

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



PRESS CLIPPINGS

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

as at:

Monday, 16 February 2009

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

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FEATURE

Monthly Synopsis of the Trial of Charles Taylor - November 2008

By Joseph A.K. Sesay

The Charles Taylor trial adjourned on 11th December 2008 for the Christmas break after having heard 84 Prosecution witnesses. In the month of November 2008, Prosecution called witness, TF1 - 579, 054 and 358. Witness TF1 - 579, an insider witness, gave his direct evidence on the 5th and 6th November 2008. The witness in his testimony recalled that he was a member of the NPFL and a bodyguard to Oliver Vanny when he first met Foday Sankoh at Bomi Hills in Liberia where Sankoh was planning to launch an attack in Sierra Leone with the support of Charles Taylor. He stated that Taylor ordered the execution of Vanny, a NPFL fighter. The defense objected noting that it was outside the Court's temporal jurisdiction. The prosecution responded that the evidence is to show the accused's conduct of killing his fighter. The Presiding Judge allowed the evidence and noted that its value would have to be determined by the Chamber.

TF1 - 579 also testified that he served as guard at Taylor's mansion and recalled that Sankoh was given a house close to the mansion. He further state that ammunitions were transported to Sam Bockarie from Liberia. He recalled that Taylor used to settle dispute among RUF commanders, noting that Taylor attempted to settle a dispute between Bockarie and Issa Sesay, and when negotiations broke down, Bockarie left for Liberia under the instructions of Taylor and his RUF fighters were recruited into the Anti Terrorist Unit (ATU). He testified that Bockarie informed him that diamonds were given to Taylor to purchase ammunitions.

The witness also testified on event relating to Bockarie's relocation at Yekepa following fighting with Phillip Doe in Ivory Coast. He noted that at Yekepa, Taylor ordered Benjamin Yeaten to kill Bockarie and his men. At the conclusion of his direct evidence, the defence applied for an adjournment to prepare to cross-examine the witness as there was not enough notice given for the witness. The Chamber granted the application and ruled that the witness be called for cross examination on the 24th November 2008.

On Wednesday, 12 November 2008, Prosecution called witness TF1 - 045, Augustine Sama Mallah. He noted in his testimony that he was captured in 1991 by rebels with Liberian accent who trained him and made him a "junior commando". He testified that Sankoh brought ammunitions and medicines from Liberia for RUF fighters. He further stated that Sankoh ordered the RUF to attack Sierra Leone Rutile and capture the foreign workers in order to raise concerns in the international community. In 1996, he stated that Taylor instructed Sankoh to cut off

the hands of civilians to prevent them from voting in the general elections. In 1996 also, following the departure of Taylor for the peace talks in Ivory Coast, RUF headquarters was destroyed and some of them moved to Liberia where Mike Lamin held a meeting with Taylor who provided them with Liberian pass to allow them to travel Ivory Coast.

TF1 - 045 testified that after the AFRC coup in May 1997, they traveled to Sierra Leone where RUF fighters were engaged in diamond mining and civilians were used as forced labour. He testified that Bockarie informed him that jungle used to come for diamonds for Taylor. He noted that when the ECOMOG invaded AFRC junta, Bockarie informed them to engage in "operation pay yourself". He also noted that Bockarie usually traveled to Monrovia where he would take diamonds and collect materials from Taylor. He stated further that on one occasion, after a meeting with Taylor, Bockarie informed them about embarking on "operation spare no soul". In 2000, he testified that Issa Sesay was given the responsibility of transporting diamonds to Liberia on his return he brought arms and ammunitions and some money which he said was for election purposes since the RUF was to become a political party. During cross-examination, Morie Anyah sought to establish inconsistencies between the witness' earlier statements given to OTP investigators and his oral testimony. The witness also admitted that he killed civilians and was engaged in the raping of young girls. Counsel also attempted to show Taylor's positive role in trying to restore peace in Sierra Leone. He concluded by asking about payments made to the witness by the OTP and WVS, noting that the witness received a total of about Le7,800,000.

