

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

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

Wednesday, March 02, 2005

The press clips are produced Monday to Friday.
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Witness Reveals How Kamajors Killed, Burnt Houses Near Tongo

By Mohamed Mansaray

The 52nd prosecution witness in the on-going trial of CDF indictees of the Special Court, TF2-016, revealed yesterday that Kamajors burnt nine houses and killed two people in Lalehun, about few kilometers from Tongo Field, Lower Bambara Chiefdom in the Kenema district sometime in 1997.

The witness was led in evidence by a prosecution counsel, Raimund Sauter at Court Room No.1, New England in Freetown.

He named Pa Aruna Konowa and Pa Brima Conteh as the people Kamajors killed, and added that the internal organs of the deceased were removed by their killers, cooked

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Starline Times

*Wednesday March 02,
2005*

HOW Kamajors Killed TWO

and eaten.

Giving his testimony in Krio, through an interpreter in English from the witness protection box, he told the court that Pa Aruna Konowa was a quarter-head (head of a particular section in the town).

The 46-year-old witness further testified that Pa Konowa was tied and taken to Lalehun, three days after he returned to the town from his hide-out, adding that Kamajors accused him (deceased) of being a rebel collaborator. He told the court that the Section Chief, Lahai Samuka Konowa pleaded with the Kamajors to spare the life of the deceased but his plea fell on deaf ears.

"Commander Baimba Aruna gave order for Pa. Konowa to be killed," the witness told the court and added that the deceased was beheaded near a certain school field in the town. With respect to Brima Conteh, the witness testified that the deceased was the Town Speaker of Lalehun. He told the court that the late Chief Conteh was arrested during a meeting at Tokpombu centre, shortly after he had emerged from his hideouts.

"Chief Conteh was stripped naked, tied with a rope and brought to Lalehun, carrying a block on his head", he said and informed the court that the deceased was taken to a banana plantation and beheaded.

Describing himself as a farmer, the witness testified that Tongo Feild and Lalehun were comprehensively looted by Kamajors. The witness was cross-examined by defence lawyers. The trials continue.

Salone Times

Wednesday March 07, 2005

Witness Disclaims Statement At Special Court

By Mohamed Mansaray

Special Court Prosecution witness, TF 2-144 has denied certain portions of statements he made to the Office of the Prosecution between 2002 and 2003 about Kamajor activities in the Kenema district.

The witness denied telling the office of the Prosecution on November 5, 2003, that he saw 100 decomposed corpses at the entrance of the NDMC in Tongo between 1997 and 1998. He made this denial recently whilst he was being cross-examined by Arrow Bockarie, who is defending the 2nd CDF accused, Moinina Fofana at Court Room No. 1, New England in Freetown.

The witness also denied ever telling the Prosecution that a certain man's right arm was amputated by Kamajors in Dodo in the Kenema district during that period. Asked by Ansu Lansana, counsel for the 3rd accused, Allieu Kondewa whether he ever told the Prosecution that he (the witness) hid AFRC sojas in his house in Kenema, the witness replied that he did not. The three Judges, namely, Benjamin Itoe (Presiding),

Bankole Thompson and Pierre Boutet, asked the Prosecution whether they wished to re-examine the witness on the portions in the statement the defence perceived as being inconsistent. But Prosecution counsel, Kevin Ravener replied that they (Prosecution) were not prepared for any re-examination. "Any inconsistent portions should be determined by the Bench when it is time to evaluate the witness's statement," Mr Ravener said, adding that the statement has already been tendered in court as an exhibit. In his examination-in-charge earlier, the witness told the court that he was in Tongo when Kamajors captured the town from AFRC forces during that period. The 50-year-old witness informed the court that Kamajors assembled civilians at the pre-

mises of the NDMC and separated them according to their tribes.

Born in the Port Loko district, he told the court that some Limbas, Temnes and Lokos were taken away to an unknown place and he never saw them again. Describing himself as a farmer, miner and a businessman, the witness testified that they (civilians) were later accompanied to Panguma by Kamajors and that on their way, a woman who was carrying a baby on her back was chopped at the back by Kamajors and fell down.

Giving testimony from the witness Protection box, he informed the court that Kamajors occupied his house for one day at Kawula Street in Kenema but did not loot anything.

Testifying in Krio through an interpreter in English, the witness told the court that



CDF's Norman

Kamajors murdered one Mr. Ojuku behind a house in Kenema and removed all his internal organs and put them in a plastic bag. Although the witness testified that he did not see the alleged killing of Mr. Ojuku, he quoted Kamajors as remarking that they were going to cook and eat Mr. Ojuku's internal organs. The three accused, namely, Samuel Hinga Norman, Moinina Fofana and Allieu Kondewa are charged with individual criminal responsibility for offences committed against civilians by Kamajors during the war in Sierra Leone.

