

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



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:**

Friday, 14 March 2008

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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BBC World Service Trust

Thursday, 13 March 2008

By Joseph Cheeseman, at The Hague

Chamber Two of the Special Court sitting in The Hague opened Thursday morning with the accused former Liberian president, Charles Taylor, absent. The Presiding Judge, Teresa Doherty, expressed concern again. Journalists and guests watching the trial thought another big problem had befallen the Court again. As Joseph Cheeseman reports, Defence lawyer Courtenay Griffiths then cleared the doubt on the mind of every one and told the Court why the accused was absent.

GRIFFITHS: A helicopter landing on the motorway. As a consequence the whole motorway was blocked up. And I'm told that those charged with bringing Mr. Taylor to Court thought that there was a security risk if they came to be stuck in traffic because the whole centre of Den Haag was closed up, and so consequently they returned to Scheveningen.

PRESIDING JUDGE JUSTICE TERESA DOHERTY: Thank you for that explanation.

CHEESEMAN: Following Charles Taylor's arrival in Court, Prosecution Liberian witness "Zigzag" Marzah continued his cross-examination by admitting that he committed atrocities in Liberia, Sierra Leone, and Guinea on Charles Taylor's orders. He said Taylor constituted a unit codenamed "No Baby On Target". Zigzag recalled how ECOMOG and UN troops were slaughtered by NPFL and RUF forces.

The Defence team denied that Charles Taylor was present at a Monrovia beach when a pregnant woman was allegedly buried alive. Defence lawyer Courtenay Griffiths wondered why Zigzag Marazah did not mention an important issue such as the burial of the pregnant woman to investigators of the Special Court until late February 2008. But Zigzag Marzah testified that Charles Taylor was indeed present at the sacrifice of the pregnant woman captured from central Monrovia. He named some of those present at the burial of the woman.

MARZAH: At that time, [Budoh] was not [A.D. Kam]. He was just a security. They were there. Benjamin Yeaten was there. [Azay Musan] was there. Joe [Towah] was there. Sando Johnson was there.

GRIFFITHS: You of course were there.

MARZAH: And my very self, I was present. And [some]...

GRIFFITHS: And Charles Taylor...

MARZAH: ...if you ask me and I am answering your question, don't interrupt, please. I'm here, I'm answerable to your question Mr. Lawyer. So when you permit me to answer you I will talk. Talk again.

GRIFFITHS: I apologise.

CHEESEMAN: Defence Lawyer, QC Griffiths indicated to the Court that he perceived some contradictions in Zigzag's testimonies and previous interviews he had with investigators of the Court, regarding the time the witness met both Charles Taylor and Foday Sankoh.

GRIFFITHS: Lo and behold they got it wrong a second time when they said...[unheard, interrupted my Marzah] in the Ivory Coast. Who's responsible for that?

MARZAH: I don't go in Burkina Faso. I was in Ivory Coast. I told you I only took training from Israel. Besides that I didn't go to Burkina Faso; that Prince Johnson told me about Charles Taylor. I met Sankoh and Charles Taylor in Broplay and I began to know Sankoh through Taylor in Broplay.

GRIFFITHS: Would you agree, Mr. Marazah, that the reference to you meeting Sankoh in Burkina Faso, it's either a lie told by you – can I finish my question – it's either a lie told by you, or they've written down wrongly what you told them. Which is the right answer? What's happened? Is it a lie, or have they recorded it wrongly?

MARZAH: I cannot kiss the Bible to come and lie. No. I'm telling you what I told the people. I told the people about meeting Charles Taylor, even to know Sankoh, they were in Broplay during the arrival of Charles Taylor. That's a mistake. It's their mistake.

GRIFFITHS: So it's their fault.

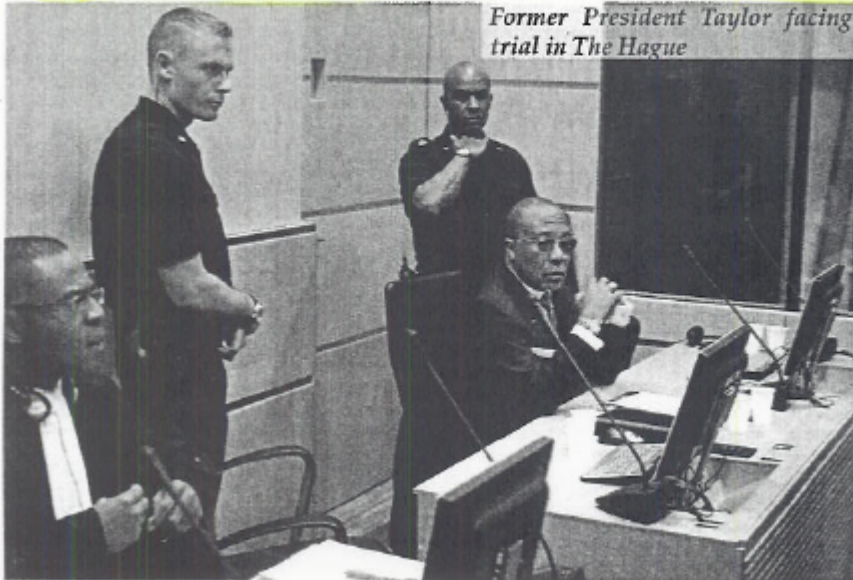
MARZAH: Yes.

CHEESEMAN: Zigzag said he was trained in Israel and later assigned by former Liberian President Samuel Doe as a member of the Special Anti-Terrorist Unit, the SATU. Zigzag told the Court he left Liberia and went into exile in Ivory Coast after the failed of Coup d'tat of 1985.

This is Joseph Cheeseman, reporting for the BBC World Service Trust and Search for Common Ground, from The Hague.

New Democrat (Liberia)
Thursday, 13 March 2008

Zigzag Marzah Confronts Taylor



Former President Taylor facing trial in The Hague

One of the reputedly most notorious fighters loyal to former President Charles Taylor Wednesday began giving testimony against him in The Hague. Joseph D. Marzah, commonly known as Zigzag Marzah, told the court he and others used human intestines at various checkpoints during the war.

Zigzag Marzah's name has featured prominently during the trial, with previous witnesses referring to him regarding atrocities and operations in Sierra Leone. His deeds have also surfaced during the hearings of the Truth and Reconciliation Commission, leading to reports that he had escaped from the country.

Court transcripts:

Wit: My name is Joseph D. Marzah, commonly known as Zigzag Marzah. I was born on June 7, 1958 in Nimba County, Liberia. I speak Gio and Liberian English. I am a

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Zigzag Marzah Confronts Taylor

member of the Gio tribe. I was in the military. I joined the army in 1978. It was the infantry, at Camp Shefflin. That was the Armed Forces of Liberia. I was in the AFL from 1978 until 1985, when I went into exile. That was during the Doe regime when he was carrying out atrocities in Nimba. I fled to Ivory Coast. I was

in a displaced camp in Ivory Coast. I was there from 1985 until I returned during the civil crisis. I returned along with Prince Johnson's group. We were about 17. I was recruited by him in Ivory Coast. He said we had a leader named Charles Taylor and we should come and redeem our country. I met Prince Johnson at

Camp Shefflin before when he was First Lieutenant. The second time I met him was in Ivory Coast, where he said there was a new leader there to protect us. I did not meet Charles Taylor in Ivory Coast. Johnson told me Taylor was in Burkina Faso. He would come after we entered Liberia. We entered on

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BBC

Thursday, 13 March 2008

Taylor 'made rebels eat enemies' **Ex-Liberian President Charles Taylor ordered militias to eat the flesh of their enemies, a former death squad leader has told his war crimes trial.**

Joseph "Zigzag" Marzah said Mr Taylor had instructed his fighters in Liberia to even eat UN peacekeepers to "set an example for the people to be afraid".

Mr Taylor is on trial at The Hague for backing rebels in Sierra Leone in an 11-year war in which thousands died.



Mr Taylor is accused of funding Sierra Leone's former rebels

He has denied the 11 charges of crimes against humanity and war crimes.

The trial at the UN-backed Special Court for Sierra Leone has been moved away from West Africa because of fears that it could lead to renewed instability in the region.

It began last June, but was adjourned until January after only one day when Mr Taylor dismissed his lawyer. Many witnesses have since testified behind closed doors.

Cannibalism

Mr Marzah, a key prosecution witness, agreed to appear in open court only after lengthy negotiations over the protection provided for him and his family.

Describing himself as Mr Taylor's former chief of operations and commander of a death squad in Liberia and Sierra Leone, Mr Marzah said the former leader ordered militias to eat the flesh of enemies in Liberia, including African and UN peacekeepers.

"He said we should eat them. Even the UN white people - he said we could use them as pork to eat," Mr Marzah said, adding that it was to "set an example for the people to be afraid".

“
eat them... Even the UN white people - he
 ”
eat
 Joseph "Zigzag" Marzah

He said repeatedly that nothing was done without an explicit order from Mr Taylor and that anyone who violated his commands would be executed.

Mr Marzah then recalled how the victims of the cannibalism were usually members of the Krahn tribe of Liberia's former president, Samuel Doe, who was in power in 1989 when Mr Taylor started the country's six-year civil war.

However, he said they had also included troops from the West African Ecomog peacekeeping force, which was deployed in 1990, and some UN peacekeepers.



Mr Taylor began an uprising against the Liberian government in 1991

The international peacekeepers eventually helped stabilise Liberia, leading to a peace agreement in 1995 and a presidential election two years later that Mr Taylor won.

"We ate a few [Ecomog soldiers], but not many. But many were executed, about 68," Mr Marzah said.

'Throw away the head'

When asked by defence lawyer Courtenay Griffith about how the militiamen would "prepare a human being" for eating, Mr Marzah described the splitting, cleaning, decapitating and cooking of the corpse with salt and pepper.

"We slit your throat, butcher you... throw away the head, take the flesh and put it in a pot... Charles Taylor knows that," he added.

Mr Marzah also described how he had killed so many men, women and children that he had lost count, and also slit open the stomachs of pregnant women on Mr Taylor's orders.

Earlier in his testimony, Mr Marzah told the court he had taken weapons, some stored at Mr Taylor's presidential mansion, to Sierra Leone and returned to Liberia with diamonds which he then delivered to Mr Taylor.

Mr Taylor is accused of funding Sierra Leone's former rebels, the Revolutionary United Front, by selling diamonds on their behalf and buying weapons for them.

The RUF became notorious for hacking off the hands and legs of civilians during their armed rebellion in Sierra Leone from 1991 to 2002.

