

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

**PRESS CLIPPINGS**

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

Friday, December 30, 2005

The press clips are produced Monday to Friday.  
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### ***VANGUARD***

# VANGUARD

## Liberia's election: Need for Africa's roadmap

By Nicholas Anozie

Posted to the Web: Friday, December 30, 2005

FOR some time now, America and its allies have been arm-twisting the Nigerian government, as well as using other African countries to pressurise her to release Taylor to face the UN Special Court in Sierra Leone for the crimes he is alleged to have committed. This action by the West amounts to a breach of the agreement reached before Taylor's exile in Nigeria. It also portends great dangers to our collective interests as a continent. Such action is patronising and a fraudulent deviation from the sincerity of international pact. Nigeria's President, Oluseginn Obasanjo, has remained adamant, to the applause of sound minds but to the chagrin of the West, that Nigeria will only extradite Taylor to a duly—elected Liberian President, and solely on that President's request. The West does not want to hear this. To this end, Amnesty International has urged Nigeria to release Taylor for trial. This international right body claims that the Nigerian government is breaching its international legal obligations by providing a safe haven for him. This argument is not sound.

It is the West's stern allies that are killing global conscience—by ignoring and reneging on the agreement that brought about Taylor's asylum in Nigeria. As we look at these factors that appear to determine and shape a post-war Liberia, Liberia, and Africa in general should provide the beacon. Africa's interest should be overriding as it seeks to re-build a new nation on a sound footing, out of a devastated Liberia.

There are diverse lessons for Africa in the Liberian affair. And their sum is that Africa must chart its own course. No longer must we allow our affairs to spill out of our control. We should see the Liberian issues/crises as firstly a continental affair. If Taylor has committed the alleged crimes, the African Union, AU, must appreciate the inadequacies of its various apparatus to handle him. When Western governments commit humanitarian crimes, Africa's opinion does not count on how it is resolved. In old Yugoslavia, former President Milosevic almost extinguished a race. Africa's opinion neither counted nor sought after.

In as much as global inter-dependency of states remains a key to international sustenance and order, the trappings of the independent states must also be regarded and respected. Sovereignty and right to independence of conscience should not be ignored nor submerged in its pursuit. Globalisation and all its attendant preachments will become a farce if directives are pointed by only one power bloc. Sadly, Africa's position is in this latter bloc in the international order.

Our position in this global order has been a matter of choice. And according to the renowned novelist, Sonala Olumhense, it is what our hands have made us, for which we cannot rise above. Africa countries have continued to mutate from one form of neo—colonial domination to another. That is the ill our hands have brought upon us. Many years after the undoing of imperialism, we are still a colonised colony. Our resources count for nothing in the world market because we have refused to take our place. We are still been lorded-over, guided and misguided because we prefer to remain toddlers. At the dawn of the 21st century, we still grope in the dark, unsure of where we are going. The ills besting our continental landscape and crafted by our own hands have made us a meddlesome lot before the eyes of the West.

Africa, and indeed her leaders must take practical steps out of this doldrum. The AU must begin to create visions, chart maps and make resources for pragmatic actions that will see us take our place at the world stage. No longer must we continue to survive on foreign aids and concessions. Such reliance will continue to make us a modern dominion. But we should create our own means of livelihood, sufficient enough to make us truly independent. Our practice of politics and governance must be such that meets our today's political needs and does not jeopardise our tomorrow.

African leaders must realise that the success of the Liberia elections has a domino effect on the larger continent. They should do a review of the politics of post-colonial Africa. This is pertinent in ascertaining if it is the will of majority of Africans that have held sway in the politics of the continent certainly not. African elections have been mere charades; nothing more than ceremonial exercises. African politicians Western postures have been a determinant of their triumphs and defeats at the polls. Where a truly African triumphs, the election is regarded as flawed and rigged. This explains why one of Africa's finest and true leader, President Robert Mugabe of Zimbabwe, has been internationally ostracised, and his country exorcised out of the Commonwealth Organisation.

The AU and other African sub-regional stakeholders in Liberia should see the country's election as an opportunity to create and sustain an independent conscience for the continent. The findings or observations of their election monitoring teams should be supreme. A situation where African observers clear an election but Western teams describe that same election as replete with flaws, like the Zimbabwean experience, should become unacceptable by us.

