

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



PRESS CLIPPINGS

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

as at:

Wednesday, 19 November 2008

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

Local News

“I Killed and Raped During the War” / *The Spark*

Pages 3-4

International News

Re-Examination and Conclusion of the Testimony of Witness TF1-045 / *Charlestaylortrial.org*

Pages 5-11

UNMIL Public Information Office Complete Media Summaries / *UNMIL*

Pages 12-14

Mass Rapes Constitute Genocide / *The Daily Nation*

Pages 15-16

EU in Kenya Poll Tribunal Threat / *BBC Online*

Page 17

The Spark

Wednesday, 19 November 2008

“I Killed and Raped During the War”

Charles Taylor's defence lawyer Mr. Morris Anyay in his cross-examination of Tfi-045 Augustine Sama Mallah at the Special court in The Hague, The Netherlands focused on establishing inconsistencies in the witness's prior written statement to prosecuting investigators and his oral testimony in court. First, counsel put a document before the witness indicating that he had met with members of the prosecution team on about 30 occasions. The witness agreed. The presiding Judge Doherty however pointed out that the list of meetings had skipped numbers 27 and 28. The defence lawyer therefore made a correction that the said meetings took place on 28 occasions.

In his first meeting with prosecution investigators on January 31, 2003, the Witness told them that he was captured by RUF rebels in 1994 and that he was taken for training at Camp Lion, near

Kenema by Pass. Compared to what he said in court, he was captured by RUF in 1991 and was taken for training at Gisiwulu. The witness admitted the inconsistency but said he originally lied to prosecution investigators for a reason. Defence counsel also pointed a portion of the witness's written statement in which he said that he first saw Sankoh in 1994-1995. Compared to what he said in court, he first saw Sankoh in 1991 at the Gisiwulu training base. On radio conversations between Sankoh and Taylor, in the witness's prior written statement to prosecution investigators CONTINUED PAGE 7

'I killed and raped during the war'

FROM PAGE 1

tors, he said that while at Zogoda, he used to see the radio operator give a letter to Sankoh that Taylor wanted to speak with him but he did not know what the nature of their conversation was. In court the witness had stated that he was just a few meters away from Sankoh while he discussed RUF operations with Taylor. Mr. Anyah asked the witness several questions relating to whether he took part in the killing, amputation and raping of civilians during the conflict. The witness admitted that he killed civilians but he did not take part in amputations. Counsel asked the witness whether he raped any women during

the war and he responded that he did rape women.

Mr. Anyah further asked the witness whether he knew a lady called Beatrice who was captured when rebels attacked Sierra Rutile in 1995 and whether he raped her.

The witness admitted to knowing Beatrice and to having raped her. The witness further explained that originally when he had sex with Beatrice it was against her will but she later became willing to stay with him and they had a baby-girl.

When asked about his own sister who was captured by RUF rebels at the age of 12 years old, the witness said he gave her to another rebel.

Charlestaylortrial.org
 Tuesday, 18 November 2008

Afternoon Session: Re-Examination and Conclusion of the Testimony of Witness TF1-045 Augustine Sama Mallah

3:00pm: Court resumed after lunch break and witness TF1-045 Augustine Sama Mallah was re-examined by prosecution counsel Brenda Hollis and he concluded his evidence against Charles Taylor. During re-examination, prosecution counsel Ms. Hollis sought to clarify certain issues that arose during cross-examination of the witness and these issues included the disagreement between the witness and Issa Sesay about shooting at Guinean soldiers, Bockarie's resignation from the RUF, the witness's trip from Monrovia to Sierra Leone, issues relating to Jungle, Senegalese, the Black Gadafa group, inconsistencies in the witness's prior statements and the ULIMO cut off of the Liberia/Sierra Leone border.

