

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



Personnel Chief Maria Cruickshank kicks out the first ball on Saturday to begin the Special Court intramural football matches at the Stadium Practice Field. See today's *'Special Court Supplement'*.

**PRESS CLIPPINGS**

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

**as at:**

Monday, 22 January 2007

Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
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Concord Times  
Monday, 21 January 2007

# Justice Sebutinde elected Presiding Judge

Justice Julia Sebutinde of Uganda has been elected Presiding Judge of Trial Chamber II.

She succeeds Justice Richard Lussick, who ended his one-year term as Presiding Judge, a release from Special Court states Wednesday.

"Pursuant to Rule 27 of the Rules of Procedure and Evidence, the Presiding Judge of each Trial Chamber is elected for a renewable term of one year. It has, however, been the general practice of both Trial Chambers to rotate the position of the Presiding Judge at the end of each one-year term," the release states, adding that Justice Sebutinde is a British-trained Ugandan lawyer who was called to the Uganda Bar in 1979.

The statement further disclosed that from 1978-1991

Justice Sebutinde worked within Uganda's Ministry of Justice, where she rose to the level of Principal State Attorney/Principal Legislative Counsel.

"From 1991-1996 she worked for the Commonwealth Secretariat, London as a Legislative Consultant and was seconded to the newly-independent Republic of Namibia, where she was attached to the Ministry of Justice as a Legislative expert," the release stated. In 1996, the statement revealed, she was appointed Judge of the

High Court of Uganda and between 1999 and 2003 Justice Sebutinde chaired three high-level Commissions which investigated allegations of corruption in the Uganda Police Force, the Ministry of Defence and the Uganda Revenue Authority, respectively.

Justice Sebutinde joined the Special Court in January 2005. She was appointed by the Secretary-General of the United Nations.

Trial Chamber II, consisting of Justice Sebutinde, Justice Richard Lussick and Justice Theresa Doherty, is currently considering verdicts in the case of the three alleged former leaders of the Armed Forces Revolutionary Council (AFRC).

Trial Chamber II has also been assigned the case of The Prosecutor vs. Charles Ghankay Taylor. That trial will take place in The Hague.

Concord Times  
Monday, 22 January 2007

# Human Rights Clinic organizes public lecture

*By Michael Bockarie*

Human Rights Clinic, a non political club at Fourah Bay College (FBC), University of Sierra Leone Thursday organized a public lecture themed: "Human Rights and Africa Traditions with Respect to Women." The ceremony took place at the Mary Kinsley Auditorium FBC.

Rosaline Macarthy, a lecturer at the Freetown Teachers College (FTC) stated that African tradition is responsible for the ills perpetrated against women by men.

"In Sierra Leone, women's rights differ from tribe to tribe. Men have always proved to be superior to women. Most girls are asked to discontinue

schooling to marry rich men," she claimed.

Mike Sam from the Faculty of Arts noted that human rights are God given rights.

He appealed to men to respect women in society. Head of Timap for Justice, Viviek Maru stated that women in Africa have been marginalized for a very long time.

The Exclusive  
Monday, 21 January 2007

# **PERSPECTIVE**

*By Chief Gbondima Gbondo 076-671-830*

## **How I Pity Hinga Norman**

Before his demise at his Liverpool Street Ministry of Internal Affairs' office, a number of envious Sierra Leoneans wanted to be just like him. Norman had all good things in life - chalets, food, money and above all power, everybody wanted to be like him. Those were days gone.

### **Special**

As if Norman Special Court status was not enough, he has now been thrown into a Senegalese jail in that desert country.

Ignoring prisoners' rights, The Special Court for Sierra Leone has drastically taken Sam Hinga Norman and Issa Sesay out of Sierra Leone for what the court describes as medical reasons.

### **Procedure**

The administration of justice in spite of disregard of procedure of indictee's consent and consultation with the indictee's legal representation etc. the Special Court ultra vires, its very foundation and essence by relying on the alibi that "deportation was on medical and not on legal grounds which therefore required no conference with the indictee lawyer or family".

Shall we then imagine the pitiful situation where Hinga Norman finds himself? Double jeopardy in a foreign land where one's language is not spoken and one's jailers are equally untranslatable.

### **Fate/Destiny**

Was Chief Sam Hinga Norman born to spend a quarter of his life in jail? Is it a fulfillment of existential theory of life, fate, destiny as against one's wish?

What historical force will have a gigantic task judge Chief Sam Hinga Norman villain or hero. The minister-war-lord has lived his life in troublesome periods, which always demanded his unqualified robust interventions, first on the eve of 1967 and second in the 1990s.

### **Legacy**

Norman's legacy will interest historical research and study for a very long time to come any where mention is made of Sierra Leone's civil war - one of Africa's most brutal and horrendous would be noted.

May be, Norman could serve humanity better if he utilizes his days in to write his memories than brooding over his whatever rights disappointment or intended indefinite hunger strike.

Norman is an issue (not a human being) which will not go away for a very long time.

Salone Times  
Monday, 21 January 2007

## Peoplespeak... Peoplespeak... Peoplespeak...

*War crime indictees Chief Sam Hinga Norman (former Civil Defence Force Coordinator) and Issa Sesay (former RUF leader) were recently flown out by Special Court officials to Senegal for medical treatment. SALONE TIMES Mariatu Tamba sounded public opinion on the issue at different locations in Freetown.*

*Ibrahim Jaffa Condeh-Student*

### IT'S A MOVE TO TORTURE THEM

In my view, I do not believe that Hinga Norman and Issa Sesay were flown to Senegal for medical treatment. They must have taken the indictees there to torture them or expose them to some inhuman treatment that will finally finish them.

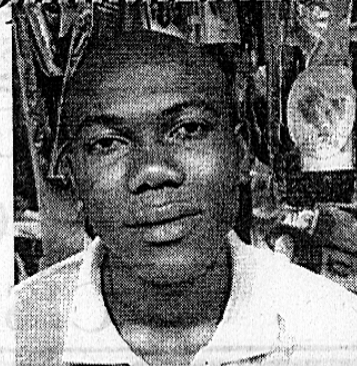


*Ibrahim Jaffa Condeh-Student*

*Osman-Tolo  
Businessman*

### IT'S A SECURITY THREAT

The decision taken by the Special Court to move Hinga Norman and Issa Sesay and put them in jail instead of the hospital is a big problem because election is just around the



*Osman-Tolo  
Businessman*

corner. That situation may serve as a security threat. It will not bring stable peace in the country.

*Almar Mattia - House wife*

### THEY DESERVE WHATEVER BEFALL THEM

Though Hinga Norman and Issa Sesay deserve such treatment, the Special Court or United Nations should have taken them to a location known to the public. They deserve whatever they face because that was the way they were treating innocent people.

Awareness Times  
Monday, 22 January 2007

## **Special Court spent US\$ 125m in three years**

Reports indicated that over the past three years, the Special Court for Sierra Leone has spent over One Hundred and Twenty Five Million United States Dollars (\$125m) on its activities.

The reports further state that the Special Court is in need of more United States Dollars if ever it should run its activities effectively as expected in the coming three years.

## **Kamajors Call for Reward**

Senior members of the former Civil Defense Force (CDF); precisely the Kamajors are reported to have requested for money which they long ago demanded from the government as compensation “for their arduous and patriotic role” in containing RUF rebels and renegade soldiers of the Sierra Leone Army during Sierra Leone’s decade long war. Further reports disclosed that the demand was made in a recent letter signed by Special Court Detainee, Chief Sam Hinga Norman and addressed to Vice President Solomon Berewa.

The Spectator  
Monday, 22 January 2007

## **The Death Penalty: A Case for its abolition in Sierra Leone**

*By Jeneba F. Kamara*

**D**uring the inauguration of the Commission of the National Human Rights Commission on 11 December 2006, the President of Sierra Leone, Ahmed Tejan Kabbah, announced that the death penalty would no longer be used but retained in our statute books to serve as deterrent to criminals. This statement was made following widespread campaign to abolish the death penalty.

Under Sierra Leonean laws, the death penalty is supposed to be applied for crimes such as murder, treason, mutiny and aggravated robbery. However, the history of the use of this punishment shows that it is often used for political purposes rather than in the interest of peace and stability.

Death penalty has existed since pre-colonial Sierra Leone when people were killed for crimes such as witchcraft and cannibalism. It was, however, institutionalized when the British colonial masters arrived and introduced the

English Common Law as a means of combating crimes and subjugating the people. The execution of 96 pence as tax is indicative of the latter motive. A century later, in October 1998, President Kabbah signed the death warrant of 24 military officers after a court martial convicted them for treason. Currently there are twenty two people on death row at the Pademba Road Prisons. These convictions were done after the publication of the Truth and Reconciliation Commission (TRC) Report which recommended that the death penalty be removed from the laws of Sierra Leone, and in the interim, a moratorium instituted. The Government of President Kabbah is yet to act on the recommendations of the TRC as the recently manifested in his pronouncement during the inauguration of the human rights Commissioners.

This article gives synopsis of the strides that have been taken to abolish the death penalty. It also rebuts arguments in support of the death penalty. In addition, it proffers legal arguments in opposition to the death penalty and a conclusion.



The Spectator  
Monday, 22 January 2007

### Strides Taken to Eradicate Capital Punishment

Prior and subsequent to the execution of the military personnel in 1998, there has been widespread campaign to abolish the death penalty in the bid to get states to commute sentences, the World Coalition Against Death Penalty was formed.

