

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

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

Tuesday, June 15, 2004

The press clips are produced Monday to Friday.  
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Source: [News & Business > News > News, Most Recent 90 Days \(English, Full Text\)](#) 

Terms: **sierra leoneean militia leader rehires defence team** ([Edit Search](#))

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**World Markets  
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World Markets Analysis

**June 14, 2004**

**SECTION:** IN BRIEF

**LENGTH:** 194 words

**HEADLINE:** **Sierra** Leonean Militia **Leader** Re-Hires **Defence Team**

**BYLINE:** Chris Melville

**BODY:**

Former Interior Minister and Militia **Leader** Sam Hinga Norman announced on Thursday (10 June) that he had reversed his decision to defend himself and that he wished to reinstate the **defence team** he had sacked on the opening day of his war crimes trial seven days earlier (see **Sierra Leone: 4 June 2004: Long-Awaited War Crimes Trials Open in Sierra Leone**). Norman's announcement followed a judgement by the Special Court for **Sierra Leone** (SCSL) that he had no absolute right to defend himself (see **Sierra Leone: 9 June 2004: Sierra Leonean War Crimes Court Rejects Militia Leader's Plan to Defend Himself**); Norman subsequently rejected the Court Registrar's choice of an interim counsel. Significance: It is not yet clear whether Norman's attempt to re-hire his **defence team** will be permitted by the Court - only the SCSL Registrar can appoint lawyers. Regardless, Norman's strategy of attempting to undermine the Court and to delay proceedings looks set to continue. Since the start of the trial of the three Kamajor **leaders** - Norman, Allieu Kondewa and Moinina Fofana - on 3 June, there have been no hearings on the substantive issues of their case.

**LOAD-DATE:** June 14, 2004

Source: [News & Business > News > News, Most Recent 90 Days \(English, Full Text\)](#) 

Terms: **sierra leoneean militia leader rehires defence team** ([Edit Search](#))

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## **HINGA NORMAN TO GIVE OPENING STATEMENT AND THEN SPECIAL COURT CALLS FIRST WITNESS**

**Tuesday June 15, 2004**

The war crimes trial proper will begin today with Chief Hinga Norman giving his opening statement, a Special Court official told this newspaper yesterday.

The official, quoting Presiding Judge, Benjamin Itoe, said that after Norman's opening statement, the tribunal will then proceed by calling its first witness to testify. Special Court Defence Office attorney, Ibrahim Yilla, will act for Chief Norman until his defence team is in place.

### **SPECIAL COURT NAMES 4-MEMBER NORMAN DEFENCE TEAM**

Meanwhile, A 4-man defence team was named for Chief Hinga Norman yesterday. The team is comprised of John Wesley Hull, Tim Owen, Quincy Whittaker and Dr. Bu-Bukei Jabbie. This list largely contradicts the one produced over the weekend by the CDF Spokesman, Rev. Alred Sam Foray. Even the circumstances of their representation is different from what SamForay intimated.

The team will ASSIST (not represent) First Accused Chief Hinga Norman. This means that Norman did not appoint a new defence team to represent him. Rather, he will still appear as his own attorney, but the newly-appointed defence team will be available to assist him.

Owen and Whittaker were once on the Hinga Norman defence team but they resigned last month. Now an anxious and transfixed nation will hear the first witness in what should be the most tense court trial in Sierra Leone's history.

# Hinga Norman Makes Statement Today!

Chief Sam Hinga Norman is scheduled to address the Special Court today.

He had a choice to do so at the beginning of the trial or when he begins his defence and he chose the former.

As news of this revelation made the rounds, a lot of speculations have been going on. "Yes! Ee don comot pa play cook."

Now na awojoh! (Yes it is no longer a child's play. Now is action time) Munda Kebbie a houseboy said. Another citizen begging anonymity says: "I thank God he has finally cooperated with the Court. Sankoh has died with a chamber of secrets we would have liked to be privy to. Norman can at least

throw light into the dark caves."

It may be recalled that on 5th June, Norman dismissed his defence team and announced adamantly that he will represent himself.

In local tabloids yesterday, it was reported that he had had a change of mind and agreed to standby counsel. According to

the Special Court however, he now has a new team which includes Sierra Leonean-born Dr Bu-Bukei Jabbie, British attorneys John Wesley Hull, Tim Owen and Quincy Whittaker. Ibrahim Yillah of the Special Court Defence Office will assist in the interim.

Norman has from the

onset become the centre of attraction even before the RUF leader Foday Sankoh's demise.

During the past two weeks, the former defence Minister and Chief Coordinator of

the Civil Defence Forces stole the show at the Special Court where he is facing charges with two others, for crimes against humanity by requesting self representation.

Christian Member

Tuesday June 15, 2004

fired lawyers say no retreat as...

# Norman gets new defence team

By Samuel John

After a week of tussling over the selection of those who should constitute the standby defence team of Special Court indictee Chief Sam Hinga Norman, the matter was amicable resolved yesterday with the announcement of a five-man team. Dr. Bu Bakai Jabbie will head the new standby

defence team, which comprised of Quincy Whittaker, Tim Owen QC: both are from Britain and John Wesley Hall from the United States of America, whom he publicly rejected last week in court. Lawyer Ibrahim Sorie Yillah attached to the Special Court will assist the team. This became effective following a letter written on the 10<sup>th</sup> June 2004 to

the Registrar of the Special Court. Robin Vincent from Lawyer J.B. Jenkins-Johnston notifying the former of their unwillingness to continue to serve in any capacity in the defence team for the first accused. The letter states in part, "we have unanimously decided that having considered all the prevailing circumstances,

we will not be able to represent the 1<sup>st</sup> accused in any of the capacities mentioned in exhibit 2, that is to say as Counsel in the interest of Justice, Amicus Counsel or Standby Counsel." The letter further states, "we

*Contd. Page 2*

*From Front Page*

have also decided that we will not return to defend the 1<sup>st</sup> accused in any other capacity in order to allow the 1<sup>st</sup> accused exercise his right to defend himself as he has insisted since Exhibit (1) was tendered." Before the Trial Judge Benjamin Mutanga Itoe tendered that letter in evidence, another letter dated 8<sup>th</sup> June 2004, was read from a member of the sacked defence team, Sulieman Tejan Sie in which he states that he was willing to represent the first accused and to mount a vigorous defence in the interest of justice. When the afternoon session resumed, Justice Itoe asked the registrar whether there was any communication from Lawyer Tejan Sie, the latter replied in the negative saying "My Lordships there is no letter for his excuse." Justice Itoe then told the Registrar, "the Chamber

request you, Mr. Registrar in the interest of holding the cardinal ... of national justice we would ask you to take all necessary steps to secure his attendants in court at 9.30 am tomorrow" (today). After he was ascertain of the composition of the standby defence team, Justice Itoe then read out an order of the Trial Chamber pertaining to the role of the standby counsels. He outlined that they are there primarily to assist the accused in the preparation of his case during the pre-trial phase whenever so requested by the accused. Also to assist the accused in the preparation and presentation of his case at trial whenever so requested by the accused. The standby counsel according to the order of the court is to further receive copies of all court documents, filings and disclosed materials that are received by or sent to the accused. Justice Itoe further stressed, "as a

protective measure in the event of abusive conduct by the accused, to put questions to witnesses, in particular sensitive or protected witnesses, on behalf of the accused if so ordered by the Trial Chamber, without depriving the accused of his right to control the content of the examination." Justice Itoe also emphasised, "in exceptional circumstances to take over the defence from the accused at trial should the trial chamber find, following a warning that the accused is engaging in disruptive conduct or conduct requiring his removal from the courtroom under Rule 80 (b)." Chief Norman in responding to a question from Justice Boutet told the court that he would today make his opening statement pertaining to his defence, while the legal counsels for the second and third accused—Moinina Fofara and Allie Kondewa informed the court that they will make their statements at the end of the Prosecution's case. The prosecution will be calling its first witness this morning when the court resumes at 9.30am.

