

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



**PRESS CLIPPINGS**

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

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# THAT REPORT ON THE STATE OF HUMAN RIGHTS IN SIERRA LEONE 2012

BY FRANCIS SOWA

*The sixth annual report of the Human Rights Commission of Sierra Leone (HRCSL) has been made public. The sixty-three page report details the "State of Human Rights (SOHR) in Sierra Leone." The report is worth examining for numerous reasons. Among them is the fact that if the commission was a class six pupil, it should have taken its National Primary School Examination (NPSE) in the sixth year and should have been preparing to go to Junior Secondary School (JSS) One when schools reopen shortly.*

*In essence, the report should be viewed as the commission's transition from primary to secondary school. The promotion, which is the case with pupils, who have just passed the NPSE, comes with joy for both the pupils and their parents/guardians. But as some celebrate, others who did not pass the exam are unhappy and worried. For those pupils, it is moment of reflection for them and their parents on the way forward. Indeed, transition does not always come with the good; it also comes with the bad and the ugly. Is that the case with the sixth SOHR, 2012?*

*I will start my humble review of the report with a quote from the Chairperson of the HRCSL. The Rev Moses Khanu's printed statement on the submission of the report notes that "The State of Human Rights in Sierra Leone is a report of activities of the HRCSL covering the period 1st January to 31st December, 2012.*

*As required by the Act, the report includes the ways in which the fundamental rights and freedoms in the 1991 Constitution and the International and Regional Agreements to which Sierra Leone is a party, have been observed or violated. It also includes steps taken by the HRCSL to promote and protect human rights: the results of individual complaints investigated, and the interventions and recommendations made by HRCSL in respect of matters brought before it."*

*In line with the promise laid by the chairperson, the report clearly detailed the work of the commission in terms of its investigations, interventions and recom-*

*mendations on human rights violations. The commission's intervention and subsequent setting up of the First Public Inquiry (Bumbuna Inquiry) was remarkable. The follow up on the implementation of the recommendations of the Public Hearing in the Blamo Jesse Jackson and the 235 ex-service men complaint was another milestone in the work of the commission. Regarding that case, the HRCSL in April 2009 received complaint from Blamo Jesse Jackson and other ex-service men, alleging that since 2008 when they were discharged from the service, their human rights were violated by the Republic of Sierra Leone Armed Forces and the Ministry of Defence (RSLAF/MOD).*

*The substance of that complaint involved discrimination, cruel and inhuman treatment and invasion of privacy. The ex-soldiers complained that they did not get the same benefits given to other Wounded in Action (WIA). The commission after hearing the matter recommended among other things "That RSLAF and MOD take steps to ensuring that the Complainants receive the same payments as Wounded in Action One and Two (WIA1 & 2)."*

*On the ways in which the fundamental rights and freedoms in the 1991 Constitution and the International and Regional Agreements to which Sierra Leone is a party, have been observed or violated, the report also made some interesting points.*

*Its succinctly raised the issue of the administration and dispensation of justice, loss of lives of citizens, human rights challenges in the extractive sector, the problem of accessing clean and safe drinking water in communities, the challenges in the introduction of the 6-3-4-4 system of education, obstacles to the effective implementation of the Free Health Care Policy, and issues affecting women and children's rights among others. The commission did an incredible work in highlighting these points and proffering recommendations.*

*I singled out the case of the ex-soldiers because it is one of the few cases that clearly manifested the indivisibility of human rights. In that single case, the commission*



## COMMENTARY

*pointed out three fundamental human rights: discrimination, cruel and inhuman treatment and invasion of privacy. I dare add the fourth, the right to life, which should be a must for the enjoyment of all human rights. Furthermore, the commission took the bold step to challenge the wrong decision taken by the RSLAF/MOD against the ex-soldiers. Considering the approach the commission used to deal with this matter in 2011, I am left with the firm belief that the SOHR of 2012 did not do justice to those rights.*

*Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) is clear on the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing. Article 6 (1) of the ICESCR recognizes the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts.*

*The protection of the right to life is provided for in Article 3 of the Universal Declaration of Human Rights (UDHR), Article 6 (1) of the International Covenant on Civil and Political Rights (ICCPR) and Section 15 (a) and 16 (1) of the Constitution of Sierra Leone, Act No. 6 of 1991.*

*On employment issues, the commission made reference to Article 7 of the ICESCR dealing with the right to just and favourable conditions of work without making reference to the Article 6(1) which first recognizes the right to work. In my view, the commission was selective in its approach to the issue of employment. The commission focused on the just and favourable conditions of work (those who are already employed; it's important though) and put little or no emphasis on the right to work (focusing on the unemployed).*

*The report did not cite the issue of housing, which was and continues to be a serious problem in the country.*

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# THAT REPORT ON THE STATE OF HUMAN RIGHTS IN SIERRA LEONE 2012

## FROM PAGE 2

*If the commission thinks Economic, Social and Cultural (ECOSOC) rights are 'progressive rights' and governments should work towards implementing them when resources are available, it should rethink again. This is because Sierra Leone has got the resources to implement and enforce all, if not; most of those ECOSOC rights. The right to privacy was also a critical issue in 2012. I would have expected the commission to address the people's right to privacy the same way it treated the case of Blamo Jesse Jackson and others, citing Section 22 of the Constitution of Sierra Leone, and Article 17 of ICCPR. In 2012, politicians and ordinary citizens were subjected to arbitrary and/or unlawful interference with their privacy of homes, correspondences and unlawful attacks on their honour and/or reputation. Surprisingly, the report is silent on this important issue.*

*But on the whole, the commission's work is worth commending particularly when one considers what it has got to perform the work of a national human rights institution. It is no secret that the government has not manifested its total support to the promotion and protection of human rights in Sierra Leone. As the Chairperson of the Commission acknowledged in his foreword to the report, "The major institutional challenge was inadequate funding and logistical support from Government. The late payment of subventions also impacted on the prompt delivery of services."*

*This is the chairperson making such statement. So the obvious question is, how do people rate the government's commitment to the promotion and protection of human rights when its financial obligation to the body responsible to oversee human rights related issues is 'inadequate' (insufficient, not enough, scarce, too little) and is also 'late' (not on time, delayed)? This is double jeopardy; the funding is inadequate and the subvention is late. This is what government officials, spokespersons and sympathisers call a government that believes in the promotion and protection of human rights. So the commission*

*wanting to do its work, most times resort to what the Chairperson stated in the same foreword "We are however grateful to our partners especially, Irish Aid, and UNFPA for their cooperation and support during the year."*

*In conclusion, the fact that the commission has consistently and constantly been repeating certain recommendations in its yearly report tells you and I that the government is not treating the HRCSL with the seriousness it deserves. For me, it is waste of papers and other resources to be reprinting the same recommendations year-in, year-out without state institutions and officials implementing them. Even in the 2012 report, the chairperson points out that the commission is "concerned that most of its key recommendations and directives following the Bumbuna Inquiry are yet to be implemented or adhered to by the various parties."*

*The question is do we continue to make recommendations that are not adhered to or implemented? Is it the 'feel good factor' paradigm that has taken over the true commitment and support to the promotion and protection of human right? Don't tell me the Human Rights Commission of Sierra Leone has been accredited under the Paris Principles with an 'A' status from 2011 to 2016. Well, the commission might have passed its primary and secondary exams even without the needed resources, arguably because the 'government is paying fees for all public exams.' I would like the commission to know that it is now at the University for which the Sierra Leone Government grant-in-aid is mainly granted to those who have been granted approval by the political will and the political class. In short, the commission cannot maintain its 'A' status without the provision of adequate and timely funding.*

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# Concord Times

Thursday, 29 August 2013

## **Manifesto 99 Ends Seminar On Death Penalty**

By Regina Pratt

Manifesto 99, a human rights organization, has concluded a one-day seminar on the death penalty with the theme, "Abolition of death penalty as legacy of the Special Court".

