

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



**PRESS CLIPPINGS**

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

**as at:**

**Wednesday, 29 July 2009**

Press clips are produced Monday through Friday.  
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## The Peep!

Wednesday, 29 July 2009

# Taylor denies link to RUF

Upon his appointment as head of the Committee of Five by the Economic Community of West African States (ECOWAS), Charles Taylor regularly communicated



and held meetings with members of the Revolutionary United Front (RUF), but all these contacts were done with the consent and participation of ECOWAS and the United Nations, he said in his testimony today before judges of the Special Court for Sierra Leone. "Subsequent to my appointment on the Committee of Five, I spoke with the RUF many times. I held meetings with them with the knowledge, consent and acquiescence of ECOWAS. The United Nations knew because for most of my discussions with the RUF, I spoke with Kofi Annan directly or through his Special Representative in Liberia. Everything I did in Sierra Leone was done with knowledge and consent of ECOWAS and I have documentary evidence to prove that," Taylor said. The Committee of

Five was set up by ECOWAS with representatives from five West African countries whose mandate was to facilitate a peaceful end to the conflict in Sierra Leone. Mr. Taylor told judges that he was appointed as Chairman of the Committee of Five because ECOWAS leaders believed he was better placed to negotiate with the RUF rebels, having been a rebel himself. He said that he was actively involved in efforts geared towards bringing Sierra Leone's conflict to a peaceful conclusion. Mr. Taylor also told judges that, like other West African leaders, he was part of the decision that foreign governments should not recognize the junta government of the Armed Forces Revolutionary Council (AFRC). For this reason, he said that Liberia did not recognize the AFRC junta regime in Sierra Leone. "There was a decision that the junta should not be

recognized. My government did not recognize the junta," Taylor said. Mr. Taylor described allegations that he used the RUF rebels to plunder the diamond resources of Sierra Leone as nonsense. Describing with use of a map areas in Liberia where diamonds could be mined, Taylor told the judges that his country is rich in diamonds, bauxite and uranium and would therefore have no reason to turn to Sierra Leone for its own diamond resources. "I know our potential. I know our wealth. What am I going into Sierra Leone to do? It is beyond my imagination that anyone would believe that the President of Liberia would go into Sierra Leone. He wants to "terrorize" the people and take their wealth when the vast wealth that we have I have not even touched. It doesn't make sense. It did not happen. Why do I need to do that? What do I do with the wealth of my own

country?" Taylor said. Mr. Taylor is accused of supporting the RUF rebels in Sierra Leone by collaborating with them to plunder the country's diamond resources in return for the supply of arms and ammunition. The prosecution alleges that by his acts or omissions Mr. Taylor is responsible for the crimes committed by the rebels in Sierra Leone. Mr. Taylor has denied all the allegations. Taylor also dismissed prosecution witness Zig Marzah's testimony that Taylor dined on human intestines as nonsense and blamed the witness's illiteracy for coming up with such an allegation. "I felt like throwing up when I heard that nonsense from him, and I think even the prosecution were shocked at listening to that foolishness," he said. Taylor said that all these allegations against him are "statements of lies, statements of deceit and deception." Mr. Taylor's testimony continues tomorrow.

Sierra News  
Wednesday, 29 July 2009

# Charles Taylor denies cannibalism

Former Liberian leader Charles Taylor has denied eating human flesh or ordering militias to eat their enemies. Speaking at his war crimes trial in The Hague, Mr Taylor was quoted as saying accusations of cannibalism levelled against him were "total nonsense".

Some of Mr Taylor's former fighters have previously told the court that he had ordered them to eat their enemies. Mr Taylor has denied 11 charges related to the civil war in Sierra Leone, Liberia's neighbour.

At the start of the third week of his trial, Mr Taylor also said impassable roads would have made it impossible for him to trade weapons for Sierra Leone's diamonds, as the prosecution alleges.

On trial at the UN-backed Special Court for Sierra Leone, Mr Taylor is accused of having armed and directed rebel groups from Liberia in order to seize control of Sierra Leone's diamond riches.

The 61-year-old denies charges including terrorism, murder, rape and torture.

He is the first African leader to be tried by an international court.

"Never happened"  
Responding to the allegations of cannibalism, Mr Taylor was quoted by AFP news agency as saying: "It is sickening. You must be sick to believe it."

"It make you feel like throwing up."  
The former Liberian leader said there were cannibals in parts of his country, but he was not among them.

One witness had told the court he had eaten human flesh with Mr Taylor at a



president responded. "I never ordered any combatant to eat anyone."

Denying accusations that he had traded diamonds for arms, he said neither of the two roads leading to the border between Liberia and Sierra Leone could support vehicles laden with weapons.

One of Mr Taylor's former bodyguards testified last year that he had escorted such vehicles, and the court was shown a photo with a lorry allegedly pictured near the border.

Mr Taylor said on Monday that the

accusation was a "lie", also dismissing allegations that he accepted diamonds from rebels in Sierra Leone.

An estimated 500,000 people were killed, mutilated or suffered other atrocities in the civil war in Sierra Leone, which lasted from 1991 until 2002.

A verdict in Mr Taylor's trial, which was moved from Sierra Leone to the Netherlands because of security concerns, is expected next year.

The Torchlight  
 Wednesday, 29 July 2009

## NaCSA Rescues 12 War Victims in Makeni

By Joseph Bangura

The National Commission for Social Action (NaCSA), in collaboration with the Aberdeen West Africa Fistula Centre supported by Mercy Ship under the reparations programme, Friday at the Makeni Government Hospital conducted a medical examination on 12 war victims of sexual violence who have been suffering from various gynaecological problems since they were sexually assaulted by rebels during the Sierra Leone civil war.

All these victims were drawn from different areas in the northern parts of the country. According to doctors from the Aberdeen West Africa Fistula Centre, 'the medical examination is the first step in curing these women and those who required fistula surgery will be taken to the Aberdeen Fistula Surgery Operation while other cases will be referred to specialized gynaecologists for treatment'.

Care and treatment for victims undergoing fistula surgery will be the responsibilities of the Aberdeen Fistula Centre under the Memorandum of Understanding (MOU) signed with NaCSA, while other cases will be treated by NaCSA under the reparations programmes.

One of the victims explained that she had been experiencing vaginal discharge since she was gang raped by five rebels.

She said she hoped that whatever treatment she received under reparation programme would cure her or her problems.

Another victim said she was abandoned by her husband because of her condition. She said now that NaCSA had fully come to their aid, she was very happy and hoped that life would be normal with her in the future. According to NaCSA's Outreach Officer, Ibrahim Sathie Kamara, the medical treatment including fistula surgery was part of the social service package for victims of sexual violence under the reparations programme which the government of Sierra Leone was implementing through NaCSA, with support from the UN, IOM and the German Government.

Mr Kamara also said, 'the programme will respond to the needs of the most severely affected victims of the war, i.e Amputees, the severely war wounded, victims of sexual violence, war widows and children affected by the war'.

