

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



**PRESS CLIPPINGS**

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

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Press clips are produced Monday through Friday.  
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Awoko

Monday, 23 March 2009

## *Big security threat!*

# Liberians transit guns to Gola forest in Salone

*By Solomon Rogers*

There is an simmering security threat along the borders of Sierra Leone and Liberia where reports from the office of the Gola Forest Area Manager in Kenema confirmed to Awoko that there is a huge quantity of short guns available with hunters and other inhabitants residing around Gola Forest.

The shot guns are said to be bartered or exchanged for wild animals in that forest.

In a presentation on some of the threat to the species and projects underway to preserve the forest, the Gola Forest project Area Manager John Moriba has categorically pointed out that hunting, logging and mining constitute some of the major threats to the forest.

He disclosed that cross border hunting by Liberians in the Gola Forest with short guns had posed a serious security threat to the lives and property of Sierra Leoneans.

He went on to explain that, these Liberians come into Sierra Leone with huge quantity of shot guns through our common borders to the Gola Forest communities where they kill our species, dry them up and take them across to Liberia.

He added that the guns which are bartered for our bush

meat in the Gola Forest are always left with inhabitants of that community with the provision of constant cartridge supply to them for a continuous hunting spree in the forest.

He explained that there has been incidents of confrontation between the forest guards and the hunters who most times injure the guards.

However he maintained that, police have been very much supportive to them as they always help with investigations into the matter and even try to clamp down on the unscrupulous hunters.

The proposed mining of iron ore in the Gola Forest he said, has also created a big split among residents of that community as some are in favor, while others are against especially in the Golahun Tongi Chiefdom where chiefs and their subjects look at each other with suspicion.

He stated that during the 1920's, half of the Sierra Leonean landscape was covered by forest but with human occupation for settlement and cultivation over the years most of it has been cleared, with less than 5% of the forest reserves left.

He added that in the same 20's the gola forest was reserved for cocoa and coffee production but over the

years logging and other counter productive activities have taken place there inspite of tireless efforts by them to forestall it.

He concluded that, the Gola Forest which is rich in biodiversity has an estimated expanse of some 75,000 hectares stretching across 7 chiefdoms in the South Eastern part of the country with an average population of 120,000 inhabitants.

# The Present Situation of Juvenile Justice in Sierra Leone

By Abdoul  
Samad Kamara

The detention of juvenile defaulters at the Central Maximum Prison (Pademba Road) do not only amount to criminal contamination which is a violation of Article Six of the Children and Young Persons Act, but it is also at variance with international principles for the welfare and protection of juveniles.

Research indicate that fifteen juveniles are currently languishing in Pademba Prison under very terrible conditions. Amidst the worsening condition of prisoners in an overcrowded prison, placing children together with hardcore criminals who are engage in drug abuse is like putting a cat in lion's den. The juvenile justice situation in Sierra Leone has been undoubtedly worsened by the war, which contributed in weakening the institutions and mechanisms that generally protect and promote Child Right's and Welfare.

Interestingly things were much better for juveniles during the colonial period. The facilities for their rehabilitation and reformation were quite functional and adequate. Authorities fought hard to arrest the problems before they arose. Bail homes existed during those days. Probation officers mandated by law sought the welfare of juveniles during colonial days. Even orphans, street children and child beggars were picked up and provided with care in bail homes.

However, successive governments after Independent neglected the right and welfare of children. The system totally collapsed during the war. Seven years after the war, structures and mechanisms that are suppose to handle juveniles are largely ineffective and under resources.

The protection and welfare of children is a big challenge faced by governments and Child Protection Agencies. The Ministry of Social Welfare Gender and Children's Affairs which had the mandate to seek the interest and welfare of children is hugely underfunded and understaffed.

Some of the factors responsible for children to be in conflict with the law are lack of parental care, poverty, broken homes, polygamous family connections, a culture of neglect and disregard for the welfare of children by the state, and communities. Respect for Human Rights beings with the way society treats its children. A caring society will give freedom and dignity to young people, creating the conditions in which they can develop their full potential and look forward to a full and satisfying adult life.

The children and young persons act (cap 44) and the prevention of cruelty to children (cap 31) of the Laws of Sierra Leone deal with the children in the criminal justice system, but these laws are outmoded and do not adequately conform to international standards. Sierra Leone is a signatory to the convention of the rights of a child (CRC) and the African Charter on the right and welfare of the child. Unfortunately both conventions are yet to be domesticated by Parliament.

One of the major problems inhibiting the juvenile justice system is the determination of age. Some parents and guardians suggest that police officers normally increase the ages of juveniles who commit very serious crimes. Unfortunately the absence of both certificates to determine the ages of juveniles is a major set back. Parents or guardians do not normally accompany their children to court. In the absence of birth certificates, the police determine the ages of juveniles based on physical appearance.

However, police ought to use scientific methods such as DNA or medical evidence on public hair, teeth etc. to determine the ages of juveniles.

Article 40 and 17 of the Convention of the Right and Welfare of a child (ACRWC) respectively place greater emphasis on the child's age for purpose of criminality and urge that the age be set at an appreciable minimum standard taking into consideration the child's best interest and sense of dignity.

Unfortunately there is only a single juvenile court in Freetown which meets once a week for 3-4 hours. The continuous delay of juvenile cases is another major factor undermining justice for these vulnerable kids. Juveniles at remand home stated that they have appeared for more than five or six times without the presence of the complainant. On several occasions the courts adjourn either due to lack of complete panel (magistrate and two justices of the peace) or because the presiding Magistrate is overwhelmed with other work for the day. According to magistrate Shyllon, he presides over 35 cases for the month. He also mentioned that the lack of witnesses to appear in court and the ineffectiveness of police prosecutors is another case for delay. Juveniles right to privacy and confidentiality is also compromised because of open hearings.

The lack of probating officers for juveniles to carry out their duties effectively because of poor remuneration is another problem affecting juveniles. At the remand home in Kingtom, juveniles sometimes go without food for god number of days. The rise in the price of rice globally has worsened the situation. Lack of transport facilities to carry juveniles to court for trials, and the lack of educational and recreational facilities at the remand home in Kingtom is a common phenomenon. There are no proper medical facilities for the inmates. And when they get hungry and disgusted, they revolt against authorities. There are no detention facilities for juveniles in police stations. Female detainees are vulnerable to police officers who use them as sexual pawns with the pretext that they will be release if they agreed on sex. Sometimes juveniles are subjected to intimidation, harassment and victimization in the hands of police. We are however encouraged because of the construction of a new Approved School by the Justice Sector Development Programme (JSDP) at Wellington after a protracted delay to transfer the juveniles from Pademba prison.

# For di People

Monday, 23 March 2009

## Prison Watch Damns Justice Patrick Hamilton

**EXECUTIVE DIRECTOR of Prison Watch, Mr Mambu S Feika has questioned the sentence meted by Justice Patrick O Hamilton to the Westside Boys serving long jail terms at Pademba prison as faulty.**

by **EDITAYO G TEMPLE**

Feika said during a press briefing organised by both the family members of the detainees and

the non-governmental human rights advocacy organisation Prison Watch, that: "the human rights of the seven convicted Westside Boys prisoners have been vio-

lated. He cited Section 230 (3) of the Criminal Procedure Act No 33 of 1965 which states inter alia, that: "the length of any term of imprisonment imposed by the

sentence of any Court shall be treated as reduced by any period during which the offender was in custody before sentence by reason only of having been committed for trial or remanded, after arraignment.

Feika said that: "in view of this section, one

would have thought that Judge Hamilton ought to have considered that period during which these seven convicted prisoners were remanded since 2003 in his passing of judgement.

"In other words, their length of term of imprisonment should have

started from 2003 and not in 2006 as pronounced by the learned Judge Hamilton," Feika said. Also, a relative of the convicted prisoners, Madam Isatu Conteh said that her husband has been imprisoned since the year 2000 and they were charged on a six-count charge and sentenced for 10 years on each count to run concurrently and it should therefore, be six years, eight months by virtue of the law.

She said that since verdict was passed, her detained husband has exceeded the exact period sentenced.

"Since the appeal trial

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## Justice Hamilton

From Front Page

started, the convicted Westside Boys and my husband have not been represented by any lawyer since the death of lawyer Osho Williams.

