

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



**PRESS CLIPPINGS**

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

**as at:**

**Tuesday, 19 February 2008**

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

Special Court Convenes International Conference to Consider Residual... / <i>PAO</i>	Page 3
The Concept of Social Justice / <i>Standard Times</i>	Page 4

### International News

Websites Carrying SCSL Press Release / <i>Various</i>	Page 5
Taylor's Lawyers Get Tough / <i>The Analyst</i>	Pages 6-7
Horrible Tales in Harper As Amputee Links Ex-President Blah / <i>Liberian Express</i>	Pages 8-9
Blah Ordered Me Executed / <i>New Democrat</i>	Page 10
Taylor's Defense Waives Cross-Examination / <i>Star Radio</i>	Page 11
UNMIL Public Information Office Complete Media Summaries / <i>UNMIL</i>	Pages 12-13
Truth Commission Alarms: Attempts to Discredit its Work / <i>Star Radio</i>	Page 14
Executive Mansion Comments on TRC Allegation / <i>Star Radio</i>	Page 15
Senator Scott Wants TRC Extend Beyond 1979 / <i>Star Radio</i>	Page 16
What ODM Case Against State at The Hague Means / <i>Daily Nation</i>	Pages 17-19



**Special Court for Sierra Leone**  
Press and Public Affairs Office

## **PRESS RELEASE**

**Freetown, Sierra Leone, 18 February 2008**

### **Special Court Convenes International Conference to Consider Residual Issues**

The Special Court is convening an international conference this week to consider “residual issues” that will need to be addressed after the Court ends its judicial activities and physically closes down.

On February 20 and 21, Special Court officials and members of the Special Court’s Management Committee will be joined in Freetown by UN Security Council representatives, Sierra Leone government officials, diplomats, legal experts, human rights workers, and members of civil society from Sierra Leone and around the world.

The conference will be opened by the President of Sierra Leone, H.E. Ernest Bai Koroma. Delegates will be welcomed by Hon. Justice George Gelaga King, the President of the Special Court. It will be co-chaired by the Government of Sierra Leone and the United Nations, and was made possible by a financial contribution from the Government of Canada.

Questions the conference will consider include identifying a specific mechanism to prosecute indictee Johnny Paul Koroma should he surface after the lifespan of the Court. Mr. Koroma’s whereabouts are unknown, and it is not known whether he is still alive.

The conference will also consider issues arising from the enforcement of sentences, how requests for a review of a judgement would be handled, and how witnesses who testified before the Special Court will be protected after the Court closes. Delegates will discuss matters relating to Special Court’s archives.

“This is the first time such a conference has been convened by international court to find solutions to these problems,” said Special Court Registrar Herman von Hebel. “It is taking place here in Sierra Leone because the Special Court is closer to completing its mandate than are the other tribunals,”

He noted that among the experts attending this week’s conference are officials from the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), and the International Criminal Court (ICC).

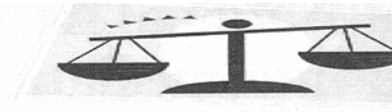
“The issues we deal with here will eventually confront every international court as it ends its work,” Mr. von Hebel said. “This conference therefore marks a significant milestone in international justice.”

#END

Standard Times  
Tuesday, 19 February 2008

The term social justice was first used in 1840 by a Sicilian priest, Luigi Taparelli d'Azeglio, and given prominence by Antonio Sociale in 1848. It has also enjoyed a significant audience among theorists since John Rawls book. A Theory of Justice has used it as a pseudonym of distributive justice.

The concept of social justice is a revolutionary concept which provides meaning and significance to life and makes the rule of law dynamic. When society seeks to meet the challenge of socio-economic inequality by its legislation and with the assistance of the rule of law, it seeks to achieve economic justice without any violent conflict. The ideal of a welfare state postulates unceasing pursuit of the doctrine of social justice. That is the significance and importance of the concept of social justice in the context of today. The idea of welfare state is that the claims of social justice must be treated as cardinal and paramount. Social justice is not a blind concept or a preposterous dogma. It seeks to do justice to all the citizen of the state. Democracy, therefore, must not show excess of valour by imposing unnecessary legislative regulations and prohibitions, in the same way as they must not show timidity in attacking the problem of inequality by refusing the past the necessary and reasonable regulatory measures at all. Constant endeavour has to be made to sustain individual freedom and liberty and subject them to reasonable regulation and control as to achieve socio-economic justice. Social justice must be achieved by adopting necessary and reasonable measures. That, shortly stated, is the concept of social justice and its implications. Citizens zealous of their individual freedom and liberty must co-operate with democracy which seeks to regulate freedom and liberty in the interest of



## The Concept of Social Justice

social good, but they must be able to resist the imposition of any restraints on individual liberty and freedom which are not rationally and reasonably required in the interests of public good, in a democratic way. It is in the light of these difficult times that the rule of law comes into operation and the judges have to play their role without fear or favour, uninfluenced by any considerations of dogma or isms. The term social justice is a blanket term so as to include both social justice and economic justice.

### The problem of the poor in Sierra Leone

This vice of social inequality assumes a particularly reprehensible form in relation to the backward classes and communities which are treated as untouchables; and so the problem of so-

cial good, but they must be able to resist the imposition of any restraints on individual liberty and freedom which are not rationally and reasonably required in the interests of public good, in a democratic way. It is in the light of these difficult times that the rule of law comes into operation and the judges have to play their role without fear or favour, uninfluenced by any considerations of dogma or isms. The term social justice is a blanket term so as to include both social justice and economic justice. wealth may be confined to the bigger cities and towns in the country, but the problem accentuated by the vice of social inequality existing in a gross form prevails in all villages. For instance, poor people are vulnerable to injustice. Poverty fosters frustration, ill feeling and a brooding sense of injustice. Democracy realizes that this problem which concerns a large number of citizens cannot be successfully met unless law is used wisely to restore balance to the economic structure and to remove the causes of economic inequality.

