

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



Heavy rain approaches central Freetown from the ocean.

PRESS CLIPPINGS

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

as at:

Friday, 15 June 2007

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Local News

Special Court Runs Out of Money / <i>Independent Observer</i>	Pages 3-4
Taylor Wants Justice / <i>Positive Change</i>	Page 5
Pademba Road Prisons is Congested / <i>Awareness Times</i>	Page 6

International News

Taylor Trial To Continue Without Taylor / <i>Amsterdam News</i>	Page 7
U.N.: Ex-Liberia Leader May Have Assets / <i>Associated Press</i>	Page 8
Even Former Warlords Deserve a Fair Trial / <i>Fahamu (Oxford)</i>	Pages 9-11
CWRU Law Students Assist in War-Crimes Trial / <i>Cleveland Jewish News.com</i>	Pages 12-13
UNMIL Public Information Office Media Summary / <i>UNMIL</i>	Pages 14-16
UN Seeks to Move Case to Rwanda / <i>BBC Online</i>	Page 17

Special Court Runs Out Of Money

they expected to wrap up trials and appeals by the end of 2009. But King said available funds of the court's \$89 million budget would be exhausted by November. And Rapp said another \$60 million was needed from voluntary contributions. "The challenges facing the special court are serious," said Rapp, a former U.S. attorney (prosecutor) in Iowa. Richard Dicker, a counsel **More in page 2**

By Evelyn Leopold

UNITED NATIONS (Reuters) - A Sierra Leone court is running out of money to try nine

suspects accused of heinous crimes — chopping off arms and legs, raping, enslaving girls and forcing boys to kill. The president of the court,

Justice George Gelaga King of Sierra Leone, and the prosecutor, American Stephen Rapp, told the U.N. Security Council Friday

Special Court In Need Of US\$60 Million

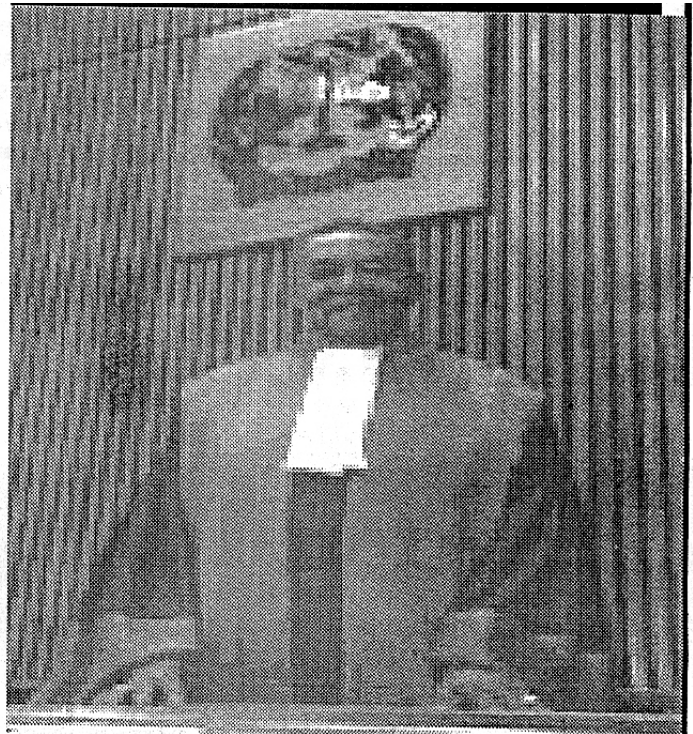
from front page

for Human Rights Watch, said the "lesson to the Security Council is that reliance on voluntary contributions from states is no way to operate a court."

The tribunal, established in 2002, is a mixed court with personnel appointed by Sierra Leone and the United Nations.

All trials are held in the Sierra Leone capital Freetown — except for former Liberian President Charles Taylor, who is in The Hague, Netherlands to prevent unrest in West Africa.

Taylor, who refuses to attend his trial, is accused of fomenting war by giving brutal rebels guns so he could enrich himself with Sierra Leone's diamonds. In turn the rebels maimed civilians of all ages, raped women and girls and forced young boys to join them in a killing spree. The court issued 13 indictments, but three suspects have died and the whereabouts of one is unknown.



King told the council that after the legal proceedings the court needed to find countries that would shelter witnesses as well as make sure legal papers are preserved. The court also needed help in preparing radio and video screenings for the public in Sierra Leone and Liberia.

Canada's deputy ambassador, Henri Paul Normandin, whose country chairs a U.N. committee for the court, said financing was the most critical issues facing the tribunal.

"Throughout its history, the court has struggled because it has often been unsure from one month to the next whether there would be money in the bank," Normandin said.

Some 50,000 people are said to have died during a decade of warfare that began in 1991. Intervention by Britain, the former colonial power, and U.N. peacekeepers kept the rebels from overthrowing the government.

But reports by Reuters showed the government was making little progress in tackling corruption, was squandering foreign aid and leaving its most vulnerable citizens as destitute as they were before the war ended five years ago.

