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:

Monday, May 10, 2004

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Special Court for Sierra Leone
Press and Public Affairs Office

PRESS RELEASE

Freetown, Sierra Leone, 7 May 2004

Trial Chamber Approves New Count of Forced Marriage

The Trial Chamber of the Special Court, in a majority decision, has approved a motion by prosecutors to add the new count of "forced marriage" to indictments against six defendants alleged to have been leaders of the former AFRC and RUF.

The new allegation, brought in the category of "sexual violence," now becomes count eight in the 18-count indictment. Its approval by the Chamber marks the first time that forced marriage will be prosecuted as a crime against humanity under international law.

The Prosecution Motions were upheld in two decisions by a 2 – 1 majority, comprising Judge Benjamin Mutanga Itoe and Judge Pierre Boutet. The majority found that since the motions were brought at a stage of the proceedings prior to trial, the new charge would not prejudice the rights of the accused. The judges ruled that the new counts were based on the same evidence as other existing charges related to gender crimes and so would not give undue advantage to the prosecution.

Judge Bankole Thompson, Presiding Judge of the Trial Chamber, dissented from both decisions. Judge Thompson found that the new charges were prejudicial to the rights of the accused to a fair and speedy trial, given what he said was the prosecution's unjustifiable delay of eight months between the discovery of the evidence and the motion to amend the indictment.

#END

The Special Court is an independent tribunal established jointly by the United Nations and the Government of Sierra Leone. It is mandated to bring to justice those who bear the greatest responsibility for atrocities committed in Sierra Leone after 30 November 1996. To date, the Prosecutor has indicted eleven persons on various charges of war crimes, crimes against humanity, and other serious violations of international humanitarian law. Nine indictees are currently in the custody of the Court.

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Source: News & Business > News > **News, Most Recent 90 Days (English, Full Text)**
Terms: **sierra leone's special court adds forced marraige charge** (Edit Search)

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Panafrican News Agency (PANA) Daily Newswire May 7, 2004

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Global News Wire - Asia Africa Intelligence Wire
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Panafrican News Agency (PANA) Daily Newswire

May 7, 2004

LENGTH: 287 words

HEADLINE: CHIEF PROSECUTOR HAILS PRESSURE FOR TRIAL OF TAYLOR

BODY:

Freetown, **Sierra Leone** (PANA) - The Chief Prosecutor of the **Special Court** for **Sierra Leone,** David M. Crane, on Friday said he was encouraged by recent statements from the Presidents of Guinea and Cote d'Ivoire declaring support for the trial of Liberia's ex-president Charles Taylor at the **special court** here.

In a press statement issued here, Crane described the separate calls by Presidents Lansana Conte and Laurent Gbagbo for Taylor to be prosecuted as "vital in the fight against impunity".

"The support of West African leaders is important to the court's ability to successfully meet its mandate in seeking justice for all West Africans," Crane said in the statement.

"I have consistently heard from the citizens of West Africa about their desire for Charles Taylor to face the charges brought against him at the **Special Court.** I am pleased that this sentiment is now gaining political voice," he noted.

Sierra Leone, by working with the United Nations to set up the **Special Court,** acted on the desire of West Africans to hold individuals engaged in international crimes accountable for their deeds, Crane explained.

The people of West Africa understand that peace and prosperity depend on the realisation of the principle that no one can be above the law, he added.

Taylor, currently exiled in Calabar, Nigeria, faces a 17-count indictment for war crimes and crimes against humanity allegedly committed during the ten-year bloody civil war in **Sierra Leone.**

The charges include terrorising civilians, extrajudicial killings, sexual abuse, physical violence, **forced** conscription of children as soldiers, abductions, **forced** labour, looting and burning, and attacks on peacekeeping troops.

JOURNAL-CODE: WPNA

LOAD-DATE: May 9, 2004

Source: News & Business > News > **News, Most Recent 90 Days (English, Full Text)**
Terms: **sierra leone's special court adds forced marraige charge** (Edit Search)

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Panafrican News Agency (PANA) Daily Newswire May 8, 2004

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Panafrican News Agency (PANA) Daily Newswire

May 8, 2004

LENGTH: 380 words

HEADLINE: SIERRA LEONE'S SPECIAL COURT ADDS FORCED MARRIAGE CHARGE

BODY:

Freetown, **Sierra Leone** (PANA) - **Sierra** Laone's UN backed **Special Court** has added a new count of "**forced** marriage" against six suspected leaders of the now defunct Armed Forces Revolutionary Council (AFRC) and the rebel Revolutionary United Front (RUF).

Following a motion submitted by prosecutors, the trial chamber listed **forced** sexual violence as count number eight on the 18- count indictment.

According to a press statement issued by the court in Freetown Saturday, this will be the first time that **forced** marriage will be prosecuted as a crime against humanity under international law.

Judge Benjamin Mutanga Itoe and Judge Pierre Boutet upheld the motions submitted by the prosecution, arguing the new charge would not prejudice the rights of the accused since they were brought before the beginning of trial.

They ruled that the new counts were based on the same evidence as other existing charges related to gender crimes and would therefore not give undue advantage to the prosecution.

However, Judge Bankole Thompson, Presiding Judge of the Trial Chamber, dissented from both decisions.

Judge Thompson asserted the new charges were prejudicial to the rights of the accused to a fair and speedy trial, given the prosecution's unjustifiable eight-month delay between the discovery of the evidence and the motion to amend the indictment.