He noted that, 'these victims will be receiving health benefit packages, education support packages, skills training and micro grants. All these twelve sexual violence victims received Three Hundred Thousand Leones (Le300,000) each from NaCSA as transport and other support needs to travel to Makeni for the medical examination'.

## UN News Centre

Sunday, 26 July 2009

### Remarks to the 8th Contingent of Mongolian Peacekeepers by UN Secretary-General, Ban Ki-moon

Ulaanbaatar (Mongolia)

SAN-ban-oh! (“How are you?”)

I am extremely pleased to be able to personally thank you for deploying with the United Nations.

As you know, Mongolia is playing a very important role at the Special Court for Sierra Leone.

Thanks to you, the Court can conduct its work. Mongolia's military guard force has so far prevented any incidents that could threaten Sierra Leone's security, the Court's credibility or the safety of witnesses.

This is critical. The war in Sierra Leone was extremely brutal. Tens of thousands of people were killed. Civilians were mutilated. Women suffered terrible sexual abuse. Children were forced to fight.

The Prosecutor of the Special Court recently told a story that showed just how barbaric this war was – and how important your mission is. A man testified that the rebels had chopped off his left hand in front of his four-year old son. The boy started screaming, “Don't do that to my Daddy!” So the vicious rebels brought the little child forward to chop off his hand. And the father stopped them. He said, “No! Take my right hand instead.” So they chopped off the father's right hand. The boy is now fourteen years old and he accompanied his father to provide his testimony to the Court. The father said, “He is my hands.”

This man's heart-wrenching testimony and the stories of all the other witnesses must be told in order to prosecute these merciless criminals. And the job of protecting the witnesses, who have suffered so much and have shown such courage in coming forward, falls to you.

I am especially grateful to the women peacekeepers assigned to the Force. They have shown tremendous dedication in providing communications services and serving as doctors and nurses.

At the United Nations, we appreciate all Mongolian peacekeepers for your discipline, your international perspective and your commitment to bringing peace and stability to war-torn countries, no matter what difficult conditions you may face.

We know the risks are real. The circumstances you will be working under will be dangerous. Two Mongolian peacekeepers lost their lives while serving under the United Nations flag. I pay tribute to their sacrifice.

The United Nations will do all that we can to protect you in your important mission. From my meetings with veteran peacekeepers, I know that the meaningful experience of deploying with the UN will stay with you for the rest of your lives.

Right now, demand for United Nations peacekeeping is at an all-time high. We have more than 112,000 personnel deployed around the world. To meet the growing demand, we are reviewing how we can improve our operations through what we call a “new horizon” process for peacekeeping. The aim is to be more cohesive and to forge a renewed consensus on the direction peacekeeping should take.

All this makes your work even more important.

I will be thinking of you as you carry out your operations, and I wish you great success, for the sake of the people of Sierra Leone – and for justice and peace everywhere.

Thank you.

**War Criminal Charles Taylor Clears the Courtroom**

Former Liberian President Charles Taylor, who spurred a decade of violence in neighboring Sierra Leone, is on trial for war crimes. Why don't Sierra Leoneans seem to care?

BY GLENNA GORDON | JULY 28, 2009



It is nine o'clock in the morning on a rainy Wednesday in Freetown, the capital of Sierra Leone. The main courtroom at the Special Court sits empty, save for televisions filled with former Liberian President Charles Taylor's face. The half-dozen screens are broadcasting live footage from The Hague. Four rows of wooden benches and 14 rolling black office chairs are unoccupied.

The Sierra Leonean government and the United Nations established the Special Court to try those who bear the greatest responsibility for the decade-long war that displaced a third of the country's population of six million and left tens of thousands dead. During the war, which started in 1991, armed factions funded and supplied by countries like Liberia and Libya battled for control of Sierra Leone's diamond mines. They used revolutionary rhetoric and sheer brutality to recruit young men, and often children, to their swelling ranks -- and to the decimation of Sierra Leone.

All the other cases that have been and will be tried by the Special Court have taken place in this very room.

But not Taylor's. The Special Court indicted him on 11 counts of war crimes, crimes against humanity, and other serious violations of international humanitarian law. Sierra Leoneans and the international community agreed that trying him in Freetown was a grave threat to regional security. He still enjoys widespread popular support in Liberia to this day. The fear that his supporters would return to Sierra Leone and wreak more havoc was very real.

His case was transferred to The Hague, to keep him and Sierra Leone safe. It streams live across the world over the Internet. And it is broadcast in this courtroom in Freetown.

As I write this, Taylor is identifying people by name in a faded color photograph, 3,200 miles away. Not that most Sierra Leoneans care. Taylor has brutalized and terrorized this country since 1991. His case sparked a flurry of interest at first. But now, most seem more interested in moving forward than looking back at the Liberian strongman they blame for most of their problems.

Every day that Taylor has testified, he has made headlines in the Western media. "Warlord Charles Taylor in the Hot Seat in the Hague," ABC reported on July 14. "Liberia's Taylor saw 'nothing wrong' with displaying skulls," the *Agence France Presse* described on July 16. "Charles Taylor denies cannibalism," the BBC said on July 27.

The media in Sierra Leone is covering the trial too. But on this day, a story about a sex-for-grades scandal at the university dominates the headlines.

Over the next few hours, several people trickle in. Two female Sierra Leonean journalists take notes for a bit, and then one of them falls asleep. A pair of Mongolian peacekeepers from Liberia's U.N. mission pose for photos in front of the largest screen projection of Taylor's disembodied face.

An older Sierra Leonean man named Dauda A. Sessay arrives in the afternoon. He has come every day since the beginning of the trial and makes a point to mention he would have been here earlier today but for the rain. Sessay was a sales manager for Coca Cola before he retired a few years ago. His entire village -- about two hundred homes -- was destroyed during the war, burned to the ground without a trace remaining. Now, he lives in a small home in town with his wife and walks to the court every day.

"I have come every day out of curiosity. To hear from this man himself what we in Sierra Leone already know," Sessay says.

He adds that a handful of people come somewhat regularly, maybe once or twice a week, but he's the only person there every day, day in and day out.

"When Charles Taylor was here," Peter Andersen, the head of public affairs in the court, told me, "you couldn't have kept people away with a stick. There were lines of people down the sidewalk. People came to the court with their kids. You couldn't get a seat."

But things have changed since the first time he was in Freetown, and even more since the first time he testified at the court. Public interest has dropped rapidly.

This may be, in part, because of the complex issues of nationality present at the trial. Charles Taylor, a former Liberian president, is charged with funding rebels in Sierra Leone, and is being tried by a proxy of a Sierra Leonean court in the Netherlands.



Even the Special Court itself seems confused. Designed by Britons, it is a strange example of modern architecture that resembles a corset trying to squeeze an egg into the shape of an hourglass. The building would fit in well on the streets of Stockholm, but looks out of place in hilly Freetown filled with "pan body" homes made from tin sheets.