Positive Change
Friday, 15 June 2007

Taylor Wants Justice

By Roy Kossel

The former war lord and president of the Republic of Liberia, Charles Ghankay Tay-

lor, now a Special Court indictee in The Hague, has said he needs at least a modicum

Continued page 10

[Article not continued]

Mr. Charles Taylor's Letter

1 June 2007

Justice Julia Sebutinde

Presiding Judge

The special Court of Sierra Leone

Termination of Representation

It is with sadness and regret that I write to inform you that I no longer feel able to attend and participate in the proceedings against me before the Special Court for Sierra Leone. Sadness, because at one time, I hoped and had confidence in the court's ability to dispense justice in a fair and impartial manner. Over time, it has become clear that such confidence is misplaced.

Every one deserves Justice. The people of Liberia and Sierra Leone, who for too many years have undergone tragic sufferings, deserve Justice. The people of Africa, for whom the promise of independence was only pyrrhic, deserve Justice. And I too, deserve at least the modicum of justice.

I've always, in my small way, been willing to make sacrifices for peace. I relinquished the Presidency of Liberia, and accepted exile in Nigeria, to ensure that the people of Liberia would no longer suffer war. As I said on 7 August 2003, when I left Liberia, I relinquished the Presidency because I could no longer preside over the suffering and humiliation of the Liberian people.

Till date, the Special Court has not demonstrated itself capable of delivering justice. Justice is blind. Justice pursues truth, Justice is fair. Justice is immune to politics. It is no justice to preordain convictions. It is no justice to emaciate my defense to an extent that I am unable to launch an effective defense. It is no justice to throw all rights to a fair trial to the wind in a headlong rush to trial. It seems apparent that there is a plain desire to reach pre-determined decision of guilt in haste and without due regard to even the most basic fair trial rights as enshrined under international law.

Article 14 of the ICCPR and Article 7 of the African Charter on Human Rights and People Rights provide for the equity of arms between parties. Today marks the start of the trial against me. The Special Court's administration has been so dilatory that I have only one counsel to appear on my behalf. One counsel is against a prosecution team of nine lawyers. This is neither fair nor just. It is astonishing that, as the custodian of fairness, the Trial Chamber is prepared to countenance this position.

Given the size of the prosecution team, it is not surprising that it has been able to produce a seemingly never-ending volume of materials to be considered in this case. The limited resources have made it impossible to review all of this material and has distracted from the proper preparation of my defence. My legal representative has not been provided adequate time and facilities as guaranteed under Article 14 of ICCPR and Article 7 of the African Charter. The numerous Defense requests for proper time to prepare have been ignored.

Defense preparation for trial have further been frustrated by the insidious presence of a camera in conference facilities in the Detention Unit, overseeing meetings between lawyer and client that are supposed to be privileged and confidential. The obvious result of this has been to seriously frustrate and hamper defense preparation for trial. The problem persisted continuously for three months, yet the Court granted only an 18-day extension for defense preparation.

My transfer to The Hague has left me cut off and in almost total isolation from family and those closest to me. Their visits to The Netherlands are restricted to one Visa being issued to one visitor at a time, for a maximum period of two weeks. The Special Court's administration is ill prepared to handle a trial of this magnitude in The Hague and is unwilling or unable to perform its basic functions. Despite this, the court advances with great haste to trial without any regard to the most fundamental procedural safeguards.

For all these reasons, I am driven to the conclusion that I will not receive a fair trial before the Special Court at this point. It is therefore with great regret that I must decline to attend any further hearings in this case until adequate time and facilities are provided to my defense team and until my other long standing reasonable complaints are dealt with. It follows that I most terminate instructions to my legal representatives in this matter. Despite my complete confidence in their ability and competence, I must ask that they cease to represent me before the Special Court and instruct them accordingly.

I cannot participate in a charade that does injustice to the people of Sierra Leone and Liberia, and the people of Africa; and a disservice to the international community in whose name this Court claims to speak. I choose not to be the fig leaf of legitimacy for this process. I hope and pray for a fair trial that will perhaps bring to an end cycles of injustice. I stand ready to participate in such a trial, and let justice be done, for myself, and for those who have suffered far more than me in Liberia and Sierra Leone.

Yours Sincerely,

1st June 2007 - 4:35 P.M.

Charles Ghankay Taylor

“Pademba Road Prison is congested” - Says Berewa

By Bampia J Bundu

Honorable Vice President Solomon E. Berewa has urged prison authorities of the Central Prisons to do everything possible to reduce their prisoners. This is as a result of the number of prisoners that are currently held at the Pademba Road Prison; this number is rising on a daily basis, VP Berewa said. The VP's statement was made during a management meeting at the Bank Complex, Kingtom. He noted that the actual number of prisoners that should be in Pademba Road Prisons should be 324; but now the place has been so over-crowded that there are over one thousand prisoners. To that end Berewa has demanded for the names of all prisoners and their terms of sentence for his perusal. Considering the offences of some prisoners, he noted that they should not have been sent to prison; some went for minor offences such as petty pilfering. This is a major reason for the overcrowding of the prison. He blamed magistrates for seizing the bail of some offenders.