New Democrat (Liberia)
Thursday, 13 March 2008

Witness Recalls Taylor's Role In RUF-AFRC Govt.

A witness in the ongoing trial of ex-President Charles Taylor has given evidence of the accused's role in convincing rebels of the Revolutionary United Front and the military Armed Revolutionary Council to form a single government in ruling Sierra Leone.

Mr Isaac Mongor, a former fighter

in Mr Taylor's National Patriotic Front of Liberia and then the RUF, said he attended meetings with AFRC junta leader Johnny Paul Koroma and RUF leaders at which time Taylor's special emissary, Ibrahim Bah, brought them the message from Taylor. He said the accused supplied weapons and ammunition for the 2000 rebel offensive.

Court transcripts:

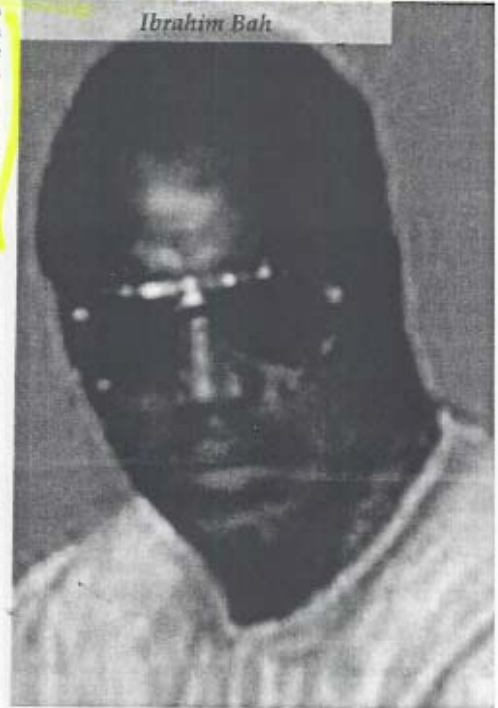
Wit: During that meeting, Mr. Bah came to talk to us, the RUF, to join the AFRC and work with them. He said it was a message for us from Mr. Taylor.

Pros: What was the reaction from the RUF members?

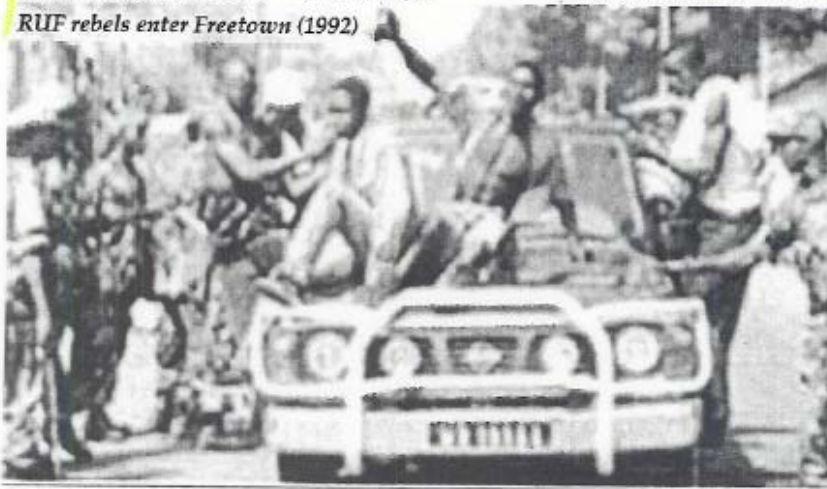
Wit: We did not do anything, because we knew Ibrahim Bah, who had been with us for. We knew

Page 3

Ibrahim Bah



RUF rebels enter Freetown (1992)



Witness Recalls Taylor's

to be a liaison officer who had en with the RUF. So when we saw m and he brought the message, we re happy.

ros: This message from Taylor at the RUF should work with the RC - was there any reaction to it?

Wit: We accepted it. We took Bah Johnny Paul Koroma's place so he ld also hear the message.

ros: Where was JPK's place?

Wit: At Spur Road.

ros: Who was present there?

Wit: Johnny Paul called the other A officers: Ester Williams, Gullit, cry - all the other AFRC people.

ros: What was said there?

Wit: JPK and all of us together there, together with Ibrahim Bah, we went to introduce the man to him. It is the Pa who sent him to come to talk to all of us. Pa is Mr. Taylor. He brought a message from Taylor that we should all work hand-in-hand. We brought him to deliver the message here.

Pros: When Bah delivered the message, what was the reaction of those present.

Wit: We were happy and accepted the message.

Pros: Did JPK say anything?

Wit: He received the message and was happy too.

Zigzag Marzah Confronts Taylor

December 24, 1989 and at that time we were at Botou. We were then based in Blantou. Another base was in Tiaplay, while we were fighting the AFL in Kamplay (sp?). A conflict erupted between the Special Forces and Johnson's forces.

The first time I saw Charles Taylor was in Borplay. The remaining special forces arrested me and Prince Johnson and took us to Borplay. They put us in a container and started burning it. Maduna Bwua was in there with me. We were all of Johnson's group. At the orders of Taylor, they stopped the fire and took six of us out who survived. About 20 died from the heat. I was grateful to Taylor for saving us. I let Taylor feel at all times that he had saved my life and I would fight any enemy of his. Nobody was punished for setting the fire on the container.

The Special Forces were those trained in Libya and Burkina Faso by Charles Taylor. The organization that entered Liberia did not have a name at first. We called ourselves freedom fighters. After Taylor's arrival in Borplay, we took the name NPFL - the National Patriotic Front of Liberia.

Pros: After you pledged loyalty to Taylor, what assignments did you get.

Wit: I was assigned to the first battalion under Alfred Mieh, also called Godfather.

Pros: Did you see fighting with the first battalion?

Wit: Yes, we went with Special Forces under Edward Milain (sp?), we fought in Lower Nimba and we captured Tapeta.

Pros: How long were you with the NPFL or its successor organizations?

Wit: I will say the truth. I was with the NPFL from the start to the end, up to 2003.

Pros: Have you seen many battles with the NPFL and its successor organizations?

Wit: Yes, I fought in so many areas. I don't think there was any county in Liberia where I did not fight.

TO BE CONTINUED

Reuters

Thursday, 13 March 2008

Liberia's Taylor ordered cannibalism, court told

By Alexandra Hudson

AMSTERDAM, March 13 (Reuters) - Former Liberian President Charles Taylor ordered his militias to eat the flesh of captured enemies and U.N. soldiers, a former close aide testified on Thursday at Taylor's war crimes trial.

"He (Taylor) said we should eat them. Even the U.N. white people -- he said we could use them as pork to eat," Joseph "ZigZag" Marzah, who described himself as Taylor's former death squad commander, told the U.N.-backed Special Court for Sierra Leone.

Taylor, once one of Africa's most feared warlords, faces charges of rape, murder, mutilation and recruitment of child soldiers during a 1991-2002 conflict. He has pleaded not guilty.

Marzah, on his second day as witness in his former leader's trial, gave graphic details of atrocities in Liberia and Sierra Leone and of an ingrained culture of violence and brutality.

On Wednesday he described how he had killed so many men, women and children he had lost count, and he had also slit open the stomachs of pregnant women on Taylor's order. More than 250,000 people died in intertwined wars in Liberia and Sierra Leone. Prosecutors say Taylor wanted to plunder neighbouring Sierra Leone's diamonds and destabilise its government by controlling and arming rebels. The 60-year-old former leader frowned at times during Marzah's cross-examination by his lawyer.

Taylor's defence counsel challenged Marzah's testimony, saying he was lying and asked him whether he had approached prosecutors in order to escape punishment himself.

When asked how he prepared humans to eat Marzah said: "We slit your throat, butcher you ... throw away the head, take the flesh and put it in a pot ... Charles Taylor knows that."

Marzah, 49, is the 20th witness for the prosecution since Taylor's trial began in earnest at the start of January.

Earlier in his testimony Marzah said he took weapons, some stored at Taylor's presidential mansion, to Sierra Leone and returned to Liberia with diamonds which he handed to Taylor.

The wars in Liberia and Sierra Leone were particularly brutal. Thousands of civilians had their limbs hacked off by drug-crazed rebels, many of them children. Taylor went into exile in Nigeria after he was overthrown in 2003 and was handed over to the court after international pressure was put on the Nigerian authorities.

His trial was moved to The Hague because of fears it could reignite instability if held in Sierra Leone. (Editing by Richard Balmforth)

Associated Press

Thursday, 13 March 2008

Witness gives graphic account of cannibalism in Charles Taylor trial

By Arthur Max
ASSOCIATED PRESS

AMSTERDAM, Netherlands – Grim tales of cannibalism highlighting the brutality of West Africa's civil wars emerged in testimony Thursday at the war crimes trial of former Liberian President Charles Taylor. Joseph “Zigzag” Marzah, who described himself as Taylor's chief of operations and head of the death squad before Taylor became president, said African peacekeepers and even United Nations personnel were killed and eaten on the battlefield by Taylor's militiamen.

Prosecutors described Marzah as a key witness with inside knowledge of the former Liberian president's operations in Liberia and neighboring Sierra Leone, where he is accused of responsibility for the widespread murder, rape and amputations committed by soldiers loyal to him.

Taylor, 59, has pleaded not guilty to 11 counts of war crimes and crimes against humanity. He is accused of orchestrating violence in Sierra Leone's civil war, which ended in 2002, and trading in illegally mined diamonds to finance the conflict.

The trial by the Special Court for Sierra Leone, in The Hague, Netherlands, began last June but adjourned after one day when Taylor fired his lawyer. It reconvened in January, but many prosecution witnesses have testified behind closed doors for fear of retribution.

Marzah appeared in open court after lengthy negotiations involving protection for him and his family.

Prodded under cross-examination by defense lawyer Courtenay Griffith, Marzah gave a sometimes-graphic description of cannibalism that altered between the ritual taking of vengeance and the practical need for food.

He repeatedly said nothing was done without Taylor's instructions, and that anyone who violated Taylor's orders would be executed.

“Did Charles Taylor order you to eat people?” Griffith asked.

“Yes, to set an example for the people to be afraid,” Marzah replied.

He appeared unfazed by Griffith's blunt queries, and responded in matter-of-fact tones to such questions as “How do you prepare a human being for the pot?”

Marzah then described the splitting, cleaning, decapitating and cooking of the corpse with salt and pepper. “We throw your head away,” he said.

He said the victims were usually from the ethnic Krahn, the tribe of former Liberian President Samuel Doe whom Taylor set out to topple in 1989. But they also included peacekeepers from the Nigerian-led ECOMOG, the African peacekeeping force sent to the area in 1990, and some U.N. people, he said.

