

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

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

Thursday, April 01, 2004

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Sierra Times

Thursday April 1, 2004

Defence Counsel Questions Powers Of Attorney General

By Mohamed Mansaray

Defence Counsel for indicted Sam Hinga Norman, Blyden Jenkins-Johnston has questioned the authority of the Attorney General and Minister of Justice to instruct banks in Sierra Leone to freeze the account of his client without first going through the necessary procedures.

Jenkins-Johnston made this remark to the press yesterday in Freetown. He explained that sometime last year, the Special Court made a general order for the arrest and detention of Chief Norman and that the powers of that order was not addressed to any bank nor to any particular individual. Counsel further explained that the order was meant purely to locate and identify assets owned by the accused.

According to Jenkins-Johnston, the Attorney General wrote a letter to all the banks in Sierra Leone including the Sierra Leone Commercial Bank, Union Trust Bank, Rokel Commercial Bank, Bank of Sierra Leone, Standard Char-

tered Bank among others to freeze the accounts of Chief Sam Hinga Norman.

"The AG has no right to ask any bank to freeze the assets or accounts of the indictee without going through the proper channels," he said.

Counsel revealed that he filed an application in the High court as to why the AG wants the indictee's accounts frozen, adding that the matter will be argued in court accordingly for the court to decide.

In an angry tone, Jenkins-Johnston said: "The man is in jail and has a family to be catered for. When his wife went to the bank to withdraw money she was refused."

Hinga Norman was indicted sometime in March last year for criminal individual responsibility for offences committed by his militia fighters during the war years in Sierra Leone. Efforts made by the press to reach the Attorney General for comments were not successful.

LIBERIA: Former warlord warns against war crimes tribunal



© George Osodi

**Prince Yormie Johnson,
former rebel with political
plans**

MONROVIA, 31 Mar 2004 (IRIN) - Prince Yormie Johnson, a former rebel leader, has returned from nearly 12 years of exile in Nigeria, to carve out a new career for himself in civilian politics.

The former army officer, who tortured to death former president Samuel Doe, recording the gory process on video tape, began by warning Liberia's transitional government against setting up a war crimes tribunal.

Johnson, who now claims to be a born again Christian, told IRIN that this would simply unleash more violence in the country, which is slowly recovering from a 14-year civil war.

"If I tell you that I do not want a war crimes court, you may think that I am hiding something," Johnson began.

But he added: "If the politicians push for a war crime tribunal, then they will not be set free from this, because they will set the ball rolling for violence."

Johnson, who returned to Monrovia at the weekend, said he had come home to launch a new political career for himself as elected senator for Nimba county, the area of north central Liberia where he was born.

"My people have asked me to contest for the senatorial position of my county [Nimba County] during the upcoming elections," said Johnson, flanked by some of his kinsmen and supporters.

"You see the people speak. Who am I to say no?" Johnson said. "The voice of the people is, in my opinion, the voice of God."

Johnson formerly headed the Independent National Patriotic Front of Liberia (INPFL), a breakaway group of Charles Taylor's National Patriotic Front of Liberia (NPFL).

His faction was set up in 1990 during the early stages of the civil war. It established a stronghold around the port of Monrovia and defended the port to allow a West African peacekeeping force to land in August that year.

Johnson's troops developed an early reputation for discipline, perhaps because Johnson himself was known to personally execute looters in his ranks with his pearl-handled revolver.

Although Johnson is seeking to launch a new career in politics, he warned that Liberia's former warlords should not run for the presidency in elections scheduled for October 2005.

"If any warlord is president for example, his rivals will harbour fear, thinking that he may (seek) revenge, so for me, no warlord should be president," he told IRIN.

"It is not in the best interest of the nation for any warlord to think of being president," Johnson said, although he did not dispute the constitutional right of any individual to stand for elected office if they chose to.

Johnson is best known as the man who captured former president Doe in August 1990 and supervised his torture and execution, recording the entire process on video tape.

The film shows Johnson swigging beer as he watches Doe's ears being hacked off.

According to Johnson, Liberia's politicians were as guilty as the fighters who carried weapons for the crimes committed during the country's brutal civil war.

"When Samuel Doe was in power, constitutionally and elected they [the politicians] wanted him out militarily. They [the politicians] supported everything!" Johnson said.

But Johnson said he personally was no longer a man of violence and had refused invitations to renew his involvement in the civil war.

"I tell you what. I am a changed man and a servant of the most higher God. When I was in Liberia, I preached peace and everything about my faction was peace. We ushered in ECOMOG (the West African peacekeeping force) at the time to bring peace. We disarmed," Johnson told IRIN.

"When I was in Nigeria, there was war all over Liberia, if I wanted to join in the war, I would have done that. I was in some instances offered money to joined in the war but I refused," Johnson said.

"Deep in me is peace and this is the message that I brought," he added.

However, reaction in Monrovia to Johnson's return has been mixed.

Some worry that he could upset the country's new-found peace.

"A man like Johnson is a potential danger. He still demands respect and has a large number of followers and it is possible that he may cause some problems since there are some of his guys still around," said Mamie Johnson, a petty trader in Monrovia.

Others believe that it is better that Johnson and those like him are in the country where their activities can be monitored and it will hopefully be harder for them to mount a fresh insurrection.

