

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



Hello! My name is (Junior) Royston-Wright. I am the reason that Daddy didn't do the press clippings on Friday. Right now I am keeping Mummy company at the Marie Stopes Clinic at Aberdeen Road.  
Congratulations to Martin and Joyce Royston-Wright!

**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:**

Tuesday, 4 August 2009

Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
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Awoko

Tuesday, 4 August 2009

# Taylor accuses US Government

*Yesterday's morning session of Charles Taylor's trial in The Hague was devoted to a Monrovia fracas which led to the killing of four members of Roosevelt Johnson ULIMO-J faction and the wounding of two U.S Embassy officials. The killing of the ULIMO-J faction rebel faction and wounding of the two Americans took place on September 19, 1998, in front of the U.S Embassy Compound. Mr. Taylor told the court that the incident led to what he described as gun boat diplomacy between Liberia and the U.S. John Kollie transcribes the Hague reports on the trial of former Liberian president Charles Taylor...*

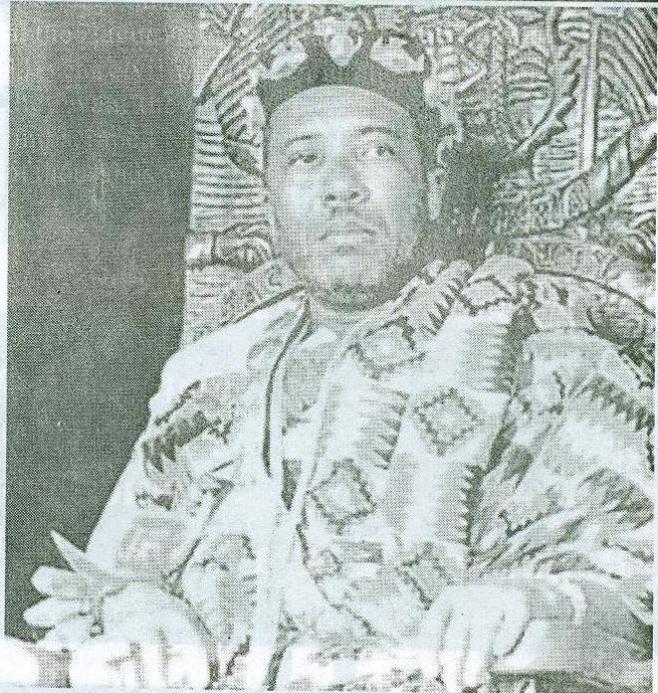
The Former Liberian President accused the United States of deliberately opening its Embassy in Monrovia to Former War-Lord Roosevelt Johnson and his dissident group.

Mr. Taylor alleged that Roosevelt Johnson created a hostile parallel state which terrorized peaceful civilians on Camp Johnson in Monrovia. Mr. Taylor said to restore peace to Camp Johnson Road, Government Forces expelled Mr. Johnson and his rebel fighters.

He testified that Mr. Johnson and his men predominately from the Krahn Ethnic group took refuge in front of the U.S Embassy Compound where shooting broke out. Mr. Taylor said Liberian government security forces were not involved in the shooting at the U.S Embassy.

The Indicted Former Liberian Leader told the court that the U.S responded by deploying a gun boat in Liberia's territorial waters with calls apology for what the Americans claimed was a violation of diplomatic privilege enjoyed by the U.S. embassy near Monrovia.

Mr. Taylor said he believes the September 19



*Charles Taylor*

disturbance at the U.S Embassy in Monrovia was the beginning of his trouble. My life changed since that incident, the Former Liberian President declared to the Judges.

Mr. Taylor in his Monday August 3, testimony also responded to allegations by prosecution witnesses that Former RUF Commander Sam Bockarie took direct instruction from Mr. Charles Taylor to fight the war in Sierra Leone. Mr. Taylor told the court that he invited Sam Bockarie to Monrovia in September of 1998 to persuade him to end the war in Sierra Leone.

Former president Charles Taylor continues his testimony at the UN backed Special Court for Sierra sitting at the International Criminal Court in the Hague

The Exclusive  
Tuesday, 4 August 2009

# Sierra Leoneans Boycott Taylor's Trial

## \*Courtroom Empty

Former Liberian President Charles Taylor, who spurred a decade of violence in neighbouring Sierra Leone, is on trial for war crimes. Why don't Sierra Leoneans seem to care? - Remains the unanswered question. *Continued page 2*

# Sierra Leoneans Bo

*From front page*

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

The Spark  
Tuesday, 4 August 2009

# War Criminal Taylor drops bombshell

Former Liberian President Charles Taylor, who spurred a decade of violence in neighbouring Sierra Leone, is on trial for war crimes. Why

don't Sierra Leoneans seem to care? It is nine o'clock in the morning on a rainy Wednesday in Freetown, the capital of Sierra Leone. The main

*Continued page 9*



*From front page*

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## The Senator

Tuesday, 4 August 2009

# TAYLOR SAYS HE ALLOWED SKULLS USED AT ROADBLOCKS

By MIKE CORDER (AP)

*Former Liberian President Charles Taylor told a war crimes court Thursday he saw nothing wrong with displaying the skulls of slain fighters at roadblocks as his rebel forces swept into the country in a 1989 revolution.*

The invasion of Liberia and his ascent to power was a prelude to Taylor's involvement in the brutal 1991-2002 civil war in neighboring Sierra Leone, for which he is accused of 11 counts of war crimes and crimes against humanity.

He has pleaded not guilty to all charges at the Special Court for Sierra Leone.

Taylor is not on trial for offenses in Liberia, but his testimony appeared aimed at allegations at the heart of the prosecution case that rebels backed by Taylor in Sierra Leone used terror tactics, including systematic amputations to intimidate the population.

