

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

**PRESS CLIPPINGS**

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

Monday, February 28, 2005

The press clips are produced Monday to Friday.  
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THE DAILY TELEGRAPH(LONDON) February 25, 2005, Friday

February 25, 2005, Friday

SECTION: Features; Letter to the Editor Pg. 025

Charles Taylor is threat to peace in Africa

SIR -- In the plenary session of the European Parliament tomorrow, I shall call in a resolution for the arrest and trial of the former Liberian dictator, Charles Taylor.

Mr Taylor was recently indicted by the Special Court of Sierra Leone for actively supporting a revolutionary group that was directly responsible for widespread atrocities in Sierra Leone. Amnesty International reports that these crimes included the systematic killings of civilians, amputations, rape and other forms of sexual violence, the use of child soldiers, abductions and forced labour.

Nigeria has allowed Mr Taylor to live in exile within its borders, despite the fact that he is an indicted war criminal. This is contrary to Nigeria's asylum laws. Mr Taylor stands accused of 17 war crimes, crimes against humanity and other serious violations of international humanitarian law. International law requires that all those suspected of war crimes or crimes against humanity be investigated. The Nigerian authorities are therefore obliged to arrest Mr Taylor and either to surrender him to the Sierra Leone Special Court or open an investigation to determine whether to open criminal or extradition proceedings in Nigerian courts.

Charles Taylor remains a threat to international peace and security by means of his continued attempts to undermine efforts to support sustainable peace and development in West Africa. Yet if he remains in Nigeria, it is doubtful that he will even face trial for all the suffering he has caused the people of Sierra Leone. Our all-party resolution should put an end to the problem of tyrannical leaders starting wars and oppressing innocent people with impunity.

Nirj Deva MEP (Cons)

Strasbourg



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## Child sex accuser not sorry

CARLY CRAWFORD

27feb05

FORMER Tasmanian police officer Mandy Cordwell is unrepentant about her part in an indecent assault case in west Africa that has put a senior Australian detective in one of the world's worst jails.

Asked if she felt vindicated by Peter Halloran's conviction this week for touching the breasts of a 13-year-old she said: "Peter Halloran is a convicted criminal and in jail."

She said media reports about her role in the case were "beneath my radar". It is understood she is considering a move to Queensland.

Halloran is appealing against the conviction. If the appeal fails, he will serve 18 months in Freetown's notorious Pademba Road prison, where violence and disease are rife.

Halloran was a war crimes investigator for the UN-backed Special Court in Sierra Leone when the scandal erupted. Ms Cordwell, one of his three housemates in Sierra Leone, said the teenager had told her Halloran had abused her.

A Special Court probe cleared Halloran and during the High Court trial that followed the girl said the abuse had never happened and Ms Cordwell had offered her rewards to accuse Halloran.

Two of the three charges against Halloran were dismissed and he believes his conviction on the indecent assault charge was motivated by a government trying to undermine the Special Court.

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## 'Something terrible' destroyed Halloran's UN dream

By John Silvester

February 27, 2005



Peter Halloran.

Photo: *File*

**Private emails from Peter Halloran in Sierra Leone to friends in Australia foretell the dark clouds that were to descend on his plans for a prosperous retirement.**

When senior police officer turned war crimes investigator Peter Halloran arrived in the Third World West African state of Sierra Leone almost a year ago, it was to be the start of a carefully planned career sea change.

The former head of the homicide squad and senior National Crime Authority investigator knew that he had reached an age where he would not be promoted above his rank of superintendent in Victoria.

But after 39 years of policing he was not ready to retire. He had made inquiries about an overseas posting but realised younger officers would be preferred.

So he developed a plan to join the United Nations - hoping for a plum appointment in Europe. Fellow police with international experience told him that the UN was a closed shop at senior levels and he would need experience in one of the so-called "hardship posts" to have a chance for the dream job.

And no hardship post was considered worse than Sierra Leone, where the UN special court was investigating war crimes and the death of thousands of civilians between 1991 and 2002. In one of the poorest and most corrupt nations in the world, the life expectancy for a male remains a pitiful 33 and for a woman, 35.

Halloran spoke to his wife, Nell, and they agreed that he would apply and - if successful - go there alone.

Their plan was that if he scored the European posting after 12 months in Africa they would move there for two years before retiring in Australia.

Halloran chose not to resign but to take one year's unpaid leave - giving him the option of returning to his job if he hit a UN dead-end. After more than 30 years' service, Halloran could retire on a superannuation package of about \$898,000. He would also be paid about \$120,000 tax-free for his year in Sierra Leone.

He first had to pass a routine medical examination.

Halloran is an imposing figure at 195 centimetres, but recently he has suffered health problems. High blood

pressure and a potentially fatal deep-vein thrombosis from an overseas flight made him a risk, but a doctor's report suggested that the condition was manageable.

He arrived in Africa via Europe in early March and seemed buoyant about his appointment. At first poor phone and computer lines meant that he had trouble communicating with friends and family, but by May he was online chatting about his enthusiasm for the job.

