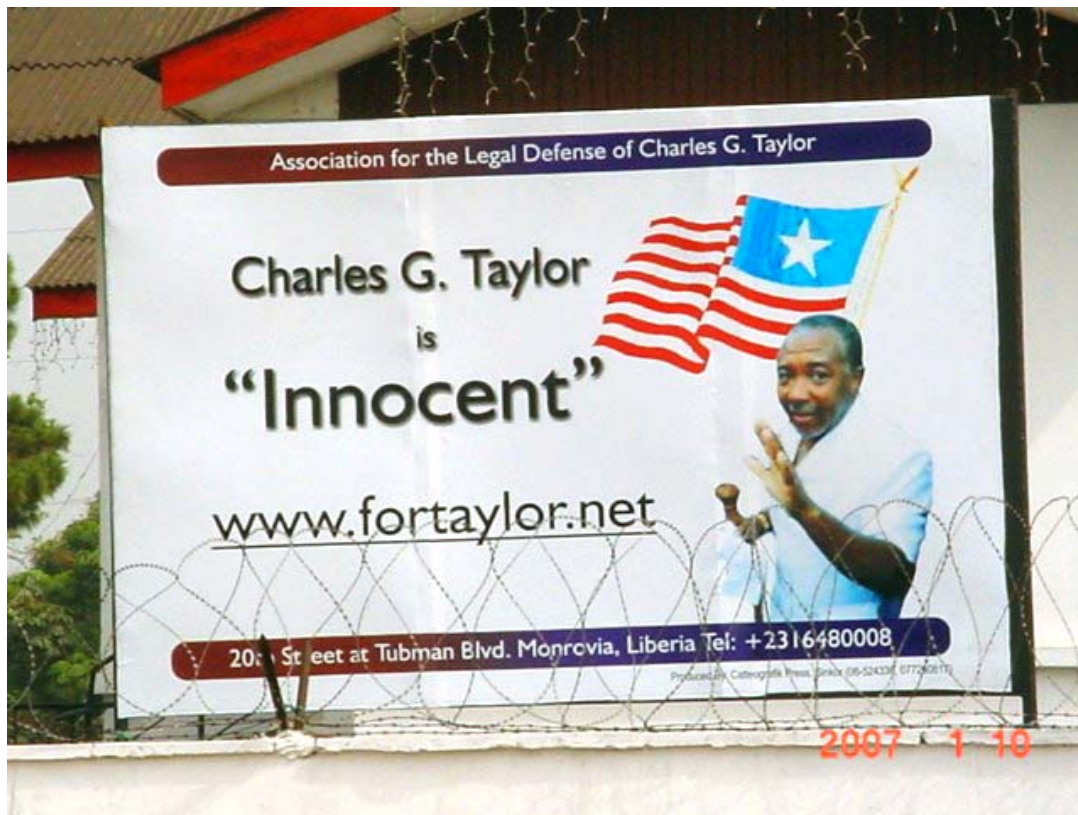


**SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE**



This billboard appeared late Tuesday along the main Sinkor Highway in Monrovia.
The photo was provided courtesy by the Special Court's Outreach Section.

PRESS CLIPPINGS

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

as at:

Thursday, 11 January 2007

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217

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Independent Observer

Thursday, 11 January 2007

A Critical Analysis of Sexual Offences under Sierra Leone Law

Commentary

By Millicent Mannah,
Freetown

Issues of violence against women in general and offences of a sexual nature against same in particular have become extremely topical and have also provided the foundation for many debates or arguments revolving around the laws affecting women, especially those requiring review or obliteration. This has largely been due to existence of a history of they being marginalized.

Under Sierra Leone law, offences of a sexual nature as they affect women can broadly be divided into the Common Law offence of rape on the one hand, and various statutory sexual offences as stipulated under Caps 30 (Protection of Women and Young Girls Act) and 31 (Prevention of Cruelty to Children) of the Laws of Sierra Leone 1960 on the other.

The term sexual violence is generally used to describe [a]ny violence, physical or psychological, carried out through sexual means or by targeting sexuality" Examples of sexual violence include rape and attempted rape; acts such as forcing an individual to strip naked in public, forcing two victims to perform sexual act on one another or harm one another in a sexual manner, mutilating a person's genitals or a woman's breasts, and sexual slavery.

The term "rape" which originates from the

Upon a closer examination of the statutory provisions of laws governing rape in Sierra Leone, there are several deficiencies some of which are very confusing even for persons working in the criminal justice system, such as members of the judiciary and police force

Latin verb "rapere" (meaning to seize or take by force) generally can be legally defined as unlawful carnal knowledge of a woman without her consent. The lack of consent does not necessarily mean that the victim generally refused to give consent. It simply means that consent was either obtained by force, threat of injury or other form of duress, or where consent was given by a person whose age was below the age of consent. Furthermore, rape may also be an act of forced penetrative sexual act, against a victim who is unable to decline due to the effects of drugs or alcohol. The related term "statutory rape" is where a sexual act is automatically considered rape by the law, regardless of whether it was coercive or consensual, which under Sierra Leone law refers to intercourse

with a girl under the age of 16. The later provision exists to protect girls under the aforementioned age, as they are more easily influenced and therefore shielded by being automatically deemed unable to give legally effective informed consent. It is particularly important to note, bearing Sierra Leone in mind, that for much of human history, rape, violence and war have occurred in connection with each other. Indeed, over the last 100 years, the use of rape as a "weapon of war" has been well documented, a fact particularly relevant to Sierra Leone's recent history.

Under Sierra Leone's Statutory Law, Cap 30 makes it an offence for any person to procure or attempt to procure any girl or woman under 21 who is not a common prostitute or of known immoral character, to have an unlawful carnal connection;" whilst it is also an offence to procure or attempt to procure any woman or girl for an unlawful carnal connection."

Similarly, Cap 31 sets out various offences of a sexual nature. These include unlawful carnal knowledge of a girl under the age of 13, and abuse of a girl over 13 but under 14, and indecent assault or attempted carnal knowledge of a girl under the age of 14. The said Act also makes it an offence to procure or attempt to procure any child who is not a common prostitute or of known immoral character, to have unlawful carnal connection. Further, abduction of an unmarried girl under the age of 16 for moral purposes also constitutes an offence.