It should be recalled that Justice Hamilton recently acquitted and discharged about ten soldiers on death row on appeal after they were accused of plotting a coup against the former Sierra Leone People's Party government led by president Tejan Kabbah.

Justice Hamilton also presided over an appeal case of other soldiers associated with former rebel leader Foday Sankoh and subsequently acquitted and discharged them and today, they like the recently freed death row soldiers have been reinstated in the army or police by the APC government of president Ernest Bai Koroma.

It should also be noted that under the SLPP, former Revolutionary United Front combatants jailed by Justice Hamilton for about 160 years were freed without appeal by the SLPP government towards the last 2007 presidential and parliamentary elections.

However, it is not known when the Westside Boys' appeal would commence and whether Justice Hamilton might look into the years already served by the Westside Boys before sentence so as justice could not only be done but to be seen to be done.

## Standard Times

Sunday, 22 March 2009

### **Rwanda Signs Prisoner Deal with Sierra Leone Court**

Up to eight people sentenced by Sierra Leone's war crimes court can serve their sentences in a new Rwandan prison under a deal with Kigali, the court said Friday. Signed in the Rwandan capital Wednesday, the deal offers one answer to where to send prisoners convicted by the UN-backed Special Court for Sierra Leone, since local jails do not meet United Nations standards. The court has been in negotiations to have other African countries accept them.

Rwanda's newly built Mpanga prison has a special wing to house those convicted by the separate Tanzanian-based International Criminal Tribunal for Rwanda (ICTR), which judges suspects in the east African country's 1994 genocide.

It is setting aside several places for those sentenced by the Sierra Leone court.

Previously those sentenced by the ICTR also could not serve their sentences in Rwanda because it too did not meet UN standards.

Sierra Leone's special court has completed two cases to date stemming from the country's brutal 1991-2001 civil war, in which 120,000 people were killed and countless more mutilated. In a third case three men were convicted and are awaiting sentencing.

The only outstanding case is the trial former Liberian leader Charles Taylor, who is accused of backing the Revolutionary United Front rebel movement.

His case was moved to the Dutch city of The Hague for security reasons. Britain has agreed that if convicted, the Liberian ex-president could serve his sentence there

## Standard Times

Sunday, 22 March 2009

### **Africa's Evil: An Examination....Is There More or Less Evil in Africa Today?**

Posted by Kofi Akosah-Sarpong

The eccentric atmosphere following the International Criminal Court (ICC) issuing an arrest warrant for Omar al-Bashir, Sudan's President, on charges of war crimes and crimes against humanity (short of genocide) in Darfur open the obscurities of evil in Africa for the past 50 years.

In some sort of grim moment, al-Bashir and the ICC are quarrelling over the darkness in Darfur, where the United Nations estimates that over 300,000 people (and still counting) have died in the past six-year of the conflict. So, what have al-Bashir being doing in the past years to have prevented such evil? And al-Bashir, with a cold-shoulder, denies the ICC charges and dismisses any ruling by the ICC as insignificant and rejects the chilling pains, horrors, darkness, and deaths hovering over Darfur.

Africans, who have over the past 50 years seen other horrifying evils across their borders, are a bit relieved over the al-Bashir indictment – at least, for now, psychologically. al Bashir's formal arrest and trial will add up to the updating on Liberia's Charles Taylor, the Democratic Republic of Congo (DRC)'s ex-warlord Thomas Lubanga and Chad's Hissène Habré. And as Clifton Crais meditates in Politics of Evil, Africans, with the help of the international community, are capable of fighting evils that have destroyed their progress as they did against one of the great evils of the 20th century – South Africa's apartheid.

For the past decades, from Idi Amin's Uganda, Jean-Bedel Bokassa's Central African Republic (CAR), Samuel Doe's Liberia, Foday Sankoh's Sierra Leone, Mengistu Haile Mariam's Ethiopia to Juvénal Habyarimana's Rwanda, stains of deadly ethnicity, threats, frightening tension, harassments, massacres, witchcraft, human sacrifices, genocides, deaths, civil wars, famine, murders, floods, locusts and other natural disasters have visited Africa.

With fast developing global communication gadgets, Africa's evils are being tracked day in, day out by satellites, video clips, radio, mobile phones, photographs, and computers, showing vivid clarities of the heavy suffering of the people of Darfur, CAR's north-east region, Chad's Zaghawa and Tama ethnic groups and the DRC's eastern region. Video clips released by the British-based Aegis Trust show a Sudanese government soldier saying he was forced to rape at gunpoint by a senior officer and other doers said such acts were intended to make babies of a different race. Now and then, an evil, a true chasm.

An evening newscast would tell the natural tribulations – the Supreme Being (God)'s anger and nature – locusts' outbreak in Mali, the Gambia, Senegal, Niger and Burkina Faso, the floods in Mozambique, Malawi, and Zambia, the deaths by cholera in Zimbabwe and ebola outbreak in the DRC. As Darfur shows, it would add up to moral evils – the horrors accomplished by Africa's "Big Men" and their foreign accomplices. After Darfur, Liberia and Sierra Leone, anything new about Africa's evils? Hackings in apartheid South Africa? The simultaneous assassination of Guinea-Bissau's President Bernardo Vieira and Chief of its Armed Forces, Gen. Tagme na Waie, on purely hatred grounds? A baby, called Mercy, left to die in Ghana's Upper West region for allegedly being a witch? Or the constant kidnappings in Nigeria's fidgety Niger Delta region where pregnant women are raped to death? Its being awhile in 2005 when the charity Medecine Sans Frontieres reported that almost 500 cases of rape against women, children and men through clinics in Darfur – the horror is still going on.

From genocide to rape to human sacrifices, floods, moral evils, cannibalism to juju-marabout mediums and witchdoctors messing up families, Africa has seen all evils and appears to have explored all sorts of evil deeds. Villages and farms burned in Sierra Leone and Liberia during their civil wars were evils made noticeable. The evil turned people's shelters and livelihood upside down, with some committing suicide as a result.

Despite highly developed high-tech war gadgets, the genocide in Rwanda saw the use of crude weapons – machetes. In *Conspiracy to Murder - the Rwandan Genocide*, Linda Melvern explains how machetes were purposely imported from Egypt and France to commit the genocide in an atmosphere of frightful tribalism. In the Liberian civil war, both President Samuel Doe and then rebel leader Charles Taylor used sophisticated weapons and demonized each other as evil. Doe had Taylor as evil, Taylor had Doe as evil. After Doe's murder and with Taylor confronted with new war as President, Taylor came down as the evil one by rebel forces. Liberian women organized protests that helped push Taylor into exile in Nigeria and later on his on-going trial at The Hague on eleven counts of war crimes, crimes against humanity and other slaughters.

### **Is there more or less evil in Africa today?**

Is there more or less evil in Africa today than 50 years ago? As Ghana and Benin Republic exemplify, the past years have brought the triumph of democratic order and freedoms against long years of detestable military juntas and insomniac one-party systems. In Ethiopia and Benin Republic communism collapsed; in South Africa apartheid was toppled; the end of the Cold War freed Africa as the theatre of Superpower rival that left Somalia burnt down and Liberia in the gutter. But state violence persist in most African states – in the style of CAR's Bokassa, Guinea's Sekou Toure and Mobutu's Zaire.

Across Africa, democracy and freedoms are flowering, though with pains, announcing the beginning of history, with mass communications and global prosperity knocking down the old order. Africa can take satisfaction from the progress of Ghana, Cape Verde, Senegal, Tanzania, Benin, South Africa, Botswana and Mauritius, without disparagement, that reason, the rule of law, freedoms, human rights and democracy are pushing out some of its evils into the Atlantic and the Indian oceans and enlightening the continent.

But as Somalia, CAR, the DRC and Darfur show some parts of Africa are concurrently darker. The amputations in Sierra Leone and the dismembering of people in Liberia during their respective civil wars not only announced that each African era reveals its own evils but also the sorting out of different darkness. In some parts of Africa evil may be changing its priorities and intentions but pretty much of it remain the same – human sacrifices remains the same, and is increasing in Gabon over the past twenty years, where Jean-Elvis Ebang Ondo, a 46-year-old school teacher, has been waging national campaigns against human sacrifices after his 12-year-old son and a friend were ritualistically killed, their dismembered bodies washed up on a Libreville beach.

