

**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:

Tuesday, 20 April 2010

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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The Exclusive
Tuesday, 20 April 2010



Bullshit...

\$26.4m for What?

Many Sierra Leoneans had thought that the Special Court for Sierra Leone (SCSL) would be thinking of wrapping up early this year, especially when its fruitlessness became apparent after the deaths of the RUF leaders Foday Sankoh and Sam Maskita Bockarie, the leader of the Kamajors Chief Sam Hinga Norman and the leader of the Armed Forces Revolutionary Council Johnny Paul Koroma.

So it came as a surprise to many Sierra Leoneans when the Registrar of the Special Court for Sierra Leone (SCSL), Mrs Binta Mansaray, on Thursday

April 1, 2010, told members of the diplomatic community in The Hague that the court needed another USD 26.4 million to cover its operations from January 2010 to June 2011.

"What do these people want to do with such a huge amount of money when the court is no longer prosecuting war criminals?" asked one lawyer who asked for anonymity. Many people this press spoke to yesterday said all the monies which had been spent on the Special Court for Sierra Leone should have been used to build schools, health cen-

tres and take care of the amputees and other war victims. Some say the Special Court for Sierra Leone was just another ploy by the West to bring in some of their unemployed professionals to earn lots of dollars in the name of justice. "It is like finding jobs for the boys," stated one local worker at the Court. Others said that some of the convicts sent to Rwanda are not even known by most of the war victims.

What is making most Sierra Leoneans angry is that the Special Court for Sierra Leone is now spending a huge some of

dollars on the trail of former Liberian President Charles Taylor which is of little concern or interest of the average Sierra Leonean or war victims.

It could be recalled that the Special Court commenced in June 2004 and has concluded and convicted nine persons from all the warring factions including the Revolutionary United Front (RUF), Civil Defence Forces (CDF) and the Armed Forces Revolutionary Council (AFRC) who are presently serving their sentences in Rwanda since October last year.

Judges Deny Prosecution Request

The Judges of the Special Court in The Hague Friday denied a Prosecution request to postpone the cross-examination of Defence Witness, Fayia Musa.

The Prosecution cited insufficiency of the witness statement supplied to them by the Defence as the basis of their unpreparedness. But the Judges disagreed. John Kollie transcribes reports from the trial in The Hague of former Liberian President Charles Taylor...

The Judges sent the Defence Witness out of the courtroom and allowed legal arguments that lasted for more than one hour between the Prosecution and the Defence. The Prosecution argued that on direct examination Mr. Fayia Musa testified to several things that were not contained in the witness summary provided to them by the Defence.

Prosecuting Attorney, Nicholas Kumjian told the

Judges the Prosecution would suffer what he called undue or irreparable prejudice if the cross-examination was not postponed.

Mr. Kumjian said the witness summary did provide sufficient information to enable him carry out the cross-examination of the witness.

But Defence Lawyer, Courtenay Griffiths called on the court to deny the Prosecution request for the postponement of the cross-examination.

Mr. Griffiths said the Prosecution had sufficient time to research information about the witness Fayia Musa.

He further argued that the

witness summary disclosed to the Prosecution about the Defence Witness contains sufficient information to put the Prosecution on notice about their cross-examination.

Having listened to the parties, Presiding Judge Julia Sebutinde ruled that the witness summary provided by the Defence to Prosecution was brief but not necessarily insufficient.

Justice Sebutinde also said the Prosecution has not demonstrated undue or irreparable prejudice that they would suffer if additional information is not disclosed to them about Mr. Fayia.

In accordance with the Judges' ruling the cross-examination of Defence witness Fayia Musa begins on Monday.

Awareness Times
Tuesday, 20 April 2010

National Legal Aid Scheme to be launched

By Bampia Bundu

A National Pilot Legal Aid Scheme (NPLAS) will be launched on the 22nd April 2010 at the British Council Auditorium in Freetown.

According to Legal Officer, Nicky Spencer-Coker one of the major impediments to people's access to justice is the delay in the dispensation of justice, adding that very few people are legally represented in court.

Majority of the people held in Sierra Leone's prisons Nicky Spencer said have no access to a lawyer at any stage of their court proceedings adding that as a general rule, Government was only able to provide legal representation to those charged with the most serious of cases.

She further stated that, following extensive consultation with the Government of Sierra Leone and a wide range of key stakeholders, the Justice Sector Development Programme (JSDP) was tasked with the responsibility of developing a pilot project for addressing these problems.

Madam Spencer-Coker revealed that the mandate given to JSDP was to develop a legal aid scheme that would be independent of Government and provide legal representation and advice to those who are unable to afford such services.

JSDP, according to her, was also tasked with developing a draft legislation to support the establishment

of a National Legal Aid Scheme.

Mrs. Spencer-Coker however pointed out that in the Truth and Reconciliation Commission's final report, prolonged detention, excessive bail, and insufficient legal representations, as well as abuses against women and children were identified as some of the grave injustices in the society, adding that the launching of NPLAS demonstrates government's

commitment to champion human rights issues.

She stressed that access to affordable justice is imperative for Sierra Leonean women and juveniles who are the most vulnerable groups in society and encouraged all key stakeholders to attend the launching since pertinent issues will be discussed.

Charlestaylortrial.org

Monday, 19 April 2010-04-20

Witness Did Not See Liberians As Part Of The RUF Invading Force In Sierra Leone; RUF Did Not Use Forced Labor, He Says

Daily Summary

By Alpha Sesay

A defense witness for Charles Taylor today claimed he did not see Liberians among the Sierra Leonean rebel forces which attacked the country in 1991. He also dismissed allegations that Sierra Leonean rebels subjected civilians to forced labor during the country's 11-year civil war.

Fayia Musa, a former Spokesperson and Agricultural Officer for the Revolutionary United Front (RUF) rebel group, today told the Special Court for Sierra Leone that claims that Mr. Taylor's Liberian fighters were part of the RUF fighters who invaded Kailahun district in eastern Sierra Leone in 1991 are false. His account contradicted that of his fellow defense witness, John Vincent — also a former member of the RUF — who had previously told the court that Liberian nationals constituted a huge percentage of the RUF group which invaded Sierra Leone in 1991.