The trials continue.

A SPECIAL COURT WOULD NOT HAVE BEEN NECESSARY

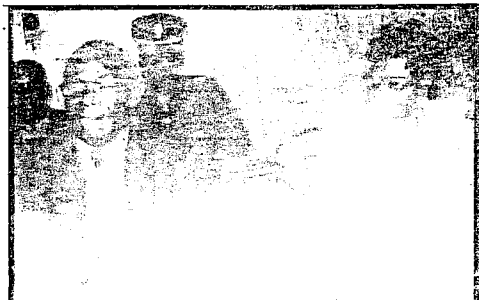
... *Solomon Berewa*

The Vice President, Solomon E. Berewa, who presented the keynote address at the opening ceremony of a two-day workshop on National Victims

Commemorative Conference on Truth, Justice and Reconciliation, organised by the Special Court and chaired by Christiana Thorpe of FAWE, informed

delegates from all the four regions of the country that if the rebels did not violate the Abidjan and Lome Peace Accords and if innocent citizens were not killed outside the premises of former RUF leader on the 8th of June 2000, there would have been no need for a Special Court.

Vice President Solomon



Cont. Back page VP Solomon Berewa and Christiana Thorpe at workshop

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Berewa noted that the violation of the Abidjan and Lome Peace Accords and the RUF unaccepted behaviour when the rebels abducted United Nations peacekeepers, it became necessary for government to address the incidence of impunity by working towards the setting up of a Special Court.

Vice President Solomon Berewa further noted that the government was aware of concerns expressed about the narrowness of the temporary jurisdiction from 1996 to 2000, but argued that if the temporary jurisdiction was taken as far back as 1991, when the war actually started, from experience elsewhere, it would have been difficult to gather

A SPECIAL COURT

vital evidence for the prosecution of the accused persons.

In the area of personal jurisdiction, Solomon Berewa argued that it was not easy to come to a conclusion to charge to court all those who carried arms because some of the people who carried arms and who themselves took part in the war were themselves abducted and had to fight against their wish.

Such abducted people included children who fought in the war and actually killed other people, but such children cannot be charged to court because this would have violated international legal practice.

He emphasised that even

though the Lome Peace Accord granted amnesty to all the warring factions, the rebels violated the Lome Peace Accord and in the process, squandered the good will that was provided by the amnesty.

Vice President Solomon Berewa, was yesterday addressing participants at the two-day workshop to address issues relating to the workings of the Special Court, during which occasion supporters of indicted CDF leader, Sam Hinga Norman, declared that the arrest of Sam Hinga Norman was unfair, but the agitators against Hinga Norman's arrest were largely ignored by the other participants.

The New Citizen

Wednesday March 02, 2005

SIERRA LEONE: Special court prosecutor steps down after three years in the job

01 Mar 2005 18:11:14 GMT

Source: IRIN

DAKAR, 1 March (IRIN) - David Crane, the American prosecutor of Sierra Leone's UN-backed war crimes tribunal, has announced that he will step down in July, even though the trials currently under way are likely to continue into 2006.

The former lawyer with the US Department of Defence said he was satisfied with the progress achieved so far by the Special Court, even though he had not yet succeeded in bringing former Liberian president Charles Taylor to stand trial before it.

"90 percent of the work has been done, the trials are moving forward, justice is to be done and the job will be completed by the end of 2006", Crane told IRIN by telephone on Tuesday.

The prosecutor, who has been a high-profile figure since the Special Court was set up in July 2002, said he was simply quitting at the end of his current contract for family reasons.

"Three years ago, I made a promise to my wife that I would be in the job for three years. The appointment ends in July, there is nothing controversial," he said.

The Special Court of Sierra Leone is mandated to try those deemed primarily responsible for war crimes and human rights abuse committed during the latter phases of Sierra Leone's 1991-2001 civil war.

It is the first international war crimes tribunal to sit UN-appointed international judges alongside local judges at a court in the country where the atrocities took place. Its three-year mandate ends later this year, but can be extended if proceedings take longer to complete.

The court has so far indicted 13 people, nine of whom are in custody. Two have died - former rebel leader Foday Sankoh and his military commander Sam Bockarie.

A further two indictees remain beyond the court's reach.

One of these is Taylor, who as president of Liberia was the main backer of the Revolutionary United Front (RUF) rebel movement. Forced to quit power in August 2003, he now lives in Nigeria, which granted him political asylum.

The other absentee is Johnny Paul Koroma, the leader of a military junta which ruled Sierra Leone from 1997 to 1998. He went into hiding two years ago.

