

**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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SIERRA LEONE

Impunity in Freetown

An arms and gem dealer for the civil war militias lives openly in the capital with apparent government approval and in defiance of UN sanctions

Africa Confidential has discovered the whereabouts of one of the key financiers and middlemen who worked for the Liberian ex-President and convicted war criminal, Charles Taylor, during the Sierra Leonean civil war. Ibrahima Bah, aka General Abraham or Ibrahima Balde, is residing in, travelling from and freely conducting business in Freetown, in spite of being under a United Nations-mandated assets freeze and travel ban since 2003. Bah used to buy and sell illegal gold and diamonds for the Revolutionary United Front (RUF) rebels and act as liaison for Taylor, while also operating in Burkina Faso and Liberia (AC Vol 39 No 5, Freetown fracas, Vol 39 No 10, The Freetown fall-out and Vol 41 No 16, Masters of war).

Bah is active now in gold trading and has worked with politicians and officers in Guinea Bissau who are heavily implicated in drugs smuggling. He is under the protection of Sierra Leonean politicians and the police appear uninterested in expelling him, as Interpol and the UN require. Some elements of the Sierra Leonean security establishment claim Bah has been paying protection money to senior officers and they worry about the potential threat to public order posed by his strong links to a major mercenary force in the country. They are also concerned about the damage to the national image caused by official indifference to the presence of a major figure from the civil war of 1991-2002 (AC's Special Report on Sierra Leone, April 1998).

When the war ended and the UN imposed the

sanctions on Bah in 2003, he was in Burkina Faso. When he moved to Freetown in 2008, he was living as 'Ibrahima Balde' and travelling on a Senegalese passport. He openly traded in gold and diamonds through a company called Ninki Group (SL) Limited. Formed shortly after Bah's arrival in Freetown, the company's offices were based at 7 Signal Hill Road, which is close to a key police station, on Congo Cross. Bah came to Sierra Leone at the invitation of Paul Bangura, we understand, who was then the governing All People's Congress Chairman for Tonkolili District. Newly elected President Ernest Bai Koroma paid an official visit to Burkina in September 2007, one of his first, even though it raised eyebrows in the region because of President Blaise Compaoré's known links to Taylor and support for factions in the civil war. Bah's role in the war was already well known to Sierra Leoneans.

TAYLOR'S GO-BETWEEN

The international public learned much more about Bah's career through the testimony of witnesses to the Special Court for Sierra Leone (AC Vol 50 No 5, See you in court), which heard that as well as buying and selling guns and diamonds in West Africa and Belgium, he acted as go-between when Taylor wanted to establish relations with the Sierra Leonean putschists, the Armed Forces Revolutionary Council, in 1998. He was also described as the RUF's 'financial controller' and arranged for diamonds to go to Burkina and arms shipments to come in the other direction.

Bah does not confine himself to business alone. He maintains his mercenary and paramilitary links as a key figure in a mercenary organisation called the West African Rapid Solution Taskforce, according to a source in Freetown, where it is based

The SCSL Trial Chamber described Bah as a 'representative' of both the RUF and Taylor. The Sierra Leone Truth and Reconciliation Commission, which documented the history and personalities of the country's worst-ever episode, described him as a 'prominent leader within the AFRC faction'.

Bah now lives in a grand house in one of poshest parts of Freetown: at 31 Herbert Street, Aberdeen Village, on the western arm of the peninsula that forms the harbour, close to Lumley Beach. He had managed to maintain a low profile until he was arrested in April 2012 after a complaint by an Italian businessman, Vittorio Narciso Ruello. He claimed that Bah – whom he knew as Ibrahima Balde – had defrauded him.

Ruello, who has a company called *Mil Navi* in Mexico and Italy, said Bah had invited him in 2010 to come to Sierra Leone and buy gold and diamonds for profit. Official records confirm that Ruello made two gold shipments in August 2011, one worth about US\$60,000, the other of \$120,000. Yet the relationship soured when, Ruello claimed to his interrogators from the local Transnational Organised Crime Unit (TOCU), that he had given \$220,000 to Bah to buy diamonds but received nothing in return. In total, Ruello says, Bah has \$375,000 of his money. Ruello also said that he knew Balde was really Bah and that he was under UN sanctions. In a statement to the police, Bah claimed he was not defrauding Ruello but suffering from the ups and downs of an uncertain business (see Box, Not an Honorary Consul).