Problems in Substantive Law and Procedure

Upon a closer examination of the statutory provisions of laws governing rape in Sierra Leone, there are several deficiencies some of which are very confusing even for persons working in the criminal justice system, such as members of the judiciary and police force. They are also archaic and date back to the British 1861 Offences Against the Person Act. Under this Act, rape is defined as "the unlawful carnal knowledge of a woman without her consent by force, fear or fraud." Penetration (however slight) is required to constitute the crime of rape. In addition, although a child is

defined as a person under the age of sixteen, Sierra Leonean law makes the extremely unhelpful distinction between unlawful carnal knowledge of a girl under the age of thirteen and unlawful carnal knowledge of a girl between thirteen and fourteen years of age. That is to say, the age of the victim in question is not consistent. The ages of 13, 14 and 16 are mentioned in the acts referred to above, as the relevant ages of girl victims with regard to the various offences highlighted. In this light, it is important to note that a person charged with an offence under Cap 31 is afforded a defence by proving that the girl in question was not under the age specified in a particular offence, and such offender is also afforded a defence if he can prove that he had reasonable cause to believe that the girl in question was above the specified age. That is, a person charged with abusing a girl under the age of 13 has a valid defence if he proves that the girl in question was over that age; similarly, a person charged with abduction of an unmarried girl under 16 can establish a valid defence upon proof that the girl was above that age.

Moreover, unlawful carnal knowledge of a girl under the age of thirteen, whether with or without her consent, is a felony and carries a maximum sentence of fifteen years of imprisonment. Unlawful carnal knowledge of a girl between the ages of thirteen and fourteen, whether with or without her consent, is however, only considered a misdemeanor and carries a maximum sentence of two years.

Rape of a person over the age of sixteen is considered a felony and carries a maximum sentence of life imprisonment. Indecent assault - sexual assault without penetration or attempts to have carnal knowledge of girls under the age of fourteen years carry the same maximum sentence as unlawful carnal knowledge of girls between the age of thirteen and fourteen, that is, only two years of imprisonment. No person can be convicted of unlawful carnal knowledge, indecent assault or attempted unlawful carnal knowledge "upon the evidence of one witness, unless such witness be corroborated in some material particular evidence implicating the accused." That is to

Contd Page 4

The government should further ensure a strengthened capacity for investigating and prosecuting authorities coupled with mechanisms that further protects the victims as well as witnesses at all stages of the proceedings such as privacy and witness protection

New Vision
Thursday, 11 January 2007

Prison Watch Train Local Administrators

By Mohamed Koroma

A three days training of Local administrators in the Port Loko district ended in the Port Loko Town on 6th January 2007. The Programme Coordinator Prison Watch Sierra Leone, Mr. Umaru P. Tarawally intimated New Vision that 50 Local Administrators have been trained. He said local courts in actual fact are those courts that administer crimes committed in various localization in Sierra Leone. The Programme Coordinator noted that the training came as a result of the necessity which Prison Watch Sierra Leone and the Special Court for Sierra Leone spotted in the local courts administration, adding that the court covers nearly 80 to 90% of Sierra Leonean cases.

Tarawally said the training was important to get the administrators grounded on what they may achieve during the course of dispensing Justice.

He maintained that in Port Loko district alone, 19 court monitors took part in the training. Speaking about the types of training, the

coordinator said it was carried out in four domains. Firstly, the training was focused on the Special Court in which Mr. Kargbo, a Special Court Representative North, gave a vivid up-date of the court's operation in Sierra Leone. He stated that the second training which targeted specifically the local Governance Act of 1963, dealt with the local courts and their administrators, noting that the workshop was able to explain the relevance of that Act in relation to some of their actions they may be taken.

Tarawally further said they introduced a new phenomenon about community service which was introduced in Zimbabwe and had subsequently helped several other countries in Africa, where minor offenders are sentenced to work for the community and the community will also benefit from such offenders and the victims of such will also benefit from the community work.

Speaking about CEDEO, the Programme Coordinator

maintained that there has been a lots of violations against women in the local settings, adding that most of the violations are committed by the local authorities.

He emphasised that the workshop succeeded in educating local administrators on how they should treat women in their respective communities, noting that the communities themselves are leaders of such courts.

He noted further that the workshop attracted local chairmen and their court clerks in the Port Loko district. He appealed to Government and other partners to provide the much needed infrastructure for the Local courts to dispense justice. The facilitators were Mr. Lans Coker, Mr. Yusuf Sandi and Mr. Kargbo of the Special Court Sierra Leone. He appealed to the Justice Sector Development Project to help them in carrying out such training in the other districts.

The News (Monrovia)
Wednesday, 10 January 2007

200 WITNESSES TO TESTIFY AGAINST TAYLOR

By Benjamin B. Sworh



Former President Charles Taylor
Former Deputy Minister of Health and Social Welfare Arthur Saye has disclosed that 200 witnesses are presently residing in The Hague to testify against former Presi-

dent Charles Taylor.

Mr. Taylor is being detained for crimes against humanity and war crimes. He stands accused of committing heinous crimes against Sierra Leoneans during that country's civil war.

Mr. Saye made the disclosure yesterday when he spoke to reporters at the official dedication of the Association for the Legal Defense of Charles G. Taylor on 20th Street, Sinkor.

The Association, founded by former officials of the Taylor led government is headed by Dr. Nathaniel Richardson, a close associate of former President Charles Taylor who is presently behind bars in the Hague.

Mr. Saye told reporters that Mr. Taylor is without a single witness in the Hague to testify on his behalf.

He said Mr. Taylor may not get fair trial in the Hague because of the manner in which he is being treated.

The former Deputy Minister of Health who just returned from visiting Mr. Taylor in the Hague indicated that prosecution currently has five senior legal counsels on their team while Mr. Taylor only has two.