The first trial started in June 2004. It involves war crimes charges against former Defence Minister Sam Hinga Norman and other leaders of the Civil Defence Force, a militia group set up to fight for the government of elected president Ahmad Tejan Kabbah.

The second trial, of RUF leaders, began in July last year.

A third, featuring key members of Koroma's Armed Forces Revolutionary Council, is due to begin on 7 March.

Crane said he did not feel frustrated at his failure to bring Taylor before the court, adding that there was still a good chance of extraditing him to stand trial.

"Legally we are ready to receive Taylor. Politically we are working with friends in Nigeria and with the international community into turning him to court for a proper trial," he told IRIN.

The prosecutor said last week's resolution by the European parliament calling on the European Union and its members states to do their utmost to persuade Nigeria to hand over the former Liberian leader was a landmark decision.

Mike McGovern, the West Africa Director of the International Crisis Group, said Crane has been an asset to the court.

"Crane has been an advocate for a strict and robust application of international law to all parties in the Sierra Leonean conflict and the energy and conviction he's brought to the job have pushed forward the process," McGovern told IRIN in the Senegalese capital Dakar.

Crane himself said he had drawn three lessons from the Court which is widely eyed as a potential model for war crimes in other conflicts: that the court's mandate to just try those bearing greatest responsibility for war crimes, its location in the country where the tragedy took place and its short timeframe for completing the trial of suspects had been right.

He warned that unless such war crimes tribunals were properly conceived they risked becoming "a political liability and potential threat to peace, not sustainer of peace".

McGovern agreed with this analysis.

"The speed with which the court got up and running is unprecedented. The court is already a success in the sense that it is operated more efficiently than the sister courts, largely due to Crane's energy and dedication," he said.

The only other international war crimes tribunal set up so far in Africa was established in Arusha, Tanzania, to try those responsible for the 1994 genocide in Rwanda. More than 10 years later, this body, with an 800-strong staff, is still conducting trials at an estimated cost of US\$90 million per year.

The Special Court in Sierra Leone was established with an initial budget of US\$60 million for three years and was designed to deliver justice faster and more cheaply.

However, obtaining the necessary funding to keep it going has been difficult.

"Money has always been a great challenge which has not kept us from doing our job," Crane said. "We had great assistance by the UN which gave money till the end of 2005, and it will be necessary to go back to the international community after that."

McGovern said he expected the CDF and RUF trials to continue well into 2006, while the AFRC trials, which are shortly to get under way, would probably last until the end of 2005.

IRIN news

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Sierra Leone prosecutor resigns

The chief prosecutor of Sierra Leone's war crimes tribunal is to step down.

David Crane told the BBC that he had promised his wife he would only do the job for three years, which end in July.

Nine people are currently on trial, accused of bearing the greatest responsibility for the killing, maiming and rape of thousands of people.

Former Liberian President Charles Taylor has been indicted for his alleged role in the war and is fighting attempts to extradite him from Nigeria.

The rebel RUF's campaign of violence included hacking off the limbs of civilians as a trademark act of terror.

'Off the streets'

"I can assure you that justice will be done," Mr Crane told the BBC's Network Africa programme.

He said that those who bore the greatest responsibility had been "taken off the streets".

Apart from those on trial, other suspects have died.

Mr Crane said he was still working to have Mr Taylor put on trial.

He is accused of being the RUF paymaster.

He resigned last year as part of a deal to end fighting in Liberia.

Unlike the war crimes tribunals for Rwanda and the former Yugoslavia, the UN-backed Special Court for Sierra Leone is based where the alleged crimes occurred and draws on both national and international law.



Mr Crane promises justice will be done

SIERRA LEONE: SEEKING

TRIBUNAL

Q&A: War crimes tribunal
Rebels face tribunal
War 'hero' on trial
Catalogue of horror awaits



Justice on trial
Can the tribunal heal the wounds of war and prevent further conflict?

BACKGROUND

Justice for all?
Silent sufferers
Cruel rebel
Country profile
Timeline

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Justice on trial

Catalogue of horrors awaited



For up to the minute sports,



Top Prosecutor Quits Liberia

Liberian Observer (Monrovia)

NEWS

March 1, 2005

Posted to the web March 1, 2005

Monrovia

David Crane, a veteran lawyer from the US defence department, said his three-year contract had come due with the UN-backed court trying atrocities committed during Sierra Leone's brutal 1991-2002 war and that he wouldn't seek to renew it.

"As you know, this is a non-accompanying post," Crane told The Associated Press, meaning his family doesn't live with him in Sierra Leone's war-battered capital, Freetown.

