

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



Pavilion at St. Francis Secondary School in Makeni

**PRESS CLIPPINGS**

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

**as at:**

Tuesday, 23 January 2007

Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
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Awareness Times  
Tuesday, 23 January 2007

# Hingha Norman Located in Dakar

*By Sayoh Kamara & Modou Njie*

Exhaustive and intensive investigations by Awareness Times which included the hiring of one of Senegal's top investigators over the weekend has finally yielded dividend and this newspaper can now authoritatively reveal the EXACT location right down to the exact room number in Dakar, Senegal where Chief Sam Hingha Norman is being held by the Special Court for Sierra Leone.

When Awareness Times contacted the Special Court Spokesman and Chief of In-

*Contd Page 2*



# Hingha Norman Located

*From Front Page*

formation, Peter Andersen late last evening with our compiled facts, Mr. Andersen refused to confirm the veracity of our investigations. Interestingly, he also refused to deny our claims.

According to Andersen, he was not authorised to discuss the location of Hingha Norman with reporters but he repeated severally that Chief Norman was being treated, with the utmost respect in Dakar Senegal.

"I repeat again that he is in the VIP (Very Important Persons) wing of the same top military hospital where Senegalese Ministers of Government get treated." Andersen stated whilst warning this newspaper that the paper's persistence to find out the location of Hingha Norman meant the paper was threading on grounds that could be considered as "contemptuous" of the Special Court.

Awareness Times is however so sure of the veracity of our information and we have also sought legal advice upon which we are going ahead to publish that Chief Norman is currently being held at the Military HALD Hospital in Senegal which our investigations reveal is under the care of a military doctor by the name of Colonel Djop Massamba. Chief Norman, we can also reveal is in Room 1111 next to Issa Sesay who is in the adjoining private room. The two rooms are both private rooms which have coloured televisions, private bathrooms and are fully airconditioned.

Our investigations also reveal that this military hospital was the exact same location that Chief Norman had been flown to since his arrival in Senegal. This therefore contradicted earlier claims that the Chief was being held at a "jailyard" in Senegal.

However, Awareness Times extensive investigations now authoritatively reveal from our sources in Senegal that initially when Chief Norman was taken to the military hospital, the Senegalese guards who are not as well trained as the international Special Court security, had not been as polite as expected in their handling of the Chief and the RUF's Issa Sesay which led to the Chief feeling very intimidated by their presence and naturally concluding that he had been taken to a typical African jailyard. Our sources reveal that the refusal of

the Senegalese soldiers to allow Chief Norman to move out of his room for some exercise also compounded the situation. Our sources in Senegal reveal that Chief Norman had been emotionally traumatised by the frightening stance of the Senegalese security.

Our sources also reveal that the international uproar caused by the bitter complaints of Chief Norman to Awareness Times, led to the Special Court having to re-negotiate with the Senegalese security guards about the respectful handling and treatment of detainees according to international standards. Additionally, our sources also reveal that when Chief Norman and Issa Sesay were first taken to the rooms, the rooms were in a relatively deplorable manner as compared to the Special Court detention rooms in Freetown.

"The rooms had not been completely cleaned out of the debris from construction work that had been recently done on them and the bathrooms, although they were private bathrooms were in such an unaesthetic condition that there was not even toilet paper in them. It really was not a conducive atmosphere especially compared to what Chief Norman had been used to in Freetown." our hired investigator wrote in his email dispatch from the Senegalese capital yesterday.

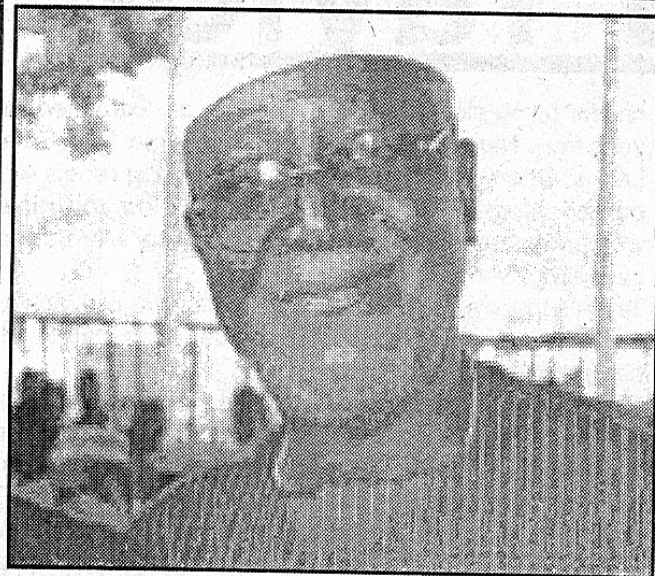
Meanwhile, Ms. Juliet Norman, the daughter of the detained Chief Norman had earlier confirmed to Awareness Times that her father's living conditions had been "dramatically improved" since she went on her press offensive to highlight the plight of her Dad on his initial arrival in Senegal. According to Juliet Norman, her father had been made far more comfortable and has since agreed to have the operation performed upon him.

"My investigations reveal that the operation on Chief Norman is to be performed on Wednesday January 23rd 2007." our investigator in Senegal also wrote in his email dispatch yesterday. Awareness Times was unable to get any member of the Norman family last night to confirm if it was true that the hip replacement operation on the Chief is expected to be performed today. However, it is believed that they might have flown to Senegal to be with Chief Norman at this time.

We will bring you updates on the Chief's situation as they unfold.

Independent Observer

Tuesday, 23 January 2007



## **Fears for** **Sierra Leone** **'war hero'**

The daughter of a man accused of war crimes in Sierra Leone has told the BBC that she fears for his life after he was transferred to Senegal.

Sam Hinga Norman led a pro-government militia during the civil war and many people in Sierra Leone see him as a war hero for fighting the rebels.

Juliet Hinga Norman said her father had been sent to a prison, not a hospital, for his hip replacement.

Ex-rebel leader Issa Sesay has also gone to Dakar for medical treatment.

The UN-backed Special Court for Sierra Leone did not say what Mr Sesay was suffering from.

Ms Norman said that if her father was not transferred to hospital, he would go on hunger strike.

"I'm really scared for his health," she told the BBC's Network Africa programme.

Independent Observer  
Tuesday, 23 January 2007

# Liberia Won't Try Charles Taylor



President Ellen Johnson Sirleaf said her country does not need to prosecute former president Charles Taylor because he is already being tried by a U.N.-backed court for his role in atrocities committed in neighboring Sierra Leone.