When TOCU reported the Ruello-Bah affair to the coordinating body, the Office of National Security, the officers were told that nothing was known about Balde but he was certainly not Bah and should be released. This seems to be part of an official decision not to disturb Bah or his business and to ignore UN sanctions. In subsequent research, we have established that the Sierra Leonean police and immigration officials are not supplied with the Interpol-UN travel ban list, even though it is an openly available public document. We have even heard that another Ibrahima Bah – it is a common name in parts of West Africa – was temporarily detained in Botswana by the immigration authorities on suspicion of being the man under UN sanctions. This means that the individuals most implicated in the civil war can travel with impunity in the area where they caused most devastation. People intercepted while travelling in violation of the travel ban are supposed to be immediately deported.

Bah has a colourful background. He was born in Senegal and joined the armed forces before arriving in the early 1980s in Libya, where he received special forces training. He then fought with *Mujahideen* against the Russian army in Afghanistan before ending up back in Libya as a military trainer and bodyguard for the late Colonel Moammar el Gadaffi in Benghazi. It was there, in 1988, that he met Taylor, who had been introduced to the Libyan strongman by President Compaoré (see Burkina Feature, [Keeping up with the Compaorés](#)).

Gadaffi had formed a visceral hatred for Liberia's then military ruler, Master Sergeant [Samuel Kanyon Doe](#), and decided to back Taylor's guerrillas against him. Bah was thus familiar with Taylor from the outset of

his disastrous career in West African bloodshed, profiteering and war. Bah's value to Taylor was that he liaised with the RUF militia in Sierra Leone and supplied him with the diamonds that he needed to finance his conflict. His Monrovia-based company Greenstone was the main vehicle for this trade.

The Special Court was to have indicted Bah in 2004 for his part in the civil war, after it heard testimony on his central role (see Box, [Testimony on Bah](#)). When the mayhem in Liberia and Sierra Leone finally ended in 2003, though, Bah was in Ouagadougou. It was at this point, however, that the United States Central Intelligence Agency whisked Bah away to the US Embassy in Abidjan, Côte d'Ivoire, for questioning about his links to Gadaffi, Afghanistan and *Al Qaida*, say several published accounts and our own sources. The USA has strong influence in the SCSL Management Committee, which guides the work of the Court and finances it, and the Committee forbade the prosecutors to indict Bah, according to Court sources.

Bah and the CIA

Writing of West Africa's role in financing for *Al Qaida*, the US investigative author Douglas Farah claims in his book titled *Blood from Stones* that the CIA paid Bah \$1 mn. for his information. Bah has claimed, say individuals who have spoken to him consulted by AC, that he is still under CIA protection.

Bah does not confine himself to business alone. He maintains his mercenary and paramilitary links as a key figure in a mercenary organisation called the West African Rapid Solution Taskforce, according to a source in Freetown, where it is based. WARST comprises about 850 former combatants from the wars in Sierra Leone and Liberia ready for quick mobilisation, says a source with West African mercenary contacts. The WARST was created in February 2011 to offer its members as mercenaries in Côte d'Ivoire's post-election crisis but the conflict ceased before this could take place. It is led by George Steven ('Jagay'), who fought in Taylor's National Patriotic Front of Liberia and in the RUF.

In May 2011, Bah invited to Sierra Leone a Libyan businessman on a mercenary recruiting mission for the embattled Gadaffi, the sources add. He introduced the man to a senior imam in Freetown, who was acting on behalf of WARST. The mercenary recruitment was foiled by Sierra Leone's Central Intelligence and Security Unit, which may have been tipped-off by Western intelligence services supporting 2012's North Atlantic Treaty Organisation operation against Gadaffi. Research in Freetown shows the WARST is still active under Jagay's leadership and has its headquarters in the city centre.