“How many ECOMOG soldiers did you eat?” the attorney asked.

“We ate a few but not many. But many were executed, about 68,” the witness said, and several U.N. personnel also were captured. The time and location of the incident were unclear.

“Which ones taste best?” Griffith asked.

“There was no alternative but to do it your own way,” Marzah replied.

Enemies, he was told, “are no longer human beings.”

Taylor, then head of the National Patriotic Liberian Front, said in interviews at the time that he considered ECOMOG to be just another warring faction in the multisided civil wars in Sierra Leone and Liberia.

Later, ECOMOG helped stabilize the region, allowing elections in Liberia in 1997 that Taylor won.

PR-Inside.com

Thursday, 13 March 2008

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and even United Nations personnel were killed and eaten on the battlefield by Taylor's militiamen. Prosecutors described Marzah as one of their key witnesses, testifying with inside knowledge of the former Liberian president's operations in Liberia and neighboring Sierra Leone, where he is accused of responsibility for the widespread murder, rape and amputations committed by soldiers loyal to him. Taylor, 59, has pleaded not guilty to 11 counts of war crimes and crimes against humanity. He is accused of orchestrating violence in Sierra Leone's civil war, which ended in 2002, and trading in illegally mined diamonds to finance the conflict.

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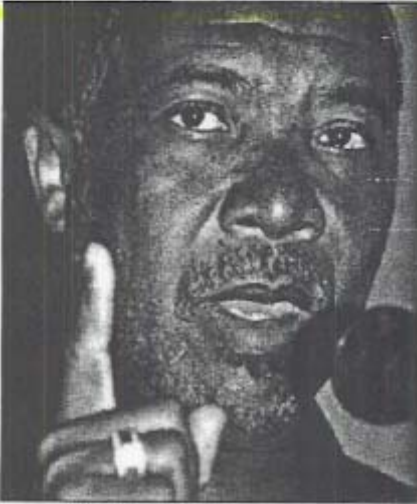
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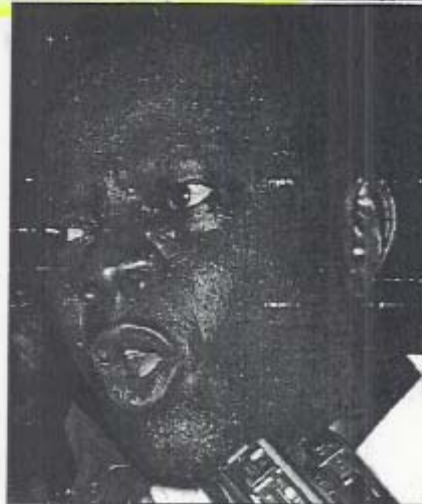
Heritage (Liberia)
Thursday, 13 March 2008

Taylor Never Siphoned Over US\$1B

... Ex-president's family debunks prosecutors' claim; Demands evidence



Former Liberian President Charles Ghankay Taylor



Mr. Sande Johnson - Spokesman/Taylor's Family

passed through Taylor's bank accounts between 1997 and 2003 when he was president. Mr. Rapp is quoted by the local daily as saying that newly traced bank records and other documents show Liberian money flowing into Mr. Taylor's accounts, as well as large cash withdrawals and transfers to foreign banks. "The records show that he controlled enormous funds which he hid. The big question is how much of that wealth is still left", the local daily further quoted the chief prosecutor of the Special Court for Sierra Leone as saying.

But the family of Mr. Taylor has termed the media report as false and misleading, saying it is a well calculated scheme by the prosecutors to gain favor from the international community and further tarnish the reputation of the former Liberian leader for their perceived agenda.

Addressing a news conference in Monrovia Tuesday, the spokesman of the Taylor's family, Mr. Sande Johnson claimed that the prosecutors have embarked on a "campaign of lies" to gain the support of the Liberian people and the international community because they were losing the legal battle in The Hague.

"Whenever the prosecutors suffer set backs in the case, they usually make unproven statements against Mr. Taylor", Mr. Johnson asserted.

Mr. Johnson accentuated that the former Liberian leader does not have bank accounts anywhere in the world. Mr. Johnson further accentuated that the ex-president is completely broke, noting "If Mr. Taylor had siphoned over US\$1 billion into his private bank accounts, he would not have asked the Special Court for Sierra Leone to

THE FAMILY OF former President Charles G.

Taylor, who is now trial in The Hague at an UN-backed court on charges of crimes against humanity and war crimes, has reacted angrily to media report that he (Taylor) siphoned over US\$1 billion into his private bank accounts and that the former president made large withdrawals from various accounts.

On Monday, the New Democrat Newspaper reported that the chief prosecutor of the of the Special Court for Sierra Leone, Stephen Rapp said more than \$1 billion

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Taylor Never

From Front Page

underwrite the services of his lawyers."

Mr. Johnson, who expressed outrage over the media report, challenged the prosecutors, particularly Mr. Rapp to produce incontrovertible evidence to substantiate their claim that Mr. Taylor siphoned over US\$1 billion into his private accounts and had made large withdrawals from various accounts.

He further challenged the prosecutors to bring the remaining siphoned money to help improve the lives of the suffering Liberian people if he finds any.

He called on the Liberian people including the international community not to give credence to what he referred to as "lies campaign" being embarked on by the prosecutors to gain support from the Liberian people and international community.

Meanwhile, Mr. Johnson has again stated that former President Taylor will be set free once he is accorded free and fair trial. Mr. Johnson, who expressed satisfaction over the manner in which Mr. Taylor's trial at The Hague is proceeding, boasted that the lawyers of ex-president were doing well to defend him.

Liberian Express (Liberia)
Thursday, 13 March 2008

NPFL SENSELESS WAR

The Characters, Deceits, Lies, Betrayers, Greed



In the wake of reports that several leading actors in the Liberian civil war, including President Ellen Johnson-Sirleaf, have been reluctant to appear before the Truth and Reconciliation Commission, damning new documents and communications obtained by FrontPageAfrica offer chilling new details about how many current and former government officials, plotted and planned to oust dictator Samuel Kanyon Doe from power, triggering a fourteen-year civil war which killed thousands, maimed hundreds and sent thousands more into exile to various parts of the world.

From Harry Greaves to Richard Tolbert, from Jim Holder to Clarence Simpson, the communications and letters also suggests that the key players were scrambling among themselves to fill positions and jockeying for power even as the war was at its peak and scores of Liberians were being killed.

Greaves, now Managing Director of the Liberian Petroleum Refinery Corporation, in particular, was reportedly selectively preparing a Montserrado County -dominated Cabinet as Charles Taylor's National Patriotic Front of Liberia rebel movement killed scores on its way to unseat Doe.

The communications, for the first time in years, shed light into the background of how the plot unfolded and how many of those who had fallen on the former dictator's dark side, undertook desperate measures in a bid to bring to an end a decade-old rule which had tormented thousands, killed hundreds, imprisoned many and humiliated and suffered scores of Liberians who came into Doe's way. More than twenty years later, despite a return to normalcy and peace many of those who

plotted, planned and fought to bring an end to Doe's reign now appear unwilling to tell their side of a painful story.

Over the years, since Doe's fall, the quest to rid Africa's oldest republic of Doe slowly turned into a quest to rid Liberia of another dictator, Charles Ghankay Taylor, a once feared warrior now relegated to an inmate occupying a one-room shack at The Hague, where he is currently on trial for war crimes.

Eventually, the quest to rid the country of Taylor's menace led to the formation of more splinter groups and more deaths, suffering and destruction. As Taylor languishes in jail, blamed for a civil war in Sierra Leone, the key actors in Liberia's own war, many of whom are now holding key positions in the post-war government remain quiet, unwilling or perhaps refusing to testify before the Truth and Reconcilia-

tion Commission (TRC), an independent body set up to investigate the root causes of the Liberian crisis, document human rights violations and other abuses that occurred from 1979 to 2003 with a mandate to identify victims and perpetrators and make recommendations on amnesty, prosecution and reparation. The United States Agency for International Development (USAID) has

See Story on Page 2

NPLF SENSELESS WAR

already contributed USD \$500,000 to support the work of the TRC, bringing the total US Government support to US\$900,000 since the TRC was established in 2004.

For now, the task appears to be daunting and the possibility continues to grow that many of the original planners may never set foot before the commission, while the likes of Sundaygar Dearboy, a popular musician and other lesser known actors draw headlines for alleged atrocities during the conflict.

To date, the TRC has heard numerous stories from ordinary people. Among them, Zico Dalieh, a program manager of Gee Radio in Fish Town, River Gee County, who testified that several truck loads of arms and ammunition concealed under bags of rice, were regularly transported by Abbas Fawaz, a Lebanese businessman and owner of the Maryland Wood Processing Industries (NWPI) from the Port of Harper in Maryland County across the Ivoirian frontier to supply the rebels.

The company, Dalieh said, paid monthly salaries to the rebels and repaired vehicles used for their operation in La Cote D'Ivoire. "One day, arms and ammunitions concealed under bags of rice arrived in the company's trucks from Harper before Generals Benjamin Yeaten, Paul Vayé, Chackie Taylor and others arrived to transport them across the Ivoirian border for operation," recounted Mr. Dalieh, who headed the company's operation in River Gee at the time.

Details have also emerged from the massacre of 369 Civilians in Gbarin, where in 2003, hundreds of inhabitants of the town in River Gee County were slaughtered. And then there are accounts about the LPC, the rebel faction headed by George Boley, whose forces reportedly roasted dozens of captives and village inhabitants accused of witchcraft activities in Grand Gedeh County in 1994. An eye witness, Albert Mowen, special assistant to the superintendent of Gbarin County Statutory District said the fighters laid their victims on drums, made to most animals, and burned them to death in blazing fires lit with wood.

For many of the victims of the civil war and the families left behind, finding answers to questions which have haunted them for years remain a mystery - all too often - uneasy to forget. It was against the background that many were caught off guard last week, when Sirleaf, now the leader of the post war government, broke a promise she had earlier made that she would testify before the commission by suggesting that Liberia and its international partners would have to wait for her memoirs due to be published next year to hear her side of her involvement in the civil war.

"The President's support for the Truth & Reconciliation Commission and its work remains absolutely unwavering."