"I think for a man like Johnson to be out [of the country], it is dangerous," said

Peter Boikai a political science student at the University of Monrovia. "I think he should be in so that we all can keep an eye on him.

It is now the turn of Charles Taylor, the warlord who forced out Johnson, to live in exile in Nigeria.

Elected president in 1997, Taylor was forced to quit power and flee the country in August last year as rebel forces advanced into Monrovia. His departure cleared the way for the signing of a peace deal a week later.

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Security Council extends Sierra Leone mission until 30 Sep, with residual force to remain until Jun 2005, unanimously adopts resolution 1537 (2004)

SC/8046
Security Council
4939th Meeting (PM)

The Security Council this afternoon, noting that progress towards the benchmarks for the drawdown of the United Nations Mission in Sierra Leone (UNAMSIL) remains fragile, and some major gaps still remain, decided to extend the Mission's mandate for six months until 30 September.

Unanimously adopting resolution 1537 (2004), the Council also decided that a residual UNAMSIL presence would remain in Sierra Leone, for an initial period of six months from 1 January 2005, reduced from the December 2004 level of 5,000 troops by 28 February 2005 to a new ceiling of 3,250 troops, 141 military observers and 80 United Nations civilian police personnel.

The Council also requested the Secretary-General to proceed with planning on the basis of the recommendations in his report of 19 March, to ensure a seamless transition from the current configuration of UNAMSIL to the residual presence.

In addition, the Council urged the Government of Sierra Leone to intensify its efforts to develop an effective and sustainable police force, army, penal system and independent judiciary, so that the Government could rapidly take over from UNAMSIL full responsibility for maintaining law and order throughout Sierra Leone. It also encouraged donors and UNAMSIL, in accordance with its mandate, to continue to assist the Government in that regard.

Further, the Council affirmed its intention to confirm the precise tasks of the residual UNAMSIL presence, and the benchmarks for its duration, no later than 30 September 2004.

The meeting began at 12:45 p.m. and ended at 12:47 p.m.

Council Resolution

The full text of Security Council resolution 1537 reads, as follows:

"The Security Council,

"Recalling its previous resolutions and the statements of its President concerning the situation in Sierra Leone,

"Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

"Commending the efforts of the Economic Community of West African States towards building peace in the subregion, and encouraging the Presidents of the Mano River Union member States to resume dialogue and to renew their commitment to building regional peace and security,

"Expressing its appreciation to those Member States providing troops, civilian police personnel and support elements to the United Nations Mission in Sierra Leone (UNAMSIL),

"Having considered the report of the Secretary-General of 19 March 2004 (S/2004/228),

"Welcoming the significant progress made towards the benchmarks for drawdown of UNAMSIL, in accordance with Security Council resolutions 1436 (2002) and 1492 (2003), and commending UNAMSIL for the progress made to date in the adjustments to its size, composition and deployment,

"Noting, however, that progress towards the benchmarks remains fragile, and some major gaps still remain, in particular with regard to the capacity of the Sierra Leone Police and armed forces to maintain security and stability effectively,

"Reiterating the importance of the effective consolidation of stability and State authority throughout Sierra Leone, particularly in the sensitive diamond-producing areas and in the border areas, and stressing continued United Nations support to the Government of Sierra Leone in fulfilling these objectives,

"Emphasizing the importance of free, fair and transparent local elections in May 2004 and encouraging the Government of Sierra Leone to make the necessary preparations, assisted by UNAMSIL within its mandate,

"Encouraging the Truth and Reconciliation Commission to produce its report as soon as possible and welcoming the intention of the Government of Sierra Leone to establish a Human Rights Commission thereafter,

"Noting the Secretary-General's analysis of the need for a significantly-reduced United Nations peacekeeping presence to remain in Sierra Leone into 2005,

"Emphasizing the importance of the Government of Sierra Leone's assuming full responsibility for national security as soon as possible,

"1. Decides that the mandate of the United Nations Mission in Sierra Leone (UNAMSIL) shall be extended for a period of six months until 30 September 2004;

"2. Welcomes the Secretary-General's intention to adjust the timetable for UNAMSIL's drawdown during 2004, in order to ensure a more gradual reduction in its military strength, as outlined in paragraph 72 of his report;

"3. Urges the Government of Sierra Leone to intensify its efforts to develop an effective and sustainable police force, army, penal system and independent judiciary, so that the Government can rapidly take over from UNAMSIL full responsibility for maintaining law and order throughout Sierra Leone, and encourages donors and UNAMSIL, in accordance with its mandate, to continue to assist the Government in this regard;

"4. Urges the Government of Sierra Leone to continue to strengthen its control over, and regulation of, diamond mining, including through the High Level Steering Committee;

"5. Decides that a residual UNAMSIL presence will remain in Sierra Leone, for an initial period of six months from 1 January 2005, reduced from the December 2004 level of 5,000 troops by 28 February 2005 to a new ceiling of 3,250 troops, 141 military observers and 80 United Nations civilian police personnel, and requests the Secretary-General to proceed with planning on the basis of the recommendations in his report, in order to ensure a seamless transition from the current configuration of UNAMSIL to the residual presence;