"Many people think Taylor is not telling the truth and that we're wasting money," says Patrick Fatoma, who spends a good amount of time upcountry on behalf of the court, teaching people about due process. "People say, 'He should just be held guilty right now!' Many people don't understand that the accused have rights too."

Fatoma also mentions that people don't want to think about the past. "We are reconciling but not forgiving."

Sessay has his own theory as to why more people don't come to hear the testimony: They think there's no way anyone would ever let Taylor off free, so they don't come to watch the blow-by-blow. That, and the rain this morning.

But he knows there's more to this too. If he didn't live nearby the court building, he wouldn't be able to come watch the trial either. "As a retired person, I couldn't afford transport every day, maybe just once in a while."

Still, Sessay would rather not live in Freetown. He misses the quiet of the village, and wishes he didn't have a reason to walk 10 to 15 minutes every day.

*Glenna Gordon is a freelance photographer and journalist based in Monrovia, Liberia.*

## The Australian Times

Wednesday, 29 July 2009

### Charles Taylor not swallowing cannibal tag

THE former African warlord Charles Taylor, on trial in The Hague for murder, rape, hacking off hands and sending drugged child soldiers into battle, held up his hands yesterday and swore that he had never eaten human flesh.

Cannibalism, he said, shaking his head in disgust, "it makes you feel like throwing up".

Taylor, the former President of Liberia, is the first African leader to face trial for war crimes and crimes against humanity allegedly committed during the 10- year civil war in neighbouring Sierra Leone. The war, which ended in 2001, ranks as one of the most savage in the 20th century.

Taylor's defence counsel has accepted that horrible atrocities were committed during the war but says that the Liberian President, busy running his own country, had no part in them.

The prosecutor in the UN-backed Special Court for Sierra Leone, says that Taylor sold insurgents in Sierra Leone weapons in return for "blood diamonds".

Part of the prosecutor's task is to establish that Taylor terrorised the civilian population of Sierra Leone by allowing the rebels to run wild. Part of the repertoire, prosecution witnesses have claimed, was to rip out the hearts of opponents and eat them. "It is sickening", said Taylor yesterday. "You must be sick to believe it."

One witness, Joseph "Zigzag" Marzah, said in testimony last year that Taylor -- his commander -- had ordered the rebels to eat people from the Krahn tribe to set an example -- and that he had been ordered to eat captured UN staff, "using them as pork".

Marzah went into detail as to how the victims were sliced up for cooking and seasoned. Taylor, he said, knew of this.

Another witness, Akiatu Tholley, has told the court that she was flogged and raped by the rebels and then forced to eat the heart of a militiaman recently killed in the crossfire. "If anybody refused eating it, that person would be killed," she told the court. Taylor said the witnesses' claims were "total nonsense".

Marzah had claimed to be a member of the secretive Poro cult, together with Taylor, and that they both ate human flesh. "It never happened," said the former president. "I never ordered any combatant to eat anyone."

Taylor's team has admitted that cannibalism was practised -- but says that it was never ordered or indulged in by Taylor.

Again and again during his testimony, which began earlier this month, Taylor has tried to convince the court that he was not a monster, but rather a misunderstood visionary leader who had tried to build a pan-African democracy.

## BBC Online

Tuesday, 28 July 2009

### African view: Memories of Taylor



Charles Taylor played the role of soldier, president and now defendant

In our series of weekly viewpoints from African journalists, former BBC editor and Ghanaian minister Elizabeth Ohene, relives her unforgettable encounters with Charles Taylor, the former Liberian president currently defending himself against war crimes charges.

Not much had changed. It was the same self-assured, flamboyant performer. I must confess it gave me quite a start to hear that voice on television say: Dr Charles Ghankay Taylor.

The memories came flooding in... The Charles Taylor story is well known, so where do I start with my Charles Taylor story?

Boxing Day, 1989. The day after Christmas Day, Boxing Day is usually a slow day in newsrooms, and the four of us who were at work in the BBC's Focus on Africa office that Boxing Day were probably cursing our luck that we were at work when most other people were nursing their Christmas hangovers at home. The phone rang and the voice at the end said he was Charles Taylor, he had launched an invasion into Liberia to throw out the head of state, Master Sergeant Samuel Kanyon Doe.

#### **'No better than a murderer'**

I do not remember if there were any arguments among us about whether we should give him the exposure. But that is not the point today and as the old cliché goes, the rest is history.

He was interviewed and the Liberian rebel war was introduced to the world - and with it a certain notoriety for the programme.

As time went by and Focus on Africa continued with what was to become a daily chronicle of the war, the internal arguments and agonising did take place in the office.

But hey, the man made great radio. Gift of the gab - if ever anyone had it, that was Charles Taylor. Probably the most famous of the verbal sparring between editor Robin White and Charles Taylor went something like this...

Robin White: "Mr Taylor, some people think you are not much better than a murderer."

Charles Taylor: (guffaws) "Robin, Jesus Christ was accused of being a murderer in his time."

Okay, I know Jesus Christ was accused of many things in his time but I cannot recall him being accused of murder; all the same you get the drift and must concede it made riveting radio.

### **'He killed my ma'**

Fast-forward to 1997 and I am in Liberia to cover the elections that would eventually make Charles Taylor president.

My abiding memories of that assignment and the face-to-face encounters with Charles Taylor must surely be the chant of his youthful supporters.

There were thousands of them, all clad in yellow Taylor T-shirts and they would run up and down the streets of Monrovia chanting: "He killed my ma, he killed my pa, I'll vote for him."

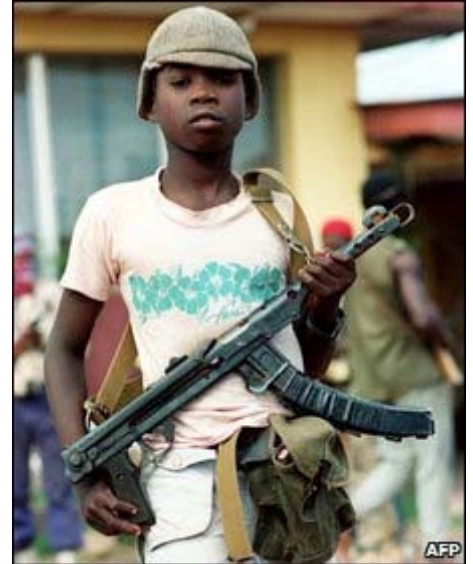
When I interviewed him, he brought up the matter of the chant.

"Have you heard them?" he asked. "They mean it, you know, and they love me." And indeed they voted for him, and he became president.

Did he make up that chant himself, as some suggested? I tackled him on that and as I recall it he simply laughed, but again you must admit he can put words together to make good radio.

### **Reluctant dinner guest**

Fast-forward again to the year 2002 and I am a minister of state in Ghana when a then "under-pressure-to-step-down" President Taylor arrives for a summit of the West African bloc Ecowas, and I am asked to be his ministerial escort.