Berewa lashed out against magistrates and judges for neglecting

their duties; before now the VP revealed that these legal luminaries used to visit the Pademba Road Prison to know the condition of the prisoners, noting that such things do not happen again for reasons best known to them. The congestion of prisons is a human right violation, Vice President Berewa told his audience. He expressed government's determination in curbing this inhuman treatment of prisoners by relocating some of the inmates to Masankay, where, a modern prison will be constructed. The Minister of Health and Sanitation, Mrs. Abitor Thomas, stated that magistrates and judges should take cognizance of the offences that they send culprits to prison for, noting that minor and major crimes should be differentiated. She said that community services should be introduced as other alternatives of punishing minor offenders.

A representative from the prisons department emphasized on the status of the prison, noting the judiciary is to be blamed single-handedly for the current state of the prisons. "Justice delayed is justice denied," he noted.

Magistrate Shyllon Sends 2 Juveniles to Pademba Prison

By Aruna Turay

Magistrate Bankolle Shyllon of Magistrate Court No. 3 has sent on remand to the Pademba Road Maximum Prison, two juveniles, both boys aged 10 and 13 years respectively because the Mini Juvenile detention center at Kingtom was reported to him as not having any space for the further encampment of juveniles.

He therefore urged the Policy Reform Committee of the Social Welfare system to ensure the speedy conclusion of their report on the Juvenile Remand facilities at Wellington, the Approve School and the mini facility at Kingtom.

Speaking from the Bench yesterday, Magistrate Shyllon maintained that sending juvenile offenders on prison terms to the Pademba Road Maximum Prison was a contravention of procedural rules of detention of persons in the category of juvenile and

a contravention of their rights. He therefore called on those responsible for the ongoing reform to "speed up their exercise so that the judicial system is not seen to be continuing breaching the fundamental rights of juvenile offenders."

According to him, during his days as a kid, the only recommended and prescribed detention centre for juvenile offenders was the Approved School, where such offenders were given corrective training as to how to relate to society in the future after their remand terms. He said the Pademba Road maximum prison was meant for elderly convicts, emphasizing that "it is not meant for keeping juveniles on remand." One of the juvenile suspects is charged with larceny of property said to worth millions of Leones.

Amsterdam News
Thursday, 14 June 2007

Taylor Trial To Continue Without Taylor

Special to the NNPA from GIN

(GIN) - Former Liberian President Charles Taylor refused to appear in court Monday for the opening of a special war crimes trial that will reopen the scars of horrific crimes committed during a reign of terror from 1991 to 2002 in Sierra Leone.

Prosecutors at the U.N.-backed court here accuse ex-Pres. Taylor of leading a rebel army including child soldiers, often on drugs, that subjected tens of thousands of civilians to murder, sexual abuse, amputation and slave labor in the country's diamond mines.

Taylor oversaw atrocities that displayed "the very worst humans are capable of doing to one another," said prosecutor Stephen Rapp in his opening statement. Taylor, 59, has refused to attend the U.N. court hearing, saying he was denied adequate time and resources to prepare his defense since his arrest last year.

Elected president of Liberia in 1997 after a brutal civil war, Taylor developed close ties to the Revolutionary United Front rebels of Foday Sankoh in neighboring Sierra Leone.

Taylor is being charged only with crimes in Sierra Leone where, prosecutors allege, he deployed doped-up child fighters – a phenomenon begun in Liberia, where he created "Small Boys Units" and "Small Girls Units" that served as brutal security teams.

Taylor-backed rebels are accused of the slaughter and looting of entire villages, forcing women and girls into sexual slavery and engaging in systematic amputations as they taunted victims to ask their president for new limbs.

A peak of savagery came during a rebel invasion of Freetown, the Sierra Leone capital, in 1999, an operation assisted by a contingent of Liberian fighters, asserted prosecutor Mohamed Bangura of Sierra Leone.

Overthrown by rivals in Liberia, Taylor went into exile in Nigeria in 2003 soon after the international charges were filed.

"The people of Sierra Leone have a saying: No matter how long the night is, light will come," prosecutor Bangura told the court. "... Today we start to shed light on his responsibility for the suffering of the people of Sierra Leone."

Taylor faces a maximum sentence of life imprisonment if convicted by the Special Court for Sierra Leone.

Associated Press

Thursday, 14 June 2007

U.N.: Ex-Liberia Leader May Have Assets

By EDITH M. LEDERER

UNITED NATIONS - Former Liberian President Charles Taylor is believed to have substantial financial assets despite his demand that the court prosecuting him for war crimes cover his legal costs because he is indigent, U.N. investigators said in a report obtained Thursday.

A five-member panel's report to the U.N. Security Council said there were credible allegations that Taylor had investments in Nigeria that have not been frozen. It noted that Taylor had a "large sum of money" when he was arrested trying to flee Nigeria in 2006.

The panel is investigating the effectiveness and impact of sanctions against Liberia and progress toward lifting some of them.

The U.N. ordered an asset freeze against Taylor and his associates, but the current Liberian government has not yet enacted legislation authorizing a freeze, the panel said.

Taylor went into exile in Nigeria five months after being indicted on 11 charges of war crimes and crimes against humanity. He is accused of arming and controlling rebels who raped, mutilated and enslaved civilians during the 10-year civil war in Liberia's neighbor, Sierra Leone. The war ended in 2002.

