

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



La Amistad

**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**

**as at:**

Wednesday, 29 December 2010

Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
Martin Royston-Wright  
Ext 7217

**International News**

SCSL's Taylor Trial Meets Key Milestone, But SCSL Still Faces Serious Hurdles / <i>WikiLeaks</i>	Pages 3-5
Special Court Rejects Taylor's Transfer to US / <i>Daily Observer</i>	Page 6
Taylor's Men Linked / <i>The New Dawn</i>	Page 7
Apocalypse Or Recovery / <i>New Democrat</i>	Pages 8-10
Report from Liberia: The Warlord and the Angry Son / <i>The Star</i>	Pages 11-12
Gbagbo, Cote d'Ivoire Leader, May Face International Criminal Court / <i>Vanguard Online</i>	Pages 13-15

## WikiLeaks Cablegate (Sweden)

Monday, 27 December 2010

### **Liberia: SCSL's Taylor Trial Meets Key Milestone, But SCSL Still Faces Serious Hurdles**

Wednesday, 15 April 2009, 15:00

*C O N F I D E N T I A L THE HAGUE 000247*

*DEPARTMENT FOR S/WCI - WILLIAMSON/DOHERTY, L - DONOGHUE, L/UNA - BUCHWALD, L/AN - OHAHS*

*EO 12958 DECL: 04/15/2019*

*TAGS PREL, PGOV, KAWC*

*SUBJECT: SCSL'S TAYLOR TRIAL MEETS KEY MILESTONE, BUT SCSL STILL FACES SERIOUS HURDLES*

*REF: A. REF: A) 2008 THE HAGUE 00021 B. B) 2008 THE HAGUE 00226*

*Classified By: Legal Counselor Denise G. Manning per reasons 1.5(b, d).*

- SUMMARY: SCSL MEETS A KEY MILESTONE, BUT FACES UNCERTAINTY IN TERMS OF TIMING, FINANCES, AND COMPLETION ISSUES --

¶1. (SBU) On February 27, 2009, the Special Court for Sierra Leone (SCSL or Court) took another step toward completing its work when the Prosecution rested its case against former Liberian President Charles Taylor -- the last SCSL case at the trial stage. The Court could potentially complete its work before the end of 2010. A number of open issues, however, may affect timing, including the start date and length of the Taylor Defense case. Timing may be particularly important given expected funding shortfalls and the possible loss of courtroom space this coming September. Additionally, the current Registrar, Herman von Hebel (Netherlands), has resigned effective June 1, and his successor will inherit a host of difficult issues and a complex transition during the final days of the Court,s operations.



*Charles Taylor during the civil war.*

--BACKGROUND: A SMALL COURT WITH SEVERAL FIRSTS --

¶2. (U) A Trailblazing Court. The hybrid SCSL, created in 2002 through an agreement between the United Nations and the Government of Sierra Leone (GOSL) and funded entirely by voluntary contributions, has jurisdiction over those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in Sierra Leone after November 30, 1996. Although established almost ten years after the creation of the International Criminal Tribunals for the former Yugoslavia and Rwanda (ICTY and ICTR), the SCSL is poised to complete its work before these tribunals. The SCSL has also been the first internationalized criminal tribunal to: 1) issue an indictment for an African head of state (Liberian President Charles Taylor); 2) enter convictions for the crime of recruiting and using child soldiers; and 3) successfully prosecute forced marriage as a crime against humanity and intentional attacks on U.N. peacekeepers as a serious violation of international humanitarian law.

¶3. (U) Last Trial Standing. In 2003, the SCSL indicted Charles Taylor, the leader of the National Patriotic Front of Liberia from 1989 to 1997 and the President of Liberia from 1997 until the 2003 indictment. The indictment alleges Taylor,s deep involvement in the Sierra Leone conflict including his role in arming, training and acting in concert with the RUF and in trafficking the Sierra Leonean & blood diamonds8 that fueled and financed the fighting. The SCSL charged Taylor with eleven counts, including, inter alia, terrorizing the civilian population, unlawful killings, sexual violence, abductions and forced labor, and conscripting child soldiers.

))TIMING: TAYLOR TRIAL'S LINK TO CLOSING SCSL))

¶4. (SBU) Status of Trial. As the only ongoing SCSL trial, the Taylor trial is the linchpin to the SCSL completing its work. From April 6-9, 2009, the Court held the judgment of acquittal hearing, with Defense arguing for acquittal on all of the charges. (Comment: In the judgment of acquittal hearing, the Court considers whether Prosecution has presented any evidence that could sustain conviction on the charges, acquitting only if Prosecution has presented no evidence to sustain the charge. End Comment.) In this hearing, Defense acknowledged that crimes had occurred in Sierra Leone but argued that the Prosecution had failed to 1) present evidence linking Taylor to those crimes and 2) establish that Taylor had been part of a joint criminal enterprise (JCE) because, if a JCE existed, it existed before November 30, 1996, the date at which the temporal jurisdiction of the SCSL begins. The Prosecution responded to these arguments by summarizing Taylor's responsibility for the crimes and pointing to Taylor's liability for JCE crimes committed after November 30, 1996, even if the planning of the JCE took place before that date. (Comment: The Court will most likely not issue its Rule 98 decision in April, especially since the Judges may recess through May. An acquittal does not seem likely. End Comment.)

