

**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**

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Press clips are produced Monday through Friday.  
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The National Post  
Wednesday, 11 April 2012

## Sampson Jalloh fights to stay in Canada after refugee board ties him to bloody atrocities

By Steve Mertl

Former Liberian President Charles Taylor. A federal court judge has rejected the appeal of Liberian refugee claimant Sampson Jalloh, who's facing deportation after the Immigration and Refugee Board refused to believe he was an unwilling soldier in Charles Taylor's brutal rebel army in the 1990s.

The National Post reports Sampson, a 41-year-old Toronto resident, fears persecution if he's forced back to the West African country he fled in 1996.

But the refugee board, now backed by the court, doubted Jalloh's claim that he was forced to lure fellow members of his minority Mandingo ethnic group to their deaths at the hands of Taylor's rebels during Liberia's first civil war.

Jalloh said he was conscripted into the rebel force at age 22 after they tortured and murdered his father. During his four years with Taylor's rebels, Jalloh said he witnessed gruesome atrocities by child soldiers but was never armed and did not take part himself.



After a peace agreement ended the war, Jalloh said he fled to neighbouring Guinea, then to the Netherlands where he made an initial refugee claim before coming to Canada in 2006.

The board heard Jalloh told Dutch officials a different story than the one he told once he filed his refugee claim in Canada. He claimed he followed the advice of a people smuggler in lying to the Dutch, who nonetheless rejected his claim.

Once in Canada, Jalloh became involved in a scam where he and a partner tried to convince a Toronto businessman they'd smuggled \$3 million out of Africa disguised as cardboard and needed money to convert it back to currency. He pleaded guilty to fraud and conspiracy but the conviction did not figure in his refugee board hearing, the Post said.

The board concluded Jalloh's participation in rebel atrocities and his failure to leave the group until after the war ended made him inadmissible to Canada.

Though he quibbled with the way the board reached its decision, Federal Court Justice James O'Reilly upheld it.

"The board's conclusion was intelligible, justified and transparent; it came within the range of defensible outcomes based on the facts and the law," O'Reilly said in his ruling.

Jalloh has other avenues of appeal against the board decision. His lawyer, Paul Vandervennen, said he's seeking a pre-removal assessment to determine if he faces undue danger if he's deported back to his native country.

Liberia, which has endured two bloody wars in the last two decades, is in a state of fragile peace monitored by a United Nations security force, according to the U.S. Central Intelligence Agency's World Factbook.

Taylor is on trial at the the Special Court for Sierra Leone in The Hague for war crimes committed in that country while he was Liberia's president in the late 1990s. A verdict is scheduled to be handed down April 26.

The National Post  
 Tuesday, 10 April 2012

## Canada refuses sanctuary to a soldier in Charles Taylor's army

By Adrian Humphreys



Georges Gobet / AFP / Getty Images files

*Claimant Sampson Jalloh said he was forced to aid the National Patriotic Front of Liberia, led by Charles Taylor, centre.*

Sampson Jalloh was a young man when conscripted by the rebel army in Liberia that had tortured and murdered his father. A member of the Mandingo ethnic minority, his job was to go into villages and lure fellow Mandingoes out of their homes, where they would be brutalized and killed by rebel fighters.

After four years of such barbarism he fled, eventually arriving in Canada, where he claimed refugee status.

His appeal for sanctuary here has been turned down, however, with the government not believing he was forced into his gruesome duties, instead declaring him guilty of crimes against humanity and being a member of an organization engaged in terrorism and subversion. He has been ordered deported, but his removal still faces potential legal challenges.

The case highlights the stark, potentially life-or-death questions that must be answered by the Immigration and Refugee Board and the Federal Court of Canada. Mr. Jalloh, now 41 and living in Toronto, and his lawyer argued that he was a victim of the atrocities, not complicit in them.

In 1992, at the age of 22, he was conscripted by the rebels who had executed his father during the long, bloody civil war in the West African country, Mr. Jalloh told the IRB.

He was tortured and beaten and forced to participate in the activities of the National Patriotic Front of Liberia, a rebel group led by Charles Taylor, under threats of death, he said.

**‘The board ... did not believe Mr. Jalloh’s assertion that he was continuously held captive and had no chance to escape’**

He told Canadian officials he was a captive, not a willing member. Although he had some freedom of movement he could not run away without fear of being shot or caught and executed. All of the rebels carried guns, he said, but he was not given one.

Known as the First Liberian Civil War, nasty battles waged from 1989 to 1996, becoming one of Africa’s bloodiest wars, with more than 200,000 killed and another million displaced into refugee camps.