Again, the Sierra Leonean authorities seem unaware of or indifferent to a major potential threat to law and order or to regional stability. WARST's collection of ex-combatants can be mobilised quickly, so long as money is available. Pro-Laurent Gbagbo forces have hired ex-civil war guerrillas to carry out attacks in western Côte d'Ivoire and before the elections in both Sierra Leone and Liberia, there was great concern about the potential threat from demobilised fighters.

The idea that armed groups may be available for hire is worrying many in the area. Under UN rules, sanctioned persons should be deported back to the country they were in when the restrictions came in. As far as AC has been able to ascertain, Sierra Leone is uninterested in acting against Ibrahima Bah or against a mercenary organisation operating in plain sight in its capital.

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Uhuru Kenyatta and William Ruto named in Kenya TRJC report



About 1,500 people were killed in the aftermath of disputed polls in 2007

Kenya's President Uhuru Kenyatta and his deputy have been named in connection with post-election violence in a long-awaited report investigating human rights abuses in the country. The report gave no recommendation for action to be taken against Mr

Kenyatta and Vice-President William Ruto. The report's chairman told the BBC this was because they already face charges at the International Criminal Court. Mr Kenyatta and Mr Ruto deny such allegations. The Truth Reconciliation and Justice Commission

(TRJC) was set up following deadly post-election clashes five years ago. After those elections some 1,500 people were killed and more than 600,000 forced to flee their homes. Its mandate was to investigate and recommend appropriate action on human rights abuses committed between Kenyan independence in December 1963 and the end of February 2008 - including politically motivated violence, assassinations, corruption and land disputes.

Call for apologies

Mr Kenyatta and Mr Ruto, who were on opposite sides in 2007, won elections together in March. The report says they stand accused of "planning incitement and financing violence during 2007/2008 post-election violence". The BBC's Wanyama wa Chebusiri in the capital, Nairobi, says that although no action is recommended by the TRJC, it does recommend further investigation and prosecution of high-profile personalities in their administration over allegations of inciting and the violence following the 2007 elections. They include Najib Balala, the new minister for mining, and two senators. The TJRC report also recommends that

its own chairman Bethuel Kiplagat face further investigation over the Wagalla massacre in 1984, when he was serving as permanent secretary in the foreign affairs ministry in former President Daniel arap Moi's administration.

It recommends that those with alleged involvement in the Wagalla massacre should no longer hold any public office. The killings occurred in 1984 during efforts to disarm ethnic Somali clans in the north-east of the country. The government said that only 57 people were killed but survivors say close to 5,000 people died. The TJRC suggests that President Kenyatta offer a public and unconditional apology to all Kenyans for gross human rights violations since independence within the next six months. State security agencies should also apologise especially for acts of extra-judicial killings, arbitrary and prolonged detention, torture and sexual violence, it says.

"The prime minister of Canada had to apologise to the Indians... the other day the prime minister of Australia apologised [for historical injustices]," Mr Kiplagat told the BBC's Newsday programme.

The New Republic Liberia (Monrovia)

Thursday, 23 May 2013

Liberia: No Escape for Liberian War Criminals - Right Group Confident of Their Day in Court

Those who plundered the country, decimated its already meager population, robbed its people of their natural endowments by pocketing benefits from resources for personal gains, and set themselves above all will have to account for their inordinate depravity, either here on earth or in heaven when they shall have died, no matter how long it takes.

The Coalition for Justice in Liberia, a US-based human rights organization working with victims of the Liberian war and legal luminaries outside of Liberia, says there is an end to the long rope as war criminals will definitely come before the throne of disgrace no matter how long they run.

Dozens of Liberians including former warlords, their commanders and other foot soldiers are documented by the Truth and Reconciliation Commission for bearing the greatest responsibilities of war crimes and crimes against humanity for their roles in the Liberian civil war.

Since the release of the report about five years, no former warlords have shown remorse for the role played during the course of the war, rather remained adamant and defiant of accepting responsibility and even committing themselves to any legal process.

Some of them have publicly vowed that "it will take the intervention of jack-truck to get them through the legal process" if the government and the international community see the need to set up a court of that nature to try characters of "war crimes."