The Coalition, comprising dozens of human rights organizations worldwide, has been able through demonstrations, petitions, concerts and televised debates to persuade 87 countries to abolish the death penalty. The coalition still continue to call on countries such as Sierra Leone, Nigeria, the United States of America, China etc, that withhold the death penal laws to adopt a moratorium on executions.

Currently in Sierra Leone civil society groups are spearheading the campaign for the abolition of the death penalty. Although they have not succeeded in getting the Government to abolish the practice in its entirety, nonetheless, their efforts have yielded some fruits. For instance, prior to 2002, persons convicted by the court martial did not enjoy the right to appeal. However, through the efforts to civil society groups, persons convicted of treason by a military tribunal now have the right to appeal the decision.

The Sierra Leone Truth and Reconciliation Commission, a creation of the Lome Peace Agreement and TRC Act 2000, made a compelling case for the abolition of the death penalty. In its recommendations the TRC based its arguments (inter alia) on the principle of inviolability of the right of life. Additionally when the Special Court for Sierra Leone was established pursuant to Security Council Resolution 1315 of 2000, it did not include the death penalty as a form of punishment for accused persons that may be convicted despite the fact that they are being tried for heinous crimes such as war crimes and crimes against humanity. Sad to note however, is that despite these effort the government of President Kabbah has not responded accordingly. Rebutting Argument of apologists of the death penalty has been that it serves as deterrent to the

commissioner of heinous crimes. However, it is clear that the intensity of the punishment has never been a deterrent, not even in the United States where it is most frequently applied. Similarly, not in Sierra Leone as it is evident that the existence of the death penalty has not deterred the commission of capital offences. In Sierra Leone, even though the death penalty has been mostly used in cases of treason and those involving political opponents, it has not dissuaded them from staging coups. For instance, there have been 20 coup attempts since independence, a considerably high rate according to world standards. " In essence, this is indicative of the falsity of the thesis that death penalty is a deterrent to heinous crimes in this country. As already stated, it is rather used as a political tool to premeditatedly and cold bloodedly kill political opponents, Sierra Leonean still continue to question the authenticity of the allegations that led to the executions of Mohamed Sorie Fornah and others in 1975 and Francis M. Minah and others in 1987.

Apologists of the death penalty have also argued that executing the worst offenders will prevent the repetition of their offences. Contrary to this in Sierra Leone, there has never been an instance in which a condemned prisoner, released by virtue of presidential amnesty, has subsequently committed a similar offence.

Furthermore, they have argued that the death penalty is the deserved punishment for heinous crimes. This notion is, however, not plausible, because no matter how abhorrent a crime many appear, it cannot justify the infliction of cruel, inhuman and degrading treatment. Like the saying goes an eye for an eye leaves everybody blind, so also murder for murder leaves everybody dead. Or have they thought about how raping all rapists as a punishment will leave everybody violated?

Legal Arguments in Opposition of the Death penalty

The death penalty as a form of punishment cannot be applied impartially. It is fraught with arbitrariness, discrimination and mistakes. Once applied, it cannot be

revoked. In a case where it is applied as a result of incompetent lawyering, suppression of evidence, local prejudice etc, the punishment will be irrevocable regardless of the fact that the individual involved may not have committed the crime. Once a death penalty is executed, no amount of pardon or compensation will undo the punishment. In other words, we cannot right a wrong in a death penalty once it is carried out. Let us take the case of the Birmingham six for example.

These men were sentenced to life imprisonment on a murder conviction after the abolition of the death penalty in England in 1965. convicted in 1975, after having served 16 years in incarceration, their case was later reviewed by the court of appeals and their conviction rescinded in 1991. however, their situation was not as helpless as it would have been had they been executed.

The inadequacy in the judicial sector is another major cause for the abolition of the death penalty. The Sierra Leone judiciary is badly in need of forensic technology such as techniques to determine DNA of suspects to prove or disprove an evidential burden. Even in countries where DNA technologies exist, they still make errors in their judgments, let alone in a country like Sierra Leone where it is yet a dream.

Additionally, the practice of death penalty in Sierra Leone is cruel, inhuman and degrading and contravenes sec 20 (1) of the 1991 constitution which states that "No person shall be subject to any form of torture or any punishment or

other treatment which is inhuman or degrading." In Sierra Leone, condemned prisoners are placed on death row for years without stating the date for their subsequent execution, thus putting them in perpetual fear. Also, the black attire that they are made to put on symbolizing condemned could seriously affect their mental wellbeing. Furthermore, there have been cases where condemned prisoners that do not easily die when shot or hanged are brutally beaten to death. In a resume, the way the entire execution process is carried out is cruel.

The death penalty is bad law and as it is always with bad laws, it cannot be applied impartially. As a result, judges hardly exercise their discretion away from the death penalty in treason cases. The history of its use in Sierra Leone shows that political opponents who may not have killed during to alleged coups are most likely to be killed than actual convicts of murder. Most convicts of murder are normally kept in prison until they die naturally or until the president exercises his prerogative of mercy and grant clemency.

If the authorities fear that prisoners condemned to death (who are often deemed dangerous) will escape from prisons to commit similar offences, why not fortify security at the prisons then? In fact, it is not only viewed as an abdication of responsibility by killing for fear that they may escape, but it is relegating the value of life. It is the responsibility of the Government to secure its citizens, no matter their status. The performance of this function does not, however, include killing convicted prisoners.

Standard Times  
Monday, 22 January 2007

# Selective justice at the judiciary

BY UNISSA BANGURA

It is generally believed in many quarters that the judiciary under Dr. Ade Renner Thomas as Chief Justice is practicing selective justice whereby cases at the High Court in which certain people are interested in are directed to particular judges for judgement.

Investigation carried out by this paper also discovered that a good number of cases from the legal firm of the Chief Justice are as-

signed to Justice Showers.

The reports further intimated that the system of directing cases to a selected set of judges or magistrates has crippled the smooth running of the justice system in the country's courts.

A court registrar who preferred not to be named for fear of losing his job made reference to the time of the court sittings, noting that "most of the judges and magistrates do not respect time."



*Dr. Renner Thomas*

The registrar also cited as example the pile of cases stocked in the office of the

chief justice that are yet to be assigned to any judge for trial, and expressed concern as to whether the expatriate Master and Registrar is allowed to perform her duty.

He said according to court rules, the master and registrar of the high court is responsible for assigning cases for trial to judges.

The Chief Justice, Dr. Ade Renner Thomas was unavailable for comments on these allegations.

# Standard Times

Monday, 22 January 2007

## The Strike in Guinea is Increasing the People's Suffering

BY A.Y. KALLAY

OUR NEXT DOOR neighbor, Guinea, the capital Conakry had already shuttered its shops and stayed home twice in the past year as a result of a citywide strike action, more ambitious indefinite national strike action two weeks ago is proving a strength and unity among Guinea's civil society not seen since independence.

"THERE'S REALLY A growing solidarity among the movement now, it's becoming more like a social movement and the strength of the civil society is really showing itself," Elisabeth Cote, Guinea representative of the International Foundation for Election Systems (IFES) said on Thursday, the second day of the strike.

THE STRIKE IN March and June last year and again this week were organised by the National Confederation of Guinean Workers (CNTG) and the Guinean Workers Union (USTG), two formerly rival unions that united in 2005 to protest of a 30 percent inflation, tripling fuel prices and worsening standards of living for ordinary Guineans.

AFTER LAST YEAR'S strike action, opposition political parties and other civil society members complained that if they had been consulted by the unions beforehand they could have contributed support and weight.

THIS TIME, two non-governmental organisations (NGOs), the National Council of Civil Society Organisations, an umbrella group for NGOs, and the Civic Alliance, a new group with branches nationwide, have coordinated with the unions. They plan to hold demonstrations calling for "a return to the rule of law" in the wake of persistent human rights abuses and impunity on and after 15 January, despite a government ban on demonstrations issued on Tuesday night.

BOTH GUINEA'S main political opposition parties, the Rally for the Guinean People (RPG) and Union of Republican Forces (UFR), have also thrown their support behind the unions and called for their members to follow a campaign of civil disobedience, from 15 January onwards.

"WE HAVE supported the unions that have taken all the responsibility for saving the republic and have given the word ordering the general unlimited strike. We call on our members not to wait with their arms crossed," Sidya Toure, president of the UFR, said last Tuesday.

LEADERS FROM the Roman Catholic Church and the city's mosques, and two NGO alliances, met with Guinea's First Lady Henriette Conte last Wednesday to present a proposed exit strategy of the strike. President Conte now in his 70s and is said to rarely make public appearances or attend meetings.

"WHILE THERE is a hard dividing line between what is considered unions, political

parties and civil society as far as Guineans are concerned, there is definitely a dialogue or a conversation happening at all levels.

REPRESENTATIVES OF the unions, political opposition and civil society groups have also been meeting a military committee set up after the June strike to avoid repeats of clashes between students and riot police when 11 youths were shot and dozens injured. The civil-military committee does not include members of the government. There have been no reports of fighting between civilians and state security services anywhere in Guinea last week, although soldiers are maintaining heavy presence in Conakry.

THE UNION-led movement is able to unite Guinea's previously weak and fractured civil society because Guineans perceive it as more legitimate than the political opposition, Mike McGovern, a Guinea expert at Yale University said. "The opposition parties have shown themselves intent on capturing power but have not presented a credible programme showing how they would govern different to the government in place."

"WHEN PEOPLE say politics in Guinea it means dirty politics, where the game is to come out on top, but the unions are talking about the wider field of politics in which social, economic and cultural factors come into it," McGovern said. "[The unions] are talking about people's life chances, so when they say they are only concerned with people's well-being, that's tremendously powerful."