Sirleaf has said that she is more focused on moving Liberia forward than on punishing the rebel leader who launched a bloody insurgency in 1989. She said Monday that the Sierra Leone charges could stand in for any that could be levied in Liberia.

'He doesn't need to be tried here,' Sirleaf said in an interview with The Associated Press. 'Let him go through the due process that has already charged him on so many counts.'

Sirleaf, Africa's first female president, has been seen as a reformer and peacemaker in Liberia since she took office one year ago.

But some in the international community have criticized

her for being slow to ask for Taylor to be extradited last year from Nigeria \_ where he was in exile \_ to Sierra Leone, where he was charged with backing rebels who burned villages, hacked off people's limbs and raped women systematically during that country's brutal decade-long war.

Taylor's trial by the Sierra Leone Special Court is scheduled for later this year in The Hague, Netherlands. He has pleaded not guilty.

Taylor's fighters have been accused of similar acts in his homeland but Liberia has made no move yet to try its former president. After taking control by force, Taylor won elections that handed him the presidency in 1997. Rebels took up arms against him three years later, and Taylor fled to Nigeria in 2003. Last March, he was captured as he tried to slip out of Nigeria after it agreed to hand him over to authorities seeking his prosecution.

'Don't forget that our war was regional, you know, so if you get charged in Sierra Leone, chances are the war was part of the same Liberian war,' Sirleaf said in an interview at her office in the capital, Monrovia.

'If you get charged there, you get judged guilty or acquitted there,' she said. 'It has the same kind of implication and ramifications for the other countries that were involved in this cross-border war.'

Liberia has set up a countrywide Truth and Reconciliation Commission to compile testimony by both victims and perpetrators in the West African country's 14-year civil war and that group may eventually make recommendations to the government to try certain serious offenders.

'If that process leads to those whose rights have been infringed upon insisting on judgment through due process, then the (commission) will insist on that and due process will take place,' Sirleaf said.

Independent Observer  
Tuesday, 23 January 2007

# Taylor Haunts a Liberia in Transition

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.

President Ellen Johnson Sirleaf recently said she saw no reason for Liberia to try Taylor when Sierra Leone was already doing so. She said she'd rather focus on rebuilding her ruined nation's wasted infrastructure. It's a stance that may seem shocking to a world that recently watched Iraq hang Saddam Hussein, particularly in a nation still haunted by years of brutal warfare that spawned drugged child soldiers and amputees.

Even some high-ranking elected officials are Taylor backers and some who condemn the warlord-turned-president say Liberia should leave well enough alone.

'Charles Taylor is not the only bad man in Liberia ... There were so many,' said 23-year-old Teneh Dudu, adding that Taylor's government helped pay for her primary

schooling.

Liberia's Information Ministry said the billboard is protected as free speech and the government has no plans to protest it.

Many observers say Taylor, who is jailed in the Netherlands, is so far out of the picture now that the show of support doesn't threaten the country.

'We don't see any past governments or elements of any past governments' as posing a current security threat, said Ben Malor, spokesman for the U.N.'s 15,000-strong peacekeeping force. Taylor's fighters have nearly all been disarmed, Malor said.

But not all agree. Aid groups have argued that continuing unemployment makes the ex-combatants a potential danger. And Taylor was moved from Sierra Leone to the Hague for trial after Sirleaf said this summer that trying him in Africa could threaten her fledgling government and become a rallying point for Taylor's supporters.

Liberia's small population — about 3 million people — means many had a connection to Taylor at one time. Even Sirleaf briefly backed his 1989 rebellion against then-dictator Samuel Doe. The head of Liberia's Truth and Reconciliation Commission says most

Liberians would rather just get on with their lives than seek justice.

'Liberia has a culture, deeply rooted in religious beliefs, which more or less prepares people to forgive and forget,' said Jerome Verdier, chairman of the commission, which was created to take testimony from victims and perpetrators in the war.

Taylor's forces toppled Doe in 1990 and Taylor won the presidency in 1997, beating Sirleaf. International observers deemed the vote fair, but some say he won because Liberians feared what he would do if he lost.

'Taylor's constituency was not one of political allegiance. It was born from intimidation,' said Human Rights Watch researcher Corinne Dufka.

Two years later, a new rebellion began and, in 2003, rebels forced Taylor to flee to Nigeria.

While he was in exile, the U.N.-backed Sierra Leone court charged Taylor with war crimes for his role in backing rebels who conscripted child soldiers, hacked off peoples' hands, burned villages and raped multitudes of women in Sierra Leone. Sirleaf took office in January 2006 and called for



Taylor's extradition to Sierra Leone a few months later. He was captured at the Nigerian border as he attempted to flee. He is awaiting trial at the Hague, and has pleaded not guilty.

The group that put up the billboard, the Association for the Legal Defense of Charles G. Taylor, says their cause will help Liberia's transition to the rule of law.

'We didn't put up a signboard saying 'Free Mr. Taylor,' said John Richardson, a retired architect who once negotiated for Taylor's rebels and serves as a spokesman for the group of Taylor backers. 'Mr. Taylor's innocence should be a point of law and justice: The concept of innocent until proven guilty.'

Richardson said that in a country where an accused thief is more likely to get stoned to death than taken to court, the billboard provides a civics lesson.

'In every area of our everyday life, we see where the failure to apply that basic principle (of innocence until proven guilty) is happening,' he said.

Still, the group's primary goal is to garner support for Taylor — a feat not as difficult in Monrovia as those reading the charges of war crimes and crimes against humanity might believe.

Taylor has many friends in Liberia's government. His ex-wife, Jewel Howard-Taylor, is a senator, one of four from Taylor's political party. The House of Representatives also has four members from Taylor's party.

John Hopkins, 52, a retired police officer who says he was jailed and whipped by Taylor's rebels, criticized the billboard. 'They should wait until he's not guilty before they put it there,' he said.

Independent Observer  
Tuesday, 23 January 2007

# Guinea anger over dead strikers

The death of three protesters in Guinea has galvanised support for a national strike now in its ninth day.

A BBC correspondent says many thousands are demonstrating across the country, braving teargas and rubber bullets.

Workers who were initially striking over the high cost of living, now want the resignation of President Lansana Conte and his government.

But a minister says the government had fulfilled their demands by increasing salaries and cutting some taxes.