"6. Affirms its intention to confirm the precise tasks of the residual UNAMSIL presence, and the benchmarks for its duration, no later than 30 September 2004;

"7. Requests the Secretary-General to provide by 15 September 2004 a progress report, including progress made in the work of the Special Court for Sierra Leone, progress in resolving the conflict in Liberia, further increases in the capability of the Sierra Leone Police and armed forces and strengthened cooperation among United Nations missions in the subregion, with recommendations for any modifications such progress might allow to the size, composition, duration and benchmarks of the residual UNAMSIL presence;

"8. Welcomes the Secretary-General's intention to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries and the Government of Sierra Leone, including by quarterly assessments of progress against the benchmarks for UNAMSIL's drawdown, including the capacity of the Sierra Leone security sector;

"9. Expresses its appreciation for the essential work being carried out by the Special Court for Sierra Leone, notes with serious concern the precarious financial situation of the Court for its third year of operation, urges all countries to submit their outstanding pledged funds immediately, supports the Secretary-General's request to the General Assembly to consider a contribution to the financing of the Court from the regular budget, as in the Secretary-General's report to the General Assembly of 14 March 2004 (A/58/733), and urges all States to cooperate fully with the Court;

"10. Commends the Secretary-General's efforts to establish cooperation between the United Nations missions in the subregion and welcomes his intention in paragraph 65 of

his report to submit recommendations to the Council by the end of 2004 on how such cooperation might be strengthened;

"11. Requests UNAMSIL to share its experience with the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire and to carry out its mandate in close liaison with them, especially in the prevention of movements of arms and combatants across borders and in the implementation of disarmament, demobilization and reintegration programmes;

"12. Decides to remain actively seized of the matter."

Background

Before the Security Council is the twenty-first report of the Secretary-General on the United Nations Mission in Sierra Leone (UNAMSIL) (document S/2004/228), in which the Secretary-General proposes leaving a residual United Nations peacekeeping force in Sierra Leone until December 2005 to ensure a smooth transfer of security responsibilities to the national Government. He notes that while there has been progress in consolidating peace in the country, it remains fragile. The armed forces face "serious shortfalls", making it impossible for the Government to assume responsibility for external security by the time the United Nations Mission is set to expire in December.

The report further points out that "considerable support" is still needed by the Sierra Leone police, while outside funding is essential to the country's economy. "There is a unanimous view among both Sierra Leoneans and international stakeholders that the progress made so far warrants a carefully managed transfer of responsibility for national security to the Government", the Secretary-General states, recommending that the Council establish a residual United Nations force in Sierra Leone comprising 3,250 troops, plus 141 United Nations military observers and 80 United Nations civilian police personnel. The operation would run through the end of 2005. The UNAMSIL, which now has 11,000 troops, expects to downsize to 5,000 by December 2004.

The proposal will also facilitate the work of the Special Court for Sierra Leone, according to the report, which notes that some members of the Sierra Leone Armed Forces have become disaffected by poor conditions of service and still support Johnny Paul Koroma, an indicted former military leader.

Concord Times

Thursday April 1, 2004

As Security Council extends UNAMSIL's mandate

Police, Army fail to meet benchmarks

The failure of the Sierra Leone Police (SLP) and Republic of Sierra Leone Armed Forces (RSALAF) to satisfy benchmarks which would have made it possible for the mandate of the United Nations Mission in Sierra Leone (UNAMSIL) to have come to an end this year has left the United Nations with no alternative but to extend its mandate

in the country until mid next year.

Reasons for this, according to a UN Security Council Resolution 1537 Monday noted, "... progress towards the benchmarks remain fragile, and senior major gaps still remain, in particular with regard to the capacity of the Sierra Leone Police and Armed Forces to maintain security and stability effectively."

Security Council urged government to, "intensify its efforts to develop an effective and sustainable police force, army, penal system and independent judiciary, so that government can rapidly takeover from UNAMSIL full responsibility for maintaining law and order throughout Sierra Leone..."

Though the Council noted that a

residual presence will remain in the country for an initial period of six months until September 2004, it however reiterated, "the importance of the effective consolidation of stability and state authority throughout Sierra Leone, particularly in the sensitive diamond-producing areas and in the border areas."

The Resolution also emphasised the importance of a free, fair and transparent local elections in May and called on the Truth and Reconciliation Commission (TRC) to produce its report as soon as possible.

Concord Times gathered that both police and the army have only satisfied 23 out of the 49 benchmarks that were set up for UNAMSIL's draw down.



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Book Review: African Armed Conflicts Are Foday Sankoh's Luggage

Concord Times (Freetown)

BOOK REVIEW

March 31, 2004

Posted to the web March 31, 2004

By Kofi Akosah Sarpong
Freetown

African armed conflicts are Foday Sankoh's luggage—a bag of mindless macabre and satanic dance of bloodbath, lies, amputations, bloody raids, rape, fearsome juju-marabou rituals, and visions informed evil. No doubt the Sankoh insurgency resulted in one of the darkest, if not the darkest, eras in Africa's existence. But an intelligent person will ask why did Sankoh embark on such horrendous enterprise and burnt down his beautiful Sierra Leone? The answers range from Sierra Leone's ancient past to its colonial past to its modern presence such as the narrow and unrealistic thinking of Siaka Stevens to external factors such as Liberia and Libya, having observed the societal rot, helped Sankoh and his cohorts to loot Sierra Leone's diamonds and to the fact that Sankoh and his cohorts have nothing ideologically and spiritually to uplift the world's poorest country from its helpless state.