Mr. Jalloh said some of the rebel raids he participated in were undertaken by the Small Boys Unit, a band of child soldiers as young as eight who were forcibly recruited and trained into vicious troops. Most were much younger than him, he said.



PASCAL GUYOT/AFP/Getty Images

*Charles Taylor, centre, with one of his injured fighters in the outskirts of Monrovia in 1990.*

(The existence of the SBU in Liberia — before it was deployed in Sierra Leone, which brought the use of child soldiers to international notoriety — was debated at Mr. Taylor’s war crimes trial at the Special Court for Sierra Leone. A verdict in Mr. Taylor’s trial in The Hague is expected this month.)

Mr. Jalloh told Canada’s immigration officials he witnessed people being tortured and killed and at times he had to transport corpses. Despite his role in luring ethnic Mandingos to their deaths, he never participated directly in any of the violence, he said.

After a peace deal in Liberia in 1996 he fled to neighbouring Guinea. In 2006, he arrived in Canada and claimed refugee status.

Not helping his credibility, the IRB heard of a previous refugee claim he made in the Netherlands. Mr. Jalloh was asked why his story in Canada was so different. He said he was coached by a smuggler what to tell Dutch officials and followed the advice. After that claim was rejected, he fled to Canada to avoid being deported to Liberia.

He said that after speaking with legal counsel here, he put forth a claim based on a true account.

Although not mentioned in the case, Mr. Jalloh was also arrested north of Toronto in 2009 for trying to convince a businessman that he and a partner had smuggled \$3-million out of Africa, but had to disguise the money as cardboard to get it into Canada. They needed a large payment to fund the money’s conversion back into legal tender, they claimed.

### **‘He’s afraid of returning to Liberia’**

The IRB concluded that Mr. Jalloh’s participation in the Liberian raids made him directly responsible for the harm caused to the victims. He was declared inadmissible to Canada, a decision he appealed to the Federal Court. This month, Justice James W. O’Reilly upheld the IRB’s decision.

“Given his lengthy and extensive involvement in the raids, their violent nature, his lack of effort to distance himself from the group, and his failure to take steps to protect the victims of the NPFL, the board found Mr. Jalloh fell within the broad definition of a member,” Justice O’Reilly summarized in his decision.

“The board ... did not believe Mr. Jalloh’s assertion that he was continuously held captive and had no chance to escape.”

Justice O’Reilly took issue with the way the IRB came to its conclusions, but ultimately ruled it made no difference to the end result.

“The board’s conclusion was intelligible, justified and transparent; it came within the range of defensible outcomes based on the facts and the law,” he ruled.

Through his Toronto lawyer, Paul Vandervennen, Mr. Jalloh declined to comment on his plight.

“He’s afraid of returning to Liberia,” Mr. Vandervennen said, confirming his client was seeking a Pre-Removal Risk Assessment, a process that must determine if a person being deported from Canada faces undue danger if returned.

*National Post*

## The New Times (Rwanda)

Tuesday, 10 April 2012

### **Rwanda: Gacaca Courts Achieved Their Objectives**

Gacaca courts will be officially closed in June this year - 10 years after they were re-introduced to help dispense justice for crimes that were committed during the 1994 Genocide against the Tutsi.

The semi-traditional courts have tried close to two million cases within the last decade, using a budget of Rwf30 billion. This is equivalent to less than 3 per cent of funds used by the International Criminal Tribunal for Rwanda (ICTR), which has handled less than 100 cases.

The difference between what Rwanda has accomplished through Gacaca courts vis-à-vis ICTR's achievements is mindboggling, to say the least.

What Gacaca has delivered to Rwanda is simply a vindication of the country's choice to resort to home-grown solutions.

When Gacaca started in 2002, it had three main objectives; to deliver justice, ascertain the truth behind the killings, and promote unity and reconciliation of Rwandans. Today, Rwandans can look back with pride and a good deal of satisfaction on each of the objectives.

By adopting a community-based, home-grown system to help address the challenge, the government was able to instil the all-important spirit ownership, among Rwandans, in finding solutions to the unprecedented problems the country found itself with following of the Genocide.

Nonetheless, it goes without question that Gacaca had its downside. For instance, there are still unresolved issues, especially with regard to the enforcement of court rulings and compensation.

It is important that all the stakeholders combine resources to ensure that the remaining issues are ironed out.

## ICTJ

Wednesday, 11 April 2012

### Colombia Commemorates its First National Victims' Day

Colombia marked the country's first National Day of Memory and Solidarity with the Victims April 9. For the millions who have suffered human rights violations in Colombia's entrenched armed conflict, this was a day for their voices to be heard and their suffering to be acknowledged by the state; a nationwide call for accountability and reconciliation in a highly divided society.