After his arrest, Taylor was transferred to The Hague, Netherlands, amid fears that trying him in Sierra Leone could provoke fresh violence in the region.

Taylor, a Libyan-trained guerrilla fighter, was elected president in 1997 but was forced from power under a 2003 peace deal that ended Liberia's civil war. He has been linked to brutality in his own country, but Liberians have opted for a truth and reconciliation commission rather than a court.

Taylor boycotted the start of his trial on June 4 and fired his lawyer, saying he did not believe the proceedings would be fair.

"Although Charles Taylor claims to be indigent and has requested that Special Court for Sierra Leone cover his legal costs, there have been credible allegations of investments in Nigeria that remain unfrozen," the panel said.

"The government of Nigeria did not permit the panel to investigate these allegations," the report said.

The panel also said that at least 16 percent of taxes paid by the Oriental Timber Corporation paid _ totaling \$4.5 million _ "were deposited directly into the bank accounts of Charles Taylor."

It cited bank records indicating that Natura Holdings Pte, which held the largest timber concessions in Liberia, was credited in July 2001 with paying \$2 million in taxes, which corresponds to a deposit made to Taylor's private bank account soon after.

"Millions more may have been deposited into other foreign accounts, but definitive information on the ownership (of) these bank accounts has been difficult to obtain," the panel said.

In a report last year, the panel said evidence indicated Taylor had "significant investments in Nigeria, such as in real estate."

A service of the Associated Press (AP)

Fahamu (Oxford)

Thursday, 14 June 2007

Opinion

Even Former Warlords Deserve a Fair Trial

The long awaited trial of fast-talking, charismatic warlord-turned-Liberian president Charles Ghankay Taylor was a dramatic tour de force in the complexities of international justice. Though Taylor is being tried on 11 counts of war crimes, crimes against humanity, and other serious violations of international law committed during Sierra Leone's 11-year civil war, the defendant himself was nowhere in sight for the first day of the trial, causing heads to turn, brows to furrow, and feathers to be ruffled. Taylor's lawyer read a letter to the court in which his client called the trial a charade, riddled with deficiencies in representation for the defence team and inadequate resources. Taylor said the court has proven itself incapable of delivering justice because of blatant infringements on his rights, as evidenced by 'the insidious presence of a camera in conference facilities in the Detention Unit, overseeing meetings between lawyer and client that are supposed to be privileged and confidential'. The camera issue persisted for several months, without any safeguards from the Special Court administration, which has shown its inefficiency in performing the basic functions of legal proceedings. The obvious result was Taylor's indignant absence: 'I choose not to be the figleaf of legitimacy for this process...', he wrote defiantly in his letter.

As I sat in the public gallery and media news room at the International Criminal Court (ICC) in the Hague on June 4, I could not help reminding myself that the events unfolding were not a melodramatic farce, but rather a foreshadowing of months to come in the complicated web of accusations and counter-attacks in the case of one of Africa's most notorious warlords.

While some believe Taylor's rebuff of the court de-legitimised the prosecution's evidence against him, others, like Human Rights Watch, believe that the case sends a strong message that impunity will no longer be tolerated in Africa, or elsewhere.

Whatever your perspective, Taylor's absence from the prosecution's opening statements is symptomatic of broader issues of restorative justice, the power of representation, and an international system structured in dominance. Is Taylor a scapegoat for the international criminal (in) justice system, which still has a strong Western influence and funding channel? Who really bears the greatest responsibility for the atrocities committed in Sierra Leone? What about the crimes committed in Liberia? Why was the trial relocated to the Hague, when the crimes were allegedly committed in Sierra Leone? These and many more questions need to be explored adequately for a holistic picture to be drawn.

Background to the case

The Sierra Leone civil war began in 1991, initiated by the Revolutionary United Front (RUF) led by corporal Foday Sankoh, who exploited the country's diamonds to fund his push against government forces. Civilians were targeted in an act of irrational retribution, in which tens of millions of thousands died, rapes and mutilations were rampant, and more than 2,000,000 people were displaced because of the 11-year conflict.

The UN backed Special Court for Sierra Leone was mandated in 2002 to try those who bear the greatest responsibility for the war that destabilised much of West Africa and stunted economic/political activity. Taylor's indictment materialised in 2003 before he was granted political asylum by President Olusegun Obasanjo of Nigeria. It is alleged that in exchange for diamonds, Taylor provided the RUF with much needed arms and ammunition, manpower, military training, security and a safe haven in Liberia, as well as strategic and tactical advice, enhancing the junta's ability to continue the war. The prosecution's opening statements proposed to lay out the foundation of their case, stating that witnesses and documents will eventually present damning evidence that Taylor was responsible for the development and execution of a 'common plan' that led

to death and destruction in Sierra Leone. 'The plan, formulated by the Accused [Taylor] and others, was to take over political and physical control of Sierra Leone in order to exploit its abundant natural resources and to establish a friendly or subordinate government there to facilitate this exploitation', said chief prosecutor Stephen Rapp, as he gazed pointedly at an empty seat that Taylor would have inhabited.