Witness's Disagreement with Issa Sesay

Prosecution counsel Ms. Hollis asked the witness about defence counsel's questions regarding his disagreement with Issa Sesay. The witness explained that this had to do with his refusal to open fire at Guinean soldiers while they were in Kailahun. When asked to explain the circumstances, he said that there were reports that the Guinean soldiers were firing gun shots towards Kailahun. He said that together with some colleagues, they went to the Sierra Leonean/Guinean border in Kailahun and they found out that the Guineans were on the Guinea side of the border trying to build a hut and that they were firing gun shots in the process. He said that they returned to Kailahun and sent the message to Bockarie and Issa who were based in Buedu. He said that Issa moved and met them in Kailahun. He said that one of Issa's bodyguards, Ishiaka, misinformed him and said that the Guineans were trying to attack RUF positions in Kailahun. Issa instructed them to go and stop the Guineans. He said that when they went to the border, they saw the Guinean soldiers on the Guinean side of the border, with no intention to attack the RUF. He said Ishiaka told them that based on Issa's orders, they should open fire on the Guinean soldiers. The witness said he refused to do that. He said that he maintained position that he will only shoot at the Guineans if they crossed into the Sierra Leone side of the border. He said that he told his fellow soldiers to follow him to a village called Baidu and they did. He said Ishiaka convinced a few soldiers and they opened fire at the rebels. He said three rebels died in the cross-fire and several others were wounded. Ishiaka went and met him at Baidu and asked him to provide reinforcements. The witness said when he refused, Ishiaka accused of betraying his fellow fighters. The witness responded by saying that it was Issa who had betrayed the RUF because when he was given diamonds to purchase arms and ammunition, he came back and said the diamonds were missing. He said that Ishiaka then opened fire and killed an SLA soldier who was now with the RUF. The witness became mad and also wanted to kill Ishiaka but that his fellow fighters restrained him. Ishiaka went back and told Issa that the witness had convened a meeting and was inciting other fighters that Issa had betrayed the RUF by not accounting for the diamonds. He said that Issa sent for him to report to Buedu. The witness went there and Issa took his pistol to shoot at him but that he escaped. The witness was eventually sent to the frontline at Gbaima.

Counsel also asked the witness about the Guinea Operation in 2000. The witness explained that Issa asked him to go and join NPFL fighters planning to attack Guinea

from Liberia. The witness said he refused to do so and this brought another disagreement with Issa.

Bockarie's Resignation from The RUF

Counsel asked the witness where he was when Bockarie left Buedu for Liberia. The witness said that he was with Issa's group of RUF and SLA fighters that moved from Segbwema to go and attack Bockarie in Buedu but by the time they got there, Bockarie had already left for Liberia.

Witness's Trip from Monrovia to Sierra Leone

Counsel asked the witness about RUF fighters that had been in Liberia for some long time. The witness explained that those were part of the group that went to Liberia in 1991 but some of them refused to return to Sierra Leone. He said they stayed in Liberia and became part of the NPFL until they were disarmed in 1997. Counsel asked the witness about the intentions of the RUF fighters that left Liberia in 1997 after the AFRC coup. The witness explained that they left together with some Sierra Leonean refugees in Liberia but that the RUF fighters intended to go back to their fellow RUF fighters in Sierra Leone. When asked about the issue of Refugee ID Cards, the witness explained that many civilians took the ID Cards but that they the RUF rebels did not have ID Cards.

Jungle and Senagalese

Counsel asked the witness about when he first saw Jungle in Sierra Leone. The witness said he saw Jungle in Kenema when he went to visit Bockarie. When asked about Senegalese, the witness said that he knew him and they referred to him that way because he was very tall, a prominent feature of people from Senegal.

Witness's Prior Inconsistent Statement

Counsel asked the witness about inconsistent statements that he made when he first had contact with prosecution investigators. The witness told the said investigators that he joined the RUF in 1994. When asked why he said so, the witness explained that when the Special Court was first established, there were rumours that those people who joined the RUF in 1991 and who rose to the position of colonel will be indicted. The witness said that to save himself from this, he refused to tell the investigators that he joined the RUF in 1991 and that he rose to the position of Lt. Colonel. He said that even when the investigators tried to convince him otherwise, he believed that they just wanted to cajole him and will arrest him once they knew the truth.