It can be recalled that during the launching of the Truth and Reconciliation Commission Public Hearings held on Tuesday, 16th January 2006 at the Centennial Memorial Pavilion, Sirleaf called on government officials and all Liberians to give the TRC their fullest support by responding to the TRC when they are called upon to share their experiences and to tell what they know about the conflict. She cautioned them against allowing the TRC to use its subpoena powers. Sirleaf had promised to tell her story before the TRC at some point. But all that changed last week when Sirleaf, during the interactive phone-in radio program, "Conversation with the President," her first this year declared that her role will be outlined in a book she is due to publish later.

"Yes, I told them I would. But I don't want a spectacle; I don't want a scene which is what has been happening because as you also know I'm in the process now of releasing very early next year a book and the book is going to cover all of that. That's my retirement money. I'm not going to undermine it," she emphasized.

However, when FPA sought comment from the Executive Mansion in the wake of the letters and communications, Sirleaf's Press Secretary Cyrus Weh Badio clarified the President's earlier statement and declared that despite the President's statement last week, her support for the TRC remains strong. "The President's support for the Truth & Reconciliation Commission and its work remains absolutely unwavering. Her continuous support for the success of the process is a well known fact which has repeatedly been acknowledged by TRC Com-

missioners themselves." According to Badio, the President's recent comment of not wanting to create a spectacle by her appearance must be viewed within the context of her repeated stance regarding her preparedness to appear, contrary to what critics may deliberately be reading into the comments to suit their own ends," Badio asserts.

Sirleaf's perceived change of tune puts her among the ranks of other major players of the civil war who have also refused to stand before the commission. These include: Prince Johnson, Alhaji G. V. Kromah, Dr. George E.S. Boley, Sekou Damate Camneh, Richard Tolbert amongst others. Complicating matters is the fact that some leading members of the Legislature - Isaac Nyenebo, President Pro Tempore of the Senate and Edwin Snowe, a former driver to Taylor - are themselves former rebels and warlords. Jackson E. Doe, Minister of Transport and brother of the late dictator Doe was also a member of LURD along with Nyenebo.

For many, the question about whether Sirleaf should appear - or not remains a no-brainer.

"Yes, I told them I would. But I don't want a spectacle; I don't want a scene which is what has been happening because as you also know I'm in the process now of releasing very early next year a book and the book is going to cover all of that."

"That is a hard call. You look at the example of the South African model. It is one of the best that we have seen and I believe Nelson Mandela and others went before the Truth and Reconciliation Commission, so why shouldn't the Liberian President if she had any involvement or have any knowledge of anything not set an example for the rest of the people to go before the Truth and Reconciliation Commission. Will that belie her?" asks Bishop Bennie Warner, a former Vice President to William R. Tolbert. "I mean what is the rationale for her not going before the Truth and Reconciliation Commission. If I was in that situation I think I would as an example as a role model do that. That is what I would do. But I don't know her reason for not wanting to do that."

In reference to Sirleaf's assertion that she would offer her story through her memoirs, Warner says, "The book part is a different thing. The book part comes later. All of us are trying to write but in the meantime, she has an opportunity right now to face the people before the commission which she should in addition to what might be read later on in the book. So I don't really understand her reason for not wanting to do that."

Warner continues: "If she is to be transparent and truthful, I think she would come forth and give her statement and give her side of it. But when she refuses to do that it raises some suspicions that there may be something that she is hiding or something she doesn't want exposed at this stage. So it raises a lot of questions in the minds of people who want to be transparent and truthful. So I think that's what it is. I don't know enough to make a judgment but I can only say what I would have done. For the sake of peace and harmony and understanding and building a new Liberia, I think I would go before the Truth and Reconciliation Commission and clear the doubts that may be there and any kind of suspicions. Unless I have something to hide or unless I have something that I don't want to reveal at this stage but will come in a book. When will that book come out? We don't know."

But Press Secretary Badio counters that "Any conclusions that the President's recent comments suggest that she is shying away from the process, are wrong and misrepresentations, which may only be intended to divert attention from efforts the President has and continues to exert to ensure the success of the TRC as the Commission undertakes the difficult task of contrition, reconciliation and healing. "Her commitment to appear before the commission, if and when called upon to do so, is a principle which remains firm and unchanged," says Badio.

In the wake of the position of Sirleaf and other reluctant players' approach, the communications - including letters and communications from the early days of the efforts to oust Doe, obtained by FPA, sheds light on some of the players involved, their thought process, early squabbles in the efforts to establish a post-Doe government at the time and the efforts to raise money to unseat Doe.

"The country has been devastated - the

whole world knows that and so I think one of the moral things that she could do is to give leadership in that area not only politically, but she has a moral responsibility as well."

Prior to the war which begun on Christmas eve of 1989, Doe had survived numerous coup plots and assassination attempts, the most fatal being the November 12, 1985 coup led by one of Doe's original revolutionaries, Thomas Quiwonkpa. Quiwonkpa came so close but yet so far and his non-violent approach failed to knock Doe off his executive chair. As the planners returned to the drawing board, the only possible means at their disposal proved to be a rebel invasion approach. It was a plan that took months in the making and would eventually change the face of a nation once regarded as the most peaceful setting on the African continent.

Greaves, now head of the Liberia Petroleum Refinery Corporation (LPRC), was shouldered with the responsibility of raising money and as the treasurer of the Association for Constitutional Democracy (ACDL).

In a letter addressed to Mr. and Mrs. Clarence Simpson Jr. and dated April 9, 1990, only four months after the war had begun, Greaves wrote: "As I write you, the NPLF has captured and is holding a large swathe of land stretching from the Ivoirian border down as far as Bong County."

FPA gathered that similar letters were sent to several Diaspora Liberians, soliciting funds for the plot to unseat Doe.

Greaves continued: "A few weeks ago they overran a military barracks at Wadru in Grand Gedeh, which was being used to train new recruits for Doe's army, and immobilized the Ganta-Harper road. Lately, word has reached us that NPLF forces are descending upon Gbarnga, capital of Bong County and a mere three hours, drive from the nation's capital, Monrovia. All independent reports indicate that the NPLF advance is gaining momentum, and it seems now just a matter of time before the action reaches Monrovia, the seat of Doe's government and the probable site of the final battle - if that is, Doe chooses to fight rather than run away in his new \$20 million Boeing 707."

According to Greaves' letter, the plotters had been striving for the replacement of Doe's government with a genuinely democratic government, grounded in Liberian constitution and legitimized through free and fair elections. Greaves letter continue: "M/Sgt. Doe's track record convinces us that these goals cannot be achieved while he is head of the government. That view appears to be shared by the vast majority of Liberians, including the victims of the current conflict. For all independent reports, we have received from the refugee community emphasize the fact that they too feel that they will not be able to return to their peaceful lives until the brutal reign of terror of M/Sgt. Doe is over."

For Greaves, it was important that the "current initiative not falter or fail. "The memories of the aftermath of November 12, 1985, are still fresh in many of our minds. We remember all too well the terrible price that was paid - by combatants as well as non-combatants - at the hands of Doe's murder machine. That lesson must not be repeated."

But the faltering of the plan appeared already set for failure - long before it even began. While many held the belief that the split between the plotters was based on Taylor's quest to eliminate all those viewed as a threat, it seemed many of the original planners had their sights set on naming a Cabinet while the rebel onslaught was miles away from Monrovia. As a result of the failure of political leaders to come together, many prominent Liberian politicians lost their lives during the early days of the war. One of the first victims to fall was Jackson Doe, the man widely believed to have won the 1985 elections. And later, Gabriel Kpelleh, a school teacher whose Liberian Unification Party also ran and lost the '85 elections.

According to Tom Woewiyu, a founding member of Taylor's National Patriotic Front of Liberia, Jackson Doe's death was due to the failure of political leaders scrambling for power.

The late Jackson F. Doe is widely believed to have won the 1985 elections. He was slain during the civil war because he reportedly refused to call Charles Taylor "President Taylor".

"It was known that Ellen was going to emerge as the head of a political coalition. In February or March of 1990, there was a

meeting in Virginia at Taylor Major's house. I had called this meeting because it was understood from the beginning that Ellen would lead a coalition of all of the political forces, bring them together in order for us to determine how a government of cooperation would emerge. But when we went to that meeting there was a lot of confusion with Sawyer and others complaining that Sirleaf and others were aware all along about the '89 invasion but because it is going to get out of hand, everyone were now trying to take a step back. Tipoteh came from The Hague and everybody was there except Botmah Fahmbulleh. So it was determined then to put everything to rest," Woewiyu says.

According to Woewiyu, the reason why Sirleaf says she held her knowledge of the war plans from the rest of the group because it was still in the planning stages. Woewiyu says Sirleaf informed the group that now that they had reached a political point, it was important for all to come together since the rebels were saying that a government of coalition should be established. But Woewiyu says Taylor only emerged into the forefront after the political leaders failed to come to an agreement on the political arrangement to end the bloodshed.

"After that whole effort failed that is when Taylor took control. But nobody wanted him there. Not the U.S. government, not the political leaders or anyone. Everybody knew that this had to be done." But Woewiyu says Sirleaf insisted that the political leadership be given to the Liberian Action Party with Jackson Doe as the leader.

After the meeting, Woewiyu says he and Sirleaf went to the home of the late Charles Maxwell along with Clarence Simpson and tried to convince him (Woewiyu) that there was no need for a government of coalition and the government should be given to LAP. But Woewiyu says he refused. "I told them we were just at this meeting when all the political leaders agree that a coalition government would be formed and take Doe's place. Now you all want us to give the government to LAP?" But to his surprise, Woewiyu says Sirleaf went behind his back and told the rest of the group that he (Woewiyu) had agreed that the government should be given to LAP. "I had called Taylor on the radio telephones and told him what had happened, that we went to the meeting and everybody was there and we all were prepared for the coalition but Sirleaf insisted, in a meeting at Maxwell's home that the government should be given to LAP." That Woewiyu says led to the death of Jackson Doe. Woewiyu says when Jackson Doe came out of Fendell and went to the NPLF side, Taylor actually told him to announce to the world Jackson Doe was with the NPLF. "If he wanted to kill Jackson Doe, he would not have done that. So I informed everybody that Jackson Doe was with the NPLF but his (Jackson Doe's) own Gao people concluded that since there was an insistence that the government should be given to LAP, he should not be allowed to live and Jackson Doe was killed," Woewiyu says.

An eye witness, who was around the events leading to Jackson F. Doe's death explains that Doe and Mr. John Gbarame Sanh, a founding member of the party and Deputy Minister of Labor during the administration of Dr. Amos Sawyer sought refuge at the home of two former senior staff members of the National Port Authority on Dupont Road, Monrovia in late June 1990.