There is still no indication as to when the **Special Court** will begin to try those indicted.

The **Special Court** is an independent tribunal established jointly by the United Nations and the Government of **Sierra Leone** to try perpetrators of heinous crimes during **Sierra Leone's** decade-long civil war.

Its mandate is to bring to justice those who bear the greatest responsibility for atrocities committed in **Sierra Leone** after 30th November 1996.

The court's prosecutor has so far indicted 11 persons on various war crime charges, crimes against humanity and other serious violations of international humanitarian law.

The **Special Court** dropped charges against former RUF field commander Sam "Mosquito" Bockarie who was reportedly killed in Liberia, and the RUF leader and founder Foday Saybana Sanko, who died in a Freetown jail.

The **special court** currently holds nine indicted people in its custody.

JOURNAL-CODE: WPNA

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Source: News & Business > News > **News, Most Recent 90 Days (English, Full Text)**
Terms: **nigeria; a court/tribunal must give reasons to justify the sentence imposed** (Edit Search)

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Africa News May 7, 2004 Friday

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Africa News

May 7, 2004 Friday

LENGTH: 3097 words

HEADLINE: Nigeria;
A **Court/Tribunal** Must Give Reason to **Justify the Sentence Imposed**

BYLINE: Vanguard

BODY:
The appeal is against the judgment of the General Court Martial delivered on December 22, 2000 whereby the appellants were convicted and sentenced to terms of imprisonment ranging from life imprisonment to some years of imprisonment. The General Court Martial sat at the Cantonment Officers Mess. Ikeja, Lagos. The said appellants had been court martialed for the following offences the counts of which run into 3(three):-

1. Mutiny, punishable under Section 52 (2) of the Armed Forces Decree No. 105, 1993 (as amended).

2. Conduct to the prejudice of good order and service, discipline, punishable under section 103(1) of the Armed Forces Decree No. 105, 1993 (as amended).

3. Disobeying a l)articular order, punishable tinder section 56 (1) of the Armed Forces Decree No. 105, 1993 (as amended).

Briefly, the facts leading to this appeal are as follows:-

The appellants were part of the Nigerian Army personnel serving ECOMOG PEACE KEEPING FORCES in Liberia and Sierra Leone. In the course of their service, they sustained wounds and injuries consequent upon which they were flown back to **Nigeria** and kept at the Yaba Military Hospital, Lagos where they contended that the medical treatment given to them was inadequate and indeed worsened their already deteriorating health conditions. They were, therefore, referred to Hassabo International Hospital, Cairo, Egypt for further treatment from specialist doctors. Again they claimed that the medical treatment which they received in Egypt was grossly inadequate and that they were not given their estarcode. It was their further contention that they were subjected to untold hardship which prompted them into protesting. Some top senior military officers amongst them used their position in the military to order the immediate return of the appellants against all medical advice and thereafter ordered that the appellants be arrested, detained and court-martialed; hence the offences charged. As I have earlier said, they were tried, convicted and sentenced after the prosecution had called 9 (nine)-witnesses and tendered 32 (thirty--two) exhibits while the accused persons called 10 (ten) witnesses and tendered 18 (eighteen) exhibits.

Being dissatisfied with the judgment of the General Court Martial, the appellants have appealed to this court and have identified four issues for determination; they are in the following terms:

(I) Whether the conviction of the appellants by the General Court Martial was not wrong when it held upon the totality of the evidence adduced at the trial that the charges 'of MUTINY, CONDUCT TO THE 'PREJUDICE OF GOOD ORDER AND SERVICE DISCIPLINE AND DISOBEYING A PARTICULAR ORDER have been established against each of the appellants beyond reasonable doubt.

(2) Whether from the totality of the evidence and materials placed before the General Court Martial, the prosecution had proved its case beyond reasonable doubt.

(3) Whether the General Court Martial or any Court Martial as a Court established by a decree and recognized by the Constitution is not expected to write its judgment and make the findings in any case known with reasons adduced to that effect.

(4) Whether the Constitutional right of fair hearing of the appellants were not breached by the composition of the General Court Martial and the entire trial.

The respondent, in their brief of argument, expressed their approval of and adoption of the four issues identified by the appellants for determination.

On issue No. I the appellants submitted in their brief of argument that no legal reason had been adduced by the prosecution, the respondent, to **justify** the sustenance of the charges -- the ingredients of mutiny as contemplated under Section 52 (2) of the Armed Forces Decree No. 105 of 1993 or any other offence beyond reasonable doubt and which ingredients were clearly spelt out in Section 52(I) of the Decree were never shown from the records to have reflected the conduct of the appellants. Indeed, it was their further submission that they lacked the capacity to carry out mutiny given the circumstances of their travelling and the condition of their health. The Court Martial, it was again argued, failed to ascertain critically whether the acts of the accused persons came within the purview of the offences of mutiny, conduct to the prejudice of good order and service discipline and disobeying a particular order. The offences as charged were not proved beyond reasonable doubt, it was again argued, adding that the appellants merely demanded for what was due to them, thus the defence of bona fide claim of right would avail them, reliance was placed on the decisions in Amadi vs. The State (1993)8 NWLR (PT. 3 14)644, Nwuzoke vs. The State (1988)11 NWLR (PT. 72)529, Tongo vs Cop (2000)2 NWLR (PT. 645)485 and (3) Ahmed vs The State (1999) 7 NWLR (PT. 612)641.

