesty provisions in Lomé Accord are therefore illegal because the atrocities committed by the RUF happened during non-combatant activities. Besides, the crimes were committed against civilians who were no combatants.

## Conclusion

The Special Court was cut out in order to try those most responsible for the commission of international crimes and crimes under Sierra Leonean Law on the territory of Sierra Leone. The Court has personal jurisdiction-persons who bear the greatest responsibility or the serious violations of international humanitarian law, temporal jurisdiction-crimes committed since 30 November 1996-, and *ratione*

materiae-crimes against humanity; violations of the law applicable in internal conflicts; and certain crimes under Sierra Leonean law. The Special Court was preceded by the Lomé Peace Accord, which grant blanket amnesty to the rebels.

From the onset of the peace treaty, the UN had constantly maintained the position that the amnesty granted to the rebels was not applicable to international crimes. Moreover, the amnesty granted by the Accord was only in respect of violations of Sierra Leone domestic law before 7 July 1999. Thus the Court does not have jurisdiction over national crimes committed between 30th November 1996 and 7th July 1999. But it has jurisdiction over crimes under national law committed after this date. In addition, the RUF violated the peace deal, which made the amnesty provision inapplicable. Most importantly, the Lomé peace is illegal because it is contravention of Geneva Conventions, which provide no amnesty to violators of international humanitarian law.

It is at this stage very clear that the setting up of the Special Court is not in violation of the Lomé Peace Accord and the amnesty accorded by it. Therefore the amnesty granted to the RUF could not act as impediments to trial of people “most responsible for serious violations of international humanitarian law on the territory of Sierra Leone. However, the amnesty granted in respect of crimes committed under Sierra Leonean law between 30th November 1996 and 7 July 1999 can block trial of the war criminals.

**About the author:**

The author holds a combined LLM in International Law and Criminal Law, a certificate in French Language and Culture, a certificate in Criminology from Utrecht University, The Netherlands. He also holds a Postgraduate Associate certificate in Law from the University of East London. He works as a Project Legal Adviser.

## UNMIL Public Information Office Complete Media Summaries 20 November 2008

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

### **Newspaper Summary**

#### **Armed Robbers Attack Firestone Worker**

(The Inquirer, The Monitor, The Informer)

- Armed robbers have attacked and wounded an employee of Firestone Liberia.
- The incident occurred at his residence in the Fish Creek Community in Harbel, Margibi County.
- Mr. Samuel Jones said at about 1:30 Wednesday morning, the armed men forcibly entered his home demanding money but that his failure to readily provide the money annoyed one of the robbers who being chopped him on head and arm.
- He said several valuables were taken away by the armed men.
- This brings to two, in less than a month, the number of times employees of Firestone Liberia have been wounded by gangs of criminals roaming the concession area.
- It can be recalled that on Thursday, November 13, 2008, a group of illicit tappers splashed acid on another employee leaving him with burns on several parts of his body.

#### **Correction Officers Go-slow at Monrovia Central Prison**

(The Inquirer)

- Activities were disrupted Wednesday at the Monrovia Central Prison following a go-slow action initiated by Correction Officers.
- The more than 60 Corrections Officers staged a peaceful protest at the prison compound in demand of three-month salaries and other benefits.
- A spokesman of the aggrieved officers, Ebenezer Johnson said they will continue their protest action until their demands are met.
- Mr. Johnson said they were taking the action because the Bureau of Corrections and Rehabilitation at the Justice Ministry has failed to address their concerns.

#### **U.S. Military Official Meets President Sirleaf**

(The News, The Inquirer)

- Brigadier-General Tracey Garrett of the U.S. military has met with President Ellen Johnson Sirleaf at the Foreign Ministry in Monrovia.
- Speaking during the meeting, General Garrett praised the country's security sector reform process saying lessons could be learned and applied to other countries 'without reinventing the wheel.'
- Welcoming the United States Army General, President Johnson Sirleaf expressed hope that her visit and interactions with Liberians will help encourage more females to join the Liberian security forces, particularly the military.
- Brigadier-General Garrett is assigned with the United States/African military command, AFRICOM, based in Germany. She is responsible for marines and marine activities in Africa and Europe.

#### **Detained Senator Murder Case Resumes**

(The Monitor)

- The murder case involving Margibi Senate Roland Kaine and 15 others resumed today at the Criminal Court "B" at the Temple of Justice.
- Senator Kaine is charged with murder for his alleged involvement in the killing of 14 men during a farmland dispute in Kolleh Town, Timor District.

- Two other bodies were discovered in the river where the killings took place while 16 other persons are still said to be unaccounted for.