The session was part of the regional consultative seminars; a prelude to an international seminar slated for December this year.

The session was held at the presidential lounge of the national stadium in Freetown yesterday with participants drawn from human rights organizations, the security sector, and other stakeholders. In his opening remarks, head of Manifesto 99, Abdul Rahim Kamara, said they monitor compliance with government, human rights and international treaties, and also work in close collaboration with the Special Court for Sierra Leone. He said the seminar [to be held] in December will attract experts to debate on issues surrounding the death penalty and its application in Sierra Leone within the framework of the on-going constitutional review process.

Kamara observed that on the 10th October, 2012, President Koroma was awarded 'Abolitionist of the Year' for not invoking the death penalty in the country, stating that it is not clear if a moratorium has been placed on the death penalty in our law books.

"Sierra Leone is not much a violent nation where people are killed at random, as murder cases are rare occurrences," he stated, adding that successive governments have used the penalty, and that accused persons were tried on cases that carried the death penalty such as treason, murder, robbery with aggravation and with military charges such as mutiny. He said the debate is not to convince the participants but to get their views as to whether the death penalty should be abolished in our law books or not.

Former Ambassador Allieu, in his statement, said "we have to look into the issue of having the death penalty in our books", stating that "we need the views of the people of Sierra Leone whether to abolish or put a moratorium on the death penalty". He said international law has no place for death penalty, as the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples Rights imply this.

"We support President Koroma for his bold step by not invoking the death penalty," he said, adding that the outcome of the seminar will result in providing recommendations for the constitutional review committee.

Coalition for Human Rights and Justice's Sulaiman Jabati pointed out that most European countries have abolished the death penalty and are instead imposing long jail terms which results to life imprisonment. He said civilians die by hanging and soldiers by firing squad, which he attributed to sheer wickedness, giving a short history of how we borrowed the death penalty from our colonial masters. Rev. Daniel Goba of World Vision and Christians in Action, who spoke on the biblical side of the death penalty, said there are flaws in our laws, citing the Birmingham incidence. He said Jesus Christ denounced violence in his teachings, and that the death penalty was imposed to mitigate or stop crimes but it is not preventing the act from happening. He said as Christians and followers of Christ, "our mandate is to follow the doctrine of Christ and abolish the death penalty as Jesus Christ has died for us".



## Buisnessday

Friday, 30 August 2013

### **As Taylor is cut to size**

Posted by: Editor

Sallimichegani

For those who have always bemoaned the ethical vacuum in which political power is exercised across postcolonial Africa, the sight of Charles Ghankay Taylor, the former Liberian warlord, testifying before the International Criminal Court (ICC) at The Hague, must be particularly gratifying. The former dictator is accused of murder, rape, conscription of child soldiers, and masterminding the brutal civil war in neighboring Sierra Leone, among other sinister atrocities. For me personally, it matters very little how the case pans out, though I earnestly desire that Mr Taylor cop a lengthy sentence. It is the moral of his trial that is especially pleasing- that an African big man can be brought to book for crimes committed against his own people, and those of a neighbouring country. Mr Taylor, for the record, is the first ever African leader to be brought to trial at The Hague, but one fervently hopes that he has merely blazed a trail, and that his prosecution proves to be the first among many.

Prior to his exit from office in August 2003, followed by a stint in exile here in Nigeria, it was difficult to imagine that Taylor would one day stand face to face with his accusers and victims. Such, for one, was his personal aura, and the terror that the mere invocation of his name inspired. You just could not entertain the possibility that a man writ such boldly in the imagination would one day be subject to the common indecency of a court appearance. It always sounded too good to be true. Besides, the necessary precedents hardly existed. Yormie Johnson had subjected Samuel Doe to a painfully graphic ordeal, extracting evidence one gold-coated tooth at a time, but then, that was hardly a trial.