Having failed to establish or show an existing written or oral order which the appellants allegedly disobeyed; it was submitted that no person shall be charged or convicted for an offence which he is incapable of committing at the time it was alleged to have been committed. No reasons were given for the judgment it was again argued; and all defences available to the appellants were never or thoroughly considered; it was finally submitted on this issue that the appeal be allowed. For their part, the respondent have argued that the Court Martial was right in convicting the appellants going by the evidence adduced. The trial before a Court Martial is a jury trial and therefore the court was not bound to give reasons to **justify the sentences imposed;** Rule 67 of the Rules of Procedure (Army) was cited in support. The duty of the Court Martial is to comply with Section 141 of the Armed Forces Decree No. 105 of 1993 (as amended) and there was compliance, it was submitted. Disobedience or resistance to lawful authority is sufficient to sustain the charge of mutiny.

It is axiomatic, indeed it is well settled in our criminal jurisprudence that proof beyond reasonable doubt is sine qua non to securing a conviction in any criminal proceedings, The onus of discharging that duty generally rests on the prosecution -- the person or body asserting. On count 1, the appellants were charged for mutiny punishable under Section 52 (2) of the Armed Forces Decree No. 105 of 1993 (as amended); the provisions of which are as follows:

"A person subject to service law under this Decree who in a case not falling within sub-section (1) of this section, takes part in a mutiny,* or invites any person subject to service law to take part in any mutiny, whether actual or intended, is guilty of an offence under this sub-section and liable, on conviction by a court martial, to life imprisonment".

I think it is appropriate at this stage to reproduce the provisions of Section 52(1) of AFD referred to in section 52(2) reproduced supra; they are as follows:"A person subject to service law this Decree who

(a) takes part in a mutiny involving the use of violence or the threat of the use of violence or having as its object or one of its objects the refusal or avoidance of any duty or service against or in connection with operations against the enemy, or the impeding of the performance of that duty or service; or

(b) invites any other person subject to service law under this Decree to take part in a mutiny, whether actual or intended, is guilty of an offence under this subsection and liable on conviction by court martial, to suffer death.

I have had a careful study of the ingredients of the offence of mutiny as encapsulated in the appellant's brief of argument; they are acceptable to me and they are:

(I) that the accused persons are subject to service law

(2) that the accused persons were given an order to carry out a military act

(3) that the accused persons deliberately and by collusion disobeyed the order

(4) that the disobedience and the acts strike at the foundation of discipline in the Army

(5) that the accused persons used violence or threat of violence

(6) that such act or acts were deliberately designed to put the Nigerian Army in imminent danger.

In criminal jurisprudence it is generally the duty of the prosecution to prove, beyond any reasonable doubt, that the accused person or persons have committed the crime. Where the ingredients are ascertainable as in the instant case, the prosecution must prove beyond any reasonable doubt that the accused person or persons envisaged by the law creating the offence and their acts are in tune with the ingredients of the offence. It must however be said that the phrase, "proof beyond reasonable doubt", in the realm of criminal justice, connotes such proof as precludes every reasonable hypothesis excel, that which he tends to support.

Certainly, it is not a proof beyond shadow of doubt. See Dimlong vs Dimlong & Ors (1998)2 NWLR (PT. 136)381. What is the evidence proffered by the prosecution that did sustain the conviction of the appellants, in law? The 5th P/W-Col E.C.N. Azodoh, the Commanding Officer of the ECOMOG TASK FORCE testifying said the whole episode started with the appellants shouting that their "estacode" received from home had been stolen by the officials leading them to Cairo for medical treatment. Despite all entreaties by him to go but at the Airport in Cairo, they refused to move insisting that their estacode be paid. However, some of them left in the bus.

He had said that some of the appellants demanded to meet the Nigerian Ambassador to Egypt. Although the Nigerian Ambassador to Egypt was not invited by P/W5 despite the seemingly riotous scene at the Airport in Cairo, that Ambassador came on his own Volition.

Although it was alleged that some of the accused / appellants went out of the hospital in Cairo to other hospitals for medical attention in protest that they were not receiving good medical attention in Hassan International Hospital to which they were taken to, P/W5 said he never kept file record of such appellants, this was a vital piece of allegation calling for strict proof or proof beyond reasonable doubt.

The suspicion expressed by P/W3 that some of the appellants went out of the hospital on their own volition will not suffice. To a suggestion put to him as to whether he met all these people that flouted his order and did not ascertain them; which would be his reasons for not so doing, the P/W5 said he did not see them commit the offence and it was only reported to him. Mutiny is a criminal offence of a serious dimension. The pieces of evidence that I have reviewed supra have not shown that the appellants disobeyed any order deliberately nor did they commit any violence. if any thing at all, all they did was to protest the non payment of their estacode. Such a protest finds justification on the admission of P/W4 that he had paid some soldiers who earlier travelled with some estacode and was emphatic that the appellants were not prohibited but there was no express provision for the payment of estacode to them. There was also the evidence of secretive investigation and selective trial which by itself vitiates the entire proceedings. Issue No. 21 must be ensured in the negative. And also answer II for similar reasons, I also answer issue No. 2 in the negative.