On May 28 he wrote: "Contrary to popular belief Sierra Leone is not the end of the earth. It is a very pretty place. The problem is that the infrastructure is stuffed and corruption prevents the country progressing.

"The work at the special court is interesting and it is difficult to imagine how human beings can be so cruel to each other when you look at the scale of the atrocities here. It was one of the few wars where civilians have been the primary target by all sides.

"Living conditions are not too bad. Water and electricity shortages are a pain. The greatest problem is disease so one needs to be very careful with food, drink and personal hygiene.

"I am pleased that I accepted the position and . . . I am learning about international law."

On June 2, in another email, he remained upbeat, apparently unaware that he was about to be accused of sexual assault.

"Everything still going reasonably well over here. The first court hearing starts tomorrow, which will generate some interest because it is the first of its kind and will be the standard for the future. Justice comes in a completely different package here, which is interesting in itself," he wrote."

He said he had already been sounded out by an international consulting firm for investigative positions in the Pacific Islands and East Timor. "They are all a little premature but it would be nice to get another opportunity closer to home."

Weeks later his mood suddenly changed. On June 21 he wrote: "I think I have had every bug known and unknown to mankind in the last few weeks. The work is good but the environment is poor. I have been thinking of cutting it short over here for that reason. They have not warmed to the idea at all and suggest there may be considerable costs incurred. I am hopeful they will negotiate on that."

Four days later he wrote: "There is great resistance here to releasing me. I do not think that will happen within the next week or two but we will see. Unfortunately that might stuff my overseas ambitions if I leave here."

By the time Halloran tried to return to Australia the allegation that he had molested a teenage girl in the Freetown house where he lived with fellow UN officers had begun to surface.

The allegations were first raised by housemate and UN subordinate Mandy Cordwell, a Tasmanian police officer working for the special court.

She said she became concerned for the welfare of a young girl employed by Halloran as domestic staff and that she spoke to the girl and took her to a local police office, where the girl made a statement alleging that she was sexually assaulted by Halloran.

The allegations were at first dealt with in-house by the UN. Cordwell was criticised in the disciplinary board of inquiry, raising suggestions that the girl was pressured into making her original statement.

While under internal investigation, Halloran did not confide to friends in Australia of the problem, hoping that the damaging, humiliating and potentially career-ending allegations would never surface publicly. But local police decided to launch their own criminal investigation.

Days before the story was to break he told a few friends that he feared he was about to be charged, assuring them at the same time that he was innocent. He told his family "something terrible is about to happen". By August it was headline news.

He was charged and jailed for nearly a month - spending most of his time in the prison hospital - before he was freed on bail. His stop-start trial would drag on for nearly six months.

During the hearing the alleged victim recanted her story - one of five versions that she is alleged to have made.

The hearing was delayed and adjourned. At first the judge's wife was said to be sick. Another time the prosecutor was double-booked, witnesses turned up for days and weeks without being called and without explanation. Some court days lasted three minutes. Some didn't start at all.

On one sitting day the defence, judge and prosecutor had an in-chambers meeting. Halloran remained in

the body of the court, unable to understand the proceedings, which were held in the native language of Creole. Hours later a court official inquired why "Mr Peter" remained as everyone else had gone home.

During the months that followed, his mood would swing from hope to fear that he would not get a fair trial. His lawyer always assured him that he would be acquitted. In January two of the three charges were thrown out. But one charge, that of indecent assault, remained.

He wrote to friends on January 28: "I had hoped that all charges would have been dismissed as a result of the no-case application. I was assured that the judge was going to dismiss all until the AG (Attorney-General) stepped in and improperly used his influence to ensure that there was not a total acquittal . . . I hope he does not try and interfere in the verdict. Lawyers think it would be too dangerous for him to do that."

There were further delays. On February 16 he wrote: "It is very frustrating. I am confident that they will hand down a decision tomorrow. I understand the Attorney-General and others met last week to determine how they would save face. They discussed a guilty verdict with a light penalty or the fallout from a not-guilty verdict. Either way they thought the international community would criticise them."

On February 18 he wrote: "Trial adjourned until tomorrow (Friday) because there was no electricity . . . Rumours that politicians want a conviction and fine have not been substantiated yet. They see that as a face-saving way out. We will wait and see."

This time he did not have long to wait. Three days later he was found guilty of indecent assault and sentenced to 18 months' jail in the notorious Pademba Road Prison.

Shortly after the conviction Foreign Affairs Minister Alexander Downer said: "We have some real concerns, particularly that have been raised by independent observers, as to whether due process was followed in the court.

"We have information from observers that there were irregularities in the court hearing."

It is believed that the unnamed observers were British diplomatic staff who monitored the trial on behalf of the Australian Government.

From the time of his arrest until his conviction, Halloran privately seethed at what he believes is the lack of support from some colleagues and the Foreign Affairs Department. After his conviction last week he went public with his complaints.

Chief Commissioner Christine Nixon said it would have been an insult to a sovereign nation and counter-productive to Halloran's cause to intrude on the investigation.

Halloran has said that he will appeal. To begin the process he must return to the court where he was sentenced. He has been told it could take two years - six months longer than his jail term.