GUINEA'S UNIONS are seen as symbolically important because of their key role in ending colonisation in Guinea and installing the country's first post-independence president, former union leader Sekou Toure in 1960, although Toure went on to break up and then banned the unions because they threatened his heavy-handed one-party rule.

AFTER TOURE died in 1984 and Conte took power, unions and opposition parties were nominally reauthorised, but it was not until 2004 when the unions started agitating for improved standards of living and stabilisation of Guinea's runaway economy that they won support from beyond their traditional bases.

THE RULING Party, Unity and Progress (PUP) party has nonetheless accused union leaders of moving beyond their social mandate to adopt political goals, and of being backed by opposition political parties.

"BEHIND THESE unions are the opposition parties that do not want peace in this country," Sekou Konate, secretary general of the PUP said last Tuesday. He pointed to a new demand made by the unions that a prominent businessman accused of corruption, who has ties with President Conte, be imprisoned, and the transport

minister be removed as evidence of politicisation.

IBRAHIMA FOFANA, secretary general of the USTG, dismissed the accusation of politicisation but said it is impossible to talk about the economic and social problems in the country without criticising the nation's leaders. "The country is tired of this regime that has shown its incapability at every level.

GUINEA HAS some of the richest deposits of gold, iron and bauxite in Africa, as well as thousands of kilometres of fertile land and vast water resources but Conte, an eccentric military colonel known for his love of fast cars and cigarettes, has failed to translate the vast natural wealth into either improved employment, income or life expectancy for the majority.

ALTHOUGH HE is credited with overturning Toure's authoritarian regime and improving human rights, elections returning him to power have been widely discredited and the country has been rated among the most corrupt in the world.

"IF THE strike goes on longer than one week the economic and political consequences are going to be felt," McGovern predicted. "The condition for the strike going forward is that people have little to lose. Staying home, not working or collecting a paycheque is inconsequential given the lack of purchasing power. The longer it goes on, the more cards are in the hands of the unions."

SO FAR, five people have been killed since the strike started. Three in Conakry, two in Kissidugu and one in Mamun and president Conteh had told the UNIONIST that they should not dictate to him as he is the executive president of the country.

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New Vision

Monday, 22 January 2007

# Editorial

## **That Guinean Crisis: Time to Act**

*The general strike in neighbouring Guinea which has entered its second week has turned a spotlight on a looming conflict in the Mano River basin.*

*The strike organized by the country's trade union came about ostensibly to vent anger for alleged interference of the General Conteh regime in the judicial process leading to the freeing of Mamadou Sylla, Guineans richest man, who was being investigated on corruption allegations.*

*The strike is also aimed at registering growing Guinean's discontent over the unprecedented high cost of living.*

*These developments have today culminated to the growing and popular calls for General Conteh who seized power in 1984 to step down.*

*At 70, the Guinean leader is in a very poor health with no clear successor, prompting speculation of a power vacuum in an event of death or resignation.*

*Considering the fact that General Conteh's only loyal constituency in Guinea at the moment is the army, there are further speculations that his Khaki boys would be divided along ethnic lines in a possible scramble for power leading to a full scale destabilization of the neighbouring states.*

*And realizing the fact that insecurity in Guinea will impact negatively on the security situation of the Mano River basin, we feel it is but expedient and prudent that the leaders of Sierra Leone and Liberia particularly intervene for a possible negotiated settlement to the looming crisis to prevent any possible escalation of violence undermining peace and democracy in both countries.*

*We therefore think the leaders of Sierra Leone and Liberian should take a firm step to ensure that the crisis is resolved and to prevent any possible spill over of the conflict.*

*To sit complacently and watch the situation in Guinea spread to the two neighbouring countries, President Kabbah and Johnson Sirleaf would not be doing justice to their citizens, who in the event of war, face the brunt of the criminal activities of gun tooting elements.*

*The two leaders must not treat the Guinean crisis as an internal problem which they should ignore, but must be reminiscent of the past conflicts in their respective countries which though started as internal matters, later spilled over with devastating consequences.*

*Judging from the unfolding development, the crisis in Guinea has the potential of wrecking progress and development in the sub region.*

*We therefore hold the view that it is high time the two neighbouring Presidents moved promptly and be part of the solution to the crisis in Guinea if only to save our very war weary citizens of Mano River basin the trouble of the past 15 years.*

*It is time to act and act now!*

## New Vision

Monday, 22 January 2007

**Special Commentary****Guinea in Political Crisis**

*The saying goes that if your neighbour's house catches fire, it will be wiser to help him extinguish it before it gets out of proportion. The possibility is that the flame from the fire may engulf your own house and both of you will be losers.*

*This was the concept from which the Economic Community of West African States (ECOWAS) was founded in 1975, and on which was mooted the idea of the ECOWAS Peace Monitoring Group (ECOMOG), which constitutes the West African Peace Keeping Force. It may be recalled that both ECOWAS and ECOMOG have been serving as formidable West African regional multinational troops for conflict management and peace keeping in the sub-region.*

*The remarkable success of ECOMOG and ECOWAS especially in the resolution of the rebel war in Sierra Leone and Liberia that was started by Charles Taylor has inspired ECOWAS leaders who recently met in the Burkinafaso capital, Ouagadougou to plan the modalities for an eventual ECOWAS involvement to resolve the strike action that has paralyzed the Republic of Guinea for over 13 days now with no end in sight. It appears that President Lansana Conte, who is suffering from severe diabetes has exhausted all other means and options at his disposal to peacefully negotiate with leaders of the strike, as conditions deteriorate from bad to worse on a daily basis. In the past five consecutive days alone live bullets from the Guinean security forces have been killing at least two or three demonstrators every day.*

*The latest remedy to this unlimited strike action that was engineered by the Guineans trade union organizations that has now paralyzed normal life in Conakry and extended to several of the country's major cities and towns such as Kankan, Labe, Nzerekoure, took the government by surprise. The first actions taken by Government include the dismissal of the No2 man in the regime, the Minister of Presidential Affairs Foday Bangura, who is hated by many Guineans for his Susu tribal connection to the president.*

*The leaders of the strike action are making several demands such as the resignation of President Lansana. Conte, on grounds of ill-health, as his poor health will not enable him to properly execute the affairs of the state as President. Some moderate Guineans only favour the stepping down of Foday Bangura who is blacklisted for influencing most of the decisions from the office of President Conte which has led to the present state of chaos in the country. The strike leaders are also advocating for the appointment of a Prime Minister who will serve as acting as President Conte bows out.*

*President Conte remains vigilant in suppressing the demonstrators with an iron fist. It will be to his advantage if ECOWAS makes good of its decisions to intervene in the crisis by possibly deploying ECOMOG troops in Conakry and the worse affected cities to main laws and order. The West African regional body has resolved to dispatch Senegalese President Abdulai Wade and Nigerian President Olusegun Obasanjo to Guinea for consultations with President Lansana Conte on how best ECOWAS will assist in the resolution of the conflict.*

*The Present turmoil began when the head of the Guinean Civil service Mamadou Sylla and two others were being squeezed by the judiciary for the embezzlement of millions of dollars of state funds for their personal use. The Anti corruption and transparency agency detained Sylla and accomplices while investigations were ongoing into alleged financial malpractices. But President Conte left his sick bed to proceed to the prison compound to personally authorize Mamadou Sylla's release.*

*The heads of trade union organizations and Guinean political parties consider Conte's interference as a mockery of the judiciary and the rule of law. They went to the extent of issuing joint declarations for an unlimited strike actions noting that it was due to President Conte's negligence that has led to the high and uncontrollable prices of basic commodities in Guinea today.*

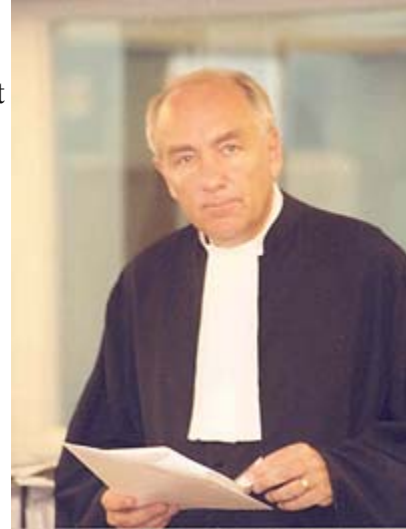
## The Patriotic Vanguard

Friday, 19 January 2007.

### **"Norman and Sesay will Return"----Rapp.**

The new prosecutor of the Special Court for Sierra Leone Mr. Stephen Rapp(photo), said in Freetown recently that Special Court indictees Sam Hinga Norman and Issa Sesay now undergoing medical treatment in Dakar, Senegal, will return to Sierra Leone "well in advance of the expected date in the verdict of the CDF case in the case of Hinga Norman and the restart of the RUF case in the case of Issa Sesay."

Rapp, speaking at a press conference last Wednesday, went on to say that verdicts would likely come up in March or April this year. We bring you a full version of the proceedings at the press conference below, courtesy of the Special Court:





## **UNMIL Public Information Office Media Summary 20 January 2007**

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

### **International Clips on Liberia**

#### **Liberian President to Grace Global Gender Conference**

By Robert Mukombozi Eleneus Akanga

Kigali, Jan 19, 2007 (The New Times/All Africa Global Media via COMTEX) --The President of Liberia Ellen Johnson Sirleaf is to attend an international women conference in Rwanda that will discuss the role of parliamentarians on gender and nation building. The disclosure was made by the Senate president Dr. Vincent Biruta, while addressing the press about the conference that is organized by the Rwanda Women Parliamentary Forum (RWPF) in partnership with the Parliament.