On issue No. 3, the appellants had argued in their brief that failure of the General Court Martial to give reasons upon which its oral judgment was founded was fatal to the entire proceedings and the judgment itself. The judgment of the Court Martial had not demonstrated a dispassionate consideration of the issues which reflect the result of the exercise leading to the decision. It was urged (that the appeal be allowed and the judgment of the Court Martial set aside, reliance was placed on a number of decisions the likes of(1) Ojo vs Falade (1995)5 NWLR (PT. 396)385 at 391, (2)C.C.B. (Nlg.) Ltd vs Onwuchekwu (2000)3 NWLR(Pj*. 647)65, (3) Aku.i1nwa Vs. Nwaonuma (1988)13 NWLR (PT. 583)632, (4) Akibu vs Race Auto Supply Ltd (2000)14 NWLR (PT 686)190 AND (5) Ezeakabekwe Vs. Emenjke (1998)11 NWLR (P1 575)529.

In response to the arguments canvassed by the appellants, the respondent, through his brief had likened the trial before a Court Martial to that of a jury trial and so there is -110 need to give reasons for its findings and need not write judgment; it is sufficient for the Court Martial to just announce its findings in the open court; support for these submissions was found in Rule 67(1) Rules of Procedure (Army) and Section 141(1) of the AP.I No. 105 of 1993 (as amended). The General Court Martial, it was further argued, is not bound to give reasons or make findings for its conclusion before giving the verdict under the AFD 105 (as amended).

It is not only the prosecution and the accused persons that are stake-holders who should be interested in the out-come of criminal proceedings.

Let it be well known that the general society are equally stakeholder's if not the greatest stakeolders who are more interested in the result of any criminal proceedings. The outcome of any criminal trial not only touches on the conscience of the society, it affects or controls its psyche. If it were not so the barbaric or Kangaroo criminal system of justice which was applied or operated in the dark days of mankind would have still been prevalent till the present day. It was the sustained and concerted societal efforts that got the primitive and absolute backward system modified at every stage of human development until we got to the present evolution of our crimial justice system. The society is still not at rest in working out improvement of this system.

Criminal justice system in a country that upholds the rule of law as a way of life, cannot but conform with the acceptable standard prevailing in all civilized countries of the world. I make bold to say that **Nigeria** is not an exception -- we are in democracy and the rule of law must prevail. Some of the counts under which the appellants were charged, carry death penalty,

the highest punishment under the law and long term imprisonment. Let it be said that members of the Armed Forces in this country have not denounced their membership of the Nigerian Society and it seems to me that they cannot do so in a manner calculated to jettison the provisions of the Nigerian Constitution the GRUNDNORM. Indeed section 1 (1) of the 1999 constitution provides:-

"This constitution is Supreme and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of **Nigeria.** -

The offences for which the appellants were tried were alleged to have been committed sometimes in August 2000. The commencement date of the present Constitution is 29(11 May 1999.

The members of the Armed Forces are not excluded from the application of the provisions of Fundamental Rights the likes of right to life, right to personal liberty right to fair hearing, right to freedom frown (liscriminatioII etc. I have looked earcA+/-thly at the records of proceedings nowhere was it shown that the Couwt Martial evaluated the evidence led before it nor had a dispassionate consideration of the issues in controversy. The judgment is bare. In Anyakpele Vs. Nigerian Army (2001) 13 NWLR (PT 684) 209 it was observed at page 2 14:-

"The judgment of any cpurt or tribunal must be based in criminal matters, on the evidence adduced in court and the findings of the judge which are based on the issues raised.

No **court or tribunal** can negotiate a iioi)-coiiiplianee with the above requirements. Iii the instant case, no reasons were given as to how the conviction of the appellant was arrived at. The court just simply pronounced him guilty on the two charges.

Again in C.C.B. (Nig) Ltd Vs. Onwuchekwa (2000) 3 .NWLR (Pl 647) 65 at 68 it was held:-

"The decisions of court must be related to the facts which informed such decisions. Confusion is inevitable whenever pronouncements arc made not on basis of the facts which should influence the pronouncements.

Also in Sagay Vs. Sajere (2000) 6 NWLR (PT 661) 360 on the same point it was reasoned at pages 364 and 365 thus.

"The requirement that a judgment must clearly demonstrate that the conclusions arrived at in the case were not based on intuition and. whim of the judge but on evidence properly evaluated, and the law is not an insistence on mere forum, but derives from the need to ensure and demonstrate that substantial justice has been done in the ease When a judge has in his judgment failed to give a fair summary of the cases presented by the parties and to summarise the evidence and make findings of fact on the various material issues raised in the pleadings, he cannot be seen to have discharged his judicial function properly."

The records of appeal before this court have not shown a resolution of issues presented to the Court Martial for resolution let alone a clear resolution in the case. The whole proceedings have thus been bedeviled with fundamental vice such that the verdict or judgment of guilt must not be allowed to stand. Issue No. 3 is therefore resolved in favour of the appellants.

On issue No. 4 for all I have been saying I cannot but resolve it in favour of the appellants. The whole proceedings have been characterized by breach of (lie principle of fair hearing. See Yekini vs Nigerian Army (2002)1 NWLR (PT 777)127.

In sum, having regard to all I have been saying supra, it is my judgment that this appeal is nieri[tilde]orious, the decision of the General Court Martial together with the sentences are

set aside and the appellants are discharged and acquitted of all the offences preferred against them.