This is the third general strike in a year.

Mr Conte, who seized power in a 1984 coup and has since won three elections, is in his 70s and in poor health suffering from diabetes.

## Bullet wounds

The BBC's Alhassan Sillah says some 5,000 demonstrators have taken to the streets in the capital, Conakry and tens of thousands are marching in regional towns.

Earlier this week, workers in bauxite mines - the country's main source of revenue - stopped work in support of the strike.

Our correspondent says two people are reported to have died from bullet wounds on Wednesday in Conakry.

Another person was killed in the town of Labe, the country's second city.

However, the police say they did not fire live rounds at the demonstrations.

Police spokesman Mamadi Mansare told state television that his men are on strict orders to disperse demonstrators by firing teargas.

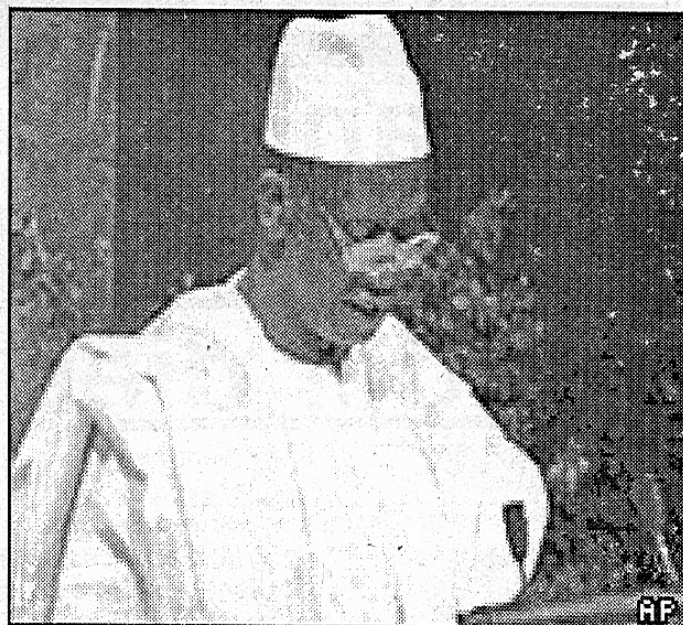
On Tuesday night, a presidential statement, read out by speaker of parliament on television, offered to cut fuel prices, increase teachers' salaries and tackle police corruption.

But union leaders rejected them, saying they wanted a new government.

They were then arrested, but later released.

Union leaders have accused the president of threatening to kill them.

"He threatened us with death, he insulted us," Ibrahima Fofana, head of the Guinean Workers' Union, told Reuters news



agency.

Foreign minister Mamady Conde met foreign diplomats on Thursday morning in a closed-door session.

A communique released afterwards said: "The government is surprised at the actions of the unions vis-a-vis the government's efforts at satisfying their demands."

One diplomat, who asked not to be named, said the situation did not look hopeful.

"We don't feel we're heading for a quick end to this

crisis. We have the impression that the people are determined to obtain something concrete... they don't want any more promises," they told Reuters.

The strikers were also angered at the alleged involvement of President Conte in securing the release of two men, including Guinea's richest man Mamadou Sylla, accused of corruption.

Last year, Guinea was ranked by Transparency International as the most corrupt country in Africa.



Awoko

Tuesday, 23 January 2007

# Guinea police clash with strikers

**S**ecurity forces in Guinea have clashed with demonstrators, calling on President Lansana Conte to

resign on the 13th day of a general strike.

At least 17 people died in running battles with police in the capital,

Conakry and other towns. Ten people were killed in clashes last week.

A BBC correspondent  
*Contd. Page 4*

## Guinea police clash with strikers

*From Page 2*

says many thousands took to the streets in the biggest protests since the strike



*The protesters say they will continue until the president steps down began.*

Marchers were chanting "Enough" and "Bye Bye Conte". Guinea's unions and opposition parties say President Conte is too sick to govern.

The strikers also accuse Mr Conte of mismanaging the economy and personally securing the release from prison of two men accused of corruption.

Some 30,000 demonstrators marched through Conakry, heading for the parliament building.

They were blocked at the 8 Novembre bridge, which separates central Conakry from the suburbs, by security forces, who

opened fire, witnesses say.

"There are at least 100 injured. The number of dead can be estimated at 11, but we have to finalise the count... the injured are still coming in," a doctor in Conakry's Donka Hospital told Reuters news agency.

Deaths have also been reported in the town of Siguiri and Kankan.

There were also mass protests in the towns of Pita, Dabola and Telemele, reports the AFP news agency. On Saturday, Mr Conte made a speech on television, asking for the support of the people and the army.

"Those who want power



*The strikers were prevented from reaching the city centre* must wait their turn. It is God who gives power and when he gives it to someone, everyone must stand behind him," he said.

"Guineans must remain united, above all us soldiers, because we must be proud of wearing the uniform, a sign of allegiance to defending the country."

UN Secretary-General Ban Ki-moon and the African Union head Alpha Oumar Konare have called for dialogue between the two sides.

Mr Ban said he was concerned about the loss of life during the protests.

Presidents Abdoulaye Wade of Senegal and Olusegun Obasanjo of Nigeria are expected to go to Guinea to try and mediate.

Food prices are said to have risen sharply in Conakry, with shortages of staple foods including rice and bread.

Hundreds of people are said to have been arrested since the strike began.

Mr Conte seized power in a 1984 coup but has since won three elections.

He is in his 70s but suffers from diabetes.

The current general strike is the third in the last year.

## New Vision

Tuesday, 23 January 2007

### *Commentary*

## Will Conte Give Up Power?

The Guinean leader, President Lansana Conte has appealed to Guinean soldiers and people to remain solidly behind his leadership as the country goes through the present upheavals adding that those who want power should wait for their turn. A senior official of Government has labeled the ongoing strike action organized by trade union groups as an insurrection manipulated by opposition parties.

A lot of options are rumbling in the minds of President Conte, who remains skeptical over the proposed intervention of ECOWAS meant to occur after consultations with a high power ECOWAS delegation headed by Presidents Olusegun Obasanjo of Nigeria and Abdoulaye Wade of Senegal. A leading Guinean opposition figure, Mr. Jean-Marie Dore has denounced any attempt on the part of ECOWAS to intervene in the Guinean internal affairs. He said under President Conte the cost of living for the ordinary Guinean has been unbearable, with the price of basic commodities rising up day by day. He accused the sick President who has been absent from state functions for a protracted period, of abuse of public office and a disgrace to democratic values, adding that it would be better that Conte steps down from office to pave the way for an interim coalition Government.