Months before his conviction Halloran confided that he feared that, despite what he believed was a lack of admissible evidence, he would be jailed on one count. He said he felt Sierra Leone officials would feel humiliated if such a high-profile suspect walked free.

He took the job in Sierra Leone as a passport to an international career. If he returns to Australia as a convicted sex offender he will be banned from entering many countries - even as a tourist.

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February 24, 2005 Thursday All-round Country Edition

Bias mars reporting in pedophile case

MATP

Carmel Egan

Comment

AUSTRALIA has some of the toughest laws in the world for the pursuit and prosecution of pedophiles targeting children in the developing world. But we also carry the stain of having been the first Westerners charged with sexual abuse of minors in several countries, including Thailand, the Philippines, Fiji, Samoa and East Timor.

Until now the tracking and capture of such criminals has been supported and praised in the press; the pursuit by journalists of Robert "Dolly" Dunn to his pedophile's lair on the Indonesian island of Lombok being perhaps the most memorable case.

This week Peter Halloran was convicted in Freetown, the capital of Sierra Leone, of the sexual assault of a 13-year-old girl, unleashing an extraordinary campaign by his friends in the media. The former head of Victoria's homicide squad was found guilty of indecently assaulting Kadiatu Kabia in the bedroom of the house he shared with two other police officers in Freetown.

The 56-year-old, who is on leave without pay from Victoria Police and was working as a prosecution inspector for the UN-backed war crimes court in Sierra Leone, has said he will appeal against that conviction. News of the guilty verdict unleashed a flood of one-sided media coverage on behalf of Halloran, with particular criticism of the woman who took the girl to the local police and encouraged her to make a statement.

Kadiatu gave her statement to police after Halloran's fellow war-crimes investigator Mandy Cordwell -- a former Tasmanian police officer -- saw the girl in his bedroom on the night of June 2 and again the next morning.

Speaking on Melbourne's most popular breakfast radio program on 3AW, The Age's chief police reporter John Silvester -- in his regular guise as Sly of the Underworld -- reiterated claims he has made previously that there was no evidence against Halloran. "The whole case collapsed and the person who made the allegation has been discredited, that is, an Australian policewoman who has since not had her contract renewed with the UN," Sly

said.

But Cordwell was never discredited. She resigned from the UN after being suspended on full pay over allegations she leaked details of a UN investigation of Halloran to the media. Cordwell fell out with the head of the UN Special Court in Sierra Leone when she criticised his handling of that inquiry.

Speaking to the Herald Sun's Keith Moor yesterday, Halloran launched an attack on Cordwell, saying they had a falling out before June 2 and suggesting this was her motivation for encouraging Kadiatu to go to the police.

Much has also been made of the 13-year-old's later recanting of evidence. But vulnerable children in the Third World who make allegations against foreigners have a history of later retracting statements and the girl's original police statement was deemed admissible evidence by the court.

The double standards being applied to reporting Halloran's case are incomparable to any other recent sexual assault case.

Peter Halloran has issued a writ for defamation against The Australian.



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AAP NEWSFEED

February 25, 2005, Friday

Vic: Rough justice for Halloran, to Australian eyes at least  
By Mike Hedge

MELBOURNE, Feb 25

On the face of it, Victorian policeman Peter Halloran has had some rough justice delivered to him in Sierra Leone.

The former homicide squad boss, who was in the West African country on secondment to the United Nations special court investigating war crimes, was jailed this week for 18 months on sex charges that stemmed from a complaint that was withdrawn and was shown to be made under duress.

Prosecutors who had apparently been reluctant to proceed with the case produced no witnesses to the crime and no forensic evidence.

Halloran's alleged victim and her family testified on his behalf, some of the charges he faced were dismissed and the UN special court for which Halloran was working cleared him of any wrongdoing.

Yet the presiding judge at his trial ruled that Halloran had committed "disgusting" acts and should be jailed.

Those are facts that cannot be disputed.

But in all court cases there are aspects that aren't aired in open court and would only have been apparent to the judge who, in this case, presided without a jury.

The trouble, according to Halloran's supporters, is that the information that reached the court was based on malicious hearsay, rumour and uninformed assertions.

Accompanying the defence of a man with a 40-year record of outstanding service to the Victoria Police is the often unwarranted assumption in places like Australia that the legal system in a country like Sierra Leone should be treated with suspicion.

Halloran has described the Sierra Leone police force as "one of the most corrupt in the world" and the legal system in the west African country as biased and incompetent.

A similar reaction often accompanies the appearance of Australians in foreign courts.

Legal systems in many countries are dubious, but some foreign impressions of Australian justice are also less than flattering.

A court case in Melbourne involving four Japanese convicted on drug charges a few years ago is regarded in Japan with anger and bewilderment.

Known in Japan as "The Melbourne Case" a guilty verdict was reached based on evidence that was incorrectly translated.

"As a result, the Australian legal system is regarded as barbaric by many in Japan," said Kent Anderson, a senior law lecturer at the Australian National University.

Australia's treatment of refugees and asylum seekers is another aspect of Australian justice that horrifies much of the wider world.