Awoko

Tuesday June 15, 2004

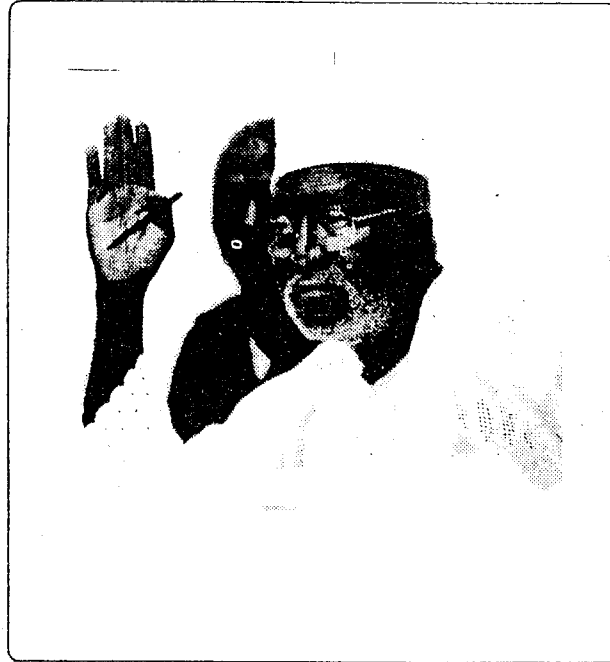
# Norman Lines

## Up 5 Lawyers

**By Joseph Komeh**

Following the sacking of his defence team last week, which almost forestalled proceeding, Chief Sam Hinga Norman and his two CDF counterparts yesterday, made another appearance before the Special Court with the news that a five-man standby defence team will be representing him.

The five are Quincy Whittaker and Tim Owen from the UK; John Wesley Hall from USA; Dr. Bu-buakei Jabbie and Ibrahim Yilla both Sierra



*Chief Norman*

Leoneans.

According to the Presiding Judge John Benjamin article 17 subsection 4d of the statutory of the Sierra Leone Special court, indicated that the right to self-defence is not absolute. This implies according to the presiding judge that the right to self-defence can only be done with a standby defence council.

The defence council is charged with some twelve functions, which included receiving, filing and presentation of court documents; assist the ac-

*Cont. Page 2*

**From front Page**  
cused in the preparation of his defence etc. Chief Norman himself will make an opening statement to the court by 9:30am this morning.

Meanwhile the Trial Chambers of the Special Court has asked the Court Registrar to take all necessary steps to get on to Mr. Sulaiman Banja Tejan-Sei to

present himself before the court by 9:30am this morning.

Mr. Tejan Sei, one of the dismissed lawyers of Chief Norman failed to show up in court and

without any letter of excuse for his absence. The court based on an undertaking earlier made by the lawyer, has demanded his presence this morning.

*The New Storm*

*Tuesday June 15, 2004*

Peep  
Tuesday June 15, 2004

## COMMENTARY

### STOPPING CIRCLES OF IMPUNITY?

Oumar Farouk  
Sesay

"To stop the circle of impunity" is the buzz phrase of the Special Court established in Sierra Leone by the UN to try those who bear the "greatest responsibility" for a war that has gone down in the annals of human conflict as the most grotesque and brutal war in recent history.

#### *sanitized revenge*

The Special Court is nothing other than sanitized revenge and TRC on the other hand is recording of the collective pain of a nation.

The common factor in both is premised on the willingness of the victims to co-operate. How willing are the people to bring their individual pain to form a collective record in a country in which there is a massive mistrust of institutions?

How will the people perceive a justice system which seeks to stop the culture of impunity by putting on trial those who carry out the "greatest responsibilities for the war", while the foot soldier, who killed, raped and maimed them, is rewarded with disarmament, rehabilitation and reintegration package? This complex model of transitional justice has produced mixed reactions amongst people who are still trying to heal the wounds of pre-war abusive institutions and a post-war trauma.

#### *silence*

Most people choose the dignity of silence instead of narrating their debasement in public. They create a psychological fence around the gray areas of their minds, the portion of abuse, are made into a shrine of agony, hate and seeking revenge. The cultural nuances further enhance the silence, in a country where sex is not discussed in public. It is understandable if a father who was forced to join in the gang rape of his daughter refuses to revisit that topic. Most people believe that to

tell is to dehumanize your self. The limited time frame of the Truth Reconciliation Commission further accentuates the problem.

#### *death*

Throughout history mankind has developed philosophical and psychological methods of dealing with death. Taking a cue from the first recorded death of Abel, we now know how to bury the dead. From our religious persuasion we commit the body to God through Christ or Mohammed in a "dust to dust" and "ashes to ashes" ritual.

We comfort the bereaved with time-tested philosophies like there are reasons and a purpose for every thing under the sun. In some cases the consolation is translated to funeral dirges. In effect we now know how to deal with death with all its multiple facets.

#### *responsibility*

On the other hand, we are yet to come with a body of thought to console a person whose limbs have been chopped off by a rebel who now roams the back yard of his compound because he did not bear the greatest responsibilities for the war.

The uniqueness of the transitional justice introduced in post-war S/L is creating problems revolving around rules of engagement enshrined on the Geneva convention and individual responsibility. Are we suggesting that a combatant who raped and maimed innocent civilians has nothing to answer so long as there is someone who bears the

greatest responsibilities for his actions? There is more symbolism than essence in the whole exercise. This might explain why it has more credibility in the international community that thrives on images and symbols.

For most people a symbolism which put Foday Sankoh, Issa Sesay and Hinga Norman on the same moral pedestal conjures conflicting images that fail to communicate to the ordinary people.

#### *confusion*

The manifestation of their confusion and mistrust for the Special Court is mooted in indifference. Sierra Leoneans have been known to use apathy as weapon of political protest. This stoic act of indifference, sometimes mooted in street philosophies like "embaim", was predominant in pre-war Sierra Leone and ~~its~~ finding expression in discussion relating to the Special Court. There is more intellectual interest in the complimentary model of transitional justice introduced in Sierra Leone, most scholars of jurisprudence argue that the outcome of the Special Court is predetermined for the simple fact that a justice system which sets to punish those who bears the greatest responsibilities for the war also chooses who to indict.

#### *credibility*

Victors justice was the condemnation of the Nuremberg trial after the second world war yet it succeeded, in prosecuting those who bore the greatest

responsibilities for the Holocaust and the foot soldiers who carried out orders.

#### *obliterate*

The South Africa TRC model obliterates the punishment and not the crime. The S/L model on the other hand obliterates both the crime and the punishment. In our culture there is a system of individuating blame and responsibility.

There is a story of a man who was taken to a local court for a heinous crime his only defense was he was acting under instruction from a senior citizen and that he was bears no responsibility for his act. The court chairman, not moved by the defence, said to the defendant, "since you are a willing messenger with no views of your own. I'm instructing you to remove the crown of the chief and cast it in the dustbin".

The defendant hesitated and replied "I can't do that I will be in grave danger". That reply shattered his defence.

#### *implications*

This story is only an anecdotal evidence of individual responsibility that has far reaching implication. The precedent on that case is burnt into the collective memory of the national psyche. No one has ever been pardoned for a crime in local justice system on the basis of acting on instructions from above. People cannot understand why a big structure like Special



Norman and CDF co-accused: innocent till they are proven guilty

## Special Court... from page 3

Court is only able to indict two discredited rebel leaders, one junta leader swinging between the spectrum of life and death, an elusive ex-president, a national hero and few illiterate ex-rebels while thousands of cold-blooded killers are roaming the street under the pitiful excuse that they don't bear "the greatest responsibilities."

Our "alien traditional" justice system we inherited from the British will not accept duress as an excuse in a murder case. In effect, it is very difficult to find an excuse for human right abuse to the magnitude of the genocide committed by the rebels. Simply put, any person involved in committing atrocities during the war bears a greatest responsibility. We either expand the scope of our selective process of justice or concoct some legal gymnastics as an exit strategy or else the whole process is making a farce out of national tragedy. It hurts beyond belief to politicize and trivialize a national tragedy while people are still bleeding from both physical and psychological wounds.

### *excellent job*

The United Nations has done an excellent job in ending the war in Sierra Leone but if they think their concocted exit strategy, laden with symbolism and devoid of essence, will end the circle of impunity in post-war Sierra Leone they must think again.

The many arm robbers tormenting peaceful citizens in post-war Sierra Leone are killers and rapers pardoned with impunity by UN catwalk intellectuals paid to come up with a brochure perfect concept that has no bearing to the reality on the ground.