"Even as we speak, the defense legal counsel for Mr. Taylor has no proper offices in the Hague or in Monrovia," he told the gathering.

Mr. Saye who spoke in his capacity as brother-in-law to Mr. Taylor revealed that he is prepared to brief the Liberian people and the media of the status of Mr. Taylor's condition in the Hague.

"Mr. Taylor is relaxed, eats well, and talked

Cont'd on page 6

Ellen Resumes Nation-Wide Tour — Inspects Govt. Development Projects

By T. Michael Johnny



200 WITNESSES

with his family members while in prison. He even receives one hundred minutes three times a month from the court's authority," he said.

According to press release issued by the Taylor family and signed by Mrs. Thelma Taylor Saye, the right to privacy and right to legal professional privilege of her brother have been violated by the installation of video surveillance cameras to record his conferences with his counsels.

The situation is such that on the 5th of December 2006, defense counsel threatened to withdraw from the case.

The family is therefore appealing to Amnesty International, Human Rights Watch, ICRC, Global Witness and all other human rights organizations to prevail upon the SCSCCL to ensure that in order to have a fair trial, former President Taylor should be given the time, facilities, and resources to mount a proper defense.

United Nations



Nations Unies

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 10 Jan. 2007

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

International Clips on Liberia

DPA 11:05 PM, January 9th 2007

Monument Unveiled In Honour of Liberia's Former President Taylor

A monument to former Liberian president and war crimes indictee Charles Taylor's was unveiled Tuesday in Monrovia by associates of the former president. The monument was unveiled by the Association for the Defence of Charles Taylor headed by the former Public Works Minister in the Taylor regime, John. T. Richardson. The unveiling ceremony at the association's headquarters in the eastern Monrovia suburb of Sinkor Tuesday was attended by several of Taylor's former associates of war crimes.

International Clips on West Africa

01/09/2007 14:16:25

Guinea seizes assets of tycoon accused of graft

By Saliou Samb

CONAKRY, Jan 9 (Reuters) - Guinea's judicial authorities have ordered the seizure of all assets and property belonging to the country's richest man, who is embroiled in a corruption probe, the state's top prosecutor said on Tuesday. Prosecutor-general Yaya Kairaba Kaba made the announcement on the eve of an indefinite general strike called by unions to protest against President Lansana Conte's personal intervention last month to free wealthy businessmen Mamadou Sylla from jail.

Local Media – Newspapers

200 Witnesses to Testify Against Taylor as Trial Faces Major Obstacles

(The News and Heritage)

- A former Deputy Minister of Health, Arthur Saye, disclosed Tuesday that 200 witnesses are presently residing in The Hague to testify against former Liberian President Charles Taylor. Mr. Saye, a brother in law of Mr. Taylor made the disclosure yesterday at the official dedication of the Association for the Legal Defense of Charles Taylor in Sinkor, Monrovia. He said the former President may not get a fair trial in The Hague because of the manner in which he is being treated.

Guilty Verdict for Murder Suspects in John Auffrey's Case

(The News and Public Agenda)

- The trial of suspects who murdered an American military personnel, John Auffrey, in 2002 in his hotel room, has ended with one of the two suspects, Mascara Konneh, receiving a life imprisonment following a verdict on Monday at the Criminal Court "A" at the Temple of Justice in Monrovia. The other suspect is presently undergoing medical examination after his lawyers said he was insane when he undressed himself during one of the court proceedings.

Liberty Party, Others Want Bribery Claim Probed

(The Informer, The Analyst, The News, The Inquirer, National Chronicle, Public Agenda, The New Liberia and Heritage)

- An opposition political party and two student groups and a human rights activist have in separate statements called for an immediate investigation into the US\$500 bribery claim among members of the House of Representatives to remove Speaker Edwin Snowe.
- The Liberty Party and two University of Liberia-based student groups, the Student Democratic Alliance (STUDA) and the Student Integration Movement (SIM) said such allegations could undermine the independence of the Legislature.

Task Force Discovers "Dubious Disbursements" of Funds at LPRC

(Daily Observer and New Democrat)

- The Assets Recovery Task Force of the Liberia Petroleum Refining Company (LPRC) has reportedly discovered "several questionable disbursements of funds" amounting to more than a million United States dollars placed at the feet of former LPRC Managing Director Edwin Snowe.
- The audits and reports of finances of LPRC during the transitional period show that "substantial assets" were lost due to misappropriation. Moneys were withdrawn without supporting documents; checks were cashed without determining where the money went and in most cases, the paper trail ended at the feet of Mr. Snowe who is now Speaker of the House of Representatives.
- The LPRC's Board has forwarded the report to the Ministry of Justice for legal actions against those implicated including Mr. Richard Divine, Counselor Frederick Cherue and Mabutu Nyepan, all now serving as members of the Legislature.

TRC Makes Strive Despite Constraints

(The News)

- Despite constraints facing the Truth and Reconciliation Commission (TRC), the organization said it remains on course with the implementation of its mandate.

Local Media – Radio Veritas *(News monitored yesterday at 18:45 pm)*

Government Sets up Board to Fix Minimum Wage for Liberian Workers

- According to a press statement issued in Monrovia yesterday, the Government has constituted a Minimum Wage Board, to fix the minimum wage for each class of employees in the country, in keeping with the Labour Law and Practices of the Country.

(Also reported on ELBS Radio and Star Radio)

Prosecutors Ask Defense Lawyers to Withdraw from Corruption Trial

- State Prosecutors in the on-going corruption trial of some officials of the former National Transitional Government of Liberia have asked Defense Lawyers Cllr. Theophilus Gould, former Associate Justice Ishmael Campbell and Cllr. Samuel Clarke to withdraw from the trial because they served the former Government in different capacities. The Prosecutors argued that the presence on the Defense team violated the rules of practice and ethics of lawyers and claimed that while in government, the Defence Lawyers one way or the other had something to do with proceedings out of which the current corruption case grew.