The former U.S. Assistant Secretary of state for African Affairs Mr. Herman Cohen said in a radio telephone interview from Washington DC that it will be appropriate if President Conte can gracefully bow down to give peace a chance in Guinea, so that he will be replaced by the President of the Guinean National Assembly (Parliament). In conformity with the constitution, the head of Parliament should rule for 60 days as leader of an interim Government during which a democratically elected Government will be put in place. Herman Cohen, also suggested that President Conte should benefit from an amnesty so that he and his family will be able to live in comfort upon resignation.

The Guinean dilemma is exacerbated by fears of the possibility of the crisis blowing up into a possible military takeover and civil war in the country. The Army appears to be solidly behind Conte, but at crisis times nothing could be ruled out. Cohen agrees that this cannot be ruled out in view of the degree of tribalism cushioned in the present Guinean army. Three of Guinea's neighbouring countries Sierra Leone, Liberia and the Ivory Coast have all bore the scars of war in recent times, with disarmament of fighters still deadlocked in the Ivory Coast. Both Sierra Leone and Liberia are enjoying fragile peace, but lots of small arms were hidden during the disarmament process and fears are rife of them falling into the hands of anti-government agitators.

Up to yesterday despite the intervention of the first lady Mrs. Henrietta Conte, who represented her husband to negotiate with the striking union leaders, discussions were blocked over the insistence of the striking union leaders that they will settle for nothing less than Conte's departure from the throne. Government has already agreed to appoint a prime minister of a large consensus, a post that remained vacant since the resignation of one Mr. Diallo.

The number of victims of the demonstration in the battle between security forces and demonstrators has now risen up to ten with the death in hospital on Sunday of a woman from bullets wounds at Kissidougou. Similar incidents of scuffles between demonstrators and security forces continue to claim death tolls in several Guinean towns and cities such as Conakry, Labe, Macenta, Kankan and Nzerekore.

Standard Times  
Tuesday, 23 January 2007

## Sierra Leone Inaugurates National Human Rights Commissioners

President Ahmad Tejan Kabbah, on Monday 11th December, 2006 inaugurated five Commissioners (Jamesina King, Yasmin Jusu-Sheriff, Edward Sam, Rev. Moses Kanu and Joseph Stanley) of the newly established National Human Rights Commission following their approval by Parliament on 4th October 2006. This ceremony marks the end of a long and arduous tasking of establishing the Commission and signifies the beginning of another milestone of protecting and promoting human rights in post-conflict Sierra Leone.

During the ceremony, the Attorney General and Minister of Justice, Hon. Fredrick M. Carew, traced the establishment of the Commission to the Lome Peace Agreement of July 1999, the recommendations of the Truth and Reconciliation Commission and the Human Rights Commission Act of 2004. He further stated that the process of selecting the Commissioners began with the submission of names by members of the public to his office. After which, a selection panel comprising the Inter-Religious Council, Civil Society, Sierra Leone Labour Congress, Council of Chiefs and Representatives of the Government met and agreed on seven names which were published in the Sierra Leone Gazette. The panel later asked the President to select five from the seven names submitted to be presented to Parliament for approval. The Commissioners were subsequently approved by Parliament.

The role of the Commission includes the following:

- " investigate allegations of human rights abuses on its own or reported by any person;
- " promote human rights through public education, information, and cooperation with non-governmental bodies;
- " advise Government on Sierra Leone's compliance with international obligations including mainstreaming of international law in do-

# Sierra Leone Law Inaugurates National Human Rights Commissioners

mestic legislations and production of periodic reports;

" advise Government on Bills that may affect human rights;

" monitor document and document human rights violations in Sierra Leone;

" and produce an annual report on the human rights situation in Sierra Leone.

The Attorney General also used the occasion to inform the public about the

wounded victims. He further stated that the Government is in the process of opening a special account at the Bank of Sierra Leone with a token sum of \$100,000 to implement the recommendations of the TRC for a Victims' Trust Fund. It should be noted that the Government has in the recent past come under strong criticisms for its slow pace in establishing the Trust Fund.

The Attorney General con-

Nations Integrated Office in Sierra Leone (UNIOSIL) gave a brief statement during the ceremony. He said that the establishment of the National Human Rights Commission was a major step forward in ensuring the consolidation of peace especially so when human rights violations was one of the causes and effects of the over decade long war. He added that by January 2007, a consultant will be ap-

Agreement for the setting up of a Human Rights Commission was strongly supported by his Government. He went on to assure all present that "the Government will not interfere in the workings of the Commission".

He also spoke on the issue of the death penalty which he said will no longer be applied during his tenure as President. He stated that he had applied it once after a court martial convicted twenty eight soldiers following the 1997 coup. The death penalty, according to President Kabbah, will continue to exist to serve as deterrent for heinous crimes. He says: "We will not, I repeat, we will not carry out any death sentence. I will use my constitutional responsibility to ensure that people do not go to the gallows". However, critics of the death penalty have posited that it is likely of being caught rather than the intensity of the punishment that deter the commission of crimes.

Commissioner Jamesina King, on behalf of the Commissioners expressed her sincere thanks and appreciation to the President for appointing them as the first set of Commissioners to the Human Rights Commission. She promised that they would perform their duties to the best of their ability to serve the people of Sierra Leone especially the poor and marginalized.

Making a brief comment during the occasion, President Kabbah said that the provision of the Lome Peace Agreement for the setting up of a Human Rights Commission was strongly supported by his Government

Government's progress and plans regarding the reparation programme for victims of the war. He said that with support from the international community, the Government is currently providing free medical services, education up to tertiary level, free bus services and assistance in agriculture for both amputees and war

cluded his remarks by stating that the establishment of the Commission is a vivid demonstration of the Government's commitment to ensuring accountability and transparency in the country. He therefore implored all Sierra Leoneans to give their unflinching support to the Commission.

A representative of United

pointed to assist in setting up the necessary structures of the Commission. He called on the Government to ensure the independent functioning of the Commission enabling it to execute its statutory mandate.