Prosecution counsel Nicholas Koumjian pointed out to the witness that his account differed from that of Mr. Vincent. Mr. Musa, while still casting doubt on Mr. Vincent's account, explained that his account was based on his personal contact with the RUF in 1991. (Mr. Musa has previously told the court that he was a teacher in his hometown of Kailahun who joined the rebels voluntarily when they attacked and captured him).

“The reason I have to doubt it [Vincent's account] is the fact that those who captured me, those who captured us in Kailahun, were not NPFL. The group which met us in Kailahun, they told us they were RUF, they spoke to us in our language in Mende, most of them, some of them spoke to us in Kissi,” Mr. Musa said.

He added that “I cannot really say that Vincent, I cannot tell whether he was lying or not, but the group which met us was RUF.”

Prosecutors have alleged that Mr. Taylor was involved in a joint criminal enterprise with RUF leader Foday Sankoh and that in pursuit of such enterprise, Mr. Taylor provided support to the RUF through the supply of materials and man power to attack Sierra Leone in 1991. Prosecutors say that this support continued throughout the conduct of the war which only ended in 2002. Mr. Taylor, while denying the prosecution allegations has said that he only provided minimal support to the RUF in 1991 when he realized that a rival rebel group, the United Liberation Movement for Democracy in Liberia (ULIMO), was attacking him in Liberia with help from the government of Sierra Leone. He then joined forces with the RUF, who were fighting to dislodge the Sierra Leonean government, as they had a common enemy at that time, Mr. Taylor said. The former president said that his association with the RUF ceased in 1992.

Also in his cross-examination today, Mr. Musa denied allegations that the RUF subjected civilians to forced labor. The charges against Mr. Taylor include forced labor against the civilian population of Sierra Leone by the RUF. Prosecutors say that the RUF subjected civilians to forced labor for mining and farming purposes during the country's civil war. It is alleged that Mr. Taylor knew of the forced labor but continued to support the RUF. Mr. Taylor has denied these allegations.

Mr. Musa, who served as Agricultural Officer of the RUF told the court that civilians were never forced to farm but that they went to the farm willingly as a means of sustaining themselves.

Mr. Koumjian who sought to get more form the witness put to him that “the people that lived under the RUF control, they felt like slaves working for the RUF. That was the common feeling in Kailahun, isn’t that true?”

Mr. Musa disagreed.

“That is not true. I have started by telling you that when all of us were captured, for the sake of the people of Kailahun who were not able to escape, I offered my services to organize them so that they will not starve to death and the reality on the ground was that we had to work in order for us to eat.”

Mr. Musa told the court that as Agricultural Officer and spokesperson for the RUF, he did not take part in military activities. He was not part of the military wing of the rebel group and so cannot say much about the RUF’s military operations, he said.

Mr. Musa’s cross-examination continues tomorrow.

Cocorioko

Monday, 19 April 2010

Sierra Leone Defence Minister addresses the UN Security Council

Written by Permanent Mission of Sierra Leone to the UN Monday

Sierra Leone's Minister of Defence, Hon. Alfred Palor Conteh, last Friday addressed the United Nations Security Council during a public debate on post-conflict peacebuilding. In his address, the articulate Defence Minister said that Sierra Leone has gained keen insights into the challenges of formulating a comprehensive and sustainable peacebuilding strategy. Minister Conteh noted that to date, the Sierra Leone government has worked with the UN, in collaboration with bilateral and multilateral partners, to restore state and local government institutions across the country, completing two presidential and parliamentary elections as well as local government elections. Sierra Leone was represented at the Security Council debate by the Defence Minister, the Deputy Permanent Representative to the United Nations (Legal Affairs), Ambassador Osman Keh Kamara, the Minister Plenipotentiary to the UN, Mr. Leeroy Wilfred Kabs-Kanu and the Military Adviser to the UN, Lt.Col. Ronnie Harleston.

BELOW IS THE MINISTER'S STATEMENT :

STATEMENT BY HIS EXCELLENCY HON. ALFRED PALO CONTEH
MINISTER OF DEFENCE OF THE REPUBLIC OF SIERRA LEONE AT THE SECURITY COUNCIL PUBLIC
DEBATE ON POST-CONFLICT PEACEBUILDING:

COMPREHENSIVE PEACEBUILDING STRATEGY TO PREVENT RECURRENCE OF CONFLICT

NEW YORK, 16TH APRIL 2010

Mr. President,

At the outset, my delegation wishes to congratulate you most warmly on your assumption of the Presidency of the Security Council for the month of April 2010 and assure you of its fullest support and cooperation during your tenure. While also extending to your predecessor our appreciation for his able leadership in directing the work of the Council during the past month.

Mr. President,

My delegation wishes also to express its sincere appreciation to the Permanent Mission of Japan for organizing this open debate of the Security Council on the topic, Post-conflict Peacebuilding: Comprehensive Peacebuilding Strategy to Prevent the Recurrence of Conflict. The Government of Sierra Leone appreciates this opportunity to participate in deliberations focused on shaping a comprehensive global strategy on this important issue.

...Mr. President, the relational dimension of peacebuilding is critical to the attainment of lasting peace and social cohesion. The Truth and Reconciliation Commission (TRC) and the Special Court for Sierra Leone, were established as instruments to achieve the twin goal of promoting reconciliation and forgiveness and combating impunity.

Mr. President,

Adopting a strategy that includes comprehensive measures to protect and promote human rights, strengthen governance and rebuild democratic institutions will inevitably address many of the root causes of conflict. Accordingly, since the formal declaration of end of the war in Sierra Leone in 2002, a broad array of initiatives within the security-political-humanitarian-development framework have been undertaken to enhance democracy and rebuild weak or dysfunctional state institutions. All of these efforts have been geared towards laying the foundation for medium- and long-term national recovery, and have enhanced the State's capacity for effective delivery of public services to the citizenry and resulted in positive outcomes for human development.