The eyewitness who prefers anonymity for this report said when NPLF fighters arrived on Dupont Road in early July 1990, Mr. Jackson Doe, Gbarame Sanh and his boat were taken to Kakata in NPLF-held territory where Mr. Jackson Doe was greeted with cheers by some NPLF fighters - mainly of the Gio and Mano ethnic groups. The eye witness who was on Dupont Road and also in Kakata said some of the fighters called Jackson Doe "our President". The following day according to the eyewitness, some NPLF fighters arrived and said Charles Taylor wanted to meet Jackson Doe. Mr. Doe was then taken away by these fighters while Mr. Gbarame Sanh, Mrs. Doe (wife) along with their hosts from Dupont road was taken to Buchanan, Grand Bassa County. In Buchanan, Mr. Sanh was arrested and tortured by NPLF fighters and was later released while Mrs. Doe was manhandled by some of the fighters. According to the eyewitness, about three weeks later, the NPLF Libyan trained commandos told the

NPFL SENSELESS WAR

commission - even and including matters relating to his ties to Taylor. "Would I appear if asked? I certainly would! For someone like me, it would be a welcome opportunity to deal with any and all of the allegations and accusations that my detractors have written about me over the years, concerning my association with former President Charles Taylor, including my nineteen months as President Pro Tempore of the Liberian Senate," Brumskine says.

Nevertheless, the Liberty Party leader says Sirleaf has done great harm to the concept of "truth and reconciliation" in our much troubled country by indicating that she would not appear before the TRC. "I earnestly hope the President would reconsider her decision. If she does not appear, others might decide likewise, and the TRC would have no relevance. The whole idea of a truth and reconciliation commission is to uncover the entire truth of what took place during the dark chapter(s) of our national history - shaming the perpetrators and restoring, in whatever small way, the dignity of the victims. And it is no secret that quite a few of the actors of violence were surrogates, and in some instances pawns, of politicians who had personal beef with President Samuel Doe."

According to Brumskine quite a number of the combatants were themselves victimized by the "white collar rebels" - those who raised the money that funded the wars and other political violence, as well as those who directed the political effort of the various wars. "Appearance before the TRC must, therefore, not be seen as required only of those who held guns, but all who had a role to play in our national affairs over the last thirty years."

However, Dr. Duru asserts that if the TRC had subpoena powers, a lot of people would have gotten out of the country quickly because they would understand the implications and it would shake things up a bit. "One could make the case that things should be shaken up a bit in the interest of justice and durable and sustainable peace."

But the trouble with the Liberian situation, Warner says is that none of the interim governments or even the present governments have instituted any kind of investigation of what happened during those episodes. Here in America anything happens there is an investigation. Remember when the rice riots took place, Tolbert set up a commission to investigate and see where things went wrong but none of that has happened since the coup and what follows. So we are in the dark about everything. No investigation, no study, no fact finding. You study those things so that you would not repeat them, so corrections can be made. My contention is that you cannot let over 300,000 people die in the country without any accountability. Nobody takes responsibility. And then those who cause the hardships are rewarded. They are rewarded positions in government. Here's Prince Johnson is a Saviour and all the others. The role of Byron Tarr, the role of all these other people in this who situation and then they are rewarded. In most countries, crime doesn't pay but crimes pay in Liberia."

Even Doe's family believes it is time to let bygones be bygones. Jackson E. Doe, a brother of the former dictator and now Minister of Transport says for him to appear before the TRC and scrape the old wounds would be a difficult task. According to Doe, the explanation of his brother was killed wouldn't bring peace to Liberia and has termed as rubbish the Truth and Reconciliation Commission (TRC) process and has also promised that the Doe family will not face the TRC to testify to the matter of Doe's killing. Doe says testifying before the TRC during its present Public hearing constitutes the opening of old wounds Liberians have forgotten because the Doe family and Prince Johnson, the leader of the Independent National Patriotic Front of Liberia (INPFL), had already reconciled in a Nigerian church. In reference to the recent declaration of former General Butt Naked's killing spree, Doe asked: "How can the families of these people forgive those who go and boast about killing their fellow Liberians - what does it benefit the victim?"

With so much reluctance by key actors of the war, Dr. Sayon believes that somewhere along the way, the South African model for the Liberian Truth Commission may have gotten lost in translation. "The goal was to

adopt a model to the particularity of the South African situation. While the South African model was an excellent model, we needed to improve upon it. I don't have any of the details of what the structure of the commission is and the rules that were set up for people to appear before it and clearly there are people who will volunteer before the commission. Some of them academics, so that the commission can have as full as possible much of the landscape from which all of this took place."

But with so many viewpoints and counterpoints to the reconciliation problem in Liberia, part of the problem is observers say is that the TRC may be lacking a leadership and credibility and a little more gravitas may be needed to correct some of its flaws. "I don't know whether this young fella Cllr. Jerome Verdier has that but it puts limitation on some of the capabilities," says a former government official, who prefers anonymity for this report. "Perhaps if they had a strong independent person like when Cllr. Bryant appointed Burgess Carr before he got sick, somebody like him especially with the status he had in society - if somebody like that is at the head of this, more things can be attempted. I'm thinking like Tutu in South Africa. When Tutu stands up, people listen but we don't quite have that same kind of thing. If Bishop Francis for example had not been sick and appointed to something like this, he would let the chips fall where they may. But we don't have that, it is unfortunate for us. So we have to make do with what we have. I guess," said the former official.

Verdier, who is currently in Greenville Sinoe County conducting reconciliation hearings, says he will respond at a later date. But the issue of credibility, some say is prompting many to shy away from appearing before the TRC.

"The problem is that the TRC is so much lacking credibility, I don't know if I would want to go before them. Obviously as you know there has been fighting among the commissioners and all of that. The people have no personal credibility and everything done in this country is for money."

For example, more than a decade after his letter, Dr. Tarr confirmed to IPA Sunday that he was the author of the letter but says he remains disappointed that many of his concerns have not been addressed today. "The things I was afraid of as expressed in that letter written years ago, those are the kinds of things as everyone can see nowadays - everything is done for monetary dominance and there is still a some fears. The things I expressed are still happening. Harry Cross's insistence that only friends involved in the running of things that is exactly what is happening. In a way my fears have been confirmed."

Asked whether he would be willing to appear before the TRC and tell his side the events leading to the war, Tarr says: "I haven't thought in chance of that but I don't think I would have any problems with that. Frankly I wouldn't even be thinking about that. The problem is that the TRC is so much lacking credibility, I don't know if I would want to go before them. Obviously as you know there has been fighting among the commissioners and all of that. The people have no personal credibility and everything done in this country is for money. So what was the basis for choosing them in the first place. I just don't know. So I haven't thought about going before the TRC because I don't think the TRC is credible."

Tarr says he does not recall Sirleaf responding to his letter which he says was a follow-up to a phone conversation the two had previously had. "Basically, the position she expressed at the time is the same she expresses now. Her whole policy seems to be to return to Tubman-era Liberia and I don't see a vision, I don't see a commitment to a renewal or rebirth. I don't see a reconstruction with the ideals expressed in the declaration of independence and the preamble to the constitution of 1947."

For many, because the U.N. troops are currently in Liberia and are providing the security, Africa's oldest republic now has the opportunity to clean up its acts while the U.N. is there and hopefully by the time the U.N. leave things would have been brought back together.

Thus, exiled former officials like Dr. Sayon remain hopeful that the reconciliation process will come full circle so that many still exercising caution - after a brutal experience can return to their homeland. "There are some of us who may not be able to go home, but there are some of us who want to go home and there may not be much that we

can go home to but it is not a physical home because there's nothing there, but it is still home! And in order to do so, we want to be able to do the simple things, to walk without being afraid, to walk on the beach, to take a dip into the Atlantic Ocean. If somebody saw you with a pair of shoes or a pair of sneakers that you would have no fear that they would want to kill you because they want that pair of sneakers. Those are the things that we want to do and the most important way we can do that is to create an educational system for the benefit of all Liberians."

For now, all eyes remain on Sirleaf, Kromah, Johnson, Boley and others to see whether they would appear before the TRC to tell their story, a story that could hold the key and offer answers to many of the questions still lingering around. "As a political leader, you have to also lead in the moral way, so I don't think there is any excuse for the President not to give leadership in terms of bringing reconciliation to the country," Warner says. "The country has been devastated - the whole world knows that and so I think one of the moral things that she could do is to give leadership in that area not only politically, but she has a moral responsibility as well. So my own rationale is that it would be good for her both politically and morally to give leadership in that area. As politicians we also have a moral responsibility."

While many have sought to point the blame on the leadership mishandling of the issue, observers say the burden of reconciliation may not be the task of the government of the day and will eventually require the ability of all Liberians to unify put aside their differences.

But fixing the problem may be more complicated than many Liberians may appear ready to tackle. Silently, many of the leaders of warring factions and fighters who took the battlefield have expressed the notion that they really had no choice. While some took up arms to feel protected, others did so to protect and conquer or satisfy their masters - mostly warlords salivating for power under the guise of ridding a Doe or a Taylor.

A former rebel chief who preferred anonymity for this story said: "We really had no choice. Taylor was trying to raise our forces to the ground and we were just trying to fight back. It is almost saying that Taylor is going after the Krahn people so

we're going to fight. At the end of the day, we all got caught up in something we had no control," the former warlord lamented.

Regardless, observers say, those hiding behind the shadows of government posts owed much to their fellow Liberians to come clean about their role in the war as the peace and reconciliation process is an important part of the restoration process - even if they feel that circumstances led to the killing of 300,000, observers say it is important to do so as it may be the only way to find peace, restore sanity and lay to rest the ghost of a brutal civil conflict.

Another complication on the horizon remains miles away at The Hague, where the man many sought to liberate Liberia from, is standing trial. What would Charles Taylor say when he takes the stand? Who would he call? How would he draw many of those on the outside into his world or open up about the early stages of the war?

Those are questions that many of the key players may be faced with in the days, weeks, months and perhaps years to come. But the peace and reconciliation process is only one part of the restoration of Liberia. Observer says another part is the pursuit of justice through other means, preferably - like a war crimes tribunal. While many are afraid for such an event in Liberia, the international community has already begun the process - starting with Taylor and when Taylor finally opens up even more revelations of Liberia's ugly past may arise drawing even more players into the spotlight. As one political observer puts it: "Because his life is on the line, some of what Taylor says will be true and others may not be true but whatever the outcome of the Taylor trial, the truth remains that a lot has to happen before Liberia returns to normal. But putting the pieces back together begins and ends with the truth and the reconciling of the minds, body and soul. After all, critics say from all of the bits and pieces of war, it appears the events of the war years were indeed a messy situation leading to death and destruction. The daunting task for Liberians remains, figuring out a positive way forward. The bottom line some say, may all come down to whether Liberians have it in their hearts to forgive and/or forget - a tall order for a country living on the fringes of time and at the mercy of God - hoping for a miracle - and a bit of luck as it aims to lay its ugly past to rest."