### The Constitution of Sierra Leone and Social Justice

The Constitution of Sierra Leone has solemnly promised to all its citizens justices-social, economic and political; liberty of thought expression, be-

The Supreme Court always  
be in the position to protect  
the interest of the Si Leonean  
citizens, using the f social  
justice as an umbrella er justice

cial justice is as urgent and important in Sierra Leone as is the problem of economic justice. Equality of opportunity to all the citizens to develop their individual personalities and to participate in the pleasures and happiness of life is the goal of economic justice. The concept of social justice thus takes within its sweep the objectives of removing all inequalities and affording equal opportunities to all citizens in social affairs as well as economic activities. The problem of poverty and unequal distribution of

lief, faith and worship; equality of status and of opportunity; and to promote among the all fraternity assuring the dignity of the individual and the unity of the nation. The Constitution has attempted to attune the apparently conflicting claims of socio-economic justice and of individual liberty and fundamental rights by putting some relevant provisions. The social problem presented by the existence of a very large number of citizens who are treated as untouchables has received the attention of the Constitu-

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BY STANDARD TIMES LEGAL ADVISER



tinuous work that positive help requires, the assistance that the disadvantaged need for availing of equal opportunities. We must bear in mind that if the majority disregards smaller sections in the community, it drives them to rebellion. We should try

alone, but in their conscious awakening and fight for social and economic justice. Knowledge of their legal rights however, can be an important motivating force in this direction. Many NGO's and individuals are emerging in different parts of the country to take up the cause of social change and change for a more just Sierra Leone, where justice will not merely be talked about in intellectual discussions on the intricacies of law, or written about in books, which the masses can't read, or exchanged for good old money, but actually lived and experienced by the majority of the people. The Supreme Court must be in a position to emphasize that "the concept of social justice is the yardstick to the justice administration system or the legal justice and it would be an obligation for the law Courts to apply the law depending upon the situation in a manner whichever is beneficial for the society." The Supreme Court must always be in the position to step in to protect the interest of the Sierra Leonean citizens, using the medium of social justice as an umbrella to

to refashion the policies of state on truly secular and liberal principles. The individual and not the group should be the unit of state policy. Since no society is static, and social processes are constantly changing, a good legal system is one which ensures that laws adapt to the changing situations and ensure social good. Any legal system aiming to ensure good should ensure the basic dignity of the human being and the inherent need of every individual to grow into the fullness of life. The hope of the masses does

## Cocorioko website

Monday, 18 February 2008

### [Special Court convenes international conference in Freetown](#)

Written by Cocorioko Newspaper Limited

Monday, 18 February 2008

The conference will be opened by the President of Sierra Leone, H.E. Ernest Bai Koroma. Delegates will be welcomed by Hon. Justice George Gelaga King, the President of the Special Court. It will be co-chaired by the Government of Sierra Leone and the United Nations, and was made possible by a financial contribution from the Government of Canada.

[Read more...](#)

## Patriotic Vanguard website

Monday, 18 February 2008

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#### [Special Court Convenes International Conference](#)

19 February 2008

Special Court for Sierra Leone Press and Public Affairs Office PRESS RELEASE Freetown, Sierra Leone, 18 February 2008 Special Court Convenes International Conference to Consider Residual (...)

The Analyst (Liberia)  
 Tuesday, 19 February 2008



## Taylor's Lawyers Get Tough

The Trial of former Liberian President Charles Taylor in The Hague continued Friday, February 15, 2008 with lawyers representing the defendant objecting to the Special Court for Sierra Leone admitting into evidence an expert report of

Beth Vann submitted to the Court by the Prosecution Counsel. [See detail below] Prosecution Counsel, Mohamed Bangura, continued his direct examination of Witness TF1-101.

The Witness explained that he knew Rambo before,

and saw him stopped the men who amputated and killed civilians and was aware that Rambo was a rebel leader. The Witness stated that he had helped push Rambo's car when it had broken down at one point.

The Witness testified that, about one year after the incident, he saw the person who

amputated his hands at football training in Western Freetown. At that time, the Witness confronted this person, but the person did not reply and went away. The Witness concluded by stating that his hands were amputated on 19 January 1999. The Defense Team had no questions.

Expert Report of Beth Vann, MSW

Defense Counsel Terry Munyard objected to extracts of Beth Vann's report being submitted in addition to the full report and summary. Mr. Munyard explained that, in May 2007, the Defense accepted the report and curriculum vitae of Ms.

*Cont'd on page 2*

# Taylor's Lawyers Get Tough

Vann. On 4 February 2008, the Prosecution changed course and sought to submit extracts from these documents. Prosecution Counsel Shyamala Alagendra replied that these extracts had been included in the list of potential exhibits. The expert report includes references in footnotes, which the Prosecution also sought to admit. The court upheld the objection. Shyamala Alagendra opted to tender the report as submitted, to which Defense Counsel did not object. The report without extracts was entered as exhibit.

Shyamala Alagendra summarized for the Court the expert's report on war-related sexual violence between 1996 and 2002. The report was based on field research and first-hand experiences from women. The majority of the sexual violence discussed in the report occurred between 1997 and 1999. The violence detailed in the report was committed by RUF rebels throughout the country and committed against women of all ages, including children. The report also included statements from refugees in Guinea, who gave first hand accounts of stories of amputations, torture, and killings by RUF rebels. Female heads of household were also interviewed in preparation of the report. These women recounted stories of sexual slavery committed by the RUF and AFRC forces. Ms. Vann's findings have been confirmed by a Human Rights Watch Report.