Taylor has dismissed those allegations as lies and rumors.

He used his third day on the witness stand to directly deal with some of the most grisly prosecution evidence — that his fighters in Liberia strung human entrails across roadblocks and displayed human heads on poles to strike fear into the local civilians and soldiers of the Liberian army. He dismissed as "nonsense" the allegation that his troops disemboweled their enemies and tied their intestines across roads.

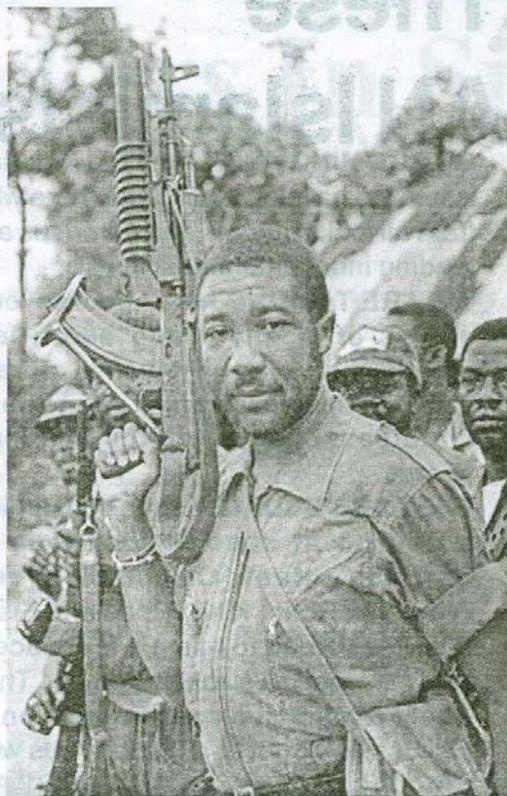
One of his former commanders who testified for the prosecution, Joseph "Zigzag" Marzah, said Taylor drove past such scenes. Taylor said that was "a blatant, diabolical lie."

But the 61-year-old former president conceded that skulls of Liberian soldiers were used as a symbol of death and displayed at strategic roadblocks in 1980 as a warning to follow the orders of the revolutionaries.

Taylor, who earned an economics degree at a U.S. college, said he had seen images of skulls used in many "fraternal organizations" and Western universities.

"I got to realize they were enemy skulls and we didn't think that symbol was anything wrong," he said. "I did not consider it bad judgment. I did not order them removed."

He also conceded atrocities were committed in



*Taylor the warlord*

Liberia, but said he had trained his small band of rebels — from their initial training in Libya — to abide by the laws of war.

"We found out that they were taking place and we acted to bring those responsible to justice," he said. Rebel soldiers who committed excesses were court-martialed and sometimes executed, but civilian judicial institutions were left in place in areas under rebel control.

Taylor told the three-judge panel that for his 168-strong force to seize power in Liberia it would need the support of the local population.

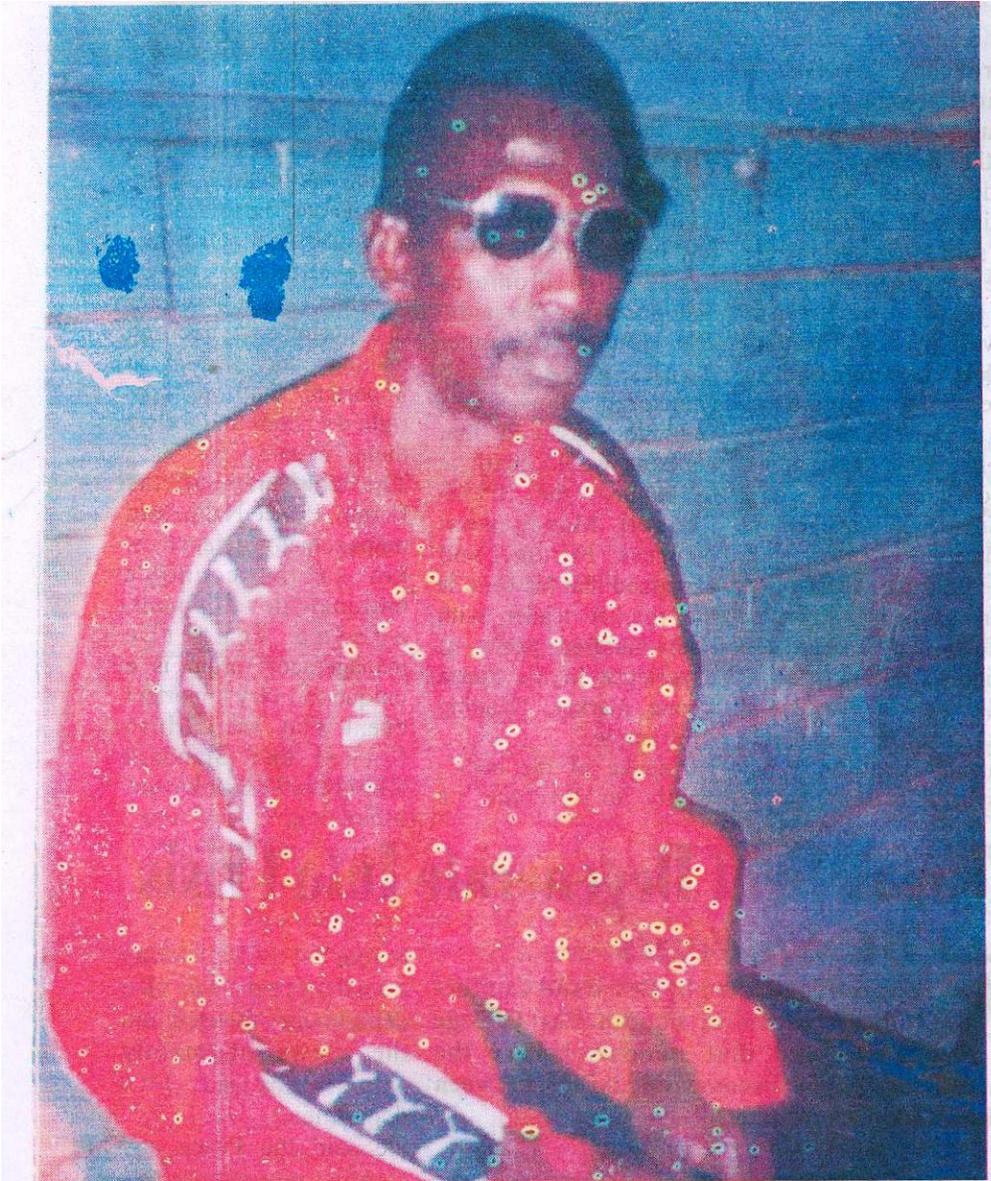
"There would be no excesses," he said.