Armed conflicts, not necessarily in Africa, undermine development, demean people, throw societies back to the brutish ancient past, and halts civilization.

Since the beginning of life, armed and violent conflict have been mankind's anti-self, a sign that universally mankind is still developing in our existential scheme of things despite our arrogance. If humanity is so rough, not actually developed but still developing, more especially spiritually, what inform our troubles? There may be conflicts in Iraq or Afghanistan, but according to a new book *Armed Conflict in Africa* (The Scarecrow Press, Inc. Lanham, Maryland, and Oxford, 2003), Africa has gone through more conflicts than any other continent, more so because of small-scale internal conflicts since the 1990. Africa accounts for only ten percent of the world's population today but "two-thirds of the one hundred thousand people killed directly in armed conflicts world wide were African." African conflicts are often analyzed from moral indignation than intellectual rigour. From the fallacy that conflict is a zero-sum game—that someone's conflict is another man's gain—moralists conclude that Africans are conflict-ridden

because armed merchants make money from Africa's conflicts. Beyond this moral face, what are the causes of armed conflict in Africa?

And who is to blame? Two schools of thought see Africa's instability differently. One says it is "homegrown" and the other say the Western world is responsible. Among those who try to answer these questions is Ali Mazrui who pins Africa's conflicts on its colonial past unlike Julius Nyang'oro who sees Africa's instabilities from economic imperialism perspectives. Either ways many examples are given such as the one by Bona Malwal's indications of the British causing and intensifying the Sudanese conflict and Rene Lemarchand revealing how Western cultural imperialism weakened African societies, citing the case of the Great Lakes region.

If the global political economy and colonial distortions feed Africa's conflicts, then Lemarchand's superb explanations debunks the spillover of ancient tribal hatred into Africa's instabilities and rather argues that it is myth-making about ethnicity that has fuelled Africa's conflict. He cited the Rwandan genocide to illustrate how Africa's mythmaking is the bane of deadly conflicts. Weakened by mythmaking factors such as colonialism and the international political economy have found the outlets to cause conflicts among Africans who appear weak to be used against each other, most times for no apparent reason than economic reasons as Sierra Leone and the Angolan civil wars revealed.

The contributors offer a number of pan-African solutions. Among them are the ECOWAS-type intervention, the deepening of regional integration, self-help and African Union (AU) and NEPAD. While the AU would see African military and civilian leaders root out conflict, NEPAD's peer-review mechanism is expected to review African states performance, especially good governance, and reveal how each state is doing. The collective sanctions that will come later is expected to punish states that violate rules of good governance.

While all these solutions are said with good intentions, Africa will need extremely good moral reform rooted in its history, culture and experiences to root out deadly conflicts.

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Terms: **retailers flak over "blood diamonds"** ([Edit Search](#))

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SECTION: FRONT PAGE - COMPANIES & MARKETS; Pg. 1

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HEADLINE: Retailers face flak over "**Blood Diamonds**"

BYLINE: By NICOL DEGLI INNOCENTI

DATELINE: JOHANNESBURG

BODY:

Diamond **retailers'** contribution to a United Nations-backed initiative to prevent illicit sales fuelling Africa's wars has amounted to little more than "a public relations manoeuvre", says a report by the body that exposed the "**blood diamonds**" trade.

The report, from Global Witness, will be presented today at the World Diamond Council's annual meeting in Dubai. It criticises **retailers'** role in ensuring diamonds from 61 producing or trading member countries are backed by certificates of origin guaranteeing they do not come from a conflict zone.

Global Witness was an original backer of the landmark scheme, known as the "Kimberley Process" a rare example of co-operation between governments, industry and non-government organisations to combat illicit trade.

With UN support, the initiative aimed to prevent diamond trading from providing a potential conduit for terrorist finance and fuelling wars in areas such as Liberia and Democratic Republic of the Congo.

The scheme also soothed fears in the trade that diamonds' carefully managed image among consumers could be tainted by associations with war.

A meeting of everyone involved in the scheme in November emphasised its success in opening up the industry. It also introduced a system of peer review to boost countries compliance. But the Global Witness report which has been seen by the Financial Times turns the focus back on to the diamond industry, saying it "is largely unable to give consumers substantial assurances that diamonds are conflict-free". The investigation, carried out in January, focuses on the retail sector as "the public face of the industry" and on the US as the biggest market, with sales of more than Dollars 27bn (Pounds 15bn) in 2002.

Revealing what it describes as "an abysmal picture", the report said: "The self-regulation, which is supposed to cover the entire diamond-jewellery supply chain, from the mine to point of sale to the consumer, is amounting to not much more than a public relations manoeuvre with little credibility behind it." Most companies surveyed seem to have little awareness of the Kimberley Process, the report says. The WDC is singled out for criticism for failing to ensure effective implementation.