## The Examination of Witness TF1-192 Commences

Shyamala Alagendra began the direct examination of Witness TF1-192. The Witness was a Sierra Leonean national from the Koranko Tribe. Shyamala Alagendra inquired about the events that occurred during the rainy season of 1998, while the Witness was living in Bamboafuidu, in the Kono District, Nimiyama Chiefdom. The Witness explained that during the rainy season, the civilians from Bamboafuidu fled into the bush. The civilians had received a message that rebel forces were approaching. This message was delivered by a person named Gbessy Sesay, whose right hand was amputated by the rebels, and whom the civilians had never seen before.

The civilians stayed in the bush for two months. After that period, ECOMOG asked them to clear the road from Makeni to Sandia, which had been blocked. Twenty men, including the Witness, cleared the road and spent the night in Bamboafuidu at Shaku Monsary's house. During that night, two men dressed in combat outfits and armed with guns came to the house and claimed to be their saviors. The two men brought the Witness to Alhaji Tejancole's father's house and told the Witness to sit on the floor, where other civilians were sitting.

An old woman of the Limba tribe was brought in by the rebels. The rebels moved all civilians to the chief's veranda. Over 50 rebels were in the village at that time, the Witness estimated. The rebels cut the Limba woman's throat while holding her down. The civilians were then taken to the veranda of the Witness's father home, where rebels ordered them to take off their clothes and have sexual intercourse. The Witness was forced to watch. His sister was part of this group of civilians. The rebels then locked up the women inside the farm house; some women were beaten before being hurled into the farm house. A rebel was ordered to burn the farm house where the women were locked in, but he broke the latch instead and told the women to run away.

During the second session, Shyamala Alagendra continued the examination of Witness TF1-192 regarding the events in the 1998 rainy season. The Witness explained that, after the women escaped from the farm house, the rebels made the Witness, who was first in the line they had formed, stretch out his hand for amputation. The rebels cut into the Witness's right arm, which badly mutilated it. The next person in line was also mutilated by the rebels. The men were released, so they went to the bush to look for their families. Back in Bamboafuidu, the Witness found many others whose hands and arms had been amputated. His sister's left hand was mutilated; the right hand was completely cut off.

After the rebels left Bamboafuidu, the civilians stayed until nighttime in the village. As night fell, they returned to the bush to sleep. The next day, the civilians went back to Bamboafuidu. After this, they continued on to Njaiama Sewafe. From there, they went to Makeni to be treated for their injuries. The Witness concluded his testimony by stating that he cannot use his right hand anymore. The Defense Team had no questions for this witness.

## Prosecution Crime-Base Witnesses Describe Gang Rapes, Killings and Amputations by RUF Forces in Freetown and Elsewhere in January 1999

Yesterday's session began with the Prosecution, and thereafter the Defense, submitting various documents as exhibits. After about 45 minutes, prosecutor Shyamala Alagendra presented the Prosecution's first Witness of the day, "TF1-021", a 24 year-old woman belonging to the Limba Tribe from Freetown, Sierra Leone. Her identity was protected through the use of a screen and voice distortion.

### Abduction and rape

The Witness's testimony focused on the events on 6 January 1999 and the following nine months. On that date, 9 RUF rebels came to her house, where she was with her parents and sisters. The rebels shot her sister because she was crying. Afterwards, the rebels captured her and made her witness the rebels amputating arms and hands of several civilians and burning houses.

The commander of the rebels, identified as "Rocky", was also there. The Witness and seven other girls and many other civilians (about 50) were taken from the village to Kalabatana. Once there, the Witness was subsequently gang raped by four of the rebels. When asked if she could see what the rebels were doing to the other girls, the Witness answered that she could see that they were doing the same to the other girls as they were doing to her. Describing this memory made her emotional, which prompted Presiding Judge Doherty to give the Witness a break.

During this break, Defense Counsel Morris Anyah questioned why this distressing evidence is relevant for the case. Prosecution replied that this is a vital and real part of the case that the Prosecution has to prove. In response, the Court reminded the Defense that it has not agreed to these facts.

During the second morning session, the Witness continued her description of the gang rape. A total of seven RUF rebels took part in the raping of seven girls that were with her. After two days in Kalabatana, all the civilians from the village were taken to Waterloo, accompanied by a high ranking rebel, Rocky. The Witness described atrocities that took place on the way to Waterloo, such as an incident where a civilian man's hand was cut off because he tried to flee.

### Training camp

The Witness was taken to Makeni, where she met the commander (Brigadier Issa Sesay) and an important man in the RUF, called "Superman". She stayed in Makeni for three weeks, in Brigadier Sesay's house. She and some other girls had to do chores and accompany the Brigadier's wife to the market. Subsequently, she and twenty other girls were taken to Buedu and handed over to "Mosquito", the boss of the RUF, as the Witness described him. She was then handed over to Krio Mamma, a female RUF rebel, who was instructed to train the Witness together with the other 20 girls. They were taught to crawl, roll over and fire guns, so they could defend themselves in case of an attack. When asked if she ever attempted to escape, the Witness stated that Mosquito shot two girls who had been caught while trying to flee in front of all the girls to set an example for the others of what would happen if they attempted to run away. Shortly after this event, the RUF rebels carved the letters "RUF" on the girls' chests using knives.

After six months of training in Buedu, the girls were taken back to Makeni and forced to "marry" RUF rebels. She was 14 years old at the time. Then the Witness found out that she was pregnant.

### Escape home

When the war was coming to an end, the Witness managed to escape from Makeni. She returned to her village and found her parents and sisters still alive. In a closed session, the Witness stated the name of her village, the names of the four RUF rebels who raped her in Kalabatana, and the name of the rebel who was made her "husband" in Makeni. This concluded the Prosecution's examination of the Witness.