In Melbourne this week, a newspaper report of Halloran's jailing and its apparent injustice were accompanied on the facing page by a story telling how the Australian government was considering deporting a 104-year-old Chinese woman who had lived here with her family for the past 10 years.

The justice of that would have been elusive to many.

None of it may have much to do with Halloran's crime, but according to legal experts, it is relevant in understanding that perceptions of foreign systems of justice might not always be accurate.

"The truth is that other systems often view Australian justice with suspicion," Mr Anderson said.

"Sometimes it is fair to be suspicious and there are places where the delivery of justice is below the level we would like to see."

While declining to comment on the specifics of the Halloran case, Mr Anderson said it could be unfair to jump to the conclusion that every third-world country possessed a questionable legal system.

"You have to look at the entire justice process," he said.

Monash University lecturer Kwame Mfodwo, an authority on African legal systems, said the judge in the Halloran case would have been under considerable pressure to deliver a sound verdict.

"Sierra Leone is dependent on considerable international assistance, so I would have thought the judge would have been pretty careful in a case that attracted a high level of international attention," he said.

Halloran's supporters argue that the judge was susceptible to a more weighty political incentive.

Halloran was in Sierra Leone on secondment to the United Nations special court prosecuting war criminals.

Among those charged with mass murder and other crimes by the UN special court is a former government minister Sam Hinga Norman, allegedly a close friend of the current attorney general Frederick Carew.

It is said Mr Carew ignored advice from his director of public prosecutions who allegedly recommended that all charges be withdrawn.

The case against Halloran stems from a report by a fellow war crimes investigator, Mandy Cordwell, a former Tasmanian police officer who was one of a number of westerners living in a house in the Sierra Leone capital, Freetown.

Ms Cordwell told police she had observed the girl in Halloran's bedroom and had seen her leaving the room in the morning.

The girl made a statement to police, but later recanted, saying Ms Cordwell had told her to make the allegations against Halloran.

In August last year, Halloran was charged with having unlawful carnal knowledge of the girl, procuring a girl under 14 and indecent assault. He was later charged with conspiracy to pervert the course of justice.

Less than a month later the girl recanted and Halloran was duly cleared on the carnal knowledge and procuring charges.

The indecent assault charge remained, but Halloran and his lawyers believed he would be cleared of that too.

Meanwhile, Halloran accused the Victoria Police of abandoning him and senior officers of initiating a smear campaign that reached the trial judge.

In the wake of his conviction, Victoria Police chief commissioner Christine Nixon denied the allegations, saying Halloran was in Sierra Leone as a private individual on contract to the UN.

As such he was not in a position either to be supported or abandoned.

But she said she might still sack him even if he was cleared.

The incriminating gossip about Halloran, including a matter in Bangkok while on secondment to the National Crime Authority, certainly circulated in Melbourne.

The NCA incident was resolved without any action being taken against Halloran and it is difficult to know what the Sierra Leone Supreme Court heard about him.

As in most stories, there is bound to be two sides to Halloran's.

One of them could be that supplied by a senior Canadian war crimes investigator in Sierra Leone.

Ralph La Pierre told the trial the UN special court inquiry into the matter was a "joke" and that he believed Halloran had committed "some kind of sexual assault" against the girl.

Mr La Pierre said the girl had given a detailed statement, which she later withdrew, to a police officer claiming that Halloran had committed various acts of sexual abuse against her.

Halloran, meanwhile, faces 18 months locked up with men he was planning to put away for a lot longer.

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Jailed police chief had faced inquiry

MATP

James Madden

VICTORIA Police Chief Commissioner Christine Nixon has confirmed that convicted pedophile Peter Halloran, the former head of the state's homicide squad, was the subject of an internal investigation by the National Crime Authority before he left the organisation in the 1980s.

Halloran, who was sentenced to 18 months' jail this week by a Sierra Leone court after he was found guilty of the indecent assault of a 13-year-old schoolgirl, worked for the NCA from 1985 to 1987. He was involved with undercover operations targeting Australian criminals in The Philippines.

But despite earlier denials from Victoria Police and the Australian Crime Commission -- which succeeded the NCA in 2003 -- that a serious incident involving Halloran was looked at before he left the NCA, Ms Nixon yesterday admitted on Melbourne radio that there had been an investigation into his conduct.

"In terms of allegations about him, any career investigator has allegations made (against them) and he has had some," Ms Nixon said.

"Particularly, one of them was reported in the media but I made inquiries about it from the Australian Crime Commission and they said the matter had been settled but it had taken place quite some time before."

The Chief Commissioner also indicated for the first time yesterday that Halloran -- who has lodged an appeal against his conviction -- is likely to be sacked from the force and placed on the child sex offenders register upon his return to Australia.

"Having looked at the material we could actually access about the case, we would probably look to dismiss him because of that conviction," Ms Nixon said.

Even if Halloran's appeal was successful, he may not escape dismissal, Ms Nixon said.

"That's what we do with any officer that is acquitted -- we take time to look at the material and determine whether we would take any action against them or, in fact, bring them back into the organisation," she said.

Halloran has claimed he has been "abandoned" by Victoria Police since his arrest last August, and accused senior officers of spreading rumours and lies about him which led to his conviction.