¶5. (SBU) Next Up: Defense Case. A contact in the Registry has indicated that Defense will likely request three months to prepare for trial and four months to present its case. If the Court grants this request, the Defense case may start at the end of August. However, the same Registry source predicts that the Trial Chamber may order Defense to begin its case as early as June, working through July and August with a possible recess in September. One wildcard factor, however, is the Defense's pending interlocutory appeal arguing that the Prosecution failed to properly plead the JCE theory of liability. The Trial Chamber may not schedule the Defense case before the appeals decision so the Defense knows which mode(s) of liability it must defend against. (Comment: Currently, the Registry's budget milestone document projects an October 31 trial termination date, a March 2010 judgment, sentencing in April 2010, and the conclusion of appeals in October 2010. If, however, the Defense case starts in August, the timeline could be pushed back by approximately two months. End Comment.)

¶6. (U) Spill-Over Timing Effects. A delay in the timing for the Taylor trial may create additional challenges. First, the International Criminal Court (ICC), the location of the Taylor trial, has informed the SCSL that it will need its second courtroom as of September 2009. (The ICC scheduled its second trial to start September 24th, and will likely need the courtroom prior to September 24th for pre-trial work). Back-up options explored by the Registry include finding other space or working during gaps in the ICC schedule. Second, according to Registry sources, each additional month of trial time costs approximately one million dollars.

))THE JUDICIAL FACTOR))

¶7. (C) Judges Slowing Things Down? Further muddying timing predictions, Court employees have intimated that the Trial Chamber could work more expeditiously. The Taylor Chamber consists of three judges who take turns presiding: Justice Richard Lussick (Samoa), Justice Teresa Doherty (Northern Ireland) and Justice Julia Sebutinde (Uganda), along with an alternate judge, Justice El Hadji Malick Sow (Senegal). A couple of Court employees have grumbled that when the last Prosecution witness testified on January 30, 2009, the Court still had 11 outstanding motions, some over a year old. Additionally, one Chamber contact believes that the Trial Chamber could have accelerated the Court's work by excluding extraneous material and arguments. Moreover, contacts in Prosecution and Registry speculate that Justice Sebutinde may have a timing agenda. They think she, as the only African judge, wants to hold the gavel as presiding judge when the Trial Chamber announces the Taylor judgment. Reportedly, her next stint as presiding judge begins in January.

¶8. (SBU) Expedited Appeals? The Appeals Chamber, with one empty seat, consists of President Renate Winter (Austria); Vice President Jon Kamanda (Sierra Leone); Justice George Gelaga King (Sierra Leone); and Justice Emmanuel Ayoola (Nigeria). President Winter reportedly has indicated that the Appeals Chamber intends to expedite any Taylor trial. The Appeals Chamber intends to expedite any Taylor trial appeals. Up for election in May, Winter may not, however, preside over the Appeals Chamber for any Taylor trial appeals, reportedly she will step down after the RUF appeal if she is not re-elected President.

))DEFENSE STRATEGY: WHO ME?))

¶9. (SBU) Drama-Bound Defense Case. A British Queen,s Counsel, Courtenay Griffiths, heads Charles Taylor,s top-notch and quick-tongued defense team, which reportedly finds itself in the midst of identifying and proofing witnesses. All signs indicate that Taylor himself will take the stand as their first witness possibly staying in the box for 6 to 8 weeks, and based on Defense,s actions to date, the Defense team will likely argue that although the crimes may have occurred, Taylor has no link to the crimes.

))AN IMMINENT BUDGET CRISIS))

¶10. (C) Funding Shortfall. The Registry fears that the Court will run out of money as early as next month, although an expected Canadian USD 6 million contribution would keep the Court financed until early July 2009. In a marathon campaign, Registrar Von Hebel attended 250 meetings in 15 months to drum up funds from potential donor countries, but with, according to Von Hebel, little traction, due to donor fatigue, the difficult economic situation, and contributions going to other tribunals (e.g., the Special Tribunal for Lebanon (STL) or the Extraordinary Chambers in the Courts of Cambodia). Von Hebel wants to make another run at the Arab countries of Saudi Arabia, Qatar, Kuwait, and the United Arab Emirates. He also believes that a letter from U.N. Secretary General Ban Ki-Moon asking countries to contribute might help open wallets. According to Von Hebel, when Ban sent out a similar letter in 2007, a number of countries made first-time donations. In addition, a couple of traditional donor countries have advised him they may need a similar letter in order to donate this year.

¶11. (U) Cost-cutting Measures: Concerned about the looming financial crisis, the Registry has undertaken cost-saving measures, reducing staffing costs by downsizing, incorporating liquidation clauses in contracts, and encouraging The Hague staff to use leave during the break between prosecution and defense cases. The Registry also plans to hand over the Freetown facilities to the GOSL in July 2010, reserving some space for its own continued use. Finally, Registry may look to consolidate the Appeals Chamber and the Taylor trial operations in The Hague, after the Appeals Chamber finalizes the RUF appeal.

¶12. (SBU) Help from Washington. The Registry may also seek USG,s assistance on financial issues. First, it may press the USG not to reduce its FY2009 contribution by 2 million, but to stay at last year,s level of 9 million USD. (Comment: The extra sum would not solve the Court,s immediate financial problem, since the USG generally contributes in the fall. End Comment.) Second, the Registry may ask for USG political support in the form of demarches to Arab countries, impressing upon the targeted Arab countries the critical nature of the SCSL,s financial situation.