### **Chinese Government Turns Over Refurbished State-Owned Radio**

(Daily Observer)

- The Government of the People's Republic of China has turned over the newly renovated and expanded facilities of the Liberia Broadcasting System (LBS) to Government.
- The turn-over ceremony also marked the launch of the China/LBS Radio Project, under which the Chinese Government has provided a 10-thousand kilowatt FM transmitter to boost the station's radio transmission throughout the country.
- Speaking at the turning over programme, President Ellen Johnson Sirleaf lauded the growing partnership between the two countries and said China continues to support all areas of Government's development under the country's Poverty Reduction Strategy.
- In remarks, Chinese Ambassador Zhou Yuxiao assured that his country will remain supportive of the development agenda of Liberia.

**Local Media-Radio VERITAS** (News monitored today at 9:00 am)

### **Chinese Government Turns Over Refurbished State-Owned Radio**

#### **Correction Officers on Go-slow at Central Prison**

(Also reported on Star Radio, Truth F.M. and ELBC)

#### **Former Chairman Bryant, Others go to Court Today**

- Former Transitional Chairman Gyude Bryant appeared in court Thursday on charges of property theft and economic sabotage.
- Four others including former Speaker Edwin Snowe, Bomi Senator Richard Divine, Siaka Sheriff and Andy Quamie are also expected to appear along with Mr. Bryant on the same charges.
- The four men worked for the Liberia Petroleum Refining Company during the rule of the National Transitional Government and are accused of stealing nearly a million United States Dollars from the LPRC between March 2004 and January 2006.
- Several other transitional officials, including former Finance Minister Lusinee Kamara have been indicted for corruption.

(Also reported on Star Radio, Truth F.M. and ELBC)

#### **MCC Public Hearings Continues In Monrovia**

- The Monrovia City Corporation (MCC) release issued in Monrovia said the Ministry of Justice and the Governance Commission addressed the ongoing public hearing of the city council today.
- The Justice Ministry spoke on City Community Security and Public Safety while the Governance Commission presented a paper on Municipal Governance and the role of city governments in national development.
- The Monrovia City Council public hearing was launched to allow stakeholders and community leaders to discuss critical issues confronting the city and identifying the best way forward.

(Also reported on Star Radio, Truth F.M. and ELBC)

**STAR RADIO** (News monitored today at 9:00 am)

#### **Land Dispute in Nimba Intensifies, One Killed**

- Reports from Nimba County say residents of Doumpa and Zuaplay are engaged in a serious land dispute, which has left one person dead.
- Correspondent say ten rice barns have also been burnt down in the land dispute
- Doumpa is in Saclapea District while Zuaplay is situated in Tappita District and both towns are claiming ownership to the land which is situated between them.
- There are reports that the land being contested is rich in gold.
- In January this year, Nimba County Senator Prince Johnson and Representative Edwin Gaye intervened in a dispute over the same parcel of land.

**Germany Donates to Sinoe Police Detachment**

- The Sinoe County Police Detachment has received logistical support from the Government of Germany through the Liberian Government.
- The items include two vehicles, a 7.5 KVA generator and a base radio and were turned over by Police Inspector General Muna Sieh-Browne to the local Commander.

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## The Liberian Journal

Wednesday, 19 November 2008

### **Saah Gborlie Arrogantly Dismisses Allegations Of Atrocities...Says TRC Must Engage Charles Taylor Directly**

By: James Kpargoi, Jr.

The man who served as Deputy Director of police Under President of Charles Taylor has denied ever committing atrocities during Liberia's years of civil conflict.

Saah Gborlie, now a member of the House of Representatives, told commissioners of Liberia's Truth and Reconciliation Commission (TRC) to direct inquiries into alleged atrocities committed by the defunct National Patriotic Front of Liberia (NPFL), the group he served as a combatant and, later, an official of the government it produced, to the detained former President who is presently facing trial on war crimes charges in The Hague.

"The best person to be questioned if you had to invoke the doctrine of greatest responsibility and that of the appropriate authority of government is the head of the group or government at that time. The TRC has a lot of resources to visit the Hague and discuss with Mr. Taylor."

"Never in my life would I have ever ordered the execution of people, which is against the Geneva Convention. I have never done that and will never do that. I never did that. At that time I was looking after my family," Representative Gborlie responded to commissioners' inquiries of alleged atrocities he committed.

Mr. Gborlie was testifying Thursday at the ongoing public hearings of the TRC at Monrovia's historic Centennial Memorial Pavilion.

He denied ever serving as frontline commander of the defunct rebel movement but admitted fighting as a combatant. "I was never a frontline commander and did not participate in anything like committing atrocities."

But Mr. Gborlie quoting provisions of the act of legislature that created the TRC demanded that he wanted to face his accusers in front of the commission, saying that he hopes that he will have the opportunity to face his accusers so that justice can prevail.