The issue of accessibility to funding for peacebuilding activities, Mr. President, should be of particular concern, as the major assisting nations and financial institutions all continue to recover from the shocks of the current global financial crisis and economic slowdown, which has occasioned declining support and remittances from donors across the spectrum. Given this stark reality, the international community must urgently consider new approaches and methodologies for allocating and sustaining the financing for peacebuilding and national post-conflict reconstruction....

I thank you, Mr. President

Monday, 19 April 2010

John Kollie

NEWS ITEM

Sierra Leonean Defence Witness Fayia Musa has denied one of the counts against Former Liberian President, Charles Taylor. Mr. Taylor is accused of supporting the RUF which allegedly enslaved the civilian population of Sierra Leone. At the beginning of his cross-examination on Monday the Former Agriculture Coordinator and Spokesman of the RUF refuted the Prosecution allegation that civilians were forcefully recruited to work on farms of the RUF... John Kollie reports...

Defence Witness, Fayia Musa has begun his cross-examination with a denial that the RUF forcefully recruited civilians and enslaved them on farms of the RUF.

But Prosecution Lawyer, Nicholas Kumjian reminded the Witness that the RUF and its supporters carried out a campaign of terror against the Civilian population of Sierra Leone.

Mr. Kumjian quoted the testimonies of a Prosecution Witness who had said the civilians were forced and enslaved to work on the farms of RUF and beating was their pay.

But Mr. Fayia Musa the Former Agriculture Coordinator of the RUF testifying in The Hague said civilians worked on the RUF farms voluntarily to protect themselves against starvation.

Mr. Fayia also denied the testimonies of another Defence Witness who had told the court that Mr. Taylor's NPFL Forces participated in the invasion of Sierra Leone.

Liberian Defence Witness John Vincent testified this month and said 75-percent of the first group of RUF called the Vanguardians were Liberians.

But the current Defence Witness, Fayia Musa expressed doubt about the testimonies of his fellow Defence Witness, John Vincent.

Mr. Fayia Musa said he was not a member of the RUF Military wing so he could not testify to the military activities of the Sierra Leone rebel organization.

The cross-examination of Defence Witness, Fayia Musa testifying in defence of Mr. Charles Taylor continues on Tuesday.


United Nations **Nations Unies**

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary
19 April 2010

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

UN News in Liberia

UNMIL

Top UN Envoy Doubts Proper 2011

[New Democrat]

- UN Special Representative Ellen Margaret Løj says she doubts the scheduled November 2011 elections will be properly conducted because many steps needed for credible polls are behind schedule.
- The UN envoy Wednesday drove to the Capitol, where she informed legislators that the “bickering” that has beclouded the passage of the threshold bill would negatively impact the 2011 elections.
- Several other diplomats have expressed the same fears in recent time.
- She said UNMIL fears there would be improper conduct of elections should the bill remains delayed.
- Some legislators, including Grand Cape Mount Senator Abel Massaley have said the UN official’s perception about the planned electoral process was right but blamed President Ellen Johnson Sirleaf for obstructing the bill’s passage.

UN Police Commissioner Extols Community, Hands Over Three New Police Stations [The Informer, New Vision, Public Agenda, Liberian Express, The Independent, The Monitor, The Analyst]

- The United Nations Mission in Liberia (UNMIL) through its Police Commissioner, Mr. Gautam Sawang, recently handed over three newly constructed police stations to the Liberia National Police (LNP) to help it fight and prevent crime.
- UNMIL Quick Impact Projects programme provided funding for the construction of the police stations which are located in Monrovia suburbs of Pipeline, Caldwell and part of central Monrovia.
- UN Police Commissioner Sawang praised efforts being exerted by both the LNP and communities aimed at joining hands to providing security.
- “I am very happy to know from community leaders that the LNP has been serving the people and the communities accepting and supporting the Police in its work”.
- Receiving the keys to the newly constructed police stations, LNP Inspector-General, Marc Amblard thanked the UN and international partners for the support the LNP continues to receive to ensure that it delivers to the Liberian people.
- Mr. Amblard praised the fine working relationship with the UN Police, adding that, “they have been very helpful and supportive in developing police stations throughout the country.”

Other UN News

UNFPA Regional Director Renews Support To Fistula Programme

[Daily Observer, The News, Public Agenda, The Monitor]

- A sub-regional Director of the UN Population Fund (UNFPA) based in Dakar, Senegal has pledged the agency’s commitment to sustain the fight against fistula in Liberia.
- Dr. Faustin Yao said as long there is one woman suffering from fistula, UNFPA will continue to support the fistula programme in Liberia.
- Dr. Yao made the statement Friday at the end of a skills training programme for twenty-five women who were treated of fistula and trained in tie and dye, tailoring, pastry and cosmetology.
- The UNFPA’s Director for the Sub-Regional Office for West and Central Africa urged the graduates to share their life experience with other people.

- He told the graduates to go and demonstrate to their communities that there is absolutely no problem in human life for which there cannot be a solution.

IOM Intensifies Garbage Removal Campaign In Monrovia

[New Democrat]

- The International Organization for Migration (IOM) has intensified its waste management campaign in several garbage prone markets and communities in Monrovia aimed at giving the areas a face-lift.
- The Project Consultant, Mr. Henry Williams named some of the areas as Duala, Logan Town and Clara Town Markets and the Soniwein Community amongst others.
- Mr. Williams noticed there are stockpiles of garbage in the areas which could pose serious health problem to the residents.
- Mr. Williams identified the lack of waste management as one of the critical environmental problems in Liberia and stressed the need to tackle it.
- The IOM Waste Management Project Consultant spoke Saturday during a clean-up campaign at the Clara Town Market in Monrovia.