(Also reported on ELBS Radio and Star Radio)

Liberian and American Universities Plan for Online Study Programs

- Correspondents reported yesterday that discussions were underway in Monrovia between the University of Liberia and the Mexico State University to introduce Online Learning Programs for both blind and sighted students in Liberia.
- Professor Janice Doso who is in the Country for this purpose, has conducted classes for blind teachers in the areas of orientation and mobility at the Christian Association of the Blind who's President, Mr. Beyan Korta, described the gesture as a "dream come true."

(Also reported on ELBS Radio and Star Radio)

Star Radio *(News culled from website today at 09:00 am)*

Magisterial Court Detains Police Officer for Abusing Female Ward

- Police sources hinted that the Monrovia Magisterial Court detained Police Officer James Mulbah for allegedly abusing a female ward sexually.
- Police authorities reportedly disrobed Officer Mulbah and sent him to court after internal investigations proved the allegation against him.

Grand Bassa County Superintendent and UNMIL Stop Violence at Rubber Farm

- Correspondents reported that at least two persons were wounded and three houses burnt at the Liberia Agriculture Company in Grand Bassa County when ex-fighters at the Plantation rampaged after one of their colleagues had been allegedly killed by personnel of the Plant Protection Division of the Plantation.
- Grand Bassa County Superintendent Julia Duncan-Cassel and personnel of the United Nations Mission in Liberia visited the area to stop the riot and assured the parties that justice would be done in what caused the violent.

Mano River Union Arts and Culture Forum Opens in Monrovia

- A two-day Arts and Culture Conference of the Mano River Union (MRU) Basin opened in Monrovia under the theme: 'The Value of Arts and Culture in Promoting Peace in the Mano River Basin.'
- Former Information Minister, Mr. Johnny McClain called on the MRU to eradicate "artificial xenophobia" in the Region to enhance democracy, peace and stability.
- The Civil Affairs Officer of UNMIL, Madame Sardia Bangura challenged people of the Region to return to their culture and should identify the factors that bring them together and build on them.

Complete versions of the UNMIL International Press Clips, UNMIL Daily Liberian Radio Summary and UNMIL Liberian Newspapers Summary are posted each day on the UNMIL Bulletin Board. If you are unable to access the UNMIL Bulletin Board or would like further information on the content of the summaries, please contact Mr. Weah Karpeh at karpeh@un.org.

The Association for the Legal Defence of Charles G. Taylor

Wednesday, 3 January 2007

<http://www.fortaylor.net/article06.htm>

PRESS RELEASE

by

Mrs Thelma Taylor Saye (Sister of President Charles Taylor)

Regarding the obstacles faced by the President in mounting a proper defence against the charges against him

1. I am a sister of President Charles Taylor and make this statement on behalf of the members of his family.
2. President Taylor is anxious to defend the charges which have been made against him. However, we are extremely concerned that he is being denied the facilities and the time to do so and that consequently a fair trial of the case will be prejudiced.
3. The current position is that the trial of President Taylor is tentatively scheduled to commence on the 2 April 2007. This date was fixed despite the objections of his defence team. It is now manifestly clear that the trial cannot start in April 2007.
4. It is public knowledge that the prosecution served the defence with an initial tranche of more than 32,000 pages of documents including statements and transcripts of 226 witnesses. There has since been six further disclosure packages with 154 additional statements, 105 exhibits, 97 open source documents, 3 television programmes and 9 radio programmes. The prosecution has also indicated that it proposes to serve 1000 (one thousand) exhibits the vast majority of which has not been disclosed to date. The defence still awaits copies of documents compiled by the prosecution but which they do not propose to rely on. What is more the prosecution enquiries are still ongoing. In addition to such a plethora of documents relating to the factual case, the prosecution intends to call 19 expert opinion witnesses. Not all the opinions of these experts have been served to date. It is therefore impossible for the defence to determine if defence experts in rebuttal need to be instructed. Some of the factual statements disclosed require the defence to interview persons in several countries in Africa, Europe and the USA. It is impossible at this stage for the defence to obtain full instructions from President Taylor since neither the President nor his defence counsel know the full case of the prosecution. Indeed, since the prosecution enquiries are still ongoing it may be that even the prosecution does not know the entirety of the case upon which it seeks to rely.

5. The prosecution currently has five senior counsel in its team. The defence has two. The defence has no proper offices in The Hague, or in Monrovia. It has been bogged down in an administrative quagmire in dealing with issues regarding the establishment of a fully functioning defence team, its funding and its facilities.
6. President Taylor's right to privacy and right to legal professional privilege have been violated by the installation of video surveillance cameras to record his conferences with his counsel. This has compromised his ability to give instructions to his lawyers. President Taylor is the only defendant subject to such surveillance.
7. The situation is such that on the 15 December defence counsel threatened to withdraw from the case since they felt that the time and resources available to the defence was so inadequate that it placed them in a position of conflict with their professional obligations and rendered the possibility of a fair trial impossible.
8. Finally, the family have from the outset been concerned that President Taylor (a constitutionally elected president) was being targeted, victimized and treated differently, with impunity, in order to satisfy the agenda of his political opponents despite his voluntary surrender of power in order to save Liberian lives and in spite of international undertakings with respect to his future. The very least that should be granted to President Taylor by a court ostensibly established under the aegis of the United Nations is fair treatment. This, he has so far not received.
9. We therefore appeal to Amnesty International, Human Rights Watch, ICRC, Global Witness and all other Human Rights organization to prevail upon the SCSL to ensure that in order to have a fair trial President Taylor is given the time, facilities, and resources to mount a proper defence.

Signed:


Mrs Thelma Taylor Saye

Accra

Ghana

Tel: +233 24 483 5810 & +233 24 257 1533

To be released on Wednesday 3 January 2007

The Association for the Legal Defence of Charles G. Taylor

Undated

<http://www.fortaylor.net/article01.htm>

CHARLES TAYLOR IS INNOCENT

Many people have heard the name, Charles G. Taylor. Many people have heard that he is guilty because the International community says so. How many people took the time to investigate and find out what is going on? Many people take the news broadcast for the world to hear as Fact

Now ... Many people reading this headline would assume it's only logical that an organization such as ours would say such a thing "Charles Taylor is Innocent". There are even those who may take strong offense at our public pronouncement of his innocence.