The whole exercise smacks of quick fix solution. The UN spent a lot in terms of men, money, and material to end war in Sierra Leone. There is a bureaucratic need for a closure.

There is more to the circle of impunity than meets the

*cont. back page*

eye. Ours is a story of interlocking circles like medieval geometry. Circles of greed hinged on circles of corruptions, cascaded to circles of violence, and impinged on diverse circles of impunity. Collectively we must stop this whirlwind of circles from becoming a cyclone that will suck us out of existence. In the words of David Crane the Special Court prosecutor, "the role of the court is to stop the circle of impunity". The question is what circle? Whose impunity?

Peep

Tuesday

June 15, 2004



# Chief Norman's Perambulations

For now it's the only real road-show in Freetown. Since beginning of the trials on June 3, 2004, the Special Court has generated newspaper headlines and public discussion. It's a safe bet that it will continue to do so for months to come.

Chief Sam Hinga Norman's dramatic announcement that he was axing his defence team and was prepared to defend himself came as no surprise to me. It is obvious that Chief Norman felt that his very public arrest and subsequent indictment was unfair and a humiliation.

The man clearly has something 'burning his chest' as we say in local parlance.

No prizes for guessing that he intends to bring Kabbah and his government into the whole proceedings.

Some argue that Hinga Norman (and the CDF) were not acting as independent agents or loose cannons. He was, after all, deputy defence minister and his resistance to the illegal AFRC -RUF junta was sanctioned (and financed) by the government-in-exile. The ultimate commander of the CDF was Ahmad Tejan Kabbah himself, this school of thought contends.

Therefore the 'greatest responsibility' for any war-crimes which the CDF may have committed lies on Kabbah's table. The buck stops right there.

Much as I respect Chief Norman and his fight against

one of the cruelest and evil regimes ever seen in the country; (perhaps in the entire world), I do not agree with this argument.

I argued at a panel discussion on the Special Court held at FBC recently that we cannot and should not distinguish between "war crimes carried out in defence of democracy" and "war crimes committed by an illegal military junta".

A war-crime is a war-crime; the victims of these crimes are usually innocent civilians. And once you develop a mindset that any act of force, rape, mutilation, murder or torture is justified *because* you are a



*Crane's case to prove*

'democrat' - we have already crossed the line separating man from beast.

Chief Norman and his two CDF co-accused are innocent until proven guilty. It is the job of the Prosecutor to tie them into whatever atrocities the CDF are alleged to have committed.

And David Crane's powerful opening statement - which promised witnesses to Norman's activities during the 'Black December' operations especially in Koribondo during late 1997 - seems to indicate that the prosecution has crucial evidence that proves that Norman is not the hero that he's been acclaimed to be.

(TO BE CONTINUED)

Peep

Tuesday June 15, 2004

Peep

Tuesday June 15, 2004

## **Jenkins Johnson rejects Norman!** **CDF leader now without a lawyer.**

Lawyer Jenkins-Johnson has said he is no longer willing to defend Special Court indictee chief Sam Hinga-Norman. The senior legal counsel submitted a letter to that effect at the Special Court yesterday. It was duly accepted as exhibit 5.

The resignation comes in the wake of dramatic happenings recently: with Norman first firing his three lawyers, refusing a court appointed British stand-by lawyer, and then deciding to have his old defence team of Jenkins-Johnson, Sulaiman Banja Tejan Sie and Charles Margai back again.

When the Special Court resumed yesterday, none of the lawyers were in court. When Judge Itoe asked Mr Norman what he planned to do now, the CDF chertain asked for time to find a lawyer to act as his stand-by. Matters were adjourned for 3 hours. We had no news as we went to press.



*Norman: more problems mount for him*

# 'Lawyer' Norman starts defence today

By Osman Benk Sankoh

Indicted war crimes suspect, Chief Sam Hinga Norman will have his day today in court as he makes his opening statement in his drive to defend himself of war crimes and crimes against humanity before the

Special Court.

During his first appearance in court on June 3, the first accused offloaded his Defence team and

*From front page*

\*\*\* *Bu-Buakei Jabbie, others as standby counsel*  
\*\*\* *Tejan-Sie wanted in court*



L-R: Chief Priest Kondewa, War Director Moinina Fofana & 'Lawyer' Hinga Norman

*Concord Times*

*Tuesday June 15, 2004*

*From front page*

asked that he appeared, represent and defend himself.

The right to self defence though qualified was however granted to him by the Trial Chamber.

When the Court resumed yesterday morning, Norman was asked to educate the Court on how he hopes to go ahead with his line of defence and whether he was prepared to make his opening statement in the afternoon session.

In reply, Norman said he was willing to do so with caution and adds, " Please take my situation with cautious sympathy."

However, he has indicated that he will be ready to make his opening statement when the trial resumes this morning at 9:30.

Meanwhile, Dr Bu-Buakei Jabbie

(Sierra Leone), John Wesley Hull (USA), Tim Owen (Brit.), and Quincy Whittaker (Brit.) have been appointed as Standby Counsel for Norman while Ibrahim Yillah was appointed in an interim capacity.

Also, Presiding Judge Benjamin Itoe has directed the Court's Registrar, Robin Vincent to get lawyer Sulaiman Banja Tejan - Sie appear before it this morning.

Though Tejan-Sie was among those sacked by Norman, in a letter dated the 8 th June 2004, he however said he was willing to serve as Standby Counsel for the accused though a subsequent letter written by James Blyden Jenkins-Johnston for and on behalf of the sacked Norman's Defence team had said they were unwilling to defend him in any capacity whatsoever.

Independent Observer

Tuesday June 15, 2004

# Special Court secures 5 new lawyers for Hinga Norman



## ...2 Sierra Leoneans & 3 expatriates

Five new lawyers have been secured by the Principal Defender of the Special Court to be on standby to assist Sam Hinga Norman in his defence.

This was announced yesterday during the afternoon session by the Registrar of the Court, David Vincent. It follows a letter from Norman's former defence team read in the morning in which James Glyden Jenkins-Johnston informed the court that they were not prepared to continue representing the interest of the accused.

As a alternative though, the court was told that Dr. Bubuakie

Jabbie, Ibrahim Sorie Yilla (from the Defence Office), Wesley Buil from Britain and two other expatriate lawyers whose names were not immediately known, will assist the accused in the exercise of self defence and guide him through the proceedings of the court.

The trial was adjourned to this morning when the prosecution will start calling witnesses. Presiding Judge, Justice Benjamin Itoe informed the court yesterday that the Trial Chamber is set to proceed with the trial.

Independent Observer

Tuesday June 15, 2004

...the court was told that Dr. Babu...

# Letter from Norman's ex-lawyers to the court

Stories by John Baimba Sesay

A letter from Hinga Norman's former defence team was read in court yesterday morning. It became clear that despite several plea from Norman and his family for the lawyers to continue defending him, this however fell on deaf ears.

"I write for and on behalf of myself, Sulaiman Banja Tejan-Sie and Adejatu Tejan that we have unanimously decided that we would not be able to repre-

sent the 1st accused in any capacity." J.B Jenkins-Johnston went further to say that they ought to allow the 1st accused to satisfy his right to self defence as he had emphasized in his first letter. The letter was inturn passed to the prosecution for confirmation, and later to the accused for his comment. Norman told the court that he needed time to meet with his new defence team arranged by the Principal Defender.

# RUF Spokesman not Special Court Witness

The former spokesman of the Revolutionary United Front (RUF) Eldred Collins is not a prosecuting witness at the Special Court, contrary to recent press reports we can exclusively reveal. In a rare interview given to this press Collins said "no one has ever approached me for anything like that" referring to reports that he

has been recruited by the office of the prosecutor of the Special Court to serve as a witness against members of the RUF. The reports earlier claimed that Collins is a protected witness, sheltered by the court awaiting testimony before the Trial Chamber. Another former spokesman of



the RUF Gibril Massaquoi is also reported to be a protected witness of the prosecution. Pressed further on

whether he will accept witness status if approached Collins said he will prefer to cross that

Chris from Montreal

Tuesday June 15, 2009

For d. People

Tuesday June 15, 2004

# Norman Family Beat Kamajor Chief To Coma!

THE FAMILY of Special Court indictee, Sam Hinga Norman are reported to have beaten, stripped naked and frog-marched to police station a former kamajor chief security, Alie Katta.