The Prosecution also called TF1 - 358, a protected witness who testified with voice and facial distortion, as an expert witness in human anatomy. His testimony covers the nature of injuries suffered during the conflict in Sierra Leone. He testified that in 1997, several patients who had suffered amputations were taken to his surgery in Freetown. He identified a number of photographs shown to him by the Prosecution, as individuals he treated in his surgery. During cross-examination, Terry Munyard attempted to establish inconsistencies between the witness' prior statements made to OTP investigators and testimony given in Court Counsel noted that the witness had not stated in his interviews that his patients informed him that they were attacked by Liberian accent rebels, but had stated that in his testimony in court. The witness maintained that the focus of the interviews. The witness relation to the patients and not the rebels. During the last week of November, Munyard concluded cross-examination of witness TF1 - 358 and the court recalls prosecution witness TF1 - 579 for cross-examination. Lead defence Counsel Courtenay Griffiths cross-examined the witness, noting that the witness voluntarily joined the NPFL in 1990, trained and became bodyguard to senior members of the NPFL. Counsel indicated that the Prosecution was portraying Taylor as a man who killed his fighters without any proper trial. Counsel asked the witness questions relating to the execution of some NPFL fighters. Counsel also noted that the witness was never close to Taylor and might not had been his bodyguard because he did not possess the requisite requirement for becoming Taylor's bodyguard. Counsel concluded by identifying inconsistencies between prior statements and oral testimony.

Concord Times
Monday, 16 February 2009

Genocide expert dies in US crash

The court trying alleged perpetrators of the Rwandan genocide has expressed its shock at the death in an air crash of a top expert on the 1994 massacres. Alison Des Forges, 66, was among 50 people killed in a plane crash on Thursday near Buffalo, New York state.

A spokesman for the the UN tribunal for Rwanda called her death "a great loss", said AFP news agency. Ms Des Forges was an expert adviser to the court on the genocide, in which some 800,000 people were killed. "It is with deep shock that the tribunal has learned of the tragic disap-

pearance of Alison Des Forges," said Roland Amoussouga, a spokesman for the International Criminal Tribunal for Rwanda.

"It is a great loss for the world of human rights, international justice and the whole of humanity," he added.

Ms Des Forges had testified as an expert witness at 11 genocide trials at the tribunal, which is based in Arusha, Tanzania.

She also wrote a key study of the Rwanda genocide, *Leave None to Tell the Story*, and was a senior adviser to US advocacy group Human Rights Watch. All 49 passengers



Ms Des Forges wrote a key study of the Rwanda genocide

and crew on board a Continental Airways twin-prop plane and one person on the ground were killed late on Thursday when it crashed into a house just minutes before it was due to land at Buffalo's airport.

Investigators have said that the crew of the plane noticed "significant ice build-up" on its wings before it crashed.

The crew also discussed the snowy and misty conditions as they descended to land.

The Spectator
Monday, 16 February 2009

Poor Medical Facility Grips Inmate

By Cecil Cole Showers Jnr

The state at which female inmate at the central prison are suffering in terms of quality medical facility is a big problem for mothers nursing their children at prison. Sources close to the Spectator Newspaper has confirmed that there are five suckling mothers presently languishing at the Prison headquarters, awaiting various crimes committed. These children, according to our source, are presently not receiving any quality medical service to keep them going.

A close to the prisons say, there are total of 32 women awaiting trails, although some of them stated that they are receiving good treatment from the maximum prison centre. Others say they are seriously engaged in various skills training like Soap making, gara, tie dying etc. In press conference, last week at the SLBS Canteen, the Prison Director, Moses Showers, stated that series of development activities have taken place in the SLPs, over the past twelve months, and some are still in progress

through the efforts of the Government of Sierra Leone and other donor agencies.

In terms of Infrastructure, the dynamic Director stated that Construction of living quarters for officers in Kailahun, Kabala and others places in the provinces for the Sierra Leone Prisons Service. Dilating on the welfare of officers, the director declared that proper rehabilitation and reformation will be effective in the Prisons nationwide. "Prisoners are engaged in skills training to capacitate themselves after serv-

ing their term of sentence. "What is happening in the prisons is due to the kind gesture of the United Nations (Peace Building Fund) through I.O.M. (International Office for Migration) have equipped the following workshops (Carpentry, Shoe Making and Tailoring Workshop, and also 1000 bunker beds, and beddings provided through PBF. Improvement of water and facilities for sanitation at the Freetown central, Pujehun and Kenema, those that are responsible to see that inmates have good health should do it now.