*Taylor's rebellion was notorious for its use of child soldiers*



*Mr Taylor was eventually charged over the war in Sierra Leone*

**CHARLES TAYLOR CHARGES**

I am afraid the abiding memory of that encounter was the last evening of the summit when Ghanaian President John Kufuor hosted a dinner at the hotel in which all the visiting presidents were staying.

I arrived to take Charles Taylor to the dinner at the seafront of the hotel.

He was reluctant to go and I could not immediately work out what the problem was because he would not say. I managed to get him out of his room, we walked for a few yards and could see ahead of us the dinner laid out and the guests.

He stopped, and have I mentioned that he was surrounded all the time by four hefty bodyguards? We never made it to the dinner - he did not feel safe.

Not even the presence of all the other presidents could convince Mr Taylor it was safe to go and eat in an outdoor setting; he looked and acted like a hunted man. He ended up with room service for his dinner that night and I cannot remember any great witty remarks.

He will doubtless keep the courtroom in The Hague spellbound with his oratory and choice phrases. I shall be watching carefully to see if the judges are also mesmerised by his performance.

I wonder whether that macabre chant will be resurrected, this time ending with the words Taylor used the day he was forced out of Liberia: He killed my ma, he killed my pa... and he will be back.

**Violation of humanitarian law:**

Conscripting child soldiers

**Crimes against humanity:**

Terrorising civilians, murder, rape, sexual slavery, enslavement

**War crimes:** "Violence to life", cruel treatment (including hacking off limbs), pillage

Charles Taylor denies cannibalism

Taylor defiant as testimony begins

Preacher, warlord, president

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**Read some of your comments:**

The first time I saw Mr Taylor it was 1990 at the time I was only ten year old. He had just captured Harbel, the administrative seat of Firestone, Liberia's largest rubber plantation. After the successful capture of most of these places, he will visit the areas to tell the residents that he came to free the Liberian people, as exemplified by the name of his group-"FREEDOM FIGHTERS". There are lots of things that I will remember about Charles Taylor's rule. Just to name a few, the secret killing of those he felt were threat to his dictatorial behaviour. the free flow of money from his officials to needy people, especially during their happy times. The conscription of able body young men to fight for him. Mr. Taylor is remembered for his strong position against western influence in Africa.

***Henry, Monrovia, Liberia***

I will remember Charles Taylor as the worst president my country (Liberia) ever had. I lived under his presidency until he lifts for where he is today. I have never met him physically, but I will never forget Charles Taylor's revolt of Dec 1989.

***Oliver, Kinshasa, DR Congo***

It is clear that Taylor was a convincing man who had his way easily with the Liberian people before his Presidency in 1997. People were convinced that he could deliver us and bring about peace that we long desired. After he took over as president we saw his brutal side. He ruled with Iron hand. Justifying his every action by means of the gun. Who dared stand against him... life was hard and fearful under his rule. It our so called freedom felt like slavery. slavery is the right word. Today i am happy to be a Liberian once more because Taylor is no longer around to bring shame and disgrace to our belong country. Long live Liberia the land of liberty for all.

***Mark, Monrovia, Liberia***

Taylor was a monster and his regime was even worse than the late Dictator Samuel K. Doe. In the Anti Terrorist Unit (ATU) there was so many Sierra Leone and Liberian Youths from the RUF and NPFL beating people at night. I met Mr. Taylor on Broad Street and was shocked to see this short guy surrounded by huge bodyguards and I thought to myself is this small man causing all the trouble in the south region.

***Seltue,***

Yes, I did live in Liberia during his so called presidency. I met him in person and shook hands with him. I can only remember him being very destructive, disorder in doing things, buying new car for any sweet girl.

***Patick, Monrovia***

He is good man, when he took power, why did America not try to take him out, they work with him and take our mineral. When he became wise and decided not to try and give our mineral - then America call him killer and try to put him in jail.

***Mat, Freetown***

Taylor made many Liberians and Sierra Leoneans life miserable - it about time he face justice. So this time, "He killed my ma, he killed my pa" let him pay for it.

***Albert, Columbia, USA***

## UNMIL Public Information Office Media Summary 28 July 2009

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

### International Clips on Liberia

#### **International Community Consented to Taylor's Contacts With the RUF**

The Hague, Jul 28, 2009 (CharlesTaylorTrial.org/All Africa Global Media via COMTEX) -- Upon his appointment as head of the Committee of Five by the Economic Community of West African States (ECOWAS), Charles Taylor regularly communicated and held meetings with members of the Revolutionary United Front (RUF), but all these contacts were done with the consent and participation of ECOWAS and the United Nations, he said in his testimony today before judges of the Special Court for Sierra Leone. "Subsequent to my appointment on the Committee of Five, I spoke with the RUF many times. I held meetings with them with the knowledge, consent and acquiescence of ECOWAS. The United Nations knew because for most of my discussions with the RUF, I spoke with Kofi Annan directly or through his Special Representative in Liberia. Everything I did in Sierra Leone was done with knowledge and consent of ECOWAS and I have documentary evidence to prove that," Taylor said. The Committee of Five was set up by ECOWAS with representatives from five West African countries whose mandate was to facilitate a peaceful end to the conflict in Sierra Leone.

#### **The Mirror: Cannibal claim 'sick' [Mirror (UK)]**

Source: The Mirror Date: July 28, 2009 LIBERIA'S former president yesterday denied he had ever eaten human flesh. Charles Taylor told his war crimes trial in The Hague: "It is sickening. You must be sick to believe it. "It makes you feel like throwing up." The 61-year-old said he could not dispute there were cannibals in certain parts of Liberia.

#### **Liberia's history honored at park: 80 gather to celebrate its Independence Day**

[Winston-Salem Journal, N.C.] Jul. 27--There were no fireworks at this Independence Day celebration, but there was lots of fellowship and food in the form of rice bread and a game called Ludu. About 80 people attended a Family Fun Day yesterday at Miller Park in honor of Liberia's 162nd Independence Day. They sampled foods typically eaten in the West African country such as checked rice and gravy, and fritters. They danced to Liberian music. And they played Ludu, a Liberian game that resembles Sorry. The celebration was sponsored by the Liberian Organization of the Piedmont (LOP), a nonprofit organization that was established in 1988 with a mission to advance educational, cultural and social opportunities for those with Liberian ties. "That's my connection with home," Charles Ford said. "You get to hear the Liberian stories. It's exciting to reminisce." Ford is the dean of the college of arts and sciences at Winston-Salem State University, and an American citizen who was born in Liberia. He has been in this country 32 years, but his ties to Liberia are still strong, Ford said.

