

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



PRESS CLIPPINGS

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

as at:

Tuesday, 30 October 2007

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Standard Times (Online)

Tuesday, 30 October 2007

Director Of Forum of Conscience Says "Selective Justice" At Sierra Leone's Special Court

The old adage says diamonds are forever, but for those living in countries where the precious gems are mined, the ill effects can last just as long.

John Caulker, the executive director of a prominent human rights organization within Sierra Leone called Forum of Conscience, addressed students and faculty members about the current situation of his country and the effects of blood diamonds.

Sierra Leone endured a chaotic and brutal civil war from 1991 to 2002, which left tens of thousands dead and millions displaced from their homes, according to www.globalissues.org. Although the country now enjoys a relative peace and stability from its more forlorn days, the Web site said, it is still suffering from destructive socio-economic factors that have existed for decades.

An immense amount of wealth changes hands during the diamond trade in countries where clean water is a scarcity, public education and medical facilities are practically nonexistent and an average man who has most likely never seen a diamond in his life lives on less than one dollar a day, Caulker said.

Caulker said he hoped his talk would spread awareness, which is something he believes goes a long way amongst the University community.

"Students are future leaders, not only for their own nations, but for the world," Caulker said.

Teaching students about world events will allow for articulating solutions from an informed background, he said.

Since the end of the war, the production of Sierra Leone's notoriously eminent export, diamonds, has increased tenfold, but economic prosperity and social progress have yet to follow, Caulker said.

So far, the United Nations has established special courts, which have incurred a total cost of about \$400 million, which is enough money, if allocated correctly, to restructure all the vital institutions of Sierra Leone.

These courts have only tried 11 people and dismissed countless others due to a lack of evidence. Caulker emphasizes that this "selective justice" will not allow the people of Sierra Leone to reconcile with the past and all the actors involved, regardless of reputation or stature, must be held accountable. The Forum of Conscience has also been demanding more transparency and accountability within the government, which is something not at all unfamiliar to our own democratic heritage, and has been pushing the issue of using the proceeds of natural resources, especially diamonds, toward reparations for victims.

Caulker said he finds the perspective of the west frustrating, insulting and dangerous when the problems of any one African nation are, with lofty complacency, categorized as "just another African problem."

"We don't want western nations to just throw us money," he said. "Every problem in Africa is different, Sierra Leone is different. We should be asking what are the peculiarities? What is unique? How can we engage the people in developing their nation?"

Salifu Kamara, a refugee who was forced into bondage as a child soldier for nine years during the war, retold his story of vivid horror in which he was beaten, abused, traumatized and left physically disabled.

He stressed that the Western World fueled this war in regards to corporations who used private security firms (de facto mercenaries) to influence the war and receive diamonds in recompense for aid.

"The west has a responsibility to help Sierra Leoneans," Kamara said.

Another refugee of the war, Issa Turay, a Rutgers College senior, emphasized the importance of education and commitment.

Both Turay and Kamara hope to one day be able to use their education to go back and help their native country.

Independent Observer
Tuesday, 30 October 2007

Journalists trained on justice

By Murtala Mohamed Kamara

The British Broadcasting Service Trust, an independent BBC's international charity and the international Center for Transitional Justice (ICTJ) have just concluded a two weeks training for 20 Sierra Leonean journalists on the theme "Communicating Justice".

The project was divided in two phases. The first phase was the one to one training while the second was 'E-learning' or online training. Speaking to AfricaNews in Freetown BBC's trust trainer Janet Anderson said the aim of the training programme is to raise awareness and debate around transitional justice (TJ) issues in five post conflict African countries: Sierra Leone, Liberia, the Democratic Republic of Congo, Burundi and Uganda.

Mrs Anderson added that the project has three broad strands namely population knowledge and attitudes towards T.J issues in project countries; in-country training of 20 selected journalists as well as activities designed to engage the support of their manager or editors; and follow-up activities via online learning, internet, and local mentoring.