But Eli Izhakoff, chairman and chief executive of the WDC, told the Financial Times: "NGOs are doing their job in urging us on to do better... I am ready to admit we have to do more and we are willing and ready to do more." He said the Kimberley Process was "a process, not an event or a decree". He added: "It is a slow, tedious work making sure everyone in the industry gets the message. I am very proud of the industry and I am happy with the level of awareness and compliance of the big retail chains. The system is working, but it needs tightening up because it is only as strong as its weakest link." Zimbabwe's free-for-all. Page 14

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Ghana

The Murky Truth

George Sarpong
World Press Review correspondent
 Accra, Ghana
 April 1, 2004

For nations moving from authoritarian to civilian rule, debate about whether to forget past human-rights abuses and focus on the future has always been emotive. Freed from prison in 1990 after 27 years, Nelson Mandela presided over South Africa's attempt to put the atrocities of the apartheid era behind it through the Truth and Reconciliation Commission (TRC) chaired by Archbishop Desmond Tutu. More recently, Sierra Leone's truth commission has asked how combatants in the country's brutal civil war could slice open the wombs of pregnant women and amputate villagers' limbs in the name of a senseless civil war. Ghana, too, has opted for a National Reconciliation Commission to examine the abuses that took place under the leadership of President Jerry Rawlings.

History

Since the former British colony of the Gold Coast, now Ghana, gained independence in 1957, it has had a mixed history, with spasms of hope dashed by political incompetence, military brinksmanship, and dictatorship. By 1992, when Ghana passed its current constitution, the small country of 20 million had seen four violent coups. But nothing surpassed the intensity of rights violations brought by the coups of 1979 and 1982 by Flt. Lt. J.J. Rawlings.

On May 15, 1979, Rawlings led a failed attempt to overthrow the corrupt regime of the Supreme Military Council. The coup failed, and faced with the certainty of conviction and a death sentence at a court martial, Rawlings took sole responsibility for the attempt and blasted the military establishment that had caused so much suffering to Ghanaians. He further demanded the release of the other soldiers arrested with him. He was ready to die alone for a cause he believed in, he said. What mattered to him, he said, were the lives of "average" Ghanaians and the future of the nation.

Rawlings became Ghana's most popular prisoner. On June 4, 1979, a group of soldiers fought its way to release Rawlings from custody, reorganized the aborted putsch, and made him chairman of the emergent Armed Forces Revolutionary Council (AFRC). The AFRC spent only four months in power, then handed over to a civilian regime led by Hilla Limann, who, critics say, failed to satisfy the retreating soldiers.

With vengeance on his mind and the vigor to pursue it, Rawlings returned two years later to overthrow Limann and, in 1982, set in motion what would become the longest and most brutal military regime in Ghana, the Provisional National Defense Council (PNDC). In 1992, he succumbed to pressure, organized rigged elections, and continued ruling with this disputed mandate. The National Democratic Congress government he formed, many Ghanaians say, was the most corrupt government the country had known.

Human Rights

Founded on the charisma and vengeance of their leader, Rawlings' three regimes (June-Sept 1979, 1981-92 and 1992-2000) were driven more by passion than prudence. Having blamed politicians and businessmen for Ghana's problems, Rawlings set out to eliminate his enemies. The AFRC arrested three former heads of state—Lt. Gen. A.A. Afrifa, Gen. Ignatius Kutu Acheampong, and Gen. Fred Akuffo—put them and their military henchmen on trial for corruption, and promptly executed them. Other influential military officers and civilians thought to have offended Rawlings and his friends in private life were arrested and tortured. Some were never seen again after being picked up from their homes by soldiers.

But the abuses did not only target the powerful. Soldiers stripped female street vendors naked and beat them up in public for selling matches above the government-stipulated price. Arbitrary detentions, confiscation of



Former president of Ghana Jerry Rawlings during a state visit to Washington in 1999. Ghanaians have been riveted by Rawlings' testimony in front of the National Reconciliation Commission. (Photo: Stephen Jaffe/AFP/Getty Images)

property, arrests, and tortures were everyday occurrences. Yet the International Monetary Fund and the World Bank touted Rawlings as an example of African success and muted local complaints.

National Reconciliation Commission

In 2000, newly elected President John Kufuor faced widespread demands for the government to address past human-rights abuses. But the 1992 Constitution had indemnified all military personnel from judicial scrutiny, making it impossible for those wronged to have any legal redress.

To get around this, the new regime established the National Reconciliation Commission to compile accurate historical records of past human-rights violations by providing a formal forum for victims to tell their stories. Established by an act of Parliament, the NRC is chaired by a former supreme court judge, and has nine other commissioners including a Catholic bishop and a retired general.

In most respects, Ghana's NRC has used South Africa's TRC as its model. Except for very special cases bordering on national security, most hearings are conducted in public with heavy media coverage. One main difference between the TRC and the NRC is in their amnesty provisions. The TRC had power to grant amnesty to rights perpetrators in exchange for full disclosure of their involvement in "crimes" under investigation, while Ghana's NRC has no such power. But that matters little since most of the perpetrators are already indemnified. After a shaky beginning, with protests from the political opposition, most Ghanaians have come to regard the NRC as the most important human rights event in the history of the nation. For the first time, the nation has heard horrendous stories of how government soldiers brutalized citizens in the name of a "revolution," and how many victims were ordinary women struggling to feed their families.