**BBC** Last Updated: Friday, 19 January 2007, 12:48 GMT

#### **Liberia ex-leader probed on graft**

By Jonathan Paye-Layleh

Liberia's ex-President Gyude Bryant has been questioned by police on allegations of corruption committed during his two years in office. Mr Bryant headed the country during a transitional phase after the end of the 14-year civil war in 2003. His government is accused by the regional body Ecowas, which oversaw the peace process, of stealing state funds. He told the BBC that he had expected the probe on graft but not to have his other decisions questioned too. President Ellen Johnson-Sirleaf came to power a year ago promising to crack down on corruption.

**BBC** Last Updated: Thursday, 18 January 2007, 18:13 GMT

#### **Ex-Taylor ally sacked as speaker**

Liberia's parliament speaker Edwin Snowe has been sacked after a vote of no-confidence by MPs. They accuse the former son-in-law to ex-President Charles Taylor of breaking two parliamentary laws. But Mr Snowe apologised to parliament for these two indiscretions last year and was pardoned by the chamber. He told the BBC that he was consulting his lawyers as he suspected those who voted against him were bribed by the president's office, which it denied.

### **International Clips on West Africa**

#### **West Africa summit calls for polls in Ivory Coast**

OUAGADOUGOU, Jan 20 (Reuters) - West African heads of state called on war-divided Ivory Coast's government to forge ahead with stalled voter identification and disarmament schemes to prepare for elections by October. At a summit of the ECOWAS regional body in the Burkinabe capital Ouagadougou, the 11 leaders expressed in a closing statement late on Friday their "strong concern" over the situation in Ivory Coast.

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

### **Police Academy Commissions Recruits**

- Speaking at the commissioning ceremony of 168 new Police Officers at the Police Training Academy yesterday, the Deputy Police Commissioner for Training and Development, Mr. James Hallowangar challenged the Officers to be ambassadors of peace as the behavior of the new Police would attract investors or drive them away.
- Mr. Hallowangar encouraged the public to help monitor the performance of the new Officers and give feedback to the training academy.

*(Also reported on ELBS Radio and Star Radio)*

### **One Dies in Plantation Workers in Southeastern Liberia**

- Correspondents said that at least one person was killed in a riot that erupted at the Sinoe Rubber Plantation in Sinoe County, Southeastern Liberia as a result of a misunderstanding that started between a driver of the Plantation's Management Team and another employee. Police in the County's capital, Greenville said that they were unable to quell the riot because they were unarmed.
- Workers of the Plantation had demanded the removal of the Management Team for alleged corruption.

*(Also reported on ELBS Radio and Star Radio)*

### **Justice Ministry Probes Allegation of Bribe at National Legislature**

- The Solicitor-General of Liberia, Cllr. Tiawon Gongloe told reporters in Monrovia yesterday that the Ministry of Justice was probing the bribery allegation at the House of Representatives, considering that Article 42 of the Constitution of Liberia treats bribery at the level of Lawmakers as a "felony" and that if the investigation finds credible evidence; Lawmakers involved in the alleged scam would be brought to book.

*(Also reported on ELBS Radio and Star Radio)*

### **Former Transitional Government Leader Questioned at Justice Ministry**

- The former National Transitional Government of Liberia Chairman, Mr. Charles Gyude Bryant was yesterday questioned by Justice Ministry investigators in connection with the ECOWAS audit report which named him as one of those that committed financial improprieties during the tenure of the Government.
- Correspondents said that Mr. Bryant who was accompanied by his lawyers and several former officials of his Government, told reporters that he thought the move by the current Government amounted to a violation of his constitutional rights.

*(Also reported on ELBS Radio and Star Radio)*

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

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

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## **UNMIL Public Information Office Media Summary 19 January 2007**

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

### **International Clips on Liberia**

#### **Taylor Haunts a Liberia in Transition**

January 18, 2007 (AP) \_ MONROVIA, Liberia The face of the man whose army burned and raped its way across Liberia smiles down on the capital from a white billboard with a bold proclamation: Charles Taylor is innocent.

Put up a week ago by a group trying to raise money for the legal defense of the former Liberian president charged with war crimes in neighboring Sierra Leone, the sign shows how strongly some still support Taylor in the country his forces ransacked.

#### **All-Female Peacekeeper Squad to Deploy**

January 19, 2007--NEW DELHI (AP) \_The United Nation's first all-female peacekeeping force \_ made up of 105 Indian policewomen is set to deploy to the troubled west African country of Liberia, an official said Friday.

The team, which has been training since September, leaves for Liberia on Sunday, said Abhishek Dayal, a spokesman for India's Central Reserve Police Force, which contributed the officers.

### **International Clips on West Africa**

#### **300,000 children fighting in wars**

HULL DAILY MAIL January 18, 2007--In 1991, a small group of men who called themselves the Revolutionary United Front (RUF) began to attack villages in eastern Sierra Leone. Their aim was to take control of the country's diamond mines and overthrow the Sierra Leonean government, based in Freetown, which they accused of stealing much of the country's diamond wealth.

#### **West African leaders meet on Ivory Coast crisis**

OUAGADOUGOU, Jan 19, 2007 (AFP) - Eleven west African presidents, including Ivory Coast's Laurent Gbagbo, met Friday in Burkina Faso to discuss measures to make progress in reuniting Ivory Coast and holding elections. "The crisis that started in 2002 in Ivory Coast unfortunately continues to affect this brother nation and to concern ECOWAS," the chairman of the Economic Community of West African States, Niger's President Mamadou Tandja, said to open the summit.

## **Local Media – Newspaper**

### **De facto Lawmakers Dethroned Snowe but Says He’s Still the Speaker**

*(The News, The Analyst, Heritage, New Democrat, Daily Observer, The Inquirer, The Independent, The Informer, Public Agenda, The Forum, The Telegraph and Liberian Diaspora)*

- A group of renegade members of the House of Representatives alias the “majority bloc” voted overwhelmingly yesterday to remove Speaker Edwin Snowe because he secretly negotiated diplomatic ties in favor of the People’s Republic of China on Taiwan against Mainland China.
- But Mr. Snowe told a news conference yesterday that President Ellen Johnson-Sirleaf was to blame for the roar at the National Legislature, recounting that the President who undermined several other governments was now undermining her own administration.

### **Human Rights Activists Say Unseated Speaker Could Revert Removal**

*(The Analyst)*

- Two human rights activists, Counsellor Dempster Brown and Mr. Melvin Page have described as “unconstitutional attempts by renegade lawmakers to, without due process of law, remove the Speaker of the House of Representatives.
- Counsellor Brown and Mr. Page in separate statements insisted that Mr. Snowe is still the legitimate Speaker and as such Mr. Snowe has a remedy to undo what the de facto Lawmakers did by removing him and that the human rights community would file a petition to the Supreme Court for a Writ of Prohibition against the illegal removal.

### **President Johnson-Sirleaf Breaks Ground for Housing Units**

*(Daily Observer)*

- President Ellen Johnson Sirleaf yesterday broke ground to commence the construction of 400 housing units near Gbengba Town, along the Roberts International Airport Highway in Margibi County and added that funds for the project would be provided by the Saudi Prince who had promised US\$2 million dollars for such project.

### **Former Interim Leader Faces Questioning for Corruption Today**

*(New Democratic)*

- The former National Transitional Government of Liberia Chairman, Charles Gyude Bryant will today Friday appear before the Police Board of Investigators to answer questions about his role in the ECOWAS Audit Report. Correspondents at the Ministry of Justice said that former Chairman Bryant’s appearance was part of Police role in questioning those linked to the ECOWAS Audit Report.

### **President to Deliver “State of the Union Address” at National Legislature**

*(The Forum)*

- Speaking to journalists following the so-called removal of Mr. Edwin Snowe as Speaker of the House of Representatives yesterday, Information Minister, Dr. Laurence Bropleh announced that President Ellen Johnson-Sirleaf would deliver her “State of the Union Address” at the Joint Session of the National Legislature but was uncertain about where the Joint Session would be held if the President gets ready to deliver her message.
- Dr. Bropleh declared that the President was disinterested in who becomes Speaker or who is removed from the position.

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

### **President Johnson-Sirleaf Breaks Ground for Housing Units**

*(Also reported on ELBS Radio and Star Radio)*

### **President to Deliver "State of the Union Address" at National Legislature**

*(Also reported on ELBS Radio and Star Radio)*

### **"Ousted" House Speaker Blames President for Removal**

*(Also reported on ELBS Radio and Star Radio)*

### **Former Interim Government Leader Questioned for Corruption**

*(Also reported on ELBS Radio and Star Radio)*

### **President Receives "Lifetime" Award from Breast Cancer Advocates**

- The Pink Charity Fund, a breast cancer advocacy group in Sierra Leone yesterday bestowed on President Ellen Johnson-Sirleaf a "Lifetime Honoree Patron Award in recognition of the strength and hope she gives to African women. The group provides free treatment to people with breast cancer.
- The President and Founder of the organization, Madame Isha Tejan-Cole disclosed that the group was making effort to establish a branch-office in Liberia. President Johnson-Sirleaf thanked the group for the honor and acknowledged that the breast cancer initiative was a worthy cause.

*(Also reported on ELBS Radio and Star Radio)*

### **American Financers Launch "Girls in Radio Project in Liberia**

- The Country Director of US-based Phelps Strokes, Ernie Hayes has launched the organization's Girls in Radio Project in Liberia to touch the lives of women and girls by turning hope into actions.
- Country Director Hayes indicated that the project would run for three years to address service learning, scholarship and nationwide radio production. Also speaking at the program, the Executive Producer of the Project, Ms. Janjay Bloh called for a collective effort to make the program a success.