It was reported that, Alie Katta senior security to chief Norman was living in the same 13E Spur Road residence with the latter until his arrest last year. However, relationship between Katta and Norman's family come to a head when the latter asked him to team up with them and forcefully evict former CDF administrative assistance BA Zeronkong from the quarter, an idea Katta, kicked against.

Later, Mammy Norman asked Katta to prepare his belongings and leave the quarters. The order which the latter took in a pitch of salt, it was alleged almost cost him his life as he was later subjected to a thorough beating by the brothers of Mrs Norman.

Among them Kini David Johnny and Tamba Moimoi tied him up and frog-marched to the Lumley police sta-

tion where, on the orders of Mammy Norman was locked up for two days without interrogation.

"I was only freed from cell by my sister," Katta said disclosing that while he was being taken to the police, Tamba Moimoi deliberately cut himself in the palm so as to appear as if he was hit by me.

Prior to that, Mammy Norman at one time used a

cutlass to damage the door of Zorokong. But when she was taken to police, the officers refuse to pursue the matter on the grounds that any action against her must be seen by many as witch-hunt on the family.

"But if this matter is not treated as the law required we know what to do," Katta said.



**NORMAN: many say he's ready to spill the beans**

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Terms: **nigerian court orders summons on liberia's taylor** ([Edit Search](#))

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*Xinhua June 14, 2004 Monday*

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**June 14, 2004 Monday**

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**LENGTH:** 256 words

**HEADLINE:** **Nigerian court orders summons on Liberia's Taylor, XINHUA**

**BODY:**

URL: <http://www.xinhua.org>

ABUJA, June 14 (Xinhua) -- A **Nigerian** high **court** has ordered that **court summons** be served on former Liberian president Charles **Taylor** over a petition filed by two **Nigerian** businessmen challenging his refugee status.

Stephen Adah, judge of the **Nigerian** Federal High **Court**, gave the order to Governor Donald Duke of Cross River state, southern Nigeria, where **Taylor** is settled, at a hearing Monday in the capital Abuja.

**Taylor**, who went into exile in Nigeria last August as rebels besieged the Liberian capital of Monrovia, was accused by the UN- backed special **court** in Sierra Leone of main backer of the Sierra Leonean rebels. His step-down paved the way for peace progress in his war-torn homeland.

Although the United States had offered a reward of two million US dollars for his capture, **Nigerian** President Olusegun Obasanjo has ensured that the country would not succumb to pressure to hand **Taylor** over for trial.

However, Emmanuel Egbuna and David Anyaele, the petitioners, who were brutally amputated in 1999 by Sierra Leonean rebels, alleged Monday that Sierra Leone's 10-year civil war was "largely engineered and financed by **Taylor**."

They indicted **Taylor** for war crimes and several other serious violations of humanitarian law and sought an order quashing the refugee status granted to **Taylor**, contending that the asylum had precluded his trial before the UN-backed special **court** in Sierra Leone.

The **Nigerian** high **court's** next hearing in the petition had been set for July 1.





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Subject: Nigerian court says Taylor has case to answer on his asylum

15/06/2004 09:01

West Africa: Nigerian court says Taylor has case to answer on his asylum  
Pan African News Agency, June 14, 2004

Abuja - An Abuja court Monday ordered the governor of the Nigerian State hosting former Liberian President Charles Taylor to serve him with papers in respect of a case seeking to quash the asylum granted him by the Nigerian government.

Giving the order in the case filed by two Nigerian businessmen whose limbs were amputated by rebels of the Revolutionary United Front (RUF) during Sierra Leone's civil war, Presiding Justice Stephen Ada asked governor Donald Duke of south-east Cross River State to deliver to Taylor previous rulings of the court on the case, since he had been absent in court since the case started.

The petitioners, Emmanuel Egbuna and David Anyaele, are challenging the refugee status granted Taylor by President Olusegun Obasanjo.

The former Liberian leader, who has been indicted for war crimes by the UN-backed Special court in Sierra Leone, stepped down and has been in exile in Nigeria since last August as part of a compromise deal to end Liberia's 14-year civil war.

Taylor has been living in opulence in Calabar, the Cross River State capital, despite widespread opposition to his stay in Nigeria within and outside the country.

The petitioners are praying the Abuja court to compel Nigeria to hand Taylor over for trial by the Sierra Leonean court, which recently rejected his claim of immunity and ruled that he should be tried.

In support of their affidavits, the petitioners recounted alleged brutal treatment against them and other Nigerians during Sierra Leone's civil war, which they said was "largely engineered and financed by Taylor."

"The rebels isolated Nigerians from the other captives and began amputating their forelimbs," said Anyaele, now the Executive Director of the Amputees Rehabilitation Foundation, a local NGO.

"After amputating me, the rebels set me on fire and told me to go deliver their message to the Nigerian government," Anyaele claimed.

Egbuna, who was lucky to have his mutilated limbs stitched together, also recounted his experience in the affidavit.

"They cut off the hands of my younger brother, Benedict, from beneath the elbow. They dumped him at the cemetery

behind the house, and he bled to death in front of me and his pregnant wife," he alleged.

"The machete cut through the flesh and the bones of my hands, but did not entirely sever them. With my hands dangling from my arms, the rebels dumped me at the cemetery," Egbuna added.

Joined as co-defendants in the suit are the National Commission for Refugees, President Obasanjo and the Attorney-General of the Federation.

Further hearing in the case was adjourned to 1 July.



### Activists Support Sakharov Museum

Museum persecuted for controversial religion exhibit

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### S&P May Upgrade Russia's Rating By Year's End

Yukos case is not a major factor, says S&P analyst



### Russia Denies Sending Troops to Ossetia

Russia responds to Tbilisi's protests

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## MONEY

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Charles Taylor, photo from news.biafranigeriaworld.com

## Russia Freezes Accounts of Former Liberian President

Created: 15.06.2004 11:47 MSK (GMT +3), Updated: 11:47 MSK , 3 hours 9 minutes ago  
MosNews

Russian President Vladimir Putin has ordered to freeze financial assets of former Liberian president Charles Taylor and his closest relatives, the RIA-Novosti news agency reported on Tuesday. Putin signed a decree "On measures to implement UN Security Council resolution 1532 of 12 March 2004".

All organizations, enterprises and individuals under the jurisdiction of the Russian Federation are advised in their activities to take into account that with effect from 12 March 2004 "the financial assets and other economic resources owned (controlled) directly or indirectly by former Liberian president Charles Taylor and his nearest relatives Jewel Howard Taylor and Charles Taylor Jr, are frozen", the decree reads.

Taylor, who began a civil war in Liberia in 1989 before being elected president in 1997, left the country last August under huge international pressure and with rebels besieging the capital Monrovia. He now resides in Nigeria, which has no extradition treaty with Freetown but has said Taylor could

## MONEY

MosNews

### Russia's GDP Growth May Drop in 2006-2008



If the conditions on the foreign commodity market

become unfavorable and domestic economic reforms are not implemented, Russia's economic growth may slow down considerable in 2006-2008 and amount to 3-3.5 percent a year, Deputy Economy Minister Andrei Sharonov said.

## FEATURE

MosNews

### Russia Day: Independence, or a Day in the Dacha?



On June 12 Russia will celebrate yet another ambiguous named

state holiday. The foreign press calls it "Russia's Independence Day," which justifiably raises the question, independence from what? So ambiguous the answer that many Russians just celebrate Extra Dacha Day.

Index	144.52	-1.29%
RUR/USD	29.03	-0.05%
RUR/EURO	34.90	-0.35%
Oil Brent	34.81	-2.03%
Oil Urals	31.20	-1.55%
Nickel	13080.00	+3.89%
Gold	383.15	-0.47%
Platinum	776.00	-3.24%
Palladium	215.75	-2.15%

face justice in his own country if the Liberian people so desired.

In late May Sierra Leone's U.N.-backed war crimes court ruled that it had the right to try Taylor for his alleged role in the civil war. The court indicted him in March 2003 on 17 counts of crimes against humanity and other serious violations of international humanitarian law.

## INTERVIEW

Gazeta.Ru

### Professor Reveals Universities' Dirty Secrets



The campaign against the so-called "werewolves" in

uniforms", aimed at eradicating corruption, is in full swing in Russia. Special services are exhibiting the zeal in bringing corrupt law enforcers, traffic policemen and officials of the fishing authorities to account...