Ms Nixon said allegations of a smear campaign would be investigated further but she maintained that there was no evidence that Victoria Police had supplied the prosecution team in Sierra Leone with any files on the 56-year-old superintendent, nor had they assisted with Halloran's defence.

Halloran was in the West African nation on a one-year contract with the Special Court of Sierra Leone, which was investigating war crimes on behalf of the UN -- a posting that several of his colleagues urged him to reject, according to Ms Nixon.

"A number of senior police tried to discourage him from taking on this role. (They) spoke to him on a number of occasions, suggesting this wasn't a good thing for him to be doing, or an appropriate place for him to be going to work," Ms Nixon said.

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Sunday Tasmanian (Australia)

February 27, 2005 Sunday

Caught in Africa nightmare

DAVE TACON

AUSTRALIAN policeman Peter Halloran's career appears in tatters.

In a verdict that came as a shock to observers, the officer's lawyer and Halloran himself, the former Victorian head of homicide has been condemned to spend 18 months as a convicted pedophile in the Pademba Road jail in Freetown, Sierra Leone -- a facility widely described as a "hell hole".

Halloran, 56, took a year's leave to work as a United Nations war crimes investigator in this African country shattered by a bloody conflict that ended less than three years ago.

He has been found guilty of indecently assaulting a 13-year-old girl, whom he had interviewed as a babysitter for a friend who was to visit him.

Only last month, Halloran, who maintains his innocence, was acquitted of two charges of unlawful carnal knowledge and procuring a girl under the age of 14.

But this week, after a protracted and shambolic trial, during which the girl who was allegedly assaulted recanted her evidence and changed her story five times, Halloran was found guilty by the Sierra Leone High Court.

Because Australia has no agreement with the country under the international prisoner exchange scheme, he may be forced to spend his entire sentence in Sierra Leone -- Africa's wild west.

Arriving at Lungi, the major airport outside Freetown, one of the first things that one notices after entering the decrepit immigration area is that the clock on the yellowing walls has stopped.

In fact, the longer you spend in Sierra Leone, the more it seems that time has stood still for this nation.

The British gave the country its independence in 1961 and it's difficult to believe that as recently as 50 years ago Sierra Leone was the second wealthiest nation in West Africa.

Today, according to the United Nations Development Program Development Index, it is the world's poorest.

In Freetown, the capital of the former colony, the grand colonial facades, built in the early part of the previous century, are peppered with bullet holes.

Rocket-propelled grenades have blasted chunks out of walls.

Buildings are without windows or roofs, left derelict since the invasion of the city by dissident soldiers of the Armed Forces Revolutionary Council (AFRC) and members of the rebel Revolutionary United Front (RUF) in January 1999.

However, they are by no means uninhabited.

People cram into every part of living space available.

Outside the Old Town, extended families dwell in tiny corrugated iron shacks, which stretch from the shore of Freetown's spectacular natural harbour and right up to the red dusty hills that surround it.

The country's 10-year civil war drove hundreds of thousands away from their rural homes to seek refuge from a conflict of shocking brutality, which was waged first and foremost on the civilian population.

Freetown became and remains an ad-hoc refugee camp, straining under the pressure of enormous overcrowding and desperate poverty.

There are many, readily visible reminders of a recent past in a city where, by some estimates, 20,000 inhabitants suffered the amputation of their hands or feet while up to 10,000 were murdered in one month alone.

Untold numbers of girls and women were raped during the invasion and many atrocities were committed by children, who had been abducted and were then forced to perform killings.

Freetown gives the impression of being a near lawless place in a near lawless country.

However, in the centre of Freetown stands a concrete edifice with iron gates -- the infamous Pademba Road Prison.

During the invasion of Freetown, rebel and AFRC forces "liberated" the prison unleashing its contents on the population.

Rapists and the criminally insane joined the carnage outside.

Today, the prison is well-known in human rights circles for its appalling conditions, which are among Africa's worst.

The prison is crammed with almost three times its intended limit of 300 prisoners, some of whom have armed themselves with knives.

A recent article by Peter Penfold, the former UK High Commissioner in Sierra Leone, drew light on the farcical precedent of one inmate among the scores of Pademba inmates held without charge.

This inmate has spent so long in the prison waiting to be charged that prison authorities have forgotten why he was brought there in the first place.

Lawyers have been unable to secure his release because no paperwork of his case exists.

In Freetown's Brookfields district, one of the many slums that climb the hills of Freetown, women and children with plastic containers and bowls of all shapes and sizes gather around a tiny trickle of water emanating from an outcrop of rocks.

This passes as their daily water supply.

Children make up almost half of Sierra Leone's population, and in Brookfields many are visibly malnourished with the tell-tale swollen belly.

Most recent reports on life-expectancy give children born in Sierra Leone a 57.5 per cent chance of not reaching 40 years of age.

As for their education, if children do go to school, primary class sizes can top 100 students.

Teachers must often go without pay for months while the political elite line their own pockets with the foreign aid that props up the nation's economy.