Local News on Liberian issues

Defense Boss Raps On Security Reform Programme To AU Delegation

[The Inquirer, Liberia Journal]

- Defense Minister Brownie Samukai Friday assured an African Union (AU) delegation that the Security Sector Reformed Programme in Liberia serves as a window of opportunity that transcends regional cooperation to that of continental cooperation.
- Minister Samukai said government recognizes the pivotal role the AU played in the resolution of the Liberian crisis in 2003 and was therefore pleased to see Liberia now transformed from the epicentre of conflict to the epicentre of peace.
- The Defense Minister made the remarks when the Special Representative of the Chairperson of the African Union Commission to Liberia, Ambassador Akin Fayomi paid a courtesy call on him at the Defense Ministry.
- In response, Ambassador Fayomi said he was pleased with the Security Sector Reformed Programme in Liberia.
- He spoke positively for the building of a professional army for Liberia through the able leadership being demonstrated at the Defense Ministry.

LEC To Connect 30,000 New Customers In July, Country Gets US\$50M Power Boost

[Daily Observer]

- The International Finance Corporation (IFC), a member of the World Bank Group, has planted its feet to rescue Liberia's ailing electricity industry.
- The IFC over the weekend announced that it has helped Liberia to select Canada's Manitoba Hydro International (MHI) Ltd for a five-year management contract to help overhaul electricity services in Monrovia and connect at least 30,000 new customers in the city.
- IFC's Advisory Services in Infrastructure Group acted as principal advisor to the Liberian Government for the design of the contract and implementation of an international, competitive bidding process to select a partner to work with the Liberia Electricity Corporation (LEC).
- Under the five-year contract beginning July 1, 2010, MHI will help improve LEC's operational and financial performance.
- Backed by about US\$50 million in donor funds, MHI will also help rebuild Monrovia's electricity system and significantly expand access to electricity in the city.

PUL Begins Development Training Workshop

[The News, The Monitor]

- The Press Union of Liberia (PUL) today commenced series of training courses in development journalism across the country for middle and senior level journalists.
- The training which runs from April 19 to 21 is part of a project entitled, "Promoting Democracy and Good Governance through Development Journalism," with support from the UNDP.
- It is aimed at engaging journalists to develop new strategies in highlighting governance and human development issues and the MDGs.

- At least 60 journalists will benefit from the workshops in Monrovia, Gbarnga and Tubmanburg ahead of the launch of a competition in development journalism.
- The Monrovia workshop taking place at the St. Teresa's Convent Retreat Center on Randall Street drew participants from newspapers and radio stations in Montserrado and Margibi counties.

LTA Convenes Consultative Conference On ECOWAS Supplementary Acts

[The Informer, The Analyst]

- The Liberia Telecommunications Authority (LTA) has announced a consultative conference on the transportation of ECOWAS' Supplementary Acts into Liberia's Telecommunications Law.
- The conference which begins today is aimed at broadening the consultative process on the ECOWAS Acts.
- A LTA release said the conference also seeks to solicit inputs from partners.
- The conference followed an interagency technical workshop, which reviewed the Telecommunications Act of 2007.
- Stakeholders in the telecommunications and ICT sector including President Ellen Johnson Sirleaf are expected to attend the conference.

SN Brussels Linked To Racial Discrimination ... Lawyer Files Lawsuit

[The News, The Inquirer, Liberian Express, Liberia Journal]

- The Dean and Associates has filed an action of damages against SN Brussels at the Civil Law Court for what he calls racially motivated bad business practice.
- Cllr. Musa Dean is seeking special damages of US\$700,000 for embarrassment and inconvenience he allegedly suffered at the hands of the Airlines.
- Cllr. Dean claims SN Brussels demanded excess baggage fees from him, though he had paid it at the Dulles Airport in the United States.
- He also claims SN Brussels staffers treat Liberians and other Africans with open disrespect, scorn and wilful disdain.
- The Liberian lawyer also frowned on what he considers a remote terminal, with no lounge, bars, restaurants or shops, reserved for Africans.

Man 25, Allegedly Kills Wife and 2-year-old

[Daily Observer, The News, Public Agenda, Liberia Journal, New Democrat]

- A 25-year old man has allegedly stabbed his wife and two-year old son to death.
- Thomas Tokolor reportedly committed the act Friday in the United Christian Community area, in Lower Johnsonville.
- It happened during a night time fight that ensued between Thomas Tokolor and his wife in their bedroom.
- An eyewitness, Rebecca Zhen, believed to be their landlady, said she only heard the woman shouting for help.
- According to Madam Zhen, defendant Tokolor and his wife only identified as Regina, have spend six months in the house without any confusion prior to the incident.
- Tokolor is in custody helping police with ongoing investigations.

GAC Threatens Corruption Fight - Finance Minister

[The Informer, In Profile Daily, Public Agenda, Liberian Express, New Democrat, The New Republic, The Analyst]

- Finance Minister Augustine Ngafuan has warned Liberia could lose the war on corruption if audits are not professionally done.
- Minister Ngafuan said the level at which the General Auditing Commission is conducting audits will give people false impression that the country is not on the path of transparency.
- However, Minister Ngafuan revealed practical data has shown that the country is progressing rapidly on the path to transparency and accountability.
- According to the Finance Minister, the just released Highly Indebted Poor Countries Initiative Audit on the ministry is filled with inconsistencies, double counting and false variance.
- The GAC in its report claimed the Ministry squandered US\$5 million in fiscal year 2007-2008 even though the ministry made clarity on its expenditure to the commission after a draft report was submitted.

"Government Considers Three Factors When NGOs Implement Projects" Says President Sirleaf

[The News]

- President Ellen Johnson Sirleaf says ownership is one of the three factors government considers when NGOs implement projects in the country.
- President Sirleaf said it was important for communities in which the projects are implemented to have ownership of those projects.
- The President also named participation and accountability as the other two factors government considers.
- Mrs. Sirleaf told a gathering of stakeholders when community members participate in the implementation of a project they feel a part of it.
- She said while it is true that the donors are using their own funds, it was also important for them to be accountable.
- President Sirleaf spoke at the close of a two-day high level summit on aid effectiveness between government and development partners in Monrovia.