"I am just keeping to the promise I gave to my wife, who is a career (US government) employee," Crane said.

"I'm leaving with a great deal of satisfaction and will continue to work hard for the people of Sierra Leone until I finally leave."

UN spokesperson Fred Eckhard said Crane wrote to secretary-general Kofi Annan that he would not seek reappointment and will step down on July 15. p> He told the secretary-general "that he hoped he could serve mankind and the United Nations in another capacity someday," Eckhard said at UN headquarters in New York.

Cases stem from 10 years of conflict

By statute, only the secretary-general can appoint a prosecutor for the special court, the world's first hybrid international war crimes tribunal.

It was established in January 2002 under an agreement between the United Nations and the Sierra Leone government.

Crane, 54, began his job as head of the prosecution team in August 2002 and trials opened in June 2004.

The Sierra Leone court is handling cases stemming from more than 10 years of fighting for control of Sierra Leone and its diamond fields, a conflict that saw rebels hacking off the limbs, lips and ears of civilian victims.

Former Liberian president Charles Taylor, the highest-profile of the court's 10 indicted suspects, is accused of directing Sierra Leone's Revolutionary United Front rebels and trafficking in guns and diamonds while in office.

Taylor lives in exile in Nigeria and Crane has vociferously lobbied for his hand over to the Sierra Leone

court, which unlike other tribunals mixes UN and local statutes.

Nigeria, which helped broker the peace deal that ended Liberia's 14-year civil conflict last year and sent the first troops to calm the country, has said it will only surrender Taylor to a Liberian court.

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Special Court Prosecutor resigns

BY THEOPHILUS S. GBENDA

The Special Court for Sierra Leone (SCSL) has again been rocked by another big challenge, in the form of the sudden and untimely resignation of the Chief

Prosecutor, Mr. David Crane. Mr. Crane made his position known in a letter dated February 28, 2005 and addressed to the Secretary General of the United Nations, Mr. Kofi Annan, stating

clearly that he "would not seek re-appointment and will leave his position effective 15 July 2005." Although the letter fell short of giving any reason why a reappointment was unnecessary, inde-

pendent investigation have so far revealed that the CIA guru resigned in fulfillment of a pledge to his wife before accepting the appointment that he will serve the SCSL for only 36 months and which will return home to the U.S. to join the rest of his family.

Mr. Crane, whom according to some staff would be remembered for his racist postures, was appointed by the U.N. Secretary General in April 2002 and assumed office as prosecutor on 15 July 2002, with the mandate of prosecuting those thought to have

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David Crane... giving up

FROM PAGE 1

borne the greatest responsibility for the crimes committed during the war in this country.

Since his assumption of office, Mr. Crane has indicted a total of thirteen (13) suspects, nine (9) of whom are currently in detention.

The resignation therefore of Mr. Crane at a time when the trails of the indictees are reaching crucial stages has no doubt sparked signals of difficult scenarios ahead.

This is so especially when Mr. Crane had often times

referred to himself as being the right man for the job and that he will ensure that those currently in the custody of the court, "will never see the dawn of a free day."

Although Crane is ably deputized by Desmond de Silver, it is very unlikely that he will assume the substantive position as Chief Prosecutor, since by statute, only the Secretary General can appoint a Prosecutor of the SCSL, the world's first hybrid international war crimes tribunal.

Standard Times

Wednesday March 02,

2005

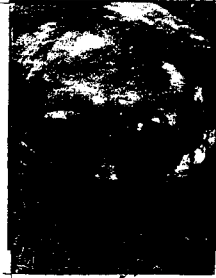
*Special Court Prosecutor To Resign

*Hinga Norman, Issa Sesay May Be Freed

Chief Prosecutor of the Special Court for Sierra Leone, David M. Crane, has notified the Secretary General of the United Nations, Kofi Annan, by letter that he would not seek reappointment and will



Norman, CDF



leave his position effective 15 July 2005, a press release from the office of the Prosecutor stated Monday. Appointed in April 2002, Mr Crane assumed his duties as Prosecutor on 15 July 2002, with the

mandate of prosecuting those who bore the greatest responsibility for war crimes and crimes against humanity during the civil war in Sierra Leone in the 1990s.

Arriving in August of 2002, Mr. Crane began his investigations which culminated in the first set of indictments being issued seven

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The African
Champion

Wednesday March
02, 2005

*Special Court Prosecutor To Resign

From front page

months later. Six of the eight indictees were arrested in 'Operation Justice' on 10 March 2003 in Sierra Leone. Since then there have been five other indictments issued for a total to date of thirteen. Nine of these indictees are in custody and being tried in three joint criminal trials.