### International Clips on West Africa

#### **Salone Braces Up for Donor Confab**

London, Jul 28, 2009 (Concord Times/All Africa Global Media via COMTEX) -- Trade and industry minister David Carew is heading a government delegation currently in London to inspect facilities at the Queen Elizabeth II conference centre where Sierra Leone will be hosting the international donor conference in November this year. The government delegation is working in close ties with officials of the Sierra Leone high commission in London headed by deputy high commissioner, Tamba Mansah Ngebah and information attache Sorie Sudan Sesay, who have been providing support to the team. Also giving support to the government delegation are two members of the commonwealth business council, Nicole Nwasike and Gregor Mackinnon as well as trade commissioner at the Sierra Leone high commission, R.D. Blick. The facilities which include conference room, a high-profiled VIP lounge, a cafeteria and other modern services are currently being upgraded in order to attract high standards befitting the status of an international conference.

## **'We Are Lucky to Have Natural Beaches'...says Agriculture Minister**

Freetown, Jul 28, 2009 (Concord Times/All Africa Global Media via COMTEX) -- Addressing a cross section of people from different walks of life during the launching of Lumley beach beautification program, the minister of agriculture and food security said Sierra Leone is blessed and lucky to have a natural beach. Dr. Sam Sesay said some countries lack natural beaches, but that it takes them to do all they can just to have it. Managing director of the beautification, rehabilitation and conservation organization, BRACO, Sheiku Imam Rogers said the aim of the program is to plant 2,000 coconut trees and 1,000 fast growing trees which he said are more valuable economic trees along Freetown's main tourists beach stretching from the Gulf club to Cape Sierra. He said the rising sea-level, land degradation, soil erosion and its negative effects on human existence are mainly due to the rampant deforestation within the western area communities as a result of human activities. General Manager of the national tourist board, Cecil J. Williams said tree planting is one of the cheapest ways of beautifying the beach.

### **Local Media – Newspaper**

#### **President Sirleaf Says Support for Former President Taylor was a Misjudgment**

(Daily Observer, Heritage, The News, The Inquirer, The Analyst, National Chronicle)

- President Ellen Johnson Sirleaf has released her Independence Day Message in Gbarnga, Bong County confirming her initial support for the National Patriotic Front of Liberia (NPFL) of former President Charles Taylor.
- According to President Sirleaf, the support given to Mr. Taylor at the time was intended to get rid of a brutal regime.
- The President told the nation that Liberians rewarded her with the Presidency for the good fight she initiated in the past.
- Madam Sirleaf said although she has been legally advised not to directly comment on the Truth and Reconciliation of Liberia report pending a review by the Legislature she was in no way troubled by the TRC recommendations.
- Meanwhile, the Liberian Leader has outlined a number of achievements made by Government including its economic reform agenda, rehabilitation of infrastructure and the provision of basic social services.

#### **National Orator Warns Against Reverting to the Past**

(The Inquirer, Daily Observer, New Democrat, Heritage, Public Agenda, The News, National Chronicle)

- The National Orator of Liberia's 162nd Independence Anniversary, Paramount Chief Flomo Barwrwr has spoken of the need for Liberians to put the past behind them and reconcile.
- Paramount Chief Flomo Barwrwr who spoke through an interpreter said though the Truth and Reconciliation Commission of Liberia (TRC) has done its job, he feared that the recommendation of the commission can reconcile the people of Liberia.
- The TRC final report indicted several Liberians with persecution and public sanctions.
- The traditional Chief said what Liberia needs now is not to revert to the past but to pursue the spirit of reconciliation and forgiveness.
- The Jorquelleh District Paramount Chief is the first traditional leader to serve as Independence Day orator and for the address to be delivered in a local language.



## **Former President Taylor Claims International Community Consented to Contacts with the RUF**

(Heritage)

- Testifying for the 3<sup>rd</sup> week at The Hague, former Liberian President Charles Taylor said upon his appointment as head of the Committee of Five by the Economic Community of West African States (ECOWAS), he regularly communicated and held meetings with members of the Revolutionary United Front (RUF).
- He however said all the contacts were done with the consent and participation of ECOWAS and the United Nations.
- The Committee of Five was set up by ECOWAS with representatives from five West African countries whose mandate was to facilitate a peaceful end to the conflict in Sierra Leone.

## **President Sirleaf Decries 'Shame' Felt By Young Assault Victim's Family**

(The Analyst)

- President Ellen Johnson Sirleaf has decried reports that the parents of an 8-year-old Liberian refugee who was sexually assaulted in Phoenix, Arizona have accused the girl of bringing shame to their family.
- President Sirleaf says the girl, her family and the alleged rapists should receive counseling.
- The President said she was deeply distressed by the behavior of the alleged rapists who are also Liberian refugees.
- Police have since charged the four boys, ages 9 to 14, in the case.

## **Former Liberian President Denies Cannibalism Allegations at War Crimes Trial**

(Daily Observer)

- Former Liberian President Charles Taylor said he was sickened by allegations at his war crimes trial that he ate human flesh, calling testimony by a former aide the lies of an illiterate man.
- Beginning his third week on the stand, Mr. Taylor said the stories of cannibalism by a former officer in his militia were "statements of lies, statements of deceit and deception."
- He also denied trading arms for diamonds with Sierra Leone rebels, a central allegation of his indictment.
- Taylor is accused of arming and supplying Sierra Leone militias whose signature crime during the 1991-2002 civil war was hacking off the limbs of civilians to terrorize them into submission. He has denied all 11 counts.

**Local Media – Star Radio** (*culled from website today at 09:00 am*)

## **President Sirleaf Releases Independence Day Message in Gbarnga, Bong County**

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

### **Independence Day Orator Urges Respect for Culture**

- The Orator of Liberia's 162nd Independence Anniversary has called on Liberians and members of the international community to respect the culture and tradition of Liberia.
- Paramount Chief Flomo Barwrro who spoke through an interpreter said the West has its own culture and respects it and should do the same to Liberia and other African Countries.
- Chief Barwrro also called on those promoting issues of human and child rights to ensure the rights of parents are not trampled upon by children.
- The Traditional Chief who spoke on the theme: "Let Us Reconcile" frowned on the lack of togetherness across the Country and called on National leaders to ensure that traditional leaders are a part of national decision making especially land disputes.
- The Jorquelleh District Paramount Chief is the first traditional leader to serve as Independence Day orator and for the address to be delivered in a local language.

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

**ECOWAS Calls for Acceleration in Rebuilding Liberia's Security Sector**

- The Economic Community of West African States (ECOWAS) has identified security, unemployment, reconciliation as major issues Government needs to tackle.
- The President of the ECOWAS Commission, Dr Mohammed Ibn Chamas said with the security of Liberia still in the hands of foreign nations there is a need for the country to accelerate the rebuilding of the country's security sector.
- He assured that the U.N. Mission will maintain its full strength in the country until 2011.

**Former Liberian President Denies Cannibalism Allegations at War Crimes Trial**

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

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**Bashir blocked but is Museveni off the hook?**

BY ROSEBELL KAGUMIRE

**Govt drafts law to save the President from prosecution**

Sudanese President Gen. Omar al-Bashir wanted by the ICC.