Star Radio *(News monitored today at 09:00 am)*

“Government Considers Three Factors When NGOs Implement Projects” Says President Sirleaf

Finance Minister Wants Legislature Initiates Public Debates On GAC Audits

- Finance Minister Augustine Ngafuan has challenged the National Legislature to open a public debate of the numerous audit reports before it.
- According to Minister Ngafuan this will give the auditees the opportunity to challenge the auditor on issues raised in the audits of their agencies.
- The Finance Minister said such would also give the public the opportunity to know whether someone actually stole or the Auditor General acted in error.
- He said the public debate on the audits might point out the facts or inconsistencies and professional transgressions in the audit report.
- But financial experts believe the latest argument by the Finance Minister is very strange considering the commendable performance of the General Auditing Commission in recent time.

(Also reported Truth FM, Sky FM, and ELBC)

GAC Threatens Corruption Fight - Finance Minister

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

LTA Convenes Consultative Conference On ECOWAS Supplementary Acts

(Also reported Truth FM, Sky FM, and ELBC)

UNFPA Regional Director Renews Support To Fistula Programme

IOM Intensifies Garbage Removal Campaign In Monrovia

Human Rights Lawyer Wants AFL Establish Court Martial Board

- The Centre for the Protection of Human Rights say the new Armed Forces of Liberia (AFL) is threading a dangerous path in the absence of a Court Martial Board.
- The head of the group, Cllr. Dempster Brown noticed illegal dismissals were being carried out in the new AFL because there is no Court Martial Board in place.
- According to Cllr. Brown, a court martial board allows a soldier to get due process with their lawyers using the Uniform Code of Military Justice (UCMJ) as their reliance.
- He said in the absence of a Court Martial Board any soldier not favoured by the authorities can be dismissed from the army without notice.
- Cllr. Brown wonders if the constituted AFL was a private security guard operating at the will of its masters.
- The human rights lawyer further noticed that soldiers were being investigated by police officers in a total breach of military procedures.
- He called on the Commander-in-Chief of the AFL and Chief of Staff of the army to ensure that a Court Martial Board is established.
- Responding to the allegation, the Defense Ministry said the issue of a Court Martial Board was being highly considered and preparations were being finalized for its establishment.
- Assistant Defense Minister for Public Affairs, David Dahn, however clarified that the police may investigate a soldier when the soldier is in violation of civil matters.

SN Brussels Linked To Racial Discrimination ... Lawyer Files Lawsuit

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

JPC Threatens To Free Hundreds Of Inmates

- The Catholic Justice and Peace Commission (JPC) has threatened legal actions to dismiss hundreds of government cases.
- JPC Executive Director, Augustine Toe, said the actions will force government to prosecute or release hundreds of people being kept in jail without trial.
- Cllr. Toe made the statement Friday at the Temple of Justice in Monrovia.
- The JPC's threat followed the failure of a hearing into another dismissal motion it filed against the state for failure to proceed.
- The motion, filed on March 31 this year, seeks the dismissal of rape charges against five men who have been in jail since 2007 without trial in violation of Liberian laws.
- Government in 2009 admitted having hundreds of people in pre-trial detention but has done nothing to release or try them in violation of the law.

Man 25, Allegedly Kills Wife and 2-year-old

International Clips on Liberia

Artisanal and Small Scale Mining Regulatory Expert Workshop Held in Liberia

<http://www.jewelryne.ws/2010/04/19/artisanal-and-small-scale-mining-regulatory-expert-workshop-held-in-liberia-2/>

Jennifer Hinton, an artisanal and small scale mining regulatory expert from USAID, has held a participatory dialogue with more than 20 technical officers from **Liberia's** Ministry of Lands, Mines and Energy and the Government Diamond Office. The active discussion focused on important needs of officers, mining agents, mineral inspectors, surveyors, and regional coordinators in fulfilling the recently launched mineral policy.

Tharoor's ouster a blow to India's Africa surge

http://www.thaindian.com/newsportal/politics/tharoor-s-ouster-a-blow-to-indias-africa-surge-lead_100350338.html

By Manish Chand

New Delhi, April 19 (IANS) When Shashi Tharoor visited **Liberia** in September last year; President Ellen Johnson Sirleaf broke protocol and attended a reception organized by the **Liberian** foreign minister in his honour. Next day, Sirleaf invited Tharoor for a breakfast to her residence. In barely ten months he served as India's junior foreign minister, Tharoor managed to forge personal equations with many African leaders and made a visible difference to India's diplomacy in Africa. Tharoor's tryst with Africa goes back to his days as UN under secretary-general where he developed rapport with scores of African bureaucrats and ministers. Not surprisingly, he brought a personal touch to his dealings with Africans. The Egyptian foreign minister, for example, is on twitter with him, recalls a close aide. Many foreign ministers from African countries send SMSes to him and speak to him frequently over the telephone. To make his African guests feel welcome in India, Tharoor would not only hold the mandatory lunch at Hyderabad House for visiting dignitaries, but also add an event or two like an address at the Indian Council for World Affairs (ICWA) to give them a broader exposure to India. Tharoor stepped inside South Block at a time when India was raising its diplomatic and economic profile in the resource-rich African continent after years of neglect. China, on the other hand, has scaled up its bilateral trade with Africa to \$109 billion, compared to India-Africa trade of a mere \$39 billion.

International Clips on West Africa

Guinea

Guinea accident victims to be given state funeral

Conakry, Guinea (Pana) - The **Guinean** government has declared Monday a public holiday to organize a state funeral for trade unionists Dr Ibrahim Fofana and Hadj a Magbit Bangoura as well as two journalists of the national television station who were killed in a car crash last Friday night, according to a statement broadcast on radio. The mortal remains will lie in state on Monday at the Palais du Peuple (National Assembly) to allow people to pay last respects to them before they are buried in the cemetery of Kameroun in Conakry, the statement said. The Secretary

General of the Trade Union of Workers of **Guinea** (USTG), Dr. Ibrahima Fofana, a member of the National Transitional Council (CNT), Hadja Magbit Bang oura, journalists Aboubacar Lansana Camara and Bamba Mansaré, were killed in the accident which occurred on the road to Fria, 165 km from Conakry. They were travelling to Fria to negotiate between management and striking workers of the bauxite mine, Ruski Alumini (RUSAL). **Guinean** Prime Minister, Jean Marie Dore on Saturday offered government's condolences to the grief-stricken families and gave to each an amount of 6 million CFA francs towards the organization of the funeral. Leader of the **Guinean** social movement, Dr Fofana, 57, a banker by profession, came to prominence during strikes in 2006 and 2007 called by the confederation of trade unions which resulted in violence and deaths of several demonstrators.