We need to make it clear here though that this is not an allegation depicting the position of this organization. No ... not at all. It is the internationally accepted principal of civilized Law practiced in each and every member state of the United Nations that a person is innocent until proven guilty. The international rule of law says that he should be given a fair trial; the international rule of law does not say he is already guilty as charged without a trial. That's the Law. That is the law we as civilized nations have adopted and collectively agreed to adhere to.

Now, in the case of Charles G. Taylor, it gets complicated because a considerable amount of resources have been spent propagandizing allegations by his accusers to convince the world of his guilt even before he has been brought to trial.

Quoting from the United Nations Universal Declaration of Human Rights Article 11.

- Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

- No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Great leaders have broadcast over international media unfounded and unsubstantiated "truths" about Charles G. Taylor, before even giving him the opportunity to respond.

Repeated calls for justice are drowned out when world leaders and international organizations including the United Nations, whose charter establishes it as a protector of Human Rights, overtly conspire and act in violation of internationally established laws.

Charles Taylor's guilt has, through this conspiracy, been clearly established in the court of public opinion and in most minds worldwide.

However, and this is the point we are making, it is allegations and it has not ever been proven or established in any court of Law!

We are all now too familiar with the stories about the 3 billion dollars deposited in Swiss bank accounts or the conspiracy to assassinate Charles G. Taylor by claiming he was a fugitive attempting to evade his agreed and accepted asylum in Calabar, Nigeria.

In the last couple of years, Charles G. Taylor has been repeatedly lied on, double crossed and tricked by famous leaders and organization while being denied the opportunity to respond because of the terms of his asylum agreement, terms that were subsequently violated by his facilitators, peers and hosts.

Our association is not about castigating anyone or exposing their connivance, instead we want to finally give Charles G. Taylor the opportunity to face his accusers in a court of LAW and once and for all respond to them and establish his innocence in proper fairness to him and to all.

This task, while seemingly simple, is formidable considering the extremes his antagonists are prepared to go to in an attempt to conceal their culpability. It will require a lot of resources as local and international lawyers and investigators must be mobilized and begin working to unravel the reams of subsidized untruths proffered by a large number of dubious witnesses and surrogates.

It will require the efforts of individuals of conscience all over the world who actually believe in the law, in justice, and fair play not in might and power or propaganda. It will require your support in many ways, but first and foremost it will require your belief in human dignity, your belief in the LAW and your belief in the basic principles granted to any individual under that LAW.

So first we ask you to pause from what you are doing right now and sit back and say to yourself 'Charles G. Taylor is Innocent!' (That's the Law). Now if you can do just that then we ask do you believe you can say that aloud to someone else. If so then you have already helped tremendously and we would be highly appreciative if you would please [contact us](#) via this website, or you may send email directly to contact@fortaylor.net.

For more methods on how to help, please visit our [how to help](#) web page.

Do unto others as you would have others do unto you.

The Association for the Legal Defence of Charles G. Taylor

Undated

<http://www.fortaylor.net/article03.htm>

AN OPEN LETTER TO THE AFRICAN UNION

Your Excellencies:

As Executive Director of the Association for the Legal Defense of Charles Ghankay Taylor, I have the special honor most respectfully to present you my compliments, and accordingly, to seize this anxious moment to add perspective to the topic of our Friend and Brother, Charles Ghankay Taylor, former President of the Republic of Liberia, whose case before the Special Sierra Leonean Court in Freetown, on ad judicable charges of “war crimes,” and a corollary of others, was recently relocated to The Hague, thereby entailing a host of legal and financial ramifications.

In this connection, Your Excellencies, the Association is legally registered in the Republic of Liberia, its sole purpose being to engage the tremendous task of advancing his legal as well as moral cause throughout Africa, in particular, and the world in general. As such, we pointedly seek to protect the human rights of this Son of Africa, against what we perceive to be a resolute collusion of powerful actors who are fiercely contriving to deny him justice while denigrating him as a former President of an African Republic.

As you are aware, Your Excellencies, the international networks are inundated with the case of Ex-President Taylor. Commencing with his alleged attempt to escape Nigeria, where he had been a welcomed guest of the Nigerian Government, there has, and continues to be, a preponderance of prejudicial publicity which, while openly aimed at him, seem intent on casting a diminutive color of aspersions on the whole camera of third world leadership.

Notwithstanding this burden of denigration, a more recent juncture of injustice seems to have overtaken us. This week in Sierra Leone, to the utmost amazement of all legal and other observers, the pre-trial hearings of President Taylor were boldly commenced without the presence of the defendant himself, as he had been hastily and suddenly evacuated to The Hague on Tuesday June 20, 2006, one day earlier than the hearings. His right to contact his family and legal counsellors before this transfer had already been blatantly denied.

Your Excellencies, for the sake of the leaders and people of Mother Africa, we seek not only to confront such contrarities against him, but also to counter the degrading representations against the African people.

Accordingly, in order to engage effectively the heavy requirements demanded by courts of legal and public opinions alike, we understand the need for enormous financial and other resources. Your Excellency, we humbly wish to lift up this open appeal to the Union through you its leaders for your wise understanding of our predicament and your substantive support and valued counsel.

Most respectfully yours,

John T. Richardson
EXECUTIVE DIRECTOR

BBC Online

Wednesday, 10 January 2006

<http://news.bbc.co.uk/2/hi/africa/6247965.stm>

Guinea strike over sick president

Guinea's capital is quiet on the first day of a general strike protesting at the high cost of living and ailing President Lansana Conte's behaviour.

Shops, government offices and petrol stations are closed, with no public transport running.

The main trade unions want the government to agree to salary rises.



President Conte won a third term in 2003 elections despite poor health

They also accuse President Conte of interfering with judicial processes by securing the release from prison of two men being investigated for corruption.

One of them is believed to be the country's richest man, Mamadou Sylla.

The unions say the strike must continue until both men are back behind bars.

One the eve of the strike, courts ordered the seizure of Mr Sylla's assets.