Making a brief comment during the occasion, President Kabbah said that the provision of the Lome Peace

The role of the Commission includes:

...investigate allegations of human rights abuses on its own or reported by any person;

...promote human rights through public education, information, and cooperation with non-governmental bodies;

...advise Government on Sierra Leone's compliance with international obligations including mainstreaming of international law in domestic legislations and production of periodic reports;

For di People

Tuesday, 23 January 2007

### Chief Justice and the Plight of JPs

**FDP HAS learnt that Justices of the Peace who complement the work of Magistrates are threatening strike action because of terrible conditions of service.**

The Chief Justice Ade Renner-Thomas had promised substantial reforms to upgrade the entire Judiciary and had attracted UNDP funds to employ more Magistrates as well as a code of ethics for judicial workers.

However, it is now clear that the reforms mainly have benefitted the Judges and Magistrates but have had no spillover effects to the rest of the judicial workforce including Justices of the Peace:

For example, Judges and Magistrates, including the Chief Justice bag between USD 2000 for the latter and USD 1000 for Judges just for house rent while salaries now top over Le 10m a month including vehicles to facilitate trials.

However, trials are still very slow and the CJ has been accused of mostly being responsible for slowing the wheels of justice, holding on to cases without sending them to Judges or sending them only to trusted Judges,

especially Justice Showers who handles the bulk of cases that deal with the CJ's law firm of Renner-Thomas and Co.

But that besides, there is a lot of disgruntlement amongst the workers who mostly earn less than Le 200 a month and they have been restricted as part of the judicial conduct from talking to the press.

# Strike Action Imminent

As for the JPs, they are paid most irregularly and without clear court civil service procedures and have gone without salaries for nine months up to the end of last year, which is unprecedented. JPs are overloaded with hundreds of cases and help to relieve the backlog of cases suffered by the Judiciary.

Presently, JPs have their offices at the third floor of the Central police station with no light and expected to wear coat and tie under the sweltering heat and even worse, there is no water which makes it extremely difficult for the comfort and hygiene of these JPs.

Above all these plethora of inconvenience and lack of attention, JPs are paid a paltry Le 10,000 a sitting even though their salaries and others have been substantially reviewed from the pittance they used to receive from government.

"This lack of substantive reforms have led to all sorts of

servers including the international community as rotten and blamed by the TRC for helping to bring about the 11 year rebel war.

However, the UNDP has only succeeded in increasing the salaries of those at the top but not for the bulk of the workers who are the real cog in the smooth running of the judicial machinery.

"A bankrupt judiciary cannot recruit such personnel on high contract salaries and prerequisites of office.

"UNDP is responsible for paying part of the sitting allowances of the JPs. The government and the UNDP seem to be passing the buck to each other.

"But the reality is that emoluments for those serving mainly the masses who are seldom opportuned to get to the higher Courts because of higher costs should be paid living wages for justice to prevail. The JPs plight must be corrected," the court worker said.

It is expected that the Chief Justice and the UNDP must look into the plight of the JPS for effective functioning not only of the Courts but if justice is to prevail.

Meanwhile, it is not known when the JPS would effectualise their strike action or whether the Chief Justice and the UNDP would look into their plight and come to the rescue.



## **RENNER-THOMAS: facing a herculean task**

personnel including semi-literates and barely literates to sit as JPs on panels. "The judiciary cannot attract the higher calibre of JPs because of wages not commensurate to the gravity of functions," a court worker said.

JPs are required to sit for three hours each day in Court and to write judgements in Chambers or at home after Court sessions requiring extra hours.

"Sitting allowances have been paid in bits without salary advice and period for which payments are made-as reckless as that," a former JP who quit the job said.

"The incumbent Chief Justice has been doing his best and has recruited a Ghanaian as consultant as well as other personnel like a British Master and Registrar for the Magistrate Courts.

"But he is just an individual. He is not the system," said

## Cocorioko website

Tuesday, 23 January 2007

<http://www.cocorioko.net/HingaNormantoundergosurgerythisweek.html>

### **Hinga Norman is Being Well Taken Care of in Senegal**

Reports reaching COCORIOKO state that it is not all doom and gloom for former Interior Minister Hinga Norman. He is being well taken care of in Senegal.

Former Sierra Leone Ambassador to the United States, Mr. Ernest Leigh told forumites at the COCORIOKO forum today that reports from Senegal showed that Norman was not in a maximum security prison after all. Said Mr .Leigh: "My own information regarding the situation with Chief Norman and Mr. Sesay in Senegal is summarized as follows."

"They are not in any military prison or dungeon as inaccurately and widely reported previously. Both men are in a military hospital in Dakar, considered to be the best medical facility in Senegal. They are in the VIP wing which is otherwise reserved for government ministers. Each has his own private room, air conditioning, television and private bathroom. "

"This information is from a source in Freetown who is privy to the arrangements in Dakar for the two Special Court defendants and whom I have personally known and dealt with for approximately 10 years as a knowledgeable, trustworthy and reliable individual. I thought this info might be helpful in clearing the air."

The Chief of Press and Public Affairs at the Special Court, Mr. Peter Andersen, over the weekend stated emphatically that Hinga Norman was given notice about his trip to Senegal four months ago He said : "Come to think about it, he knew before September 15 because that's the day I took passport photos of him and Issa"

According to reports received by this newspaper, Chief Hinga Norman may likely undergo an operation this week.

# The Monitor (Kampala)

Monday, 22 January 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.



# The Patriotic Vanguard

Monday, 22 January 2007

## Sierra Leone: "Operation Green Horizon 2" Launched

PRESS RELEASE

### ***UN AND SIERRA LEONE SECURITY COMPONENTS EMBARK ON JOINT "OPERATION GREEN HORIZON 2" IN SUPPORT OF SPECIAL COURT***

The United Nations Mission in Liberia (UNMIL) in collaboration with Sierra Leonean security agencies and UNIOSIL will be conducting a military exercise, "Operation Green Horizon 2", in Sierra Leone from 21 to 28 January 2007. The aim of the exercise is to rehearse the protection of the Special Court for Sierra Leone (SCSL) in line with the provisions of the UN Security Council Resolution 1620 of 31 August 2005.

The operation will involve the use of Land, Air and Marine components. These will comprise 130 troops, 22 armoured vehicles, helicopters and a landing ship "MV Caterina". The land movement will commence on 21 January 2007 from Bo-waterside while the main activity will take place in Freetown from 24 to 26 January 2007. The rehearsal will end on 27 January 2007 with the Force returning to Monrovia by ship and helicopters.