ULIMO Closure of Sierra Leone/Liberian Border

Counsel asked that the map of Liberia, which was earlier on displayed by defence counsel be shown to the witness. The witness agreed with counsel that the Grand Cape Mount Region in Liberia borders with Pujehun in Sierra Leone while the Lofa County region borders with Kailahun. Counsel referenced the testimony of prosecution witness Vamunya Sheriff when he testified that ULIMO gained control of the Grand Cape Mount from the end of 1992 to 1993 and that for Lofa County, they fought there at the end of

1992 to early 1993 and took control of the region in 1993-94. The witness said that this was consistent with his recollection of events.

Counsel then asked the witness to confirm whether Action Man used to give letters to Sankoh that Taylor wanted to talk to him. He said he saw Action Man in Danani in 1996.

This brought re-examination to an end.

Judges' Questions

Presiding Judge Doherty asked the witness whether he was present in Kenema in 1996 to implement Sankoh's orders to kill and amputate civilians so as to prevent them from voting. The witness said he was present and took part in the operation.

That brought the witness's evidence to conclusion.

Prosecution counsel indicated that the next witness is supposed to be TF1-358. She said that the witness arrived in The Hague late last night. She said that five pages of investigative notes pertaining to the witness's testimony were only disclosed to the defence today and that defence counsel will need time to review the said notes in order to prepare for cross-examination of the witness. She said that if defence counsel are not prepared for the witness, the prosecution will not proceed with him.

Defence counsel Terry Munyard responded that indeed disclosures were only made today and that defence will need time to prepare for the witness.

Prosecution counsel Ms. Hollis said that if defence counsel is not ready to proceed with that witness by tomorrow, then TF1-274 will be ready to testify.

Court adjourned for the day.

Mid-Morning Session: Defence Concludes Cross-Examination of Witness TF1-045 Augustine Sama Mallah

12:00pm: Court resumed after mid-morning break and defence counsel Morris Anyah continued and concluded the cross-examination of Witness TF1-045 Augustine Sama Mallah in open session. Counsel asked the witness several questions relating to RUF operation Spare No Soul, Sankoh's release from prison and his return to Sierra Leone after the signing of the Lome Peace Accord, Bockarie's resignation from the RUF, the witness's relationship with other RUF commanders who have already testified in the Taylor trial and the issue of monies given to the witness by the Witness and Victims Section (WVS).

Operation Spare No Soul

Defence counsel asked the witness whether Operation Spare No Soul was the same as Operation Free Foday Sankoh. The witness answered that the two were the same operation with different names. This, he said was an operation that was launched to hit the whole country with some fighters going to Kono, upto Makeni, some to Kenema and its environs. The witness said he was with the group that headed to Kenema. The witness

said that not all the operations were successful but in his own group to Kenema, they succeeded in taking Bunumbu, Segbwema, Tondolu, Bendu Junction and Jormu Kafaebu but that they could not capture Daru. He said that Akim led the attack on Tongo but that since he was not in Tongo, he couldnt tell what happened there.

Sankoh's Return to Sierra Leone after the Lome Accord

Defence counsel asked the witness questions about the Lome Peace Accord and Sankoh's return to Sierra Leone. The witness mentioned that Mike Lamin, Issa Sesay and Dauda Fornie, aka DAF were all part of the RUF delegation that went to Lome. The witness said he did not travel to Lome and so could not tell what happened there. He said that after the signing of the Lome Accord, Sankoh returned to Freetown via Monrovia. He said Sankoh then travelled to Buedu and asked Bockarie to assign 30 bodyguards to him. The witness said he was part of those assigned to Sankoh as a bodyguard. He said that CO Vandy was head of Sankoh's bodyguards. He clarified that CO Vandy, a Black Guard was different from Peter Vandy. He said that pursuant to the Lome Accord, Sankoh and Mike Lamin became part of the government of national unity. The witness said that like Sankoh, Mike Lamin had some RUF bodyguards. He mention one as a bodyguard called Kamara. The witness said that he was based at Sankoh's house on Spur Road in Freetown. The witness said that he was in Tongo when Sankoh and others were arrested in Freetown on May 8 2000. Among those arrested, he said, were Akim, Momoh Rogers, Mike Lamin and many others.