))COMPLETION HICCUPS AND ISSUES))

¶13. (SBU) Registrar Musical Chairs. On April 8, 2009, the Court announced Registrar von Hebel,s resignation, effective as of June 1, 2009. Von Hebel will assume the Deputy Registrar position at the newly established Hague-based STL. (According to Embassy contacts, STL offered Von Hebel the position at the insistence of and to placate the Dutch, who believe the Dutch ICTY Registrar had been treated unfairly when the ICTY President unexpectedly declined to renew his contract). Given that the STL Registrar Robin Vincent (U.K.) recently resigned, Von Hebel may eventually step into Vincent,s shoes. Von Hebel is also tying up as many SCSL loose ends as possible, including signing a sentence-enforcement agreement with the Government of Rwanda. In terms of a successor Registrar, a Registry contact believes that the current Deputy Registrar Binta Mansaray (Sierra Leone) will surface as a strong candidate.

))COMMENT: RESIDUAL ISSUES))

¶14. (SBU) A Larger Role for The Hague? Although currently headquartered in Freetown, Sierra Leone, the Registry has toyed with the possibility of locating any Residual Mechanism (to be located in The Hague. For instance, Von Hebel believes that the Court may need to move its archives out of Sierra Leone in order to properly maintain and secure them. The City of The Hague has indicated its willingness to provide archiving facilities in connection with the ICTY,s closure. Some have also suggested combining some or part of the SCSL,s residual functions with those of The Hague-based ICTY and the Arusha-based ICTR. A combined residual mechanism might prevent duplication, but it would also face significant hurdles, given SCSL,s structural differences, e.g. funding, oversight mechanism and applicable legal framework. Furthermore, GOSL desires will be key, since a joint GOSL-UN agreement created the Court. GALLAGHER

# Special Court Rejects Taylor's Transfer to US

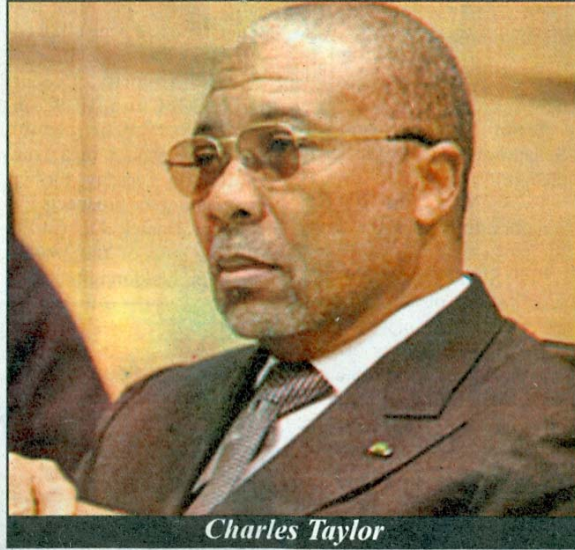
By Stephen Binda

The United Nations backed Special Court for Sierra Leone has rejected calls for the transfer to the U. S., of the trial of former Liberian President Charles Taylor, indicted for war crimes and crimes against humanity.

Taylor was indicted for his alleged role in the Sierra Leonean armed conflict in which an estimated 200,000 persons were killed and much properties destroyed.

But, the former president has scoffed at the charges, saying they were levied at the behest of Washington and the

See pg. 10



Charles Taylor

## Special

UK.

The Special Court's comment came in more than 42 hours after local media outlets, quoting WikiLeaks cables, reported that the current United States (US) Ambassador to Liberia, Linda Thomas Greenfield, had expressed the need for the Liberian ex-president's transfer from the Netherlands to the US for trial.

Among others things, the cable said that the US lacks confidence in the proceedings against Taylor at the Special Court for Sierra Leone, sitting in The Hague.

The cable further quoted Ambassador Greenfield as saying, should Taylor be acquitted in the Hague or given a light sentence, his return to Liberia could tip the balance of

the country's fragile peace and that the International Community must consider steps should Taylor not be sent to prison for a long period of time.

However, when the *Daily Observer* yesterday contacted the US Embassy in Monrovia for its reaction on the well publicized WikiLeaks cable, the embassy said as a matter of policy, the Department of State and the Embassy do not comment on alleged leaked documents.

The head of the Public Affairs Office at the U. S. Embassy in Monrovia, Madam Dehab Ghebream, told the *Daily Observer* that any unauthorized disclosure of documents or information by Wikileaks has harmful implications.

"The Embassy condemns unauthorized disclosures and would take every step to prevent security breaches," she said.

However, the Special Court, through its outreach and public affairs officer, Patrick Fatoma, yesterday told reporters in Monrovia that reports of Mr. Taylor's transfer were false and misleading.

"There is no plan to transfer Mr. Taylor," he stressed.

Fatoma contended that US and other countries were all strong financial supporters of the case and there have been no discussion of such.

Speaking at an interactive forum in Monrovia yesterday, Mr. Fatoma told the gathering the Taylor trial was at its concluding stage and that judges were currently reviewing over 45,000 documentary and other evidences presented by the prosecution and the defense teams.

"The trial of the former Liberian President is on course and if all goes well, the case will come to a close by next year (2011). The news of a transfer, I want to believe is from someone within the US Embassy in Sierra Leone but it is untrue, we are on course," Mr. Fatoma noted.