One witness, Grace Obeng, told the commission of how her two sons, both soldiers, were executed. The elder son, Stephen, was arrested for offending a "big man" in the army. After three days in a prison cell, he sent word to his younger brother to bring water to him. When the brother did so, he too was arrested, and charges were trumped up against the brothers for attempting to overthrow Rawlings. Both were executed.

Obeng testified that when she tried to visit her sons at the military base where they were kept before execution, soldiers beat her until she bled. "They pushed me down and stomped on me several times with their boots. They hit me with the butt of their guns till I bled. When I came to, I was in a hospital. I never saw my sons again until neighbors rushed to my house one afternoon with news from government radio that my sons had been executed," she told the commission.

For many Ghanaians, the greatest moment of hope for national reconciliation came when B.T. Baba, a former director of the prison service, openly apologized to a man who alleged Baba had supervised his torture in prison. "We were young and could have done a few things out of exuberance. Forgive me," Baba pleaded. The victim walked to Baba and embraced him, generating a thunder of applause from the audience in the commission's auditorium. For many Ghanaians, Baba became a symbol of decency and humility.

Although by law the Commission's mandate covers all military regimes from independence to 1992, Ghanaians are most interested in rights violations under Rawlings. No case has generated as much interest as the gruesome murder and bizarre burning of three high court judges and an army officer in June 1982.

Murder of the Judges

On the night of June 30, 1982, three high court judges and a retired army major were abducted from their homes. Their maggot-infested, charred bodies were later found at Bundase, 30 kilometers east of Accra, Ghana's capital. On July 4, Rawlings announced to the nation that the murders had been orchestrated by enemies of his revolution. When international pressure forced the government to set up a commission of inquiry into the matter, it was found the murderers had close ties to Rawlings.

Amartey Kwei, who led the "operation," was a member of the governing council, a status equivalent to Cabinet minister in the Rawlings AFRC. At the trial, Kwei mentioned an old Rawlings pal and then National Security Coordinator, Kojo Tsikata, as the brain behind the "operation." The attorney general at the time, George Aikins, said that the evidence against Tsikata was not strong enough to prosecute him. Many Ghanaians believed that Aikins acted out of fear.

Ghanaians suspected official complicity in the heinous crime: Kwei was a member of the government and his accomplices had stayed in a compound owned by Rawlings. The keys to the Fiat Campangola used in abducting and transporting the judges to the murder site were allegedly picked from the residence of Rawlings'

wife. It was also rumored that Rawlings and his colleagues were upset with the judges for ordering the release of some people unlawfully detained by Rawlings during his AFRC. The nature of security at the time also meant only government operatives could have taken the abducted judges from Accra to Bundase through the many military checkpoints without attracting notice.

But Rawlings and Tsikata denied any involvement in the murders and hurried the execution of Kwei and his accomplices. Later, Rawlings told journalists from the government-controlled *Daily Graphic* that he had extracted a statement from Kwei on the morning before his execution in which the prisoner retracted his allegations against Kojo Tsikata on tape. Now Ghanaians and the NRC want to know two things. Is there any such tape? And if so, what is on it?

Rawlings and Tsikata at the NRC

To get answers to the questions, the NRC subpoenaed Rawlings and Tsikata in February 2004, followed by Aikins in March. In his testimony, Aikins said that Rawlings knew of the judges' three captors before the July 4, 1982, broadcast in which he said that the state would find the "enemies of the revolution" who had murdered the judges and punish them.

Both Tsikata and Rawlings insist they are innocent. In his testimony before the NRC, Rawlings repeated his claim that Kwei retracted his allegations against Tsikata, but he could not produce the tape on which the retraction was recorded.

The case has consumed Ghanaians, who wonder where the truth lies amid all the allegations and counter-allegations. Despite the best efforts of the NRC, it seems that the full story will never be known. According to the *Independent* of Accra, "the truth is in the bosom of Mr. Rawlings." ■

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HEADLINE: AFRICA AND THE CRISIS OF INSTABILITY

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BODY:

Inter-state conflicts have added to the sources of violence and **instability** in **Africa**.

IN the 1960s, 70s and 80s, most of **Africa** was battling with the destabilising and debilitating forces of colonialism, neo-colonialism (imperialism), apartheid, the Cold War and political authoritarianism. With the disappearance of these centrifugal forces, except neo-colonialism and political authoritarianism, several African states have started to recover their souls and move towards normality.

For example, while the Cold War inspired brutal armed conflicts in Southern **Africa** (Mozambique and Angola) and the Horn of **Africa** (between Ethiopia and Somalia) have ceased, the post-apartheid South **Africa** has made sufficient progress towards becoming the economic and techno-industrial powerhouse of sub-Saharan **Africa**. Ghana, Mali, Nigeria, Niger, Benin Republic, Togo, Cote d'Ivoire, Chad, Guinea, Equatorial Guinea, Malawi, Zambia, Zimbabwe, Kenya, Cameroun, Gabon and others - though in some of these countries, the process of democratisation has been captured under the guise of competitive elections (sometimes bitter and divisive), by the authoritarian groups already in control of power. Despite the hopes and dreams brought by the end of the Cold War and apartheid in **Africa**, the new era could as well be described as tumultuous times on the continent. Capturing this development that seems like taking one step forward and two steps back are the enduring dilemma of political, social, and economic crises in many African countries today. These crises include maladministration, political repression and **instability**, electoral fraud, virulent ethnic nationalism, religious fundamentalism, civil unrest, armed conflict, proliferation of illicit arms, violent crimes, economic crunch, famine, hunger, poverty, emerging and reemerging diseases (AIDS, Ebola, malaria and tuberculosis), environmental degradation and underdevelopment.