Referring to himself as "a mere gun totter," Gborlie urged the TRC to invite top NPFL officials including the front's former defense spokesman Tom Woewiyu to obtain substantive accounts of the faction's formation and activities.

During his testimony, the lawmaker denied participation in a range of alleged atrocities including the execution of 17 prisoners of war in Lofa County, the Phebe Massacre and the 2000 raid of officers of the Special Operations Division (SOD) on the campus of the University of Liberia.

He again said he could not respond to alleged atrocities that might have been committed by the SOD because he was not the highest authority in the police at that time. Mr. Gborlie told the commission to refer such inquiries to those who were in charge of the force.

Under the theme: "Understanding the Conflict Through its Principal Events and Actors," the ongoing hearings are addressing the root causes of the conflict, including its military and political dimensions.

The hearings are focused on events between 1979 and 2003 and the national and external actors that helped to shape those events.

The TRC was agreed upon in the August 2003 peace agreement and created by the TRC Act of 2005. The TRC was established to “promote national peace, security, unity and reconciliation,” and at the same time make it possible to hold perpetrators accountable for gross human rights violations and violations of international humanitarian law that occurred in Liberia between January 1979 and October 2003.

## BBC Online

Friday, 21 November 2008

### ICC seeks rebel arrests in Darfur

The International Criminal Court (ICC) prosecutor has asked judges for arrest warrants to be issued for three rebel commanders in Sudan's Darfur region.

Luis Moreno-Ocampo, who alleges they killed 12 African Union peacekeepers, said the men would not be named.

"It's an opportunity for them to show they respect justice to come to The Hague voluntarily," he told the BBC.

In July, Mr Moreno-Ocampo asked for Sudan's president to be indicted on war crimes charges, which he denies.

Some fear that if the president's indictment proceeds it could derail peace efforts.

Last week, Sudanese President Omar al-Bashir announced an immediate ceasefire in the Darfur and promised to begin disarming militias and restrict the use of weapons among armed groups.

But on Thursday, UN chief Ban Ki-moon said he had received "troubling reports" of aerial bombings near Kutum in North Darfur, and fighting in the area of Tine, in West Darfur.

The Sudanese government has denied rebel claims it bombed their territory.

The UN estimates that up to 2.7 million people have been forced from their homes in Darfur and some 300,000 have died during five-and-a-half years of conflict.

### Lobbying

Mr Moreno-Ocampo said that in September 2007 more than 1,000 rebels attacked the AU peacekeepers' base in the town of Haskanita, in southern Darfur.

He accused them of committing war crimes including murder, pillaging and deliberately attacking the peacekeepers.

"We have solid evidence showing exactly who commanded, how they commanded and how the attack was perpetrated," Mr Moreno-Ocampo told the BBC's Focus on Africa programme.

"No-one who's attacked peacekeepers will be immune," he said.

He said the names were being withheld "to ensure the appearance of these individuals in front of the court".

The ICC has already issued two arrest warrants - in 2007 - for Sudanese Humanitarian Affairs Minister Ahmed Haroun and pro-government militia leader Ali Mohamed Ali Abdel-Rahman - known as Ali Kushayb - for alleged war crimes in Darfur.

Sudan has refused to co-operate with the ICC case and insists on conducting its own investigations.

Ali Kushayb was taken into custody by Sudanese authorities this year.

Mr Moreno-Ocampo said that even though Mr Haroun had not yet been arrested, it was a question of time.

"The destiny of Haroun is to face justice - in two months or two years."

The ICC prosecutor has said there are grounds to believe Sudan's president bears criminal responsibility on 10 counts of genocide, crimes against humanity and war crimes.

Sudan's government has always denied charges that it armed the Janjaweed militias accused of widespread atrocities against civilians in Darfur.

It is lobbying hard for the UN Security Council to delay an ICC investigation into whether President Bashir should be charged.

## The New Times (Kigali)

Wednesday, 19 November 2008

### The Unpardonable Distortion of Tutsi Genocide

By James Karuhanga  
Kigali

On November 14, The Daily Monitor, one of Uganda's leading dailies, in its editorial commentary titled, "Rwanda, France need neutral arbitrator," committed the most unforgivable transgression similar to that [some] international media outlets are fond of: blatantly and dishearteningly distorting facts on Rwanda's 1994 Tutsi genocide.

Of course, no one in his good senses would abhor the prospect of a peace loving and well meaning intermediary, whose role is to end the speculation on who is responsible for what in the '94 Tutsi genocide.

Worrisome in the idea of 'a neutral arbitrator', is the presumption that France and Rwanda are at the same footing, in historical power relations, as if they were both armed foes fighting at the same level of military strength and might. The equating of Rwanda and France must be deplored from the onset.

The author of the editorial seems more keen to sanitise France's role in the Tutsi Genocide, than actually giving a diagnosis within a historical context, that heals the wounds of Rwanda which has been wronged.