From the African culture to the practices of their nation-states, evil does exist – Africans do not argue about that, they know all about the horrors evil brings, as new killing-fields, from DRC, Darfur to Somalia, show, the level of horrors still shock even the most hardened observers, revealing how violent, corrupt, atrocious and vicious Africa's evil perpetrators can be. Natural evils or the hands of the Supreme Being (God)? The 2000 catastrophic flood in Mozambique that made many homeless, about 800 people killed, over 1,400 km<sup>2</sup> of arable land destroyed and over 20,000 head of cattle lost, the worst in 50 years, shows nature's impulses and brutalities that go past reasoning.

But though Africans know evil exist, they do not give it too much credit, to do that is to give more power to evil than good. Africans acknowledge that their cultural universe is a battleground between evil and good forces, the outcome not in doubt, where good triumph over evil, over witchcraft and demons. As the re-marking of Uganda by Yoweri Museveni shows after Idi Amin's cataclysm, Africans know evil is temporary but good is permanent. From the various Truth and Reconciliation Commissions in Ghana, South Africa, Nigeria, Sierra Leone, and Liberia, Africans, who are one of the most forgiving of humanity, do not allow their lower instincts and tragedies grow-up as the dominant idea. To do that is to make evil equal to the Supreme Being. What passes for evil, such as a baby called Mercy abandoned to die in Ghana's Upper West region, for



allegedly being a witch, may be mere ignorance that can be corrected with public human rights education. Guinea-Bissau's dark metaphysics can be managed by the regional body ECOWAS seeing it as outlandish accidents or absolute stupidity, that supreme, difficult force of African disease.

Or, for the matter of evil challenging the Supreme Being, Zambia's Roman Catholic Archbishop, Emmanuel Milingo, talks of the fact that in African tradition, development occurs only when the metaphysical is balanced with the physical. And where there is no balance, crises occur. Here darkness isn't empowered; the darkness hasn't the same power as the light.

But as Africans deal with evil, the issue is being moved out of their metaphysics into the physical, into the International Criminal Court (ICC) in The Hague, into the various Truth and Reconciliation Commissions across Africa, into the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania, into the UN Special Court for Sierra Leone and the growing democracies, the rule of law and freedoms across the continent. This means evil as an African dilemma will be solved more intelligently outside the Supreme Being and demons context.

This moves the evil discussions out of African fatalism and "na god mak am" (God has destined it) syndrome, as the Sierra Leonean would say, to the holistic, making the evil-doers responsible for their actions, as human agency, and not some demons, evil spirits influencing malevolent perpetrators. When in DRC's Ituri province between June 2007 and June 2008, 6,766 cases of rape were reported, according to the UN, with 43% involving children, the evil debate was being addressed outside demonology to the intellectual framework, to the real world. Despite that, as Lance Morrow explains in *Evil: An Investigation*, evil is amorphous, intellectually unmanageable, an anonymous, hideous charm, difficult to comprehend, and no explanation as to what it is despite attempts by geo-politics and sociobiology to do so.

### **Evil is alive in Africa**

Despite the years of Mobutu, Bokassa, Idi Amin, and Siad Barre that saw more mayhem in Africa and sown the seeds for much of today's Africa's evil – collapsed states, murders, deaths, civil wars, human sacrifice, negative superstitious beliefs, corruption, deadly ethnicity, frightening tension, genocide, crime against humanity – the understanding was that Africa's evil will recede with new generation of elites. But evil is still wandering across Africa, where in Sierra Leone, Liberia, Darfur, Zimbabwe, the CAR, DRC cholera outbreaks are denied, ritual murders, babies' skulls are dashed against rocks, attempts to twist off the heads of toddlers, girls, their mothers, grandmothers and their male relatives raped at knife – or gunpoint, the weapons then used to inflict mutilation.

Sierra Leone's Foday Sankoh, whose rebel group the Revolutionary United Front amputated people, mutilated opponents, engaged in sexual violence, and burnt down villages and farms, raised atavistic questions about evil. But Africa is confronting new forms of evil – corruption, fear of military juntas, threats of one-party regimes, the environment/poor sanitation, Pull Him/Her Down (PHD), drugs, HIV/AIDS, deadly superstition, child abuse, genocide, crime, "Big Man" syndrome. The fear of military juntas and one party regimes, that saw Africans looted, harassed, threatened, abused with impunity, and killed are receding with remarkable speed.

For the past 50 years, much of Africa's evils have not been from nature, or the Supreme Being, but from Africans themselves. The evil has been Africans destroying each other as they attempts to progress in the fashion of PHD. In Ghana, the new John Atta Mills administration, aware of the micro-level PHD projected into the macro-level, that have seen the destructive practice of new regimes either discontinuing or destroying development programs of the previous regimes, says "policies and programmes currently in the pipeline, initiated by the last administration, which supported positive national development, must be thoroughly reviewed, preserved and added to the new initiative that would be recommended."

Whether by nature or African-made, new evils raise new moral queries. Why destroy each other? Why Darfur? Why PHD? Who is to blame? Does evil sorely emanates from certain parts of the African culture or not – where do you put responsibilities? Are evils, whether by nature or the African, the act of the Supreme Being

and, therefore, not Africans responsibility? Or if Africa's evils are the actions of Africans, then they have moral responsibility to answer?

### **Does evil exist in Africa?**

To be convinced that evil exists in Africa, just look at the rapid spread of churches and mosques across the continent. In a culture where evil spirits and demons dominate, where people attribute their misfortunes to them and struggle to seek protection and the churches and mosques becoming a refuge, evil does exist. In Ghana, the suggestion has been made by Akanayo Konkronko, director of Black Herbal Clinic, a traditional medicine clinic that among other activities battle evil spirits, for the establishment of National Spiritual Courts to try traditional spiritual cases.

Why are Africans obsessed with evil? Who created evil? What does evil look like? If evil is a mystery, as some thinkers argue, can it be scientifically or systematically proved? When Africans speak of evil what do they mean? Is traditional sense of evil the same as modern sense of evil? Can we know evil; can the African know what drove Sudan's Arab janjaweed militias to engage in racially-motivated rape against African fellow Muslims in Darfur? A dilemma! But we can know the works of evil and the fact that it is strange and understated. President Charles Taylor used to enforce discipline in schools by canning his daughter publicly for indiscipline but is on trial for crime against humanity in The Hague.

As the destructions of the cities and plains in Rwanda, Sierra Leone, Liberia and Cote d'Ivoire show evil is easier to undertake. And as attempts at reconstruction of the cities and plains in Sierra Leone, Liberia and Cote d'Ivoire show creativity is harder. African dictators, who have caused immense destruction of the continent, normally have leisure time while their countries burn. Samuel Doe has nice time drinking whisky while Liberia implodes. Kutu Acheampong entertained women with alcohol and cigarettes at the Osu Castle while Ghana's socio-economic affairs collapsed.

As the hearings at various Truth and Reconciliation Commissions across Africa revealed evil is the dread projected to the category of the incomprehensible. When the rebel forces neared Monrovia, Samuel Doe and his associates fatalistically shouted, "No Doe, No Liberia" and they destroyed Monrovia. Despite the atrocities some Liberians were prepared to forgive. Part of the reason may be their inability to understand why brothers and sisters will easily destroy each other for nothing. And sometimes, as the ICC, the various Truth and Reconciliation Commissions across Africa, the Sierra Leone for Sierra Leone, the ICTR indicate, evil is actions we cannot forgive. Thomas Lubanga, a DRC ex-warlord, is on trial at the ICC for recruiting children under 15 to fight. To Lubanga and the likes of Foday Sankoh, what has children got to do with DRC's troubles that they should be used to fight?

### **Evil and the Other**

Nowhere in Africa is evil the Other than in Darfur, Rwanda and Burundi – evil is the one outside the ethnic group. As the Rwandan genocide revealed evil works by dehumanizing the Other: The 1994 Rwandan genocide saw the mass killing of between 800,000 to 1,000,000 of Rwanda's Tutsis and Hutu political moderates by Hutus under the Hutu power ideology over the course of approximately 100 days, from the assassination of President Juvénal Habyarimana on 6 April up until mid July. Its rapidity reveals its vicious and well-organized logic, where recognizing Others as evil justified further the mass killings against them.