"And, come the second week in January, 2011, the Special Court for Sierra Leone would hear final arguments from opposing counsels outlining their respective reasons why Mr. Taylor should be set freed, or found guilty.

Fatoma who is also national outreach coordinator of the Special Court further told the forum that following final arguments next January, the court would release final judgment in June 2011.

Following the final judgment in June, sentencing would follow in August of 2011, he disclosed.

Asked by a reporter whether the court has so far gotten any elements of truth or falsehood relative to the testimonies of witnesses, Mr. Fatoma retorted: "I am not the Court, neither am I the judge."

However, he disclosed that the prosecution presented 91 witnesses before the court while Mr. Taylor brought 21 witnesses.

He added, "The Court will now have to decide since, in fact, both parties have presented their cases."

He said as far as the court was concern, Mr. Taylor was still innocent of the 11 counts

brought against him until he was proven guilty beyond all reasonable doubt.

Fatoma: "If Mr. Taylor is found guilty, he would be given the opportunity to seek an appeal to the appeal chambers."

According to him, the verdict from the appeal chamber will be final, after which the Special Court for Sierra Leone in the Hague would be dissolved.

They intend using the Court as the Supreme Court of Sierra Leone or an Appeal Court for convicted war criminals, he said.

Commenting on allegations that one of the judges of the Special Court, Ugandan born Julia Sebutinde, was intentionally slowing down its proceedings, the Court Outreach Officer said the information was untrue.

Mr. Fatoma said all of the judges on the bench have tried to speed up proceedings, adding, it was judge Sebutinde who requested for a deadline from the defense team during their presentation.

Asked by the *Daily Observer* as to who will knock the gavel on the day of Judgment, the Special Court representative said presiding judges of the Court were selected on a rotational basis.

"It is hard for me to say whether Judge Julia Sebutinde will be the one or another person. All that I know is that Julia Sebutinde's term as expired and that she would be replaced next year. If she will remain, I don't know, but that will be decided by the Special Court" Mr. Fatoma intoned.

Asked by another reporter about the court's source of funding, Fatoma said there were over 39 countries funding the Taylor's trial.

He named some of the supporting countries as Nigeria, United States, France, Great Britain, Japan, South Africa, The Netherlands and The United Kingdom, among others.

He told reporters that recently, the United States Government provided over US\$4.2M while the United Nations has also provided US\$20M.

The former Liberian president is standing trial for several international crimes ranging from Acts of terrorism, unlawful killings, murder, violence and rape, among others.

# Taylor's Men Link



Details emerging from leaked US diplomatic cables suggest that pro-Charles Taylor factions were behind much of the armed robbery in the country.

"Although we do not have any direct evidence to support the belief that pro-Taylor factions are behind much of the armed robbery on the premise that crime will keep the government weak and the country unstable, the GOL is certainly convinced of this, and has taken steps to counteract the threat," the leaked cables as revealed by the online whistle blowing wikileaks said. It said the most recent act was to put Taylor-era head of police Paul Mulbah into the LNP as an "advisor" that some accuse (and the government denies) was in order to placate the Taylor people in advance of the March 7-8 International Women's Colloquium. That the Taylor crowd can still motivate such a reaction in the government is a testament to their influence.

In a US secret diplomatic cable on Liberia, revealed by Wikileaks on Friday, one US official expressed fears that the line of communications within Taylor's faction, the defunct National Patriotic Front of Liberia or NPFL remain intact.

"Former NPFL commanders Roland Duo (the only senior Taylor supporter to have testified before the TRC), Christopher "General Mosquito" Vambo and Melvin Sogbandi (none of whom are on the sanctions lists) remain in contact with the ex-combatants, and would have the

## Taylor's Men Link

capability to organize an uprising or even criminal activity," the official said.

"Certainly, the same is true for the other factions, the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL). While apparently unarmed and not active in Liberia, we continue to receive reports that LURD is recruiting ex-combatants for militias in Guinea and MODEL is doing the same for Cote d'Ivoire," the cables add.

The official noted that the Government of Ellen Johnson-Sirleaf is caught in the middle and is helpless.

"There is quite little the GOL can do legally to arrest, prosecute or freeze assets of those who were close to Taylor, even if the political will were there, which remains an open question," the official said.

The cables add that communications among Taylor former supporters remain strong.

The cables: *The pro-Taylor forces still have the ability to organize themselves.* An NPP rally in December 2008 gathered a sizeable crowd, and Taylor supporters in June 2008 succeeded in preventing FBI investigators from entering Taylor's residence "White Flower" to obtain evidence for the Chucky Taylor trial in Florida.

The most recent example was their effort on March 7 to disrupt the International Women's Colloquium. Taylor remains popular within many rural communities, especially in Bong, Lofa and Nimba counties, and is seen as someone who was able to unite Liberia's different ethnic groups. We also suspect there is some sympathy within the Americo-Liberian population who saw him as their deliverance from their losses following the 1979 coup. While we do not suggest they would want Taylor to return, we are sure that they do not want too many rocks to be turned over.