Following Mr. Crane's indictment of then President Charles Taylor of Liberia, Taylor fled to Calabar, Nigeria. Taylor, indicted on seventeen counts of war crimes and crimes against humanity, is only the second head of state in history, and the first African, ever to be indicted for war crimes.

Mr. Crane told the Secretary General that he hoped he could serve mankind and the

United Nations in another capacity someday. By

statute, only the Secretary General can appoint a Prosecutor for the Special Court.

Mr. Crane is known for his town hall meetings where he frequently met with the people of Sierra Leone to talk about the Court and listen to their questions and concerns about justice in Sierra Leone. He travelled throughout the countryside. Mr. Crane always told the citizens of Sierra Leone that the law is fair, that no one is above the law, and that the rule of the law is more powerful than the rule of the gun.

The Special Court for Sierra Leone is the world's first hybrid international war crimes tribunal.

and was established by an agreement in January 2002 between the United Nations and the Republic of Sierra Leone.

Meanwhile, family sources have disclosed to this press that Special Court indictees, CDF's Sam Hinga Norman and RUFF's Issa Sesay will soon secure the services of International lawyers who are expected to arrive soon. The sources said that the lawyers who have considerable experience in dealing with such matters as Norman and Sesay are charged with are expected to bring a fresh perspective to the case of the two that would likely see them been acquitted and discharged at the end of the trials.

Salone Times
Wednesday March 02, 2005



The prosecutor

David Crane's **Unfinished** **Business**

COMMENTARY By Christian Keili

On assuming office a couple of years ago, Special Court Prosecutor David Crane vowed to "follow the evidence wherever it leads me." It would seem now that the evidence has not led him far enough.

This week, as he ends his contract with the court, Crane leaves behind a huge backlog of unfinished work for its prosecution team. The conviction of the indictees is still far from being secured. And it would appear that the prosecution has yet to get a credible war criminal in the dock.

Foday Sankoh, the rebel kingpin is dead. Johnny Paul under whose regime some of the worst atrocities in the war were committed is still to be confirmed dead or alive, but certainly out of the court's reach. And with former Liberian warlord Charles Taylor, the apparent master-mind of the terror in Sierra Leone still in Nigerian custody, the Special Court seems like a no-show.

Hinga Norman and the other CDF indictees are considered heroes in many parts of the country and their trial has only served to incense large sections of public opinion against the court. Issa Sesay, the key RUF indictee, is widely considered one of the architects of Sierra Leone's peace and many Sierra Leoneans feel it is unfair to have him docked. The AFRC indictees are generally considered "small fry" in the absence of their leader Johnny Paul Koroma.

Crane's successor, in short, has the hard task of portraying the indictees in the court's custody as actual war crimi-

nals, and by extension justifying the court's very existence.

Crane did his best to convince Sierra Leoneans that the court is a necessity. He was, in some ways, a good PR man for the court, addressing city school children and farmers in remote villages alike on why the court is trying "those who bear the greatest responsibility" (the "Kakatoas" as he likes to call them) for the war atrocities in this country.

But it has not helped that the former Pentagon lawyer himself is perceived in many informed Sierra Leonean quarters as an agent of American imperialism. Those who belong to this school of thought argue that the Americans have been intent on marketing the Special Court as an alternative justice mechanism to the International Criminal Court which the Yankees refuse to recognise.

Crane, it is said, has been the pointman in Sierra Leone for that task.

It might help change the above perception about the court were a non-American appointed to replace Crane. But whoever is stepping into his shoes, regardless of nationality, faces the far more challenging job of justifying the indictment of those CDF, AFRC and RUF men now in the dock. A very significant number of Sierra Leoneans appear to feel that most of these men, rather than being tried as war criminals, should be considered as heroes of Sierra Leone's peace.

Crane's successor will need to follow the evidence to the point where it proves beyond doubt that those who hold such views are wrong.

Failing that, the person who takes over from the American prosecutor will have to pray hard that a real "Kakatoa" like Charles Taylor is released into the court's custody. That, at least, might help excite some public interest in the work of the prosecutor and the court in general.

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Help stop the crisis in

The S/Leone Victims' Confab Is Crucial

The Analyst (Monrovia)

NEWS

March 1, 2005

Posted to the web March 1, 2005

FOLLOWING A DECADE-long civil upheaval that left most of Sierra Leone in ruins both in human and material terms, the world quickly galvanized a Sierra Leonean Government initiative for national reconciliation and peace through an organized search for justice.

Recognizing that the violence in Sierra Leone was perpetrated at two levels - elite and cannon fodder levels - the Tijan Kabbah administration and the United Nations set up a Special War Crimes Court to try those believed to bear the greatest responsibility for crimes against humanity and the Truth and Reconciliation Commission (TRC) for those who executed the war at the instance of the war elites.