The project, she said, is designed to ensure continued commitment from local actors especially journalists to improve the quality and quantity of T.J coverage.

During the two weeks training participants were introduced to Transitional Justice, its importance, court's rules, eliciting expectations, surveys of truth commissions, functions and purpose, justice sector reform, reparations, practical court reporting on international tribunals among other things.

Participants also went on tour to The Special court for Sierra Leone where they met with the prosecution, the defence and the witness protection team, followed by another visit to the National Vision project in Freetown. Umarr Jah, a Sierra Leonean journalist based in Germany and one of the participants told AfricaNews that one of the major obstacles facing journalists reporting on international tribunals is the lack of proper training on these issues. Jah, thanked the BBC's Trust and the ICTJ for organising the training and further went on to say that the knowledge acquired during the two weeks

training will definitely be reflected when covering the Taylor's trial which is schedule for next year in The Hague.

The president of ICTJ Juan E. Mendez argued that the more informed, accurate and independent the media are about important transitional justice issues, the better equipped citizens are about to become involved in the process, even only as informed bystanders.



RUF Gbessay Kanu Is Dead

Chairman of the defunct RUF Party, Samuel Gbessay Kanu is dead.

He passed away last Wednesday at the Mabaseneh Hospital, Lunsar and has since been buried.

Kanu attempted taking over the leadership of the RUF following the vacuum left behind when Issa Sesay was arrested by the Special Court in 2003 and the man who led the party to the 2002 elections, Alimamy Paolo Bangura had jumped ship.

In the just concluded elections, Gbessay Kanu had wanted to contest as Presidential candidate of the party but the party did not even have the money to start the process of registration with NEC and was to later throw it weight behind the APC.

Standard Times (Online)

Tuesday, 30 October 2007

The Nature Of Legal Opinions: What Are They?

Legal opinions are merely informed judgments, usually in writing, given by lawyers on issues of law. Although legal opinions sometimes are directed to clients in a transactional setting, legal opinions often are provided at the request of clients, to or for the benefit of third parties such as financiers of credit or investors (“third-party” legal opinions). Because the transactions requiring third-party legal opinions span the entire range of business and financial undertakings, such opinions have become far more prevalent than opinions directed to clients. The vast majority of legal opinions in structured-finance transactions including virtually all true-sale and non-consolidation opinions are third-party legal opinions typically provided to or for the benefit of the clients or investors by outside counsel to the originator. The requirement that outside counsel provides these opinions helps assure independence and hence integrity of the opinions.

Correspondingly, the inability of counsel to deliver a requested opinion at closing signals a problem and allows opinion recipients to refuse to consummate the transaction.

However, neither third-party legal opinions nor legal opinions addressed to clients purport to evaluate a transaction’s inherent business wisdom. At least heretofore, an opining lawyer has had no duty to evaluate the business merits of the underlying transaction beyond the obvious ethical and legal obligations of not knowingly furthering a fraudulent transaction. Surprisingly, although third-party legal opinions are now almost universally required in large business and financial transactions, their widespread use are relatively recent. The relevant scholarly literature is thus sparse, and the scholarship concerning lawyer’s conduct with adversary legal system is largely inapplicable. In past decades, however, bar associations and practitioners have tried to establish third-party legal opinion, guidelines, and best practices because, the central role of these opinions is reducing information asymmetry. It is generally agreed that, the goal of opinion-givers is accuracy and fair presentation of legal conclusions derived from the transactions of particular facts.

Sometimes, though, third-parties request opinions on issues where the law is undeveloped, unsettled, or otherwise not subject to black-letter certainty. Many issues arise from an originator’s bankruptcy, for example, present a degree of uncertainty. Nonetheless, assuming they have sufficient expertise, lawyers traditionally will attempt to issue a requested opinion where there is enough precedent or other authority to enable a degree of *ex ante* prediction.