Uganda has officially become the second African country after South Africa to block a visit by Sudanese President Gen. Omar al-Bashir.

Bashir faces a similar situation in 28 other African countries and more than 90 others worldwide which are signatories to the International Criminal Court's (ICC) Rome Statute. The

number of potential arrest spots for Bashir swells if countries that are not signatories but are cooperative with the ICC are included.

Uganda placed itself between a rock and a hard place when it invited him to the 19th edition of the International Global Smart Partnership dialogue in Kampala between July 26 and 28.

Since then, analysts have pointed out that, the narrowing of space for Bashir has implications for President Yoweri Museveni and other African leaders too.

Bashir has a warrant of arrest hanging over his head issued by The Hague-based ICC for alleged war crimes and crimes against humanity in Sudan's restive western region of Darfur between 2003 and 2008.

But African Union (AU) leaders at their July 4 summit in Sirte, Libya, had resolved not to cooperate with the ICC "pursuant to the provisions of Article 98 of the Rome Statute on the ICC...or the arrest and surrender of African indicted personalities."

Since the arrest warrants were issued in March, Bashir has defiantly visited several African countries and the Middle East. But coming to Kampala would be significant because it would be the first visit to a country which is a signatory to the Rome Statute that established the ICC.

South Africa blocked Bashir from attending President Jacob Zuma's inauguration in May with a warning that it would arrest him to honour its obligations to the ICC.

Initial indications that Bashir would attend shifted world attention to whether Uganda, as a signatory to the Rome Statute, would flout the AU position, uphold its international obligation to the ICC, and arrest him.

**ICC mandate**

At the time, Lina Zedriga, a women’s peace and security advocate in Kampala, argued that although the Rome Statute puts obligations on the signatory countries to arrest the suspects, it does not impose legal punishments on countries which do not comply.

“The institutional framework to practically deliver this arrest seems to be largely absent even at the ICC level. There is a gap as the court operates on the cooperation, so failure to cooperate is not fatal to Uganda,” she said.

But David Mpanga, a senior lawyer in Kampala, argued that Uganda could not risk undermining the ICC.



INDEPENDENT PHOTO President Museveni and Ocampo at State House.

### **Profile: Luis Moreno-Ocampo**

Luis Moreno-Ocampo was born on June 4th, 1952 in Argentine. A lawyer by training, Ocampo has been Prosecutor of the ICC since June 16th 2003. He previously worked as a prosecutor in Argentina, combating corruption and prosecuting human rights abuses by senior military officials.

Ocampo graduated from the University of Buenos Aires Law School in 1978. From 1980 to 1984 he worked as a law clerk in the office of the Solicitor General.

1984-1992, Ocampo was a prosecutor in Argentina. He first came to public attention in 1985, as Assistant Prosecutor in the “Trial of the Juntas.” The



*Jean-Pierre Bemba*

“Uganda cannot go with the AU on the Bashir indictment.

That would not be politically expedient in light of the fact that Uganda now chairs the UN Security Council,” Mpanga reasoned. “There is also the matter of Kony; how does Uganda urge the DRC and others to apprehend Kony if they lay their hands on them but then let Bashir slip through its hands?”

On the face of it, Uganda appeared to be reacting with classic confusion. Later analysis revealed, however, that it could have been orchestrated confusion.

The unstated view of most AU leaders who signed the Sirte resolution is that most of the ICC accusations of war crimes have been against Africans. Former Liberian President Charles Taylor is locked up at The Hague on trial under the jurisdiction of the Special Court for Sierra Leone, while former Democratic Republic of Congo (DRC) Vice President Jean Pierre Bemba and former DRC warlords Thomas Lubanga, Germaine Katanga, and Mathieu Ngudjolo are on trial by the ICC.

To this group, Bashir’s indictment proves that the ICC is only working at the whims of western leaders. Most African leaders fear that they could end up on trial in The Hague should they fall out of favour with the West.

On March 29, 2006 Taylor was arrested and handed to the ICC despite a 2003 assurance of immunity from prosecution from his host, then Nigerian President Olesegun Obasanjo, then South African President Thabo Mbeki and the international community. On the day Taylor was arrested Obasanjo had a scheduled meeting with then US President George Bush. Insiders claim Bush gave Obasanjo an ultimatum: “Arrest Taylor or meeting is off.”

At a broader level, DR Congo president Joseph Kabila has filed a similar case in the ICC against President Museveni’s government on accusations of war crimes and crimes against humanity following Uganda’s military campaign against the Kinshasa government between 1998 and 2002. If the ICC finds merit in the DRC case, we may witness Bashir-like indictments against the Ugandan leadership.

However, former UN Secretary General Kofi Annan has condemned the position of the African leaders saying they are seeking protection “when one of them” is called to face justice.

first time since the Nuremberg Trials those senior military commanders were prosecuted for mass killings. Nine senior commanders, including three former heads of state, were prosecuted and five of them were convicted.

He served as District Attorney for the Federal Circuit of the City of Buenos Aires 1987-1992 during which time he prosecuted the military commanders responsible for the Falklands War. In 1987, he helped USA prosecutors extradite Gen. Guillermo Suárez Mason to Argentina.

He resigned in 1992 and established a private law firm, Moreno-Ocampo & Wortman Jofre. He represented the victims in extradition proceedings against Nazi war criminal Erich Priebke, and also in the trial of the murderer of Chilean General Carlos Prats.

“The ICC represents hope for victims of atrocities and sends a message that no one is above the law. That hope and message will be undermined if the African Union condemns the Court because it has charged an African head of state,” Annan said.

### **Implications**

But threatening Bashir with arrest has other significant implications for President Museveni.



Uganda is slated to host the ICC review conference next year. As a prelude, the government is working hard to ensure the ICC Bill of 2006, which is the domestication of the Rome Statute, is enacted into law before the end of this year.

It is, therefore, interesting that in the ICC Bill which the Uganda government wants parliament to pass, Clause 19 which spells out those to be tried under the law, excludes Article 27 of the Rome Statute.

Article 27 of the Rome Statute disregards immunity conferred to the heads of state under their national law. That is why Bashir can be arrested even if he is a sitting president.

Kampala Central MP Erias Lukwago who sits on the Parliamentary Legal Committee says the domesticated ICC Bill must also hold the head of state accountable.

“We are challenging this exclusion of the president from prosecution in case he commits war crimes. We want government to adopt the Rome Statute article that disregards [such] immunity.”

He says the reason for immunity of a sitting president in cases related to war crimes and crimes against humanity in the Ugandan law is similar to the views of African leaders towards the ICC.

According to Lukwago, Uganda cannot risk to be seen championing the arrest of Bashir when back home in the national ICC Bill they are seeking to exempt a sitting president from similar criminal liability.