## Apocalypse Or Recovery

**L**eaked classified cables from US embassy here on the political security and therefore economic landscape contain details and factors

tors are many:

The foundations of the peace treaty that ended the war for Mr. Taylor's exit were fluid. Unlike in similar countries with similar



Mr. Charles Taylor during his war heights: he remains feared

tied to this country's escape from war to peace. In summary, the cables reach one conclusion: Charles Taylor remains the hope of those whose agenda took the country from worst to the abysmal ridiculous. And as long as no verdict has been handed on the enormous crimes for which he is accused, their hopes of the re-kindled past is justified. Some how, they believe, as his ardent faithfuls, that his prophesy—'God willing I shall return,' will be fulfilled.

The cables laid the factors for this hope in a past that has been roundly denounced by humanity. These fac-

problems, such as Iraq or Afghanistan, those who carved this peace agreement, the West Africans with Ghana, then one of Mr. Taylor's admirers, saw nothing wrong his in political agenda that was splitting the region apart. No demand was made against loyalists' exclusion from the political scene as was done elsewhere, with a system, not a single individual, blamed for the horrors. The Comprehensive Peace Agreement signed in Ghana was far from comprehensive, in that it left many basic questions untouched and unanswered. It only ensured

the re-emergence of the same group that dominated and ruled the country from 1989 when the National Patriotic Front of Liberia (NPFL) invaded from now disintegrated Cote d'Ivoire.

The leaked cables: "The Accra Comprehensive Peace Agreement (CPA) of August 2003 that ended the 14-year civil war, did not require the NPP (National Patriotic Party, offshoot of the NPFL) to disband and in fact permitted the NPP to participate in the transitional government and in the 2005 elections. The NPP now holds seven seats in the Legislature (which may be one reason the legislation is being blocked). As well, none of Taylor's properties have been seized by the government and they remain in good shape and remarkably free of squatters, as no one dares to take the risk of retribution."

Perhaps the cables ignored other NPP diehards who saw it fit to split their forces as they enlisted under other political umbrellas, such as the Congress for Democratic Change (CDC) whose leader, the retired football star George Weah, has openly endorsed the NPP as a party that has produced 'great people; he admires.

But it is not only within the Legislature that the NPP remains preeminent. Its members roam within the Executive, as ministers, security chiefs, etc.

The reasons for this are many, amongst them shared family roots, common friends, and the fluidity of political agendas:

The cables: "Although we do have any direct evidence to support the belief that pro-Taylor factions are behind much of the armed on the premise that crime will keep the government weak and the country unstable, the GOL is certainly convinced of this, and has taken steps to counteract the threat. The most recent act was to put Taylor-era head of police Paul Mulbah into the LNP as an "advisor" that some accuse (and the government denies) was in order to placate the Taylor people in advance of the March 7-8 International Women's Colloquium. That the Taylor crowd can still motivate such a reaction in the government is a testament to their influence."

"The pro-Taylor forces still have the ability to organize themselves. An NPP rally in December 2008 gathered a sizeable crowd, and Taylor supporters in June 2008 succeeded in preventing FBI investigators from entering Taylor's residence "White Flower" to obtain evidence for Chucky Taylor trial in Florida. The most recent example was their effort on March 7 to disrupt the international women's colloquium.

"Taylor remains popular within many rural communities, especially in Bong, Lofa, and Nimba coun-

ties, and is seen as someone who was able to unite Liberia's different ethnic groups. We also suspect that there is some sympathy within the Americo-Liberian population who saw him as their deliverance from their losses following the 1980 coup. While we do not suggest they would want Taylor to return, we are sure that they do not want too many rocks to be turned over."

The cables also confirm what is well known but avoided in discussions and policy making, which is that Mr. Taylor's war machinery remains in tact, its command structures preserved. The fact that in a city of lawlessness Mr. Taylor's side road sprawling residence, 'White Flowers', remain protected has not escaped diplomats:

The cables: "Lines of communications within Taylor's faction, the National Patriotic Front of Liberia (NPFL) remain in tact. To be sure, the disarmament of the factions following the CPA has been extremely successful, and we have thus far been unable to confirm the existence of any large weapons caches, despite the persistent rumors, but the reintegration of the ex-combatants is far from complete. Former NPFL commanders Roland Duo (the only senior Taylor supporter to have testified before the TRC), Christopher "General Mos," Vambo and Melvin Da "andi," one of whom are on the sanctions list remain in contact with the



ex-combatants, and would have the capability to organize and uprising or even criminal activity.

"Certainly, the same is true for the other factions, the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL). While apparently unarmed and not active in Liberia, we continue to receive reports that LURD is recruiting ex-combatants for militias in Guinea and MODEL is doing the same for Cote d'Ivoire."

The cables contain legitimate fears, fears of Mr. Taylor's continuing grip on the country, his extending influence, the confidence of his operatives and loyalists that one day their day will return.

These fears are real because a generation lingers with one mindset, that which many have known since 1990. Not suitable for re-integration into civil society. Conditioned to years of violence and stealing, the coming of an orderly society, in which one is measured by the value of one's talents and ability to work, is threatening to these people, both at the lower echelon and at the higher of the political and rebel command outfits. Details of these cables should concern disarming peace not only here, but within the region. Excerpts:

"The recent remarks by Special Court for Sierra Leone prosecutor Scott Rapp suggesting Charles Taylor may go free because of budgetary reasons caused alarm within the GOL and has emboldened Taylor supporters. Communication inside the Taylor camp remains intact and those in leadership roles continue to be active and unrepentant. Should Taylor be acquitted in The Hague or given a light sentence, his return to Liberia could tip the balance in a fragile peace. The international community must consider steps should Taylor not be sent to prison for a long time. We should look at the possibility of trying Taylor in the United States. End Summary.