In those cases, lawyers normally issue “reasoned” opinions. These are legal opinions that, rather than setting forth black-letter legal conclusions, engage in a substantive discussion of the applicable law and qualify that discussion as appropriate with reasonable assumptions, cautionary language, and disclosure of uncertainties. If opinion-recipients wish to proceed with the transaction despite these cautions and uncertainties, they do so forewarned and at their own risk. All structured-finance opinions are reasoned opinions, typically ranging in length, and their function is to reduce information asymmetry between the parties to the structured-finance transaction regarding bankruptcy remoteness and the primary issue of concern to the investors.

Having discussed the nature of legal opinions, including structured-finance opinions, one would next examine the criticisms of those opinions in historical context. References to structured-finance opinions mean reasoned, third-party, structured-finance opinions. Transaction is legal or

not. In this context, it should be noted that investors are not misled due to agency problems that attorneys are giving opinions to non-client third parties, whereas if they gave the opinions to their own clients the incentives would be more aligned and they would more likely inform their clients of problems. Even if third-party opinion recipients hired their own counsel, however, there is no reason to believe they would receive more accurate or informative opinions. Indeed, any misleading of investors is unrelated to the relationship between attorneys issuing the opinions and third parties receiving such opinions.

Awareness Times

Tuesday, 30 October 2007

r s d n , d f e s ll o , r n a e nt n **“I want to see Johnny Paul,” Mad Woman demands of Court**

By Aruna Turay

A mini drama unfolded in Court No.3 presided over by Magistrate Bankole Shyllon yesterday the 29th October when a woman who was later proved to be insane interrupted hearings by noisily demanding that Special Court’s war crimes indictee, former Armed Forces Revolutionary Council (AFRC) Chairman, Johnny Paul Koroma currently on the run as a fugitive be released from detention.

The insane woman who was later identified as ‘Marie’ abruptly entered the court room and in a very loud voice demanded to see the wanted former AFRC Chairman.

Magistrate Shyllon who was busy attending to a matter involving malicious damage and larceny did not at first pay attention to her ranting. But when he could no longer hear himself and also lost the court’s attention as everybody focused on Marie, he ordered police officers to bring her in front of him thinking that she was a sober person. She however continued the shouting above her voice repeating the same inquiry: She asked why have they invited her as she was there to see Johnny Paul who she alleged was her boy friend. She continued to shout that since his arrest, she has never been allowed to meet with him. She claimed that the child she had at hand

was for Jonny Paul and that he is seriously sick. She allegedly went on to say that she can not take care of the child’s condition without Johnny Paul. At a closer look however, her unkempt disposition confirmed to Magistrate Shyllon that Marie is mad and immediately urged the police to take her out of the court room which they promptly did.

Though the Magistrate could not suppress his laughter, he however said that it is sad as this is one of the about 400,000 psychiatric patients presently living with us in Sierra Leone and that something must be done to arrest the situation as many are mad because of frustration.

AfricaNews

Monday, 29 October 2007

http://www.africanews.com/site/list_messages/12527

Sierra Leone: Journalists trained on justice

Murtala Mohamed Kamara, AfricaNews reporter in Freetown, Sierra Leone, photo: Elles van Gelder

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Partnership Africa Canada

October 2007

TAYLOR TRIAL DELAYED UNTIL JANUARY 2008

Kamajors Sentenced

The war crimes trial of Charles Taylor, erstwhile warlord and former president of Liberia, has been postponed until January 7, 2008. The trial, conducted by the UN-backed Special Court for Sierra Leone, opened in June this year but was recessed after Taylor fired his lawyer and demanded more financial support. Taylor argued that the support he was getting for legal costs of \$48,000 per month was inadequate. When the trial resumed briefly in August, Taylor had engaged new lawyers, and the court agreed to a higher level of financial support, reportedly set at \$100,000 per month, well in excess of a million dollars annually. Taylor has repeatedly claimed to be indigent.

Taylor, 59, is accused of instigating murder, rape and mutilation during the civil war in Sierra Leone, in an effort to gain control over the country's diamond resources. The trial is taking place in The Hague because of security concerns in Freetown where other indictees are being tried.