P. O. Aderemi,

Justice, Court of Appeal

Mr. Allens Agbaka for the Appellants

Mr. J. A Adamu for the Respondents

CA/L/361/2001

HON. JUSTICE M. D. MUHAMMAD

I have read in advance the lead judgment of my learned brother Aderemi JCA. I agree with him that there is merit in this appeal and allow same on the reasonings contained in the lead judgement.

I abide by all consequential order as well.

HON. JUSTICE M. D. MUHAMMAD

JUSTICE COURT OF APPEAL.

CA/L/361/2001

JAMES OGENYI OGEBE, JCA

I read in advance the lead judgment of my learned brother Aderemi, JCA just delivered and I agree with his reasoning and conclusion. Accordingly I also allow the appeal and set aside the conviction and **sentences imposed** on the appellants. They are discharged and acquitted of the charges preferred against them.

J. O. OGEBE,

JUSTICE, COURT OF APPEAL

LOAD-DATE: May 7, 2004

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The Exclusive

Monday May 10, 2004

Contd. page 2

Special Court Says...

Forced Marriage Charge For RUF Indictees

By Ishamel Bayoh

A new count charge of forced marriage has been approved by the trial chamber of the Special Court to indictments against six alleged indictees of the former AFRC and RUF, a release from the court states.

According to the release, this new charge becomes count eight and brought in the category of sexual violence in the 18 count indictment against the indictees making it the first time forced marriage will be prosecuted as a crime against humanity under international law.

It states further that Judge Benjamin Mutanga Itoe and Judge Pierre Boutet upheld

Contd. page 2

Forced Marriage Charge For RUF Indictees

From front page

the decisions against Judge Bankole Thompson, presiding judge of the trial chamber.

The two judges in the majority found that the motions were brought at a stage of the proceeding prior to trial as they will not prejudice the rights of the accused. They said the charge were based on the same evidence to charges related to gender crimes.

Whilst Judge Bankole Thompson disagreed on the grounds that the charge were prejudicial to the rights of the accused to a fair and speedy trial.

Concord Times

Monday May 10, 2004

Ahead of Local Gov't Elections

No Sankoh, No RUFP

Foday Sankoh prevented RUFP from contesting

By Abdul Karim Koroma

Revolutionary United Front Party (RUFP) will not be contesting the forthcoming Local Government Elections due to the death of their former leader, Foday Sankoh.

Disclosing this to Concord Times Thursday was RUFP Western Area Chairman, Samuel Gbessay Kanu who said they have communicated this to the National Electoral Commission (NEC) that they are pulling out of the elections.

Kanu said at George Street that there is a clause in the RUFP constitution, which states that funding for any election, which the party is contesting, should be provided by their leader and according to the Party, Sankoh is still their undisputed leader.

Kanu RUFP Western Chairman

He asserted that the party was planning to fill in 35 candidates for the elections, but that was not however possible as all the candidates were pointing to that clause.

Kanu also maintained that they have no regrets not participating in the elections because they are receiving reports that some candidates are forcefully prevented from campaigning in some areas.

Since the RUFP has pulled out of the elections, Kanu noted, they have instructed all their supporters to vote in the party which they consider would move the country forward and stopped short from telling them which party they should cast their ballots for.

http://www.dailynewsinquirer.net/
10/05/2004

EXCLUSIVE : LIBERIAN REBEL LEADER TRAINS NIGERIAN ARMY

PRINCE YORMIE JOHNSON : News is that he has been contracted by the Nigerian government to train the army in guerrilla tactics

Though a Nigerian embassy official denied the story, our source is insisting that it is true.
Sunday May 9, 2004

Former Liberian rebel leader and Commander of the splinter Independent National Patriotic Front of Liberia (INPFL), Prince Johnson , who recently made an unsuccessful attempt to return home , has been allegedly hired by the Nigerian government to train the country's army in guerrilla tactics.

According to a well-informed source who called the DAILY NEWS-INQUIRER this morning, Johnson will train the Nigerian army in counter-insurgent tactics

Nigeria , it must be noted, presently faces the serious danger of ethnic and religious explosions. Every now and again, clashes break out between rival ethnic and religious factions, leading to deaths and massive destruction of property. The government's attempt to train its army in guerrilla and counter-insurgent tactics may not be unconnected with fears that a rebel war might explode in Nigeria in the near future. .

A Nigerian embassy official contacted by this paper vehemently denied the news, asserting that the Nigerian army was already trained in all aspects of conventional and unconventional warfare and did not need a man like Pince Johnson to train them.

"Prince Johnson is a refugee granted asylum in Nigeria. That is his present status. He is not eligible for employment in the Nigerian armed forces" , the official clarified. However, our source is insisting that the story is true.

Prince Johnson is one of the Liberian rebels said to possess immense skills in guerrilla warfare and he , Ben Yeaten and Issac Musa were said to have contributed largely to the defeat of the former army of late Liberian dictator, Samuel Doe, whom Johnson's forces tortured to death at Caldwell, near Monrovia in 1990 .

He fell out with the leader of the National Patriotic Front of Liberia (NPFL), Charles Taylor and formed the rival INPFL which captured the western surburbs of Monrovia during the rebel onslaught to depose Doe in 1990. Johnson was also noted for remorceless brutality and human rights abuses and the Western press carried pictures of him killing people in cold blood.

He returned to Liberia recently to mend fences with his people, but found the going dangerous as rival militiamen, whose relatives he had killed , planned to revenge by assassinating him. He fled back to Nigeria, where he had been in exile since 1991 , claiming that a brother the late President Doe tried to kill him.