Taylor is the first defense witness in the trial, which opened in January 2008, following 91 prosecution witnesses who claimed Taylor commanded Sierra Leone rebels from the presidential mansion in Liberia. The rebels' signature crimes were amputations, rape and the conscription of child soldiers and enslavement of women.

**-PATRIOTIC VANGUARD**

Premier News  
Monday, 3 August 2009

**Operation Sweep Discovers Arms**



**A** man, Jusu Gottor who tried to stop the Freetown City Council (FCC) Operation Sweep team from demolishing his shed has been arrested for illegal possession of arms and ammunition.

*By Jay Willie & Maddieu A.A. T. Kabbah*

**Listen to  
"Good Morning Freetown"  
on Radio Democracy 98.1FM  
Monday to Friday 7:30-9:00 am  
for up-to-date information  
on Sierra Leone**

According to the Mayor of Freetown Herbert George-Williams, the team of Council workers was on duty around the Low Cost Housing Estate Kissy when they discovered the AK 47 rifle and ammunition hidden inside a shed they had just

demolished.

Also found in the premises were documents, pictures and correspondence between former RUF Leader Foday Sankoh and the suspect, among others.

Sources at the Low Cost Housing area say Jusu had always been a thorn in the flesh of the community as he always threatened anyone who dared to come against him.

According to those who arrested Gottor, his relatives tried to insist that he should not be taken away but failed to stop the determined Council officials who handed him over to law enforcement officers.

The man who is obviously an ex-combatant is alleged to be an illegitimate son of a retired Army Brigadier (name withheld). The City Father stressed that

they will continue to be vigilant and work with the security forces to ensure that every nook and corner is searched if necessary for weapons and others.

The Mayor who also disclosed that 'Operation Sweep' was very successful, as the population of the Freetown municipality gave them a very good reception and that the people are now enjoying a fresh and cool environment.

He said the Operation also helped in reducing the motor and human traffic within the city and that it has been very successful as 85% of the main roads in Freetown are now free of unwanted vehicles. The Mayor also disclosed that a group of Koreans are showing interest in partnering with the Council to put up a 12-storey City Hall and this is very good news for the municipality.

*Contd. Page 4*

## *Operation Sweep Unearths Arms*

*From Front Page*

He said they are working on the negotiations to ensure that they reach a final agreement to start the construction.

Mayor Williams also announced that as from August 1, the council is starting 'Operation Beautify Freetown' which is aimed at making the city beautiful.

While briefing the Press on Friday, the Mayor also announced that the second floor of the Sewa Grounds market which was supposed to be completed in eight weeks has commenced with over 200 stalls while another market for hairdressers and stationery will soon be built.

These project he stated

will cost billions of Leones.

The Fisher Street market he also said will have about 2000 stalls while the Congo market is to be extended to accommodate more traders and get them off the streets.

Meanwhile, he revealed that about 35 buses will soon arrive in Freetown before the end of the year as they have partnered with the First International Bank to get the first phase of the Transport company on line.

He also confirmed the August 15 deadline for the payment of Local Tax after which council will start checking for those who have flouted the law.

Mayor Williams also announced that the

Africell Cotton Tree beautification project will soon be completed as the experts and equipment have arrived but cautioned that they may likely commission this project of fountain and lights after the rains had subsided.

He stated that the Council has already undertaken projects to fence the Ascension Town and Wilberforce cemeteries and this is expected to be completed in the next couple of weeks.

Also it was revealed that council is trying to reclaim all its lands especially those in the cemeteries and has renegotiated with tenants who had leased the land instead of demolishing their houses.

## New Times (Rwanda)

Monday, 3 August 2009

### Parliament paves way for SCSL convicts transfer

BY EDWIN MUSONI

The Lower Chamber of Parliament yesterday unanimously adopted the bill that will see Special Court for Sierra Leone convicts serve their sentences in Rwanda.

While presenting the bill to the lawmakers, Justice Minister, Tharcisse Karugarama said that government has met all the necessary requirements to host the war criminals.

The Special Court for Sierra Leone is an independent judicial body set up to try those accused of war crimes and crimes against humanity committed in Sierra Leone during the civil war.

The bill follows an agreement signed between Rwanda and the United Nations-supported court.

Rwanda is the only African country to have signed the agreement to take up some of the convicts.

According to the agreement, the prisoners who could be transferred to Rwanda are those whose sentences vary from between 15 years to life imprisonment.

After the passing of the bill, Rwanda is expected to sign a memorandum of Understanding with the Court that would detail how the prisoners will be treated while in detention.

Several lawmakers put the minister to task to guarantee that the prisoners will be transferred to Rwanda.