## COLUMN

YEVGENY KISELYOV,

Editor-in-Chief  
Moskovskie Novosti weekly

### The Cavalry of Modern Times



The infiltration of the government by special services and

the military may seem like a new frightening trend for Russia, but in fact, there is ample historic precedence. Russian rulers had been military men for centuries...

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**Bertolucci's Dreamland**

**The Moscow News**



## **War Crimes Tribunal Possible for Liberia, UN Expert Says**

**The NEWS** (Monrovia)

NEWS

June 14, 2004

Posted to the web June 14, 2004

By Stanley McGill

Monrovia

A United Nations human rights expert has stated that although a Truth and Reconciliation Commission is established in Liberia, the establishment of a war crimes tribunal in the country cannot be ruled out.

Dr. Charlotte Abaka, UN independent expert of the Commission on Human Rights on the Promotion and Protection of Human Rights in Liberia, based in Geneva, spoke with journalists Saturday and responded to whether the UN does support the establishment of war crimes court in Liberia to try those who committed atrocities against innocent people during the 14-year civil conflict.

Dr. Abaka had served as a confidential expert on the Liberian case prior to her recent appointment. She was appointed 2003 to monitor human rights situation in Liberia. She said people who have committed crimes against the innocent must be punished.

However, she said the human rights situation in Liberia has improved since the departure of the Charles Taylor-led Government.

She observed that things that could not have been done publicly under the previous administration are now being done without molestation from state security.

Dr. Abaka indicated that at the moment, people can gather freely and discuss openly what is on their mind, and that people can go to sleep soundly without hearing gun sounds.

She also said unlike during the previous administration when she had to speak to people in Liberia at confined locations to gather information on human rights abuses, her current visit proved otherwise, as she could talk to the ordinary people freely in open places.

She said her stay in the country afforded her the opportunity to talk to stakeholders in the human rights community, and she was convinced that the situation is far better now.

Dr. Abaka said she was happy with the information she received from the stakeholders and appreciated the establishment of the National Human Rights Commission of Liberia, adding, " I am also happy that women are on the commission."

She said her current mandate will last for three years.

She urged the media to support the process by not only report the negatives, but also the positives.

Dr. Abaka, a Ghanaian, visited Tubmanburg, Voinjama and other places where rights abuses had been common in the country under the previous regime, but things have immensely improved there.

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## **There Are Positive Signals for Lifting Sanctions - Bryant Tells Congregation**

**The NEWS** (Monrovia)

NEWS

June 14, 2004

Posted to the web June 14, 2004

Monrovia

The head of the Transition Government of Liberia, Gyude Bryant says there are positive signals that some of the sanctions imposed on Liberia would be lifted this year following a request he made to the UN Security Council.

The Liberian head of state said responses he got from the UN Security Council regarding the lifting of sanctions were "positive".

He told a religious congregation that a 15-man team of experts from the UN Security Council is expected in the country within 90 days to assess and determine Liberia's compliance.

Chairman Bryant said the visit of the 15-man panel of experts followed a request he made to the Security Council for them to come ascertain that Government's revenues are being used to pay civil servants and settle other national obligations.

According to the Liberian leader, he requested the Security Council to lift the sanctions because the sanctions were hurting the Liberian people.

Chairman Bryant spoke Sunday at the First United Methodist, where a program was held to mark his safe return from the United States.

During his visit to the United States, the Liberia Chief Executive said he met with officials at the State and Treasury Departments as well as with officials at the International Monetary Fund (IMF).

He explained that the IMF and other institutions stressed the need for sustained relations between the United States and the Liberian Governments.

"Everybody that I've met assured me that they will support Liberia during its recovery period," Chairman Bryant indicated.

He then called on religious the community to pray for the country because there was nothing better than prayers.

Last week a United Nations expert panel on Liberia said it has found no proof of weapons smuggling into the country after August 2003 or of diamond and timber smuggling out, and that the imposed sanctions contributed significantly to ending the country's armed conflicts over a 14-year period.

However, according to the panel's report to the United Nations Security Council, "organized international smuggling networks remain in place and could be reactivated at any time."

The panel's report also said while disarmament is progressing, factions may have hidden weapons either in Liberia itself or in neighboring countries.

On the mineral sector, the report said due to poor national security, diamond mining has practically ceased, making smuggling currently negligible.

The panel did recognize in its report that the National Transitional Government of Liberia "has begun taking urgent steps towards the establishment of an effective certificate of origin scheme for trade in rough diamonds that is transparent and internationally verifiable, with a view to joining the Kimberley Process."

Regarding the timber sector, the panel said while it found no evidence of "widespread exports" of timber, the Forestry Development Authority (FDA) has not been able to function outside the capital, Monrovia, and in the forests of southeast Liberia. It said the UN Mission in Liberia (UNMIL) has not yet been deployed in the forest areas.

The panel also recognized that the fiscal costs of retaining sanctions include lost wages and salaries. In view of this, the panel recommended that although the level of poverty and illiteracy is high, appropriate steps should be taken to "ensure that they have unhindered access to a fair share of the existing economic opportunities for which, under normal circumstances, their current status would not qualify them."

On the over all, the expert panel said, "Corruption remains widespread and the task of rebuilding is daunting."

The Transitional Government of Liberia inherited a sanctions regime from the defunct Charles Taylor administration. Diamond and timber exports ban was imposed on the Taylor regime to prevent him from using resources from these sectors to fuel the civil war in neighboring Sierra Leone.

Taylor had been accused of using resources from these sectors for illicit trafficking of guns with rebels in Sierra Leone.



# Wisdom Mountain Bomaru revisited

By Osman Benk Sankoh

It was a long and tedious journey but when very close to 4:00 P.M. last Thursday I alighted from our Toyota Hilux vehicle and spent over two hours moving out and about talking and gathering precious information in Bomaru town. I realized that the call I received from NaCSA boss, Alhaji Kanya Sesay, to join him for the visit to his Commission's areas of intervention in the provinces was indeed a worthwhile one. But how did it all started?

All those who have rubbed shoulders with the NaCSA master tactician will confirm that he is one that is very proactive in terms of information dissemination but unfortunately, since what he dishes out does not in anyway, unfortunately conforms with what most journalists tagged as 'bizarre' news (this is what we eat and feed on), we seldom spend precious time calling him to tell us about the reconstruction or rehabilitation phase of his Commission's involvement.

However, the intoxicant that drugged me to follow the Alhaji Commissioner over two hundred and sixty miles away from Freetown was when he mentioned that we would be heading for Bomaru. Of course, no Sierra Leonean needs a special history class just to be told that this was the backyard the Revolutionary United Front (RUF) first used in their bid to drive away 'the Momoh soja' from power. However, whether this was their original game plan or not, even when Momoh and his APC were kicked out by the military barely a year after the rebellion started, the rebels still continued with their push for Freetown and eventually State House which only came to pass because Johnny Paul, after hurriedly sending H.E to Guinea on a God fearing Sunday morning, invited them to come and drink tea with him in Freetown.

And life may seem to have returned to this once bubbling commercial border entry point but to me, it was overwhelmed. This was not necessarily out of fear but the strong resilience of these poor peasants to throw our dirty past to the dustbin of History so that life must go on. That a village which for eleven years turned into literally into a no man's land and most of its residents sadistically killed for no just cause could hurriedly offload that traumatic past for a peaceful and development oriented venture was clear sign that it had not been. For the war, the United Nations would have dared not placed us on the lower rung of the Human Development Index.

While I was lost in thought, an old man came forward. He was ready to tell a tale which may have been told in different quarters but ironically, by those who had dared not venture to

Bomaru.

The town still has the scars of war as it was here, on March 23rd 1991 that the first shots were fired and thus signaling a decade long period of barbarism injected on an innocent population by a man President Kabbah's Resident Minister East, Sahr Randolph Fillie- Faboi now goes about

uninvited entry into the town.

What however touched my mind was when the NaCSA boss revealed that reconstructing the Court Barre at this symbolic site (where the sixteen were killed) was a means of returning to them the justice delivery system which the RUF monsters had hijacked.