Some believe that Taylor should have remained in West Africa to face the victims of his alleged campaign of carnage. Others, however, believe that Taylor's international network of contacts could have posed a threat to the stability of the region if his trial had remained in Sierra Leone. These concerns are legitimate, considering Taylor's Houdini antics throughout the years. He 'mysteriously' escaped from a Boston jail in the mid-1980s and ended up in military training in Libya. In 2005, he 'disappeared' from his asylum residence in Calabar, Nigeria only to be found at the Nigeria-Cameroon border, before facing arrest in late March 2005. Supported by those who fear Taylor's stronghold in the region, a swift overhaul of the trial to the Hague has proved problematic anyway, even though the Special Court for Sierra Leone requested the move. Whether on West African soil or within European jurisdiction, this case is complicated and sensitive.

Leading to the trial: A complex web of manoeuvres and counter-maneuvres

The capture of Taylor ricocheted a message across Africa that impunity will no longer be tolerated. After nearly two years of asylum in Nigeria, Taylor -- handcuffed and scowling -- was transported by UN military police to Sierra Leone at the end of March 2005. He appeared at the UN Special Court for the first time on April 3 to face charges for supporting Sierra Leone's civil war. As I watched Taylor on screen after his capture at the Nigeria-Cameroon border, I could not help noticing that the warmonger looked visibly pissed, like he had been duped by a humiliating practical joke gone awry.

Except no one was there to say 'Just kidding, Chucky!' All of his playmates had disappeared, leaving the indicted prisoner in UN custody alone and crestfallen. Flashback to the summer of 2003, and a different vignette materialises altogether. Taylor stood draped all in white like a king on the tarmac of Liberia's Roberts International Airport, waving and promising to return someday 'by God's grace'. He was headed for political asylum in Calabar, Nigeria after being forced into exile by international condemnation and rebel factions campaigning for his departure.

The fact that Taylor briefly landed on Liberian soil three years later only to be transported to a UN military jet for an oh-so-eventful journey to Sierra Leone, and then the Netherlands to face war crimes charges, is one of the most twisted ironies of our time. In fact, the past two decades of Taylor's life would be an intriguing epic. In a recent discussion with my cousin Edward Dillon, we managed to concoct a skeletal memoir filled with twists and turns that could land Taylor on somebody's bestseller list. We figured that such a book would more importantly hold the key to his misadventures. It would serve as an exposé of sorts, explaining the extent of his ties to some of the big wigs of African politics and non-Africans alike. Taylor has been connected to Libya's Muammar al-Gaddafi, Burkina Faso's Blaise Campaore, Cote d'Ivoire's late president Felix Houphouet-Boigny, former Ghanaian head-of-state Jerry Rawlings, and even US evangelist Pat Robertson, who signed a deal to mine an area in southeastern Liberia in exchange for Taylor's 10 per cent share in the company. Taylor was armed with charisma, a West African entourage of cohorts and international connections to boot.

The indictments of Taylor's West African networks were many. Sankoh died in prison from a heart attack and failing health while he was awaiting trial. Johnny Paul Koroma, who wielded control of the Sierra Leonean Armed Forces Revolutionary Council (AFRC) that overthrew president Tejan Kabbah in a coup in 1997, is still at large. Notorious RUF field commander Sam Bockarie, who was killed in Liberia allegedly by Taylor's command for fear of reprisal, was also indicted. Samuel Hinga Norman, former Sierra Leone Minister of Interior and head of the Civil Defence Force, was months away from a verdict, when he mysteriously died in prison. Though Kabbah eventually testified in front of the Truth and Reconciliation Commission in Sierra Leone, some argue that he was equally complicit in committing atrocities as Norman. Why was he not

indicted? Similarly, Gaddafi of Libya has ingratiated himself into the favour of the US once again. Like most African leaders whose records are dubious in activist circles, he continues to receive the golden shield of impunity. Why was he not indicted for participating in the 'common plan'? It seems as if Taylor is the last man standing, and must be made an example of. But was he the most culpable? Enquiring minds want to know.

What about Liberia?

An ironic turn of events proves that it was the international criminal (in)justice system that enabled Taylor to commit crimes in both Liberia and Sierra Leone in the first place. Hurling a surprise critique at the UN for its mismanagement of the Taylor debacle early on, Liberian attorney Philip A. Banks said that 'if not for the UN, Mr. Taylor would have seen the jailhouse in 1992' for orchestrating the notorious 'Carter Camp Massacre' in which children and defenceless bystanders were killed in Liberia. Personally heading the investigation, Banks reported his findings to the UN in the early 1990s, after which the international body ruled that Taylor was not responsible. 'Under our law [Liberian law], Taylor would have been tried and brought to justice' long before he became president of Liberia in 1997, said Banks, who served as a lead drafter of the current Liberian constitution.

A conflict resolution arbiter during Liberia's conflicts from 1990-1996, Banks censured the UN Special Court for Sierra Leone for its limited mandate. 'The authority granted to the court is circumscribed only to the crimes in Sierra Leone', he said in April 2006 at a press conference in Washington DC. According to Banks, the crimes that Taylor committed during his rebel war in Liberia from 1989-1996 were more extensively grotesque. 'Liberia is not getting out of the international intervention what it deserves', said Banks. He added that there needs to be a tribunal set up for Liberia to prosecute Taylor and his cronies, many of whom hold positions in the current Liberian government headed by Ellen Johnson Sirleaf. Activists argue that Taylor's case is part and parcel of Liberia's future post-conflict reconstruction development, especially if his accumulated stolen wealth - estimated at over US\$2.5 billion - is returned to the country's treasury.