At World Court hearings, Guinea accuses Congo of illegally jailing, expelling businessman

THE HAGUE, Netherlands (AP) - **Guinea** is accusing Congo of illegally imprisoning and expelling a wealthy **Guinean** businessman in a hearing. The case at the International Court of Justice hinges on allegations of corruption between the government and resource companies in Congo when the country was known as Zaire and led by notorious dictator Mobutu Sese Seko. Monday's World Court case went ahead despite many key delegation members from both Guinea and Congo not there because of the volcanic ash cloud disrupting air travel in much of Europe. **Guinea** alleges that entrepreneur Ahmadou Sadio Diallo was wrongly detained for more than a year in 1988 and then expelled in 1996. Congo argues it should not be held responsible for acts of Mobutu's regime.

UN News

Monday, 19 April 2010

UN legal chief calls on donors to help fund Cambodian genocide tribunal



Patricia O'Brien, Under-Secretary-General for Legal Affairs

The United Nations legal chief today called for donors to provide funds to support the UN-backed tribunal in Cambodia trying Khmer Rouge leaders accused of mass killings and other crimes during the country's genocide in the late 1970s.

Under-Secretary-General Patricia O'Brien, the UN Legal Counsel, voiced concern about the financial situation, including the cash flow, of the Extraordinary Chambers in the Courts of Cambodia (ECCC), after holding talks with the country's Deputy Prime Minister Sok An in the capital, Phnom Penh.

Ms. O'Brien and the Deputy Prime Minister issued a joint statement after their meeting in which they urged the international community to provide contributions and pledges to national and international components of the tribunal.

The ECCC was set up in 2003 by the UN and Cambodia and is tasked with trying senior Khmer Rouge figures and others responsible for the worst atrocities between 1975 and 1979. It is composed of both national and international judges and staff.

In their statement Ms. O'Brien and Mr. An stressed their continued strong support for the ECCC and their intention to work closely together to ensure that the tribunal is successful.

They noted the completion of the trial phase in the case of Kaing Guek Eav, also known as "Duch," who is charged with crimes including torture and premeditated murder while he was in charge of the notorious S-21 detention camp.

"The ECCC has confirmed its ability to conduct complex international criminal trials to international standards, and is living up to the hope for it to be a model court," according to the statement.

"The proceedings have attracted unprecedented interest and support, as witnessed by the fact that over 30,000 Cambodians have attended court proceedings since its inception."

Agence France Presse
Tuesday, 20 April 2010

Serbian, Croatian leaders in new Balkans' reconciliation push

By International Justice Desk



Belgrade, Serbia

Almost 15 years after the wars in former Yugoslavia, the Serbian and Croatian presidents are leading a new push towards reconciliation in the conflict-scarred Balkans.

In an unprecedented move, Serbian President Boris Tadic launched an initiative that on March 31 resulted in Serbian parliament's declaration condemning the 1995 Srebrenica massacre of some 8,000 Muslim men and boys by Bosnian Serb forces.

Two weeks later Croatian President Ivo Josipovic made an equally unprecedented move, expressing before the Bosnian parliament his "regrets" for the role his country had played in the 1992-1995 war in Bosnia.

Next day Josipovic visited the central Bosnian village of Ahmici, a symbolic site where Bosnian Croat forces killed 116 Muslim civilians in April 1993.

In terms of population and the strength of their economies, Serbia and Croatia are the regional heavyweights to have emerged out of the former Yugoslavia. Both countries also harbour ambitions of joining the European Union, which would be difficult without putting their past conflicts behind them.

The fact that their leaders are making efforts to overcome the legacy of past conflicts can only be beneficial for the entire region, according to Ivan Vejvoda of the non-governmental Balkan Trust for Democracy.

In a sign of the apparent understanding emerging between the two presidents, they have met three times in less than a month.

In addition, Josipovic on Friday reiterated his wish to solve in "other ways" - out of the court in other words - the issue of reciprocal genocide complaints filed by Serbia and Croatia to the International Court of Justice.

Tadic expressed a hope on Friday that Serbia and Croatia could demonstrate a "real maturity" to address "problems of the past in a different rather than in a traditional way." He also advocated "joint government meetings," something unthinkable until now.

The complaints of genocide allegedly committed during Croatia's 1991-1995 independence war are a key obstacle to a genuine breakthrough in bilateral relations.

Zagreb denounces the role of Serbs, who were then led by Slobodan Milosevic. Belgrade accuses Croats for the massive violence against Serbs in Croatia.

A refusal to accept that one's own side committed atrocities has been common throughout the Balkans for a long time, and a major obstacle to reconciliation efforts.

"One of the Balkans' ills is that people are only prepared to talk about victims in their own nations and not those in other nations," Tadic said in an interview to a Bosnian television in January.

"Until now, the leaders ... have paid tribute only to victims belonging to their own nation, condemning only the crimes of other" nations, wrote analyst Jelena Lovric in Croatian daily Jutarnji List.

The fact remains that the process of reconciliation, fostered by the European Union to which all western Balkan countries hope to join, will still be very long, for both psychological and political resistance is strong.

The reactions to the Serbian parliament's declaration on Srebrenica and to Josipovic's gestures in Bosnia are revealing.

Bosnian Muslims deplored that the word genocide was not included in the declaration, while Bosnian Serbs felt that it ignored crimes committed against them.

And Josipovic's initiatives in Bosnia raised a political storm in Croatia, angering Prime Minister Jadranka Kosor, who criticized him for not consulting her over the moves.