UNMIL Public Information Office Complete Media Summaries 13 February 2009

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

Newspaper Summary

Liberian Leader Denies Factional Link during Country's Civil War

(The Analyst, The News, New Democrat, The Inquirer, Daily Observer, Heritage, The Informer, The Parrot, Public Agenda, Liberian Express)

- After months of wrangling debate marred with legal contentions whether or not she should appear before the Truth and Reconciliation Commission (TRC), President Ellen Johnson Sirleaf Thursday faced the body to give accounts of her role in the Liberian crisis, admitting that she visited Mr. Charles Taylor, as rebel leader, behind the lines in Nimba County, but that he fooled her in believing his agenda of justice.
- President Ellen Johnson-Sirleaf has denied ever being a part of any rebel faction in the destruction of Liberia.
- President Sirleaf however, admitted endorsing the rebellion against President Samuel Doe, describing the rebellion as "a people movement".
- The President also admitted being part of the ACDL, which gave support to the NPFL rebel group of Charles Taylor.
- The ACDL is the Association of Constitutional Democracy in Liberia founded in the United States.
- She said the ACDL sympathized with the NPFL because of its theory and at point in time donated ten thousand U.S. Dollars for humanitarian purpose.
- Madam Sirleaf said she disassociated herself from the NPFL when she paid a visit to Gborplay in Nimba County in May of 1990.
- She recalled while in Gborplay, she saw things that did not show that the NPFL was a liberation group.
- President Sirleaf said if anything to apologize for would be her association and support to Charles Taylor.
- President Sirleaf spoke Thursday when she appeared before the Truth and Reconciliation Commission.
- The President also said she did not escape prison in 1985 as was speculated in many quarters.
- President Sirleaf told the TRC Thursday, her release from prison was by executive clemency.
- Madam Sirleaf said although she was out of prison, she fled the country on an aircraft via the Buchanan airstrip to Abidjan, the Ivory Coast.
- Madam Sirleaf told the TRC hearing she was imprisoned twice by the Doe regime but was treated as an ordinary prisoner.
- She denied ever being raped or sexually abused while in prison at the Post Stockage base, Camp Shuffling and the Monrovia Central Prison.
- She denied knowing anything about the planning of the 1980 coup and the 1985 abortive coup although she served in the PRC government.
- President Sirleaf told the TRC she had no link with Gen. Thomas Quiwonkpa and described allegations linking her as rubbish.
- She said if President Doe was still at live she would have apologized to him for calling him an idiot while addressing a forum in the United States.
- Madam Ellen Johnson-Sirleaf further vowed to issue a law suit against Tom Woewiyu upon leaving the presidency.
- Madam Sirleaf said she would sue Mr. Woewiyu, the first defense spokesman of the NPFL, for slander.

- In 2005, Mr. Woewiyu wrote an open letter, outlining what he considered the role Madam Sirleaf in the war as a key founder of the NPFL.
- Madam Sirleaf said she had intended to sue Woewiyu but did not do so because of the intervention of Methodist Bishop John Innis.
- She vowed before the truth commission that at all cost Mr. Woewoyu would have to produce evidence in court to show her link to the formation of the NPFL.
- The President's appearance was characterized by tight security to the extent that journalists were restricted.

Radio Summary

Local Media – Star Radio *(News culled from website at 12:00pm)*

President Sirleaf Apologizes for role in Civil Conflict

(Also reported on Truth FM, Radio Veritas, Sky FM, and ELBC)

Taylor's Police Director poised to advise LNP on combating armed robbery

- The last Police Director of former President Charles Taylor who President Sirleaf labelled as having poor human rights record has been recommended to serve in her government.
- Justice Minister Philip Banks recommended Mr. Paul Mulbah to serve as Advisor to the Liberian National Police.
- A Justice Ministry release said Mr. Mulbah would advise Police Director Munah Brown and her deputies on how to combat armed robbery in the country.
- It can be recalled Madam Sirleaf accused Mr. Mulbah of having poor human rights record and that he could not serve in her government.

(Also reported on Truth FM, Radio Veritas, Sky FM, and ELBC)

Monrovia's New City Mayor Faces Senate Confirmation - Admits Acting Unconstitutionally

- The City Mayor designate of Monrovia says she actually acted unconstitutionally to burn several market stalls in the city.
- Madam Mary Broh said her action was illegal given that she was not confirmed by the Senate.
- She said she regrets her illegal action and apologized to the affected marketers promising to help rebuild their burned market stalls.
- Madam Broh spoke Thursday during her confirmation hearings before the Senate's Committee on Internal Affairs.
- The Monrovia City Mayor designate said although she regretted her action she acted as a concerned citizen and not as a nominated City Mayor.
- During the confirmation Madam Broh agreed to questions from the Senators that ignorant of the law does not free anybody.
- Our reporter says this consent by the City Mayor designate signals that her confirmation may face some hitches in the Senate.
- Earlier, dozens of marketers led by CDC Assistant Secretary General Acarous Gray petitioned the Senate not to confirm Madam Broh.
- In the petition, they said Madam Broh acted illegally by assuming the post of City Mayor without being confirmed by the Senate.