THE SPECIAL COURT has been working vigorously since its establishment sometimes in 2000 but to date has barely managed to indict only 11 of the huge number of people suspected of bearing the greatest responsibility for crimes against humanity. Key amongst this number are Charles Taylor, the man believed to be the chief financier of the destabilization of Sierra Leone, and fellow coup maker, Johnny Paul Koroma of the Armed Forces Revolutionary Council (AFRC) who still remains at large. Taylor is in the protective custody of the Nigerian government which has been contending that its credibility lies more in keeping a gentleman agreement it said it reached with the U.S. and some ECOWAS and A.U. countries to provide asylum to Taylor than in obeying international conventions and treatise it has signed.

IT IS IN the wake of this obvious regional dilly-dally with respect to the true intent of Nigeria and its allies vis-à-vis ending the culture of impunity in West Africa that the Special Court saw the need to call a National Victims Commemoration Conference on Truth, Justice, and Reconciliation. Besides suggestions by Amnesty International (AI) that the confab must look at the issues of impunity and holistic approach to the question of reparation that will include restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, there is no clue as to what it will actually be discussing.

NOTWITHSTANDING THIS APPARENT shortfall, we think there is a need to encourage the conferees to the confab to ensure that it is not just one of those forums for flowery speeches and storytelling for their own sakes. We join the AI to urge the organizers of the confab to ensure first and foremost that the delegates to the confab are true survivors of the Sierra Leonean inferno and secondly, to help them to carefully conceptualize the importance of the confab so that its outcomes will be relevant.

WE AGREE WITH the AI that an essential element of providing justice to the victims of human rights abuses is the provision of reparations. The confab must therefore come out with tangible resolutions that will serve as the bases for the establishment of (1) programs to provide restitution of property, in accordance with Rule 104 of the Rules of Procedure and Evidence, (2) bases for working with the government to establish effective mechanisms for victims to make claims for compensation against those convicted by the Special Court in the national courts under The Criminal Procedure Act, 1965, as set out in Rule 105; and (3) consulting civil society and international actors in Sierra Leone to examine how other forms of reparation should be awarded, such as a judicial decision restoring the dignity, reputation and legal and social rights of

the victim and of people closely associated with the victim, or an apology including public acknowledgement of the facts and acceptance of responsibility.

WE ALSO CONCUR that the confab must ensure that certain categories of victims - including those whose limbs had been deliberately amputated, other war wounded, and survivors of rape and other forms of sexual violence - must be given free physical and, as appropriate, psychological care throughout their lives or for as long as necessary. Efforts aimed at improving conditions in the areas of health, pensions, education, skills training and micro-credit, community reparations and "symbolic" reparations also need attention by the confab.

WHILE WE CONCEDE that the lack of funds may make the achievability of these requirements difficult, we feel the greatest injustice would be done when a national confab of victims choose to gloss over these important aspects of reconciliation, peace, and justice or allow its agenda to be set by the organizers.

WE WANT A radical handling of the plights of victims of the Sierra Leonean Civil War not only because we desire to make a point of solidarity with the victims of that country's civil war, but also because we see the confab as a crucial beginning for the victims of Africa to speak out and present to the world the true pictures of what happened to them. When the Sierra Leonean pioneering confab is allowed to succeed, we believe it will set the pace for the victims of the Sudanese, Ethiopian, Liberian, Ivorian, Chadian, Rwandan, Burundian, Congolese, Namibian, Zimbabwean, Angolan, South African, Mozambican, and Ugandan civil wars and victims of silent oppression and suppression elsewhere on the continent to congregate to highlight their plights.

WE BELIEVE THAT when this is allowed to happen, beginning with Sierra Leone, those who trade in callous disregard for human dignity, life, and liberty will come to the rude awakening that atrocity committed in the name of war or sovereignty will come to public view and will most certainly be punished. If the Freetown confab failed to reflect the views of the actual victims, we are afraid, the purpose would not only be defeated, but the torch of freedom so ignited will smother and die in deliberate ignorance.

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Date:

At the initiative of the Special Court for Sierra Leone, the National Victims Commemoration Conference on Truth, Justice and Reconciliation takes place on 1 and 2 March 2005 in Freetown, Sierra Leone. On this occasion, No Peace Without Justice, which was actively involved in the process of the establishment of the Special Court and conducted a nationwide outreach and conflict mapping program to facilitate involvement of Sierra Leoneans in the accountability process, would like to address the following message to the organisers and participants of the Conference:

“No Peace Without Justice welcomes this event which, for the people of Sierra Leone, is a unique and welcomed step in addressing what happened during the conflict and, in particular, the situation of victims. This conference is also an important opportunity to assess to what extent the two accountability mechanisms for what happened during the conflict, the Special Court and the Truth and Reconciliation Commission, have contributed towards an end to impunity for some of the worst crimes ever known and also to explore what other mechanisms or institutions could have been or would still be useful to achieve justice for all victims and their families for crimes committed in the ten-year internal conflict.