“Do we have a guarantee in this deal that these prisoners will be transferred here to serve their sentence since the same UN has deliberately refused to transfer Rwandan criminals to serve their sentence here?”

Juvenal Nkusi asked.

In his response, Karugarama said; “The guarantee is what we have put in place to meet standards and surely we have gone far beyond the international standards in terms of prisons with high facilities and security.”

Juliana Kantengwa expressed her worries over what she termed as negative forces that are against the transfers.

“Won’t these people still call for the halt of transferring the Sierra Leone convicts to Rwanda?”

Kantengwa questioned Karugarama.

Desire Nkusi immediately intervened questioning if the transfer of Sierra Leone prisoners is not a trap aimed at assessing Rwanda’s preparedness in hosting international prisoners.

Karugarama assured members of parliament that it will instead be an opportunity for the country to exhibit its preparedness.

The passing of the bill comes after a delegation from the special court visited Rwandan prisons to assess the country’s preparedness in hosting the prisoners.

Rwanda has put in place a transit centre at Kigali Central Prison.

The transit centre is intended to temporarily host the prisoners awaiting transfer to Mpanga prison.

Charlestaulylortrial.org

Wednesday, 29 July 2009

## **Liberia: Taylor Wanted United Nations Authorization For Use Of Force In Sierra Leone**

Alpha Sesay

Charles Taylor supported the decision of West African states to remove the Sierra Leonean junta from power in 1998, but wanted any use of force for that purpose to be authorized by the United Nations Security Council, he told Special Court for Sierra Leone judges today.

As a member of the Economic Community of West African States (ECOWAS) Committee of Five a group designed to bring peace to Sierra Leone that he had no option but to support the decision to oust the Armed Forces Revolutionary Council (AFRC) junta from power and restore the democratic government of Ahmed Tejan Kabbah, Taylor said.

"Liberia pledged its support for the ECOWAS decision to restore the government of President Kabbah to power," Taylor told the judges. He said that if Liberia had the military man power, he would have contributed troops to remove the junta from power by force.

Taylor told the judges that he was troubled that Nigeria wanted to use force to remove the junta in Sierra Leone but since he was part of the Committee of Five, he had no option but to get along with what had been agreed.

"I am troubled but I am part of the process," he said when he told judges about the decision to use force in Sierra Leone.

Taylor said that when the military intervention to remove the AFRC junta from power started in February 1998, his Liberian foreign minister, together with other West African foreign ministers, traveled to New York to address the UN Security Council on why the operation was necessary. He said that members of the Security Council, especially Britain, were opposed to the use of force in Sierra Leone without express authorization from the United Nations.

Taylor explained that his initial opposition to the use of force in Sierra Leone stemmed from the fact that any use of force without UN authorization would have had a spill-over effect on Liberia, which was just stepping out of its own conflict. He said that when tensions mounted in Sierra Leone, he closed the Sierra Leone-Liberia border so as to protect his own people.

Taylor told the judges that when he became president in 1997, he travelled to Guinea where he met with President Tejan Kabbah, who was in exile due to his overthrow by the AFRC. Taylor said his meeting with Kabbah was very cordial and there was no concern that he was supporting the AFRC.

"There was no hostility towards me by Kabbah," he said.

Taylor denied all allegations that he was a terrorist, saying that it was a phrase developed by former United States President George Bush, but its use has now been stopped by President Obama. He said western countries were opposed to him because he wanted an African solution to an African problem.

"I resent being labeled a terrorist. Africa has to be free, Africa has to determine its own destiny," he said.

The prosecution has alleged that Taylor supported the Revolutionary United Front (RUF) rebels and the AFRC junta in Sierra Leone and that by his actions or inactions, he is responsible for crimes such as murder, rape and the recruitment of children as soldiers in Sierra Leone. Taylor has denied all the allegations.

Taylor's testimony continues tomorrow.

## The New York Times

Wednesday, 29 July 2009

### In Defense of Charles Taylor

It is beyond my imagination that anyone would believe the president of Liberia would go into Sierra Leone because he wants to terrorize the people and take their wealth.

That was Liberian warlord-turned-president Charles Taylor testifying at The Hague this week for his role in the Sierra Leonean civil war, a conflict that raged for 11 years and claimed nearly 50,000 lives. Taylor has been alternately cogent and bombastic in his own defense. Not surprisingly, the more lurid details from the trial have provided the most popular grist for the media mill both in Liberia and abroad (see, for example, coverage in the New York Times, ABC, and the Liberian Analyst). With every headline, the charges that Taylor ridicules as beyond the imagination seem only more irrefutable, his crimes more outrageous and cruel.

Meanwhile, to many Liberians, Taylor remains a hero. For foreigners like myself, this is not an easy thing to understand. At times, his popularity seems a byproduct of his savagery. During the Liberian civil war, recruits for Taylor's National Patriotic Front of Liberia (NPFL) were often heard chanting a grim refrain: "He killed my ma, he killed my pa, I'll fight for him." A decade later, this mystique has not dissipated in many pockets of the country. While we in the international peanut gallery gape at the spectacle of the trial - a murderer defending indefensible acts - many Liberians continue to endorse Taylor and his charismatic brutality.

#### Why?

Over lunch the other day, I asked two Liberian colleagues and ardent Taylor fans to explain to me their views on the trial. Johannson Dahn and Zeleh Kolubah (featured in this blog post as well) once fought as rebels in the NPFL. They now work at the National Ex-combatant Peacebuilding Initiative, a local NGO that provides psychosocial counseling for veterans of the war. Taking particularly sharp aim at the U.S. and its inept meddling in Liberia over the past two decades, Dahn and Kolubah offered an eloquent if not always convincing defense of their former commander-in-chief. This is what they told me.