Interior Minister Criticized for 'Wrongly' Using County Development Funds

- The National Human Rights Center of Liberia has criticized the Internal Affairs Minister for using Grand Cape Mount County development fund to pay the rent of the superintendent.
- The National Coordinator of the group called on President Ellen Johnson Sirleaf to prevail on Minister Ambullai Johnson to retribute the fund.
- Mr. Alfred Quajandii said Minister Johnson action is reminiscent of a repressive regime in which decisions are made without the input of citizens.
- Mr. Quajandii said rental fees of superintendents should be included in the Internal Affairs budget and not from funds intended for development.
- He suggested that government construct superintendent quarters across the county to cut down spending on rental fees.

- Meanwhile, the National Human Center boss has called on the Senate not to confirm the newly appointed mayor of the Monrovia City Corporation.
- Mr. Alfred Quajandii said Madam Mary Broh exhibited her incompetence when she began demolishing people structures without being confirmed.
- According to Mr. Quajandii, Madam Broh would do worst things to unduly punish poor Liberians when she is confirmed by the Senate.

House summons Internal Affairs Minister

- The House of Representatives has summoned Internal Affairs Minister Ambullai Johnson to show cause why he should not be held in contempt.
- The House said Mr. Johnson must appear before it Tuesday to establish his authority to administer the County Development Funds.
- The decision is in connection with the withdrawal of over US\$7,000 from the County Development Funds of Grand Cape Mount.
- Minister Johnson ordered the withdrawal of the funds to pay the rental arrears of Superintendent Catherine Khasue.
- The Internal Affairs Minister even vowed to repeat his action because the Legislature rejected the payment of rental fees for Superintendents in the budget.
- In its session Thursday members of the House said the statement and action of Minister Johnson was contemptuous and illegal.
- The House said Minister Johnson does not have any authority to disburse money from the County Development Funds.
- Presidential Spokesman Cyrus Badio had earlier told Star Radio that if the funds were withdrawn it would be restituted.
- But the Internal Affairs Minister has since said he would brief the office of the President to clarify the issue.

AU Delegation Assesses Youth Employment, Education in Liberia

- A two-man delegation from the African Union Commission has visited the Labour Ministry to assess the level of youth employment and education in the country.
- Head of delegation, Oumar Diop said Liberia and Sierra Leone are just returning from years of devastating wars, which left their youths vulnerable.
- Mr. Diop said they are also in the country to know the degree of the application of the rule of law, judiciary, gender and governance.
- He promised to purpose to the AU Commission to complement efforts outlined by the Labor Ministry as gaps and challenges.
- Meanwhile, the Minister of Labor said the meeting with the AU Delegation focused on several critical issues affecting the labor sector.
- Minister Samuel Woods said the discussion ranges from youth employment, labor market information system and the general situation of labor administration.

Also reported on Truth FM, Radio Veritas, Sky FM, and ELBC)

Sinoe Student Group accuses CEO of Corruption but Accused Denies

- A student group calling itself Sinoe Concern Students has accused the County Education Officer, Sampson Clarke of corrupt practices.
- The Secretary General of the group, Warwine Youngbe told Star Radio CEO Clarke employed one of his brothers who is not qualified to teach in the county.
- Mr. Youngbe alleged the CEO allowed the District Education Officer of Lower Kpanyon District, Wle Sayjlah to reside in Monrovia and go to school.
- According to Mr. Youngbe, the Lower Kpanyon DEO shares his monthly salary with the CEO for allowing him to enroll at the University of Liberia.
- He said they have written the Education Ministry to investigate CEO Clarke and dismiss him, if found guilty.
- Reacting to the claims, the Sinoe County Education Officer, Sampson Clarke refuted allegations that he is engaged in corruption.

- Mr. Clarke told Star Radio via telephone at no time that he employed any of his brothers in the Sinoe County School System.
- Commenting on the issue of the District Education Officer of Kpanyon, Mr. Clarke said the DEO wrote his office, requesting for excuse to seek medical treatment in Monrovia.
- He said DEO Wle Sayjlah's letter was accompanied by a referral document from the Francis J. Grant Memorial Hospital after he sustained injury as a result of a motor bike accident.
- The Sinoe County Education Officer said the accident occurred while Mr. Sayjlah was on his way to his assigned area.
- Mr. Clarke indicated that he does not know whether the Lower Kpanyon District Education Officer is going to school in Monrovia.
- Mr. Clarke challenged his accusers who he referred to as paid agents to prove their allegations.