Surviving residents were willing to

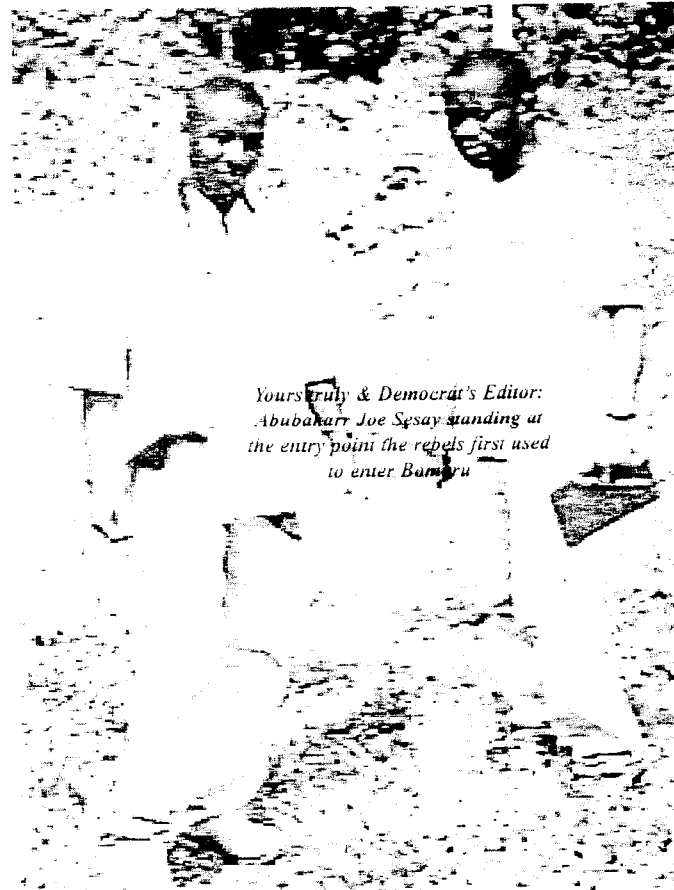
**The town still has the scars of war as it was here, on March 23rd 1991 that the first shots were fired and thus signaling a decade long period of barbarism injected on an innocent population by a man President Kabbah's Resident Minister East, Sahr Randolph Fillie- Faboi now goes about bla-bla ing to be my father- Foday Saybana Sankoh**

bla-bla ing to be my father- Foday Saybana Sankoh.

The house in which the first soldier was killed is still standing though it still has the scars of war-bullet riddled. As God would have it, NaCSA has taken

take us on a roller coaster ride or a free History class on what led to the first attack of this country by rebels from Liberia.

Here, the classes were gratis and our 'Dr Joe A.D Alie' was a man called Pa



*Yours Truly & Democrat's Editor: Abubakarr Joe Sesay standing at the entry point the rebels first used to enter Bomaru*

the initiative to reconstructing the Court Barre in which about sixteen villagers were lined up and eliminated by the rebels when they first made their

Momoh Sesay and his lectures theatre was a house in which one of the first soldiers of the crisis lost his life. This itself was strategically located very

close to the bush path which the rebels had used for their infamous onslaught.

Our village lecturer was able to corroborate the fact that cross border trade of looted items was a major reason that fueled the war. It confirmed that those who had sworn on their honour to defend the territorial integrity of this land betrayed their cause for a simple Toyota Hilux vehicle, an X-Bass tape and a bailing machine among others. Now ask yourself, are we that cheap that we could even easily be bought with 'kokoyeben'? For all I know, one may even speculate that if our own brothers had not sold out to the rebels just like we did to the Brits, for a mere piece of tobacco and few bottles of whiskey, suffice it to say that the rebels might never have succeeded in overrunning our positions. If in doubt, the simple question then is, when they attempted capturing some parts of Guinea, was it not the fighting spirit of the Guinea 'bombarde' paras that drove them back from where they came from? Don't give me an answer.

For Kanya Sesay, coming to Bomaru and its environs very close to the Liberian border was a measure of government extending its tentacles to these areas and apart from commissioning Court Barres throughout his visit, he also took some time off to launch reconstruction programmes of Primary Health Care Centres and schools. Interestingly, a girl child whom we had scolded for not being in class at the time was quick to answer when asked in English to name the president of Sierra Leone. President Ahmad Tejan Kabbah, he said without flinching and thus confirming to us that even the girl child here is given the right to go to school.

Though it has been proved that soldiers then deployed in the town sold out to the rebels, that has not however dampened the relationship between them and the civilians. Captain Karmen Kainessie, the officer in charge of the area was quick to describe it as "very cordial." He claims that they have also instituted rigorous border patrol in order to send a warning to those who needed one.

Nevertheless, the living condition of the soldiers there is not something worth mentioning here especially as the rainy season thunders. The Captain could however not complain but you can see from his face that they need vehicles and other military hardware.

Let's I forget, I heard that the president had once promised that he was going to construct a Police Station for the township. I only hope, he has not forgotten that dream.

All said and done, visiting Bomaru was a dream come true and trust me, I will jump for joy whenever such an opportunity come my way again. What a worthwhile visit.

Source: [News & Business](#) > [News](#) > [News, Most Recent 90 Days \(English, Full Text\)](#) 

Terms: **un new withdrawal programme for sierra leone** ([Edit Search](#))

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*World Markets Analysis June 14, 2004*

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**World Markets  
Research Centre**

World Markets Analysis

**June 14, 2004**

**SECTION:** IN BRIEF

**LENGTH:** 281 words

**HEADLINE:** **UN** Lays Out New **Withdrawal** Programme for **Sierra Leone**

**BYLINE:** Chris Melville

**BODY:**

The **UN** Mission in **Sierra Leone** (UNAMSIL), which has played a key role in restoring a modicum of stability to the war-ravaged West African country, will consist of only three infantry battalions after December this year, as troop numbers are reduced to 3250. With current forces numbering around 10,500 - scheduled to be reduced to 5000 within the coming six months - this phase of the so-called 'drawdown' of UNAMSIL will be the most dramatic since the process began in September 2002, as exiting **UN** troops withdraw from the diamond-rich east of the country and remaining troops focus their activities on the area around the capital. -

Significance: -The capacity of the Royal Sierra Leonean Armed Forces (RSLAF) to maintain security in the eastern region will be strongly tested in the coming months and concerns about a security deficit have already prompted several reconfigurations of the **UN's** drawdown strategy (see **Sierra Leone: 25 July 2003: UN Adopts 'Modified' Sierra Leone Withdrawal Plan** and **1 April 2004: UN Security Council Extends Sierra Leonean Peacekeeping Mission**). Moreover, as the troop reduction proceeds, the **UN** will not be able to be quite so flexible - the Bangladeshi, Nigerian and Ghanaian battalions left in the country until June 2005 at the earliest will be restricted to their own fields of operation and may not be able to respond to any immediate security requirement. Whilst there appears to be no internal threat to national security, the ongoing peace process in Liberia and political instability in neighbouring Guinea continue to pose peripheral threats to **Sierra Leone's**-post-war-dispensation-and-to the stability of its border regions.

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PAMBAZUKA NEWS 160: 10 JUNE 2004

**A Weekly Electronic Newsletter For Social Justice In Africa**

**CONTENTS:** 1. Highlights from this issue, 2. Editorials, 3. Comment and Analysis, 4. Letters, 5. Pan-African Postcard, 6. Conflict and Emergencies, 7. Human Rights, 8. Protocol on the Rights of Women in Africa, 9. Refugees and Forced Migration, 10. Women and Gender, 11. Elections and Governance, 12. Development, 13. Corruption, 14. Health, 15. HIV/AIDS, 16. Education, 17. Social Welfare, 18. Racism and Xenophobia, 19. Environment, 20. Land and Land Rights

*Mail this to a friend*

**A WEAPON OF WAR: SEXUAL VIOLENCE IN SOUTH KIVU, DRC**

**Arche D'Alliance**

For three and a half years, Arche d'Alliance, a human rights organisation, has been involved in a project investigating, monitoring, reporting and offering legal and socio-medical assistance to women victims of sexual violence in the territories of Uvira and Fizi. The project has also been interested in cases of male victims of sexual violence from 2003 to date.

In the large and populated Fizi Territory, situated in southern South Kivu province, the two principal rival armed groups which have been fighting for five years - the army of the RCD-Goma and Mayi-Mayi combatants (FAP) - have all committed grave abuses and human rights violations against the civilian populations. Sexual violence, particularly rape, indecent assault and forced pregnancy have been committed against women and girls on a large scale in Fizi Territory.