### RAPP'S COMMENTS RAISE CONCERN WITH THE GOL

Chief Prosecutor Stephen Rapp's ill considered announcement in the press February 24, that Charles Taylor may walk free because of a supposed budget shortfall for the Special

Court for Sierra Leone, where Taylor is presently on trial, made headlines in the local press and raised anxiety here about Taylor's imminent return. The GOL was alarmed enough that President Sirleaf called Ambassador on February 28 to raise her concerns. She pointed out that Liberia's stability remains fragile, and such remarks reverberated throughout the country as people are still traumatized by Taylor and the war.

The press accounts of The Hague have also

emboldened the pro-Taylor factions here, including his extended family members, financiers and National Patriotic Party (NPP) loyalists, raising their hopes that Taylor might be acquitted soon. Despite their rhetoric about "moving on", they have thus far refused to appear before the Truth and Reconciliation

Commission (TRC) to account for their activities, and those on the UN sanctions lists continue to request delisting on the basis they have done nothing wrong rather than demonstrating what they have done to provide restitution for their activities.

The government itself is caught in the middle. There is quite little the GOL can do legally to arrest, prosecute or freeze assets of those who were close to Taylor, even if the political will were, there, which means an open ques-

tion. The TRC has recommended a domestic war crimes court be set up, but under statute, an independent National Human Rights Commission (INHCR) would implement the recommendation, and the legislature (some of whom had close ties to Taylor) has thus far failed to establish the INCHR. The Legislature has also refused to pass any law that would allow the GOL to freeze assets of those on the UN sanctions list, and the Supreme Court has ruled that any confiscation of property can be done only after a trial.

The threat of a return of Taylor strengthens their hands and for now they see no need to give in at all. However, if Taylor is put away for a long time, the government may feel a bit bolder in recovering assets and bringing Taylor backers who committed war crimes to justice.

The international community has just a few tools to pressure the Taylor people into accepting the new reality. The UN sanctions appear to have the intended effect of keeping them somewhat marginalized and fearful of further attempts to strip them of their ill-gotten gains. However, we have regularly heard of travel outside Liberia of those on travel ban list without travel approval.

#### ***NEXT STEP FOR INTERNATIONAL COMMUNITY***

However, the best we can do for Liberia is to see to it that Taylor is put away for a long time and we cannot delay for the results of the present trial to consider next steps. All legal options should be studied to ensure that Taylor cannot return to destabilize Liberia. Building a case in the United States against Taylor for financial crimes such as wire fraud would probably be the best route. There may be other options such as applying the new law

criminalizing the use of child soldiers or terrorism statutes.

The peace in Liberia remains fragile, and its only guarantee is the robust and adaptable UNMIL presence. The GOL does not have the ability to quell violence, monitor its borders or operate independently to fight crime. A free Taylor Could tips the balance in the wrong direction.

***THOMAS GREENFIELD***

# The Star (Liberia)

Thursday, 23 December 2010

## Report from Liberia: The warlord and the angry son

Jessica McDiarmid

Wearing a Don Cherry-style jacket, former warlord Prince Johnson sits for an interview in his home in a suburb of Monrovia, the capital of Liberia.

MONROVIA, LIBERIA—Prince Johnson is a Liberian political leader, infamous for presiding over rebel forces as they sliced off the ear of then-president Samuel Doe, who was later executed.

Many regard Johnson as more dangerous than fellow warlord Charles Taylor, currently being tried in The Hague for war crimes. Yet in a whiplash-inducing act of political rehabilitation, Johnson now sits in Liberia's Senate.

Jonah Nagbe is a young Liberian who has spent more than half his life in refugee camps after his father was killed by Johnson's forces. He lives with his family in Monrovia, eking out a living making charcoal and unloading crates. This is the story of the points where these two men's lives intersect — and the story of Liberia's violent past, uncertain present and potential for a democratic future.

**Jonah Nagbe** has some questions for Prince Johnson. If he could, the 28-year-old would ask Johnson why his forces kill civilians, why his soldiers rape women, why he does not ensure that his men observe the Geneva Conventions.

Nagbe does not pause. Sitting in a dingy bar in Monrovia, Liberia's capital, he counts the questions one by one on his fingers. It is a few days after Liberia's National Elections Commission cleared Prince Johnson's party to run in elections next year. Nagbe wants to get a cellphone. That way, if Johnson takes questions on the radio during his campaign, Nagbe could call in. "I want him to justify those things to me."

Nagbe's father was a sergeant in the government army of President Samuel Doe, who seized power in a 1980 coup. His presidency marked the first time in Liberia's history that power lay with indigenous people, although it was marked by rising corruption and repression. He favoured members of his own tribe, the Krahn, to which the Nagbes belonged.

Those days were the best of his life, says Nagbe. The family of six lived in Caldwell, on Monrovia's northern outskirts. A car came in the mornings to take them to school. His father played soccer with him. "I was his first son," says Nagbe. "He spent time with me."