(Also reported on Truth FM, Radio Veritas, Sky FM, and ELBC)

Cocorioko

Sunday, 15 February 2009

Forum advocating for War Crimes Court declares President Ellen Johnson-Sirleaf A war Crimes Suspect

Written by FORUM FOR THE ESTABLISHMENT OF WAR CRIMES COURT IN LIBERIA



Now being sufficiently mobilized for the cause, our progressive shadow sprawls footprints of a vigorous campaign for all perpetrators, irrespective of religion, ethnicity, status, sex or creed, to face justice **READ THE FULL RELEASE :**

PHOTO : President Ellen Johnson- Sirleaf

FORUM FOR THE ESTABLISHMENT OF WAR CRIMES COURT IN LIBERIA

THE ANTI-WAR ADVOCACY WING OF THE PROGRESSIVE ACTION FOR CHANGE
Capitol bye pass, Monrovia; 06-626-209

14th February 2009

Press Statement

(For Immediate Release)

Declaring President Ellen Johnson-Sirleaf A war Crimes Suspect; Issues 21-days Ultimatum for Her Resignation as an Accomplice of Charles Taylor...

For the past several years now, we took upon ourselves the national challenge of seeking accountability for the widespread and systematic commission of war crimes, crimes against humanity, and violation of international humanitarian law as evidently perpetrated in Liberia for over a two-decade period(1979-2003).

During this period of relentless civil society activism, our strategies, methods and goals have been greeted with cynicism and criticisms in some cycles, whilst in others- predominantly constituting wearied war victims- the macrocosm of our population, our efforts have been hailed and strongly supported.

Nevertheless, irrespective of the differences, the grassroots Movement- Forum for the Establishment of a war Crimes Court in Liberia- is committed to the full-cycle transformation of Liberia into a viable and vibrant democratic society where justice, liberty, equality, the rule of law, and the pursuit of happiness for all within our borders will remain sine qua non to our progressive development.

Realizing this essence of inalienable national objectives, especially in light of the moral, national and international imperative to address impunity through a satisfactory mechanism to prosecute perpetrators, The Movement draws its strengths from youths, men and women representing a cross-section of the population, mainly the grassroots.

Now being sufficiently mobilized for the cause, our progressive shadow sprawls footprints of a vigorous campaign for all perpetrators, irrespective of religion, ethnicity, status, sex or creed, to face justice in a special court as is now being recommended by The Truth and Reconciliation Commission of Liberia to the House of Representatives.

Along the way, we published dossiers indicting major war actors, ranging from the atrocities committed by former President Charles G. Taylor and his nihilistic gangs, to LURD's leader, Sekou Damante Konneh and his indiscriminate mortar-launching rebels.

Whilst, through research and other sources, we credibly identified major military criminals, we were likewise privileged to identify key political actors who, along with their military accomplices, must be made to account in a Special Court as greatest responsibility bearers in the murder, destruction and economic abuse of our nation-state.

Sadly, in 2007/8, we found Mrs. Ellen Johnson Sirleaf, President of the Republic of Liberia, wanting for prosecution as one of those bearing the greatest responsibility for heinous crimes committed by the NPFL in Liberia. This revelation led us to begin calling for the resignation of President Sirleaf so as to allow the creation of a Special Court, a requirement made difficult by her continuous presidential occupation. Though followers of the President thrashed our pronouncement as "Stupidity and foolishness", as they did our endless calls for the formation of a Special Court, the confessions of President Sirleaf before the Truth and Reconciliation Commission on 13th February 2009 clearly justifies the ardent need for her resignation since the creation of a war crimes court relies on her signatures. Giving the restricted nature of her testimony at the commission, we had to rely on the media, and have gleaned her admissions from the New Democrat Newspaper as quoted inter-alia: President Sirleaf: "...it was Mr. Thomas Worwoiyu who convinced [me] and other members of the Association of Constitutional Democracy in Liberia (ACDL) to provide support for the NPFL... We crossed the river to that place from Abidjan ... When we crossed it was not even a mile to where the operations were...I met Taylor with some young, red-eyed boys, and lot of Lebanese people... I apologize for being fooled by Taylor and for what kinds of support that I might have given him. I do apologize for the support we gave him, for any part we played in that. I'm sorry..." After these admissions, the President also disclosed her US\$10,000.00 contribution to the NPFL through The ACDL.

Even though Mrs Sirleaf's apology should be well accepted by all Liberians, it cannot however compensate for the irreparable loss of innocent lives, cannot satisfy justice, and therefore cannot be used as substitute for justice.