Finally, let us seek to build a new dawn for our continent; re-live and actualise the attainable goals of our late Pan.-Africanists; sound the death knell to this inglorious realities of so much political deaths, imprisonments and sub-serviancy that have seen our politicians roam about major world capitals as political fugitives seeking safety and protection. And the wisdom of late American President, John P. Kennedy will suffice as we commence the birth of a new Africa: “All these will not be finished in the first 100 days. Nor will it be finished in the first 1,000 days ... nor perhaps in our lifetime on this planet. But let us begin.”

# VANGUARD

## **Legal move to extradite former Liberian President, Charles Taylor, to face war crimes in Sierra Leone**

Culled from an article "**The Judiciary in 2005**" By Ise-Oluwa Ige and Innocent Anaba  
Posted to the Web: Friday, December 30, 2005

This is yet another important case handled by the judiciary during the year 2005 which proved beyond reasonable doubt that the nation's judiciary is truly independent.

Two Nigerians, Messrs David Anyaele and Emmanuel Egbunam, had filed two separate suits before Justice Jonah Adah of the Federal high court, Abuja early 2004 to challenge the asylum granted to former Liberian warlord, Mr Charles Taylor. In the suits, they were individually seeking for a declaration that the offer of political asylum by President Olusegun Obasanjo to Charles Taylor amounted to an unlawful usurpation and or delegation of the powers and functions of the Federal Commissioner for Refugee and the Eligibility Committee for Refugees

They also wanted an order of certiorari quashing the recommendation and offer of political asylum to Taylor in Nigeria.

The purport of the Nigerians' attack on the asylum granted to Charles Taylor was to get him extradited for the purposes of facing criminal charges of war crime hanging on his neck in a Sierra-Leonean court. Taylor had been indicted for war crimes by the United Nations Special Court for Sierra Leone after holding him accountable for various atrocities simply because he was said to be providing financial support, military training, personnel, arms and ammunition to RUF which worked jointly with the AFRC to take control over Sierra Leone.

The petition filed by the two Nigerians before the court recounted the brutal treatment against them and other Nigerians by rebels from the Revolutionary United Front (RUF) and Armed Forces Ruling Council (AFRC).

For instance, Anyaele said in his petition: "the rebels isolated Nigerians from other captives and began amputating their forelimbs. I witnessed the amputation of tens of persons. Only Emmanuel and I survived... After amputating me, the rebels set me on fire and told me to go and deliver their message to the Nigerian government"

Egbuna also did recount in his own petition: "they cut off the hands of my younger brother, Benedict, from beneath the elbow. They dumped him at the cemetery behind the house. He bled to death in front of me and his pregnant wife. I was next. The machete cut through the flesh and the bones of my hands but did not entirely sever them. With my hands dangling from my arms, the rebels also dumped me at cemetery."

Messrs Emmanuel and David, in their suits now wanted the asylum granted Taylor quashed in order to make him answerable to the alleged war crimes already slammed at him.

But President Obasanjo has been against the release of Taylor to face criminal trial in Seirra Leone and had come to court to challenge the locus standi of the two Nigerians who were making legal move to void the asylum granted him. Locus standi had severally been used by the Nigerian government to stop its citizens from challenging its policies and conducts.

In law, the term denotes a legal capacity to institute a legal action in a court of law based upon sufficient interest in a given subject-matter that will entitle you to pursue a certain cause.

Locus standi is an essential ingredients and indeed a condition precedent to the sustenance of a suit in court because it is an integral part of the issue of jurisdiction. This is because where a plaintiff lacks the requisite locus, the court will also lack the necessary jurisdiction to entertain his case. Even though President Obasanjo came to court to terminate the suit by the two hapless Nigerians on three grounds including that they had no locus; that the action was statute barred and that they had no cause of action, the trial judge in the matter, Justice Stephen Adah discountenanced the entire arguments. According to the court, "that the applicants were mutilated in Seirra leone and amputated was not in doubt. The fact that they are seeking justice as in wanting Charles Taylor prosecuted is also not in doubt. It is even not in doubt that Charles Taylor was granted asylum in Nigeria.

'In my view, these applicants have suffered personal injuries. It is in the interest of fairness that justice is delivered to them. There is no other conclusion to reach other than that they are not pursuing public right.

"In my view, they have sufficient interest to sue, they have the right to complain and they have the right to bring this action to court," he added. On the cause of action, the judge held: "once there is a wrong, there must be a remedy. From the facts available, there are facts that there are reasonable cause of action"