The National Victims' Day is part of a broader agenda set forth by the Victims' Law passed last year to formally recognize and compensate victims of human rights abuse. For each person observing it, this day meant something unique, informed by the myriad of ways the conflict has affected daily life.

"Personally, I've been commemorating this day for 27 years, every Good Friday, because of everything my oldest son Luis Fernando suffered after he was detained and subjected to torture and all kinds of cruel treatment," says Fabiola Lalinde who has been fighting for justice for over two decades. "Luis Fernando was executed on October 4, 1984 by a military patrol and deprived of his identity, converted into 'Jacinto N.N.'."\*

For many, this day was a call for solidarity, an "appeal to the conscience of the common people, an appeal for civil society to commit to the millions of people who have suffered violence in Colombia," according to the Group for Historical Memory of El Cesar.

For others, such as Claudia Girón of the Manuel Cepeda Foundation, it was less about solidarity than recognizing the responsibility the state has to acknowledge and redress these crimes.

"It is time we realized the problem isn't just a question of victims and perpetrators while the state generously helps some victims and not others," she says. "This is a day to acknowledge that they are the victims of the government's denial of opposition, victims of thinking differently."

To realize this, society as a whole must reject the practices committed by illegal groups and by state agents "such as the false positives, kidnapping, forced disappearances, torture, murder, the displacement of thousands of families from their lands, the persecution of those belonging to the opposition," says Héctor Beltrán, father of one of the disappeared in the 1985 Palace of Justice siege, which left more than 100 people dead or missing.

It was a call for memorialization as well. "This is a day to recognize all the victims," said Olga Lucía Gómez, director of País Libre (Free Country), an organization that works with cases of kidnapping. "In Colombia we still haven't resolved different memories and acknowledged the different atrocities of the war. This would give more meaning to what we've lived through."

National Victims' Day was also a chance to critically examine the way the country has addressed harms caused to the victims and to society.

"Complicity and silence have eroded the fabric of society, deepened the historic distrust between different sectors of society and weakened consensus," says María Camila Moreno, director of ICTJ's Colombia Program. "Colombian democracy has been attacked by private interests, both legal and illegal ones, and in various regions the state has been co-opted to favor them. Only by unveiling and facing that reality can we

get ourselves on track to rebuild trust between citizens and the state and among citizens themselves. This should be the strategic objective of the efforts being undertaken by the government within the framework of transitional justice.”

The efforts to rebuild this trust and achieve justice, through actions by both the state and by academic and social organizations, are the basis for realizing the purpose of this national day and for fulfilling the hope of victims like Héctor Beltrán: “That the youth of today find out what really happened, draw their own conclusions, and make decisions that will benefit our country in the long run, to ensure such horrible things don’t happen again and my grandchildren and great-grandchildren don’t live in constant fear.”

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\*Ms. Lalinde’s story is tragically not uncommon. Under a practice known as “false positives,” many young men have been executed and then disguised as guerrilla fighters killed in combat, buried in anonymous graves, reported under false names.

Leonel de Jesus carries the urn with the remains of his daughter, February 2011. Relatives of 29 victims received the remains of their loved ones, found in common graves thanks to information given by demobilized combatants of both the leftist guerrillas and right-wing paramilitary groups. RAUL ARBOLEDA/AFP/Getty Images

Associated Press  
Thursday, 12 April 2012

### **Congo: Support for Ex-Warlord's Arrest**

In a marked turnaround, Congo's president called Wednesday for the arrest of a notorious ex-warlord who has been serving in the country's army despite an international indictment on war crimes charges. The ex-warlord, Bosco Ntaganda, is accused of using child soldiers for fighting in northeastern Congo from 2002 to 2003. He was first indicted on war crimes charges in 2006 by the International Criminal Court.

President Joseph Kabila said on Wednesday that Mr. Ntaganda should be arrested and face a military tribunal in Congo, the presidential spokesman Andre Ngwej said. Mr. Kabila said the military did not need to hand Mr. Ntaganda over to the international court. In the past, Mr. Kabila had refused calls to hand over Mr. Ntaganda, arguing his cooperation was essential to keeping the peace in the troubled east of the country where numerous local militias and foreign rebels operate.

The Congolese president's announcement follows clashes this week between troops loyal to Mr. Ntaganda and other soldiers in the Congolese Army in the eastern town of Rutshuru, according to the army spokesman for eastern Congo, Maj. Sylvain Ikenge. "But everything is calm in Rutshuru today, and 90 percent of the troops have remained loyal to the government," he said. Mr. Ntaganda has denied the accusations against him and said he did not fear arrest.