In Benin, one of the reasons for its stable democracy for the past 16 years is its ability to integrate its over 42 ethnic groups, thus moving beyond people thinking in terms of deadly ethnicity, of categories, one of the methods of evil. In the Ethiopia of 1974 to 1991, true to its Marxist-Leninist thinking of categories, not human beings, saw the ruling Marxist Derg, under Mengistu Haile Mariam, used cruel tactics, including executions, assassinations, torture and the imprisonment of tens of thousands without trial, most of whom were innocent, to enforce its categories.

In either Rwanda or Ethiopia, and by extension other African states where the evils of the Other is a pressing issue, evil hardens into the fixed, creates chemistry that brews into obliteration of the Other, by becoming

pitiless, persistent. Here comprehension reaches its limit and evil, ever charismatic, lures the mind to destruction. Guinea-Bissau's tribalism is so deadly that President Bernardo Vieira instructed elements of his Balante tribe to kill Chief of Armed Forces, Gen. Tagme na Waie, whose Papel elements in the army retaliated by killing President Viera. Once again, Benin has superbly integrated its ethnic groups, and despite evil and good still circling in people's mind, like any human being, it has been able to deal with the evil of tribalism by its ability to let its citizens think not in class or categories, despite being a former Marxist ideologue. Such skillful ethnic integration cures evil as a malady.

### **Africa's evil – a metaphysical dilemma**

If in the horrors of Darfur and eastern DRC we see Nathaniel Hawthorne's Young Goodman Brown where there is Satanic revelry in the wood and the devil proclaims, "Evil is the nature of mankind. Welcome again, my children, to the communion of your race," can the Supreme Being be faulted for the evil nature of the perpetrators since He/She is the creator? In African cosmology, the existence of evil (or demons) explains the existence of the Supreme Being, making the Supreme Being meaningful in world of evil. Whether in African cosmology or Western theology, there have been long attempts by theodicy to grapple with the good Supreme Being and evil. As the revulsions in Darfur and eastern DRC show, people cannot come to terms with such evil, making any explanation of theodicy unpersuasive.

If there is good Supreme Being, then why the horrors in Somalia, Darfur and eastern DRC? Why the use of child soldiers and sex slavery by supposedly adults who should know better? Why dreadful believe in witchcraft? Why do some Africans engage in human sacrifices? Why albinos should in Tanzania, Ghana and other African states be killed for rituals and in Ghana hunchback's hump ritualistically cut off for rituals and the "murder of physically challenged persons for superstitious reasons." Short of clearer theological explanations, thinkers such as Elie Wiesel, the American Nazi holocaust survivor, argue that either the good Supreme Being is in "exile" or "retracted himself," and so the issue of tackling evil, either in Somalia, Darfur or eastern DRC, rest with responsibilities, that will redeem Africa's evil, and "even God himself."

For, whether by God or not, both evil and goodness is in our minds, and will need the ICCs and African civil societies to wash the evil parts for the good of the African in the face of unfreedoms, poor rule of law, certain cultural practices that violate human rights, paternalistic "Big Man" syndrome, and authoritarianism in most African countries. A former DRC vice-president, Jean-Pierre Bemba, will know soon whether he will be tried for war crimes stemming from rapes in the near-collapsed Central African Republic. Africa's evil have brought out the African condition and helped the growing of the ongoing human rights, democracies and freedoms across the continent. At the same time, these reveal the amorphous nature of evil, its corresponding mysteries, and the dilemma confronting theodicies in addressing evil.

### **Taking on the evil in the African culture**

Martin Meredith, in *The Fate of Africa*, recount that between 17 to 19 April, 1979 the President of CAR, Jean-Bedel Bokassa, who had been accused of cannibalism as part of his juju rituals, participated in the massacre of a number of elementary school students after they had protested against wearing the costly, government-required school uniforms. Around one-hundred were murdered and Bokassa personally beat some of the children to death with his cane.

Over the years, it appears the Bokassa evils have been growing in some parts of Africa where juju help massage the "Big Man"'s ego trip. Africans talk of how some of their leaders appropriate the dark parts of their culture for evil – human sacrifices, charms, ritual blood bath, and other fearsome rituals that blocks general enlightenment. Tune into the Charles Taylor trial in The Hague or the Special Court for Sierra Leone in Freetown and you will be shocked beyond believe about the immense dominance and power of juju-marabout practices, savageries, horrors, the despising of the Supreme Being, the filth and the demonism of Africa. But such negative practices playing with the positive parts in the African culture remain constant and familiar, the proportions roughly the same over the years.

How does Africa contain the proportion of God and evil in the horrible deeds that happened to Rwandans, Congolese, Darfuris, Liberians, Sierra Leoneans? Why should God allow Bokassa to have such evil thoughts? If culture is the construction of people, why the construction of these destructive parts that appear to turn some Africans evil?

Aware of certain destructive parts of their culture and the rest of Africa, Ghanaian public intellectuals – academics and journalists - have rolled out some sort of 17th century European Enlightenment campaigns to refine certain aspects of the culture they deemed destructive, and move their society from the shadows of evil, mal-development, negative superstition and unreason. Using universal human rights values as tools to address these evils, Ghanaian public intellectuals are taking on juju-marabout mediums messing up their system; early marriages and betrothal of women that obstruct their progress such as going to school; female genital mutilation and its physiologically negative implications; human sacrifices that are murders; witchcraft as responsible for varied misfortunes that destroy human agencies; the killing of people (mostly women) accused as witches; the cultural dictation of the beating of wives, sometimes resulting in death; the killing of twins that are deemed evil, among others.

By actively engaging the destructive parts of their culture, Ghanaian public intellectuals are revealing the ascendancy of Africans, as an enlightenment act, despite the Darfur shattering reason and African civilization. From Kwame Nkrumah to Nelson Mandela, the struggles have been to throw light into Africa's evils and help deal with its mysteries. Nkrumah embodies the struggles against the evils of colonialism part of which consequences are responsible for today's Africa's evils (as Rwanda's President Paul Kagame will tell you). Mandela personifies resistance and challenges to creating democracy as anti-dotes to Africa's evils.

Despite complications with the Supreme Being, this is a way of bringing order, either scientific or moral, in DRC, Somalia, Darfur, CAR, western Chad, Burundi and other parts of Africa. Beyond Nkrumah's era, Africa has much more being integrated into the world system, taking in light as well as darkness and its corresponding evils. The weapons used in DRC, Sierra Leone, Somalia, Liberia or Darfur were imported from abroad, and so is Sierra Leonean rebel groups being advised by their foreign backers to amputate their opponents to send strong signal home and abroad. Africa's evils have also increased due to increases in African population and the world's supply of weapons, and as Sierra Leone and Liberia revealed, drugs, as instruments of evil.

### **Africa's evils are African made**

Africa's evils swing between certain practices within its culture and tribulations spewing from the outside world. But at the centre of Africa's evils is the idea that Africans are responsible for the actions that results in their evils. This means, aside from natural evils, the supposedly God's evils become Africans' responsibilities and this explains all of Africa's future results. As Amnesty International reported, it isn't only outrageous but also irresponsibility that the death of the Gambian President Yahyah Jammeh's aunt will be attributed to witchcraft and result in over 1,000 Gambian villagers seized by witch-doctors with the help of state police, the army and the president's personal security guard to secret detention centres and forced to drink traditional juju-marabout potions (some developing kidney complications and some dying) to confess.

The Gambian incident reveals Africa's real evils and false evils. In the Gambian episode, agents of objectivity, rationality and reasoning are mixed in a bizarre cocktail of superstition, irrationality, darkness, and primitivity – and the results are irresponsibilities and false evils.

Why should the president's aunt's death be attributed to witchcraft? Is the aunt immune from natural death? Upon what mechanisms did the witch-doctors accuse the poor villagers of bewitching the aunt to death? Who told the witch-doctors that the villagers are witches, evil and, therefore, death merchants? Where is the proof, where is the beef? Will a European think like the Gambian President or Gambians? Are the differences between the Gambian mind and the European mind due to their respective cultures, and, therefore, that determines, in some aspects, what is evil? Does the Gambian culture stifle the human rights of the villagers accused of bewitching the President's aunt? How do we resolve the contradictions between human rights values and the Gambian culture in relation to accusing an innocent person of being a witch, as evil, a killer?