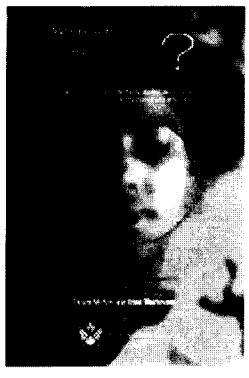
Rights & Democracy
International Centre for Human Rights and Democratic Development

News Release

NEW STUDY RETHINKS ROLE OF GIRLS IN ARMED CONFLICTS

Canadian launch in Montreal March 4th

MONTREAL - Feb. 27, 2004 -The presence and roles of girl soldiers in militaries throughout the world has been underestimated and misunderstood. It's a reality Rights & Democracy hopes to change with the launch of its groundbreaking study, *Where Are the Girls?*, at the United Nations in New York City next Wednesday, March 3.



Conducted over three-and-a-half years by authors Susan McKay and Dyan Mazurana with financial support from the Canadian International Development Agency, *Where Are the Girls?* examines the experiences and roles of girls in fighting forces, with emphasis on the wars in Northern Uganda (1986-present), Sierra Leone (1991-2002), and Mozambique (1976-1992).

Where are the Girls? gives the international community insight into why young women and girls may actively choose to participate in conflict and carry out acts of violence and how they can be coerced into taking up military roles through propaganda, abduction, intimidation and forced recruitment. It details how young women and girls have provided and continue to provide non-military support to wars through domestic labour, acting as porters, messengers, intelligence officers, disseminating propaganda, becoming combat trainers and encouraging or forcing children to go to war.

The authors reveal how governments conceal the use of girls in their own militaries, while at the same time pointing to their presence in opposition forces. The denial, concealment and manipulation of information on the use of girls in military forces have serious repercussions on peace-building and reconstruction. Where are the girls, if they are not counted as part of the military when the time comes for disarmament, demobilization and reintegration? How will they return to their communities if they have not begun shedding their fear and guilt? Will anyone be there to heal them? Will anyone see these girls as both victims and perpetrators? And what kind of society is reconstructed when one is ignored to the benefit of the other?

Iain Levine, Human Rights Watch's expert on the issue of child soldiers, praised Rights & Democracy's study as an invaluable contribution to our understanding of girls caught up in armed conflict. "There has been little analysis of the specific needs of girls recruited by fighting forces and demobilization programs have rarely been gender sensitive," he said. "McKay and Mazurana provide a welcome and important contribution to our understanding of this enormously important issue and will, one hopes, lead to an improved response from humanitarian and child protection agencies."

This groundbreaking study will help policy-makers, program implementers, activists and NGOs to resist the tendency to "pigeonhole" girls in fighting forces. It will also help the international community reflect on who a child is once she has experienced the abuse and torture of the victim and the cruelty and expediency of the perpetrator. It makes clear the importance and value of community healing rituals while remaining vigilant against discriminatory cultural practices.

A news conference featuring co-author Dyan Mazurana takes place Thursday, Mar. 4, from 11 am to 12:30 pm at Rights & Democracy's Montreal office, 1001 de Maisonneuve Blvd East, Suite 1100.

For media inquiries and review copies of the book, please contact Steve Smith at 514-898-4157 or Lloyd Lipsett at 514-283-6073.

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Liberia's Narrow Escape

The Analyst (Monrovia)
ANALYSIS
May 6, 2004
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Monrovia

Which Way Forward - Good Governance or Good Citizenry? Winston Tubman Gauges the Future

For more than a decade, Liberians with no known political differences were locked in a gladiatorial fight that left most of the country devastated and over half of its population violently uprooted, maimed, tortured, or cruelly murdered by marauding bands of drugged militias operating under various groups. Some say this cataclysmic disruption of normal life in the tiny West African nation has its roots in power greed, partisan politics that lacked national agenda, and sectarian distribution of opportunities and national wealth. But while independent presidential hopeful, Winston Tubman, does not reject this line of thought outright, he believes that the prime cause of Liberia's problems is the average stakeholder's obsession with the so-called wrongs of the past. As The Analyst's Staff Writer reports, Mr. Tubman is calling, as the first step towards the reconstruction of Liberia, for the crafting of a good citizenry supposedly over good governance.

Independent presidential hopeful, Winston Tubman, has disclosed that besides devastating the nation, the Liberian civil crises have provided a "moment of unparallel opportunity" for Liberians to rebuild their country following years of strife.

The way to go, he noted, was for Liberians to collectively seize "the blessed moment" to concentrate on what is necessary for crafting a good citizenry.

Mr. Tubman, who is also the representative of the UN secretary general for Somalia, made the assertion last Saturday when he addressed scores of Liberians in the U.S. on the theme, "Crafting Good Citizens," during a symposium on "The Rebuilding of Liberia".

He told the exclusively Liberian "town meeting" that unless a good citizenry was crafted to make informed decision on the governance of Liberia, "the new and better Liberia for which we yearn will never be born." While many Liberians think the rebuilding of Liberia depends on a massive Marshall Plan for the reconstruction of Liberia and good

governance, Mr. Tubman said the crafting of a good citizenry must precede good governance and high reliance on international efforts.

He said: "It will take strong exemplary leadership to change this attitude (complacency); leadership unflinching in the face of challenges not in the interest of our Nation State, Liberia. And it will take, not a lone knight on horseback in shining armor, not the UN, nor the U.S. but only a cadre of Good Citizenry to make that happen," he noted.