Arguably, it is in fact because of the rarity of such precedents that Taylor and his lieutenants behaved the way they did- with scant regard for law, justice, or humanity, let alone common decency. After launching a successful rebellion in December 1989, Taylor had seized power from the then President Samuel Doe, who himself had upstaged William Tolbert a decade earlier. Although he literally rode into power on the back of the horse of the apocalypse, bequeathing a long trail of blood that stretched from Gbarnga to Monrovia, many Liberians had hoped (and what else do you do in their situation other than hope?) that Taylor would bring relative sanity after the staggering incompetence and persistent bloodletting of the Doe era.

But this hope was quashed even before it had taken root in ordinary Liberians' breasts. Taylor had his own plans, his own demons, and too many scores to settle. Besides, he was an inalienable part of the sad history of the Liberia that he strived to reconstruct. He was, you might recall, the one in charge of the General Services Agency under Doe, a position he evacuated only after accusations of helping himself, too generously, one imagines, to the public till. All quite familiar, you will say. His accession to power therefore was never going to deliver the clean slate that Liberians desperately wanted, and in due course, and in a process that has become painfully familiar to acute students of postcolonial Africa's history, he was soon consumed by the same dragons that had consumed his predecessors, and that he himself had done a whole lot in creating.

Watching him desperately, and incredulously, defend himself against multiple allegations of rape, murder, et al, in the past week, I could not help but recall the astonishing stories of personal debauchery that have since been confirmed by many reliable witnesses. Taylor, secure in the assurance of arms, and history's lesson (postcolonial African history anyway) that you can get away with murder, mounted an orgiastic theatre of consumption, evisceration, and plunder that has since gone down in the annals in a continent not exactly lacking in incontinent rulers.

One can only hope that those in that league are also watching, and more important, that they are peeing in their pants as they do. I said earlier that one reason I find the ongoing trial so gratifying is the message it sends out that power can be held accountable. So, imagine the thrill, just imagine it, the sight of Ibrahim Babangida Badamasi (should have been the other way round, but I really don't care) in the dock. There will be no shortage of charges. The Liar of Minna surely left enough for us to work with. And to think that such a trial will have no chance of degenerating into the kind of old boys' farce that the Oputa panel eventually became. Imagine, fellow Nigerians, the opportunity to finally nail that mendacious man for spending N40billion on an election and then abrogating it on a whim; imagine the opportunity to rigorously cross examine him on what became of the Gulf War oil windfall; imagine, just imagine, an opportunity to ask him how he came about such stupendous wealth, in a country where the average man can barely muster a morsel; how he practically sacrificed the destiny of a whole generation of Nigerians on the altar of a transition to nowhere. Imagine the possibilities are endless.

And if we can get Babangida, why stop there? We can move on to Obasanjo, who, by some accounts, should still have some of the fraudulently acquired money for a so-called presidential library in his personal accounts. We can also ask him questions about Odi, where soldiers acting upon his personal order raped, maimed, and killed innocent Nigerians.

As you can see, it's a mightily pleasing thing that Taylor is being cut to size. If there is any justice in this world, Babangida will one day follow in his footsteps, and they will spend their last days together in the dingy cell of a nondescript jailhouse, with OBJ in the adjoining cell.



## Ghana News Agency

Thursday, 29 August 2013

### **Court to pronounce Taylor's appeal verdict September**

The Special Court for Sierra Leone (SCSL) announced on Tuesday that it would deliver judgement on the appeal lodged by former Liberian President, Charles Taylor, challenging the 50-year jail sentence the court imposed on him last year, on September 26, 2013 in The Hague.

On April 26 last year, the Court had found Mr. Taylor guilty on 11 counts, including crimes against humanity. He was particularly found guilty of participating in the planning of crimes and of aiding and abetting crimes committed by the rebel Revolutionary United Front (RUF) during Sierra Leone's 10-year civil war.