On the direct order of Charles Taylor, the Defense had no questions for the Witness. They stated they were not in a position to interrogate this Witness.

### Expert Report of Beth Vann

The Prosecution moved to have the expert report of Beth Vann admitted as evidence. The Defense requested more time for their response, and the matter will be dealt with tomorrow.

### Rebels attack Freetown

In the afternoon session, a Witness who had previously appeared before this Court as a Protected Witness gave evidence in an open session. Like the first Witness, he was also an inhabitant of Freetown. He stated that on 6 January 1999 he heard gunshots at night and in the morning there were a large number of RUF rebels in the streets with guns, machetes, and axes. After six days, a number of civilians managed to escape and made their way to Sarola. They passed checkpoints on the way, controlled by rebels. The civilians were told to sit down, while two men from their group were killed by the rebels, one was shot and one stabbed to death. There were also members of the SLA, the Sierra Leone Army, also known as the People's Army, who joined the rebels. One of the soldiers was a woman who spoke Liberian. The Witness recognized a member of the rebels, Issa Conteh, who shot an old woman. The Witness described how frightened all the civilians were.

The Witness managed to get back to his house, but the rebels soon found him. He sent his family away. The rebels

set fire to his house. However, he escaped and ran to a friend, Papa Bobodin. The next day he went to Mr Abbas's house, where he met other civilians who were also trying to get away from the rebels. However the rebels found them and took 24 men, including the Witness.

### Killings and amputations

The Witness proceeded to give a detailed account of the treatment he and others received at the hands of the rebels. First, the men were made to queue. All rebels were armed. The commander ordered the rebels to cut off the men's hands. The men pleaded with the rebels. However, the commander told the first man in line to put his arm down to get amputated. The man refused, so the commander killed the man by shooting him in the face. The next person in line also refused to put his hands down. He was also shot. The next five people were killed with axes through the head. When it was the Witness's turn he pleaded to be shot, but instead his hands were amputated with a machete. The youngest of the soldiers was ordered to untie the Witness after the amputations. This soldier was maybe 13 years old.

Subsequently, "Rambo" arrived, who the Witness thought to be the rebels' leader. Rambo came to meet the men whose hands had been amputated. He was saluted by the rebels who were there. Rambo asked the rebels why they had killed people and cut off arms and said that they would be punished. Rambo said that he was going to set the men free. The men had to follow Rambo to the base. Rambo told the men to stand by a church and asked "Captain Blood" where the doctors were. Rambo put 100,000 (currency unclear) in the witness's pocket and had him taken away. After having been taken away, the witness collapsed. The next day he was taken in an armored car to Connaght hospital, where there were many amputees, but no medicine.

This Witness's testimony will continue tomorrow morning.

This entry was posted on February 14, 2008 at 8:56 pm and is filed under International Criminal Tribunals, Uncategorized. . . You can follow any responses to this entry through the RSS 2.0 feed. You can leave a response, or trackback from your own site.

One Response to "Prosecution Crime-Base Witnesses Describe Gang Rapes, Killings and Amputations by RUF Forces in Freetown and Elsewhere in January 1999"

Joseph Says: First of all, congratulations on the site. It is important that someone reports this trial systematically in an accessible way. Given the amount of people in the public gallery today (not many, usually 5-12) and given that the trial is far from Sierra Leone, this is necessary. Secondly, I was also there for most of the testimony of TF-101 yesterday and would like to point out a couple of imprecision in the report above. It would therefore be appreciated if the next accounts posted on the blog could be more factually precise.

1) "The civilians were told to sit down, while two men from their group were killed by the rebels, one was shot and one stabbed to death." He explicitly stated that it were passersby that were shot. He even said that one of them was an old man (he also said something short about the second one, but I can't recall exactly what).

2) "One of the soldiers was a woman who spoke Liberian." It is unclear who she was, and the judges and the prosecution explicitly agreed that she (and the others there) could not be called 'soldiers'. She was not in uniform but did wear boots. Moreover, what is important here is that she seemed to be giving commands. Btw, Liberian is not a language.

3) "The next day he went to Mr Abbas's house". The name is spelled as Abass if I recall correctly the spelling of the name of the prosecution.

4) "the rebels found them and took 24 men, including the witness." Just to add, they were taken because they were young people there.

5) "All rebels were armed." Of the seven rebels that were there, not all were armed if I recall correctly, the commander, called 'commando' had a pistol, and other five, had rifles. Which makes for a total of six.

6) "When it was the witness's turn he pleaded to be shot, but instead his hands were amputated with a machete." What was interesting here is that his hand was amputated and he was not shot, because the rebel told him "you are not to decide what we do", so they sort of did the opposite of what he asked for to show their power.

7) "The youngest of the soldiers was ordered to untie the witness after the amputations." In my understanding they were tied before he got amputated, so the young boy untied him so that they could bring him to the log so that he could be amputated.

8) "He was maybe 13 years old: Witness stated that he was at most 13 years old.

9) "The next day he was taken in an armored car to Connaght hospital" It was ECOMOG that took him and the hospital is called Connaght.

Liberian Express (Liberia)  
 Tuesday, 19 February 2008

# HORRIBLE TALES IN HARPER

## As Amputee Links Ex-President Blah

A former employee of the Port of Harper in Maryland County says National Patriotic Front of Liberia (NPFL) Special Forces Commanders led by former President Moses Blah ordered him shot after they broke into containers at the port and looted several vehicles in 1990.

Maximilian N. Jah, Sr., now an amputee and former employee of the port's warehouse department was testifying Wednesday at the ongoing Truth and Reconciliation Commission (TRC) of Liberia Public Hearings at the Harper City Hall, Maryland County.