NPWJ believes that for the restoration of dignity to victims, for peace and in order to create the necessary conditions for Sierra Leone to re-establish itself as a full-fledged democracy governed by the rule of law, there must be accountability for the past. It is only by holding responsible those who violate those laws can there be deterrence for future would-be perpetrators. Amnesties and, likewise, immunity – whether de jure, like head of State immunity, or de facto, like the provision of shelter from prosecution – run foul of the principle of accountability, as recognised in the Statute of the Special Court itself.

Let us be clear: Charles Taylor must not be allowed to live out his days in comfort in Nigeria, but must be handed over to the Special Court to account for his actions in a court of law, with all the guarantees of a fair trial”.



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National Victims Confab in Freetown

The Analyst (Monrovia)

ANALYSIS

March 1, 2005

Posted to the web March 1, 2005

- Amnesty Proposes Legacy of Sweeping Justice

- But Will UN, AU, and ECOWAS Listen?

In March 1991, Cpl Foday Sankoh's rebel Revolutionary United Front (RUF) invaded Sierra Leone from Liberia reportedly under the aegis of former Liberian war peddler, Charles Taylor.

Sankoh's sole avowed objective was to correct decades of ruthless politics and restore democracy. But by the time Sankoh's RUF reached the outskirts of Freetown, the nation's capital, thousands of Sierra Leoneans were either in IDPs and refugees camps across the West African subregion maimed, raped, and tortured, or simply murdered in the most gruesome fashion unimaginable.

Justice was needed and so at the heel of the formal end of hostilities, the Sierra Leonean government, in collaboration with the United Nations, set up a special war crimes court to try those who bear the greatest responsibilities for crime against humanity. But has the court been working to the liking of the victims of that brutal civil war and to the approbation of international human rights institutions?

The answer to this all-important question will be known when thousands of Sierra Leone nationals who suffered various degrees of torture during that tiny West African nation's decade-long civil inferno gather in Freetown on March 1 and 2, 2005. The Analyst's Staff Writer has been looking at the possible angle of deliberation and outcome of the confab from the perspective of Amnesty International (AI).

Thousands of victims of torture are expected to converge on Freetown, Sierra Leone, in a two-day confab of war victims beginning today, March 1, 2005.

Organized by the Special Court for Sierra Leone, the National Victims Commemoration Conference on Truth, Justice, and Reconciliation has an obligation to set the agenda for the proper dispensation of justice in Sierra Leone.

Observers say when the war victims meet in a conference generally described as unprecedented in West Africa's long history of political brutality, they are expected to determine what more needs to be done to achieve justice for all victims and their families for crimes committed against them.

They will also have the opportunity to assess to what extent the Special Court is contributing towards an end to impunity for some of the worst crimes ever known.

It is not clear how the conferees will go about accelerating the current investigations in the country, but for the human rights group, Amnesty International, the issues to be deliberated are glaring.

In a statement to the conference, AI said the question of impunity in Sierra Leone needed to be addressed by the conference in view of the enormous reasonability put in the charge of the Truth and Reconciliation Commission (TRC) which has no prosecutorial powers.

"The Statute of the Special Court provides a mandate to prosecute those 'who bear the greatest responsibility' for crimes against humanity, war crimes and other serious violations of international law committed during Sierra Leone's armed conflict after 30 November 1996. Its jurisdiction therefore does not include all those who committed crimes under international law throughout the 10-year conflict.

Only 11 of the very large number of people suspected of committing these crimes have been indicted. Two of them, including former Liberian President Charles Taylor, have yet to be arrested and surrendered to the Special Court," AI said.

That the power of the Special Court does not include all categories of criminals is not an accident, according to watchers of Sierra Leone's peace marathon.

The drafters of Sierra Leone's peace formula, they say, intended the cannon fodder to simply face their victims, admit their guilt, and accept to be rehabilitated in a general national recovery program.

But AI believes that while that has its up side, it is a partial response to a complex problem.

"While Sierra Leone's Truth and Reconciliation Commission (TRC) has been important in providing a forum for victims and perpetrators to recount their experiences, creating an impartial historical record of human rights abuses committed during the conflict, identifying the reasons for those abuses, and facilitating reconciliation, it cannot be a substitute for a court of law to try alleged perpetrators of serious violations of international law," it noted.