In *Imagining Evil*, Gerrie Ter Haar and associates explain that in Africa witchcraft is a way of imagining evil, and as the Gambian episode reveal, it can result in death, terrorization, harassment, psychological damages and threats to society, thus making “witchcraft is a human rights issue” and a development challenge. At higher thinking, this is no different from President al-Bashir crimes against the Darfuris. And like most of Africa’s evils, witchcraft becomes simultaneously a spiritual problem as well as material one, as Haar and associates argue. Yet still, as President Jammeh’s actions reveals, “both dimensions are significant, but it appears that no lasting solution to the problems posed by witchcraft beliefs and accusations will be found unless full account is taken of the spiritual dimension of the matter,” argued Haar and associates

How do African policy-makers resolve the “full account is taken of the spiritual dimension of the matter”? A conundrum, isn’t it? As a Ghanaian traditional spiritualist had suggested, should there be a Spiritual Court to address this aspects of Africa’s evils? In the Gambia as in other parts of Africa, Africa’s evils become a mystery, and Africans are yet to liberate themselves from it no matter how necessary some see evil – some argue Idi Amin’s evils produced the good works of Yoweri Museveni and that South Africa’s horrendous apartheid created the grace and love of the Nelson Mandela legend.

### **Minimizing Africa’s evils**

Whether small or big, part of Africa’s evils emanate from its culture, part due to globalization, part from its ancient traces, and part from its reptilian brain – the tribal hatred, the will to mindlessness. As Benin Republic, Mali, Cape Verde, South Africa, Botswana, Namibia, Mauritius, and Ghana demonstrate, Africa’s evils could be contained with greater dialogue, healthy rule of law, bigger freedoms, vigorous democratic consolidation, dynamic civil society, objective engagement of traditional values and institutions, and active human rights practices. This will help strain out the evils, the Darfuris and the DRCs, and boost the much praised African humanism.

# Taylor, Woewiyu To Testify In April

## ...UN Special Court Takes New Trend

By I-Karba Williams

MONROVIA: The Sierra Leonean UN backed Special Court trying former detained President Charles Taylor has taken a new trend by including Liberia for the 1989 invasion, which serves the basis for the genesis of political consternation in the two neighboring countries.

Indictment brought against the former Liberian President on his alleged involvement in the Sierra Leonean crisis, would be the basis for Mr. Taylor to tell the court the genesis of the 1989 invasion of Liberia that reportedly involved both Liberian and Sierra Leonean politicians in his testimonies.

Taylor's defense lawyers said the 1989 National Patriotic Front of Liberia (NPFL) invasion led by Mr. Taylor, would form part of their client testimonies and he would give the political justification for the war.

Mr. Taylor is expected to detail accounts of both the military and political arrangement, including key players in the rebel invasion that toppled the

Samuel Doe regime and Liberia will be the setting, not Sierra Leone.

Reports say April 2009 is expected to provide both Sierra Leoneans and Liberians with more information on their respective countries' rebel incursions when both Mr. Taylor and former President Pro-Tempore of the Liberian Senate, Thomas Woewiyu testify in The Hague and Monrovia respectively. Former Senator Woewiyu will testify at the Truth and Reconciliation Commission (TRC) in Monrovia.

Mr. Taylor, currently detained in The Hague, Netherlands, faces 11-counts for war crimes and crimes against humanity. According to reports, he will surprise his critics as he is fully prepared to take the stand as the first defense witness in his trial.

He is to name others, many of

Cont'd on page 6



## Taylor

whom today are controlling state power. These people reportedly financed the wars that killed over 350, 000 Liberians.

However, TRC sources have hinted *THE INDEPENDENT* that preparations have been completed for the former Grand Bassa Senator to testify before the Commission in Monrovia to account for his role and provide other information about the Liberia civil war. It has not been established why Mr. Woewiyu chose to testify at the TRC in April when his former boss (Mr. Taylor) would engage in similar activities in The Hague.

Mr. Woewiyu who currently resides in the USA wrote an open letter to Madam Ellen Johnson-Sirleaf during the 2005 election and accused her of providing over US\$500,000 to Mr. Taylor's NPFL.

But Madam Ellen Johnson-Sirleaf, now President of Liberia, rejected Mr. Woewiyu's claims that she contributed that amount he stated. Nevertheless, in her recent testimonies at the TRC she claimed giving US\$10,000 to assist the NPFL with relief.

Mr. Woewiyu who himself served as the defense spokesperson of the NPFL to remove Samuel Doe said he would expose the war deal at any time if called to testify. Although, the exact date for Mr. Woewiyu to testify is still unknown, TRC sources say he would give his testimonies in mid-April.

# The Inquirer (Liberia)

Friday, 20 March 2009

## "I Will Not Bow To Pressure"

### Taylor's Lawyer

The lead defense counsel in the trial of former Liberian President Charles Taylor, says he would not allow himself to be put under pressure by accepting a decision to short circuit the case of his client.

Mr. Courteney Griffiths says any attempt for him to short circuit the defense of his client on grounds that the court is facing a funding gap, he would come out to inform the Liberian people and the world at large that there are attempts for him

to short circuit the defense of the accused.

Mr. Griffiths, who is a British lawyer and briefly served as a judge in that country, was speaking in reaction to recent comments by the prosecution in the case led by Mr. Stephen Rapp that the court is facing



Mr. Griffiths

Cont'd on Page 10

## I Will Not Bow

Cont'd from front Page

a funding gap that could probably lead to a decision to release Mr. Taylor in the case.

But speaking earlier this week in reaction to the claim by the prosecution that it could release Mr. Taylor in the case if donors did not continue their funding support to the court, Mr. Griffiths described the prosecution's pronouncement as "propaganda," and a "fund raising," plot.

Mr. Griffiths said it was his clients that availed himself to the prosecution to be arraigned in court, stressing that it was the prosecution that did so, and so, it is to them to find the money.

Touching on funding to the court, Mr. Griffiths said the court's financial base

came from and is coming from voluntary contribution, but hastened that now in the wake of the prevailing financial crisis, some of these donors are now beginning to feel that the issue of Mr. Taylor is no longer an important one to the court.

According to him, when these donors wanted Mr. Taylor out in 2003, it was important to them to give the kind of support the court needed, adding that it was a significant moment then.

Mr. Griffiths added that he is confident that those who want Mr. Taylor prosecuted, would find the money, stressing that the availability of funds to the court, is no something that he is worried about.  
By Patrick K. Wrokpoh



# The Daily Observer (Liberia)

Friday, 23 March 2009

## Griffiths' Faux Pas and Misdirected Appeal

Indicted ex-president Charles Taylor's lead counsel, Courtenay Griffiths spent last weekend in Monrovia only to say how his client was being a victim of a racial ploy by 'whites' to mete out unfair treatment at 'blacks'. He named Taylor's indictment and subsequent arrest and the latest charge against Sudanese leader, Omar Al-Bashir for committing crimes against humanity in Darfur as reasons for his argument. The British lawyer also speculated that the next African leader to face a charge of crime against humanity could be Robert Mugabe of Zimbabwe.

Griffiths sees these charges as racially motivated only because similar charges are yet to be brought against former United States President George Bush and former British Prime Minister Tony Blair for their part in the war in Iraq or against Israel for its recent military onslaught on Gaza.

But in his rush to defend his client by appealing to sentiments in Africa, Griffiths failed to recognize the current ongoing trial of persons from the Balkans who are also being tried for war crimes in The Hague. He also missed the historic Nuremburg trial for Nazis who perpetrated the holocaust.

We think Mr. Taylor's lawyer had another slippage; he directed his sentiments to the wrong audience. We in Liberia hold nothing against our former leader, although he is the one credited for starting the war that killed nearly 300,000 of our fellow countrymen; he is known to have rejected early peace accords, set up his shadow government in Gbarnga and pillage our resources; was elected president and legitimized his pillaging game by nearly ruining our rain forest using reckless Malaysian loggers. Yet not one of the 11-count charges that Taylor faces comes out of Liberia.

It is rather our sisterly, neighboring state Sierra Leone, where a decade-long war killed fewer hundred thousand persons than ours but maimed dozens others among them a good number have their limbs amputated. There these charges evolved.

We think Griffiths needs to face those amputees in Freetown and say to them exactly what he said in Monrovia. He needs to tell them in what way Taylor was never responsible for their arms and legs being chopped up and, have them convinced that he is speaking the truth so that they may put up a petition to the United Nations to withdraw their claims against his client.

Sierra Leone is the right battle ground for the fight that Griffiths puts up. Liberians cannot help Taylor. We have absolutely no case against him.