BRAIN TEASER

HARD THINGS

ADHESIVE	COATING	HELMET	STEEL
AMALGAM	CONCRETE	IRON	STICK
ARMOR	COSH	MISSILE	STONE
BLUDGEON	DIAMOND	PLASTIC	TEETH
BONE	ENAMEL	ROCK	TILE
BRICK	FIRM	SHELL	TRUNCHEON
BULLET	FLINT	SHIELD	TUNGSTEN
CLAW	GLASS	SLATE	UNYIELDING
CLUB	GLUE	SOLID	WOOD

J F E R O W S K G O R S P V J E W P
 Y I W C S S A L G V T Z I E U P K E
 F R R C H T T F L I N T D L S J T V
 E M O Z L E U V C V H V G A N A D I
 L L L E A M N K A Z A Z F S L L I A
 I C E E U L G L X M C R H S C C L V
 S S T E I E S L A B A I M O H C O D
 S T R T T H T E Y D E L A O L Y S W
 I O U E E S E H B L H T G U R W V O
 M N N F E N S D L I E B A S O C X
 V E C A S F T S B N U C S T M O U V
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 D O O W D D G N I D L E I Y N U C S

Cocorioko website

Friday, 14 March 2008

CDF Appeals latest : By Rev. Alfred Sam-Foray

Written by Rev. Alfred Sam-Foray

Aliou Kondewa was sentenced to terms ranging from five to eight years to run consecutively. With time already served, he has 39 months left on his original sentence. He has since appealed his sentence. Additionally, the Prosecutor has appealed for longer sentences for both men claiming that the gravity of the alleged offences demanded longer sentences similar to the fifty year sentences accorded the AFRC defendants. **READ THE WHOLE STORY :**

CDF APPEALS

Former CDF Director of War, Moinina Fofana, and former Kamajor High Priest and Chief Initiator, Dr. Aliou Kondewa, through Counsel today concluded oral arguments in the appeals phase of their nearly five year old trial. Fofana and Kondewa were arrested in June 2003 and charged with eight counts each of violations of Article 3 Common to the Geneva Conventions (War Crimes), crimes against humanity and violations of ordinary humanitarian laws (recruitment of child soldiers).

In August 2007, the Trial Chamber of the special court found both men guilty of four counts each and in the case of Aliou Knodewa an additional count for recruitment of persons under 15 years of age into armed conflict. Fofana was sentenced to terms ranging from three to six years to run consecutively. With time already served, he has 15 months left on his original sentence. Fofana did not appeal his sentence. Neither man was found guilty of the more serious crimes against humanity.

Aliou Knodewa was sentenced to terms ranging from five to eight years to run consecutively. With time already served, he has 39 months left on his original sentence. He has since appealed his sentence. Additionally, the Prosecutor has appealed for longer sentences for both men claiming that the gravity of the alleged offences demanded longer sentences similar to the fifty year sentences accorded the AFRC defendants.

In a separate and highly caustic rebuttal of his colleagues, Sierra Leone jurist and Eastern Kentucky University Dean, Roslo John Bankole Thompson, acquitted the men on all eight counts. In his dissent, Justice Thompson drew a sharp distinction between what he called moral guilt and criminal responsibility. Thompson maintained that while the actions of the defendants were morally wrong as charged, the men did not bear criminal responsibility and declared them not guilty and accordingly acquitted them of all charges. The two other judges on the Chamber, Cameroonian jurist, Mutanga Itoe, and Canadian jurist, Pierre Boutet, ruled in the majority.

Number One Accused, Chief Sam Hinga Norman, died while in the custody of the court in February 2007 before the verdict. His case was aborted following his death and he is not figured in the present proceedings. Fofana is represented in his appeal by Wilfred Davidson Bola Carol. He dismissed his trial legal team prior to the appeals. Kondewa is represented by Yada Williams. He also dismissed part of his original legal team including Chief Counsel, Charles Francis Margai, prior to the appeals. Our sources say that both Ms. Williams and Mr. Carol put forth a very compelling argument for acquittal for the respective clients.

The Appeals Chamber can make one of three rulings for either defendant. It could stay the original sentences, reduce or dismiss them altogether, or if the Prosecutor prevails, increase the sentences. No time was set for the appeals ruling. The court will be in judicial recess from March 17 to March 28. We hope to hear from them shortly thereafter.

Alfred Munda SamForay
CDF Defence Fund...

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

**UNMIL Public Information Office Complete Media Summaries
13 March 2008**

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

Newspaper Summary

Seventeen Persons Arrested for Attacking UNMIL Vehicles and Staff Members

(Liberian Express, The News, The Informer, Heritage, The Analyst)

- Police in Monrovia have arrested 17 persons and are investigating them in connection with a violent demonstration in which two UNMIL vehicles were burnt and three staff members injured on Tuesday.
- Between 16 and 20 individuals, believed to be former individual contractors with the mission angry over a change to its maintenance contract, burned two jeeps and damaged a third vehicle at Star Base on Bushrod Island, Monrovia, about 6:30 am, UNMIL said in a statement.
- Liberia National Police, backed by UNMIL military and formed police units (FPU), responded and brought the situation under control.
- The Mission on Tuesday issued a statement condemning the incident.

Liberia and Three UN Agencies Signed U.S \$207 Million Agreement

(The News)

- The Government of Liberia and three United Nations agencies in Liberia have signed the Country Programme Action Plans (CPAPs) detailing areas of support and collaboration between the agencies and the government.
- The agencies include United Nations Development Programme (UNDP), United Nations Children's Fund (UNICEF) and United Nations Population Fund (UNFPA) with a combined support of US\$ 207.85 million of core and non-core resources for the period 2008 - 2012.
- The CPAPs of the three agencies were recently developed in close collaboration with the government outlining the implementation of respective Country Programme Documents approved by the Executive Boards of United Nations Funds and Programmes in New York. The UN agencies in Liberia have harmonized their programme circle beginning 2008 - 2012 consistent with the government's Poverty Reduction Strategy.

Census Enumerators Cry Foul – Protest Sitting Fee

(The Inquirer and The News)

- [sic:]What could be major a setback for the country's first post-war national census has sparked off at various census centres around the country as would be enumerators have begun boycotting the tabulation exercise. The enumerators who are sitting on a four-day intensive workshop to effect the census process yesterday disrupted the normal process after receiving information that each enumerator is to receive US\$5.00 per day. Following the abrupt halt of the regular workshop session which began yesterday throughout the country, would be enumerators at the William V.S. Tubman High School in Sinkor explained that they were informed by LISGIS that the US\$5.00 which is their sitting fee would not be given to them until after the 4-day workshop.
- According to The News newspaper, some aggrieved applicants who allegedly failed the Census Aptitude Test (CAT) administered by the Liberia Institute for Statistics and Geo Information Services (LISGIS) disrupted an ongoing training for successful applicants at the William V.S. Tubman and G.W. Gibson High Schools in Monrovia.

- LISGIS Executive Director Dr. Edward Liberty claimed that the aggrieved applicants who protested the results of the test forced their way into the workshop and erroneously informed participants that LISGIS had deducted US\$15 from the US\$20 allocated daily for each candidate.

Man, 38, Charged for 'Killing' His Children

(The News, Daily Observer)

- A 38-year-old man, Sallie J. Sheriff has been charged for allegedly killing his two daughters, and inflicting serious wounds on his wife in Tubmanburg, Bomi County.
- Defendant Sheriff, a Sierra Leonean, gruesomely caused the death of his daughters, Aminata Sheriff, 5, and Haja Mariama Sheriff, 4 years old.
- Court document revealed that on March 4, 2008 at 7:00 p.m., the defendant walked to the house of his wife Rhamatu Sheriff with a cutlass entered the room and locked the door while his children were sleeping.
- "He grabbed the two children chopped their heads off, killing them instantly. After hearing screaming sound from the room, his wife tried to enter, but to no avail," records disclosed.

Insider Witness speaks of Taylor's Connection with RUF Rebels

(Liberian Express, Heritage, New Democrat)

- A former comrade-in-arms of Charles Taylor on Wednesday told judges at the Liberian ex-president's war crimes trial that Taylor ordered him to take arms to Sierra Leone rebels and exchange them for diamonds.
- Prosecutors described Joseph Marzah, alias Zigzag Marzah as one of their key witnesses, testifying with inside knowledge of the former Liberian president's operations in Liberia and neighboring Sierra Leone, where he is accused of responsibility for the widespread murder, rape and amputations committed by soldiers loyal to him.

Radio Summary

Star Radio *(News culled today from website at 8:35 am)*

Health Ministry launches President Bush's Malaria Initiative Friday

- The health ministry says it would on Friday launch the President George Bush's Malaria Initiative in Tubmanburg, Bomi County.
- A health ministry release said the initiative is part of efforts to cut down malaria in the country by fifty percent by end of 2010. The President's Malaria Initiative would be launched under theme working together to fight malaria in Liberia and it will focus on preventive and curative measures.
- The PMI would also focus on procurement and distribution of long lasting insecticide-treated bed nets, and indoor residual spraying. According to the Health Ministry, malaria remains a leading cause of deaths in the country.
- The ministry's statement said the entire Liberian population is at risk of getting malaria most especially women and children. The President's Malaria Initiative provides twelve point five million U.S. dollars to the health ministry annually to implement the programme.

(also reported Radio Veritas)

New species spotted in Nimba Mountain Range

- The Forestry Development Authority has announced the existence of a new species of creature known as the Nimba toad. The Managing Director said the Nimba toad lives in the Nimba Mountain about one thousand two hundred meters above sea level.
- Mr. John Woods said the Nimba toad was first discovered by foreign scientists in 1960 but not much has been heard of it. He said the Nimba toad is the only amphibian in the world that gives birth to its off-spring through its mouth.

- Mr. Woods said this extraordinary creature is unique only to Liberia. He said with such rich biodiversity there was a need to clearly demarcate the Nimba nature reserve in order to protect its fauna and flora.