For my Liberian colleagues, the sham of Taylor's trial began with his election as president in 1997 and the almost instantaneous calls for his resignation from around the world. "There was a serious war being fought in Liberia," explains Dahn. "Taylor was elected by the Liberian people. He had a mandate to protect their lives and property." Of the voices demanding Taylor's removal, none was so hypocritical as that of the Americans. When the war erupted in 1989, some 2,000 heavily-armed American Marines were stationed just off the Liberian coast. But then-President George H.W. Bush refused to send a single American soldier to help diffuse the crisis, and when a smaller contingent finally grounded in Monrovia, they were ordered only to protect the enormous embassy compound and the American civilians hiding inside. Throughout the subsequent 14 years of war, the American government sat on its hands as thousands of Liberians were slaughtered. Asks Dahn: "What interest did the Americans have in telling Taylor to leave if they did not have any interest in protecting the Liberians themselves?"

Taylor's indictment was no more lawful or legitimate than his exile in 2003. Now it was Bush the Younger's turn to tinker with Liberian politics. "The indictment was carried to the White House for review and revision," says Dahn. "Why? Is that the advisory board to The Hague?" Taylor is accused of 11 counts of war crimes in Sierra Leone. This is the stuff you'll recognize from Hollywood: cannibalism, child soldiers, sex slaves, hands, ears, and noses hacked off as punishment for minor misdeeds or for no reason at all.

To Kolubah, this is nonsense. "I fought with the NPFL," he explains. "We did not forcefully amputate people." The fact that forced amputation never entered the NPFL's repertoire suggests that someone other than Taylor must have been calling the shots in Sierra Leone. "If Taylor cannot be linked to forced amputation," asks Dahn, "then how can he be linked to massacres and other war crimes?" Who, then, is responsible for the atrocities perpetrated there? Dahn offers a categorical answer: "The Sierra Leoneans themselves."

And what of the crimes committed in Liberia? In the press, much has been made of Taylor's justifications for the grisly NPFL tactic of mounting human heads at road blocks as warnings to passersby. "Yes, it's true," says Dahn. "When enemy soldiers got killed, the bodies were used to instill fear in the advancing enemy." But this, he argues, is no different from the signage we use in the West to warn each other away from hazardous things. "On some of the chemicals you produce, we see signs with human skulls and cross-bones. What do those signs mean? They mean death. They mean danger."

When I suggest that there is a difference between a drawing of a skull and the real thing - and that, in any event, the dead deserve a proper burial - Dahn agrees. "But this was a warzone," he says. "There was no chance to bury the dead because of sustained gunfire and enemy attacks. And which one will be more fearful? A head that is dead and rotting? Or a silly picture?"

These arguments may not persuade you of Taylor's innocence, just as the trial will not convince many Liberians of his guilt. Loyalties die hard. For those of us watching from the comfort of our Western sensibilities, it is tempting to explain away this devotion as the result of ignorance or dogma. How can so many Liberians still adore Taylor after all we've learned about his crimes? Don't these people read the newspaper?

In reality, loyalties survive for reasons steeped in culture and history, story-telling and myth-making. The same lesson that Dahn and Kolubah teach about Liberia applies to the U.S. as well, where our own political allegiances seem sometimes to defy empirical evidence. The experiences of our two countries are hardly comparable, but the point is the same.

Meanwhile, as Taylor takes the stand for crimes that Dahn and Kolubah insist he did not commit, the other architects of the Liberian crisis are free to live, work, and hold office in their home country. Dahn calls them Charlie's Angels: "They're clean. Pure from heaven. No spot on them. But they are imposters." Taylor is their "sacrificial lamb" - a "brave, generous man," a man "who does not lie," a "humanitarian." Says Dahn: "All these white collar guys you see around here in the big vehicles, supported by Americans. They are very good planners of very bad things. And they have met their match: Charles Taylor. Oh yeah."

## Times Online

Monday, 3 August 2009

### Singing to Stop the Fighting in Sierra Leone

By GLENNA GORDON / FREETOWN

On a gray and rainy Saturday, five young men are gathered at the Body Guard music studio in Freetown, Sierra Leone's capital. The modest one-story building has only two rooms and no sign out front. Inside, the walls are lined with a velveteen fabric, the floor is covered in shag carpeting and there's minimal sound equipment - just a dated computer, two keyboards, a microphone and a mixing desk. The men are recording a track called "One Love," as King Fisher, the studio's founder and father figure to all the musicians who pass through it, sits at the computer. The vocalist sings: "Somebody help me/ Somebody tell me/ Why we keep on fighting?" When the chorus comes along, the whole group joins in, dancing around the small room and singing a tune of peace, development and change.

Just a few years ago, five young men in a room in Sierra Leone would have meant trouble. It was men in their teens and their 20s - but also, tragically, children even younger - who made up the Revolutionary United Front, a ragtag armed militia supported by Liberia's President Charles Taylor (now on trial for war crimes at the Hague) that devastated the country during an 11-year civil war that ended in 2002. Everywhere they went they left a calling card of chopped-off limbs, raped women and senseless bloodshed. Tens of thousands were killed and a third of Sierra Leone's 6 million people were displaced. (Read "'Lies and Rumors': Liberia's Charles Taylor on the Stand.")

Today, Freetown is making a slow recovery. Although the war is over, many of the problems associated with it are not. Ex-combatants, a large number of whom were forced to fight against their will, have not been fully reintegrated into society or accepted by their families. The extreme poverty and frequent conflict that made Sierra Leone susceptible to fighting remain. Communities still remember individual wrongdoings, and true reconciliation - somewhere between forgiving and forgetting - has not yet been achieved. (See pictures of death and life in Sierra Leone.)