"However, this search for justice on both parties should not be used to spread more bitterness and, or to encourage impunity. A careful balance should be sought before the tensions escalate. A neutral party is needed to step in and mediate between Rwanda and France," the editorial reads.

Somehow one is inclined to think there was also genocide in France in which Rwanda is complicit. The complicity of France in the genocide is something which can never be forgiven.

Firstly, France is a former colonial power who should be willing to own up to her vile crimes before and during the genocide and ask Rwandans for forgiveness.

Reparations are not out of question in any post conflict situation, here, only just as a sign of good will because nothing can compensate the millions of loved ones lost, dreams shattered.

There must be measures in place that allow people to figure out what happened and deal with the issues at hand once and for all.

However, the Daily Monitor's commentary, just like in some other foreign papers, simply ignored certain critical aspects to do with Rwanda's history of being brutalised. And, one wonders, is this intentional? If intentional, it would be rather unfortunate. I keep hoping it was not.

Rwanda is indeed recovering from a sad and traumatic history and to create permanent healing for Rwandans, justice-seeking efforts must be taken seriously as the commentary points out in part.

But Rwandans also need to see efforts being made to understand their past and contemporary history, with events, especially before and after their traumatic past being accurately reported.

Unquestionably, there are those who want to blur the truth from the world and especially the French government. These people have something to hide, and helping them, even unknowingly, is inexcusable, that is why the first challenge for those who want to help in healing those wounds is to find out the truth.

One of Daily Monitor's travesty is the thin and deceptive declaration that, "Rwanda accuses France of complicity in the 1994 genocide citing Paris' close relationship with former President Juvenile Habyarimana whose government-allied militia led the 1994 genocide."

To only pinpoint François Mitterrand and Juvénal Habyarimana's friendship is simplistic thinking that distorts facts.

Saying that, "for this charge," Rwanda threatens to indict 23 French soldiers for "allegedly" participating in the Genocide, leaves much to be desired because it ignores all the weighty evidence of France's complicity in the genocide.

And, Rwanda is not accusing France of complicity basing on [mere] allegations. They are not allegations! There are glaringly incriminating facts, and they have been put out for everyone who cares to see.

France was present before, during and even immediately after the genocide. It was not only close to the regime but everything political in the country, including preparations for the genocide before 1994.

This has been widely documented, not only by Rwandans and others but especially by French historians and academics.

The French academic Gérard Prunier, for one, in his book, "The Rwanda crisis, 1959-1994: history of a genocide," is very clear on France's role. There is no ambiguity about how France was involved in planning the genocide.

French journalist Patrick de Saint-Exupery, in "L'inavouable, la France au Rwanda" (The Unspeakable-France in Rwanda) leaves no room for doubts too, especially since he was on the ground as the infamous French military's Opération Turquoise was rolled out.

The 1995 BBC Panorama production, "The Bloody Tricolor," a documentary film on the involvement of France in Rwanda prior to the genocide, and many others, are evidence that France not only participated, but also aided and abetted mass murderers. It has done that for the last decade and beyond, doing everything to blur the truth from the world.

As already hinted on, another gross mischievous distortion is saying that the downing of President Habyarimana's plane "sparked off" the genocide.

What most people, and careless ones at that, don't seem to realise is the fact that the genocide in 1994 was not triggered by the plane crash as most genocide deniers want to make us believe.

Contrary to that, preparations for the horror were well planed in advance and the 'plane crash spark theory' is just one way of distorting facts.

More so, genocide in Rwanda did not start in 1994. Look at events in Rwanda in 1959, 1963 - south western Rwanda killings, and even between then and 1994. There was a system of discrimination and disenfranchisement of Tutsis in the country.

Interahamwe militias were trained before 1994. The plane crash as "trigger" is simply used as an excuse by those who don't want to face reality, in what is today's terrible irony.

The people who put their lives at grave risk to liberate Rwanda are instead being hunted by the genocide's perpetrators and their collaborators. And while this happens, the mass murderers themselves mostly roam free in European capitals.

Very recently, the country's Director of State Protocol Rose Kabuye, also one of the country's living heroes was arrested in Frankfurt, Germany last Sunday, albeit on the basis of a faulty and widely condemned arrest warrant issued by French Judge, Jean Louis Bruguiere, who falsely accuses her of involvement in Habyarimana's plane crash.

Just six days before this, Germany had released two notorious genocidaires, including Callixte Mbarushimana, Secretary General of the DRC-based Democratic Forces for the Liberation of Rwanda (FDLR), remnants of those who carried out the 1994 Genocide of Tutsis.

FDLR leader Ignace Murwanashyaka also continues to live and operate with impunity in Germany.

This is not something to be taken so lightly.

James Karuhanga is a Rwandan journalist.