Meanwhile, In Freetown, the Special Court handed down sentences on Oct. 9 in two cases against commanders in the Civil Defence Forces, or *kamajors*. Moinina Fofana and Allieu Kondewa were sentenced to six and eight-year prison terms respectively, considerably less than the 30-year sentence sought by the prosecution. Both men were found guilty of war crimes, but were acquitted of crimes against humanity and murder.

Star Radio (Liberia)

Monday, 29 October 2007

TRC goes to District Number Three

Written by Olivia Swen

The Coordinator of the Bassa Branch of the Truth and Reconciliation Commission has dispatched a seven man team to District Number Three for statement taking.

Mr. Jacob Corporal said the TRC does not have power to arrest and jail people who allegedly committed war crimes but gather facts and make recommendations.

He said the statement taking is voluntary and private.

Mr. Corporal appealed to local leaders and citizens of the district to cooperate with the team in achieving its goal for the TRC.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 29 October 2007

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

International Clips on Liberia

There were no relevant stories on Liberia in the international media today.

International Clips on West Africa

10/28/2007 09:46:36

Racist attack in eastern Germany targets Sierra Leonean

Magdeburg, Germany_ (dpa) _ Two young men described as rightwing extremists attacked a 31-year-old man from Sierra Leone, pursuing him when he fled and continuing to beat him, police in the eastern German city of Magdeburg said Sunday. A courageous 24-year-old motorist saw the assault, stopped his car and went to the victim's assistance, before alarming the police. He then pursued the African's attackers. Police detained two youths aged 18 and 19, both of whom had been drinking.

10/29/2007 04:04:51

Police team to join peacekeeping mission in Ivory Coast

Dhaka, Oct 26 (UNB) - A 90-member police team leaves here by a UN chartered flight late at Friday night to join the UN peacekeeping mission in Ivory Coast. The latest team is part of the 249-member contingent of Bangladesh Police, who replaces BANFPU-1,2 members in Ivory Coast. Earlier, 159 members of Bangladesh Police have joined the Ivory Coast mission. Assistant IGP (UN desk) Mohammad Zahirul Islam Bhuiyan and other high officials will be present at the airport to see off the police team, said a press release.

Local Media – Newspaper

U.S. Military Officers to Train New Liberian Army

(The Informer, The News, The Inquirer, New Vision and Public Agenda)

- There are reports that U.S. military officers are expected to travel to Liberia shortly to conduct series of training for the new Armed Forces of Liberia, a presidential dispatch from the United State said here Sunday.
- The training, which will cover military squads, platoons, and companies, is part of the United States government's commitment to assist Liberia build a professional army, the dispatch added.
- According to the dispatch, the disclosure was made last week during talks between President Ellen Johnson-Sirleaf and Defense Department officials at the Pentagon. During discussions which centered on U.S.-Liberian relations, U.S. Defense Department officials renewed their commitment to support the ongoing Security Sector Reform of government.

Supreme Court Halts Appointment of Zwedru City Mayor

(The Inquirer)

- [sic:]The Supreme Court of Liberia has issued a Writ of Prohibition to the Executive Mansion to stop any further appointments of city mayors. The Court's action comes following a petition filed by the Congress for Democratic Change and the Liberty Party praying the Court to issue the writ in a bid to stop the President of Liberia from

appointing city mayors. Recently President Ellen Johnson-Sirleaf appointed a new city mayor for Zwedru in Grand Gedeh County; something which prompted the two political parties' action to the Court.

UN to Build Mini-Hydro Power Plants for Rural Dwellers

(The News and Heritage)

- Lands, Mines and Energy Minister Eugene Shannon at the weekend disclosed that the United Nations Industrial Development Organization (UNIDO) has agreed to establish 12 mini hydro power plants throughout Liberia. Shannon said as soon as government identifies the sites UNIDO would begin the construction of the hydro power stations to provide electricity for rural dwellers.
- He also disclosed plans by the government to provide renewable energy power to rural dwellers because, according to him, "international experience has shown that renewable energy technologies such as solar, wind, biomass, or solar power were particularly well suited to rural population due to limited maintenance requirements, minimum operating costs and ability to place power generation on, or near the site of use."