*(Also reported on ELBS Radio and Star Radio)*

### **Government Begins Nationwide Campaign against Measles Next Week**

- Speaking to journalists in Monrovia yesterday, the Deputy Minister of Health and Social Welfare for Administration, Dr. Mohammed Sheriff declared that the Ministry in collaboration with its partners, would next week begin a campaign against measles at the cost of US\$1.8 million with about 7,000 health workers to be deployed for the exercise which is in furtherance of previous campaigns to eradicate the disease from Liberia.

*(Also reported on ELBS Radio and Star Radio)*

### **Human Rights Defender Says Ousted Speaker Could Revert Removal**

- Human Rights Defender, Cllr. Dempster Brown said that "dethroned" House Speaker Edwin Snowe had a remedy to undo what the de facto Lawmakers did by removing him and that the human rights community would file a petition to the Supreme Court for a writ of prohibition against the illegal removal.

*(Also reported on ELBS Radio and Star Radio)*

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## UN News Service (New York)

Friday, 19 January 2007

### **UN Mission Calls for Immediate Investigation Into Possible Sexual Abuse**

NEWS

Posted to the web January 19, 2007

The United Nations Mission in Liberia (UNMIL) has called for an immediate internal investigation after receiving information about possible sexual exploitation by some of its staff, a UN spokesperson said today.

"The UN Mission in Liberia has requested the Office of Internal Oversight Services to conduct an immediate investigation, following the Mission's receipt of information suggesting that some of its personnel have been involved in sexual exploitation and abuse," Michele Montas told reporters at UN Headquarters in New York.

"The UN is deeply concerned by this development and wishes to reiterate its determination to take action against any of its personnel who are found to have committed any act of sexual exploitation or abuse."

The world body maintains a zero tolerance policy on sexual exploitation and has worked to stamp it out wherever it occurs, whether in the various UN headquarters worldwide or perpetrated by any of the nearly 200,000 people from well over 100 countries that rotate through its peacekeeping missions every year.

This latest move by the UN in Liberia comes a day after the world body agreed with the Government of Sudan to set up a joint task force to deal with the issue there, which in turn followed recent media reports of abuses by UN peacekeepers in southern Sudan.

Secretary-General Ban Ki-moon and other top officials have declared that any form of sexual exploitation will not be tolerated and the UN has set up conduct units in all of its major peacekeeping operations to address the problem.

Baltimoresun.com

Sunday, 21 January 2007

### **Some conflicted over fate of ex-Liberia dictator**

GBARNGA, LIBERIA // At the height of his power, Charles Taylor carried around a map of "Greater Liberia," his vision of a republic that would one day encompass parts of three neighboring countries and their diamond, mineral and timber reserves.

Taylor's dream - and West Africa's nightmare - began here in Gbarnga, an unassuming provincial town where he launched his rebel movement in 1989. Behind an army of drugged-up boy soldiers, Taylor rose to the presidency of Liberia, laid waste to his country and stoked conflicts throughout the region, amassing a vast personal fortune in pursuit of his empire.

Now Taylor holds a special place in the annals of African dictators: the first to be tried for war crimes by an international court. He is due to face charges in April that he funneled cash and weapons to neighboring Sierra Leone's Revolutionary United Front rebels - who killed, mutilated and raped thousands during a 1996-2002 civil war - in exchange for access to diamond mines.

Taylor left power in 2003, forced into exile by a domestic insurgency and growing international condemnation, and might have expected to live out his days in his oceanfront villa in Nigeria. But in March, under pressure from U.S. officials, Liberia's newly elected president, Ellen Johnson-Sirleaf, demanded that he be transferred to Sierra Leone's U.N.-backed war-crimes tribunal.

He briefly escaped custody but was caught trying to sneak across the border into Cameroon in a Range Rover with diplomatic license plates.

Fearing that his trial could throw Sierra Leone back into turmoil, authorities extradited Taylor to The Hague, Netherlands, where he'll answer to 11 counts of war crimes and crimes against humanity, including murder, rape, sexual slavery and enlistment of child soldiers.

"As long as Taylor was at large in the region it made Liberians sort of always wonder, was he coming back," said Donald Booth, the U.S. ambassador to Liberia. "It's really a major step in convincing Liberians that there is an end to impunity."

More than any other of West Africa's notorious strongmen, Taylor is seen as responsible for the wars and misery of the 1990s. The worst of it was in tiny Liberia, where an estimated 250,000 people, one-twelfth of the population, were killed.

While many Liberians cheered his arrest, others remain conflicted about the fate of the man whose outsize legacy still hangs over the country. In depressed Gbarnga (pronounced banga), where Taylor's former hilltop compound houses relief workers, some feel the former president has been unfairly singled out.

"Many people committed crimes," said Matthew Flomo, a 34-year-old security guard, one of the lucky few in Gbarnga who hold steady jobs. "We blame President Taylor but not him alone."

Gbarnga was a sleepy market town when the National Patriotic Front rebels crossed over from neighboring Ivory Coast and set up shop. Their leader was Taylor, a descendant of the freed American slaves who settled Liberia in the early 19th century. He studied economics in

Massachusetts in the 1970s and later attended military training camps in Libya before returning to Liberia.

In the 1990s, signs outside Gbarnga welcomed visitors to "Greater Liberia," which Taylor dreamed would one day include the diamond-rich Kono district of Sierra Leone, bauxite hills in Guinea and forests in the Ivory Coast. For much of the decade, Liberia was in anarchy as Taylor's forces battled rival rebel groups.

The fighting stopped in 1997 for elections, but Taylor made it known that he'd restart the war if he wasn't made president. His supporters sang, "He killed my Ma, he killed my Pa, I'll vote for him," and he captured 75 percent of the vote.

Over the next six years, while Liberians starved, Taylor socked away millions of dollars from the country's diamond and timber reserves in Swiss bank accounts. He put his son in charge of a vicious Anti-Terrorist Unit that trained outside Gbarnga and committed some of the worst atrocities of the era - raping women, murdering civilians and burning people alive, according to Human Rights Watch.

Last month, the U.S. Justice Department brought its first-ever criminal charges for torture committed in a foreign country against Chuckie Taylor, 29, who's now in federal custody in Miami. His unit's low-slung barracks, some painted in camouflage, are now empty shells of crumbling concrete, overgrown with weeds and brush.

Charles Taylor won't be tried for crimes in Liberia because no tribunal has been established here. At the 2003 peace negotiations, Liberian leaders decided that pursuing war-crimes cases would reopen too many old wounds. Instead they established a truth and reconciliation commission modeled on post-apartheid South Africa's, but it lacks the authority to question top perpetrators.

The result is a peace that feels incomplete. It's evident nowhere more than in the new legislature, which includes former Taylor associates such as Adolphus Dolo, who as a rebel commander took the moniker Gen. Peanut Butter.

One day in 1994, a group of Peanut Butter's boy soldiers showed up at Flomo's house in Gbarnga. The boys were high on drugs, Flomo recalled, and beat him with the butts of their guns.

Then, Flomo said, they dragged his mother outside by her legs and killed her.

But ask Flomo today about justice for Taylor, and he shrugs. At least Taylor's forces tried to protect Gbarnga, he said; most people had jobs, staples such as rice and vegetables were affordable, and children were in school.

Franklin Siakor, a young parliamentarian from Gbarnga, confronted that sentiment during the 2005 election campaign.

"I had to stop talking negatively about Taylor," Siakor said. "People would get up and walk out."

Charles Taylor's former wife, Jewel Howard-Taylor, was elected to the Senate from Gbarnga and remains one of his staunchest defenders. The mother of two of his children, she divorced him a few months before his arrest, citing irreconcilable differences, but they still speak every other day by phone from his jail cell.



Howard-Taylor believes that Western countries are trying to pin all of West Africa's troubles on her former husband.

"If Liberians have a problem with the former president, they should take it to whatever level they want to," she said. "But I don't think he's responsible for anything that happened in Sierra Leone."

## The Monitor (Kampala)

Monday, January 22, 2007

### Sebutinde to Head Taylor Tribunal

By Solomon Muyita and Angelo Izama  
Kampala

UGANDAN High Court Judge Julia Sebutinde has been handed the high profile trial of former warlord and ex-Liberian President Charles Taylor.

Ms Sebutinde is currently attached to the United Nations Special Court for Sierra Leone (SCSL). Mr Taylor is facing charges of crimes against humanity and violations of international humanitarian law including murder, rape and the recruitment and use of child soldiers during the war in Sierra Leone. His indictment for war crimes is the first for a former African head of state.

In a statement last week, the SCSL said Sebutinde was elected presiding Judge of Trial Chamber II which will try Taylor in The Hague.

Principal Judge James Ogoola said he had not known about Ms Sebutinde's appointment but described it as exciting. "As head of the High Court, I am very excited that one of our own has been found capable to head this high-powered court set to try a head of state of one of our friendly countries. Ugandans should be happy as this speaks volumes about the capability and independence of our High Court. We will give her our support," he said.

Justice Sebutinde, a British-trained lawyer, has had an illustrious career in Uganda since she was called to the bar in 1979.

She was appointed Judge of the High Court in 1996. However, she is better known as the head of three high-level commissions of inquiry she conducted on behalf of the Uganda government between 1999 and 2001.

She courted controversy with her tough handling of witnesses during investigations into corruption in the Uganda Police Force, the purchase of junk helicopters by the Ministry of Defence as well as graft in the Uganda Revenue Authority (URA).