Somalia is a profile in the **crisis of instability** in contemporary **Africa**. Since after the popular upheaval that snowballed into the overthrow of the oppressive regime of Mohammed Siad Barre by various notorious clan warlords and their militias, this Horn of African state has been in turmoil and fragmented into self-recognised independent republics of Somaliland,

Puntland and South West Somalia.

Today, due to the civil war, chaos, anarchy, bloodshed, horror, barbarism and devastation in Somalia, many watchers of African politics, including this writer, have seen the country as a clear indication of the extreme difficulty of state building in **Africa**. This is the only political society on the continent (that is, Somalia) which is a nation in the real sense of the word because of ethnic, religious and cultural homogeneity of her people, but yet, she is atomised across the fault line of clan. In the light of this, many Western analysts have come to associate Somalia with an egregious example of a failed state. When extrapolated and explained, the term depicts a polity where political, economic and social institutions have crumbled, as a result of longstanding and protracted crises like intra-state conflict, war, maladministration, corruption, mismanagement, economic distress, deepening poverty, violence, crime, social chaos, anarchy and so on.

Failed African states

Disturbingly, the scenario of a failed state presented by Somalia is being replicated by other Horn of African states, namely Ethiopia, Eritrea, Djibouti and Sudan, which are plagued by disastrous armed conflicts that have caused catastrophic breakdown of law and order and opened the floodgate of carnage, social dislocation, hunger and famine. Mindful of the political and communal turmoil of the recent years in Rwanda, Burundi, Democratic Republic of Congo, Congo-Brazzaville, Central African Republic, Liberia, Sierra Leone, Cote d' Ivoire and a host of others, one can surmise that these countries have the potentials of inching their way to the status of a failed state a'la Somalia.

Rwanda and Burundi have been bogged down by the vicious cycle of revolt by Hutus and repression by Tutsis. In Rwanda, the communal feud led to the world-shaking genocide of April- June 1994, in which about 800,000 Tutsis, along with moderate Hutu politicians, were slaughtered by Hutu extremist militias (the Interahamwe) and members of the former Hutu-led national army.

The Democratic Republic of Congo (formerly Zaire) is not immune to the widening battlefields in the Great Lakes or Central African region. At present, the country is recovering from a devastating civil war that ensued the violence and unrest that led to the downfall of the corrupt, despotic and tyrannical regime of Mobutu Sese Seko in May 1997. The war, seen as **Africa's** "First World War," on account of the involvement of Uganda, Rwanda, Burundi, Zimbabwe, Namibia, Angola and Sudan on the side of different groups in the country, claimed an estimated three million lives and depleted vast mineral resources there.

From the sombre and dire picture of catastrophic armed conflicts in **Africa's** Great Lakes region, one cannot dismiss suggestion that the pernicious ideologies of Hutu supremacy (or power) and Hima-Tutsi empire, which have found vent in the fierce communal rivalry in the putative states of Rwanda and Burundi, could have convulsive impact on the region and beyond. Noticeably, the seemingly intractable **crisis** has already spawned a culture of xenophobia, deep-seated resentment, extremism and ethnic cleansing in the neighbouring DR Congo, where the Banyamulenge (Tutsi of Rwandan extraction) who provided the bulk of the fighters that ousted the Mobutu regime in 1997, are restive.

In Congo's Northeastern Ituli region, the Hema and Lendu tribesmen have been entangled in mutual assured killings and destruction. Another anxiety over Hutu-Tutsi animosity is that the conflict in Rwanda and Burundi could seep into the laps of Uganda and Tanzania, which have a sizable population of the two antagonist ethnic nationalities as immigrants. So far, Uganda is struggling to contain the atrocious rebellion of the millennial cult guerrillas of the Joseph Kony-led Lord's Resistance Army (LRA), which is operating in the North from Sudan. In Congo-Brazzaville and Central African Republic, the nefarious activities of heavily armed militia groups, supported by insurgents from DR Congo, have paralysed governments and

institutions in the two countries, just as the insurrection of the rag tag rebels in the neighbouring Chad.

In Cote d'Ivoire, formerly seen as a haven of peace and economic stability in the emerging volatile West **Africa** - as observed in the chaos and madness of the horrific civil wars of the recent past in Liberia, Sierra Leone and Guinea Bissau - political intolerance, nationality question and xenophobia have ignited a divisive civil war.

There are valid fears that the potentially expensive **crisis** in that French-speaking country could have severe repercussion in other parts of the region if the fragile peace plans of ECOWAS and France aimed at defusing the problem hit the hurdle.

Nudging other states in **Africa** towards the precipice of a failed state is the new potential grave danger of religious extremism, which has gathered sheer momentum on the continent since the end of the East-West rivalry (the Cold War) in 1989. In Egypt and Algeria, wild bearded Islamic zealots with AK-47 assault rifles and bombs are waging vicious campaigns to wrest power from their secularist governments.