### **Ocampo's role**

The arrival in Uganda of the ICC prosecutor Luis Moreno Ocampo initially appeared to complicate the government's strategy. Initially interpreted as an attempt to secure assurance from Uganda that it would arrest Bashir should he step into the country, Ocampo's visit appears to have served the interests of the Uganda government more than it did the ICC.

Charles Taylor, ex-leader of Liberia on Trial in the Hague for alleged war crimes.

Before Ocampo arrived, Foreign Affairs minister Sam Kuteesa, said Bashir was free to travel to Uganda.



**Joseph Kony**

“We cannot invite President Bashir here and then arrest him. We don’t work like that,” he said at a press conference.

He said Uganda would abide by the AU resolution and not act until an investigation by an AU-appointed commission has given its recommendations on Bashir’s indictment. He said the decision was not a denial of support for the Rome Statute.

However that changed when Ocampo arrived and told a press a conference in Kampala that Uganda was under obligation to arrest Bashir.

“South Africa informed Bashir that he could be invited to President Zuma’s inauguration, but while he is there he could be arrested,” he continued, “It’s a legal obligation not a political decision, it’s a court decision and Uganda, South Africa and the 30 African (member) state parties have this legal obligation, it’s clear.”

Uganda’s Junior Foreign Affairs Minister Okello Oryem who spoke at the same press meeting with Ocampo, appeared to contradict his senior minister.

“The warrant against Bashir is already deposited here in the Solicitor General’s office,” Okello said, “If and when Bashir arrives here in Uganda, then it is up to Kayihura [head of the police] to see to it that he takes action if and when it arises.”

His statement sparked a cloud of confusion. President Museveni panicked into calling Bashir to refute Oryem’s remarks. Museveni, according to the Sudan News Agency, told Bashir that Oryem’s statement did not represent the Uganda government position.

However observers now believe that Oryem could not have contradicted his senior and the president without the matter having been discussed and endorsed by the government.

However the dice was cast. Amid the confusion, Bashir could only travel to Kampala at his own peril.

So it was not surprising that Uganda’s Foreign Affairs Permanent James Mugume announced the next day that the two countries had agreed that Bashir delegates a senior cabinet official to represent him at the Smart Partnership dialogue.

President Museveni had achieved double success; Bashir would not set foot in Kampala and therefore it relieved him of the ICC obligation to arrest him or the AU responsibility to spare him.

Analysts point out that Uganda’s dilemma doubled because in December 2003 it became the first country to refer a case to the ICC, which in July 2005 issued indictments against Lord’s Resistance Army rebel leaders, Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen over 2,200 killings and 3,200 abductions between July 2002 and June 2004, in about 850 attacks.

The ICC indictments have since been blamed for the LRA's failure or refusal to sign a peace agreement with the government.

The government is, however, aware that the ICC involvement drew international support to its efforts to end the rebellion.

Currently, a bill called the "LRA Disarmament and Northern Uganda Recovery Act 2009" is being pushed through the US Senate to ensure further support.

The Uganda government has been careful not to jeopardise that through its handling of the Bashir affair.

If Bashir had come and was not arrested, it would have left Uganda in the mud and rendered the ICC indictments inconsequential. This could motivate other countries to follow suit and no other indicted person would ever get bothered by the ICC indictments.

Ocampo, who travelled to Uganda from Kinshasa where he sought MONUC support to apprehend Kony, told journalists in Kampala that was the other reason for his visit.

### **Bashir's side**

Ensuring that Bashir stays away from Kampala was no easy job.

On July 16, just a few hours before Mugume announced that Bashir would send a representative, a source in The Hague quoting contacts in Khartoum had told *The Independent* that information from Sudan indicated that Bashir was determined to come to Kampala to put the efficacy of the ICC indictments on absolute test.

The other reason that added to the pressure was that Uganda is currently heading the UN Security Council, which has not accepted the AU request to defer Bashir's indictment for 12 months.

Complying with the International Criminal Court arrest warrant would, however, not only put Uganda's diplomatic relations with Sudan at risk, but could also alienate Uganda from other fellow African countries that share the African Union's thinking. If that happened, Uganda then could face political isolation by her counterparts on the continent.

This view was reinforced by the Sudanese Ambassador to Uganda Abdil Rahim al-Sadiq who said in the wake of contradicting statements from Uganda government officials that Uganda risked a diplomatic row if it dared arrest Bashir.

Uganda has in the past accused Khartoum of sponsoring the Kony rebellion in northern Uganda. It is feared that any diplomatic tiff could resurrect such hostilities and strangle the remaining hope for peace.

If arresting Bashir in Kampala could have reignited hostilities between Sudan and Uganda, not arresting him does not mean that Khartoum now counts on Uganda as an ally.

Blocking Bashir also seems to have provided a temporary rather than a permanent solution.



Even after blocking Bashir visit, South African President Jacob Zuma is still under pressure to state his country's stand regarding Bashir's indictment.

Human rights organisations want Zuma to categorically state that he is not party to the AU decision. The agitators include Archbishop Desmond Tutu; Richard Goldstone, former chief prosecutor of the International Criminal Tribunal for Rwanda and former Yugoslavia; and Dumisa Ntsebeza, a member of the international commission of inquiry on Darfur appointed by the UN.

## Cases Before the ICC



*Thomas Lubanga*

On 17 July 1998, 120 states adopt the Rome Statute, which sets up the International Criminal Court. The Rome Statute became operational on 1 July 2002 after ratification by 60 countries.

The ICC is joined by 109 countries. It will not act if a case is investigated or prosecuted by a national judicial system unless the national proceedings were undertaken to shield a person from criminal responsibility.

To date, three States Parties to the Rome Statute – Uganda, the DR Congo and the Central African Republic – have referred cases on their territories to ICC. In addition, the Security Council has referred the situation in Darfur, Sudan – a non-State Party.

In Uganda's case; The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen is currently being heard before Pre-Trial Chamber II. In this case, five warrants of arrest have been issued against the five top members of the Lords Resistance Army. Following the confirmed death of Mr Lukwiya, the proceedings against him were terminated. The four are still at large.

For DR Congo, there are three cases: The Prosecutor v. Thomas Lubanga Dyilo; The Prosecutor v. Bosco Ntaganda; and The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui. Two cases are at the pre-trial stage, while the proceedings against Lubanga are at the trial stage. Lubanga, Katanga and Ngudjolo are in the ICC custody. Ntaganda is still at large.

In Darfur, there are three cases before Pre-Trial Chamber I: The Prosecutor v. Ahmad Muhammad Harun ("Ahmad Harun") and Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb"); The Prosecutor v. Omar Hassan Ahmad Al Bashir and suspect Bahr Idriss Abu Garda appeared voluntarily for the first time before Pre-Trial Chamber I on 18 May 2009. He is not in custody. The three other suspects remain at large.

In the Central African Republic, the case; The Prosecutor v. Jean-Pierre Bemba Gombo is at the pre-trial stage and is currently being heard before Pre-Trial Chamber II.