Sam Bockarie's Resignation From The RUF

Defence counsel asked the witness about why Bockarie left the RUF. The witness explained that there was a problem between Bockarie and Foday Sankoh. He said that Issa Sesay supported Sankoh in this conflict. He said that Issa mobilized armed men, including the witness to go and advice Bockarie in Buedu and that if Bockarie refused to take the advice, he would be attacked militarily. He said that when Bockarie heard that he was going to be attacked, he decided to leave as he said he didnt want to fight against any of his RUF brothers. The witness said that he was present when Bockarie communicated via radio that he was leaving the RUF and that he was going to seek refuge to Taylor, who had decided to grant him safe haven in Liberia. Defence counsel showed the witness a resignation letter written by Bockarie before he left for Liberia. Counsel said that in the letter, there is no mention of Taylor granting safe haven to Bockarie. The witness responded that the letter was left by Bockarie in his living room in Buedu but that his official communication to the RUF was via radio message in which he mentioned that Taylor was going to host him in Liberia. When asked how Bockarie crossed to Liberia, the witness explained that he went to Dawa, went through Foya Kama, then to Foya airfiled before he was taken to Monrovia. He said that Bockarie went with vehicles to Liberia. He said he heard that Bockarie went to Liberia with several fighters and civilians. When asked how he knew all these, he said that he heard then from Zedman and Beatrice who refused to follow Bockarie. He said that Zedman went with Bockarie to Liberia but that when they got to Balamu, he escaped and returned to Sierra Leone.

Witness's Contact with Previous Prosecution Witnesses

Defence counsel asked the witness about contacts he has had with other RUF commanders who have already testified in the Taylor trial. Counsel asked the witness

whether he has spoken with Isaac Mongo anytime this year. The witness said that he has spoken with Mongo but it has been about four to five months since they last spoke. The witness said he knows that Mongo has already testified in the Taylor case. Asked whether they spoke before or after Mongo had testified in the trial, the witness said that he did not even know at that time that Mongo had testified in the trial. He said that they met on Railway line in Freetown while Mongo was going to church. The witness said that he only shared his sympathy with Mongo about his arrest and detention at Pademba Road Prisons. When asked whether he knew that former President Kabbah granted clemency to all all accused persons who were arrested with Mongo, the witness said he learned about it when Mongo mentioned it.

Counsel asked the witness whether he has been in touch with Karmoh Kanneh. The witness said that while they have not seen each other in a very long time, they have been speaking via telephone frequently. The witness admitted that he has spoken with Karmoh Kanneh after his testimony in The Hague. He said that he told Karmoh Kanneh that he heard his name on radio that he was testifying in The Hague. He said Kanneh responded that he had gone and seen the whiteman's land. He said that he did not ask Kanneh anything about the trial such as Taylor appearance or the kinds of questions that are asked or how witnesses are treated. He said he did not even tell Kanneh that he was going to testify against Taylor.

Monetary Payments to Witness

Defence counsel asked several questions about monies that have been given to the witness by the Witness and Victims Services (WVS). Counsel noted that since March 2005 to date, the witness has received an amount of Le. 3, 712,000 from WVS. The witness responded that that could be the case but that he has not been counting the monies given to him. Counsel further noted that the witness has received over Le. 500,000 for transportation, Le. 556,000 for medical, over Le. 1,600,000 for accomodation, and miscellaneous of over Le. 1, 200,000. Counsel noted that the overall amount of money received by the witness has exceeded Le. 7, 800,000. Counsel asked the witness about the work that he does and how much he earns per month. The witness said that he works as a masoner and that he earns Le. 350,000 as his monthly salary. Counsel noted that the witness's salary at that amount will be Le. 4, 200, 000 for the year. The witness responded that the said amount should also be calculated over a three year period that he has been cooperating with the court. Counsel agreed that the amount will be more than what the witness has earned from the court so far.

That brought the cross-examination of the witness to an end and court adjourned for lunch break.