During the URA inquiry, armed gunmen attacked Justice Sebutinde's residence at night, and a 30-minute gun battle ensued with her guards. Another group of gunmen attacked her convoy in eastern Uganda. The URA inquiry fell on tough times when her two co-commissioners refused to sign the final report, accusing her of having written the biggest part of it alone.

Justice Sebutinde was seconded by the government to the UN in 2005. The Special Court is an independent tribunal established jointly by the UN and the Government of Sierra Leone.

It is mandated to bring to justice those who bear the greatest responsibility for atrocities committed in Sierra Leone after November 30, 1996. Justice Sebutinde's appointment comes after Uganda agreed to cooperate with the International Criminal Court in the pursuit of the commanders of the rebel Lord's Resistance Army. The Hague-based court has indicted five of the commanders for crimes against humanity. The LRA has in turn accused the government of committing atrocities in northern and eastern Uganda.

Some critics, including former UN Undersecretary Olara Otunnu, are calling for prosecution of some of Uganda's ruling political elite.

Charles Taylor has been in UN custody since shortly after he was captured while trying to flee Nigeria in March last year.

Taylor was taken to The Hague in June after Britain promised to incarcerate him if he is convicted.

## Cocorioko Website

Saturday, 20 January 2007

### **Operation green horizon commences in Sierra Leone tomorrow**

The United Nations Mission in Liberia, in collaboration with Sierra Leonean security agencies and UNIOSIL will be conducting a military exercise, code-name "OPERATION GREEN HORIZON 2" in Sierra Leone from the 21st to the 28th January. The collaborative security exercise is designed to review the protection of the Special Court for Sierra Leone in line with the provisions of the UN Security Council Resolution 1620 of 31 August 2005.

OPERATION GREEN HORIZON, according to the UNIOSIL Press Officer in Freetown, Abdul Kuyateh, will involve the use of Land, Air and Marine components. These, he added, will comprise 130 troops, 22 armoured vehicles, helicopters and a landing ship "MV Caterina". A press release issued on Thursday from the UNIOSIL headquarter said the land movement will commence on the 21st January, from Bo-Waterside while the main activity will take place in Freetown from 24th to 26th January, with the force returning to Monrovia by ship and helicopters.

On Tuesday the Assistant Inspector General of Police Operation Richard Moigbeh announced at news conference that the joint regional security exercise involve training for all Local Unit Commanders, Operation Officers as well as battalion commanders in the Western area.

## The Perspective

Friday, 19 January 2007

### **A Continuum of Necessary Investments in Peace Building**

By: Emmanuel Dolo, Ph. D.  
Atlanta, Georgia

#### **Introduction**

Throughout the life of the country, Liberians have undergone severe human rights violations from past presidents, military personnel, warlords, and ordinary citizens alike in the recent and more distant past. Therefore, it is not surprising that some groups should be showing preference for a World Crimes Court (WCC) over a Truth and Reconciliation Commission (TRC). In this sense, these two intimately connected interventions are constructed as competing or conflicting imperatives. However, our chances for peace building in the long-run do not just rest with these two alternatives. Sustainable peace building is also shaped by a host of other supplemental policy interventions geared toward promoting social cohesion.

Furthermore, both the WCC and TRC are so closely intertwined. We should therefore be seeking to expand our peace building continuum rather than introducing unnecessary tensions between them. Purely retributive justice processes WCC included; are inadequate to resolve the effects of ethnic animosities and suspicions that have veered into our institutional life, manifesting as sources of prejudice, bias and discrimination. Forward thinking policy makers try to make the most of their investments by ensuring that all of their policies: economic, social, national security, agricultural, and health are connected from one stage to the next – reducing the chances that disconnects would be exploited by predators, thus requiring costly remedial interventions. The same applies in the case of peace building. A continuum has to be built to prevent costly restorative and/or curative interventions that could have been employed right from the start.

#### **Capsules of Social Justice Interventions**

At the least, there are four interrelated interventions that constitute a robust continuum of social justice interventions. They form parts of my aspirations for reconstruction of our social fabric. Instead of creating policy responses that operate in separate silos, with different norms, and rules, different structures, and different expectations, I argue that we should think of peace building in ways that each component of the system reinforces the other.

We should be seeking to create a seamless peace building system from the get go of our national reconstruction. Our democracy is in its infancy, and that is the rightful place to start thinking about a peace building system. This will bolster our prospects for not repeating the negative tendencies and practices that are the underlying causes of internecine strife among many in Liberian society.

The first of these is referred to as retributive justice. Proponents, including myself, believe that comparable punishment should accompany crime. I differ with some when they insist that allocations should not be made for restoring certain criminals to society, especially after they have paid their debts to society. I am also aware that certain violations are so gruesome that reintegration is virtually impossible, and the courts have to mediate these challenges.

In this sense, I believe that the likes of Charles Taylor and his henchmen and women who made a debacle of governance and institutionalized anguish and grief in Liberia and other societies

should face the full weight of the law. The remorseless and shameless inclination of Taylor supporters, who have seen it fit to pour salt in the wounds of their victims have hardened my resolve.

Can you imagine that Taylor's supporters want to use the means of justice that they did not award their critics for their benefit now? They stripped Liberians of their basic rights and shackled their freedoms. In response, Liberians should not lose their sense of social responsibility by allowing John T. Richardson, Benoni Urey, and other Taylor cronies to go unpunished for their crimes. We must call their bluff. These potential co-conspirators of the regime that inflicted heaps of indignities on the Liberian people should also be the subjects of prosecution by the Sirleaf government. They have the right to speak since we want to build a democracy, but we have equal right to call for their prosecution through the courts.

Second, the pursuit of the truth and erecting public platforms like the TRC for victims to voice their wounds and for offenders to give an accounting of their wrongdoing is equally important. This, I believe, has the potential to extend dignity to victims and boost their self-esteem.

Third, it is important that the rule of law be applied in the present phase of our development to the fullest. No doubt that all Liberians have to seek to punish past offenders. Still, we must be impatient with present offenses, and work intensely to prevent the recurrence of past crimes within the Sirleaf government and other governments to come. The legislature should also be a target of our "rights watch" as should the judiciary and local governments.

Fourth, I am interested in repairing the interethnic alienation so as to bring about healing and unification of Liberians, where it is appropriate; a subject that I have continued to write about given its immense importance to the transition from a collapse to a functioning state. The ultimate goal here is to foster tolerance, mutual acceptance, inclusion, reconciliation and sustained social development. I find the full complement of these social justice approaches critical to sustainable change in Liberia.

Next, I compare and contrast the TRC and WCC to suggest that both would make essential contributions to our quest for justice, reconciliation, and healing. I also discuss the fourth component of my aspiration in an effort to boost the peace building continuum, namely, a social development facet.

### **The Truth and Reconciliation Commission**

TRC has a quasi judicial character but it would accomplish the following feats. At the core, it will provide victims a platform for catharsis and also help us develop historical record of the atrocities that were committed from Liberians living in the homeland and abroad. The latter characteristic, taking statements from Liberians abroad, is unique to the Liberian TRC from its predecessors in Sierra Leone, South Africa, Argentina, Peru, East Timor, Chile, Philippines, and Guatemala and other nations.

If the data gathering and analysis are not properly executed, we would not be able to glean comprehensive understanding of how and why we have allowed ethnic identity to usurp national identity. Such a limited understanding might also undermine our capacity to function as a cohesive national community. Where less serious crimes were committed though, I believe that TRC will serve as an arbiter of justice, stitching together social fabrics, cut asunder, and saving our precious prosecutorial resources for major crimes. And this is not to argue that one person's pain is less than the other. But within the context of political conflict, certain crimes require severe punishment and others necessitate less acute reprimand.

We cannot invest all of our social reconstruction stocks in the TRC, especially since its role is limited in uncovering destructive social patterns that contributed to state collapse. TRC or transitional justice systems are still fraught with many challenges. TRC has the potential, dangerously so, if not administered carefully to embarrass or damage high-ranking officials, especially when used to carry out the dislikes or vendetta of certain power brokers in society. Equally so, possibility exists for the TRC to be used to vindicate perpetrators who have connections to the ruling elites or even cover-up for them. Such patterns can threaten the development of a democratic political culture.

### **War Crimes Court**

Another step on our peace building continuum happens to be the establishment of a War Crimes Court (WCC). This is a product of our determination to bring political, military, rebel leaders, and ordinary citizens who caused unspeakable brutality in Liberia to justice. It is sad and shameful that some of the people who could be likely targets of the WCC are participating in the current administration and the legislature, administering the civic and legislative affairs of the nation. The other side of a democracy is that in some instances, it can deliver political actors that we least desire, perhaps the tyranny of the majority. This establishes the necessity for citizens to participate at all levels of governance to ensure a counterweight to those we consider anathema to our quest for democracy and lasting peace.

It would be hard to dispute that webs of personal and political connections exists between some in the current government and others from past governments, who are more than likely prime candidates for prosecution by a WCC. We are not surprised by the lack of enthusiasm among some in the Sirleaf administration to embrace the establishment of a WCC specifically for Liberia. For example, might Taylor's prosecution in Liberia, reveal criminal links between him and others in the present government? Could this be the reason why John T. Richardson and others are emboldened to step up their campaign for justice on behalf of Taylor? Is it reasonable to assume that the slow pace at which the prosecution of other corrupt elements in Liberian society is moving indicates that some offenders who have political leverage, might bargain their way out of prosecution should a WCC be established? Just Thinking!