Thankfully, there are people like Body Guard Studio's King Fisher, whose real name is Emrys Savage, working toward peace - and doing it with music. "When you go to a club and the music says, 'Go down, go down,' people go down!" says Aruna Hakim Dumbuya, a.k.a. Wahid, one of the musicians at Body Guard on the rainy Saturday. "And when the music says, 'Come up,' they come up. If you say 'Make peace,' people will make peace."

Sierra Leone has always had a very strong musical tradition. It was one of the first places Western explorers and traders landed in the region in the middle of the 15th century and quickly became an outpost for Portuguese and Italian contingents. Later, the British sent freed slaves captured in transit to Sierra Leone. The variety of influences - from different parts of Africa and Europe - created a unique Sierra Leonean sound. (Read "Hollywood Plays Rough with Diamonds.")

Now a handful of artists are utilizing music's important social role to sing about postwar reconciliation. Songs of peace regularly drift out of Body Guard Studio and are sometimes heard on the radio. Musicians often also spread their message to the countryside through a United Nations development program called Peace Tours, which takes groups of artists and singers to rural areas to talk about peacemaking.

Fisher's politics, and guidance, appeal to all the young men who go to Body Guard. None were left untouched by the civil war and all appreciate the studio as an outlet. During the fighting, says Fisher, "all the progress young people should have been making they couldn't because nothing was working."

Shine Da God Son, one of Fisher's protégés, was one such young person. When Fisher met Shine (real name Abdul Malakhi Kamara), he wanted to be a musician, but also a gangster. He had lost his father during the war, and was hanging out with a bad crowd who settled their problems with violence. "You can't work with me with that kind of attitude," Fisher told him. Shine cleaned up his act and has since produced three albums with several hit songs - including one called "No More Beatin', No More Dissin'" - and is working on his fourth.

Shine talks too quickly, as if he's the only person in West Africa who is in a hurry. He wants to be famous - but he also wants more. He wants to see Sierra Leone move toward peace and development. Fisher believes the path to reconciliation is for young men like Shine to lay down their weapons and pick up microphones. "Even [during the war] the rebels put down their guns when the music came on," he says. "The military and the rebels danced together, and when they're dancing, they don't have to fight."

Fisher says Sierra Leoneans need to forgive each other and hold the people who caused the most harm accountable. Many of the songs that come out of the two small rooms at Body Guard Studio are about corruption and greedy politicians - some of the biggest obstacles to true development. In Freetown, there are signs of progress. The city has a relatively functional municipal electricity grid, cheap and easy public transportation, and a budding democratic government. But, as the song "One Love" recognizes, Sierra Leone still has a long way to go before the animosity that enabled war to sweep over a divided society subsides and true reconciliation happens. (Read "Why You Can't Ignore Kanye.")

After the group at Body Guard is done mixing "One Love," Fisher plays some old hits over the sound system. When the popular song "Arrata and Squirrel," which compares politicians to vermin, starts pumping out of the speakers, the power goes out. The music stops and everything is dark. But Shine and the others keep singing.

## UNMIL Public Information Office Media Summary 03 August 2009

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

### **International Clips on Liberia**

#### **Clinton Visits Seven Countries to Highlight Africa as Policy Priority**

Washington, Aug 03, 2009 (allAfrica.com/All Africa Global Media via COMTEX) -- Hillary Clinton, making her first journey to Africa as U.S. Secretary of State, begins a seven-nation visit Monday with a stop in Kenya to take part in a forum on trade and investment with senior officials from 41 African nations. She will also visit South Africa, Angola, the Democratic Republic of Congo, Nigeria, Liberia and Cape Verde, returning to Washington on August 14. "All of these countries are of importance and significance to the United States," Assistant Secretary of State for Africa Johnnie Carson said in an interview last week. Coming three weeks after President Obama's visit to Ghana, the trip underscores the administration's commitment to making Africa an American foreign policy priority, he said.

### **International Clips on West Africa**

#### **Graft panel bags huge sums from S Leone officials**

FREETOWN, Aug 3, 2009 (AFP) - The Anti-Corruption Commission in Sierra Leone said Monday it has recovered over one billion Leones (306 million dollars) for the first six months in 2009 as "settlements from corruption-related cases." The money had been collected from government workers and agencies operating in the West African state, as well as business people, the graft panel said in a statement. One company, Ashtra Marine Agency, owned by a Lebanese tycoon, paid up over 914 million Leones. Others included motoring firms, and individuals such as a former director-general of the state broadcaster and a paramount chief. The acting director of the panel, Desmond Johnson, said "about 78 million Leones (23,500 dollars) are still outstanding, including 38 million owed by (recently convicted) ombudsman Francis Gabbidon," who was fined a total of 68 million Leones and struck off the lawyers' register.

### **Local Media – Newspaper**

#### **GAC Submit HIPC Audit Reports to National Legislature**

(Heritage, The News, The Informer, Liberian Express, Public Agenda)

- The General Auditing Commission (GAC) says it has completed and submitted another batch of audit to the National Legislature.
- The GAC named the audit as the Heavily Indebted Poor Countries Initiative (HIPC) audits conducted on the Ministries of Lands, Mines and Energy, Education, Health and Social Welfare and Public Works.
- According to the GAC, the HIPC are vital to Liberia's economic recovery as it will determine whether not Liberia has reached the completion point of getting debt relief from donor countries and the international community.

#### **U.S. Embassy Hands over BTC Barracks to Government**

(The News)

- The United States Government through its embassy near Monrovia has officially turned over the Barclay Training Center (BTC) to the Liberian Government after almost four years of refurbishing and management.