However, a particular phenomenon relating to this sexual violence has also occurred in Fizi against many men. Men have been subjected to sexual violence through forced anal sex. In the majority of cases, combatants belonging to foreign armed forces (Burundian and Rwandan) have committed these acts. Forces involved include the Rwandan Interahamwe and elements of the Burundian Front for the Defence of Democracy (Front pour la défense de la démocratie - FDD) who fought with the Congolese Mayi-Mayi (FAP) combatants against the RCD-Goma rebellion, supported by Rwanda and Burundi.

Thousands of male victims of sexual violence were identified especially in the large Ngandja community. Numerous cases were also registered in the community of Mutambala in Fizi Territory. In the majority of cases, investigators limited themselves to identifying the victims, although Arche d'Alliance supported about ten victims who agreed to appear publicly and receive assistance for their basic needs and medical care.

The head of the liaison office in Bakara/Fizi, Ms Marie Mulasi, is responsible, in particular, for assistance to male victims of sodomy or indecent assault. She directs them to the Médecins Sans Frontières hospital in Baraka for appropriate medical treatment and temporary solutions to their social needs, with the support of office materials from Arche d'Alliance based in Uvira.

Techniques used by perpetrators of sodomy

Perpetrators of sodomy in Fizi use violence and death threats against their victims before imposing sexual acts. Often victims are stabbed and burned before or after sexual aggression, particularly if they tried to resist. In addition, victims have indicated that often they were abused in the presence of their wives and children. In Fizi Territory, men were sometimes gathered in villages by Interahamwe and FDD and subjected to sexual aggression under death threats.

#### The objective of sexual violence

Men are victims of sodomy in Fizi for various reasons. In the majority of cases, perpetrators of sexual crimes take revenge against men suspected of conspiring with the enemy forces of the RCD-Goma. In addition, the aggressors act to intimidate, humiliate and discourage their victims from collaborating with the enemy.

#### Consequences

Male sodomy victims are traumatised. They are abandoned by their wives. Raped women are also often renounced by their husbands. In addition, the investigation by Arche d'Alliance reveals the transmission of venereal diseases and particularly HIV/AIDS, as well as the death of several victims who did not receive medical attention. The most common symptoms are anal and generalised pain.

In addition, male sodomy victims suffer social rejection and stigmatisation. The fact that in several impoverished households it is the women who meet the needs of the family by undertaking resourceful activities means that abandoned male sodomy victims face serious socio-economic problems and may not be able to meet their basic needs. In addition, they lose respect in their communities.

#### Conclusions

Sodomy and indecent assault, of which several men are victim in Fizi, constitutes an attack on their dignity and their physical integrity. The consequences of these inhuman, humiliating, degrading and cruel acts are tragic. They have a decisive impact on the lives of victims, who today are unhappy, at risk of death and without any family support.

The presence today of perpetrators in the communities constitutes a permanent danger for the rest of the population in the area. At the end of March 2004, the association Arche d'Alliance sent its members to several areas of the two communities most affected by the phenomenon. Delegates of the association were responsible for leading an awareness-raising campaign among other sodomy victims in order that they may benefit from medical treatment as a priority.

#### Recommendations

##### a.) To the authorities

In addressing this report to the offices of the Ministries of National Defence, Interior, Health and Human Rights, Arche d'Alliance recommends that the Congolese government bring peace to Fizi Territory and the rest of the province so that everyone benefits from security. To the political, administrative and military authorities of Fizi, to whom the association has also sent copies of this report, the

association requests that they respond to the social and medical concerns of hundreds of male victims of sodomy in Fizi.

b.) To partners

The association Arche d'Alliance solicits assistance in putting pressure on foreign belligerents who are still present on Congolese territory and continue to occupy their respective positions in Fizi. These groups must stop committing the sexual crime that is sodomy. The association also asks partners to contribute to raising awareness among local communities so that they respect human rights and, in particular, so that the inhuman cases of sodomy are denounced and condemned. Finally, the association requests social, humanitarian and medical assistance from its partners.

\* Arche d'Alliance is a local human rights organisation operating in the DRC. This article appeared recently on Kirimba ([www.kirimba.org/](http://www.kirimba.org/)), a web-site largely dedicated to addressing events in Burundi. Kirimba is coordinated by a member of the extended Africa team of UPEACE, Mr. Athanase Karayenga.

\* Please send comments to [editor@pambazuka.org](mailto:editor@pambazuka.org)

\* For the French version of this report, please click on the link below

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15/06/2004

## ENDING IMPUNITY IN THE GREAT LAKES REGION

### **Yav Katshung Joseph**

On 19th April 2004, the Office of the Prosecutor of the International Criminal Court (ICC) announced receipt of the referral of the situation in the Democratic Republic of Congo (DRC). The referral, transmitted to the office of ICC Prosecutor Luis Moreno Ocampo in a letter signed by DRC President Joseph Kabila, requests that the Prosecutor investigate allegations of crimes falling within ICC jurisdiction, (namely genocide, crimes against humanity and war crimes,) if committed anywhere in the territory of the DRC since the July 1, 2002 date of entry into force of the Rome Statute of the ICC. But the ghost of impunity continues to haunt the Democratic Republic of Congo (DRC) despite the referral of the situation to the ICC.

By means of the letter, the DRC asked the Prosecutor to investigate in order to determine if one or more persons should be charged with such crimes, and the authorities committed to cooperate with the ICC. After receiving several communications from individuals and non-governmental organisations, the Prosecutor had announced in July 2003 that he would closely follow the situation in the DRC, indicating that this would be a priority for his Office.

Since then, the Office has continued its work in analyzing the situation in the DRC, especially in Ituri. Following various procedures and in accordance with the Rome Statute, the Prosecutor will now proceed to determine whether there is a reasonable basis to initiate an investigation in respect of the situation referred. The Office of the Prosecutor will therefore assure itself of the basis for an investigation under the Statute and examine the modalities for such an investigation, in order to reach an informed decision.

### The Congolese Dilemma

Since 1998, the DRC has experienced horrific armed conflict in which impunity for war crimes and crimes against humanity has been, and continues to be, the norm. Attacks against the civilian population, killings, and use of sexual violence continue to be committed in the East. These crimes will not stop as long as those who commit them are not held responsible for their acts. Accountability for those responsible for serious crimes is essential if the DRC and the region are to make a transition to a durable peace. Therefore, we salute the initiative of the DRC to refer its situation to the ICC in order to put an end to impunity.

But although the ICC may be an answer to crimes committed in the DRC, what will happen to crimes committed from 1998 to July 2002, a period that is beyond the scope of the ICC? While the DRC's ratification of the Rome Statute allows the ICC to try crimes committed after July 1, 2002, there is no mechanism to thoroughly investigate and prosecute the gravest crimes committed during the five-year war and put an end to impunity.

The national justice system is unable, due to its current state of disarray, even with massive help, to address past crimes perpetrated in the DRC since 1998. The ICC is also not competent because of lack of jurisdiction to deal with these crimes. Thus the

necessity of possible justice mechanisms to investigate and prosecute crimes against humanity and war crimes committed prior to the entry into force of the ICC Statute.

Furthermore, the current transitional period in the DRC is particularly marked by the creation of several institutions "purported" to support "democracy", among which is the Truth and Reconciliation Commission (TRC). This TRC would consider political, economic, and social crimes committed from 1960 until 2003 in order "to establish truth and help bring individuals and communities to reconciliation."

But one question remains: Is the establishment of the Truth and Reconciliation Commission (TRC) in the DRC meant to end impunity or to cover up gross violations of human rights committed in the DRC? The response seems to be known in advance, since one individual suspected of involvement in human rights abuses was appointed to the executive committee of this TRC.

The ghost of impunity continues to haunt the DRC and the important thing now is to look at the challenges in addressing impunity for the horrific crimes that have been committed in the DRC since 1998. If not, the impunity for these atrocities will send the message that such crimes may be tolerated in the future.

Therefore, the question arises as to how possible it is to establish an International Criminal Tribunal beyond the borders of the DRC, to include the Great Lakes Region for crimes committed in the DRC since 1998?