More than meets the eye

Most coverage of the Taylor trial is devoid of critical engagement with the complex questions that bedevil the Special Court for Sierra Leone in particular, and the international criminal justice system, in general. Are truth and reconciliation commissions a Western conception of restorative justice? What about the gachacha courts in Rwanda, which serve as local mechanisms for prosecuting crimes? Just as the International Criminal Tribunal for Rwanda in Arusha, Tanzania, another UN-backed court system, is riddled with deficiencies, so too is the Special Court for Sierra Leone illegitimate in the eyes of many because it does not spring from the bowels of Africans themselves. Instead, it serves as a band-aid imprint of appeasement from the West, which is just as complicit in Africa's civil wars as the warlords who have been indicted, Taylor included. After all, the same arms that were used to destabilise both Liberia and Sierra Leone can be traced to international networks in the US, Russia, and elsewhere.

Taylor's fall from grace is reminiscent of a pantheon of notorious strongmen who have had to face the international criminal (in)justice system, among whom have been Slobodan Milosevic of Yugoslavia and Saddam Hussein of Iraq. What these three men have in common is one self-perpetuating node: an imprint of Western metaphysical guilt and disapproval. Once an enemy of the West, always an enemy of its court superstructure. Yes, Taylor's trial serves as a precedent in its own right in Africa. But it should not be manipulated to serve the needs of legitimising an internationally funded and controlled criminal court thousands of miles away from the continent of Africa itself. Even African warlords-turned-presidents-turned-defendants deserve a fair trial.

** Liberian native Robtel Neajai Pailey is a graduate student at the University of Oxford, and a multi-media producer for Fahamu/Pambazuka News.*

Cleveland Jewish News.com

Friday, 15 June 2007

<http://www.clevelandjewishnews.com/articles/2007/06/15/news/local/trial0615.txt>

CWRU law students assist in war-crimes trial

BY: MARILYN H. KARELD Senior Staff Reporter

When the war crimes trial of Charles Taylor, the former Liberian president, resumes June 25 in The Hague, some students from Case Western Reserve University's School of Law will be paying close attention.

Taylor, the first African head of state to face charges of crimes against humanity, is accused of backing the brutal rebellion in neighbouring Sierra Leone and committing war crimes in exchange for diamonds. The rebels, often strung-out children trained to be killers, committed such atrocities as hacking off arms, legs and noses of suspected government supporters, the Associated Press reports. Women were raped and sold as sex slaves.

Eight Case law students, the most of any law school in the world, have interned at the Special Court for Sierra Leone in Freetown, which was established in 2002; three are there now. Over two dozen Case students have prepared research memoranda for the Sierra Leone tribunal as part of Case's War Crimes Research Lab, under the direction of Professor Michael Scharf.

Among the legal questions Case students investigated was whether or not "head of state immunity" would prevent Taylor's prosecution, Scharf says. Citing precedents from the Case students' memo, the tribunal ruled it did not.



Scharf

Additionally, the Case students researched if forced marriage between Sierra Leone rebels and kidnapped village women can be prosecuted as an international crime. The tribunal found that it could.

After the Case students prepared a memo on the conflict of interest presented when a tribunal judge wrote a book suggesting that Taylor was a war criminal, that jurist was forced to recuse himself from the case.

After completing her internship in Freetown in 2006, newly minted Case alumna Ruth Mary Hacker was hired as one of four prosecutors for the Taylor trial. It has been moved from Sierra Leone to the courtroom of the permanent International Criminal Court (ICC) in The Hague, ostensibly to avoid spawning new violence in West Africa.

However, Scharf, who just returned from speaking to the International Criminal Tribunal for Rwanda, based in Arusha, Tanzania, said that Taylor's trial was really relocated to The Hague as part of a deal with Liberian President Ellen Johnson-Sirleaf.

She insisted on the move "as the price for her request to Nigeria to revoke Taylor's asylum and surrender him to the Sierra Leone tribunal," Scharf says. In 2003, Taylor agreed to give up the Liberian presidency and go into exile in Nigeria, where he was arrested last year.

In addition to talking about the Taylor trial, Scharf also addressed the judges and staff of the Rwanda tribunal about the new Cambodian Genocide Tribunal, the proposal to establish a Liberian war-crimes tribunal, and the lessons learned from the trial and execution of Saddam Hussein.

Taylor and his attorneys are expected to disrupt the trial, just as Saddam and his lawyers did in Iraq, says Scharf, who presented a workshop in Rwanda on how to maintain order in the courtroom despite such defense tactics. Previously, he gave the same workshop for the staff of the ICC in The Hague.

“Taylor ranks with Pol Pot, Idi Amin, Slobodan Milosevic and Saddam Hussein as the most notorious warlords in modern history,” notes Scharf.

Taylor boycotted the June 4 opening day of his trial and fired his assigned defense attorney. The tribunal is now trying to figure out how to proceed with his defense. If convicted of war crimes, he faces life imprisonment.