Even so, it is fair to note that the lack of ample evidentiary record to prosecute some perpetrators makes the TRC a rather invaluable resource. The conditions in Liberia will be favorable for war crimes after we cultivate the relevant historical record to prosecute offenders. There are some Liberians who feel that waiting a couple of years for the TRC to complete its work would erode memories of the crimes created in the distant past. This would work against members of certain populations (those who perpetrated their crimes recently) and for others (those who perpetrated their crimes in the earlier years of our development). This is a valid concern that policy makers must consider in their deliberations about how to proceed with peace building. Yet still, it should also be noted that our courts have very sparse capacity at present, and sufficient time may well need to lapse to adequately build up the strengths and competencies of our prosecutors and judges to enable stellar prosecution of offenders.

### **Expanding the Peace Building Continuum**

The TRC and WCC do and would not offer the last word on justice and reconciliation. These interventions move us toward justice, healing, and reconciliation, but not completely. An identity-based conflict like the one that Liberians have experienced, cannot only be resolved by building historical record and/or assigning guilt and innocence.

The chain of ethnic hatred has gotten a strong hold of the soul of Liberia. Breaking the cycle of vengeance means that we reach beyond purely judicial social technologies and blend them with

social development interventions. In order to fully renovate the shattered social landscape, we need to steer the rough terrains between letting go of the old practices that hinged solely on punishing offenders and supplementing them with new patterns that involve restoring perpetrators to society, while at the same time building economic infrastructure that can diffuse wealth and resources across the country.

Peace building requires a full menu of capacity building approaches. The ways our national assets and resources are distributed (accountability) are just as important as are the relationships and capacity that are built among our leaders, citizens, institutions, and organizations. Notably, among the threads that weave us together as a people, none is more durable than a process that allows us to triumph over ethnic division and to pledge allegiance to national identity. This has the power to level the playing field and rein in those bent on dividing us into shreds based on insular identities.

Premium has to therefore be placed on what I have come to call a “public engagement campaign.” This process is unlike a public awareness or information dissemination strategy already being undertaken by the government in one form or another. A public engagement campaign is not a news provision mechanism. It is a social development devise and strategy that is systematic in its approach at outreach to the citizens. Its goal is to persuade the public to “rebut adversarial propaganda” and hinge the collective psyche on a common purpose. In this case, the focus is on building social cohesion and turning away from the “divide and conquer” strategies that were employed before and during the war, and might still be employed by some today.

Those who carry out this campaign must have the “linguistic, cultural, and political” competencies that resonate with specific and targeted populations. This is not a program that government needs to advertise. The uniqueness of this approach is in weaving its components strategically with all of the government’s social development initiatives (micro-lending in destitute communities, attracting multilateral investments, investing in youth development initiatives, preventative conflict management initiatives, etc) that effectively bridge people and communities.

I am not advocating for any sort of deception, as some might think, especially in a context where building credibility is essential to the Sirleaf government gaining legitimacy and leverage. I am suggesting that policymakers apply innovation and forethought in remedying the problems that we face.

For the continuum of peace building to be complete or have the fullest impact, all of government’s policies would have to be viewed as investments in making a seed change and building the foundation for supporting long-term reintegration of our society. Working at all levels of society for citizens and all stakeholders to build relationships and to work together effectively will be critical to peace building.

A test of long-term impact in our peace building strategy would be, if our leaders are able to stop bickering among themselves and start using their skills to make sure that all citizens’ perspectives are vital to nation building decision making. Making governance more inclusive not only in decision making, but also building capacity in local communities (often disenfranchised and disconnected from the mainstream), whereby local people can become “change agents” would extend the value of the peace building efforts.

The high level of distress that many Liberians feel and competition over scarce resources has engendered a dire need to make strategic choices about peace building. That is why I believe that our peace building vision has to also be linked intricately to our social development strategies.



Distributive justice (equitable distribution of national resources) and improvements in the financial conditions of citizens as well as the tangible outcomes such as increased employment and reduced poverty and inequality are at the heart of peace building. Efforts that would help Liberians accumulate assets, especially in depressed communities would only stimulate and sustain the peace building continuum. A genuinely inclusive paradigm for change making can harness the healing and reconciliation capacity of the citizens. The economic benefits of making certain that strong peace building systems are erected that bridge socioeconomic divides are clear. If so, now is the time that we design and implement such an agent of change.

### **Conclusions**

The TRC and WCC are together, helpful correctives for the ills of our society, but I do not feel that as standalones or even together just by themselves, they provide adequate answers to our longing for reconciliation and healing. If the TRC answers the yearnings of those Liberians that are optimistic about the nature of people to forgive and forget, the WCC is too pessimistic about the redemptive quality of humanity. Hence, I believe that somewhere between these two visions, we can erect alternative social structures that can sew up the social fabric together. An adequate vision of peace is found in the synergy of social justice and social development interventions, which together, empower people to transcend estrangement imposed by intolerance and hatred. The quest for democracy that professes concern for economic inequality and is not equally concerned about transcending intolerance or bigotry of any kind is simply a hollow venture. One of the most potent artillery that we have against the sense of alienation that people feel is an understanding and appreciation of the rich ethnic diversity that we have acquired as a nation state and people. I should add that it would be difficult to identify cause and effect relationships between judicial and social justice interventions and their peace building outcomes. But I am convinced based on experienced working within disadvantaged communities that somehow, links exist between these investments.

In the end, I am hopeful that the TRC and WCC will complete their appointed tasks. We will be able to accumulate ample amount of historical record from Liberians and others. In addition, not only will the decision of the TRC and the WCC, but their procedures and processes will also demonstrate impeccable efficiency and fairness. We will all grow from this by being mindful of how ethnic hatred and identity-based politics have tainted perspectives and made the solutions to our problems much more difficult, even insoluble in some instances. Eventually, evidence produced will be studied throughout prosperity and peace will rein in Liberia forever.

## Africa Renewal (New York)

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### Continent Ending Impunity for Rights Abuses

By Michael Fleshman

The world took a giant step towards eliminating impunity for human rights abuses on 9 November when the International Criminal Court (ICC) opened its first official hearing, in a case against a Congolese militia leader. Unlike temporary and specially created tribunals like the International Criminal Tribunal for Rwanda, the ICC is the world's first permanent international criminal court, with the authority to try and convict individuals for serious human rights violations wherever they occur. Africa is expected to feature prominently on the new court's docket, with investigations also under way into alleged abuses by members of the rebel Lord's Resistance Army in Uganda and combatants in the Darfur region of western Sudan.

Capture of former Liberian President Charles Taylor reported by newspapers in Sierra Leone, where he faces war crimes charges.

Africa's own efforts to hold senior government officials and rebel leaders accountable for torture, murder, rape and other serious crimes against humanity also marked new milestones in 2006. In March, Nigerian authorities arrested former Liberian President Charles Taylor and transferred him to the authority of a special court in Sierra Leone. He faces charges stemming from war crimes committed there by rebels said to have been equipped, supported and controlled by him during that country's civil war. The charges range from terrorism, rape and murder to mutilation and the use of child soldiers. It was the first time a former African head of state had been arrested and charged with human rights abuses committed while in office.

Four months later, Senegal announced plans to try former Chadian President Hissène Habré for the torture and murder of suspected political opponents during his eight years in power. Mr. Habré was overthrown in 1990 and fled into exile in Senegal, where until now he has successfully evaded prosecution. In November Senegalese President Abdoulaye Wade announced the formation of a commission to prepare for the trial, which will require changes in some domestic laws, as well as international technical assistance and financing.

#### 'A powerful message'

These moves have been hailed as the beginning of a new era of accountability for abusive political leaders in Africa and an important blow against impunity for official misconduct around the world. UN Secretary-General Kofi Annan declared that "the capture and trial of Mr. Taylor will send a powerful message to the region and beyond that impunity will not be allowed to stand and that the rule of law must prevail." Mr. Reed Brody of the non-governmental group Human Rights Watch, who is also an attorney for some of Mr. Habré's alleged victims, welcomed the Senegalese announcement as "an important step in the right direction."

But political and legal obstacles to the prosecution of government leaders for serious human rights violations remain formidable. Governments are often loath to take up cases outside their borders, particularly when the accused are heads of state who traditionally enjoy immunity from prosecution for acts committed in office. In some instances, guarantees of immunity are demanded by combatants in exchange for laying down their arms. In others, differences between national and international legal systems and the absence of competent institutions can pose vexing questions of jurisdiction and procedure.

In Mr. Habré's case, the long effort to bring him to trial began within months of his overthrow and flight to Senegal in 1990, with the creation of the Association des victimes des crimes et de la répression politiques au Tchad (AVCRP), a group of nearly 800 victims of human rights abuses. In 1992 a Chadian government commission of inquiry found that Mr. Habré was responsible for the deaths of 40,000 or more people and

for the widespread use of torture. Although the commission recommended that Mr. Habré be charged and tried in a Chadian court, the government declined to take up the case amid fears of violence from Mr. Habré's supporters and concerns about meeting international standards for a fair trial.

In 2000 the AVCRP went to court in Senegal, accusing the former president of responsibility for crimes against humanity. Although the judge ruled in AVCRP's favour, the indictment was later dismissed by Senegal's highest appeals court. It ruled that Mr. Habré could not be charged in Senegal for crimes said to have been committed in another country. Three of Mr. Habré's alleged victims then went to court in Belgium, where it was possible to try him under legislation permitting Belgian courts to try individuals for heinous human rights offences wherever they are committed. It was not until September 2005, however, that Belgium issued an international arrest warrant for Mr. Habré and requested his extradition from Senegal.