**Prince Johnson** has long since shed the army fatigues of his days as rebel leader. Sitting behind a table in a large gazebo inside his Monrovia compound, he says it's time for Liberians to look to the future. No good will come of continuing to rehash the conflict that wracked this small West African nation of 3.5 million for 14 bloody years. "That is all past now," says Johnson. "We want to rebuild our country."

In December 1989, rebels led by Charles Taylor invaded northern Liberia. A small group splintered from Taylor's National Patriotic Front of Liberia (NPFL) to form the Independent National Patriotic Front of Liberia. Johnson became their leader. By late summer of 1990, rebel forces had captured most of the country. The INPFL controlled a swath of Monrovia from its base in Caldwell.

**Doe was tortured** and killed. In an infamous video broadcast around the world, Johnson sits behind a table sipping beer while the former president's ear is cut off.

Today, Johnson won't comment on Doe's death, arguing it's not important to set the record straight. "Records tend to make the nation retrogress," says Johnson. "It's not the doctrine of reconciliation, the doctrine of humility, the doctrine of progress, how to move the country forward.

"I didn't kill Doe but I'm responsible for Doe's death. Whatever happened, I'm responsible."

**Nagbe knows the story.** He was there, 8 years old, when Doe's mutilated, torched body was paraded in a wheelbarrow through the markets of Caldwell in September 1990.

A few days earlier, Nagbe's father had been killed, shot during an INPFL skirmish with government forces. "We never buried my father," said Nagbe. "The body was left on the street to rot."

Fearing for their lives, Nagbe and the remaining family fled on foot for the Ivory Coast, hiding their tribal affiliation to avoid the vengeance meted out on Krahn behind rebel lines. They settled in a refugee camp in Danane, where they lived for nearly a decade. Then war broke out — again. The shooting started around dawn on Nov. 28, 2002. "I was on the market side of the town and they (my family) were at home," Nagbe recalls. "I went toward Ghana and they came back."

Nagbe was cut off from his mother, three sisters and younger brother for half a decade. While he stayed at a refugee camp in Ghana, the rest of his family lived out the remainder of the war back in Caldwell.

It would be five more years before Jonah Nagbe came home to Monrovia. By that time, he'd lived outside Liberia more than half his life. Today, the Nagbe family lives in a small room in Caldwell. The \$10 per month in rent is paid by Jonah's sister Ajuah's husband, who worked as a mechanic outside the capital until a recent car accident crushed fingers on one of his hands.

During the rainy season, the house is surrounded by putrid water. The children wade through it up to their knees, laughing. There is no electricity, no running water, no public toilets. Jonah spent the past couple of years sleeping on the porch because there's no space inside.

Nearly every day for the past year, Nagbe trekked to downtown Monrovia to seek work. Recently, he went to the bush a few hours' drive from the city to cut trees and make charcoal to sell. He wants to attend university but the few hundred dollars in fees is unattainable.

"If my father was alive, it wouldn't be so hard," he says. "He would have taken care of things."

**Johnson lives** in a compound in a Monrovia suburb. Statues of lions adorn the driveway, along with a sculpture of a large eagle, a replica of a former pet. Dressed in a sports coat and a straw bowler hat more suggestive of an eccentric southern gentleman than a former West African warlord, Johnson sits beneath a framed portrait of T.B. Joshua, the leader of the evangelical church into which he was "born again."

In front of him on a table sit a cellphone and a car key, which he uses to pick his ear as he agrees to answer the questions of a young man whose father was killed by his forces.

Johnson says he doesn't know of an occasion where the Geneva Conventions were deliberately violated.

"Whatever came to my attention as a violation of such a convention, I dealt with it," says Johnson. He still says "the gun that liberates should not rule" — the title of his 1992 book — but also that he is now a civilian.

"As a military man, if you liberate the country, you don't compensate yourself by sitting on the throne," says Johnson, who briefly claimed the presidency after Doe's death. He says Krahn people were killed, along with members of all Liberia's tribes.

"In every war, civilians are often the victims," says Johnson. "It may not be intentional ... We did not come to kill civilians. We came to fight soldiers and that's all we did."

And rape was dealt with, says Johnson. "Rape cannot be avoided. In every warfare, misguided people go on the extreme to do that but the military authority, we take action if we see such a thing and that's what we did."

The final report of the Truth and Reconciliation Commission called for Johnson and Charles Taylor, among others, to be prosecuted for war crimes in Liberia.

**Nagbe remembers** his father's body on the street 20 years ago and he believes Johnson is responsible for it. Once, he wanted revenge, he says. "But that is not the way, that is not God's way. I want to debate Johnson, to engage him constructively, not destructively."

Next year's election campaign, he hopes, will give him that chance.

The current president, Ellen Johnson-Sirleaf, was elected in 2005. Since then, the country has leapfrogged up international governance indexes, and recently passed West Africa's first freedom of information act. But with ongoing disaffection for the president's inability to deliver on the one front that really matters — jobs — there's a chance Prince Johnson could be running Liberia next year.

Nagbe sits quietly, his eyes on the table, fingers fiddling, and smiles. "When day breaks, that is the present, and ahead of us is the future, and the past is already behind us.

"There is only the future."

*Jessica McDiarmid currently works with Journalists for Human Rights.*

**Gbagbo, Cote d'Ivoire leader, may face International Criminal Court**

By Hugo Odiogor

Embattled Laurent Gbagbo may face trial at the International Criminal Court (ICC) for crimes against humanity if he allows his country to slip into a second round of civil war following his refusal to relinquish power in Cote d' Ivoire, where hapless citizens and nationals of other countries have become targets of desperate attacks by people suspected to be supporters of the out of favour leader.