He said governance would not be an issue once Liberians shed the 'what's in it for me mentality' and stopped viewing their country as a commodity, a "cow to be milked dry and left to starve to death." According to him, Liberia was brought to her knees during recent fightings and narrowly escaped losing her sovereignty because many of her citizens lacked personal convictions of high moral integrity.

"We escaped this time, but I must say, narrowly. If only most Liberians realized, Liberia could have lost forever her vaunted sovereignty. Even as we speak, the danger is not past! To avert that, the Liberian nation state must embark on a historic campaign to re-indoctrinate all our people so to speak, crafting them into good citizens," said Mr. Tubman.

A good citizen, he said, is one who is well equipped to develop an understanding of the Liberian constitutional system, an active awareness and commitment to the rights and responsibilities of citizenship, a tolerance of those with whom he disagrees, an understanding of the world beyond his borders, and one who is prepared to use the past as a warning to rebuild the future.

"For that to happen, more and more Liberians must finally display and assert their God given rights to self-reliance and liberty; total and unfettered liberty with equal opportunities for all and not for only a privileged few. Let us begin from now to craft good citizenry where we once failed, outside the classroom and on the streets," said the UN SRGS for Somalia.

However that is to happen without a national leadership grounded in the principles of good governance, needs more explanation, according to analysts, but Mr. Tubman insisted that it was only by ensuring that the word "honorable" stands out in the Liberian society for truly that, and not just as a cynical title dished out even to the undeserving that the right tone would be set about what is right with Liberia and her people.

According to him, the time for politicking in Liberia needs to follow the new national imperative of crafting good citizens, arguing that electioneering would not be heated since nearly all political stakeholders in the ensuing elections would not be disagreeing on what are needed to rebuild Liberia.

He said the task of rebuilding Liberia presupposed that Liberians were themselves builders, ready to work together for the common good of the country.

"But how can we build without builders? What edifice can we construct if in our aim and purpose, we the builders are divided, clashing and going in different directions?" he wondered.

According to SRGS Tubman, Liberian stakeholders need to prepare their minds to accept the challenges of the moment as opposed to dwelling on the unfortunate past and relying on models that would not serve the nation well in its present nightmarish existence.

He disclosed: "Too often our blueprint for rebuilding is overcharged with so much emotional hysteria and very little substance. Often we show so much anger with the past that we put very little focus on our current opportunity to plan realistically for the future. We must not let our vision to be clouded by envy or hatred of personalities from times past such that nothing they did is valued and nothing in the country's past is cherished." Conceding that the past was characterized by injustices and deception, hailing liberty while liberty was ephemeral to most citizens, there was much to be vaunted and modified to fit the changing times.

He said the changing time requires behavioral and cognitive transformations.

"Any society that exists in a climate of complacency without scruples, without a sense of right and wrong, without high ethics.....where values are not ingrained in core beliefs and principles that transcend pleasantries and where patronage is much more proned to divorcing itself from that which is required to uphold during testing times, is doomed!

Doomed for what purpose? .....Sustaining the status quo? Doomed, because of the 'anything goes' mentality? Doomed because of the 'leave the people thing' syndrome? I say it isn't worth it. Just look at the mess we are in today!" he lamented.

He said Liberians needed consensus on most challenges that face the nation but not on the platform of the "so say one, so say all" mentality that bred the culture of complacency that is now gnawing at the very pillars upon which Liberia rests.

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Annan says he will continue work despite alleged bin Laden threat

7 May 2004 – United Nations Secretary-General Kofi Annan today vowed to go on with his work despite a tape alleged to be from the world's most wanted man, Usama bin Laden, offering a bounty of 10 kilograms of gold for the UN leader's life.

"Obviously, we take it seriously and we will have to take precautions and then (I will) carry on with my life and my work," he told a CNN journalist at UN Headquarters in New York.

Asked if the threat would affect his work and that of his envoy to Iraq, Lakhdar Brahimi, who was among the other officials also threatened for their efforts on the Iraq situation, Mr. Annan said: "I think we need to carry on with our work. As I said, we have to take precautions and do carry on with your work and with your life. And that's what we're going to do."

Osman Lahai
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Sent by:
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To: leonenet@listproc.umbc.edu
cc:
Subject: USD 14 Million for Salone Decentralisation

08/05/2004 16:49

05/07/2004 04:09:46

World Bank props decentralisation process in Sierra Leone

PANAFRICAN NEWS AGENCY (PANA) DAILY NEWSWIRE via NewsEdge Corporation : Freetown, **Sierra Leone** (PANA) - The World Bank has granted **Sierra Leone** 14 million US dollars to promote decentralisation and to enhance the functioning of the 19 new local government councils that would be elected on 22 May, Local Government minister Sidikie Brima confirmed here Wednesday.

The funds, Brima indicated, are destined for capacity building, infrastructure and local government development grants.

He stressed the importance of the coming elections inasmuch as national development also depends on the efficiency of local government institutions.