Besides, Liberians are a people with great respect for international law. In the early 1930s, petitioners from Clay Ashland, acting on findings from an international inquiry commissioned by the League of Nations, which charged President Charles Dunbar Burgess King and Vice President Allen Yancy for complacency in the practice of forced labor, a form of abuse of humanity, demanded both men resignation and they promptly resigned. Liberians, therefore, relish any attempt by their compatriot found to be in violation of an international law to rather face the court under presumption that that person is innocent until proven guilty. Once that is the case with Taylor, we see nothing wrong, with Nuremburg and the Serbians' trials in mind.

New Democrat (Liberia)  
Friday, 23 March 2009

# Charles Taylor Staying Charles Taylor

## Coming Testimony: The Expectations, The Claims & The Surprises

**M**s. Courtney Griffiths, main lawyer pleading for former President Charles Taylor on trial for war crimes, is giving us some hints of what his client will tell the world in testimony. Mr. Taylor is expected to take a

Proposition One: Mr. Charles Taylor, in climbing the podium to vindicate himself, will offer justifications

Proposition Two: The Accused will submerge his own role in the Samuel Doe military junta that he helped bring to power on 17 April 1980 when he joined the military rebellion as a civilian captain.

Proposition Three: He will claim that, after all, he is not the one with the greatest responsibility for the war, with blood all over his face, but that other, many now in key political leadership, are part and parcel of the war and crimes for which he is being held accountable. He is expected to supply a list of those he will claim financed the war and must therefore be dragged together with him, since he will not go down alone. He who is down falls on all.

Proposition Four: He is being singled out, he is expected to tell the court, because the west hates him since he represents what they oppose. He is a victim of a greater western conspiracy against African leaders, an embodiment of the racism against Africa.

Proposition Five: His lawyer says the 1989 Invasion will form part of his testimony. Therefore, he is expected to give the political justifications for it, but whether he will offer justifications for the unending atrocities, as dozens of witnesses including his key lieutenants and documents attest, is open to question. His comments on these could come during cross-examination. Would he claim a higher merit than Samuel K. Doe?

Whatever Mr. Taylor will say, the indictment against him, and the Courts in it, will be the basis of judgment.

The indictment reproduced here in part from the Prosecution's Opening Statement, lays the basis of the case. In it, reference to Liberia, and to crimes committed here, are just in passing. Thus it is the crime of Mr. Taylor's defence, as his lawyer says, in the Doe regime and the invasion, then much more is expected, except for the political drama in which Liberia will be the setting, not Sierra Leone.

Prosecutor Stephen Rapp, in his opening statement, declared:

... five counts of war crimes - those involving the civilian population of SL, while the common plan amounted to or involved the commission of the crimes alleged in the Amended Indictment: personal dignity and pillage (looting property); and

... One count of other serious violation of international humanitarian law - being the commission of the crimes alleged in the Amended Indictment: the recruitment of children under the age of 15 into the armed forces or groups, or using them to actively participate in hostilities.

The Prosecution alleges that these crimes were committed in Sierra Leone between 30 November 1989 and 15 January 2002.

It is in fact one over-arching crime, as is fully aware of the horrific consequences thereof, that it is in this context also that the civilian population of Sierra Leone, did nothing to prevent or obstruct these crimes and indeed continued to act in violence such as mutilations, sexual assault, rape, sexual slavery and other outrages, in the form of forced labour, the recruitment and conscription of children, the burning that killed and maimed, and together with looting and pillage, were being committed in the territory of Sierra Leone during the relevant period, and do not fall

low ethnic or linguistic groups. Many in up-country border areas have closer relations to people across the borders than to those in their capital cities.

Our Amended Indictment focuses on six districts or areas in Sierra Leone, its districts resources are found in Kono and Koinonia Districts.

Kailahun District will be an important focus of our evidence because it was long-term conflict between Sierra Leone and Lofa County in Liberia.

To fully understand the crimes that are described in the indictment and the central role that the Accused had in the commission of them, it's important to look at the history and understand the major political events that led to the campaign of terror against the civilian population of Sierra Leone.

The jurisdiction of this court is limited by the Statute of the Court to crimes committed in the territory of Sierra Leone since 30 November 1996. The crimes charged in this indictment were committed between that date and the end of the Sierra Leone war on 18 January 2002. However, the planning and preparation of these crimes began long before 1996 and critical acts which furthered the plan and led to the crimes often occurred far from the borders of Sierra Leone.

The evidence will show that the Accused's plan to control territory of Sierra Leone through a campaign of terror began at least in 1991 when forces supported by Charles Taylor including many of his own Liberian NPFL soldiers first invaded the territory of Sierra Leone.

To understand the Accused's motivation and his links

region, and why he saw others as obstacles to his rise, one cannot fully understand the Accused's ability to influence and control forces in Sierra Leone without some understanding of the uniquely personal nature of the accused leadership of his armed forces, political

Moreover, many of the crimes committed by rebel forces supported by the Accused in Sierra Leone mirrored crimes that had been committed by Accused's forces in Liberia. The RUF mirrored learnt war and methods of guerrilla warfare in Liberia with Taylor's NPFL. As an example is the recruitment of child soldiers. The rebel forces in Sierra Leone carried out wide-scale recruitment of children, as done by the NPFL in Liberia and organized and lined these children in their military campaign against the civilian population of Sierra Leone in the manner they were organized and utilized in Liberia. The most obvious proof that the crimes commit by the RUF and allied forces in Sierra Leone is foreseeable is the fact that very similar crimes were carried out by the NPFL in Liberia.

Further, the Prosecution submits it will be easier for this court to examine evidence of the Accused's actions after the indictment period. The Prosecution will seek to introduce evidence of post-offence conduct, in particular, the murders of men who were the Accused's inner circle and who were aware of crimes perpetrated by the Accused. The evidence shows that these men were eliminated so as to not expose the Accused, which is behaviour going to Accused's consciousness of his criminal responsibility for the crimes in Sierra Leone that come under jurisdiction of this Court. Of course, the Accused did not participate in this common plan alone. He was a major figure who was closely and in contact with others in both Liberia and Sierra Leone to achieve the objectives of the common plan.



SIERRA LEONE REBEL LEADERS FOR BRIGHT THE CASE HENRIA NORMAN (KAMAJOR), WHO DIED IN FIGHTING BEFORE VICTORY AND CONVICTED RUF LEADERS

stand for perhaps his last political speech, denied first when he appeared before the Court in Freetown and demanded to make a speech. "We are not here for political speeches," declared the Ugandan-born judge Sibiakine. Now, that request cannot be denied, for it will come in a form of a testimony, with his lawyers asking leading questions and getting answers he had so well rehearsed. The climax will come under cross-examination, when prosecuting lawyers will seek to dismantle Mr. Taylor's claims. The entire show promises increasing headlines and more on Charles Taylor than in Charles Taylor in the fields of his movie.

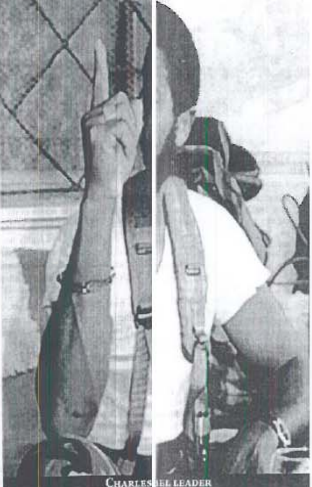
Already, his lawyer has launched a political campaign designed to woo sympathizers for his client. All understandable and expected since he is well paid for such acts. Addressing a press conference last week, he asked what he said was a rhetorical question: If Taylor were to return and compete in an election with President Ellen Johnson Sirleaf, who would win? He said he did not want an answer because, he implied, it is obvious. Mr. Taylor enjoys immense popularity here, as so Ms. Griffiths has been occasionally tied with high degree of believability.

Whatever the answer, the likelihood of Mr. Taylor contesting elections and winning depends on how well Ms. Griffiths convinces the judges, not the Liberian people, of how great and innocent he is. After that, the American is perfectly placed to serve as campaign manager for Mr. Taylor, but it is certain that victory will depend on causing the kinds of conditions - war, death and total state collapse - that prevailed between December 1989 to 1997 when Liberians, in their wisdom, decided to bequeath the presidency to his client instead of perpetual killings and incurable misery.

to cross into Sierra Leone, where he has claimed his grandfather came from.