\* Yav Katshung Joseph is executive director of the CERDH ([www.cerdh.tk](http://www.cerdh.tk))



Alerting Humanitarians to Emergencies

## Peacekeeping in West Africa: A Regional Report

14 Jun 2004 18:03:00 GMT

*Cliff Bernath and Sarah Martin*



**Refugees International - USA**

**Website:** <http://www.refugeesinternational.org>

The United Nations could improve the performance of its peacekeeping operations by taking a more regional approach to efforts to end conflicts, Refugees International concludes in a new report. <http://www.refugeesinternational.org/cgi-bin/ri/other?occ=00875>

Regional cooperation is particularly important in the design and execution of programs to disarm, demobilize and retrain soldiers, interdict weapons shipments and even halt the cross-border movement of combatants.

The RI study, "Peacekeeping in West Africa: A Regional Report", focuses on the need to coordinate separate UN operations in Sierra Leone, Liberia and the Ivory Coast. However, the report notes that a regional peacekeeping approach also should apply to East Africa, where the UN is conducting several peacekeeping operations to halt conflicts that have spread from one country to another.

Over the last decade, a civil war in Liberia spilled into Sierra Leone, generating refugee flows and arms trade throughout the region. The fighting also contributed to instability in the Ivory Coast. Yet "no one at the UN Security Council or the Department of Peacekeeping Operations has been assigned or has assumed a leadership role in developing, sponsoring and imposing regional initiatives in West Africa," RI says.

Cross-border peacekeeping operations would make it easier to deal with other problems, such as refugee flows, smuggling and human rights abuses--that can afflict an entire region.

The report, the fifth in a series of RI studies on UN peacekeeping operations in Africa, recommends that the UN Secretary General establish a high-level commission to study regional peacekeeping opportunities and instruct the UN Department of Peacekeeping operations to pursue regionalization initiatives.

In addition, the report recommends a number of other actions, including greater attention to gender issues, to improve the training and performance of UN peacekeepers.

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*[ Any views expressed in this article are those of the writer and not of*





## Al-Qaeda linked to African diamonds

By Mark Doyle

BBC World Affairs Correspondent

**A small handful of diamonds is worth a suitcase full of cash, is easier to smuggle, and cannot be traced in the same way as traditional money.**

For these reasons, according to a new book by American author Doug Farah, senior named al-Qaeda operatives bought millions of dollars worth of Sierra Leonean diamonds after they had been smuggled into neighbouring Liberia.

Mr Farah, a reporter for the Washington Post, first came across the story when a source in Liberia saw that the journalist was carrying a dossier of FBI "wanted" pictures alleged to show senior al-Qaeda officials.

The Liberian told Mr Farah: "I know those men".

The source was cross-checked.

The detailed revelations concern the period just before the attacks on the World Trade Centre in 2001, but much of the diamond trade is unregulated - meaning it could still be taking place.

### Still trading?

The former United States Ambassador to Sierra Leone, Joe Melrose, told the BBC he found the new book credible.

He claimed that al-Qaeda had hidden suspect cash by buying gemstones, and could still be doing so now.

"Certainly they were laundering some. I've never had a great deal of doubt about that and I've spoken to people in the Sierra Leone government who say they've never had that doubt as well," Mr Melrose said.

"My concern is that it happened and it could happen again."

Since 2001 a new procedure for regulating diamond exports is supposed to have come into force.

Known as the "Kimberley process" after the diamond mining town in South Africa, it aims to stop diamonds being used to fund wars.

But the regulations are still voluntary and there are numerous loopholes that can be exploited.

Story from BBC NEWS:

<http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/3805921.stm>

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**African** nations may have been disappointed at the response to the debt relief agenda at this year's G8 summit, but there is some consolation in a different area, as the rich nations commit to supporting the training of 75,000 **African** peacekeepers by 2010.

WMRC Perspective

Significance

The new plan will see a larger and more flexible continental force developed to handle Africa's security challenges.

Implications

The G8 decision is the natural culmination of moves made at previous summits, and is the product of a global milieu in which rich nations would rather support regional solutions than embroil themselves in enforcing solutions in strategically marginal areas.

Outlook

The paper commitment, with its clear targets, is very much to be welcomed, but the task is now to maintain momentum under the initiative to ensure that the appropriate resources are dedicated to the project.

The Story so Far

The new G8 commitment was the finalisation of moves made at previous summits at Kananaskis, Canada, and Evian, France. But it is also the product of a shift in peacekeeping doctrine over the fifteen years since the end of the cold war. Although **African** nations were already assuming responsibility for their own regional security perimeters, the power vacuum and superpower disinterest after the Cold war made it ever-more necessary that they did so. The first major deployment of that type was the Nigerian-led force assembled by the Economic Community of West **African** States (ECOWAS) which intervened in Liberia in 1991. But after the US embarrassment in Somalia in 1994, the wider international community began to look to such initiatives as a way of devolving responsibility - and more importantly, risk - to regional partners. The first formal manifestations of this doctrine were the French Reinforcement of **African** Peace-keeping Capacities (RECAMP), concentrated in West Africa, and the US's Africa Crisis

Response Initiative, which was developed under the Clinton administration. But although both of these projects have contributed to the peacekeeping capacity of participating nations, the numbers involved have not been huge and responses to regional emergencies remain ad-hoc, sometimes even verging on being less than helpful - witness the Zimbabwe-led South **African** Development Community (SADC)'s 'peacekeeping' intervention in the DR Congo. The delays in deploying the latest Nigerian-led west **African** force to Liberia in 2003 point to the critical need for permanent structures, sustained co-operation and logistical support to enable peacekeepers to remain at a state of readiness and to deploy without delay. Within Africa, the structural problem has been addressed by the recent establishment of the widely welcomed Peace and Security Council of the AU (see Africa Regional: 26 May 2004: **African** Union Inaugurates Peace and Security Council). The AU, with its active participation in Burundi, has already shown its readiness to intervene in conflict situations, but it is hamstrung by the perpetual lack of funds and capacity.

### Global Synergies and New Directions

The G8's plan, which was announced yesterday at the Sea Island summit in Georgia, USA, has a number of provisions, of which the most important are:

To train and equip 75,000 **African** peacekeepers by 2010;

To do this in a way that incorporates the EU, UN and **African** partners such as the AU;

To develop a transportation and logistics support arrangement;

To train new units of gendarme-style paramilitaries, who can take the burden of armed policing work off other units;

To develop a common doctrine and operational standards, and to link the **African** initiative with **peacekeeping forces** in other regions, to enable their eventual use outside of the region in which they were developed.

In fact the **realities** on the ground have already begun to move in this direction. Yesterday a joint force of 900 French and **African** troops parachuted into Nacala, Mozambique, in an exercise to simulate the seizure and securing of the port city and its connections to the hinterland. The manoeuvres are not only a prime example of the kind of co-operation and support the G8 is rubber-stamping, but also represent a significant shift in France's traditionally tentative security presence in Africa. Whereas previous joint exercises were held with the forces of former colonies, the latest projects (Mozambique is the third, according to Reuters, after recent simulations in South Africa and Tanzania) take place in locations outside that post-colonial purview and with the participation of forces from Lusophone Mozambique and English-speaking Zambia and Botswana, as well as Madagascar. So it is worth noting that the French participation, as well as bringing valuable experience in real-location simulations, is also a manifestation of a new will to multilateralism in Africa.

That principle is also enshrined in the European Union's 250m euro (US\$302m) Africa Peace Facility, which was set up in April this year to back up regional peacekeeping deployments. It was also announced today that the first major pay-out by that fund would be to support the 12-month deployment of 120 **African** Union military observers and 270 armed soldiers to the Darfur region of Sudan, where attacks by government-backed militias have created a humanitarian crisis that threatens to destabilise neighbouring Chad.

### Outlook and Implications

The G8 plan, taken together with the already-tabled and already-active projects, is a bold and helpful step. The initiative to plug the logistics gap, which has caused fatal delays in so many deployments, is especially useful. The paper commitment, with its clear targets, is very much to be welcomed, but the task is now to maintain momentum under the initiative to ensure that appropriate resources are dedicated to the project, and that the variety of agencies and governments involved does not create disunity and waste. A quick glance at current news from DR Congo and Darfur shows that the plans should be put into action without delay.

WMRC Contact

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