- The BTC is one of three military facilities in the country that was funded by the United States Government and managed by the American firm, DynCorp International under the Security Sector Reform (SSR) since 2006. The Edward Binyan Kesselley (EBK), Military Barracks in Margibi County and the Ware Military Barracks in Careysburg; Montserrado County are the other two military installations refurbished by the American Government.

### **China Renews Commitment to New Army**

(The Inquirer, Heritage)

- The People's Republic of China has reaffirmed its commitment in helping the Liberian Government rebuild the new Armed Forces of Liberia.
- The Military Attaché at the Chinese Embassy in Liberia, Senior Colonel, Liu Shengli said though that country was still facing tremendous challenges it would do its best to assist in rebuilding the new Liberian army.
- Speaking at the weekend during the celebration of 82<sup>nd</sup> Anniversary of the Chinese People's Liberation Army, Senior Colonel Liu said he believes the Chinese Peacekeeping Contingent serving in UNMIL will continue making contributions to the peace and national reconstruction of Liberia.

### **Deputy U.N. Envoy Hands Over 19-Bedroom Dormitory to Police**

(Heritage, The News, The Informer, Liberian Express)

- The Deputy Special Representative of the Secretary General for Rule of Law, Ms. Henrietta Mensa-Bonsu has called for national ownership of the Liberia National Police.
- The DSRSG observed that although it is likely that donor support for the LNP capacity building and institutional development will continue, such support alone will not transform the LNP.
- Speaking during the turnover ceremony of a 19-bedroom male dormitory at the Liberia National Police Training Academy, she said assistance to the police must be reinforced through professional and strategic planning, national ownership and requisite budgetary allotments.
- The dormitory valued at over US\$300,000 was funded by the Government of Norway and will provide accommodation for 150 police trainees.

### **Legislators Scramble over US\$2Million in National Budget**

(New Democrat)

- [SIC]Senators and Representatives are said to be locked-up in intense scramble over a US\$2m "additional" money pumped into the budget.
- The US\$2 million is a questionable allocation that the legislators placed in the 2009/10 fiscal budget for their personal use when an additional US\$24 million was discovered during the budget scrutiny process.
- This amount was inserted into the Public Works Ministry's budget as "Legislative Constituency Development Projects."
- Sources said initial figure was US\$4.2 million but reduced to US\$2m following an intervention by the Executive.

### **Prominent Liberian Lawyer Challenges Legal Practitioners**

(Daily Observer, The Inquirer)

- Speaking at the weekend during the induction of officers of the Montserrado County Bar, a renowned Liberia lawyer, Counselor Varney Sherman challenged lawyers to take their communities and country as their clients.
- Counselor Sherman said lawyers must be instruments of stability and agents of change saying this can be done when they form associations that will seek the interest of their country.
- Those inducted to head the Montserrado County Bar are Attorneys Sam Cooper, President; Beatrice Mona Sie-Browne, Vice President; Lois Nimley Nyepan, Secretary General among others.

### **Angry Mob Kill Alleged Armed Robber**

(New Democrat)

- An angry mob yesterday flogged to death the alleged ringleader of armed robbers in the Freeport community on Bushrod Island outside Monrovia.
- Eyewitnesses said two of the victim colleagues escaped when vigilantes chased them towards the S.K. Doe Community, a sprawling slum said to be a criminal a den.
- Some jubilant residents who identified the alleged robber, known only as Dixon, tied him up and then slaughtered him, leaving him in a in a pool of blood.
- A member of the community vigilante team said the victim only identified as Dixon became their target when he and his men looted a cement depot in the area making away with over 20 bags of cement.

### **Three Retrofit Centres Opened in Rural Liberia**

(The Informer)

- The Environmental Protection Agency (EPA) and the United Nations Development Programme (UNDP) with funding from the Montreal Protocol have completed the training and establishment of three retrofit centres in rural Liberia for use by refrigeration and air-conditioning technicians.
- The organizers said the programmes were intended to prepare Liberian technicians in line with what they referred to as the terminal phase-out management plan.
- The terminal phase-out management plan has until January 2010 to put a complete halt to the usage of non-environmental friendly substances.

### **UNHCR Ends Programme Management Training for Partners**

(The Informer)

- The United Nations High Commission for Refugees (UNHCR) has concluded two-day basic programme management training for 40 implementing and operational partners in Monrovia.
- According to the UN Refugee Agency, the training was intended to build the capacity of partners in implementing and managing UNHCR projects and also to share the partners 'experience of their work in the field.
- Partners that attended the training programme include the Liberia Refugee, Repatriation and Resettlement Commission (LRRRC), Ministry of Justice, Liberia Opportunities Industrialization Centre (LOIC), Child Fund Liberia(CF), Environmental Protection Agency (EPA) among others.

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

### **Passage of Threshold Bill Gets Fifth Defeat at Senate**

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

### **TRC Releases Final Report, Recommends Prosecution for Violators**

- The Truth and Reconciliation Commission has released its final report following three years of investigation into the root causes of the Liberian conflict.
- The TRC discovered that the conflict has its origin in the history and founding of the modern Liberian State.
- The Commission also identified poverty, greed, corruption, limited access to education and political inequalities as major root causes of the conflict.
- The report resolved that all warring factions are responsible for gross human rights violations in Liberia, including war crimes and crimes against humanity. It however placed the factions into categories of significant violators, and less significant violators among others.
- Significant violators include the National Patriotic Front of Liberia, Liberians United for Reconciliation and Democracy, Liberian Peace Council, and the Armed Forces of Liberia.

- The TRC recommends criminal prosecution for serious violators, and a Palava Hut forum to address issues of impunity, peace and reconciliation.
- Meanwhile, The House Committee Chairman on National Security, Representative Saah Gbollie has condemned the work of the Truth and Reconciliation Commission of Liberia (TRC) saying it was marred by flaws, impartiality and discrimination.