Power vacuum

Last year, Guinea was ranked by Transparency International as the most corrupt country in Africa.

The last strike led to student protests and several people were shot dead by the security forces.

There have been growing calls for President Conte to step down. He is in his 70s and in poor health suffering from diabetes.

Without an obvious successor there are fears a power vacuum could emerge, the BBC's West Africa correspondent Will Ross reports..

All eyes would then be on the military which could easily split along tribal lines during a scramble for power, he says.

Insecurity in Guinea would also impact on the country's neighbours, especially Liberia and Sierre Leone which are both recovering from war.

UN News Service (New York)

Thursday, 11 January 2007

UN's Côte d'Ivoire Mission Extended With New Mandate to Cooperate On Liberian Border

The Security Council today extended through June the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) and French forces supporting it while authorizing them to cooperate with blue helmets in Liberia in preventing arms from crossing the border.

By a unanimously adopted resolution, the Council adjusted the tasks carried out by the mission, which has been deployed in Côte d'Ivoire since April 2004 helping the parties to implement a peace agreement signed in January 2003 ending their north-south civil war. The country has been divided between the rebel-held north and government-controlled south since 2002.

Under today's resolution, UNOCI will coordinate closely with the UN Mission in Liberia (UNMIL) in carrying out a voluntary repatriation and resettlement programme for foreign ex-combatants. This is part of UNOCI's efforts to bolster the Ivorian Government in its bid to disarm former fighters, which the Council said should be carried out "with special attention to the specific needs of women and children."

UNOCI will be responsible for destroying any weapons, ammunition or other military materiel surrendered by the former combatants, according to the resolution.

The UN's Côte d'Ivoire and Liberia missions will also work together in implementing an arms ban including "by inspecting, as they deem it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings."

UNOCI must "carry out its mandate in close liaison with UNMIL, including especially in the prevention of movements of arms and combatants across shared borders and the implementation of disarmament and demobilization programmes," the Council said.

In helping the relief effort for the beleaguered people of Côte d'Ivoire, UNOCI will "facilitate the free flow of people, goods and humanitarian assistance," including by helping to establish the necessary security conditions and taking into account the special needs of vulnerable groups, especially women, children and the elderly.

The mission is also tasked with supporting the organization of "open, free, fair and transparent elections, presidential and legislative, by 31 October 2007 at the latest."

The most recent report of the Secretary-General to the Council, issued last month, contained a strong call to the parties to restart their stalled peace process and resolve their disputes.

The report emphasized that the mandate of both Prime Minister Charles Konan Banny and President Laurent Gbagbo was renewed for a "final transition period not exceeding 12 months" and called on the two leaders to "eschew confrontation and maintain a constructive working relationship."

As of late last year, UNOCI had nearly 9,000 uniformed personnel supported by some 360 international civilian personnel, 500 local staff and 220 UN Volunteers.

The Guardian

Tuesday, 9 January 2007

African search for peace throws court into crisis

Uganda fears first crucial test for tribunal could prolong brutal 20-year civil war

Chris McGreal, Africa correspondent



LRA rebel leader Joseph Kony has been charged with war crimes, but many Ugandans fear his arrest may cause more problems for the country than it would solve. Photograph: Stuart Price/AP

The newly established international criminal court risks being "fatally damaged" by demands that it cancel its first ever war crimes indictment because it is an obstacle to ending Uganda's 20-year civil war.

The dispute over a slew of charges against the leader of the Lord's Resistance Army, Joseph Kony, who is accused of mass murder, rape, mutilations and abducting children to become soldiers, has opened a rift between African governments, which believe trials should be subordinated to local peace deals and reconciliation, and countries such as Britain which strongly back the ICC as establishing international justice.

The row also reflects differences seen at tribunals for Rwanda and Sierra Leone over whether international trials should take precedence.

The ICC launched its investigation into the LRA's crimes at the urging of the Ugandan government and issued indictments against Mr Kony and four of his commanders in 2005. Mr Kony has demanded that the charges be dropped as a condition for a peace deal and Uganda's president, Yoweri Museveni, wants the ICC to agree. Mr Museveni has also promised the LRA leader immunity from arrest in Uganda.

Commitments

The ICC says governments are obliged to implement the warrants if Mr Kony is on their territory and has reminded Uganda, Sudan and the Democratic Republic of Congo of their legal commitments.

Court officials are privately furious, not only because they risk seeing their historic first case reduced to farce, but because they launched the inquiry at the request of the Ugandan government, which is now accusing the ICC of neo-colonialism.

Richard Goldstone, the former chief prosecutor for the Bosnia and Rwanda tribunals which laid the ground for the ICC, said that if the charges against Mr Kony are dropped it could destroy the court.

"It would be fatally damaging to the credibility of the international court if Museveni was allowed to get away with granting amnesty. I just don't accept that Museveni has any right to use the international criminal court like this," he said.

"If you have a system of international justice you've got to follow through on it. If in some cases that's going to make peace negotiations difficult that may be the price that has to be paid. The international community must keep a firm line and say are we going to have a better world because of the international court or not."

Britain is dismayed at the prospect of the court, a favoured project of Tony Blair, being embarrassed. The Foreign Office yesterday said the UK is a "strong supporter of international justice and the ICC" as an imperative to tackle impunity. It said the warrants should be enforced but recognises this is "an extremely difficult issue" and it would be best if a deal could be reached that takes into account international justice and local needs. Officials were at a loss to say what that might be.

International justice has been a source of friction between African governments and the west since the establishment of the UN tribunal to try those responsible for the 1994 genocide in Rwanda.

The Rwandan government wanted to put the Hutu leadership on trial itself, saying that distant and slow-paced hearings in a foreign country would not serve justice or reconciliation. However, Rwandan authorities would not have been able to arrest the leaders now held by the UN tribunal, some of whom are in jail for life.

The UN-backed tribunal in Sierra Leone has also proved contentious. Its hybrid court of foreign and local judges has brought the former Liberian president, Charles Taylor, to justice for his role in Sierra Leone's brutal civil war.