In furtherance, though the extent to which President Sirleaf influenced the NPFL-led war may be far deeper than what she has revealed, in the midst of previous denials of her involvement before she appeared at the TRC, her self-incriminating role establishes sufficient grounds for the Liberian people to uncompromisingly lead a campaign for her resignation. Besides her confessions of guilt, we choose to take this position based on documented evidence that Mrs. Sirleaf as well as former president Charles Taylor and others have broken the law. They are suspected of committing war crimes and crimes against humanity - offenses so contemptible there is no statutory limitation or safe haven within the civilized world.

Further evidence shows Mrs. Sirleaf played a central role in the planning, financing and directing of a war so brutal, so violent and so devastating that experts have labeled it one of the worst in modern History. Ordering the "Mansion to be leveled", NPFL forces to attack the then overcrowded City of Monrovia (during operation Octopus) shows the extent to which Mrs. Sirleaf was willing to go in her political ambition.

Now as President, she continues to cause grief for the Liberian People due to her inability to fully execute the duties of the office regarding justice and impunity issues.

And though it is abundantly clear this nation cannot move forward without some measure of accountability; Mrs. Sirleaf continues to put her personal interests above that of the entire population. Her apparent lack of interest in seeking prosecution for war crimes perpetrators, which is understandable, has led to this Declaration of a campaign for her resignation as President of Liberia. This declaration in essence is an indictment of Mrs. Ellen Johnson Sirleaf, Mr. Charles Taylor et al for crimes of rape, torture and the murder of tens of thousands Liberians.

We therefore call on the President to act in a timely manner in order to maintain the People's trust. This issue is simple: Either Mrs. Sirleaf, Mr. Taylor, and other factional leaders bear supreme responsibility for atrocities committed in this country, or they don't; and it is only a Special Court that determines guilt or innocence.

Besides acknowledging the fact that Mrs. Sirleaf is incapable of preventing this country from again returning to violence if she doesn't indict ex-warlords, the call for her resignation is a commitment to transform Liberia into a nation of laws, sending a resounding message that absolutely there is no one above the law. And, it is also an effort to end the culture of impunity, as well as an expression of our collective disgust with the status quo; change must begin at the top.

The presence of United Nations' troops has afforded us the opportunity to solidify the peace as well as find solutions to the ills plaguing this nation. Knowing full well these troops will not remain indefinitely, it is imperative we lay the foundation for rule of law; because it offers the best remedy for corruption, rape, land dispute, armed robbery as well as other pressing issues. And there is no better way to stabilize the country than to utilize the legal process to hold accountable those responsible for atrocities perpetrated against the Liberian people during the war.

To our Liberian brothers and sisters, just as we explained to President Barack Obama when we wrote, evil has gripped this nation, and it must be soundly defeated. You have heard the stories, including that of former president Moses Blah who testified that killing and eating human beings was a common practice amongst those that waged the war. They also drank the blood of their victims. And without provocation, they smashed the heads of innocent babies; ripped open the stomach of pregnant women; and set families ablaze in their homes. Not seeking punishment for these acts of cruelty will not only be criminal on our part, but sinful as well.

A wise man once said, "All that is necessary for the triumph of evil is for good men to do nothing." In the coming days we will ask you to stand with those who believe Liberians deserve better...those who believe rule of law must take hold before UN troops depart...those who believe in personal accountability...as well as those who believe there can be no peace without justice. This is why we hereby issue a 21-day ultimatum to President Sirleaf to tender her resignation as President of Liberia, or face impeachment proceedings consistent with Article 62 of the constitution of the Republic of Liberia.

I say to you - my brothers and sisters -let's rise and remain **STANDING** for **JUSTICE!**

Thank you.

Signed: _____

Mulbah K. Morlu, Jr.

National Chairman

DISCLAIMER : The views Declaring President Ellen Johnson-Sirleaf A war Crimes Suspect belong to the Forum for the Establishment of War Crimes Court in Liberia .Publication of this public release sent to us by the FORUM does not in anyway reflect COCORIOKO's views or endorsement of the body's opinions on Madam Ellen Johnson-Sirleaf.

The National

Saturday, 14 February 2009

Hariri tribunal ready to try suspects

Abigail Fielding-Smith

The wreckage after the massive explosion in Beirut four years ago which killed Rafiq Hariri. Anwar

BEIRUT // Thousands of Lebanese are expected to gather in Beirut's Martyrs Square today to mark the anniversary of the assassination of Rafiq Hariri, whose remains lie in a rose-garlanded shrine a few feet away. The demonstration has become a ritual of Lebanese politics since the former prime minister was killed in a massive explosion on the Corniche four years ago, and an annual lightning rod for political tension in this deeply divided country.