The former Liberian warlord is allegedly responsible for the displacement of about one million people, the murder of about 300,000, and the forced recruitment of tens of thousands of child soldiers, Scharf says.

Taylor faces 17 counts of crimes against humanity including terrorizing the civilian population, collective punishment, and attacks on UN peacekeepers. In their opening statement, prosecutors painted Taylor “as a sort of African organized crime boss, who grabbed power in a coup and sold Liberian lumber to Eastern European countries for small arms, which he sold to Sierra Leone rebels in return for blood diamonds,” Scharf says. Taylor used the stones to buy more weapons and influence in the region.

Liberia, settled by freed American slaves, has a unique history with the U.S., Scharf adds. Taylor, a descendant of Liberia’s original 19th-century settlers, went to college in Boston in the 1970s; his daughter Charen, who grew up in the U.S., dropped out of college here to assist in his defense.

Meanwhile, Taylor’s eldest son “Chuckie,” who ran his father’s security force, is currently on trial in a Florida federal court for torturing a man in Liberia, Scharf notes. He is the first person ever to be indicted under U.S. torture statutes.

The Immigration and Customs Enforcement Service investigates and prosecutes violators of human rights to ensure that the U.S. is not a safe haven for these individuals, the State Department said in a transcript of the press conference announcing Chuckie Taylor’s indictment.

Scharf and David Crane, the former chief prosecutor of the Sierra Leone tribunal and now a law professor at Syracuse University, are trying to create a Liberia War Crimes Tribunal.

Taylor could not have “facilitated these international crimes without the assistance of a clique of cronies,” Scharf says. A dozen leaders of his regime have escaped prosecution and some remain in power in Liberia. Others are “corrupt puppet masters, continuing to meddle in the affairs of Liberia and other states in the region from behind the scenes.”

Scharf and other international legal experts are trying to lay the groundwork to bring the puppet masters to justice.


United Nations **Nations Unies**

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 14 June 2007

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

International Clips on Liberia

Liberia's Taylor has hidden assets: UN panel

WASHINGTON, June 14, 2007 (AFP) - Former Liberian president Charles Taylor, on trial for war crimes, may have substantial hidden assets in Liberia and Nigeria, the New York Times reported Thursday, citing documents for a UN Security Council panel. The panel sent the Security Council its confidential report Wednesday suggesting Taylor salted away part of his alleged half-billion-dollar fortune in investments in the two countries, and that he still has ties to a large Liberian cellphone company, the Times said.

UN-Backed Jobs Project Jumpstarts Economic Growth

Jun 13, 2007 (UN News Service/All Africa Global Media via COMTEX) -- The United Nations is working with the Government of Liberia on a project that has so far generated some 21,000 jobs in the country, where employment is considered vital to consolidating stability. Both skilled and unskilled workers, more than a quarter of whom are women, are repairing major roads, removing garbage, cleaning drainage systems and carrying out other tasks under the initiative, which is being led by the UN Mission in Liberia (UNMIL) in partnership with other UN agencies. With an 80 per cent unemployment rate in Liberia, job creation is widely considered one of the biggest obstacles facing the Government.

President Sirleaf Hold Bilateral Talks in Bata, With President Nguema Mbasogo of Equatorial Guinea

AllAfrica.com, 14 June 2007 - The Governments of Liberia and Equatorial Guinea have pledged their willingness to promote and diversify the economic social and cultural cooperation existing between the two countries. The leaders among other things insisted on the need to promote cooperation between the private sectors of both countries. The leaders have accordingly invited businessmen from both Countries to visit each other Countries and invest. In an executive Mansion dispatch quoting a joint communiqué, Presidents Johnson Sirleaf and Obiang Mbasogo, reviewed the international and African situations in particular, the need for resolute support to the African initiative towards the prevention and solution of conflicts. At the same time both heads have condemned mercenary actions in Africa and have reaffirmed the total importance of the impact of the Algiers declaration on the unconstitutional changes of regime.

The war inside Liberia's civil war

By **Sharon Schmickle**, Star Tribune

June 14, 2007 -The note police found in Wilson Kpahn's apartment offered no excuse for the brutal murder of the mother of his 5-month-old daughter. "Father God please forgive me for my sin," it said, according to court documents charging Kpahn with the murder last month. "This was not my plan to kill my baby mama. "His family, too, said there could be no conceivable excuse for the beating and strangling of 18-year-old Roselynn Habu. Still, Liberians across the Twin Cities couldn't help but wonder whether Kpahn's rage was rooted in the violence that wracked their West African nation for more than two decades. "We were born into war," said Kormassa Kupee, a 17-year-old Liberian who loved Habu as

a best friend. "Wilson didn't talk about it, but the way he acted, it made me wonder if the war was part of him."

International Clips on West Africa

BAMBAI BLING FOUNDATION LAUNCHED FOR SIERRA LEONE DEVELOPMENT

DIB online – 14 June 2007 - Article 19 Films has created a new foundation for the development of Sierra Leone called Bamba Bling due to the success of its 90-minute documentary Bling. Bamba Bling's goal is to raise US\$865,000 within the first year of operations, and Article 19 Films is donating 15 percent of all Bling revenues to Bamba Bling. The hip hop community's emphasis on 'bling' led a group of US rappers and filmmakers to travel to Sierra Leone to learn firsthand about the impact of conflict diamonds and the decade-long civil war they helped to fund.