But the court has been strongly criticised in Sierra Leone and abroad for other trials. Peter Penfold, the former British high commissioner to Freetown, has said that prosecutions threaten a fragile peace.

Among the most sensitive is of Sam Hinga Norman, the former interior minister and leader of a militia, who is on trial for crimes against humanity, including murder and recruitment of child soldiers.

Mr Hinga Norman is a hero to many Sierra Leoneans for using his Kamajor militia to defend towns from rebels notorious for indiscriminate killings, mutilations and abduction of children. His prosecution is deeply unpopular. Mr Hinga Norman says that as a then-serving minister, and fighting to defend the legitimate government, he was taking orders from President Ahmad Tejan Kabbah, the British-backed leader who is not on trial.

In its dispute with the ICC, Uganda points to South Africa as an example of the need to subordinate justice to ending conflict. South Africa established a truth and reconciliation commission that offered amnesty in return for confession and full disclosure. Alex Boraine, the TRC's vice-chairman, said Nelson Mandela was forced to agree to demands for an amnesty by

white officials: "Because of the need to get a deeply divided society to a point that they could actually live together in the same land there had to be fairly significant compromises."

Britain has backed the ICC in the belief that the fear of international justice will discourage the kind of crimes committed in Rwanda, Uganda and Sierra Leone in the future. But the trials to date appear to have done little to deter mass killings in Congo by Rwandan and Ugandan forces or Sudanese government complicity in the genocide of Darfur. But Mr Goldstone said international justice is having an impact.

Tribunals

"It's impossible to say what crimes might have been committed that were prevented because of these tribunals. But I think there is circumstantial evidence that things are changing," Mr Goldstone said. He added that international trials and truth commissions also have the same goal. "If we didn't have a truth commission [in South Africa] there'd be at least two histories, one predominantly a white history based on an interpretation by the apartheid government which it was comfortable for white people to believe. The truth commission resulted in massive evidence coming out and really put a complete stop to the denial," he said.

The result was similar in Rwanda even though the process was very different.

"The Rwanda tribunal put a stop to the denials of the genocide. People tend to forget that when the Rwanda tribunal began there were suggestions among many people, especially the Hutu but also many people in Europe, that this wasn't a genocide, it was a tribal explosion that was typical of Africa. No one says that now."

Road to justice

Case by case

Rwanda

The UN Security Council established an international tribunal in Tanzania to try the political and military leaders responsible for the genocide of about 800,000 Tutsis in Rwanda in 1994. The Rwandan government criticised the trials as distant and slow, saying delayed justice undermined efforts to end denial of the genocide at home.

South Africa

An agreement between the failing apartheid regime and Nelson Mandela's African National Congress subordinated justice to confession through a truth and reconciliation commission. While the commission elicited hundreds of confessions, and granted amnesty to those who admitted crimes in full, it was criticised for failing to hold to account the white political and military leadership that bore primary responsibility for crimes against humanity.

Sierra Leone

US opposition to another international tribunal led to the creation of a hybrid court of foreign and local judges to try those responsible for the worst crimes during a brutal civil war. The court indicted the former Liberian president, Charles Taylor, for his role in the conflict and foreign pressure forced Nigeria to hand him over for trial. But the court has been accused of undermining

a fragile political settlement by indicting a popular political leader whose militia played an important role in protecting towns from rebel attacks.

Uganda

The international criminal court, established as a permanent court in 2002 on the back of the temporary UN tribunals for Rwanda and Bosnia, handed down its first indictment for war crimes three years later, against the leader of Uganda's Lord's Resistance Army, Joseph Kony, and four commanders. They are accused of crimes such as murder, rape, enslavement and using child soldiers. The ICC investigated Mr Kony at the request of the Ugandan government, which hoped it would pressure neighbouring governments into withdrawing support for the LRA. But the Ugandan administration now wants the indictments dropped if Mr Kony signs a peace deal.

BBC Online

Thursday, 11 January 2007

Mengistu is handed life sentence

Former Ethiopian ruler Mengistu Haile Mariam has been sentenced to life in prison on genocide charges.

The former leader was found guilty last month after a 12-year trial, although he is living in exile in Zimbabwe.

After his conviction, Zimbabwe said it would not extradite him and many fear he will never face justice.

In a notorious campaign - known as the Red Terror - thousands of suspected opponents were rounded up and executed and their bodies tossed on the streets.

Mengistu could have faced the death penalty.

He has refused to recognise the legal basis of the trial, accusing those who overthrew him of being mercenaries and colonisers.



Mengistu Haile Mariam has lived in exile for 15 years

ISN (International Relations and Security Network)

Wednesday, 10 January 2007

<http://www.isn.ethz.ch/news/sw/details.cfm?ID=17100>

Zimbabwe: Calls for Mengistu extradition

Prominent Zimbabweans feel Mugabe was wrong to reject Ethiopia's request for its former leader to be sent home to face justice.

By Fred Bridgland in Johannesburg for IWPR

Opposition representatives, top human rights lawyers and church leaders in Zimbabwe have called for the extradition of the former the Ethiopian president Mariam Mengistu who was last week convicted in absentia for crimes of genocide by a court in Addis Ababa.

A day after the conviction on 12 December, Zimbabwe's president Robert Mugabe rejected an appeal by the government of Ethiopia to extradite Mengistu, found guilty of causing the deaths of between half a million and 1.5 million of his fellow countrymen, to face justice at home.

Mengistu, dubbed "The Butcher of Addis", fled ten days before rebel forces entered the city in May 1991 and was given asylum and permanent residence in Zimbabwe by Mugabe.

Justifying protecting a leader responsible for more deaths than any other African dictator, Mugabe said through his spokesman, "As a comrade of our struggle [against white rule in former Rhodesia], Comrade Mengistu and his government played a key and commendable role during our struggle for independence and no one can dispute that."