Liberians are divided on the merit and demerit of the TRC process - the recommendations- with some threatening to come in defense of TRC indictees should they be subject to arrest and prosecution.

Prince Johnson (INPFL), Thomas Yaya Nimely (MODEL), Charles Taylor (NPFL), Benjamin Yeaten (NPFL), Alhaji G.V. Kromah (ULIMO-K), Sekou Damate Conneh (LURD), George Boley (LPC) and many others are named facilitators of war crimes and crimes against humanity in the TRC document.

All of them are here enjoying the pleasantries of the new political order in spite of the disparaging abominations they played which contravened human decency, basic human rights and protection.

However, the CJL seemed unprepared to sweep the matter under the carpet, as it is opening every frontier of possibility that leads to the trial of these characters who are not above the law and should be treated like those currently in the chains of international justice.

At the two days symposium intended to train its staffers on how to unearth and report gross human rights abuses, including war related massacres taking place around the world, it pledged to work together with other groupings in order to end a "culture of impunity" by perpetrators of genocides.

As expressed by most of the speakers at the ceremony, the group is of the living opinion and conviction that war criminals living in the US and Europe will eventually be booked no matter how long they will run or evade justice.

The Brooklyn City Center (City Hall) conference brought together a group of hardcore international human rights activists, lawyers and representatives, some from the US Department of Justice and the Department of Homeland Security and Naturalization based in Washington D.C., a CJL statement said.

Others were Kathy Roberts, Legal Director, Center for Justice and Accountability (CJA), Yonina Alexander, Legal Fellow (CJA), Dr. Christopher Hayden of the U.S. Department of Justice, and Dr. Abbey Weiss, Clinical Psychologist, Center for Victims of Torture (CVT) among others.

Amongst distinguished panelists in attendance were CIVITAS' Director Mr. Hassan Bility and former Associated Press correspondent James Kokulo Fasuekoi, both of whom shared the brunt of the conflict in Liberia.

It's no secret that Bility, who presently runs CIVITAS, a human rights group based in Liberia, suffered severe torture at the hands of Charles Taylor's securities prior to the fall of Taylor's regime.

During the proceedings, Bility spoke about his ordeals in the former dictator's prison and the process which led to his released. Journalist and author, Mr. James Fasuekoi who covered the civil war for more than a decade before escaping the country two years after Taylor became president, introduced a new dimension to the event. He screened vivid photographic slides of child-soldiers, mass starvation, massacres, warlords and rebel commanders, which brought fresh memories of the war. Some of Fasuekoi's war-images were so tasteless and ghastly that some members of the audience had to turn away from the screen.

Participants and presenters spoke of gross human rights abuses including genocides carried out in Liberia with a focus on "people" whose actions one way or the other, led to the carnage and mayhem that characterized the 14 years brutal war.

Other places where gross human rights violations have occurred in the past such as the East African country of Rwanda and Guatemala in South America were placed under the spotlight and U.S. human rights activists and lawyers attending the forum briefed the audience on the level of progress they have made so far in those countries in terms of prosecuting perpetrators of abuses and massacres via international justice systems.

Earlier, during opening remarks, founder and interim president of the Coalition for Justice in Liberia, Miss Lovetta Tugbeh, lamented the plights of vulnerable women and children throughout Liberia the wars and described both groups as the "most victimized." "Soldiers [rebels] forced men to rape their daughters in front of others...mothers were forced [by rebels] to have sex with their sons; sisters with brothers," Miss Tugbeh told the audience.

She urged the US States Department of Justice as well as the Department of Homeland to work hand in hand with rights groups in and out of the U.S. in order to track down and subsequently prosecute "perpetrators of heinous crimes against humanity" and not allow them use the U.S. as safe heavens.

The young rights activist assured the audience and victims of war that her new organization would not only limit itself to the provision of rehabilitation and trauma counseling for raped and war victims, but would also strive make free medical services available to them.

Naharnet (Lebanon)

Thursday, 23 May 2013

STL Funding Dilemma Back at Forefront as Deadline Approaches

Caretaker Prime Minister Najib Miqati said on Thursday that his cabinet can't pay Lebanon's share of the Special Tribunal for Lebanon funding.