This is to inform the general public to please go about their normal routine duties without cause for fear or panic.

Photo: UN Secretary General Ban Ki-Moon.



United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

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## UNMIL Public Information Office Media Summary 22 January 2007

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

### **International Clips on Liberia**

VOA 22 January 2007

#### **Liberia: All-Female Peacekeepers**

By James Butty, Washington D.C.

The first all-female U.N. peacekeeping force made up of 105 Indian policewomen is set to begin a mission this week in Liberia. Ben Malor is spokesman and acting chief for public information for the United Nations Mission in Liberia. He explained their time of arrival and their expected role in Liberia. "The expectation right now is that sometime from this morning as we are speaking that there will be an advance party of about 15 officials coming just to prepare the ground, and then in very early February we are expecting the full contingent to arrive here in Liberia and begin all the preparatory work to be part of the police team here in the United Nations, working at the invitation of the Liberian government, but particularly together with the Liberian National Police to maintain peace and order in Liberia," he said.

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

*There were no relevant stories on West Africa in the international media today.*

### **Local Media – Newspaper**

#### **Liberian Leader Reaffirms Liberia's Commitment to ECOWAS Protocol**

*(The Analyst, Liberian Express, National Chronicle, Public Agenda and The News)*

- In a statement delivered at a summit Heads of State of the Economic Community of West African States in Burkina Faso, President Ellen Johnson-Sirleaf said that the country will work towards peace and stability in the sub-region.
- President Sirleaf disclosed that Liberia would work for the peaceful resolution of the Ivorian crisis and offered to mediate to end the Guinea-Sierra Leone stalemate over a territory lying between the two Countries.

#### **Contact Group on Liberia Demands Independent Probe in Bribery Saga**

*(The Inquirer, The Analyst, The Independent, Liberian Express, The Monitor, National Chronicle, The Informer, Public Agenda, Heritage and The News)*

- In a statement issued over the weekend, the International Contact Group on Liberia (ICGL) expressed concern over allegations of bribery against members of the House of Representatives and demanded that an independent investigation be conducted. The group noted that recent developments at the House of Representatives were impeding the National Legislature's ability to conduct the business for which its members were elected.

#### **Former National Transitional Government Leader Probed**

*(Daily Observer, Liberian Express, National Chronicle, Public Agenda, Heritage, The News and New Democrat)*

- Speaking to reporters at the Justice Ministry last Friday, the former Chairman of the National Transitional Government of Liberia, Mr. Charles Gyude Bryant said that he was disappointed that his "executive decision" would be investigated.
- Mr. Bryant is being questioned in connection with an ECOWAS audit report which implicated him and others to corruption during the tenure of the former Transitional Government.

### **UNMIL Ghanaian Peacekeepers Decorated with UN Medals**

*(The Analyst, Public Agenda, and The Informer)*

- During a ceremony to decorate Ghanaian soldiers serving with the United Nations Mission in Liberia (UNMIL), the Special Representative of the Secretary General, Mr. Allan Doss declared that the Mission's was still on and therefore urged UNMIL forces to remain vigilant in providing a secure environment for the sustenance of peace in the Country. He praised the peacekeepers for their vital role in maintaining the peace.

### **Police Launches Recruitment for Female**

*(New Democrat, Public Agenda and The News)*

- The Liberian National Police and its partners including the United Nations Mission in Liberia, over the weekend launched a "special education program" to encourage female applicants who are high school drop-outs to join the force.
- At the launching, Vice President Joseph Boakai assured the recruits that the Government would ensure that the needed assistance be given the police to ensure dignity, efficiency and professionalism.

### **Official Chairs of House Speaker and His Deputy Removed from Pavilion**

*(National Chronicle and The Independent)*

- Impeccable sources over the weekend told correspondents that some employees of the General Services Agency (GSA) transferred from the Centennial Pavilion to the Unity Conference Center in Virginia, the "Official Chairs" of the Speaker of the House of Representatives and the Deputy Speaker where "renegade" members of the House of Representatives were convening. The sources believe that the move was in compliance with a directive from the "renegade" lawmakers who had passed a "Vote of No Confidence" in House Speaker Edwin Snowe.

### **Central Bank of Liberia Foresees Inclusive Financial Sector**

*(Daily Observer, The Monitor and The Informer)*

- Speaking at a national stakeholder's workshop on the inclusive financial sector, the Governor of the Central Bank of Liberia, Dr. Mills Jones announced that the Bank has embarked on a campaign to strengthen the Liberian banking sector, focusing on a national micro-finance program as a step towards improving the livelihood of citizens.

### **Chinese President to Visit Liberia in February**

*(The Informer)*

- *The Informer* said that Chinese President, Hu Jintao will visit Liberia in February and will hold talks with President Ellen Johnson-Sirleaf. He will also tour projects being funded by his Government and visit the Chinese contingent at UNMIL.

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

### **President Assures ECOWAS of Liberia's Support to End Ivorian Crises**

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

### **Former Interim Leader to Reappear for Questioning for Corruption Today**

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

### **Official Chairs of House Speaker and His Deputy Transferred**

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

### **Agriculture Ministry Faces Shortage of Trained Manpower**

- The Acting Deputy Minister of Agriculture for Technical Services, Mr. Solomon Helb Williams complained that the Ministry of Agriculture lacked qualified and trained Liberian agriculture extension workers, but disclosed that the Ministry has embarked on a massive recruitment exercise to scout Liberians who left the Ministry to join local and international organizations in the Country as the Ministry has earmarked several agriculture programs throughout the Country to be managed by trained Liberians.

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

### **Star Radio** *(News culled from website today at 09:00 am)*

#### **Senators Meet to Resolve Impasse over Venue**

- Sources at the House of Senate told correspondents over the weekend that members of the Senate met at the residence of Vice President Joseph Boakai to find a compromise in the impasse over the proper venue to conduct the business of the House. One group of the Senate had questioned the "Constitutionality" of the body sitting in the Township of Virginia in contravention of the Constitution of Liberia which stipulates that the National Legislature sit in the same city to conduct Legislative affairs.

#### **By-Election Candidate Says Opponents Use State Vehicle for Campaign**

An independent candidate in the Nimba County District #6 by-election, Mr. Peter Wonokay alleged that some of his opponents, whom he did not name, were using government vehicles to campaign and that he has already complained to the National Election Commissions.