No Compensation for Squatters as Road Construction Begins

(The Informer, Public Agenda and The News)

- The Government has announced that there will be no compensation for illegal squatters. Speaking at a news conference yesterday, the Deputy Minister of information, Gabriel Williams said that those who have properties along the roads should remove them and do not expect any pecuniary compensation.
- He said that the structures were illegally constructed hence the government is simply reclaiming her land contrary to the notion that the government is claiming land. The government has asked that everyone cooperate so that there can be redevelopment of the country.
- Mr. Williams said for years the roads have been bad, and that the government had promised that come this dry season the roads would be rehabilitated. According to Minister Williams, the Jallah Town Road will be open to the public on November 15.

Local Media – Radio Veritas *(News monitored today at 9:45 am)*

President Sirleaf Ends Tours of America and Europe

- Addressing journalists upon arrival from her tours of Europe and the United States, President Ellen Johnson Sirleaf said that the trips were yielding positive results with Nigeria announcing that it has settled Liberia's debts at the African Development Bank. To that effect, she noted that Finance Minister Antoinette Sayeh remained in the United States to continue talks with officials of the International Monetary Fund to cancel Liberia's debts.

(Also reported on ELBS, Star Radio, SKY FM and Truth FM)

UN-funded Legislative Scholarship Programme to be Launched Today

- A National Legislature press bureau release said that a US\$120,000 Legislative Scholarship Grant Programme which is being funded by the United Nations Democracy Fund will be launched in Monrovia today and will be implemented by the UNDP. The scholarship is intended to promote academic excellence and effective participation of youth in the democratic process while providing advance level Liberian students the knowledge and understanding of how public policies are evolved and translated into Law.
- The release added that the Lawmakers put in place the scheme to buttress President Sirleaf's youth agenda and to promote transparency and good governance.

(Also reported on ELBS, Star Radio, SKY FM and Truth FM)

Margibi County Lawmaker Dies in Nigeria

- Correspondents said that Margibi County Representative Fletcher Chidehyu over the weekend died in Lagos, Nigeria hospital after a long period of illness. The death of Representative Chidehyu brings to 5 the number of lawmakers who have died since the sitting of the Government of President Ellen Johnson Sirleaf.

(Also reported on ELBS, Star Radio, SKY FM and Truth FM)

Key Media Workshop Facilitators Call for National Development Plan

- Radio Veritas correspondents said that a renowned media executive Professor James Wolo and a rural development expert Dr. Wollor Topor II challenged the Government to put in place a national development plan for Liberia, noting that after long years of civil war, the Government does not have a development plan which would enable Liberia to rapidly develop. Professor Wolo recounted that since the late President William R. Tolbert designed a National Development Plan for Liberia that lasted between 1975 and 1980, no government has followed suit.
- Speaking at a workshop organized by the Ministry of Information in collaboration with the United Nations Mission in Liberia in Gbarnga, Bong County, Professor Wolo and Dr. Topor criticized the Government's move to dissolve the Ministry of Rural Development which could be doing a lot of things in rural Liberia if it were empowered.

(Also reported on ELBS, Star Radio, SKY FM and Truth FM)

Complete versions of the UNMIL International Press Clips, UNMIL Daily Liberian Radio Summary and UNMIL Liberian Newspapers Summary are posted each day on the UNMIL Bulletin Board. If you are unable to access the UNMIL Bulletin Board or would like further information on the content of the summaries, please contact Mr. Weah Karpeh at karpeh@un.org.