The Wall Street Journal

Wednesday, 14 April 2010

Garzon and the Trouble With International Law

Everyone can agree to condemn arbitrary detention, but in practice people disagree about what the term means.

By ERIC POSNER

Last week Spanish authorities charged Baltazar Garzon—an investigative judge famous for crusades against foreign leaders—with abuse of his authority. Mr. Garzon will stand trial for opening an investigation into atrocities committed under Franco's dictatorship, which ended in 1975. He won't go to jail; at worst, he'll be stripped of his powers for a period of time. But whatever the outcome, this trial marks the end of a failed experiment in international justice.

In 1998, Mr. Garzon sought the extradition of Augusto Pinochet while the former dictator of Chile was in Britain for medical treatment. Mr. Garzon wanted to prosecute Pinochet in Spain for atrocities committed during his reign in Chile, despite the fact that Pinochet was a former head of state and had been granted amnesty as part of a deal that paved the way to democracy in his home country. The House of Lords ruled that Pinochet could be extradited.

Their opinion was widely hailed as endorsing the principle of universal jurisdiction. Universal jurisdiction means that a domestic court can try anyone, including foreigners, who commit serious international crimes such as torture and genocide anywhere in the world.

According to Amnesty International, more than 125 countries have a universal jurisdiction law. In Belgium, complaints were famously lodged against Ariel Sharon in 2001 on account of his alleged involvement in massacres at Beirut refugee camps in 1982, and George H.W. Bush in 2003 for the bombing of a civilian air raid shelter during the first Gulf War. In the United Kingdom, an arrest warrant was recently issued against former Israeli foreign minister Tzipi Livni for her involvement in Israel's recent intervention in Gaza. In Spain, investigations have been launched against Chinese, American and Israeli leaders. And the prominent British international lawyer Phillippe Sands predicted that former Bush administration officials traveling abroad would receive a "tap on the shoulder" from foreign police before being hustled off to some jail.

That, increasingly and thankfully, looks like a pipe dream. Even in the Pinochet case, the British government, citing dubious concerns about the ex-dictator's health, never extradited him to Spain. When he returned to Chile he received a hero's welcome from his supporters.

All told, only a few dozen trials based on universal jurisdiction have taken place, mostly involving Rwandans and former Yugoslavs. In most countries, prosecution on the basis of universal jurisdiction is under tight political control. Belgium repealed its universal jurisdiction law after the United States threatened not to locate NATO headquarters in a country where visiting American officials would be in legal jeopardy for actions taken pursuant to U.S. policy. British Prime Minister Gordon Brown recently announced that his government would curtail arrest warrants issued under its universal jurisdiction statute. Even Spain has moved to put restrictions on its universal jurisdiction statute.

Universal jurisdiction arose centuries ago to give states a means for fighting pirates. In recent years, idealistic lawyers have tried to convert it into an all-purpose instrument for promoting international justice. But supporters of this law turned a blind eye to the diverse and often incompatible notions of justice that exist across countries. Everyone can agree to condemn arbitrary detention, for example, but in

practice people disagree about what the term means. Whether an amnesty should be issued so that a transition can be made to democracy (as in Chile or as in Spain), or exceptions to some rules should be made for the sake of national security are not questions for a foreign judge.

When Mr. Garzon indicted Pinochet, riots erupted in Chile. No matter, thundered the champions of international law: Let justice be done though the heavens fall. But when Mr. Garzon turned his sights on his own country, the gates of justice slammed shut. Spain's establishment was not willing to risk unraveling its own transition to democracy, and rightly so. But then on what grounds should Spanish courts pass judgment on Chile?

International idealists have taken comfort in the establishment of the International Criminal Court, set up in 1998 to provide a venue for investigations and trials of international criminals. But the ICC is an inconsequential institution. It has nominal independence but depends on wealthy states for its financing, and all of its member states for enforcement. (The court has no resources for capturing indicted suspects, collecting evidence or housing prisoners.)

The ICC's small group of employees are supposed to pick and choose what to investigate among an infinite variety of international criminal activity all over the world. With limited resources, it must select only a few crimes for its attention. When domestic prosecutors make these choices, they rely on common values and must ultimately answer to the people. But because nothing like this exists at the global level, the ICC's choices are inherently political. It has so far launched a handful of investigations in weak African countries where terrible things have happened, and for its troubles is now regarded as a neocolonial institution. Yet if the ICC picks on a big country to show that this is not true it will be squashed like a bug.

One cannot solve the perennial problem of "who will guard the guardians" by handing over authority to prosecutors and courts. But that is what the universal jurisdiction agenda boils down to. Mr. Garzon's comeuppance should be a warning to those who place their faith in the ICC to right the world's wrongs.

Mr. Posner, a professor at the University of Chicago Law School, is the author of "The Perils of Global Legalism" (University of Chicago Press, 2009) and "Climate Change Justice" (Princeton University Press, 2010).

Institute for Security Studies (ISS)

Tuesday, 20 April 2010

The ICC Offers a Glimmer of Hope for Justice in Kenya

Jemima Njeri Kariri and Anton du Plessis – International Crime in Africa Programme, ISS Pretoria

Despite ongoing calls to end the widespread culture of impunity in Kenya, justice has not been at the top of the government's agenda in recent years. To date, no one has been charged with the killing of any of the 1000-plus people who died during the post-election violence that erupted after the disputed election at the end of 2007. Kenya promised to set up its own courts and tribunals to prosecute the offenders, but failed to do so. Now the International Criminal Court (ICC) has taken the lead. On the 30th of March, ICC Prosecutor, Luis Moreno-Ocampo, got permission from the Court's Pre-Trial Chamber to proceed with investigations of a number of powerful Kenyans suspected of inciting and supporting the violence. Victims hoping for justice may finally have something to feel happy about.