Morning Session: Cross-Examination of Witness TF1-045 Augustine Sama Mallah Continues

10:00am: Court resumed in open session and defence counse Mr. Morris Anyah continued the cross-examination of Witness TF1-045 Augustine Sama Mallah. Counsel focussed a huge part of his cross-examination of the witness's testimony regarding the orders from Sankoh to kill and amputate civilians in order to prevent them from viting in

1996, and Johnny Paul Koroma's meeting with RUF commanders in Buedu in 1996 during which diamonds were taken from him and his wife allegedly raped.

Peace Before Elections/Elections Before Peace in 1996

Defence counsel asked the witness several questions about the disagreement between the RUF and the Government of Sierra Leone in 1996 regarding peace before elections as demanded by the RUF or elections before peace as suggested by the Government of Sierra Leone. The witness, in his testimony said that Sankoh gave orders to Morris Kallon and RUF fighters to attack Kenema, kill civilians and amputate their arms in order to prevent them from voting. The witness said that he saw five dead bodies of civilians killed and three civilians who were amputated. Defence counsel questioned the witness whether he actually went to Kenema on this operation or he had been told about it by Morris Kallon. The witness responded that he went on the operation to Kenema.

Defence counsel referenced statements made by the witness to prosecution investigators in which he is quoted as having said that the order to amputate civilians did not come from Sankoh directly and that Kallon had told him about the amputations when he returned. The witness responded that the orders came directly from Sankoh and that while he was not present when the amputations of civilians were done, he did see the said civilians after they had been amputated. The witness insisted that he took part in the operations. He said that he did witness the killing of the five civilians in Kenema.

Johnny Paul Koroma's Meeting with RUF Commanders in Buedu

Defence counsel asked the witness about his testimony that Johnny Paul Koroma had a meeting with RUF commanders in Buedu during which diamonds were taken from him. He said that at the meeting, it was Johnny Paul himself who told the RUF commanders that he had some parcels of diamonds. He said that CO Sammy and Major Dumbuya were at the meeting but that Alex Tamba Brima, aka Gullit was not present as he was in Kailahun town. The witness said that he was with Mike Lamin at this time and that they were both present at the meeting. When asked whether Ibrahim Bar was present at the meeting, the witness said he still does not remember who Ibrahim Bar was. He said that Rambo, who was Johnny Paul Koroma's Chief Security Officer (CSO) was present at the meeting. He said that while Kallon had a house in Buedu occupied by his family, he was not present in the town at that time. The witness said that Issa Sesay raped Johnny Paul Koroma's wife in Buedu.

Defence counsel referenced the testimony of another witness who said that Johnny Paul Koroma's wife and Rambo had some problems and that Ibrahim Bar was present when this incident took place. Witness Mallah said that he heard of the incident but was not present when it took place. Counsel asked the witness whether anybody fired any weapon during the meeting in Buedu and the witness said that RUF commanders including Issa did fire weapons. He said that was done as a threat to Johnny Paul Koroma and his family. He said that Johnny Paul asked that they all put their diamonds together and take them to Charles Taylor in Liberia for arms and ammunition. He said that the RUF commanders on their part did not want Johnny Paul to be part of any mission to contact Taylor and so he refused to hand over his own parcels of diamonds. He said that Johnny Paul told them that the diamonds did not belong to him alone and that he had to consult

other senior officers before handing over the diamonds. According to the witness, the RUF commanders on their part thought Johnny Paul wanted to escape with the diamonds.

Defence counsel referenced a previous witness who had said that Rambo was upset at being sacked as CSO by Johnny Paul's wife and so he went and told the RUF commanders that Johnny Paul had diamonds and he wanted to escape with them. The witness responded that may be that was said to Issa Sesay and the other commanders but that he did not know of it. All he can say is that Johnny Paul admitted to having parcels of diamonds with him.