Former Liberia President Charles Taylor is facing similar charges.

The Hague-based ICC was set up in July 2002 in line with the 1945 Rome Statute of the body which is a permanent United Nations tribunal. It was set up to prosecute individuals for acts of genocide, crimes against humanity, war crimes and acts of aggression. Although the official seat of the court is in the Hague, the Netherlands, its proceedings may take place anywhere.

The creation of the ICC perhaps constitutes the most significant reform of international law since 1945. To date, the court has opened investigations into situations in northern Uganda, Dafur in western Sudan, the Democratic Republic of Congo, the Central Africa Republic and Kenya. The court has indicted 16 people; including the president of Sudan, Omar Al Bashir. The ICC's first trial of Congolese militia leader Thomas Lubanga began on 26 January 2009.

By Hugo Odiogor

Gbagbo, who has become globally isolated, is suspected to be behind the attack on Nigeria's embassy in Abidjan which is a clear violation of Nigeria's sovereignty and territorial integrity in international law and diplomacy. Nigeria is to report the case and that of human rights violation against the embattled Gbagbo to the ICC.

Diplomatic sources said the fact that the United Nations forcefully rejected Gbagbo orders to terminate its peace keeping mission in Cote D'Ivoire is a demonstration of the global village where leaders can no longer behave the way they choose and hide under the clause of Westphalia Treaty of Peace to use the concept of equality of nations to plead non interference in domestic affairs. If Gbagbo allows a return of full blown hostility in the West African country, he would be held responsible. Civil war broke out in Cote D'Ivoire between people from the north and those from the south.

Defeated Gbagbo hails from the more economically endowed south which also has a pre-dominant Christian population.

So far, over 175 persons have been reported dead while over 300,000 people have fled to neighbouring West African countries for fear of losing their lives in the

outbreak of violence. The European Union has placed limited sanctions on Gbagbo and members of his family and officials. The World Bank also has placed a lid on the country's access to international finance while the UN is considering far reaching measures that would be placed on Gbagbo.

Nigeria is expected to present a formal complaint of violation of its sovereignty and integrity when its embassy in Abidjan was attacked by unknown persons shortly after media reported that Abuja was considering granting a face saving asylum to Gbagbo.

International relations and diplomacy analyst, Professor Kayode Soremekun, said "the attack of the Nigerian mission in Abidjan is a clear violation of the Vienna convention and all protocols of diplomatic practice which have evolved from Utrecht to Vienna and shows a fast descent to anomie".

According to him, even in the face of full blown war, diplomatic immunity is sacrosanct and must be upheld as a mark of reciprocity in international relations and diplomacy.

"The attack on the Nigerian embassy is irresponsible to say the least, but let us not forget that this was exactly what Mr. Charles Taylor did in Liberia in the early 1990s when he entered Liberia from the Burkina Faso borders with his country," the Dean of Centre for Development Studies at Covenant University Ota said. "A state that is indifferent to the welfare of its citizens cannot be said to be an exponent of citizens diplomacy."

Citizens' Diplomacy explains the rationale why and how governments behave in certain manner in international relations. We live in a clime where the Nigerian state is indifferent to the welfare and safety of its nationals at home and abroad. If France, which has greater stake in Cote D' Ivoire, could take steps to safeguard the lives of its nationals there, then Nigerians should be given a reason why they should stay until the last minute before effort was made to take them out of harm's way".

Soremekun explained that Nigeria should take severe measures against Gbagbo and his men to show that as a moving force in Economic Community of West African State (ECOWAS), the African Union (AU) and the United Nations, he is made to pay the price for his dangerous power game.

Mr. Frank Igwebueze, who was rescued from Monrovia in early 1990, said the attack on Nigeria's mission in Abidjan is a clear violation of Nigeria's sovereignty and those responsible should be made to face the consequences. He said Nigeria's offer of asylum to Gbagbo was a goodwill that was aimed at restoring peace to the West African nation, but the infringement of the country's sovereignty is against international law and diplomatic protocols".

Mr. Ezekiel Obinanabu, another victim who suffered amputation in Liberia, said Nigeria should not delay in responding to the situation in Cote D'Ivoire because the envy factor that is associated with the industrious nature of Nigerians always make them the object of displaced aggression in conflict situations in Africa.

The 46-year old business man, who now resides in Gabon, said he lost everything to the rebels of National Patriotic Front of Liberia led by Charles Taylor when the former warlord singled out Nigerians for reprisal attacks over the perceived anti-Charles Taylor policy of the then Gen. Ibrahim Babangida.

Yet another victim of the fratricide in Liberia, Mr. Titus Agbazuha, who was rescued by the ECOMOG troops and now relocated to the United States told Sunday Vanguard that he is "concerned that Nigerian foreign policy makers and operators have not learnt anything from what Nigerians went through during the previous conflicts in the sub region."

According to him, the United States, which shares the same burden and exposure to envy, is always quick to advise its nationals against travelling to troubled spots where their lives could be in danger. "They do not waste time to evacuate their non-essential personnel and finally they scale down their operations, but Nigeria has never done such thing even to show displeasure for the misbehavior of regimes that fall out of norm".