NEC Commends UNDP for Assistance

- The Chairman of the National Elections Commission has commended the UN Development Program for its assistance to the commission. Mr. James Fromayan said since the 2005 elections UNDP-Liberia has been endeavouring to contribute towards the capacity building efforts of NEC.
- He said UNDP has sponsored study tours, procured data centre equipment from UNMIL, donated a state of the art printer, and materials for the upgrading of the NEC servers. Mr. Fromayan spoke Tuesday when UNDP-Liberia presented three reconditioned Nissan vehicles to the Commission at Mamba Point.
- In delivering the vehicles, the Officer-in Charge of UNDP-Liberia, Kamil Kamaludeen noted that the UNDP was aware of the huge logistical needs of the Commission. Mr. Kamaludeen said the problems were observed during recent by-elections, when vehicles had to be loaned to the Commission to address some of the transportation needs. The vehicles donated include two jeeps and a pick-up.

Land Dispute Hampers Market Construction in Ganta

- The construction of a market hall by the Danish Refugee Council has been disrupted as a result of tension in Ganta, Nimba County. The tension was between some members of the Mandingo ethnic group and marketers at the Ganta General Market.
- The Mandingoes contended that the land in question belongs to them while the marketers argued the area has been a public market place from time in memorial. Officers of the Liberia National Police backed by UNMIL- Bangladeshi personnel however, brought the situation under control.
- Meanwhile, Nimba County Superintendent Robert Kamei has put an immediate halt to the construction. Our correspondent said the disputed land was recommended by the Presidential Ad Hoc Commission on Nimba to be a market ground. Sometime last year, construction works in the same area resulted into a fist fight between two opposing forces.

President Makes More appointments in Government

- President Ellen Johnson Sirleaf has made more appointments in government, subject to confirmation by the Liberian Senate.
- Those appointed are Beyan Kessely, Commissioner, Bureau of Maritime Affairs and Josephus Moses Gray, a renowned Liberian journalist, Assistant Minister for Public Affairs, Ministry of Foreign Affairs. Mr. Kessely replaces Mr. John Morlu, nominated by the President as Ambassador Extraordinary & Plenipotentiary. President Sirleaf also named Alphonso Nimene, Assistant Minister, Ministry of Foreign Affairs. Prior to his new assignment, Mr. Nimene served as member of the Governance Commission.

(also reported on Truth FM, Sky FM and Radio Veritas)

Guardian

Thursday, 13 March 2008

Museveni refuses to hand over rebel leaders to war crimes court· Plan for local 'traditional' trials as part of peace deal

· Move 'fatally damaging' to credibility of ICC

Chris McGreal, Africa correspondent



Members of the Lord's Resistance Army. Rebel leader Joseph Kony is among those indicted on war crimes charges. Photograph: Stephen Morrison/EPA

The Ugandan president, Yoweri Museveni, is headed for a confrontation with the international criminal court after saying he will not hand over to The Hague the leaders of his country's rebel Lord's Resistance Army indicted for war crimes.

Museveni said Joseph Kony, the LRA leader, and his commanders will instead be brought before "traditional" Ugandan courts - which emphasise apologies and compensation rather than punishment - as part of a deal to end a 21-year civil war marked by the abduction of children as combatants, mass rape of women and the mutilation and murder of civilians.

Museveni said local trials were the wish of the victims and leaders in the areas hit by the conflict.

"What we have agreed with our people is that they should face traditional justice, which is more compensatory than a retributive system," he said on a visit to London. "That is what we have agreed at the request of the local community. They have been mainly tormenting people in one area and it is that community which asked us to use traditional justice."

But critics have accused Museveni of misusing the ICC indictments as a bargaining tool to press Kony into a peace settlement. The court issued arrest warrants in 2005 for Kony and four of his commanders, two of whom are now believed to be dead, after Museveni appealed for the ICC to investigate the rebels' crimes.

Under international law, Uganda is obliged to send the accused men for trial at The Hague. But the matter has opened a rift between African governments, which believe such trials should be subordinated to local peace deals and reconciliation, and countries such as Britain, which back the ICC as establishing international justice.

Museveni told journalists that his government had the right to pull Kony out of the clutches of the ICC, as it had requested the court to investigate in the first place.

But Richard Goldstone, the former chief prosecutor for the Bosnia and Rwanda international tribunals which laid the ground for the ICC, has said that if Museveni gets his way it would be "fatally damaging to the credibility" of the court.

"I just don't accept that Museveni has any right to use the international criminal court like this," he said last year. "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."

Last week, the ICC prosecutor, Luis Moreno-Ocampo, refused to meet representatives of the LRA and said the indictments still stand.

There is also controversy at another international tribunal, judging war crimes in Sierra Leone, over a decision by judges to give diminished prison sentences of six and eight years to two men convicted of murdering and mutilating civilians because they were fighting to restore an elected government to power.

Prosecutors began their appeal for a higher tariff yesterday for Moinina Fofana and Allieu Kondewa of the Civil Defence Forces who were convicted of "barbaric" and "brutal" crimes "on a large scale".

In handing down lesser sentences, the court said the CDF "was a fighting force that was mobilised and was implicated in the conflict in Sierra Leone to support a legitimate cause which ... was to restore the democratically elected government".

The appeals hearing will consider whether political motivation can be used as mitigation in sentencing. Human Rights Watch said the issue was of "major significance" to the enforcement of international humanitarian law.

"All parties to armed conflict must abide by the same rules and must be subject to the same punishment when those rules are violated regardless of political motives or ultimate victory in waging war," it said.

"To find less worthy of punishment atrocities against civilians committed while in pursuit of the alleged 'right' cause sets a dangerous precedent which risks undermining the accountability and potential deterrent role of prosecutions and thereby diminishing civilian protection."

Backstory

Taking advantage of a **power vacuum** in the late 1980s, Joseph Kony established Uganda's Lord's Resistance Army in **1987** and has been fighting government troops ever since. The **Christian** guerrilla army's aim is to establish a theocratic state based on the **Ten Commandments** and on the local Acholi tradition. It operates in the north of Uganda and in southern Sudan and is infamous for **atrocities** including the abduction, rape and killing of civilians. Its **recruitment policy** involves the abduction of children - 6,000 were taken in 1998 alone. The international criminal court issued **arrest warrants** against Kony and four of his top commanders in **2005**.

Institute for War and Peace Reporting

Wednesday, 12 March 2008

Ugandan Rebels to Appeal ICC Warrants

Request to drop warrants against the Lord's Resistance Army will be met with caution and scepticism.

By Katy Glassborow and Peter Eichstaedt in The Hague (AR No. 160, 12-Mar-08)

Negotiators for the Ugandan rebel Lord's Resistance Army who are in The Hague to find out the procedure for getting the International Criminal Court to drop warrants for the arrest of its leaders say the court's case is "redundant" and "null and void".

In an exclusive interview for IWPR, David Matsanga, chief negotiator for the Lord's Resistance Army, LRA, said the arrest warrants were no longer necessary because the Ugandan government had agreed to set up a special court to try the rebels, including their leader Joseph Kony. He said his team would be filing a motion with the International Criminal Court, ICC, to have the warrants withdrawn.

"There is no need for the indictments to remain being held against our people," Matsanga told IWPR in The Hague.

His comments came as Ugandan president Yoweri Museveni publicly announced during a trip to London that LRA rebels will face justice inside the country, at the request of their victims, instead of standing trial at the ICC.

The LRA has always insisted that ending the ICC indictment process must be a precondition for signing a final peace deal with Kampala. But Museveni's statement adds more weight to the rebel delegation's current efforts in The Hague.

Matsanga said the agreement on local trials, reached with the Ugandan authorities late last month after a year and a half of negotiations in Juba, South Sudan, negated the need for an ICC trial,

"If the government of Uganda will not hand Kony over to the ICC, it makes their case null and void," he said. "The [ICC] prosecutor cannot do anything if the state will not apprehend Kony. The prosecutor is left redundant."

On March 10, the LRA delegation, led by Matsanga and also numbering several lawyers and advisors, met members of the ICC Registry including senior legal advisor Phakiso Mochochoko.

Mochochoko told IWPR that the delegation harboured several misconceptions about the way the court operates, and that the meeting was an opportunity to explain the ICC's structure, the requirements governing the representation of suspects, and the procedure for filing motions with judges.

INTERNATIONAL JUSTICE SEPARATE FROM PEACE PROCESS

After the meeting, Mochochoko was adamant that the ICC arrest warrants remained in place. He said a distinction must be drawn between political and legal processes.

"The LRA and government of Uganda are pursuing a political process, but the ICC is pursuing a legal process," he said. "As far as the ICC is concerned, the arrest warrants remain valid and enforceable, and

the expectation from the court is that the government of Uganda should enforce them. The matter came to the court through a legal process, and it can only go out of the court through a legal process.”

Mochochoko said the registry would continue providing the delegation with information on procedural matters, and to facilitate the work of defence lawyers who might represent the LRA before the court.

Louise Khabure, a Uganda expert with the International Crisis Group, a Brussels-based think tank, said the meeting itself was a positive step.

“Contrary to fears that the LRA delegation would not be received if they went to the ICC, they had a positive reception and found the meeting optimistic,” she said.

The ICC got involved in Uganda following a request President Museveni made in 2003 to investigate atrocities in the north in the course of the long-running war with the LRA. In 2005, judges issued warrants for the arrest of Kony and four of his top commanders, two of whom have since been killed.

Kony and his allies are charged with war crimes and crimes against humanity, including attacking civilians, murder, abducting children and enlisting them to fight, sexual enslavement and rape.

Over the last 18 months, the ICC has been careful not to be seen to be undermining the Juba peace talks through its insistence that justice be served, but it has held to its position that the arrest warrants still stand.

At the same time, Mochochoko stressed that the ICC exists to complement national justice systems; it supports national proceedings and only acts if those systems are unable or unwilling to do cope themselves.

“If those systems are genuinely able to investigate and prosecute, the court will have nothing to do with it,” he said.

ICC prosecutors told IWPR they could not comment on any agreements made outside the court, but insisted the warrants remained in effect. “They have to be executed, the top LRA commanders have to be isolated, marginalised, must receive no support, direct or indirect, and must be surrendered to the court,” said a prosecution representative.

Now that a peace deal between the Ugandan government and the LRA looks almost certain, ICC judges have asked Kampala to explain the impact this would have on Uganda’s 2003 request for the court to launch investigations, and on the arrest warrants that have ensued.

They asked for information on the “impact of the establishment of the special division of the High Court of Uganda and of recourse to traditional justice mechanisms or other alternative justice mechanisms on the execution of the warrants, and on the cooperation provided by Uganda to the court for their execution”.