Defence counsel referenced another witness who said that Sam Bockarie was not present at the meeting but gave instructions to Kallon and Issa to take the diamonds from Johnny Paul. The witness responded that the said previous witness did not say the right thing as Bockarie was present at the meeting and that Kallon was not present in Buedu at that time. The witness said that it was Bockarie who gave orders to his bodyguards to disarm Johnny Paul and his men. The witness said that Bockarie went with his bodyguards into Johnny Paul's room and they took the diamonds. He said that the bodyguards present were Shabado and Junior. Counsel further referenced the witness's proofing notes during which he said that Johnny Paul's wife accused Issa of having raped her. Counsel referenced the testimony of a previous witness that he/she was present in Buedu and that no such thing as raping Johnny Paul's wife took place. The witness responded that he was sure that such thing did happen.

Disagreement With Issa Sesay over attack on Guinea

Defence counsel asked the witness whether he was accusing Issa because he had a disagreement with him. The witness said that was not the reason. Asked about the disagreement he had with Issa, the witness said that Issa came from Liberia with instructions from Taylor to attack Guinea. The witness said that he told Issa he was not going to be part of any attack on Guinea. Asked if Augustine Gbao was part of the mission to attack Guinea, the witness said that he couldnt say. When asked about where he went after his operation in Baima, the witness said he went to Segbwema.

Court adjourned for mid-morning break

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

**UNMIL Public Information Office Complete Media
Summaries
18 November 2008**

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

Newspaper Summary

UN Deputy Envoy Challenges Filipino Peacekeepers

(The Informer, The News, Heritage)

- The Deputy Special Representative of the Secretary-General (DSRSG) for Rule of Law, Ms. Henrietta Mensa-Bonsu, has commended the UN Mission in Liberia (UNMIL), Filipino military for their significant contributions to Liberia.
- Speaking during a ceremony when she decorated 165 Filipino soldiers with UN peacekeeping medals, DSRSG Mensa-Bonsu applauded them for the role they play in support of the mandate of UNMIL.
- She urged the peacekeepers to strictly abide by the Secretary-General's policy of zero tolerance for sexual exploitation and abuse.
- For his part, Lieutenant Colonel Danilo Pamonag, Commanding Officer of the 10th Philippine Contingent said his contingent work tirelessly on the sidelines to get things done.
- The Filipino Security and Defense Platoons are in charge of providing area, point and security patrols at the UNMIL Headquarters.
- They ensure the protection of the Special Representative and the two Deputy Special Representatives, as well as all UNMIL VIPs visiting the mission area.

BIN Dismantles Several In-Land Checkpoints...Cites Improved Security

(Heritage)

- The Bureau of Immigration and Naturalization says it is dismantling several inland checkpoints given the relative peaceful atmosphere in the country.
- In a statement, the Bureau said the exercise is intended to curtail the constant harassment of innocent civilians by unscrupulous security personnel.
- Those checkpoints dismantled are the Kakata, Weala, Mount Barclay, Careysburg and the Gbar Checkpoints while the "Iron Gate" checkpoint in Brewerville has been re-located to Po-River.
- Meanwhile, the BIN is warning all security personnel previously assigned at these checkpoints to refrain from returning to those areas.

Capitol Building Burglarized

(National Chronicle, New Democrat)

- The New Democrat newspaper reports that several offices at the Capitol Building have been burglarized.
- The offices that were burglarized include the Finance Department and the offices of Montserrado County Representatives, Regina Sokan-Teah and Moses Tandapolie.
- The National Chronicle reports that the Liberia National Police is presently investigating the incident and has called in four officers of a local security firm hired to man the building for questioning.

Labour Minister, Representative Gbollie Face TRC This Week

(Daily Observer, The News, The Inquirer, The Informer, National Chronicle)

- The media reports that Labor Minister Samuel Kofi Woods and Margibi County Representative Saah Gborlie will this week testify before the Commission.
- Mr. Woods, a human rights lawyer and former student activist testified today during the resumption of the commission's public hearings.
- A statement said the hearings will continue Thursday with Representative Gborlie who was a key figure during the regime of former President Charles Taylor.
- Their appearance is part of the ongoing "Contemporary History of the Conflict (1979-2003)" Hearing of the TRC.