A TRC release said Jah accused Blah, John Gbaintor and Charles Sumo, all

National Patriotic Front of Liberia (NPFL) Special Forces commandos of ordering him from his hospital bed to open containers at the port where Land Rover jeeps belonging to a rubber company were containerized.

Jah said the containers were burst open by the fighters under the command of Blah, Gbaintor and Sumo and the vehicles looted.

He said the vehicles were used by Blah and his men during their control of Maryland County. Blah, the witness said, was then commander of NPFL forces in Harper, Maryland County.

After they looted the vehicles, he ex-



Former President Moses Blah

plained, Blah and his men ordered child combatants under their command to shoot him.

"I put up both arms as a sign of surrender but they contended that the fighters fire me and they shot both of my arms.

When Taylor's National Patriotic Front succeeded in taking control of the whole

See Story on Page 6



## HORRIBLE TALES

of Liberia, except Monrovia, Blah served in the Front in several capacities, including inspector general, adjutant general and Taylor's special envoy.

Before he was appointed vice president in July 2000, Blah served as Liberia's Ambassador to Libya and Tunisia for three years.

Blah was born on April 18, 1947 in Touch Town, a Gio-speaking hamlet in north-eastern Nimba County, close to the border with the Ivory Coast.

"I will never betray President Taylor; he is my revolutionary brother, we have come a long way," says Moses Blah. He completed his secondary education at Tappita Public School in 1967.

His further education included stints in Hamburg, Germany and at a military college in Tajura, Libya, from 1985 to 1989. His name first came to prominence nearly 14 years ago, when Taylor began the biggest armed insurrection in the country's history in order to unseat the regime of the late Samuel Doe.

Meanwhile, the first witness to testify at Liberia's Truth and Reconciliation Commission Public Hearings in rural Liberia said fighters of the Liberia Peace Council (LPC) wantonly killed civilians and subjected nearly a dozen elderly men and women to slave labor.

Viola P. Jones, one of the elderly captives, said the LPC, following its capture of Harper City, Maryland County, rounded up more than 10 elderly men and women and forced them to pound rice, fetch water and cut firewood daily.

Viola, a resident of Harper, told the TRC Tuesday during hearings for rural Liberia, that they were also forced to bury dead bodies following summary executions.

She said fighters engaged in wanton killing of civilians and accused them of burning down the Harper City Hall.

Another witness, Talitha Yibada Graham, said fighters of the LPC also killed scores of civilians including her aunt at the Carblakay Border Road while fleeing to the Ivory Coast.

She said the fighters slit her throat and left her almost lifeless body by the roadside.

She said after killing her aunt, Yaapay Howe, all the other victims were gunned down by the fighters who rode in a pickup truck.

"My aunt pleaded for her life and even promised to give them money to spare her life, but they slaughtered her by cutting her throat halfway after shots fired at her could not penetrate her body," she said.

Viola said her aunt was the head superintendent for Maryland County women.

The first male witness to testify, Otis W. Thompson claimed fighters of the National Patriotic Front of Liberia (NPFL) severely tortured him and burned down their residence after a search for his father, Borbor Alfred Thompson, then chairman of the Maryland County branch of the National Democratic Party of Liberia (NDPL).

Otis said the fighters later conscripted him into their rebel army, saying, "Before I joined them they severely tortured me. I am still suffering from the pains as a result of the torture," he said.

He said fighters under the command of one Baltimore alias "Sea Never Dry," executed the son of an Armed Forces of Liberia colonel in his presence who was taken captive along with him.

Otis said his life was spared after the intervention of a Lebanese national Samuel Abrahams.

Another witness, Morris Weah also claimed he was forcibly conscripted by fighters of the National Patriotic Front of Liberia (NPFL) after they captured the town of Tappita, Nimba County from soldiers of the Armed Forces of Liberia (AFL).

While traveling from Monrovia to Tappita, Weah said he was stopped from traveling at night by the soldiers before fighters of the NPFL attacked and seized the town requesting residents to come out of their homes and identify their tribes. Weah said he was captured by the fighters and tied for two days before he was saved by a female fighter.

"I was then forced to join the rebels to save my life but I did not kill one person the whole war," Weah claimed.

Mamadee Konneh, the last witness to testify Tuesday in public, said fighters of the Movement for Democracy and Elections in Liberia (MODEL) tortured him after they seized his vehicle and demanded a ransom.

Konneh claimed he paid the sum of L\$30,000 to the MODEL fighters commanded by one General Alphonsus Zaryee before he was released by Zaryee and his men who initially demanded L\$60,000. One witness, Asata Kamara testified in camera only before commissioners of the TRC.

The TRC is an independent body set up to investigate the root causes of the Liberian crisis, document human rights violations, review the history of Liberia, and put all human rights abuses that occurred during the period from 1979 to 2003 on record.

It is also mandated to identify victims and perpetrators and make recommendations on amnesty, prosecution and reparation.

The Commission heard over 70 cases of rights violations during public hearings in Montserrado County which commenced on January 8.

At the close of the 15-day hearings in Montserrado 58 of the witnesses were victims while nine perpetrators and three eye witnesses recounted ghastly accounts of their experiences. The statistics reported that three witnesses testified in camera.

Following the Maryland Hearing, the public hearings will move next week to the south eastern counties of Grand Kra, River Gee, Sinoe and Grand Gedeh.

## New Democrat (Liberia) Tuesday, 19 February 2008

### Blah Ordered Me Executed



A former employee of the Port of Harper, Maryland County, says NPFL Special Forces Commanders led by former President Moses Blah ordered him shot after they broke into containers at the port and looted several vehicles in 1990.