Khabure interprets this as a positive sign that the ICC is not passively watching the development of the talks, but “making considerations and thinking heavily” about the peace process.

At the moment, it will be difficult for Uganda to provide details of any implications since the Juba agreement has not been signed by either party, although the date has been set for March 28 – also the day by which Uganda is supposed to respond to the ICC.

This creates something of a stalemate, since the LRA says it will not sign the peace agreement unless the ICC lifts the indictments, yet Uganda cannot ask the court to do that unless the agreement is signed.

Matsanga argues that there is no question the ICC should drop the cases. “The people of Uganda have rejected the ICC completely, saying the rule of law and judiciary in Uganda can handle the LRA. The ICC can only go in when the state has failed, but Uganda has got an intact machinery,” he said.

He was referring to a recent tour of Uganda by an LRA delegation designed to gather opinions about the prospects for reconciliation with the rebels. During these consultations, many people publicly claimed to have forgiven the LRA and to prefer local justice mechanisms. Yet in private, people told IWPR that they feared LRA retribution if they said otherwise, but that they really wanted the rebels to be punished.

Over the past 20 years, the LRA’s war with the government has displaced nearly two million people and an estimated 100,000 have died of war and war-related causes. Perhaps 50,000 have been abducted, most of them children.

REBELS COMPLAIN ICC PROCESS IS ONE-SIDED

Matsanga accused the court’s chief prosecutor, Luis Moreno-Ocampo, of conducting a biased investigation into war crimes in Uganda, saying that the country’s national army itself committed atrocities in the mid-1980s, spurring the LRA rebellion.

ICC prosecutors told IWPR that “we have gathered and are analysing information relating to crimes allegedly committed by individuals and groups other than the LRA, including government forces. This analysis is following standard procedures including an evaluation of the seriousness of the information, a gravity analysis and an analysis of national proceedings”.

This is not enough for Matsanga.

“The [Ugandan military] has taken part in murder, massacres, genocide,” he said. “We find Ocampo’s position very compromising. The Uganda case is going to bring a lot of chaos for him, because now he cannot arrest the culprits. He cannot bring a trial. Now the government of Uganda has abandoned him and signed an agreement with us not to hand over Kony. We have a case.”

Those monitoring the negotiations, however, say the LRA’s attempt to get the ICC to climb down is premature.

Geraldine Mattioli of the New York-based watchdog Human Rights Watch said, “It is too early for the LRA... to make a judgement about the inadmissibility of the case. It is up to ICC judges to make the final decision in terms of whether the case is admissible any more.”

QUESTIONS OVER LOCAL COURTS’ CAPACITY TO TRY WAR CRIMES

Central to the LRA’s argument, she said, is the question of whether LRA commanders will receive adequate trials in the special division which, under the agreement, is to be set up at Uganda’s High Court.

“Is the Ugandan government really committed to organising this kind of national trial?” asked Mattioli. “More importantly, is Kony committed to submitting himself to national trials? And does the Ugandan judiciary have the capacity at the moment to organise these kinds of trials?”

The LRA's demands are based on an unsigned agreement, she noted, adding that "at the moment, all we have is a piece of paper".

Little has been done by either side to make the agreement legitimate, she said.

"I don't believe the Uganda government has started implementing any of the agreements or that Kony has surrendered himself to the Ugandans, or that a lot of important steps that need to be made before an admissibility challenge can be made, have been made," she said.

Komakech Henry Kilama, a Gulu-based lawyer who has been trained at the ICC, said the arrest warrants are not redundant because even if the Juba agreement is signed, there is no provision to enforce it under Ugandan laws.

"There should be laws passed by parliament to make sure all these agreements have the force of law behind them, but there needs to be legislation as the agreements themselves are not binding. Laws have not been amended to be able to look at grave crimes against humanity and war crimes, so how will the judiciary hear these cases?" asked Kilama.

Only a handful of Ugandan judges have the training and experience needed to handle war crimes cases. One of them is Judge Julia Sebutinde, currently working for the Special Court for Sierra Leone on the Hague-based trial of former Liberian president Charles Taylor.

As Kilama pointed out, "We have very few people, so we need positive training for [Ugandan] judges to look at specific war crimes and crimes against humanity."

UNCERTAIN WHETHER THE LRA REALLY SEEKS PEACE

Mattioli said serious questions also remain as to the rebels' true intentions, because "there are serious reports of the LRA having moved into the CAR [Central African Republic], and attacks having been conducted on the borders of Sudan and [Democratic Republic of] Congo."

"Negotiators in Juba may be signing papers, but in terms of LRA commitment to the peace process, I think we are seeing something different," said Mattioli.

ICC prosecutors told IWPR that they too are "increasingly concerned" about reports of recent attacks.

"The LRA group moving to CAR includes many of the remaining women and children still held in LRA captivity. The movement coincided with a resurgence of alleged LRA attacks in Southern Sudan, the DRC and CAR, with numerous killings, incidents of looting, and abductions occurring along the route the LRA is taking," said a prosecution representative. "The extended duration of these reported abductions raises the concern that the LRA may be attempting to recruit new fighters."

As in the past, Matsanga insisted that the LRA was not responsible for the attacks.

"These are not correct," he said of the charges. "Sudan is a big country with lawless groups and many attacks in the name of the LRA. One of the characteristics of the LRA is that they do not drink or smoke, but the groups attacking at the moment are drinking and smoking and looting alcohol. This is not the LRA."

SUSPENSION OF WARRANTS AS A HALF-WAY HOUSE

Matsanga said the LRA might pursue another option - asking the United Nations Security Council to direct the ICC to suspend the indictments for up to one year.

The possibility that the indictments could be reactivated might pressure both parties, he said, “in case there is any bad behaviour like re-arming”.

Mattioli said it was still too early to be seeking a Security Council directive of this kind.

“The implementation agreement says that the final agreement will be signed on March 28, and after that the two parties have one month for the LRA to completely assemble under the control of the [South Sudanese military].”

Once that happens, it would be appropriate for Uganda to appeal to the Security Council for a suspension of ICC warrants, she said.

At the same time, Human Rights Watch has reservations about creating a situation where the Security Council intervenes in the ICC’s legal processes, even if it technically has the right to do so.

“We have serious concerns about allowing a political institution like the UNSC to interfere with judicial proceedings at the court. There are a number of important things the UNSC should think about – and I am talking about the kind of precedent this could set for other situations,” said Mattioli, suggesting that indicted individuals in Sudan, for example, might seek to pressure the UN body into halting ICC investigations there.

ICC COULD ASSIST NATIONAL JUDICIARY

Instead of national and international justice being framed as polar opposites and mutually exclusive, some argue that the ICC could get behind the special division at Uganda’s High Court and provide expertise and training to its lawyers and judges.

While this would require a clearer indication of the court’s mandate and methods, Khabure says “the ICC can contribute to and assist the establishment of this court, providing expertise on how to carry out investigations”.

Kilama countered by pointing out that the ICC was not a legal reform institution. Before it went down the path of referring the situation in northern Uganda to the ICC, the government could have reformed its own justice system and trained its judges to deal with such matters, he said.

Mochochoko, however, suggested some collaboration might be possible, saying the international court can cooperate with states on investigations and prosecutions, and its statute allows ICC prosecutors to hand over information in their possession if a national court launches proceedings in a similar case.

“There is room for cooperation between the court and states that are instituting investigations and prosecutions of crimes that fall within the jurisdiction of the court,” he said.

Katy Glassborow is an IWPR reporter in The Hague. Peter Eichstaedt is IWPR’s Africa Editor.

Voice of America

Thursday, 13 March 2008

A Former Chief Prosecutor Says Local Trials for Ugandan Rebel Leaders Could Work

By Joe De Capua
Washington

It appears a confrontation is brewing between Ugandan president Yoweri Museveni and the International Criminal Court (ICC). Wednesday, Mr. Museveni said that leaders of the LRA rebels will not be tried at the ICC, but rather at traditional Ugandan courts.

The ICC has issued indictments against Joseph Kony and other members of the rebel group. Despite that, the Ugandan leader says local leaders and even victims of LRA abuse have backed the traditional court plan.

Law professor David Crane is the former chief prosecutor of the UN-backed Special

Court for Sierra Leone. He spoke to VOA English to Africa Service reporter Joe De Capua about the war crimes case.

“This is the challenge of peace versus justice, particularly in the 21st Century, as you move towards a worldwide system of international criminal law. We’re going to run into these situations. And we’re at a crossroads right now related to how do we deal with these situations. I think the issue is justice. Sometimes justice may be what the victims want locally. It appears to be that this may be a solution to a standoff. However, it certainly is problematic for international criminal law and that is, does the ICC back down when it indicts individuals. I tend to think that that’s not a negative. If we can in fact have some justice in a situation where just 10 years ago it was inconceivable in some ways, then I think that as long as states step up, recognize an atrocity and want to deal with it, then I tend to say OK. Because again the question is: is the justice we seek the justice they want? As long as justice is being done in a fair and open trial, then perhaps local justice may be the solution,” he says.



David Crane

The traditional trials may rely more on apologies and compensation than on punishment. Asked whether that would meet his standard of justice, Crane says, “Personally, it wouldn’t. The horror stories of 20 years-plus conflict, tens of thousands of lives ruined.... These are life sentence type of crimes. These are international crimes. However, one must be a realist and consider the overall effects.”

On another matter, the Special Court for Sierra Leone, for which Crane is the former chief prosecutor, recently reduced the sentences of two members of the Civil Defense Forces convicted of what are called “barbaric” crimes. The reason given is that these men, Moinina Fofana and Allieu Kondewa, were fighting to restore an elected government to power.

“This is still a matter being litigated. This is my own personal opinion. The key is justice.... I feel that the decision there in a general legal theory...is not a defense to international crimes, atrocities beyond description. Just because you were doing it to save the state is not a proper basis to mitigate or to acquit anyone for what took place there in Sierra Leone, West Africa, Uganda, anywhere else in the world,” he says.

Finally, Professor Crane discussed allegations made at the trial of former Liberian President Charles Taylor, which said Taylor forced his fighters to take part in cannibalism. Crane signed the indictment against Taylor.

He says, “It is a revelation of facts that we uncovered back when we began our initial investigations against Charles Taylor while he was sitting president of Liberia. And these are facts among tens of thousands of little vignettes [that] show the true horror of what took place in West Africa brought upon by Charles Taylor, Muammar Gaddafi (of Libya), Blaise Compaore (of Burkina Faso) and all of those minions who did their bidding to seize the diamond fields of eastern Sierra Leone for their individual criminal gain.”