In fact, corruption is so rampant that the Sierra Leonean government's own anti-corruption commission had to be overhauled, due to corruption.

The city's power grid was destroyed by war and mismanagement long ago and nights are spent in near darkness.

Many people have no option but to live in pre-industrial-age conditions.

They cannot afford generators and must make do with candles or, at best, kerosene lamps.

However, not far from the squalor of Brookfields is a zone lit by brand new streetlights, which line and light its perimeter and grounds all through the night, every night.

From the hills above Freetown, the Special Court for Sierra Leone glows like a Christmas tree. The Court, which serves as both a courthouse and a maximum-security detention centre, has a threatening and almost surreal presence.

This UN-backed war crimes court is the most heavily guarded location in the country.

Its high concrete walls are topped with razor wire, its machine gunposts manned by UN peacekeepers from Nigeria.

Inside the perimeter, a modern architect-designed courthouse sits above a recently transplanted lawn.

In efforts to keep within the court's budget of \$100m, local workers built the courthouse on a salary of less than \$4 a day.

This rate was negotiated only after workers called a strike and successfully lobbied for a wage increase.



The inception of the Special Court was the result of a letter sent by Sierra Leonean President Tejan Kabbah to UN Secretary General Kofi Annan. This letter from Kabbah, who is a former UN diplomat, requested that the international community try those responsible for atrocities **in** Sierra Leone.

In order to do so, the UN overturned a blanket amnesty for perpetrators, which was agreed to by all factions at a peace conference in Togo in 1999.

Members of all Sierra Leonean factions within the conflict are among those to face trial by the Court, whose mandate is to prosecute "those who bear the greatest responsibility" for the crimes of the conflict.

One of the surprise indictees was the country's deputy defence minister, Sam Hinga Norman, who co-ordinated government-backed militia groups on the ground when President Kabbah was in exile.

Hinga Norman is seen by many in his own country as a national hero who helped Sierra Leonean communities defend themselves against RUF terror.

His supporters argue that if the court's mandate is indeed to try "those who bear the greatest responsibility", then it should indict the commander-in-chief of all pro-government forces during the conflict, rather than just his deputy, Hinga Norman.

The commander-in-chief they refer to is none other than President Kabbah, who has not been indicted and whose government has appointed three of the court's eight judges.

The accused are charged with war crimes and crimes against humanity under international law, but also with charges unique to Sierra Leone, relating to the abuse or abduction of a girl of 14 years of age or under.

It is these laws Halloran has fallen foul of.

The US government is the court's strongest supporter and has provided almost one third of its budget and, unlike the International Criminal Court which the Bush administration has strong opposition to, the Special Court is located "in country" and at the "scene of the crime" rather than in a host country.

It has been speculated that the Special Court for Sierra Leone could serve as a model for similar institutions in countries such as Afghanistan and Iraq in coming years.

Unlike the International Criminal Court, these institutions would operate under the caveat that no American national appear before them. On top of considerable budget shortfalls since its inception, the court has been marred by controversy.

In March last year, eminent Australian barrister Geoffrey Robertson QC, who had been appointed as a judge and president of the court, was excluded from hearing cases involving former members of the Revolutionary United Front, following his 2002 book on human rights abuses (including those in Sierra Leone), called Crimes Against Humanity.

And the conviction of Halloran is another footnote in a long line of public embarrassments for this beleaguered beacon of justice.

An additional blight on the court has been its failure to apprehend the former Liberian president, Charles Taylor, who has been indicted for his role in the RUF incursions.

Ironically, although the US has offered a reward of \$3m for his capture, Taylor has been granted asylum by Nigeria, whose peacekeepers would be guarding him if he was ever brought to trial in Freetown.



<http://scoop.co.nz/stories/WO0502/S00719.htm>

# Sierra Leone: Amnesty Says Impunity Must End

**Monday, 28 February 2005, 12:29 pm**

**Press Release: Amnesty International**

Sierra Leone: Ending impunity and achieving justice Amnesty International's message to the National Victims Commemoration Conference

Amnesty International welcomes the initiative taken by the Special Court for Sierra Leone to organize the National Victims Commemoration Conference on Truth, Justice and Reconciliation in Freetown on 1 and 2 March 2005. This is an important opportunity for the people of Sierra Leone to assess to what extent the Special Court is contributing towards an end to impunity for some of the worst crimes ever known and also to determine what more needs to be done to achieve justice for all victims and their families for crimes committed during a decade of internal armed conflict.

The Statute of the Special Court provides a mandate to prosecute those "who bear the greatest responsibility" for crimes against humanity, war crimes and other serious violations of international law committed during Sierra Leone's armed conflict after 30 November 1996. Its jurisdiction therefore does not include all those who committed crimes under international law throughout the 10-year conflict. Only 11 of the very large number of people suspected of committing these crimes have been indicted. Two of them, including former Liberian President Charles Taylor, have yet to be arrested and surrendered to the Special Court.

Since August 2003 Charles Taylor has been harboured by the Nigerian government in violation of its legally binding obligations under international law. Its decision to grant refugee status to Charles Taylor violates Nigeria's obligations to surrender a person indicted for crimes under international law or to submit the case to its prosecuting authorities. The Nigerian government must arrest Charles Taylor and surrender him to the Special Court.