On May 20 this year, the court sentenced him to 50 years in prison.

The case was heard in The Hague because of security fears in Liberia and Sierra Leone where the SCSL is based.

The defence has appealed against the judgement and sentence on 42 grounds, arguing that the Trial Chamber had made systematic errors in the evaluation of evidence and in the application of law sufficiently serious to "reverse all findings of guilt entered against him", and has, therefore, asked the Appeals Chamber to overturn the judgement.

The defence also argued that the 50-year sentence was "manifestly unreasonable".

The prosecution, on its part, appealed on four grounds, arguing that Mr. Taylor should have been found individually criminally responsible for ordering and instigating crimes committed by rebels in Sierra Leone.

The prosecution also asked the Appeals Chamber to reverse the Trial Chamber's finding that crimes committed in certain areas of five districts fell outside the scope of the indictment, and argued that the 50-year sentence was not "reflective of the inherent gravity of the totality of his criminal conduct and overall culpability" and should be increased to 80 years.

Mr. Taylor was tried on an 11-count indictment, alleging (as violations of Article 3 Common to the Geneva Conventions and of Additional Protocol II) acts of terrorism, murder, outrages upon personal dignity and cruel treatment; (as crimes against humanity) murder, sexual slavery, other inhumane acts, enslavement, and the conscription, enlistment or use of child soldiers.

Source: GNA

The Robert H. Jackson Centre  
 Tuesday, 27 August 2013

### **The Seventh Chautauqua Declaration**



***In the spirit of humanity and peace the assembled current and former international prosecutors here at the Chautauqua Institution...***

*Recognizing the continuing need for justice and the rule of law as the foundation to international peace and security, and cognizant of the legacy of all those who preceded us at Nuremberg and elsewhere:*

Commending Ms. Shabana Basij-Rasikh as the fifth recipient of the Joshua Heintz Humanitarian Award for her important and impressive work in Afghanistan;

Noting with grave concern the recent developments in the Middle East and North Africa and the need for compliance with international humanitarian law and for accountability for crimes committed against civilians and non-combatants, particularly, in light of the alleged use of chemical weapons in Syria;

Urging states and the international community to end impunity for the gravest crimes by refusing to include or accept amnesty or immunity clauses in their peace agreements and calling on mediators and peace negotiators to integrate the international criminal justice dimension in their activities;

Noting that trials can only proceed with the arrest of fugitives and further noting the need for all states to cooperate with courts and tribunals by devising tangible efforts and effective strategies to ensure the location, arrest and transfer of fugitives;

Noting the conclusion of the trials of the International Criminal Tribunal for Rwanda and of the judicial mandate of the Special Court for Sierra Leone and the commencement of the last trial of the International Criminal Tribunal for the Former Yugoslavia, and being aware of the commencement of the residual mechanisms of these courts;

*Now do solemnly declare and call upon states and the international community to keep the spirit of the Nuremberg Principles alive by:*

Preventing and condemning the use of weapons of mass destruction, including chemical weapons, and ensuring accountability for all those who use such weapons;

Ensuring accountability for the perpetrators of all crimes and recognizing all victims, in particular, the most vulnerable, i.e. women and children;

Providing sufficient resources for all international criminal courts, tribunals and residual mechanisms to achieve their mandates, in particular, to continue to protect and support witnesses and those made vulnerable by their cooperation;

Fulfilling their obligations to locate, arrest and transfer all fugitives from international justice, to include Omar al-Bashir, Ahmad Harun, Ali Kushayb, Abdel Raheem Muhammad Hussein, Joseph Kony, Okot Odhiambo, Dominic Ongwen, Felicien Kabuga, Protais Mpiranya, and Augustin Bizimana.