"That is why I admonish the citizens of this country to elect people of high calibre and quality because the local government institutions themselves will provide the necessary direction for development," the minister explained. .end (paragraph)<<PANAFRICAN NEWS AGENCY (PANA) DAILY NEWSWIRE -- 05/05/04>> <P><< Copyright ©2004 Panafrican News Agency. Source: Financial Times Information Limited. >>

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Specific steps need to be taken to improve transparency and accountability in public life. But perhaps even more important is that there should be a public perception that there is the determination and political will to see corruption attacked. - Hilary Benn, UK Development Minister, March 10, 2004

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TRUTH JUSTICE RECONCILIATION

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VOLUME 6 NUMBER 2 Editor: Victor Sylver MAY 1, 2004

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UK DEVELOPMENT MINISTER HILARY BENN ON THE NEW VISION FOR AFRICA'S MARCH TOWARDS THE 21ST CENTURY

UK Prime Minister Tony Blair initiated the new Commission for Africa

Hilary Benn, UK Minister for International Development - wants Africa in 21st century

"The biggest crime is - not to try at all"

So stated the UK minister for International Development (DfID) when he spoke to journalists at a meeting aimed at informing the media about what Prime Minister Tony Blair's vision is for the continent in setting up the new Commission for Africa.

Hilary Benn said that the formal launching of the Commission for Africa on Tuesday May 4 signalled a significant step in making the case for Africa at international meetings and that discussions will now be focused on planning effective strategies that would see Africa's case brought in the full glare and consideration of the forthcoming Millennium Summit scheduled for New York.

He said that he was certain that when Africa is discussed, the main question would be, "have we done enough for a continent which Prime Minister Tony Blair has described as a scar on the conscience of the world?" and that invariably, given what goes on on the ground, the answer would be "yes, but not not well enough" and emphasised that the recently-launched Commission for Africa body was one step in bringing Africa into the fold of what should be the 21st century.

The Development minister again reminded all that the UK government initiative was aimed at giving Africans a voice in deciding how to move the development process on the continent forward with Africans playing a leading role in ensuring democracy, good governance, accountability, transparency and the basic freedoms that must be enjoyed by all in the 21st century. "Our main role, countries of the G8 would be to offer the necessary support in an African-led environment", he added.

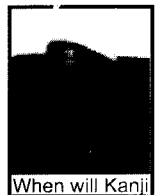
Hilary Benn said that the Commission for Africa vision must be shared by Africans if such a body is to realise its aims and stressed that despite many a report that nothing good comes out of Africa, he and others of his kind believe that indeed good things do come out Africa and that what is of crucial importance is that those in leadership positions on the continent must also share such a vision if it is to succeed.

He said that the formulation and implementation of any meaningful development programme for the continent must, as a matter of priority, take into consideration Africa's "complexity and diversity" and that it is for Africans themselves to devise the *modus operandi* that would be needed in ensuring that democracy, human rights, good governance, accountability, transparency and the rule of law, among others, are appreciated and understood by all stakeholders in the development process.

Is the President able and willing to tackle corruption?

When will ministers like Dr Prince Harding account to the people?

How did this man get into the Special Court?



When will Kanji Daramy face the ACC and the courts for his SALPOST corruption?

Nailing one of the many lies of Expo Times editor Ibrahim Seaga Shaw

Smashing the Expo Times web of deceit, lies and outright dishonesty

A plaintive cry for justice and the truth for the people of Mabaylla over the September 3/4 1997 acts of murder

Stressing that the new Commission for Africa was a new approach in the relationship between Africa and the rich countries of the G8, Hilary Benn made it quite clear that Africans and Friends of Africa would now be taking the leading role in matters affecting the continent's development efforts and that G8 countries including the United Kingdom would be there to give the necessary support that would lead to the successful implementation of such programmes.

"Africa must now be in a position to tap its own resources for the development of the continent. Its all about Africa doing things for itself and how the rich countries can support", he added.

Hilary Benn was of the considered view that although cynics might want to say that "we have been here before", he was convinced that the big difference this time is the urge that "we must keep on trying" and that "the biggest crime would be - not to try at all".

It would be recalled that Hilary Benn while visiting Freetown on 10-11 March this year delivered what many regarded as a no-frills statement to the Tejan Kabbah government warning that government of the dangers of unbridled corruption among public officials.

While praising the government for implementing certain aspects of promises made to the international donor community, Hilary Benn reminded the government of what he sees as the creation of an identical scenario that led to an open and bloody rebellion against the central government which resulted in a decade-long civil war.

The Commission for Africa initiative, it is hoped, would send a message to governments like those in Freetown that although the donor community was willing to help such countries get back on the road to development, there is a corresponding obligation on such governments to implement programmes that demonstrate a commitment to democracy, good governance, accountability and transparency as well as human rights and the rule of law.

Among journalists invited to the Hilary Benn were:

Joel Kibazo, Director, Communications and Public Affairs Division of the Commonwealth Secretariat

Patrick Smith, Editor, Africa Confidential

Gbola Oba, Producer/Presenter, BEN Television

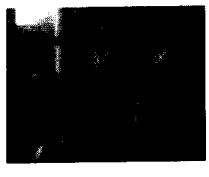
Josephine Hazeley, Deputy Head BBC Africa Dailies

Desmond Davies, former Editor, West Africa magazine and now Editor, the online African Week publication

Winston Ojukutu-Macauley, Media Intelligence Institute and

The Editor of Sierra Herald

Sierra Leonean journalist Desmond Davies (centre) with other journalists. Gbola Oba of BEN Tv is on the right



Hilary Benn (centre) flanked by Joel Kibazo (left) and Winston Ojukutu-Macauley

Desmond Davies, Josephine Hazeley

Hilary Benn makes a point to Winston