Local Media – Newspaper

President Says Auditor General Exceeded his Mandate under the Law

(The News, New Vision, Daily Observer, National Chronicle, Heritage, The Informer and New Democrat)

- In a letter addressed to Liberia's Auditor General John Morlu, President Ellen Johnson Sirleaf accused him of overstepping his statutory duties by delving into budgetary issues which fall under the Bureau of the Budget, and by extension the Office of the President of Liberia. But in response, Mr. Morlu, according *Heritage and New Democrat*, disagreed with the President, saying that he has violated no law and that his controversial analysis of the budget is consistent with his mandate as prescribed by law.

UNMIL and Partners Created 21,000 Jobs for Liberians

(Liberia Express, The Informer, National Chronicle, The News and Heritage)

- The Head of UNMIL's Repatriation, Rehabilitation and Recovery, Andrea Tagmanini told a regular press briefing Wednesday that UNMIL and its partners have provided jobs for more than 21,000 Liberians over the past year. Mr. Tagmanini said that UNMIL was exploring ways to boost employment by focusing on local communities.

Prosecutor Presses Assets Freeze for Victims' Compensation

(New Democrat)

- [sic:] The Prosecutor of the Special Court for Sierra Leone, Stephen Rapp is urging UN member states to assist in freezing the assets of jailed former President Charles Taylor and his associates in order provide needed funds for their victims' compensation.

Local Media – Radio Veritas *(News monitored yesterday at 6:45 pm)*

Budget Director Debunks Auditor General's Claims of Non-Transparency

- Speaking at a news conference yesterday, Budget Director Augustine N'gafuan dismissed criticism by Liberia's Auditor General, John Morlu that the budget was not transparent and was flawed.
- Mr. N'gafuan said the budget is not a perfect document so it was sent to the National Legislature for scrutiny.
- He said the statement by Auditor General Morlu was incorrect in the absence of an audit.
- Meanwhile, the Finance Ministry said recommendations for the improvement of the draft budget pose an unnecessary risk of stalling the passage of the budget and said the criticisms reflect an incomplete review of all available information provided as part of the submission of the budget.
- The Liberia Institute of Certified Public Accountants condemned the statement by the Auditor General that the current administration is corrupt and said this violates the accounting principle by speaking without an audit report.

- The public has given mixed reaction to the statement with some people claiming that he passed judgement on government in the absence of an audit while others hailed him for the disclosure.
(Also reported on ELBS and Star Radio)

Liberian Refugee Delegation on Observation Visit

- In a release issued in Monrovia yesterday, the UN Refugee Agency said a delegation of Liberian refugees from Accra, Ghana is in the country on a “come and see mission”.
- The mission is intended to observe first hand conditions in the country and report back to their refugee colleagues on issues including security, property, education, health, and employment opportunities in the country.
- Meanwhile, nearly 700 refugees have returned home from Sierra Leone on a road convoy.
(Also reported on ELBS and Star Radio)

Immigration Bureau Vital in Assuring Safety, Says Justice Minister

- Justice Minister, Frances Johnson-Morris says a strong Immigration and Naturalization Bureau guarantees the safety of Liberians and foreign residents alike.
- Speaking at the reappointment ceremony of Immigration Commissioner, Chris Massaquoi, Minister Johnson Morris said the bureau is a sensitive and important security apparatus charged with the responsibility of protecting the country’s borders and other entry points and lauded officers for vigilance and encounter with immigrants coming into the county.

Star Radio *(News monitored today at 8:35 am)*

UNMIL and Partners Provide over 21,000 Jobs

- The UN Mission in Liberia and its partners said they have provided jobs for more than 21,000 Liberians over the past year.
- Speaking Wednesday at a regular press briefing, the Director of UNMIL’s Repatriation, Rehabilitation and Recovery, Andrea Tagmanini said the figure represents 500 working hours amounting to over one and a half million dollars and part of the Liberia Emergency Employment Initiative which included 26 percent females employed to rehabilitate public infrastructures around the country.
- He disclosed that UNMIL was exploring ways to boost employment by focusing on local communities.

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

BBC Online

Thursday, 14 June 2007

UN seeks to move case to Rwanda

The UN tribunal in Arusha is asking for a case of a suspect in the 1994 genocide to be transferred to Rwanda for the first time.

Their request follows a decision to scrap the death penalty in Rwanda which comes into effect at the end of July.

That move will enable countries that are holding genocide suspects, but which object to capital punishment, to extradite them to Rwanda.

Some 800,000 Tutsis and Hutu moderates died during the 100-day 1994 genocide.

The suspect, Fulgence Kayishema, is one of 18 International Criminal Tribunal for Rwanda defendants still at large.

The former police officer is charged with conspiring with a priest and others to "carry out a plan to exterminate the Tutsi population in Kivumu commune and elsewhere in Kibuye".

There has been strong opposition in Rwanda to the scrapping of the death penalty from many survivors of the genocide.



Some survivors are opposed to scrapping the death penalty