The Ethiopian court found Mengistu guilty of genocide for atrocities committed under his Marxist regime. "Members of the Dergue [government] who are present in court today and those who are being tried in absentia have conspired to destroy a political group and kill people with impunity," said the presiding judge, Medhen Kiros. The trial lasted twelve years and sentence, when passed at the end of December, seems certain to be death. The Soviet-backed revolution that brought Mengistu and a group of other young army officers to power in 1974 ended the feudal rule of Emperor Haile Selassie, treated as a deity by millions of dirt-poor people in Africa's second most-populous country. The court was told how the ageing emperor was suffocated to death with a pillow and his body buried under a lavatory in the royal palace, where he was under house arrest.

Mengistu provided arms to Mugabe's Zimbabwe African National Union (ZANU) guerrilla movement and trained Zimbabwe's air force pilots after independence. But Mugabe has come under a barrage of criticism from human rights and opposition groups in Zimbabwe for protecting Mengistu. Various international organizations such as the London-based International Bar Association have called for the president himself to be tried by the new International Criminal Court in The Hague for crimes against humanity.

"Verdicts such as this [in Addis Ababa] build up pressure and send the message that leaders who are bloodstained must not be allowed to retire in comfort," said Peter Takirambudde, Africa head of Human Rights Watch. He said Mengistu would find it impossible to travel to neighboring countries, even for medical treatment, without facing the danger of arrest. "This man and his followers committed monstrous crimes against humanity, and international justice demands he be brought to face justice. The cycle of impunity must and will be stopped."

Mugabe has appointed Mengistu as one of his own security advisers. In that role, said Nelson Chamisa, national spokesman of the Movement for Democratic Change, MDC, Zimbabwe's main opposition party, Mengistu helped plot last year's devastating Operation Murambatsvina [Operation Clean Out the Trash], in which police and Mugabe's personal militiamen bulldozed, sledgehammered and burned down the homes of some 700,000 to 1 million town dwellers, most of them MDC supporters.

Chamisa said most Zimbabweans regard Mengistu as an undesirable guest who has long overstayed his welcome. He added that Mugabe's refusal to hand over the former Ethiopian dictator to face justice betrayed his own inner fear of international law, saying, "The days in which dictators would consort in a boys' club and luxuriously look after themselves are over. Mr Mengistu may be safe in Harare for now, but for how long?"

Leading Zimbabwean human rights lawyer Otto Saki, of Zimbabwe Lawyers for Human Rights, said his organization demanded that Mengistu be conveyed to Ethiopia to accept responsibility for his crimes. "We expect the government to fulfill this commitment," he said. "We expect government to draw a precedent from the Taylor case."

Former Liberian president Charles Taylor was extradited this year from Nigeria, where he had been given political asylum, to face charges of war crimes and crimes against humanity at the United Nations-backed Special Court for Sierra Leone, Liberia's neighbor where Taylor gave weapons to rebel forces. Taylor is presently imprisoned in The Hague awaiting trial.

For 17 years in Ethiopia, Mengistu ran The Dergue, perhaps the most terrifying regime modern Africa has known. Amnesty International and Human Rights Watch both estimate that at least half a million, and possibly as many as 1.5 million, people died in assassinations and executions, warfare and politically induced famine during Mengistu's "Red Terror" campaign against opponents.

It is difficult to exaggerate the scale of Mengistu's crimes. At the start of the darkest days of his rule in 1976, Mengistu stood before a huge crowd in the central plaza of Addis Ababa and smashed a series of jars filled with pigs' blood. They represented, he said, the blood of the "counter-revolutionaries" that would flow as his regime set out to eliminate rivals of the ruling junta.

"The revolution needs to be fed by the blood of traitors," he said. Human rights groups reported that at the height of the terror campaign, organized by Soviet advisers and Mengistu's East German-controlled Department of State Security, government hit squads were summarily executing 100 to 150 "anarchists, feudalists, exploiters of the people and counter-revolutionaries" each day on the streets of Addis Ababa, other centers and in the notorious state prison on the edge of the capital.

It became commonplace to see students, suspected government critics and rebel sympathizers hanging from lamp posts each morning. Families had to pay a tax known as "the wasted bullet" to obtain the bodies of their executed loved ones. At the height of his power, Mengistu himself frequently garroted or shot dead opponents, saying that he was leading by example, and may have personally killed Haile Selassie.

During his 1974-1991 reign, Mengistu's mass herding of Ethiopia's peasant farmers into giant collective farms spawned a famine that took hundreds of thousands of lives.

Mengistu, also known as the Black Lenin, was alleged to have fled Ethiopia with many millions of US dollars, including a chunk of the US\$300 million that Israel paid for the right to evacuate 15,000 Falasha Jews from Ethiopia. In the months before he left, Mengistu nationalized Nestlé's Ethiopian Livestock Development Company without compensation. He sold the cattle stock for US\$10 million and took the money with him to Zimbabwe. The Ethiopian people did not get a cent.

In Zimbabwe, Mugabe gave Mengistu a luxury villa in the upmarket Gun Hill suburb, where Zimbabwean reporters have observed up to six luxury cars, including a Mercedes and a BMW, parked in the drive. The house is heavily protected by soldiers from Mugabe's elite Presidential Guard battalion, and anyone who attempts to take photographs is arrested. On the rare occasions when Mengistu is spotted shopping, he wears military boots and carries a pistol.

Mengistu, 69, has also been given a large farm 45 kilometers outside Harare and a property in the far north on the shores of Lake Kariba, to which he is believed to have moved in July for security reasons.

Kenya's main daily newspaper, The Nation, commented, "Why does it not come as a surprise that President Mugabe is not willing to hand over Mengistu to the Ethiopian government? It is no wonder that he [Mengistu] long ago found a soul-mate in Mugabe and was given sanctuary; the two are birds of a feather when it comes to atrocities against their people."

Among the voices raised against Mengistu's presence in Zimbabwe is that of Pius Ncube, the Roman Catholic Archbishop of Bulawayo, Mugabe's most fearless and outspoken critic who repeatedly says the best service the Zimbabwean head of state can do for his countrymen is to die. "Mugabe is using the taxpayers' money to keep a dictator who killed a million people," said the archbishop. "You can see what kind of friends Mugabe keeps. You need one dictator to prop up another."

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