*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).*

## UN News Service (New York)

Monday, 22 January 2007

### **Commander of Indian Female UN Police Unit Arrives in Liberia with Advance Team**

The commander of an all-female Indian United Nations police unit has arrived in Liberia as part of an advance team that will pave the way for the landmark deployment of a 125-strong force later this month, the first time the world body has sent an all women specialized police unit to a peacekeeping operation.

Commander Seema Dhundiya, who will head the Formed Police Unit (FPU), arrived in the capital Monrovia on Sunday along with logistics and engineering specialists who will prepare for the rest of her unit, which is expected to arrive around 29 January, said UN Mission in Liberia (UNMIL) spokesman Ben Dotsei Malor.

The FPU contingent will consist of 125 personnel, made up of 103 female officers and 22 male staff serving in logistics roles. The women will be formed into three platoons of 30 women each, comprising one platoon leader and 29 officers, and while the contingent will be based in Monrovia they may be deployed anywhere in the country.

India's decision to send the all female officers to assist the UNMIL operation was announced last September and over the past few months the team has been undergoing intensive training. The UN has had increasing success with FPU's over the past few years as a means of bridging the gap between regular and lightly armed police and fully armed blue helmets.

The FPU, which will be better armed than a regular unit, will provide general support to UN police activities in Liberia, including protecting UN officials and civilian police as they perform their duties, plus also acting as a rapid reaction force for crowd control and helping train local police officers, the world body said.

The female FPU represents further effort by the UN to attract women police officers into their peacekeeping operations worldwide, because as of the end of 2006 while there were around 8,482 staff serving worldwide, only 454 - around four per cent - were women officers.

In a related development, the Secretary-General's Special Representative in Liberia Alan Doss today urged all young women who are interested in joining the country's police to apply to a UN-backed programme that aims to bring the educational level of potential recruits up to a high enough standard that they can apply to join.

"This is an opportunity to not only enhance your education, but, if you successfully pass the test, you can join the LNP (Liberia National Police) and help make a difference to your country, especially the women of this country," he said.

The Vice-President of Liberia, Joseph Boakai launched the pioneering Education Support Programme for potential female recruits of the LNP at the Education Ministry in Monrovia today, a programme that was planned and implemented by the UN Police, the LNP, and the Ministries of Education, Justice and Gender & Development.

Mr. Doss said that the programme was initiated to meet the target of 20 per cent female representation in the LNP, adding that it is not about lowering standards but about helping women raise their standards of education so that they can join the national police force.

In a separate development, the Deputy Special Representative of the Secretary-General for Recovery and Governance, Jordan Ryan, travelled with Liberia's Minister of Finance, Antoinette M. Sayeh, to Maryland County on Saturday to assess the reconstruction needs after the devastation caused by 14 years of civil war.

"We are delighted to join forces with the Government of Liberia and have this fact-finding visit to see how the Government and the United Nations can work together to address the needs of the county," Mr. Ryan told UNMIL Radio.

## BBC Online

Monday, 22 January 2007

### Guinea police clash with strikers

Security forces in Guinea have clashed with demonstrators, calling on President Lansana Conte to resign on the 13th day of a general strike.

At least 17 people died in running battles with police in the capital, Conakry and other towns. Ten people were killed in clashes last week.

A BBC correspondent says many thousands took to the streets in the biggest protests since the strike began.

Marchers were chanting "Enough" and "Bye Bye Conte".

Guinea's unions and opposition parties say President Conte is too sick to govern.

The strikers also accuse Mr Conte of mismanaging the economy and personally securing the release from prison of two men accused of corruption.

### Countrywide protests

Some 30,000 demonstrators marched through Conakry, heading for the parliament building.

They were blocked at the 8 Novembre bridge, which separates central Conakry from the suburbs, by security forces, who opened fire, witnesses say.

"There are at least 100 injured. The number of dead can be estimated at 11, but we have to finalise the count... the injured are still coming in," a doctor in Conakry's Donka Hospital told Reuters news agency.

Deaths have also been reported in the town of Siguiri and Kankan.

There were also mass protests in the towns of Pita, Dabola and Telemele, reports the AFP news agency.

On Saturday, Mr Conte made a speech on television, asking for the support of the people and the army.

"Those who want power must wait their turn. It is God who gives power and when he gives it to someone, everyone must stand behind him," he said.

"Guineans must remain united, above all us soldiers, because we must be proud of wearing the uniform, a sign of allegiance to defending the country."

### Dialogue plea

UN Secretary-General Ban Ki-moon and the African Union head Alpha Oumar Konare have called for dialogue between the two sides.

Mr Ban said he was concerned about the loss of life during the protests.



The protesters say they will continue until the president steps down



**Strongman feels the heat**

Presidents Abdoulaye Wade of Senegal and Olusegun Obasanjo of Nigeria are expected to go to Guinea to try and mediate.

Food prices are said to have risen sharply in Conakry, with shortages of staple foods including rice and bread.

Hundreds of people are said to have been arrested since the strike began.

Mr Conte seized power in a 1984 coup but has since won three elections.

He is in his 70s but suffers from diabetes.

The current general strike is the third in the last year.



The strikers were prevented from reaching the city centre



## Voice of America

Monday, 22 January 2007

### Guinea Protests Turn Deadly

Clashes in Guinea between protesters demanding the president's resignation and security forces claimed at least 20 lives and led to dozens of injuries. VOA's Nico Colombant reports from our regional bureau in Dakar.



Protesters march during a demonstration, part of a general strike in Conakry, 22 Jan 2007

approached the presidential palace and other government buildings.

The protesters called on President Lansana Conte to resign, saying he was a dictator who cheated in elections.

At one point, according to eye witnesses, security forces lobbed a grenade into an area where doctors were treating some of the wounded.

Local journalist Maseco Conde says union leaders were detained after nightfall.

Earlier, in a raid led by the president's own son, a special security force attacked an area where union leaders were meeting.

Deadly violence was also reported in other cities.

Analyst Gilles Yabi, with the Brussels-based International Crisis Group, says the protests would probably fizzle if a new prime minister was named.

"The minimum compromise would be the appointment of this prime minister with full powers, a kind of neutralization of President Conte," said Gilles Yabi. "And even this can be acceptable to the population. What the Guineans have been asking really now is for Conte to leave them, to go into a village, even retaining the title of president but not interfering in the affairs of the country, not interfering in the justice and not plunging and maintaining the country in a situation of dire poverty."