“The caretaker cabinet can't be responsible for the matter as it falls under current expenditure,” Miqati said in comments published in An Nahar newspaper.

He pointed out that the succeeding cabinet should deal with the matter.

Miqati revealed that United Nations Chief Ban Ki-moon sent a letter to the premiership to remind it to pay the country's share of the STL funding.

However, Miqati said that the letter was sent after his cabinet resigned.

According to An Nahar newspaper, if Lebanon failed to pay the funds on time then the U.N. could pay from its allocations until the new government is formed.

The cabinet-led by Miqati resigned on March 22 after it failed to approve the formation of the authority to oversee the elections.

Transitional Justice Strategy for Bosnia and Herzegovina

The strategy is a comprehensive framework for dealing with the legacy of human rights violations and war crimes, to build the foundations of a peaceful future in Bosnia and Herzegovina.

By Dr. Goran Šimić

Ethnic and conflicting interpretations of the legacy of human rights violations and war crimes between 1992 and 1995 continue to burden political development in Bosnia and Herzegovina (BiH), simultaneously poisoning inter-ethnic relations between Bosnian communities. Understanding that dealing with the past is a key precondition for conflict prevention and the creation of a stable future, the government of BiH has started the process of creating a state-level Transitional Justice Strategy.

The purpose of the Strategy is to form a sustainable platform for establishing facts about the past; providing redress for injustice and war-related trauma; protecting individual and collective memory; reforming and regaining trust in institutions. Overall, the goal is to develop a “never again” mentality. A guiding principle was active participation for all interested citizens, civil society organizations and institutions from all levels of governance, through an open and inclusive consultation process.

The Strategy covers non-judicial transitional justice mechanisms – truth seeking and truth telling, reparations, memorialization and institutional reforms. Together with related strategies – such as the War Crimes Strategy, the Gender Action Plan, and the Dayton Agreement – the Strategy represents a comprehensive plan to combat impunity, provide redress for injustice, establish facts about the past, regain trust of citizens towards institutions and deter future human rights violations.

Recommendations provided in the Transitional Justice Strategy are based on an analysis of transitional justice developments in BiH, comparative practice, domestic legislation, international obligations and standards, as well as conclusions from consultations.

Truth seeking and truth telling

In this section, the Strategy defines solutions regarding pressing issues, such as resolving the fate of the missing persons, forming an investigative institutional mechanism for establishing facts about the past or establishing a credible database of victims of human rights violations and war crimes. At the end, the Strategy recognizes the efforts of civil society in this field, and suggests measures for institutionalizing their activities and creating a coalition of civil society organisations for the purposes of advocacy work and continuing the dialogue process.

Solving the fate of missing persons

The Strategy recommends various activities that will contribute to speeding-up the process of solving the fate of the missing persons, but which will also contribute to improving the status of the family of the missing persons.

Some of the proposed activities are signing bilateral or multilateral agreements with neighbouring states, amending the Law on Missing Persons – particularly in relation to functioning of the Missing Persons Fund, institutional obligations to provide information on missing persons, methods of exchange of information and prevalence in application of the Law on Missing Persons – and amending internal regulations of the Missing Persons Institute (MPI) which will contribute to smoother functioning of the MPI.

A set of specific activities in this area relates to criminal justice, more precisely on amending of the BiH Criminal Procedure Code. For example, conditioning plea bargaining with disclosing information about missing persons and securing testimonies of the indicted in other processes. The Strategy also recommends amending the BiH Criminal Code with the purpose of prescribing enforced disappearance as an independent criminal act. Finally, the Strategy

calls on providing support to – and building the capacity of – both the families of missing persons and missing persons’ associations.

Investigative institutional mechanism for establishing facts about the past

The Strategy recommends establishing an investigative institutional mechanism for establishing facts about the past, but leaves open exactly how it should function, the powers it should have and its mandate for further consultation. However, participants in consultations for the creation of the Strategy reached consensus that the future investigative body needs to:

- establish facts about the past and provide full descriptions of human rights violations;
- give findings on social, cultural, political and historical causes which led to human rights violations and their consequences;
- establish pattern of crimes;
- establish findings on institutional responsibility;
- establish a credible register on killed people;
- create a platform for public hearings of the victims and other participants in the conflict; and
- publish a public report with recommendations for reparations, memorialization, and institutional reforms.