The Accused stands indicted for eleven crimes under the statute of the SCSL.

Cones in Second Amended Indictment must explain in greater detail, they are crimes international humanitarian law, as enshrined in statute, because of connection to armed conflict, because they were committed as part of or systematic attack against a civilian



CHARLES TAYLOR LEADER

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had the power and will to reward those that aid his plans and punish or destroy those that depict him. By the time the crimes charged in this indictment took place, the Accused had well established relationships with those on the ground in Sierra Leone who carried out the crimes. The RUF and its allies



1980 EXECUTION TO FORM PART OF THE DEFENSE

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**United Nations**      **Nations Unies**

United Nations Mission in Liberia (UNMIL)

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**UNMIL Public Information Office Complete Media Summaries**  
**20 March 2009**

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

**Newspaper Summary**

**Controversial Elections Threshold Bill Suffers Setback as Lawmakers Rescind Decision**

(The Independent, The News)

- In less than three days following the passage of the controversial population threshold bill by the House of Representatives the lawmakers again voted unanimously to reverse their decision.
- During the body's Thursday session, the lawmakers voted 25 in favor, four against with six abstentions to cancel the passage of the threshold bill seeking reduction in representation of lowly populated counties while at the same giving the opportunity to counties with higher population to have increase in the number of representatives in the pending 2011 elections.
- Earlier Tuesday, the Representatives voted overwhelmingly to pass the threshold bill which has been at the body for over eight months amending the 45,000 per constituency matrix set by the National Elections Commission to 40,000.
- The decision of the representatives was triggered by a motion for reconsideration filed by Maryland County Representative Jonathan Banney who argued that the March 2008 National Housing and Population census conducted by the Liberia Institute for Geo-Information Services (LISGIS) is preliminary and has not been approved by the President to be used in passing such bill.

**President Sirleaf Nominates Country's New Representative to United Nations**

(Heritage, The Informer, The Inquirer, Public Agenda)

- President Ellen Johnson Sirleaf has withdrawn the appointment of Commany Wisseh as Liberia's permanent Representative to the United Nations.
- In a communication to the Liberian Senate, the President named Marjon Kamara as the new nominee for the position.
- According to President Sirleaf, Mr. Wesseh turned down the appointment recently to vie for the Senatorial post of his county which he has since lost.
- Madam Kamara is a former Assistant Foreign Minister during the regime of President William R. Tolbert.

**Election for New Senate Pro-Tempore due Next Thursday**

(Heritage, National Chronicle, The Parrot, The News)

- The Liberian Senate is expected to go to the polls next Thursday, March 26 to elect a new President Pro-tempore. The position became vacant following the resignation of Grand Gedeh County Senator Isaac Nyenabo on Tuesday. Prior to his resignation, 23 Senators declared a vote of no confidence in the entire leadership of the House. The heads of the five statutory committees resigned immediately after the resolution seeking their removal leaving the former Pro-temp who resigned a few days later.
- Reports say intense lobbying is taking place among key Senators interested in the position of President Pro-tempore of the Liberian Senate. Legislative sources say those campaigning for Pro-Temp post include Lahai Lassana of Bomi, Sumo Kupee of Lofa, Cletus Wortorson of Grand Kru, Mobutu Nyepan of Sinoe and Gloria Scott of Maryland. Grand Bassa Senator Gbehzongar Findley yesterday declared his intention to vie for the post.

**Guthrie Workers Strike - Several Wounded**

(The News, The Inquirer, The National Chronicle)

- [SIC] The News newspaper reports that at least one person was killed and several others wounded at the Guthrie Rubber Plantation in Bomi County as a result of a strike action by workers over salaries and benefits. According to reports the aggrieved workers blocked the Klay-Robertsport highway and held several individuals

including some members of the company's management team and Bomi County Senator, Lahai Lissanah hostage for several hours. The workers accused the management of ignoring their plight citing the lack of medical benefits and incentives. The News newspaper quoting sources say the Emergency Response Unit (ERU) that was called in to quell the chaos allegedly shot at the protestors thus killing one person and injuring several others.

## **Radio Summary**

### **Star Radio** *(News monitored today at 9:00 am)*

#### **President Sirleaf Withdraws Nomination of Commany Wesseh from United Nations**

*(Also reported on Sky F.M., and ELBC)*

#### **President Sirleaf Recommits Government's Support to Medical College**

- Addressing students and alumni of the A.M. Dogliotti College of Medicine at the state-owned University of Liberia (UL), President Ellen Johnson Sirleaf renewed Government's commitment to the full restoration of the institution by providing the necessary support.
- President Sirleaf welcomed assistance provided the institution by friendly countries and other international partners, but maintained that the long-term solution of the country's health care delivery services lies in the training of more Liberian doctors to effectively carry out their national responsibility.
- The college established in 1966 as result of an agreement between the Liberian Government and the A. M. Dogliotti Foundation, backed by the Government of Italy, has since graduated 273 doctors.

*(Also reported on Sky F.M., and ELBC)*

#### **Ex-LPRC Managing Director Declares His "Innocence" in Economic Sabotage Case**

- The former Managing Director of the Liberia Petroleum Refining Company (LPRC), Edwin Snowe, has described the trial of five top officials of the erstwhile National Transitional Government of Liberia including its Chairman Charles Gyude Bryant as a witch-hunt in the name of fighting corruption.
- Taking the stand in the ongoing economic sabotage, Former Speaker Snowe now a lawmaker said he and four others including former Chairman Gyude Bryant did not steal nearly \$US1 million from Government.
- Those indicted are Charles Guyde Bryant, former speaker Edwin Snowe, Richard B. Devine, Andy G. Quamie and Siaka Sherrif who have all pleaded not guilty to a 139 pages indictment drawn against them.

*(Also reported on Sky F.M., and ELBC)*

### **Truth F.M.** *(News monitored today at 9:00 am)*

#### **President Sirleaf Moves to Quell Labour Unrest at major Plantation**

- A meeting has taken place in Monrovia between President Ellen Johnson Sirleaf, representatives of the workers at Guthrie Rubber Plantation, and the plantation's management team.
- An Executive Mansion release said the meeting was aimed at resolving the recent labour unrest on the plantation.
- Following discussions with the concerned parties, the President has requested that Morris American Rubber Company manage Guthrie in the interim period and work with the Government in settling the arrears of the workers.
- Meanwhile, reports say a police depot has been burned in the area.

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# The Standard

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<http://www.eastandard.net>

## War crimes court might never arrest Al-Bashir

By Richard Kerama, Revise Editor

I was one of over 80 journalists from around the world when the war crimes world court issued an arrest warrant for Sudan's President Omar al-Bashir. Bashir became the first sitting head of state to be charged with war crimes and crimes against humanity.

The controversial landmark ruling accuses Bashir of presiding over crimes, including the attempt to destroy ethnic groups deemed to support rebel factions in Sudan's troubled Darfur region.

He is suspected of being criminally responsible ... for intentionally directing attacks against an important part of the civilian population ... murdering, exterminating, raping, torturing, and forcibly transferring large numbers of civilians,



President Omar Al-Bashir. Photo: Reuters/File

and pillaging their property, said ICC spokeswoman Laurence Blairon.

This announcement sparked a frenzied uproar across Africa's largest country with daily street demonstrations in support of their Head of State.

President Bashir was to thereafter lead from the front with daily rhetoric saying, You can't touch me! And with good reason.

### Unleash violence

The International Criminal Court's indictment had successfully polarised the world into two. On the one side was Moreno-Ocampo's warrant of arrest, several western nations and Sudan opposition leader, Hassan al-Tourabi.

On the other are Russia, China, the Arab League, Organisation of Islamic states, African Union and everybody else. Every country has for one reason or the other taken a stand for or against the indictment.

Since the ICC tribunal was set up to try the most serious international crimes, it has been under intense pressure to justify its existence.

Many people fear the warrant could unleash violence against civilians and the joint UN-African Union mission (Unamid) in Darfur.

There has been no permanent court to prosecute individuals accused of war crimes or genocide since the International Court of Justice only has jurisdiction over conflicts between nation-states.

But nations have been prosecuting war crimes since after World War II, when the Allied powers created international tribunals to try Nazi and Japanese war crimes.

In more recent decades, the UN has established tribunals to prosecute war crimes in the former Yugoslavia, Rwanda, Sierra Leone, and Cambodia. But these tribunals are expensive, and experts say they are less efficient and less of a deterrent than a permanent court, wrote Kristen Chick in *The Christian Science Monitor*.