Guinea's opposition leaders said they feared they would also be arrested.

Mr. Conte declared Sunday he will stay in power and called on the army and population to support him.

The protests, which started 13 days ago, were sparked by the release of two of the president's aides who had been arrested as part of a corruption investigation. The diabetic, chain-smoking, Mr. Conte fired his prime minister last year and has ruled alone ever since.

Doctors in the capital Conakry said most of the victims had been shot at with real bullets.

Union leaders had called for large marches to begin on Monday, despite a government ban and a heavy military presence.

Youths took to the streets in the early morning hours, moving from the suburbs of the capital closer to the center.

Most of the shooting took place midday when waves of protesters



Soldiers in an armored vehicle prepare to face protesters in Conakry

## BBC Online

Monday, 22 January 2007

### Rwanda return to violence warning

The Rwandan authorities must deal with the killings of survivors of the 1994 genocide, says Human Rights Watch.

A significant number of witnesses in the traditional judicial process, known as gacaca, have been killed in recent years, says the US-based lobby group.

Prompt and effective law enforcement is needed, or the deaths could trigger a new cycle of violence, HRW warns.

Some 800,000 minority Tutsis and moderate Hutus were killed in 1994 by the Hutu-led government of the time.

The report said 16 genocide survivors were killed in 2005 and seven in 2006.

In one case, the murder of a genocide survivor sparked the reprisal killings of eight adults and children.

"Reprisal killings have been rare in the past, but if they become more frequent, they could spur a new cycle of violence," warned Human Rights Watch spokesperson Alison Des Forges.

HRW also raised concerns about the deaths of three suspects in police custody, who had been arrested over the killing of a gacaca judge.

"In any society, deaths in custody at the hands of law enforcement must be subject to the highest scrutiny," said Ms Des Forges.

Last week, Rwanda's cabinet approved the scrapping of the death penalty for genocide suspects abroad, including the UN court in Tanzania.

The Arusha tribunal has convicted just 27 people and is due to wind up in 2008, when most cases are likely to be transferred to Kigali.



The gacaca courts were supposed to bring reconciliation

## AllGambian.net (Onalaska)

Monday, 22 January 2007

### **Immunity From Jurisdiction - Ruling And Former Heads of States**

By Binneh S. Minteh

Immunity to ruling and former heads of states has become a heated debate in the modern dispensation of international law as they had always enjoyed total impunity for crimes against humanity. However with the robust transformation of International law, head of state immunity has begun to take a u-turn. In upholding and respecting the universal norms of human rights and making leaders accountable to their own people, it is my contention that both former and ruling heads of states be stripped of immunity for gross violations of human rights and crimes against humanity.

As a fundamental doctrine of international law immunity allows an accused to avoid prosecution for criminal offences. The first type of immunity is functional immunity, or immunity ration material which arises from customary international and treaty law conferring immunities on those performing specific functions of states. Under this immunity, any person who while performing a state function commits a criminal offence is immune from persecution. This is so even if the person no longer performs function of states. It is also limited in the acts attached and unlimited in time. However recent events in the dispensation of international law has shown that functional immunity, even available as a defense to persecution for local or domestic crimes or civil liberty, does not serve as a defense to an international crime ( crimes against humanity, war crimes and genocide). These proceedings have developed in the jurisprudence of the international criminal court in the case of the Democratic Republic of Congo versus Belgium, in former Yugoslavia, Rwanda and most recently in Sierra-Leone.

In the case of the prosecutor of the special courts of Sierra-Leone versus Charles Taylor (Former President of Liberia), such a jurisprudence was adopted after a warrant of arrest was issued to the Ghanaian authorities while the later was in Accra (Ghana) for a peace meeting. The special court for Sierra-Leone indicted Charles Taylor in March 2003 while in office. On 17 counts Taylor was accused of planning, preparing, instigating, ordering and committing or otherwise aiding and abetting in the planning, preparation or execution of crimes such as terrorizing the civilian population and collective punishments, unlawful killings, physical and in particular sexual violence, use of child soldiers, abductions and forced labor, looting, burning and attacks on peacekeepers. However the arrest warrant issued to Ghanaian authorities brought a lot of legal wrangling in the case of incumbent Heads of States indicted by such international criminal tribunals. The reasoning of the court in this particular case was based on two consecutive arguments. First, the special Court is an international criminal court and second consequences of the legal nature is that "a provision in its statute denying immunity can be opposed to Taylor".

The entire analysis of the court's legal nature, national or international, would not have been necessary if the question of whether immunity applies to an incumbent official depended on factors other than the nature of the special Court, for example, the nature of the crime. Taking a close look at the various provisions in the statutes of other international criminal courts ( Nuremberg, ICTY, ICTR, ICC ) that deny immunity to officials, the special court seemed to hint at this by stating: "The nature of the offences for which jurisdiction was vested in those various tribunals was instructive as to the circumstances in which immunity is withheld". The court further declared that the nature of the tribunals has always been a relevant consideration in the question whether there is an exception to the principles of immunity. It became certain that the

prosecutor was poised by the nature of the court to issue the arrest warrant for an incumbent Head of State. Although such a consideration was inspired by gravity of crimes committed, the court referred to the paragraph in which the ICJ held that an 'incumbent or former Minister for Foreign Affairs' may be subject to criminal proceedings before international criminal courts, where they

have jurisdiction. The special court admits that the reason for the distinction between national and international courts is 'not immediately evident' but it 'would appear due to the fact that the principle that one sovereign state does not adjudicate on the conduct of another state; the principle of state immunity derives from the equality of sovereign state and therefore has no relevance to international criminal tribunals which are not organs of a state but derive their mandate from the international community. In this case the court further referred to the judgment of the Pinochet trial, where the lord judges argued that 'there is no doubt that states have been moving towards recognition of some crimes as those which should not be covered by claims of state or Head of State or other official or diplomatic immunity when charges are brought before an international tribunal. The Court reached a conclusion that Taylor's official position at that moment he made the application was not a bar to prosecution by the Court.

TO BE CONTINUED

This paper was written with references from:

SCSL-2003-01-I, The Prosecutor Against Charles Ghankey Taylor also known as Charles Ghankey MacArthur Dapkpana Taylor, Indictment, 7 March 2003

Sarah M. Nouwen "The special Court for Sierra Leone and the immunity of Taylor: The Arrest Warrant Case