Partnership Africa Canada

October 2007

Books

They Seek Him Here, They Seek Him There

Douglas Farah and Stephen Braun, *Merchant of Death: Money, Guns, Planes and the Man Who Makes War Possible*. John Wiley & Sons, Hoboken, 2007, 308 pages, US\$29.95; £13.10

Here is the first detailed portrait of Viktor Bout, Merchant of Death. Paraphrasing the NRA slogan during the campaign against conflict diamonds, many in the diamond industry said, "Diamonds don't kill people, guns kill people". Of course diamonds don't kill people, but they were used to pay the gunrunners who provided the weapons and the ammunition. And the most successful gunrunner of the past 15 years has been Viktor Bout, who at one time had the largest private fleet of second-hand Antonovs, flying weapons and other dangerous cargo from the former Soviet bloc to a myriad of war zones across Africa, the Balkans and as far afield as Afghanistan and Iraq. Bout's fingerprints and the destruction he sowed are all over the DRC, Angola, Sierra Leone, Liberia and a dozen other conflicts.

Merchant of Death reveals, in detail, how it was done. Bout established a network of companies across Europe and Africa, some real, some simply shells for the laundering of money and documentation. Highly corrupted air registries in countries such as Liberia, the Central African Republic, Sharjah and Equatorial Guinea knowingly provided flight permissions and documents that made his operations appear legitimate – in case anyone cared to ask. Few did. Arms exporters in the Ukraine, Bulgaria and elsewhere eagerly sold off weaponry at cut rate prices, along with the junkyard planes Bout used to transport it. UN arms embargoes were flaunted by terminally corrupt regimes in countries like Togo and Burkina Faso which provided end-user certificates, refueling stops and other services for his aircraft, in return for diamonds and whatever other forms of remuneration were on offer. The intelligence services of Western governments, thinly staffed in Africa and often by second-raters, proved unable to give their governments the information and the backbone needed to shut the criminal down.

Without United Nations Expert Panels, crusading NGOs and a handful of intrepid journalists like Douglas Farah, co-author of this book, Viktor Bout would still be flying high. In fact Bout *is* still flying high, living the Life of Riley in Moscow, giving interviews on Russian television, to the *New York Times* and others. What if there is an Interpol notice out for his arrest? That and \$50 will get you a nicely functioning AK47.

If there is a flaw in *Merchant of Death*, it is that every story about Bout, no matter how far-fetched is recounted as fact. He has been "spotted" recently in a Hezbollah building in Lebanon, he has flown arms into Somalia, he travels at will throughout Europe and Africa, heavily disguised and aided by a woman nicknamed "Tatanya" who may actually be "a composite of two people". The authors recount at length a

plot hatched by Bout in Monrovia with one of Sierra Leone's rebel leaders, Sam Bockarie in November 1999. Bout planned to give the rebels enough arms and ammunition to take over the country's abandoned rutile mines, which he could restart "and make a healthy profit". The quest for rutile, a titanium ore used in paint pigments and welding rods, was "simple and astonishing", a new "moral Rubicon" for Bout, based on the seizure of foreign territory. The offensive was duly launched in April 2000, and failed only because the RUF impulsively captured 500 UN peacekeepers. In fact with UN peacekeepers flooding the country, this kind of military operation could only have been planned by an idiot, and the book takes considerable pain to demonstrate that Bout is no idiot. By April, in fact, Bockarie was long gone, and with Rebel supremo Foday Sankoh acting as vice president of Sierra Leone after the July 1999 peace agreement, there was no need to mount a military offensive. Fighting resumed in fact, only *after* the kidnapping of the UN Peacekeepers, who were beginning to encroach on the RUF-held diamond areas.

This is perhaps a quibble. There is no doubt that Bout was and remains the monster Farah and Braun have described, leaving a trail of death and destruction behind almost every one of his ventures. The worst part of it is that he has been aided and abetted every step of the way by corrupt or inept African governments, by Russia and its former satellites who protect him, and by Western governments whose inspired combination of opportunism, incompetence and apathy have paved the way for his bad intentions.