### **African suspects**

Kristen quotes Leila Nadya Sadat, a law professor at Washington University School of Law and a delegate to the diplomatic conference at which the ICC was established as saying: The time gap between when the crime takes place and the establishment of a temporary tribunal gives the defendants time to destroy evidence, while a permanent court can act more quickly.

In this regard, the ICC was established in 2002 when 60 nations ratified the Rome Statute, the treaty that forms the legal basis for the court. Its mission is to try the most serious international crimes, particularly genocide, crimes against humanity, and war crimes. With its seat in The Hague, it is independent of the UN, and is funded by its 108 member states with a 2009 budget of about \$127 million.

The court is meant to work alongside, not replace, domestic prosecution, and to handle crimes nations cannot or will not prosecute on their own.

So only the most serious cases, only the crimes of international concern that are of sufficient gravity, are the ones intended to be handled. Everything else is supposed to be handled by domestic courts.

The court has jurisdiction over cases in which the accused is a national of a member state, the crime took place on the territory of a member state, or the UN Security Council refers a situation to the court. It can only prosecute crimes committed after its inception.

The court has opened cases in Uganda, the Democratic Republic of Congo, Sudan, and the Central African Republic. Critics have called it white man's justice since all 12 ICC cases so far have been against African suspects.

That in itself has stoked the arsenal of conspiracy theorists who see the ICC as a neo-colonial tool/body mandated to keep Africa subjugated.

The argument is compelling and it would be hard to find any one African, Arab or Asian leader supporting the indictment against President Bashir. The last time I checked almost every country has an ongoing armed internal conflict, perhaps not at the scale and intensity of Darfur, but serious nonetheless. Such conflicts are no doubt encouraging the collective amnesia that has engulfed most of these leaders.

An intense diplomatic push has seen Khartoum's envoys visit each and every regional bloc and nation that would have a say against the arrest warrant and so far the effort is paying dividends.

### **Logistical woes**

I say this because the ICC's biggest problem is a logistical one: Without a police force or standing army, how does it deliver its suspects to court?

The French Ambassador in Khartoum was to get a taste [of this when he was summoned last week to clarify statements by a French Foreign ministry spokesman that friendly nations should hijack Bashir's aeroplane when he flies to Qatar to attend an Arab summit at the end of this month, and hand him over to the ICC.

Another is one of jurisdiction since it cannot exercise its prosecutorial powers over citizens of a non-member country (one that is not a signatory of the Rome Statute like the US, India, Israel, China and Sudan).

The other compelling argument from Khartoum is that a sitting African leader is being targeted but the same has not been tried over the daily killings reported in Iraq, Afghanistan, Mexico, Philippines Palestine and the thousands killed in the Hiroshima/Nagasaki atom bombings, the Korean War, Vietnam and in the various liberation movements across the world over the last 50 years.

Last week the Sudan-ICC standoff reached the White House when UN Secretary-General Ban Ki-Moon visited President Barack Obama.

The Obama administration seems intent on getting its hands soiled in the Darfur issue and President Obama appointed retired Air Force Gen J Scott Gration, a close friend with experience on African issues, to be special envoy to Sudan.

And two days ago US Secretary of State Hillary Clinton warned that President Bashir would be held responsible for every single death resulting from his expulsion of 13 aid groups from Darfur. Underneath all these is the perception that the ICC is a tool crafted in Europe (Rome), owned by western interests. There is even suspicion that US involvement is because its firms prospected for oil but the extraction contracts were handed over to China.

### **Dissenting voices**

Bashir defiantly told a cheering rally near the southern Darfur town of Nyala that no war crimes court or the UN Security Council can touch even an eyelash on him.

He accused the West of attempting to create chaos in Sudan and trying to split Darfur from the rest of the country.

The president of Sudan is not elected by Britain or America. Sudan is an independent country, Ó Bashir charged.

This was al-Bashir's second visit to Darfur since the ICC issued the warrant on March 4. His remarks reflected confidence amid support from the Arab League, whose chief Amr Moussa said this week the 22-nation group will not act on the ICC's warrant when al-Bashir flies to an Arab summit in Qatar at the end of this month.

As I indicated earlier, there have been many dissenting voices to the arrest warrant.

Apart from the Arab League, the AU has also expressed support for Bashir, although both have criticised his decision to expel foreign aid workers. The AU in January announced that its own high-level panel would investigate Darfur atrocities.

That panel launched in Addis Ababa, led by former South African president Thabo Mbeki, however, does not have any judicial powers and its mandate remains unclear.

Ahead of the warrant being issued, a leading Sudan expert called on the UN Security Council to suspend the arrest. Sudan is in a state of high tension at the moment, and we face a dangerous month ahead. The immediate cause of the tension is the expected arrest warrant to be issued by the ICC, Alex de Waal of the New York-based Social Science Research Council wrote in his blog.

De Waal said the ruling National Congress Party sees the ICC as the gravest threat to its survival it has ever faced and a matter of life and death.

There were fears of unspecified retaliatory measures if the ICC judges endorse the charges against Bashir. Indeed the first casualties were international relief agencies in Darfur.

Bashir scoffed at the mere \$100 million relief aid as affordable and ordered the immediate Sudanisation of the relief effort in Darfur within one year.

De Waal has been one of the main critics of the ICC move saying it jeopardises the North-South peace agreement signed in 2005 and may escalate the five years Darfur conflict.

### **Peace process**

Russia also renewed its keenness to surpass the allegations by ICC when the Chairman of the Foreign Affairs Committee of the Federation Council of Russia and special Envoy of the Russian President to Sudan, Mikhail Margelov visited.

China on its part has promised to respond appropriately to ICC decision on the warrant. The Chinese ambassador said China is in contact with all parties particularly since the UN Security Council has a responsibility to preserve peace and political solution in Darfur. Last month, the Chinese special envoy to Sudan Liu Guijin told reporters that an arrest warrant would have dire consequences on peace process.

The indictment came at a time of great political instability in Sudan. Darfur rebels are expanding their operations into neighbouring states as the country prepares for crucial national elections this year. And relations between the Arab-dominated government in Khartoum and the semi-autonomous South Sudan are coming under increasing strain.

Vice-President Salva Kiir, who shares power with Bashir in a coalition government, was more conciliatory.

He said the collapse of peace in Sudan shall not only hurt Sudan itself, but shall also have serious repercussions in the region. Sudan is surrounded by nine countries: Kenya, Uganda, DR Congo, Chad, Egypt, Ethiopia, Eritrea, Libya, Central African Republic and the Red Sea.

Bashir ended a decades-long North-South civil war, which claimed millions of lives, in 2003 by signing a comprehensive peace accord and agreeing to share power in a coalition government with the southern rebel movement, the SPLM.

Despite Kiir's reassurance, some analysts worry that the peace deal could be dealt a fatal blow, as could similar peace talks with Darfuri rebels, if SPLM leaders deem Bashir's government to be shaken. But in my opinion, that seems unlikely.



## Voice of America

Sunday, 22 March 2009

### **ISS Conference Tackles Impact of ICC Arrest Warrants**

By Akwei Thompson  
Washington, DC

The South Africa-based Institute for Security Studies (ISS) this week held an international conference in Addis Ababa, Ethiopia to discuss the possible consequences and implications of the International Criminal Court's arrest warrants for senior Sudanese officials, including the warrant for President Al-Bashir. The conference was aimed at African policy-makers, political leadership and civil society actors working in the fields of peace and security and international justice.

Paula Roque is a senior analyst with the ISS. From South Africa's political capital, Pretoria. She told VOA's Akwei Thompson there the conference was held in four sessions.

"The first panel was looking at the UN resolution that referred the case to the ICC and looking at the obligations of parties to the Rome Statute and no-state parties."

Roque said the panel looked at the legal implications and duties of members of the UN Security Council as well. Participants from the ICC and an international lawyer from the International tribunal for Rwanda took them through all the legal implications and also gave the panel the legal perspective of "where we stand today with the arrest warrant."

The other three panels looked individually at the impact the arrest warrant would have on Darfur; the north-south dynamics and the prospects for a continued political transition and the Comprehensive Peace Agreement; as well as new options for mediation.

The ISS analyst said the conference also addressed the question of the legality of the warrants raised by a group of Sudanese scholars this week.