Maximillian N. Jah, Sr., an amputee and former employee of the port's Warehouse Department, was testifying Wednesday at the ongoing

 Page 10

### Blah Ordered Me Executed

Truth and Reconciliation Commission public hearings at the Harper City Hall.

A TRC release issued in Harper and signed by M. James Kpargoi, Media & Information Officer, said Mr. Jah said Generals Moses Blah, John Gbaintor and Charles Sumo, all NPFL special forces commandos ordered him from his hospital bed to open containers at the port where Land Rover jeeps belonging to a rubber company were containerized.

Jah said fighters under that command of Blah, Gbaintor and Sumo, burst the containers open and stole all the vehicles.

### "Constant, Enduring"

in the affairs of Africa.

All you have to do is look at the -- at what we've done in this administration.

Secondly, I've always believed that we ought to support African leaders, and not impose our views on African leaders.

He said the vehicles were used by Blah and his men during their control of Maryland County. Blah, the witness said, was then commander of NPFL forces in Harper, Maryland County.

After they looted the vehicles, he explained, Blah and his men ordered child combatants under their command to shoot him.

"I put up both arms as a sign of surrender but they consented that the fighters fire me and they shot both of my arms.

When Mr Taylor's National Patriotic Front had succeeded in taking control of the whole of Liberia except Monrovia, Mr Blah served in the Front in several capacities, including inspector general, adjutant general and Mr Taylor's special envoy.

The former president walked into this paper's office recently claiming that he was ready to disclose big surprises and would name names of some of those committing some of the most heinous crimes during the war.

## Star Radio (Liberia)

Monday, 18 February 2008

### **Taylor's defense waives cross-examination**

Written by Wellington Geevon Smith

The defense team of detained former President Charles Taylor has waived cross-examinations for two of the prosecution's crime based witnesses.

The acting head of the defence team, Terry Munyard announced that the defence had no questions for the prosecution's 13th witness.

This was the first time that the defence team representing former President Taylor waived cross-examination.

The prosecution Crime Based Witness identified as TF1-101 testified that the RUF Rebels used axe to amputate his arms and the arms of others.

The Sierra Leonean Amputee told the court the RUF burned many houses and killed a lot of civilians in an operation code named: Operation No Living Thing.

Meanwhile, the prosecution's 14th witness, an Expert Witness, Berth Vann did not appear in court.

She submitted a report on sexual violence and sexual slavery, allegedly committed by the RUF and the AFRC in Sierra Leone.

Madam Vann's report also blamed sexual violence on the West Side boys of the Sierra Leone Army and ECOMOG Peacekeepers.

## **UNMIL Public Information Office Complete Media Summaries 18 February 2008**

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

### **Newspaper Summary**

#### **TRC Frowns at Attempts to discredit it ... Accuses Executive Mansion Official**

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

- The media reports that the Truth and Reconciliation Commission (TRC) says it is disappointed that a highly placed individual at the Executive Mansion is at the head of the Michael Davis alias Sundaygar Dearboy campaign aimed at discrediting the TRC.
- In a release, the Commission said it is aware that following the testimonies of witnesses at the launch of the public hearings which implicated the popular musician into human rights violations, Mr. Davis and his public relations team headed by an official of the Executive Mansion have engaged in a campaign to discredit the work of the commission by trying to pay off witnesses to recount their stories and in some cases buying off false witnesses in favour of Sundaygar.
- The Commission said there have been threats and attempts to intimidate some commissioners and senior staffers but said it will not be deterred by that. Meanwhile, the Informer, Liberian Express, Daily Observer, The Analyst and the News newspapers report that more accounts of atrocities have surfaced at the TRC public hearings in Maryland County.
- The Liberian Express said a former employee of the Port of Harper has linked Ex- President Moses Blah to his amputation. Maximilian Jah said Mr. Blah ordered him shot after Special Forces of the National Patriotic Front led by Mr. Blah broke into containers at the port and looted several vehicles in 1990.

#### **Lawyer of Murder Suspects Protests...Calls for DNA Examination**

(Heritage, The Analyst, The Independent)

- The lead Defense Counsel representing the legal interest of suspects, Hans Williams and Mardea Paykue in the Angel Togba murder case is requesting the Justice Ministry to preserve the body so that further examinations can be carried out. Last Thursday, the Monrovia City Court imprisoned Mr. Williams, his fiancée Mardea and three others for their alleged complicity in the death of the 13-year old girl.
- The police earlier charged the two with murder and the rest with criminal facilitation. In a letter to Justice Minister, Cllr. Musa Dean insisted that only DNA evidence will confirm who committed the sexual violation, saying "none of my clients committed the act". Cllr. Dean said the Defense has not heard of any DNA component of the first and second autopsy reports.

#### **Price Commission Needs US\$170,000**

(The Inquirer, The News, The Analyst, Public Agenda)

- The Ad-Hoc Price Commission set up by President Ellen Johnson Sirleaf has submitted what it calls proposed modest budget of L\$10.4 million (US\$170,000) to the government for approval.
- In a release, the commission headed by Dr. Togba Nah Tipoteh says the commission with the submission of the budget is now waiting to be called for discussions leading to the approval of the budget by President Ellen Johnson Sirleaf. According to the commission, when the budget is approved, the commission will announce the commencement of its full work and begin

inviting the public to assist with information on why there is a price increase in the country. The commission was established early January with the mandate to explain price increases and recommend measures for price stability.

### **Three Finance Ministry Employees Indicted for Corruption...Face Prosecution Soon**

(Heritage)

- President Ellen Johnson Sirleaf has disclosed that the Ministry of Justice has indicted three personnel of the Ministry of Finance for allegedly converting employees' checks into their personal use. President Sirleaf who did not name the three finance ministry employees involved in the alleged corrupt act said they would be tried during the February Term of Court at the Temple of Justice. The disclosure by the President follows recent revelation by Finance Minister, Dr. Antoinette Sayeh that corruption and other acts of fraudulent behavior were raging under her administration.