The decision to authorise the investigation represents a bold step in the history of the Court. It is the first time that the ICC Prosecutor has used his *proprio motu* powers under Article 15 of the Rome Statute, which allow him to decide independently to launch an investigation in respect of international crimes under the Court's jurisdiction. Previous investigations have been initiated only at the specific request of a State Party to the Court, or pursuant to authorisation granted by the UN Security Council. Mr. Ocampo seems confident. He is said to have more than enough evidence, most of which was gathered at the time of the violence by human rights workers, diplomats, private security officials and NGOs. If he decides to bring charges, Kenya will become the fifth situation before the ICC.

The Court's decision to authorise the investigation has been eagerly awaited for two years. It has also been welcomed by victims and friends of justice, including the former UN Secretary General, Kofi Annan who in late 2008 handed the Prosecutor a list of persons considered to be most responsible for the crimes committed during the post-election violence.

Kenya is a signatory to the Rome Statute that established the ICC and is one of only four African states to domesticate the Statute. On paper, the country seems ready and able to tackle impunity for international crimes. In practice it has done very little. In 2008, it established a Truth, Justice and Reconciliation Commission (TJRC), which is tasked to investigate human rights violations and other historical injustices that occurred from 1963 – 2008. However, its mandate specifically excludes the post-election violence. Moreover, the TJRC is currently mired in controversy that has rendered it almost moribund. In particular, civil society in Kenya has questioned the moral authority of its Chairperson to lead a process that would uncover historical injustices that he may have been part of. Its Deputy Chairperson has resigned and all Commissioners declared a vote of no confidence in the Chairperson and called on him to resign. Efforts to establish a Special Tribunal to prosecute perpetrators of post-election violence crimes have also floundered. As a result, many Kenyans have lost faith in their government's political will and ability to end impunity for these serious crimes. They are now looking to the ICC as the most feasible option.

However, several possible snags could trip up the process. Most serious is the lack of domestic law enforcement and criminal justice capacity (and political will) to support the ICC investigation. The ICC does not have its own law enforcement capacity and therefore relies almost entirely on domestic investigative support from countries where it undertakes its work. A related challenge is the protection of witnesses, many of who are clearly at risk. And despite notable recent policy improvements, Kenya's witness protection capacity remains limited, and politically infiltrated. This is a serious concern as no prosecution is possible without witnesses willing to tell their stories.

Then there are the political complexities. Despite a few politically correct statements of support for the Court from Kenya's leaders, the real extent of this support remains uncertain. Another important political consideration relates to the timing of the process. The ICC's timetable means that trials would take place amid Kenya's next elections. The risks are obvious. Another challenge for Ocampo is who to pick for prosecution. He is investigating 20 suspects, but has indicated that he intends prosecuting only a handful of them. Convincing victims that he has gone after those most responsible for the post-election violence will be tricky; convincing politicians that he has been even-handed, even more so. In theory, navigating the complexities of Kenya's political arena should not be the job of an independent international prosecutor. The reality in practice seems quite different.

Ocampo is traveling to Kenya in May to commence investigations. This will include visits to crime scenes as well as speaking to victims and witnesses. Kenya has a legal duty under the Rome Statute (and its own domestic implementation law) to cooperate with the ICC. In addition to providing investigative and logistical support to Ocampo and his team, Kenya's parliament should operationalise its new witness protection legislation by strengthening the capacity of its Witness Protection Unit. It should also publically guarantee the Unit's independence, and support efforts to build national confidence in the integrity of witness protection. If it does this, the government would take an important step towards ending the entrenched culture of impunity that has plagued the country for years. Kenya's people, and the rest of the world, will be watching in anticipation to see if it will.

Voice of America

Friday, 16 April 2010

Kenyan Justice Minister Calls for Disbanding of Truth Commission

Michael Onyiego | Nairobi

The commission tasked with investigating the 2008 post-election violence in Kenya has been embroiled in controversy in recent weeks. Many in the country feel it is incapable of fulfilling its mandate, and the Kenyan government is now seeking its dismissal.

In a letter written Thursday Kenya's Minister of Justice, Mutula Kilonzo, called on parliament to disband Kenya's Truth Justice and Reconciliation Commission. Kilonzo told ministers that the commission had failed to deliver, making little progress since its inception almost a year ago.

The commission was established to uncover the causes of the ethnic violence which shook Kenya to its core after a disputed presidential election in January of 2007. Over 1,000 people were killed in the violence and more than 300,000 were forced to flee from their homes.

The Truth, Justice and Reconciliation Commission was expected to bring those responsible for the chaos to justice, but internal controversy has brought its work to a standstill.

At the center of the controversy is the commission's chairman, Bethuel Kiplagat. The former Kenyan ambassador has faced nationwide calls for his resignation over the past month due to criminal allegations leveled against him. Among the questions surrounding the chairman are his role in the assassination of Kenyan Foreign Minister Robert Ouko in 1990 and his acquisition of government land while serving the previous administration.

Kiplagat has maintained his innocence, but his refusal to step down ignited further controversy. In March, the commission's deputy chairman, Betty Muringi, resigned in protest of Kiplagat's tenure and this week, the commissioners requested that a tribunal be established to investigate the allegations against their chairman.

But despite its failures, some in Kenya believe that the Truth Justice and Reconciliation Commission can still fulfill its mandate. The Chairperson of the Kenya National Commission on Human Rights, Florence Simbiri-Jaoko, says that the commission, instead of being disbanded, should replace its members and continue its work.

"The commissioners, if they voluntarily resign, I think that would be a better process than disbanding because that is the wrong precedent," he said. "I think the Truth Justice and Reconciliation Commission was going to be a very useful process for looking at historical injustices, making recommendations on what can be done in the long term and, especially, preventative measures. But also just developing a culture of tolerance in Kenya."

But whether or not the Truth Justice and Reconciliation Commission is allowed to continue, the international community has already taken matters into their own hands.

In light of the commission's failures, the International Criminal Court has given its prosecutor, Luis Moreno-Ocampo, permission to investigate crimes against humanity committed in the wake of the election. Moreno Ocampo said earlier this month that he will investigate those most responsible for the violence and had a list of 20 prominent Kenyan businessmen and politicians on which he would focus.

His team has already begun gathering evidence, and Moreno Ocampo is expected to arrive in Kenya next month.