It believes there can never be true justice in Sierra Leone as long as the so-called indictees of "greatest responsibility" are being shielded by signatories to international conventions on the treatment of war crime fugitives while at the same time their stooges are being shielded by a blanket amnesty in violation of international law.

Arguing that the true basis for justice is reparation, the group said it is disappointed by the fact that reparation has been lacking in Sierra Leone's justice formula even for the TRC.

"An essential element of providing justice to the victims of human rights abuses is the provision of reparations. Amnesty International was disappointed that the Statute of the Special Court did not follow the example of the Rome Statute of the International Criminal Court by authorizing the Special Court to award reparations for victims of crimes within its jurisdiction, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. Such reparations are integral to achieving justice for the victims and also assisting them to rebuild their lives," the London-based international human rights group noted.

In the group's view, the Sierra Leone justice system needed to take advantage of the presence of the Special Court in order to establish a legacy of providing effective and efficient administration of justice.

According to the group, the national justice system needs to be able to work to ensure that all those who committed horrific crimes during the conflict, but who are not among the small number indicted by the Special Court, are brought to justice and that their victims have access to reparations.

"In this," it argued, "the 'legacy' bequeathed by the Special Court to the national justice system - which continues to face serious challenges in providing effective and efficient administration of justice - is crucial." It recognized that the Special Court cannot by itself turn around the struggling national justice system, its presence, example and resources should be an important catalyst for and reinforce a committed,

long-term strategy to end impunity and build an effective system of justice for the future.

While it is not known to what extent the national victims' deliberation will be influenced by the proposition of AI, there is general agreement amongst analysts that the confab will only be relevant to the cause of the victims and their families if it secure justice for the ordinary Sierra Leonean many of whom are afraid to return home more than three years after presidential and general elections and two years after international efforts to establish justice in Sierra Leone began in earnest.

Despite of that general agreement however, there are obstacles to mount or to avoid. One of them, observers say, is the general amnesty included in the 1999 Lomé peace agreement and subsequently enacted into national law.

They believe that for impunity to be successfully challenged in Sierra Leone, the amnesty provision must be removed from the statute books.

But it was brokered by ECOWAS and the AU with the UN Special Representative serving as the moral guarantor, and it is therefore not expected that these organizations will reinvent the wheel now that guns are silent in that country.

Whatever the points of contention, the outcome of the Freetown confab for victim of Sierra Leone's war is bound to tighten a few loose nuts in the wheel of justice in Sierra Leone.

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Saddam tribunal judge gunned down

A judge on the special Iraq tribunal set up to try former president Saddam Hussein has been killed in Baghdad.

Barwez Marwan and his close relative - who was also working at the tribunal - were gunned down outside their home on Tuesday, police said.

This is the first known murder of any of the 20 judges on the tribunal.

In a separate incident on Wednesday, a car bomb at an army recruiting base in western Baghdad killed at least six people and injured more than 20 others.

A second blast was heard an hour later in another part of the city - there were no immediate reports of casualties.

A huge car bomb on Monday killed 125 people queuing up for state jobs in Hilla, south of Baghdad. It was the worst single such incident since the regime was toppled in 2003.

Insurgents have targeted anyone associated with the US-backed authorities, including Iraqi officials, judges, and people seeking state jobs, in the hope of undermining the interim government.

'Secret tribunal'

The judge and his relative were both shot dead by gunmen as they were leaving their home for work on Tuesday morning, Iraqi police and security sources say.

"He was working with the tribunal. He was involved in cases including Saddam's," Iraq's interior ministry spokesman was quoted as saying by Reuters news agency.

The killing came just a day after the tribunal completed its first investigation and referred for trial one of Saddam Hussein's half-brothers, Barzan, for a mass killing in southern Iraq in 1982.

Several other former top Iraqi officials are expected to stand trial.

The work of the tribunal that was set up in December 2003 has been delayed because of security considerations, Iraqi officials say.

The names of the judges and prosecutors involved are kept secret out of fear for their lives.

'Soldiers lifted up into air'

In Wednesday's attack, a car was driven towards the base near the old al-Muthanna airport in western Baghdad as would-be recruits and soldiers queued up outside it.

"It was a suicide car bomb... As he arrived, he blew himself up. There were two soldiers lifted up into the air and knocked across the street," eyewitness Hussein Mohammed was quoted as saying by the AFP news agency.

There are fears that the death toll will rise.

The old airport is home to US and Iraqi military bases and it has been targeted before.

Story from BBC NEWS:
http://news.bbc.co.uk/go/pr/fr/-/2/hi/middle_east/4310365.stm

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