While prosecuting a few of those responsible for these crimes is a major contribution towards ending impunity in Sierra Leone, it is only a partial response. More needs to be done. While Sierra Leone's Truth and Reconciliation Commission (TRC) has been important in providing a forum for victims and perpetrators to recount their experiences, creating an impartial historical record of human rights abuses committed during the conflict, identifying the reasons for those abuses, and facilitating reconciliation, it cannot be a substitute for a court of law to try alleged perpetrators of serious violations of international law.

An essential element of providing justice to the victims of human rights abuses is the provision of reparations. Amnesty International was disappointed that the Statute of the Special Court did not follow the example of the Rome Statute of the International Criminal Court by authorizing the Special Court to award reparations for victims of crimes within its jurisdiction, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. Such reparations are integral to achieving justice for the victims and also assisting them to rebuild their lives.

The national justice system needs to be able to work to ensure that all those who committed horrific crimes during the conflict, but who are not among the small number indicted by the Special Court, are brought to justice and that their victims have access to reparations. In this, the "legacy" bequeathed by the Special Court to the national justice system - which continues to face serious challenges in providing effective and efficient administration of justice - is crucial. Although the Special Court cannot by itself turn around the struggling national justice system, its presence, example and resources should be an important catalyst for and reinforce a committed, long-term strategy to end impunity and build an effective system of justice for

the future.

A major stumbling block, however, is the general amnesty included in the 1999 Lomé peace agreement and subsequently enacted into national law. This amnesty, however, cannot apply to crimes against humanity, war crimes and other serious violations of international law. In a historic decision in March 2004 the Special Court refused to recognize the applicability of the amnesty provided by the Lomé peace agreement and concluded that it did not prevent international courts, such as the Special Court, or foreign courts from prosecuting crimes against humanity and war crimes. For impunity to be successfully challenged in Sierra Leone, the amnesty provision must be removed from the statute books.

A landmark and lasting legacy of the Special Court would be if its example were to be followed and the death penalty removed from Sierra Leone's statute books. The discrepancy between the Special Court, where the maximum penalty which can be imposed is a period of imprisonment, and the national courts, which continue to pass death sentences, needs to be removed. The Sierra Leone government should follow the example of the Special Court, as well as implement one of the key recommendations of the TRC, and abolish the death penalty.

For further information, see Special Court for Sierra Leone: Statement to the National Victims Commemoration Conference, Freetown, 1 and 2 March 2005 (AI Index: AFR 51/002/2005), after 1 March 2005.

View all AI documents on Sierra Leone: <http://amnesty-news.c.topica.com/maadd98abeyNibb0hPub/>

BY THEOPHILUS OGBENLA

The long awaited verdict in the case of former Special Court investigator Peter Halloran against the state, was finally delivered on Monday February 21, 2005, with the no nonsense Justice Ademusu slamming an eighteen months jail sentence on the Australian, who until his conviction, was on the payroll of the Special Court for Sierra Leone.

For the past couple of months, this case has captured the interest of both the national and international community, especially when it has to do with charges of rape and indecent assault of a minor by a professional police officer apparently recognized for his work by the international community.

Peter Halloran's reputation both in his homeland, Australia and at the Special Court for Sierra Leone has been thrown into disrepute, not to talk of the damage to the Special Court, by virtue of his proven immoral nature.

It all began when Halloran reportedly hired the services of a 13-year-old girl as his housemaid who, according to the court, later became his sex slave.

When the cat was eventually let out of the bag by Mandy Codwell, another Australian staff of the Court who happened to be a co-tenant of Peter Halloran, the general perception was that it was simply a made-up story, resulting from envy and jealousy aimed at denigrating the hard earned reputation of the one-time boss of homicide of the Australian Police.

Aged over 50 years, Halloran himself had always dismissed the allegations as vague, which was shown clearly when, following the verdict, he remarked firmly that he was surprised at the ruling, which his lawyers have already vowed to appeal.

Owing to his vast experience, Halloran has a number of sympathizers including the Australian government and the entire Special Court family, who are now doing everything to ensure a reversal of the court's verdict.

The anger of the Australian government was shown when the Australian High Commissioner in Ghana dispatched a high level delegation to Sierra Leone, to monitor the proceedings and ensure that his fellow citizen got a free and fair trial.

This anger was also demonstrated when the 'whistle-blower', Mandy Codwell, was evicted from the house she was sharing with Halloran, believed to be a property of the Australian government.

As for the Special Court, where both Peter and Mandy were co-workers, anger was also visibly expressed in the speed at which Mandy ran into trouble with many at the Special Court for exposing the immoral act, which until now, was perceived as a bogus claim.

In no time, Mandy became the subject of a victimization ploy, which subsequently prompted her suspension without pay on the pretext that she spoke with the Australian press, a claim that is yet to be ascertained.

But while Mandy was faced with all the ostracizing and victimization for doing what was morally right, Peter, who otherwise was charged with very serious and degrading offences, was still receiving his full payments from the Special Court, even though he was said to be in suspension.