### **Muslims Offer Prayers for President and Nation**

(The Analyst, The Inquirer, Public Agenda)

- Liberian Muslims have offered prayers of thanksgiving and well wishes for President Ellen Johnson Sirleaf, the government and people of Liberia. At a ceremony Friday at the Ministry of Foreign Affairs, the Muslims praised the President and her government for policies which they said promote religious harmony and peaceful co-existence in the country.
- The Chairman of the Liberian National Hajj Committee, Sheikh Abubarkar Sumawolo reiterated the need for the establishment of a Liberian diplomatic mission in Saudi Arabia to help strengthen relations between Liberia and Saudi Arabia and help ease the travel burden between the two countries. President Sirleaf welcomed the Muslims back home and commended them for their prayers.
- The President observed that Liberia has come a long way and expressed satisfaction that despite its religious diversity, the country has remained united. The Liberian leader urged Muslims and other religious groups to resist anyone or group who may want to use religion to sow seeds of disharmony and division in the country.

## **Radio Summary**

**Local Media – Radio Veritas** (*News monitored today at 9:45 am*)

### **U.S. President Bush to Receive Liberia's Highest Honour**

- The Liberian government is expected to bestow the country's highest honour on U.S. President George Bush when he visits Liberia this week.
- In an interview, Senior Diplomatic Sources at the Foreign Ministry say President Bush is to receive the Grand Band Order of the Pioneers while his wife will receive the Grand Band Order of African Redemption at an investiture ceremony to be held during their visit on Thursday.

### **President Johnson Sirleaf Promises to Set up Compensation Committee**

- Speaking during a tour of Monrovia and its environs, President Ellen Johnson Sirleaf assured individuals whose structures were affected during the demolition exercise that a committee will be set up to study the possibility of compensation.
- President Sirleaf's tour was aimed at inspecting ongoing road rehabilitation and other activities being undertaken to give the city a facelift, ahead of the visit to Liberia of U.S. President George Bush.

(Also reported on *Star Truth F.M.* and *ELBC*)

### **TRC Alarms over Attempts to Discredit its Work**

(Also reported on *Star Truth F.M.* and *ELBC*)

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## Star Radio (Liberia)

Monday, 18 February 2008

### **Truth Commission alarms: Attempts to discredit its work**

Written by Wellington Geevon Smith

The Truth and Reconciliation Commission says a highly placed individual at the Executive Mansion attempting to discredit the work of the commission.

The truth commission said the senior official of government is allegedly heading a campaign for Sundaygar Dearboy aimed at discrediting the TRC.

Though the TRC did not call the name of the individual, it described the alleged campaign as disappointing.

The TRC said it is aware that the Sunday Dearboy campaign has gone as far as paying witnesses to recount their stories in favor of the musician.

The commission also alleged that some of its commissioners and senior staffers have been threatened character assassination if they do not drop "Sundaygar Dearboy" issue.

The TRC clarified that it would not be intimidated by what it called any such plastic threats.

The commission said the issue with "Dearboy" is not personal and none of the commissioners is targeting him.

The TRC said its inquiry unit has conducted investigations into the Dearboy matter and the singer is being processed like any other perpetrator.

The TRC warned that anyone interfering with its work would be fined or would face a jail sentence of not less than six months or both.

There have been series of pro-Dearboy publications in the media since the name of the musical star surfaced at the hearing of the TRC as one of those who terrorized his people during the hey days of the civil war.

Groups of people professing to be citizens of District Number Three in Grand Bassa County visited media institutions and said they came to Monrovia to rebut claims that Dearboy committed mayhem when he allegedly fought for the disbanded National Patriotic Front of Liberia led by Charles Taylor.

## Star Radio (Liberia)

Monday, 18 February 2008

### **Executive Mansion comments on TRC allegation**

Written by Wellington Geevon Smith

The Executive Mansion says allegations by the TRC that individuals within are spearheading the Michael Davis campaign to discredit the TRC is grave.

Presidential Press Secretary Cyrus Wleh Badio said the President fully supports the TRC and has no reason to protect any one appearing before it.

The Executive Mansion wants the TRC to provide details to enable it take necessary punitive actions against people involved.

Mr. Wleh-Badio assured that the President will continue to support the work of the TRC to ensure that it is successful.

The Truth and Reconciliation Commission had accused a highly placed individual at the Executive Mansion of attempting to discredit the work of the commission.

The truth commission said the senior official of government is allegedly heading a campaign for Sundaygar Dearboy aimed at discrediting the TRC.

Though the TRC did not call the name of the individual, it described the alleged campaign as disappointing.

## Star Radio (Liberia)

Monday, 18 February 2008

### **Senator Scott wants TRC extend beyond 1979**

Written by Wellington Geevon Smith

Maryland County Senator Gloria Scott has called on the Truth and Reconciliation Commission to extend its work beyond 1979.

Cllr. Scott expressed the need for the TRC to deal with issues that divided Liberians and those that erupted into the 1979 rice riot and the 1980 bloody coup.

According to the Maryland County Senator, this will make the TRC work long-lasting and meaningful.

Senator Scott disclosed the Liberian civil war was the results of a section of the population feeling marginalized.

She observed this was responsible for the mass destruction and killing of our people.

The Senator spoke during the TRC thematic hearing in Harper City, Maryland County.



## Daily Nation (Kenya)

Tuesday, 19 February 2008

### What ODM case against State at The Hague means

Story by GITAU GIKONYO

The Orange Democratic Movement has filed a complaint at the International Criminal Court (ICC) in The Hague, alleging that the Government has committed the crime of using force against Kenyans protesting against the disputed presidential election.