### **'On behalf of Africa'**

Again the Senegalese courts demurred, with the country's appeals court ruling that it lacked the authority to carry out the Belgian request. Amid indications that Belgium would take Senegal to the International Court of Justice for failing to meet its obligations under the UN Convention Against Torture, President Abdoulaye Wade referred the matter to the African Union (AU) at the end of 2005.

Widows and mothers of political victims demonstrating in N'Djamena, the capital of Chad, to demand that former President Hissène Habré be tried for his abuses.

Following the recommendations of a special judicial review committee (see box), the AU mandated Senegal on 2 July 2006 to "prosecute and ensure that Hissène Habré is tried, on behalf of Africa, by a competent Senegalese court with guarantees for a fair trial." The pan-African body also pledged to assist Senegalese authorities and urged African countries and the international community to support the effort.

After years of delays, however, the issue for Mr. Habré's alleged victims is less about where and by whom he will be tried, and more about if and when. "We as the victims don't think that it is the AU or Senegal with their limited resources who can try Habré," said AVCRP founder and vice-president Suleymane Guengueng. "What means do they have?" The AVCRP is not insisting that Senegal try Mr. Habré, he continued, "but for them not to deny us his trial" in another venue.

"The best solution," Mr. Guengueng told Africa Renewal, "is to extradite him to Belgium. If the AU is firm in its decision to fight impunity, that is laudable." Yet five months after the AU decision, he noted, "nothing has been done up to today.... It doesn't give one confidence that this action will take Africa in the direction of no impunity. I don't think their decision will materialize.... We victims feel it is their intention to keep us waiting so long that we die without seeing justice. It is very sad."

Persuading Senegal that it has the legal obligation and moral responsibility to try Mr. Habré was difficult, acknowledged Mr. Richard Dicker, director of the international justice programme for Human Rights Watch. But the problem is not limited to Africa. "National courts around the world are reluctant to try former heads of state for crimes not committed on their territory," he told Africa Renewal. With the Senegalese announcement, however, "we finally have the prospect for an African domestic court to put on trial a former head of state accused of the most serious crimes that can be committed under international law. If that happens, it will be a significant breakthrough. The implications are very exciting."

### **Try African leaders in African courts**

In January 2006 the African Union (AU) established a committee of seven eminent African jurists to review the case of former Chadian President Hissène Habré. In its report, the panel declared that "there is urgency in sending strong signals throughout Africa that impunity is no longer an option." It found that:

Political office offers no immunity from prosecution for human rights abuses.

Trials must proceed in accord with international fair trial standards.

African leaders should be tried in African courts whenever possible, or on African territory by ad-hoc tribunals, including those convened by the AU Assembly.

All African signatories to the UN Convention Against Torture have jurisdiction in cases of serious human rights abuses. Countries that have not adopted the convention must do so.

The AU judicial organ, the African Court, should be granted jurisdiction to hear criminal cases and provided a "rapid response mechanism" for timely action against impunity

### **No sanctuary**

Mr. Taylor's day in court appears to be more certain. But his case too has been marked by difficult political choices between justice and stability, national sovereignty and international jurisdiction, and even potential venues for the trial itself.

Mr. Taylor was elected Liberia's president in 1997 after a bloody civil conflict. Fighting resumed in 1999. In August 2003, with rebels closing in on the Liberian capital, Monrovia, Mr. Taylor accepted an offer of safe haven from Nigerian President Olusegun Obasanjo as part of a peace agreement. The arrangement allowed Mr. Taylor to evade prosecution for alleged complicity in atrocities committed in neighbouring Sierra Leone by a rebel force known as the Revolutionary United Front. An international tribunal established by the UN and the Sierra Leonean government, the Special Court for Sierra Leone, had issued a warrant for his arrest earlier that year. Nigeria's offer of sanctuary was particularly strongly criticized in the North, where many governments and human rights organizations demanded that the former Liberian president face justice.

Mr. Taylor was finally detained by the Nigerian police and turned over to Liberian authorities in March 2006 at the request of Liberia's newly elected President Ellen Johnson-Sirleaf. Mr. Taylor was transferred to Sierra Leone, and then on to the Hague, in the Netherlands, where he awaits trial on 11 war crimes charges by the Special Court, a unique "hybrid" tribunal composed of Sierra Leonean and international judges and staff.

But initially there was little enthusiasm in West Africa for bringing Mr. Taylor to trial - in part because of fears that his supporters, some of whom were then still armed and disaffected, could destabilize fragile peace and reconstruction efforts in the war-ravaged region. There were also concerns that his handover could prolong other conflicts by persuading combatants they could not rely on promises of amnesty or asylum. Despite the Sierra Leone warrant, Ghanaian authorities had declined to arrest Mr. Taylor in Accra in 2003, since he was there to attend crucial peace talks.

In the face of heavy political pressure from Washington - the US Congress once offered a \$2 mn reward for Mr. Taylor's arrest - Nigerian President Olusegun Obasanjo defended the sanctuary offer as a diplomatic necessity and refused to expel him in the absence of a formal request from a democratically elected Liberian government.

Liberian authorities, however, were notably reluctant to have Mr. Taylor back on Liberian soil. Indeed, Mr. Taylor does not currently face charges there. Speaking at her first press conference as president in January 2006, Ms. Johnson-Sirleaf said that she did not want Mr. Taylor's fate "to be the issue that constrains us or the issue that causes us not to be able to do what we have to do here for the Liberian people." Mr. Taylor's prosecution, she noted pointedly, was therefore of secondary importance to Liberia "even though it may be of utmost concern to the international community."

Even his transfer to Freetown into the custody of the Special Court for Sierra Leone proved only a temporary leg of Mr. Taylor's winding journey towards justice. Within days of his arrival, the Special Court requested that the trial be moved to ICC facilities in the Hague to allay security concerns among the region's governments. Although Mr. Taylor will still be judged by the Special Court, it took three months to work through the diplomatic and legal details of the transfer, including a Security Council resolution authorizing the shift and an agreement by the UK to imprison Mr. Taylor if he is convicted.

Human Rights Watch's Mr. Dicker acknowledged that there can sometimes be a tension, "but not an opposition," between the need for criminal accountability and the political imperatives of peacemaking. "But it's a serious misstep to trade away justice in the hope of reaching a peace settlement. For peace to be durable, there must be justice for the most serious offences."

### **Justice for all?**

Part of the challenge of bringing presidents to trial, he noted, lies in the gaps between sovereign national courts, which remain the cornerstone of the world's justice system, and a body of international jurisprudence and institutions still very much in its infancy. Ideally, he said, "national courts would try individuals for egregious human rights crimes, even those not occurring on their territory or involving their citizens," using doctrines such as universal jurisdiction. International courts like the ICC and the Rwanda and former Yugoslavia tribunals, he noted, "are courts of last resort, becoming involved only when national courts are unable or unwilling to assume jurisdiction."

It was also important for justice to be seen to be done. Part of the challenge for the future, he asserted, is to ensure that the evolving system of international justice is not seen as an instrument of Northern power - with only the leaders of poor, weak countries held to account in the courts of the mighty.

While much of the focus of the campaign against official impunity is currently on Africa, it is not limited to the continent. In Europe, an international tribunal is continuing to hear charges against leaders of the former Yugoslavia for abuses committed during that country's civil conflict. Before former Chilean President Augusto Pinochet died in December, victims and investigators pressed to bring him to trial for torture and executions committed in the wake of his 1973 coup.

Nor may officials of the most powerful countries necessarily remain exempt. In mid-November, a group of international human rights organizations headed by the New York-based Centre for Constitutional Rights filed charges in a German court alleging that some senior US government officials are responsible for torture and other crimes related to the "war on terror" and the Iraq and Afghanistan conflicts.

"Over time," Mr. Dicker predicts, "international justice will become a more level playing field."

### **National courts, international justice**

The primacy of national courts in protecting human rights makes strengthening legal systems in post-conflict and developing countries an urgent priority, Mr. Dicker says. "In many places the courts simply lack the expertise, resources and infrastructure to meet international trial standards and give real meaning to the idea of the rule of law." Until local courts can successfully prosecute such cases, the world will need a mix of national and international institutions tailored to specific circumstances and supported by the UN and its member states.

"Let's keep in mind how new all of this is," he says. "It has really only been in the last 15 years that these various courts have emerged. One size doesn't fit all, and for that reason we need a number of different approaches. We have a long way to go, but it's still a dramatic departure from business as usual in the 20th century."

## **Multiple jurisdictions**

A mix of national and international tribunals has emerged to overcome the political and jurisdictional obstacles hampering prosecution of human rights violators. They include:

National courts - Mandated under national law to try domestic and international human rights abusers in accordance with international treaty obligations and evolving legal doctrines of "universal jurisdiction."

Hybrid courts - Created by agreement between the UN and a host country. These are composed of both national and international judges, attorneys and staff and permit national justice systems, with assistance from the international community, to try cases of serious abuses occurring within their borders. The Special Court for Sierra Leone is the first hybrid.

Ad-hoc international tribunals - Temporary courts established by the Security Council. Staffed by international jurists and other personnel, these are empanelled when national courts are unable or unwilling to try suspects charged with war crimes and other serious offences committed during specific conflicts. The International Criminal Tribunal for Rwanda is one.

International Criminal Court - Established by treaty, the ICC is the world's first permanent tribunal mandated to try individuals charged with gross human rights violations in countries recognizing ICC jurisdiction or caused by citizens of those states. Cases may be referred to the court by participating states, the Security Council or the ICC prosecutor. As of 1 November 2006, 103 countries were party to the ICC statute, including 28 in Africa.

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