PUL President Vows Not to Attend Induction of New Leadership

(Daily Observer, Heritage)

- The outgoing President of the Press Union of Liberia (PUL), George Barpeen says he will not attend the induction of the new leadership on December 12.
- Mr. Barpeen attributed his decision to the failure of the leadership-elect to consult him on the appointment of the transitional or induction committee despite a planned meeting with them last Thursday.
- He said as is done in the Union, it was incumbent upon him as President of the PUL to appoint an induction committee in consultation with the leadership elect.

President Sirleaf Dedicates Newly Renovated Public Schools

(Heritage, Daily Observer)

- Four renovated and one newly constructed public school has been turned over to the government of Liberia.
- The schools include the Marvi Sonii Elementary School, the Boatswain Elementary and Junior High School, the Emmanuel Johnson Junior High School and the D. Twe Memorial High School as well as the Logan Town Central Elementary School, where a newly constructed 10-classroom facility has been erected.
- Speaking at the D. Twe Memorial High School hand-over programme, President Sirleaf warned "obstructionist" that government will use its power of eminent domain to build a primary school in the New Kru Town area.
- She said despite consultations and negotiations there has been no progress in securing the land for the school.

Radio Summary

Radio Veritas (News monitored today at 9:45 am)

President Sirleaf to Address Liberia-Norway Partnership Forum Today

- President Ellen Johnson Sirleaf today delivered the keynote address at the opening of the Liberia-Norway partnership community development programme seminar in Monrovia.
- The seminar is seeking to share and discuss experiences with the hope of stimulating and empowering local grass root community based organizations for self sustainability.

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

Labour Minister, Representative Gbollie Face TRC This Week

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

BIN Dismantles Several In-Land Checkpoints

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

PUL President Vows Not to Attend Induction of New Leadership**STAR RADIO** *(News monitored today at 9:00 am)***President Sirleaf Dedicates Newly Renovated Public Schools****Truth F.M.** *(News monitored today at 10:00 am)***Norway to Cancel US\$35M of Liberia's Debt**

- The Norwegian Government said it will cancel US\$35million of Liberia's debt which constitutes 90 percent of the country's debt to Norway.
- Liberia's remaining debt to Norway will be cancelled when the country reaches the completion point defined under the Heavily Indebted Poor Countries Initiative (HIPIC).

The Daily Nation (Kenya)

Tuesday, 18 November 2008

Mass rapes constitute genocide

Written by David Scheffer



Sudan's President Omar Hassan al-Bashir might be prosecuted for use of rape as a form of genocide. / Reuters

People hear the word "genocide" and think of six million Jews killed by the Nazis during the Holocaust or the estimated 800,000 mostly Tutsis slaughtered in Rwanda.

They do not imagine that rape can be so well planned and done on such a mass scale as to wipe out much of an ethnic group just as thoroughly, if more slowly, than large-scale murder.

Sudan's president, Omar Hassan Ahmed Bashir, stands accused of —among other horrible crimes — masterminding the use of rape as a form of genocide against several ethnic groups in Darfur.

In the coming weeks, three judges of the International Criminal Court in The Hague will decide whether that charge will be included in the likely arrest warrant against him. Hanging in the balance is whether the heinous modern warfare strategy of mass rape will be condemned and prosecuted for what it truly is: genocide.

The court's prosecutor, Luis Moreno-Ocampo, has filed other charges as well, including war crimes, crimes against humanity and "mass murder as genocide."

But the groundbreaking charge is rape as genocide, which relies on two lesser-known ways of destroying a people: "causing serious bodily or mental harm to members of the group" or "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."

Prosecuting the crime of rape under these particular formulations is unprecedented for the International Criminal Court. There were mass rapes in Rwanda in 1994, for instance, but many of the victims were quickly killed as part of the overall genocide.

In Darfur, many rape victims survive, but they suffer grievous harm to their bodies, minds and ethnic identities that can lead to a genocidal result.

Despite rulings from earlier Rwanda and Bosnia war crimes tribunals that offer guidance, the relative novelty and complexity of rape-as-genocide cases might impel the judges to stick to more familiar war crimes terrain.