## Bugle Observer

Tuesday, 28 July 2009

<http://bugleobserver.canadaeast.com/lifestyles/article/742281>

### Can Rwanda find justice?



#### **'How do Rwandans live side by side with people who murdered their families?'**

As a student of law, I have often wondered what justice really is. Does it occur when a punishment fits a crime? Is it retribution? Restitution? How does one gauge what is fair?

The only conclusion I have ever made is that I do not want to be a judge.

In learning about Rwanda, I continually wonder how people perceive justice in this country. Estimates say between 800,000 and one million people were murdered here in 1994, with at least the same number, likely more, participating actively or passively in the killing. What is justice when there are so many criminals?



In late 1994, the United Nations established the International Criminal Tribunal for Rwanda (ICTR), which is responsible for judging those who were allegedly responsible for the genocide and perpetrated war crimes, such as rape. This tribunal is held in Arusha, Tanzania, but specifically targets violations of the Geneva Conventions.

There are many other perpetrators who would not fall into this category. Further, the ICTR is drastically underfunded and aims to complete their appeal trials by 2010. After this point, remaining cases will get transferred back to Rwandan courts.



What about the other genocidaires (perpetrators)? By 2000, there were over 120,000 alleged genocidaires in Rwandan prisons, and in the 10 years from 1996-2006 the government tried only 10,000. At this speed, it would clearly take over a lifetime to prosecute the alleged criminals.

Rwanda has taken a unique perspective on justice, as there are so many criminals and not enough legal infrastructures to prosecute them all in a traditional court of law. The Gacaca court, established by the government in 2001, is a type of community, transitional justice.

Transitional justice responds to crimes against humanity and, in theory, aids in the acceptance and progression of a society after a crisis. There are many different types of transitional justice, but Rwanda has particularly focused on the criminal prosecution aspect.

Essentially, specific communities elect representatives to serve as judges and hold a community tribunal where alleged genocide criminals are made to stand trial and make a plea, while community members and families of the slain are allowed to speak for or against the person on trial. This system removes much of the time and expense from the

state, and allows survivors to confront perpetrators.

This method of community justice is foreign to me, and has not been overly successful in Rwanda. There have been many reported cases of those testifying against the accused being injured or threatened ex post.

There is no guarantee of safety, and thus intimidation could hinder the process. However, prior to establishing Gacaca the Rwandan government released thousands of prisoners without trial. This is hardly just, as many of these people likely committed crimes against humanity.

However, it is also unjust to perpetually detain someone without anticipation of trial. There is also an issue of witness credibility – with 15 years having passed, traditional Western law would never accept as sole evidence the statement of one person, relying only on memory. But, what if that one person is all that is left of a family and there is no one else to tell their story? Human rights and justice are so often divisive, when ideally they should work in concert.

Another issue with Gacaca is the lack of representation. The courts were traditionally established for minor claims against land and property, but have taken on a new life with the prosecutions stemming from the genocide.

The accused do not have representation, and it is not clear if they know their rights. They certainly are not accorded the chance to discuss their situation with a lawyer and create a case.

This seems inherently unjust to someone familiar with Western law, but here it is perceived as fair. Why does an accused genocidaire require representation? They tell their story and make a plea, and are judged based on that statement. Perhaps adding the middleman, the lawyer, only serves to complicate and confuse the justice process.

Conceptions of justice are always based on personal beliefs and community ideals – my idea of what is just has been shaped by my home, country and education. What is just in Rwanda is based on the same, but also on necessity.

Dr. Nasson Munyandamutsa, the director of the Institute for Research and Dialogue for Peace, survived the genocide in Switzerland but lost most of his family. I asked him how Rwandans live side by side with people who murdered their families and how they accept prisoner release and Gacaca as justice.

He said, simply, "What choice do we have? Rwanda is an overpopulated, small piece of land. We have nowhere else to go."

Perhaps this form of justice is not ideal, but it may be the only way.

When looking at the Rwandan tragedy, I see another failure of law. Where was the rest of the world when this happened? The United Nations failed Rwanda. There is clear evidence that the UN was told about the crisis in Rwanda – Canadian Romeo Dallaire wrote the messages himself.

Unfortunately, his concerns and pleas fell on deaf ears. I asked Elvis Nkundanyirazo, a survivor and member of MEMOS, a memory and commemoration organization, how Rwandans can be so accepting of Westerners when we failed them so badly.

He smiled and said "I cannot blame you. But I will blame you if you come here and return home to do nothing with what you have learned."

I hope that message is universal – education means little if it is not shared.

– Candace Salmon is a Woodstock native and UNB law graduate who recently visited Rwanda as a member of SHOUT, a national organization, founded and governed by students, with a mission to educate Canadians about genocide and to promote respectful and inclusive communities.

**Hard task ahead for TJRC**

BY ANTHONY KAGIRI

The Truth Justice and Reconciliation Commission (TJRC) has been challenged to distinguish itself as an independent entity separate from the Executive to win public trust.

National Council of Churches of Kenya (NCCCK) says that with a dwindling public faith in institutions and concerns over the secrecy that shrouded the appointment of TJRC commissioners, the team faces an enormous task of showing that they can stand on their own.

“One hopes that the commission will maintain their independence, remain neutral on the content they deal with and be driven by a passion and love for Kenya desiring to create space for every Kenyan. Let’s hope that we will all come out saying we are happy that their issue was dealt with,” NCCCK Secretary General Canon Peter Karanja told Capital News in an interview.

The commission was appointed last week and is expected to probe historical injustices that have continuously divided the country between independence and last year February when the post election violence broke out. A section of politicians have in the last few weeks opposed a local tribunal or trial at the International Criminal Court (ICC) claiming that it would lead to more violence.

However, the International Center for Transitional Justice (ICTR) challenged the commission to de-link itself from perception that it’s a third option to deal with post election violence suspects.

ICTR head of Kenyan office Njonjo Mue cautioned that the confusion created by the political class could jeopardise the success of the commission. Mr Mue said that the TJRC should make it clear that it will not be used as an escape route for those unwilling to appear before judicial systems such as a Special Tribunal or the ICC.

“If the commission allows itself to be used to white-wash the post election crimes, that is the easiest route to it shattering its own credibility,” he said adding that the Chairman should clearly set out his team’s mandate to the public.

Mr Mue said that this is the only way aggrieved Kenyans could have faith in the TJRC as a reconciliation tool.

On his part Canon Karanja warned that the reconciliation efforts were bound to fail if the government abandons trial of the suspects.

“We presume the acknowledgement of right and wrong and the value of the rule of law as the basis of people confessing and asking for forgiveness. Failure to judicially punish crime in the TJRC will be a waste of time,” he reiterated.

The two experts are of the opinion that the success of the commission is also hinged on favorable political will, assistance from the civil society and faith based organisations and its ability to identify priority issues it will address within its vast time jurisdiction from independence to February last year.