Kenya and Tanzania have become the centres of Al-Qaeda inspired anti-Western, anti- Israeli struggles in **Africa**, as buttressed by the spate of suicide bombings by hardline Islamic militants in the East African countries in the recent past.

Ethnic nationalism

Ethnic/micro nationalism is also a potent force to reckon with in the **crisis of instability** in **Africa**. In this regard, Nigeria is, in recent years, becoming volatile, a kind of powder keg, on account of frequent nasty inter-ethnic and religious riots, fuelled by years of bubbling communal discontent and frustration across the country.

In Western Sahara, Sudan (in the South), Senegal (in Casamance), Angola (in Cabinda), Ethiopia (in Oromoland, Ogaden and Haud), Comoros (in Anjou an), Niger (in Agadez) and Mali (in Alawak), disaffected ethnic nationalities have been waging armed separatist struggles for autonomy or outright independence. In recent years, Namibia and Cameroun have increasingly become volatile since the beginning of the agitation for national self-determination by San people of the Caprivi Strip and English-speaking Camerounians respectively.

Inter-state conflicts have added to the sources of violence and **instability** in **Africa**. Such conflicts include the long time standoff between Nigeria and Cameroun over the oil-rich Bakassi Peninsula and the continued tension between Ethiopia and Eritrea over the Badme territory. Such conflict has often had the ominous implication of undermining African unity.

There is no question that political and social crises that inform the unfolding failed state syndrome in **Africa** are partly responsible for afro-pessimism, the notion by western scholars and commentators that the future of the continent is bleak, gloomy and depressing because of multiple and endless crises. Karl Maier, in his book *Midnight in Nigeria*, This house has fallen, has captured such pessimism, painting a gory picture of the uphill task of nation-building in Nigeria, bedevilled by a medley of political, ethnic and religious turbulence.

In a similar vein, Robert D. Kaplan, in his widely read but controversial essay *The Coming Anarchy* (1994), has gazed into the crystal ball and predicted the fragility of many African states because of political and social chaos and **instability**. Currently, Zimbabwe, Swaziland, Malawi, Togo and Guinea encapsulate such grave assumptions of doom and gloom about the continent, considering the dire prospects of political and social implosions in these countries due to creeping dictatorship and violation of the basic tenets of democracy and constitutionality. In South **Africa**, despite the routing of the tangential forces of apartheid,

the subversive rise of white Afrikaner nationalism, under the aegis of the Boeremag (or Warriors of the Boer Nation) and Zulu militancy, reminiscent of those of the 1980s and early 1990s, has ignited fears about the return of the terrible racial tension and divisions of the apartheid years.

Economically, the outlooks for some of the African states are bleak, as some of them are being relegated in international finance and trade of the post-Cold War era, as well as in the emerging order of globalisation and information and communication technology (ICT).

Oddly enough, except, to some extent, South **Africa**, Egypt, Tunisia, Libya, Botswana, Mauritius, Senegal and Uganda, the economies of many political configurations on the continent are not dynamic and booming.

Efforts to combine the requirements of Western-induced reforms with the demands of democratisation in some of the countries have also met a brick wall. Worse still, the United States and countries of the European Union (EU) have been tempted to reduce their level of official development aids for African states because of doubts about their efficacy, and this is moreso in the post-East-West rivalry when Russia is no longer a diplomatic player in **Africa**. Consequently, loans and grants by these Western countries to African states are tied to conditions like inauguration of Western style democracy and market reforms, human rights and support for "war on terror" -- a situation that has impinged on the national sovereignties of such states.

Not helping matters are the literal kleptocracies in some African states, which, sometimes, have taken the form of a veritable economy of loot and plunder of Mobutuesque proportions. And this development has contributed to serious problems of sluggish economy, debt overhang, human suffering, social unrest and political quagmire in some of the states, especially those in the sub-Saharan **Africa**.

In the face of the unmitigated political, social and economic crises and woes that have made many African countries to face uncertain future, the immediate task before African leaders is how to use the opportunities offered by the end of the destabilising Cold War and apartheid to confront the harsh realities of independence, reinvent their national entities and satisfy the welfare demands of law, social justice, peaceful coexistence, economic reconstruction, human welfare and African brotherhood. Interestingly, former President Nelson Mandela (the Madiba) of South **Africa** and his successor, Mr. Thabo Mbeki, are today championing the 'idea of African renaissance, a project of renewal to bring the continent 'back from the brink, strengthen its possibilities, raise hope and optimism and reposition it as an important centre of human civilisation.

Therefore, there is a growing sense of urgency to transform the failed' states' of Somalia and DR. Congo into stabilised, modernised and pro-active states, guided by justice peace security and development The same is required from other war-subsidies.

Coupled with the AU's agenda for federal African state, conflict resolution, peace building, security, good governance, human rights, the rule of law and sustainable development, there is hope that, with commitment, courage and dedication, a stable **Africa** will emerge out of the chaos and rubbles of crises. No doubt, the pressure and onus for the realisation of these Afro- optimistic expectations are on African leaders and the stake is too high for them to fail in helping provide certainty and stability to the distraught continent.

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