In view of the forgoing therefore, one would imagine that in the eyes of the Special Court, Mandy committed a

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# What, now that Halloran is convicted?

more serious crime than Peter.

Whatever the Special Court considers the issue, a stiff verdict has now been passed against a key staff of the Court who had earlier thought he was going to use his Special Court connections and cash to tamper with and corrupt the justice system in the country.

One strategy he adopted was using his money to manipulate the family of the abused teenage girl, who at one time during the proceeding, was forced to be inconsistent in her oral testimony in court.

Another strategy he adopted was to interfere with the witnesses by allegedly spending huge sums of money to determine their testimony in court.

**Halloran is also said to have spent millions of Leones on his lawyer, Anthony Brown-Mark, who until the verdict, was confident that there was not enough evidence to convict his client.**

Brown-Mark's confidence was boosted a couple of weeks ago when the High Court judge dropped a total of three charges previously heaped on his client.

This confidence has however now been thrown into the ocean with the guilty verdict on his client, who now has to spend the next 18 months at the Pademba Road maximum security prisons, thousands of miles away from his home.

But now that a guilty verdict has been passed, the question is whether he is still going to be on the payroll of the Special Court.

A day after the verdict, this question was put to an official of the Court and his response was that, his status "remains unchanged, and is likely to remain as such until he loses his appeal."

Why this special privilege is accorded to a convicted human right violator by no less an institution than the Special Court for Sierra Leone, whose creation

is to prosecute people believed to have masterminded gross human rights violations is yet to be unravelled.

The fact that Halloran was convicted, indicates clearly that doubt and shame has been brought on affairs and operations of the Special Court.

The fact also that Mandy Codwell exposed such an unholier act, one would have thought that she should have automatically been in the good books of her bosses and colleagues, but in view of the fact that she instead became the enemy and ran into their bad books, points out clearly that there was and still is something dubious going on at the Court, especially as there was no attempt by the so called human rights activists at the so called Court to reveal similar offences for which a number of Sierra Leoneans are currently standing trial at the very Special Court.

On the contrary however, Mandy, for sounding the alarm and allegedly talking to the Australian Press, was given a four months suspension without pay and besides that, was subjected to abridgment, ridicule and scorn.

But now that the court of law has had to rest claims that the allegation was simply a made-up story precipitated by hate, it remains to be seen whether officials at the Special Court will now review their position and unconditionally accept back Mandy into their fold.

The ruling itself, has gone a long way to send, a clear message that the justice system in mother Sierra Leone can either be toyed with or can be easily influenced.

While officials at the Special Court were downplaying the matter, it however got a wider national and international media coverage and by all indications was dubbed by many as a speedy trial, and a welcome verdict.

The nature of the trial and the no-nonsense verdict will no doubt be a deterrent to those foreign nationals who are neck deep in using our teenagers as sex slaves, taking advantage of the endemic poverty prevalent in the country.

Standard Times

Monday February 28, 2005

# UNAMSIL's mandate extended

The United Nations Mission in Sierra Leone (UNAMSIL) has seen its mandate extended to December 2005. This is as a result of the United States' support for the

extension. The Special Representative to the Secretary General (SRSG)- Daudi

Mwakawago said in a Press Conference held at the Mission's Headquarters,

*Contd. Page 2*

## UNAMSIL's mandate extended

*From Front Page*

Mammy Yoko, that the Assistant Secretary of State responsible for War Crimes- Ms Constance Newman expressed US support for the extension. The SRSG stated that he had a conference with the UN Secretary General Kofi Annan with other high-ranking officials; adding that the discussion focused on the assessment of the current situation of UNAMSIL. He was also informed that they would be sending an assessment team to Sierra Leone. During discussions with

the Japanese Permanent Representative, the possible contribution towards the replenishment of the Mission's Trust Fund as well as assistance and support in the area of community-based projects was also highlighted. The SRSG said that he appealed to Ms. Newman to use her good office in securing assistance for the Republic of Sierra Leone Armed Forces (RSLAF) which needs vehicles, barracks, fuel, water tanks among other resources. Ambassador Mwakawago

stated that Ms. Newman congratulated UNAMSIL for a job well done and expressed satisfaction at the stance adopted by the African Union (AU) and ECOWAS regarding the crisis in Togo. He said Ms. Newman indicated that such a stance augured well for the deepening of democracy and good governance in Africa. The SRSG stated that Ms. Newman articulated special interest in the progress of the reintegration process in the various Missions; adding that she was of the view that the reintegration issue was not adequately handled in most of the Missions; citing Cambodia and Mozambique as examples.

*Awoko*  
*Monday February 28, 2005*

**United Nations**



**Nations Unies**

United Nations Mission in Liberia  
(UNMIL)

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**UNMIL Public Information Office Media Summary  
26 Feb 2005**

**Criminal Court Orders Release of Czech National**

- The Liberia Criminal Court has ordered the release of Czech national, Dalibor Kopp, who has been in detention pending extradition.
- Editor's note: The Czech government has accused Mr. Kopp of arms trafficking. He is also accused of providing arms to former President Charles Taylor.