But the judges only have to find reasonable grounds to include the rape-as-genocide charges on the Bashir warrant. They need not establish proof beyond a reasonable doubt, the standard applied at trial. The evidence presented by Moreno-Ocampo appears compelling.

The prosecutor's investigation reveals that, since 2003, Bashir's forces and agents have driven about 2.5 million Sudanese, including substantial numbers of the Fur, Massalit and Zaghawa ethnic groups, into camps of internally displaced persons. They then raped and inflicted other forms of severe sexual violence on thousands and continue to do so.

A common tactic is for the janjaweed militia and Sudan's armed forces and security agents to lie in wait outside the camps to rape —or often gang-rape — the women and girls who come out to collect firewood, grass or water in order to survive. "Maybe around 20 men rape one woman," one victim said in a report cited by the prosecutor.

"These things are normal for us here in Darfur.... They rape women in front of their mothers and fathers." "Janjaweed babies" born of the rapes rarely have a future in the mother's ethnic group. Infanticide and abandonment are common. Another victim explained: "They kill our males and dilute our blood with rape. (They) ... want to finish us as a people, end our history."

Imagine the collective horror if men and boys in these ethnic groups were raped and then castrated. Would anyone doubt that genocidal impulses were at work by depriving men of their ability to father children? In Darfur, raped women and girls are similarly crippled.

In the 1990s, when I was the US ambassador at large for war crimes issues, I met scores of women who had been raped during the atrocities in the Balkans, Sierra Leone, Uganda and the eastern Congo. In most cases, the experience was devastating to their character, their ethnic bonds and often to their physical health.

Even if they were still physically able to bear children, these women typically were ostracized from their communities and could not marry their ethnic men. Confronted with these stories, I recognised that mass rape can destroy a substantial part of a group and thus constitute genocide.

Prosecuting the rapes in Darfur as a crime against humanity would get at the crime's seriousness. But genocide is another order of destruction altogether.

Elevating the mass-rape charges to that level indicates that Bashir intended not only to terrorise women or force a population out of a particular region, but to end the very existence of the three ethnic groups that dared to challenge his power.

Scheffer, is a law professor and director of the Centre for International Human Rights, Northwestern University School of Law

BBC Online

Tuesday, 18 November 2008

EU in Kenya poll tribunal threat

The European Union is threatening to withhold aid to Kenya unless a recent report's recommendations on January's post-poll clashes are implemented.

The report called for an international tribunal to try the politicians and businessmen implicated in the violence.

A list of 10 suspects is to be given to the International Criminal Court by the mediators of Kenya's power-sharing deal if a court is not set up next month.

But the cabinet has avoided the topic since the report's release last month.

The BBC's Muliro Telewa in the capital, Nairobi, says the government's budget would be short of \$500m if the EU did cut its aid.

President Mwai Kibaki of the Party of National Unity (PNU) and Orange Democratic Movement (ODM) leader Raila Odinga, now prime minister, signed an agreement in February to end the crisis and formed a coalition government.

More than 1,500 people were killed in the violence that engulfed the country after December's elections and some 300,000 more fled their homes.

Split

The EU's representative in Kenya Eric van der Linden told journalists that Kenya had no option but to implement the recommendations of the commission of inquiry into the post-election violence.

It was chaired by Justice Phillip Waki, who found that in some areas the violence was planned and organised with the support of politicians and businessmen.

When the report came out, both Mr Kibaki and Mr Odinga pledged to implement its recommendations.

But in the intervening weeks, many politicians have split over the issue - supporters arguing it will put an end to impunity and critics insisting the report is flawed and full of hearsay.

Some also warn that any prosecutions could spark further clashes between communities, our reporter says.

The commission of inquiry was appointed following recommendations by the international mediation team led by former UN Secretary General Kofi Annan.

Mr Waki handed over the sealed list of suspects to Mr Annan, who is to hand it over to the ICC in The Hague if the court is not set up as agreed.

Human rights groups have warned that the government cannot afford to ignore the findings of the inquiry if it wants to avoid a repeat.