This year, however, it is not just the Lebanese who are gathering. Thousands of kilometres away, in the Dutch village of Leidschendam, near The Hague, a recruitment drive is under way to fill the 300 posts budgeted for by the Special Tribunal for Lebanon.

Inside the Tribunal's premises, the former headquarters of the Dutch intelligence service, architects are measuring up the building's gymnasium with a view to accommodating judges, witnesses and legal teams.

After US\$15 million (Dh55.2m) worth of inquiry, 11 reports by the International Independent Investigation Commission and a further eight high-profile political assassinations, one of the most notorious murder cases of modern times is set to go to court.

It is a testimony either to the weakness of the Lebanese judicial system, or the clout enjoyed by the former prime minister, depending on who you talk to, that the Tribunal, which will come in to being on March 1, is the first instance of an international court being set up in to try a domestic crime.

Similar tribunals, such as the International Criminal Tribunal for the Former Yugoslavia and the Special Court for Sierra Leone, were set up to try crimes against international law. The Hariri tribunal, by contrast, is an idiosyncratic hybrid of international and Lebanese justice systems.

Of its 11 judges, four will be Lebanese, appointed by a special UN panel in consultation with the Lebanese government, and the case will be tried according to the Lebanese Criminal Code. Nearly half of its \$40m annual budget will be paid for by Lebanon.

Daniel Bellemare, who is the latest in a series of investigators mandated by the Security Council to "assist" the Lebanese justice system with its inquiries, will on March 1 become the Tribunal's prosecutor. When the bald-crowned Canadian changes roles he will take possession not only of all the evidence accumulated by the investigation, but also of responsibility for everyone held in relation to the case by the Lebanese authorities, including four security chiefs incarcerated at Roumieh prison since September 2005.

The court has the power to command the Lebanese authorities to apprehend suspects and bring them to The Hague, as well as to provide information on the location of witnesses.

"They could ask for [Hizbollah leader] Hassan Nasrallah as a witness," speculates Omar Nashabe, justice editor for al Akhbar, a newspaper associated with the Hizbollah-led opposition. He breaks in to a grin. "Let them try."

The opposition claim the Tribunal constitutes an unacceptable violation of Lebanese sovereignty.

The agreement giving the Tribunal powers of jurisdiction was not ratified by the Lebanese parliament, and was eventually forced through in May 2007 by Resolution 1747 under Chapter VII of the United Nations Charter, which gives the Security Council the right to intervene in sovereign states where there is a “threat to the peace”.

The March 14 ruling alliance for their part say that the opposition deliberately blocked a vote on the agreement.

They point to the well-documented corruption of the Lebanese judicial system, the removal of evidence from the scene of the crime by Lebanese security forces, and the pervasive influence of Syria, who they believe to be the perpetrators, as evidence that outside interference was unavoidable to get to the truth.

It is not only the opposition who are sceptical about the court.

“If you speak out against the court in this country, you are treated like a holocaust denier,” Muhammad Mugarbi, an independent human rights lawyer, said.

“Does it really make sense to pay more than the annual budget of the entire ministry of justice every year for one case?”

“What happens next time there is an assassination? Are we going to set up another international court? You have to sort out the rotten Lebanese judicial system.”

“What are we contributing, \$17 million? That’s the price of a small private jet,” said Mohammed Mattar, a lawyer for the Hariri family who has worked closely with the Tribunal. March 14th claim the Tribunal is about more than Hariri. – posters are up all over Beirut telling people it is “for Lebanon”.

“The Tribunal will remove the fear factor that has dominated the Lebanese, and politicians especially,” said Rached Fayed, a consultant to the Future Movement party founded by Hariri.

“It’s a departure from the old traditions of the Middle East”, said Mr Mattar, “that you go with impunity if you are strong, and are unaccountable.”

The terms of the Tribunal’s engagement are certainly muscular, including within its definition of criminal responsibility not just those directly involved in planning and executing the assassination but also anyone who “contributed in any other way to the commission of the crime”.

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Waki: MPs push for 'third' option

By Martin Mutua and David Ochami

A fresh push for a 'special court' with UN supervision to try perpetrators of post-election violence is gaining momentum, and it could be tabled in Parliament soon.

Imenti Central MP Gitobu Imanyara — who led the campaign to defeat the Government-sponsored Constitution of Kenya (Amendment) Bill 2009 that sought to entrench the Special Tribunal Bill in

the Constitution — is behind the new move. He has written to the Chairman of the Parliamentary Select committee on Constitutional Reform Abdikadir Mohammed and claims the idea enjoys support from a majority of MPs.