Reparations

When looking at the issue of reparations, the Strategy had two distinct approaches:

Victims centred approach - through activities that consider recognition of victims’ suffering, regaining of their dignity and re-socialization through redress for past injustice; and

Development approach - embodied in providing measures for the creation of new legislation, or amending existing laws, establishment of new institutions and building capacity of the current institutions which are mandated to provide services to victims but, also, to people in need in general.

The Strategy, in this segment, deals particularly with compensation and rehabilitation – psychosocial support, employment and organising socio-cultural and sport activities. Similar to the truth seeking and truth telling part, the Strategy recognizes efforts of civil society in this field and also suggests measures for institutionalizing their programs, creating a coalition of civil society organisations active in this area and supporting the implementation of activities of this kind.

By supporting the adoption of the Framework Law on Victims of Torture and Civilian Victims of War, the Strategy tries to overcome existing discriminatory practices, and lack of sustainability, embodied in different legislative approaches to civilian victims of war and war veterans. The proposed law, which is in-line with recommendations of different human rights bodies, defines crucial notions such as civilian victims of war or victims of torture. It also outlines basic rights that victims should enjoy, as well how these rights should be attained.

Rehabilitation

In terms of rehabilitation, the Strategy develops measures regarding:

- Psychosocial support to victims and people in need - through creating a sustainable referral system and strengthening existing institutions mandated to provide services of this kind, as well as amendment of relevant laws and policies;
- Employment of victims and disabled people - for the purpose of achieving their economic independence and self-sufficiency;
- Creating programs for psychological strengthening and re-socialization of victims and disabled people - through their inclusion in various social, cultural and sport activities.

A very important measure here is connecting a recommended referral system with existing mechanisms for providing psychosocial support to victims and witnesses in (pre)judicial activities and processes.

Memorialization

The Strategy recommends a creative approach regarding protection of individual and collective memory. Namely, it proposes the creation of “sites of conscience”, through which emotional and pedagogical aspects of memorials will be secured and strengthened. The key objectives of the proposed approach are citizens’ participation, pluralism of ideas, protection of democratic values and fostering a culture of dialogue for the purpose of developing the societal, institutional and legislative potential for human rights protection, as well as for conflict prevention.

However, in order to define an appropriate approach for BiH, the Strategy proposes initiating an open and inclusive consultation process to get recommendations on how to organize such projects. The Strategy again recognizes the efforts of civil society in this field and suggests measures for institutionalizing their programs.

Institutional reform

With the purpose of regaining trust towards institutions, the Strategy defines solutions which refer to vetting public officials and broad institutional transformation. In terms of vetting, the Strategy calls for adoption of specific framework legislation that would regulate standards and approaches to the whole screening process. However, the Strategy defines neither the scope of vetting nor institutions where this administrative process should be organized, but instead calls for initiating an open and inclusive consultation process.

When it comes to broad institutional transformation, the Strategy specifically provides measures for:

- Building accountability of institutions - through redeveloping internal and external monitoring mechanisms and census and identification;
- Institutional independence; and
- Building institutions which will be responsive to citizens’ needs.

The Strategy develops recommendations in respect of application processes, the relationship between relevant institutions and BiH Ombudsman (or others) which, according to the Strategy, should ex officio monitor their work, then institutional codes of conduct as well as civil servants’ training programs for the purpose of providing services in a more professional way. The Strategy also proposes measures for providing information on civil servants, allowing citizens to provide their opinion on civil servants’ professional and moral suitability for implementing their institutional mandate.

In order to create more responsive institutions, the Strategy recommends creating a coalition of civil society organisations which would monitor the functioning of institutions and vetting process, whilst building closer relations between institutions and citizens.

Dr. Goran Šimić is an expert in the field of criminal law and transitional justice, professor, lecturer, writer, fighter for human rights and the rights of victims.