The opposition party has written to ICC chief prosecutor Luis Moreno-Ocampo asking the court to investigate claims that the Government, through its security agents, is responsible for the killing of protesters in Nyanza and Western provinces and parts of Coast.

In the complaint, ODM names President Kibaki and his Cabinet, among others, as the people they want investigated and possibly tried. The move comes at a time when efforts are being made by eminent African people, led by former UN chief Kofi Annan, to restore peace, and it would have serious implications on the initiatives should there be an indictment.

The first issue is that of individual criminal responsibility versus command responsibility. For instance, can a sitting president be individually subjected to the ICC jurisdiction? What crimes would he be charged with and what implications would this have if it were to happen?

One of the preconditions for the exercise of jurisdiction by the ICC is membership, and since Kenya is a state party the court has jurisdiction to hear the ODM complaint.

#### Applicable offences

The only possible applicable offences are those of genocide and crimes against humanity. This leaves the question of individual criminal responsibility versus command responsibility. It is not clear in what capacity ODM has named the President and the Cabinet, as well as Roads minister John Michuki, police commissioner Hussein Ali, administration police commandant Kinuthia Mbugua and his GSU counterpart, Mr Mathew Iteere. However, it does not matter whether they are cited as individuals or in their official capacities.

Under international law individuals may be criminally responsible for acts that constitute crimes under international law, regardless of the law of their states. Under Article 25, the court has jurisdiction over people and a person is individually responsible for any crime within the ICC jurisdiction.

The underlying basic assumption of individual criminal responsibility is founded upon the principle of culpability; that is, no one may be held criminally responsible for acts or transactions which one has not personally engaged in, or some other way participated in.

Thus, the individual responsibility of President Kibaki and the other named government officials would have to be established and proved for each to be individually liable to prosecution.

The doctrine of command responsibility, on the other hand, postulates that individuals in positions of authority, whether civilian or military, may incur criminal responsibility on the basis of their de facto and de jure positions as superiors. It does not matter that one is a Head of State. The ICC statute applies equally to all people without any distinction based on official capacity.



**Former Liberian president  
Charles Taylor.**

The court's jurisdiction is also not fettered by any immunity or special procedural rules which may be attached to a person's official capacity under national or international law. A most recent step in the trend towards securing international criminal responsibility of high-ranking state officials was the arrest of former Liberian president Charles Taylor.

Thus, since ODM has lodged a complaint to the ICC, the prosecutor will analyse the seriousness of the claims and decide if there is need to carry out an investigation and request authorisation from the pre-trial chamber. If the chamber finds a reasonable basis of proceeding, it will authorise the investigations.

After the preliminary examination, the prosecutor may conclude that there is no reasonable basis for an investigation and inform the people who provided the information.

After the initiation of investigations a warrant of arrest will be issued at any time if the prosecutor applies to the chamber. However, arresting an indicted person is a protracted diplomatic issue, especially where the individual is a Head of State. For instance, on June 4, 2003, a warrant was issued for Mr Taylor's arrest as he travelled to Ghana with Liberian rebel groups for peace talks.

The order was served on the Ghanaian authorities and transmitted to the international police — Interpol. Mr Taylor addressed the peace conference and left abruptly for home aboard a Ghanaian plane. The Ghanaian authorities did not arrest him, and it was not until March 29, 2006, when was he finally held.

It should also be noted that investigations are a very slow process, and most of the cases forwarded to ICC are eventually dismissed. As of August 2007, the office of the prosecutor had received 2,450 cases of alleged crimes in more than 141 countries. After an initial review, however, 80 per cent were found to be "manifestly outside the jurisdiction of the court".

A major hurdle usually faced by a complainant is the issue of complementarity. ICC is intended to "complement" the current national judicial systems. Under Article 17, the court can only exercise its jurisdiction when national courts are unwilling or unable to investigate or prosecute. State parties are expected to implement national legislation to provide for the investigation and prosecution of crimes under the court's jurisdiction.

Last year, for instance, Corp Donald Payne became the first Briton to be convicted of a war crime. He had pleaded guilty under ICC to implementing legislation for inhumane treatment of Baha Mousa, an Iraqi detainee, following the 2003 invasion of Iraq. He was sentenced to one year in jail and dismissed from the army.

In the current case, all that needs to be proved is that the Government is unwilling or unable genuinely to carry out the investigation. Given the personalities that ODM want investigated, it is clear that the Government would be both unwilling and unable to genuinely investigate and prosecute them. Under the Constitution, for instance, a sitting president is immune from all criminal and civil actions. This clearly shows the inability to genuinely investigate and prosecute him under the complementarity principle.

### **Serious implications**

As things stand, should President Kibaki and his co-accused be indicted by the ICC, this would have serious implications in relation to the current peace initiative as the President would not remain committed to the peace search. This is reminiscent of the situation involving Lord's Resistance Army chief Joseph Kony in Uganda. He and his deputies are all indicted by ICC for crimes against humanity.

This is dealing a blow to the peace process going on in the South Sudan city of Juba, with Kony reiterating that he will not leave his jungle hideout until the ICC warrants are removed. Similarly,

when he was charged with war crimes and others against humanity, Mr Taylor reacted by warning that there would be no peace in Liberia unless the charges against him were dropped.

Mr Taylor's trial, however, sets a precedent in that it is the first time a former African Head of State has to face an international war crimes tribunal for crimes against humanity. But it is a welcome step in the emerging efforts to make leaders accountable for their actions. It sends a powerful message that warlords ultimately have a price to pay.

*Mr Gikonyo is an advocate of the High Court.*