Imanyara said MPs would pass a motion to compel the Executive to petition the UN Security Council to establish a UN special court to try perpetrators of the 2007 post-election violence, if the Government fails to request for UN intervention.

About 1,300 were killed, scores injured and another 500,000 displaced after the bungled presidential elections.

He said any Government officials could petition the UN, including through Kenya's ambassador in Washington DC.

"We are telling the people of Kenya that there is a viable local option and we are asking the Government to act. If it does not then we shall take a motion to Parliament to compel it to petition the UN."

Major benefits

Imanyara said the tribunal is to be modelled on the UN special tribunals in Sierra Leone and Cambodia, ensuring its independence without detaching it from the people it addresses.

According to Imanyara, there are major benefits in looking at the Sierra Leonean experience as it was established by Kofi Annan, the former UN secretary general who mediated power-sharing in Kenya under the National Dialogue and Reconciliation Committee after the disputed 2007 presidential election. "One of the members of the Waki Commission was an expert from Sierra Leone. Both of these gentlemen would be a readily available source of expertise on this matter," says Imanyara in his letter dated February 11, 2009. Justice and Constitutional Affairs Minister Martha Karua declined to be drawn to the debate.

"That talk was there when the vote for the (Constitution of Kenya Amendment) Bill was defeated last week but I am not aware of any such move and therefore I cannot comment," Karua told The Standard on Sunday.

She, however, maintained that the Government had gone back to the drawing board to enable it chart the way forward for the country on the matter.

Nairobi Metropolitan Minister Mutula Kilonzo opposed the move to have a local UN special court, saying when similar courts were set up in Sierra Leone, the country was at war.

"Sierra Leone is not the way to go. We are able to establish a local tribunal because we are not at war," Mutula said echoing sentiments by Prime Minister Raila Odinga at the weekend that the local tribunal as proposed by the Government would have been the best.

"Even the judges, the prosecutor and the registrar are all from the Kofi Annan's team," Mutula added.

'Viable option'

He said there was a window still open where the Bill can be re-published and brought to the House in the next session. But a political scientist at the University of Nairobi Mr Adams Oloo says the Sierra Leone model is an option that can be pursued if the setting of a local tribunal fails.

Oloo says the argument being advanced is that The Hague option is bound to take too long, which could encourage impunity.

Another senior counsel and former MP, Mr Paul Muite, said establishing a special UN tribunal modelled on the Sierra Leone one is a "viable option". He supported the Sierra Leone proposal saying such a tribunal would be most successful if hosted in Arusha, Tanzania, which also seats the International Criminal Tribunal for Rwanda (ICTR).

The ICTR on Rwanda's mandate ends this year and Muite suggests its offices be inherited by a special court for Kenya.

Muite said on Sunday that Imanyara's proposal requires a UN Security Council resolution, which can be initiated by the UN itself or by Annan.

Besides, Muite said the National Accord and Reconciliation Act of last year is sufficient grounds for the UN Act to establish this court.

"That (Imanyara proposal) is a viable option. It will be preferable if it operated in a place like Arusha," Muite told The Standard on Sunday.

He said besides the technical, constitutional and doctrinal flaws in Karua's statute, it is practically impossible to host an international tribunal in a country where a section of the government in power stand to be investigated or has been implicated in gross violations of international humanitarian law and other high crimes.

Unlikely to co-operate

"It is like asking the government to investigate itself," Muite said, adding that the Kibaki administration would be unlikely to co-operate with a court that places him and Prime minister Raila Odinga in the crosshairs of an international investigation.

Muite also said that under the Rome Statute, the head of State or government is primarily accountable for State security and alleged that the President will be obliged to show international investigators he acted to prevent last year's mayhem from unfolding.

"The burden of proof is on the chief executive to prove he took steps to arrest the mayhem if he has knowledge or ought to have known what was about to happen."

Muite also claimed that any tribunal in Kenya would be hamstrung by "those who opposed proposals to make the (defunct) Electoral Commission of Kenya professional."

For these reasons seating the Special UN court in Arusha will be better than having any such court in Kenya, Muite said.

However, he said, the best option remains indictment of masterminds and financiers of the violence by the ICC at The Hague.

He said it there is a momentum building internationally and within the UN to fast-track Kenya's case with the UN to forestall a repeat of what happened in Sudan's Darfur and Eastern DRC.

He said "even one or two masterminds at the Hague would be a milestone against impunity" and would unleash a momentum to prosecute other suspects locally under the penal code.