*Signed in Mutual Witness:*

Fatou Bensouda  
International Criminal Court

Serge Brammertz  
International Criminal Tribunal  
for the Former Yugoslavia

David M. Crane  
Special Court for Sierra Leone

Brenda J. Hollis  
Special Court for Sierra Leone

Hassan Jallow  
International Criminal Tribunal  
for Rwanda



## Voice of America (Washington, DC)

Tuesday, 27 August 2013

### **War Crimes Court to Rule On Charles Taylor Appeal**

A war crimes court will rule next month on the appeal of former Liberian President Charles Taylor, who is seeking to overturn his conviction and 50-year prison sentence.

The U.N.-backed Special Court for Sierra Leone said Tuesday that its appeals chamber will issue its judgment on Taylor on September 26 in The Hague.

Last year, the tribunal ruled that Taylor helped to plan, aid and abet brutal crimes committed by rebels during Sierra Leone's civil war. The court found him guilty on 11 charges, including acts of terrorism, murder, rape, sexual slavery and the use of child soldiers.

Defense lawyers appealed, arguing that judges had made systematic errors during Taylor's trial, and that the sentence was too severe.

Prosecutors also appealed, arguing that Taylor personally ordered rebels to commit crimes, and that his sentence was too light. The prosecutors want Taylor's prison time to be increased to 80 years.

Taylor was president of Liberia from 1997 to 2003, when he was forced to resign under international pressure.

He was accused of giving weapons to a Sierra Leone rebel group, the Revolutionary United Front, in exchange for so-called blood diamonds.

After a three-year exile in Nigeria, he was returned to Liberia in 2006 and transferred to the Special Court.

## Hirondelle News Agency (Lausanne)

Wednesday, 28 August 2013

### **Charles Taylor Appeals Judgment Set for September 26**

The Appeals Chamber of the Special Court for Sierra Leone (SCSL) will hand down its judgment on September 26 in the trial of former Liberian President Charles Taylor, the first ex-head of state to be convicted by an international court since the Nuremberg trials.

The judgment will be delivered at 11.00 local time in The Hague, where the trial has taken place. It will also be streamed live to the SCSL court house in Freetown, Sierra Leone, according to a Special Court press release available on its website.

On April 26, 2012, Charles Taylor was found guilty of crimes against humanity and war crimes committed in Sierra Leone during that country's civil war. A month later, the judges sentenced him to 50 years in jail. Both defence and prosecution filed appeals, and an appeals hearing was held on January 22 and 23.

According to the judges of the lower court, Taylor knew that rebels of the Revolutionary United Front (RUF) were committing crimes against the civilian population, but he nevertheless armed, supported and financed the rebels. His aim, according to the judges, was to obtain control of Sierra Leone, in order to exploit its diamond wealth. The judges found, however, that Taylor was not the head of the RUF, thus rejecting part of the Prosecutor's arguments. The head of the RUF, the court found, was Foday Sankoh, who died in the SCSL's Freetown prison in 2003 before being tried.

In their appeal, Taylor's lawyers argued that the lower court judges made systematic errors in the evaluation of evidence. Although they did not deny Taylor lent support to the RUF, they said his aim was not the commitment of the crimes for which he was convicted. The defence also argued that the 50 year prison sentence was "manifestly unreasonable".

In their appeal, prosecutors argued for a heavier sentence, among other things.

The trial opened in June 2007, on the basis of an indictment issued in June 2003. The indictment remained confidential until August that year, when Taylor agreed to step down after obtaining political asylum in Nigeria. He was nevertheless arrested in that country in March 2006.

The Netherlands agreed to host the trial at the request of the new Liberian president,

Ellen Johnson Sirleaf, who feared that a trial in Sierra Leone could destabilize the region. But the Netherlands' agreement came with the condition that Taylor, if convicted, should serve his sentence in another country and the UK agreed to take him. So if the verdict is confirmed, the former head of state will be sent to London.

Taylor was President of Liberia from 1997 to 2003. He is the first ex-head of state to be convicted by an international court since Karl Dönitz, who succeeded Adolf Hitler at the end of the Second World War. Dönitz was tried at Nuremberg and sentenced in 1946 to 10 years in jail for war crimes.