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

### **Syndicate Uncovered at National Archives Centre**

- The Centre for National Documents and Archives says it has uncovered a syndicate that is robbing the entity of thousands of dollars.
- The syndicate involves the forging of marriage certificates and land deeds.
- In an interview, The Director General of the Centre, Bloh Sayeh said nearly ten persons allegedly linked to the scam have been traced.
- She said the suspects have been turned over to the Justice Ministry for investigation and subsequent prosecution.

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

### **Over LD\$3M Marijuana Turned Over to DEA**

- Two security officers have turned over one thousand fifty kilograms of processed Marijuana to the Drug Enforcement Agency (DEA).
- The officers from the Liberia National Police (LNP) and the National Security Agency (NSA) turned over the drugs worth over LD\$3 million.
- Though it is not yet clear when the drugs were arrested and from whom, DEA Director James Jaddah commended the officers for turning it over.

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

### **PPCC Plans Audit of Government Ministries and Agencies**

- The Public Procurement and Concession Commission says there are plans to carry out procurement audits of government ministries and agencies.
- The Chairman of the PPCC, Mr. Kieth Jubah says the audit will establish how government ministries and agencies are expending money in their budgets for procurement.
- The PPCC chairman spoke Tuesday during the induction into office of the commission's new Executive Director.

## **Truth F.M.** *(News monitored today at 10:00 am)*

### **Defense Ministry React to Media Reports of Defection in The Army**

(Heritage)

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## New Democrat (Monrovia)

Sunday, 2 August 2009

### **Liberia: They Betrayed Me**

Defending his 1994 executions of some of his top commanders, including his Gbarnga "Executive Mansion Commander" Cassius Jacobs, Mr. Charles Taylor has told judges of an ECOMOG plan to isolate him from the rebels so as to make him irrelevant.

Testifying in his own defense this week, he said after discovering the alleged plot, he executed those linked following a court martial.

Taylor: "ECOMOG has armed them and they are moving and if

as we go further this Court has heard the evidence of the trial and execution of Cassius Jacob. These ministers of mine that have left still having contact behind them, arranged with the General who is in charge of Gbarnga to mutiny. This is so. When we get to that Jacob execution, it was given to the Court as though I was just going around killing people, but that's the 8 whole genesis of that particular problem. Cassius Jacob is now - by 1993 becomes the commander 11 of the Executive Mansion Guard unit

I have mentioned to this Court that the Sapos and the Krahn's are related, so this whole move I think is an attempt really - let's - I think maybe the judges need to understand what is going on generally at this time with all these 19 moves. This taking of Gbarnga was not just one of these off-the-cuff, I mean, acts. A plan apparently was made to take me outside the country and while I am outside, that they will capture all of the NPFL areas and they would not have to deal with the NPFL again. And so this is why they have really armed the AFL; they have armed the LPC as mentioned here; they have armed part of ULIMO-J; and my former ministers all well 26 equipped. And so this is why they begin this massive movement southward which is River Cess, Grand Bassa, River Cess here.

Through the influence I'm sure of ECOMOG and money my ministers - my former ministers - are carrying on, maybe I'm sure which is 17 normal, security infiltration and finally get the consent of 18 Cassius Jacob to really mutiny upon their attack on Gbarnga. And so I leave and the attack takes place from two different directions. The UN report is giving the general picture.

### **Q. Was he represented?**

A. Oh, yes. He went before a tribunal. There was no - and think the evidence before this Court, there was no time when just get up in the morning, arrest this man, take him out, shoot him. No, no, no, no, no. There was a legal process that went through and I am sure any major military in the world, I don't care what military it is, an officer involved in mutiny - maybe now they don't get executed, but under the uniform code of military justice they could get life at best.

## Radio Netherlands Worldwide

Tuesday, 3 August 2009

### Sweden rejected US request for Pol Pot trial

By International Justice Desk



*Stockholm,  
Sweden*

Sweden rejected a US plan to capture Pol Pot before the former Cambodian dictator's death and transfer him to the Scandinavian country to stand trial, Swedish Radio reported.

The report cited declassified Swedish diplomatic papers that revealed American authorities had asked Sweden and a number of other unnamed countries to take Pol Pot into custody and put him on trial for genocide and murder.

But according to the documents dated 31 March 1998 -- two weeks before the Khmer Rouge leader's death -- the Swedish government declined Washington's request.

Stockholm took the view that capturing Pot and bringing him for trial in this way would amount to unlawful detention and could tarnish the Scandinavian country's human rights record.

"Sweden's jurisdiction could be called into question if Pol Pot was brought to Sweden in an unlawful manner," Swedish Radio quoted the documents as saying.

"To 'dump' Pol Pot in Sweden would subject him to crimes against Swedish law, something Sweden ought not be part of," the documents said according to the radio report.

Pol Pot, who headed up Cambodia's communist regime from 1975 to 1979, died on April 15, 1998 at the age of 69.

Historians say he was responsible for the death of nearly two million people during his brutal reign.

## The Daily Star

Saturday, 1 August 2009

<http://www.thedailystar.net/newDesign/news-details.php?nid=99590>

### Int'l help in probe key to proper trial

Cambodian expert says on war crime



Constanze Oehlich Emran Hossain and Farhana Urmee

Legal Adviser to Extraordinary Chambers in the Courts of Cambodia Constanze Oehlich yesterday said assistance from international communities for evidence and investigation is necessary to ensure legitimate and transparent trial of war crimes.

It is very difficult to investigate such a large-scale crime and Cambodia needs to have additional capacity and support to make the trial legitimate and transparent, she said describing the Cambodian model.

“There is international experience in trying war criminals across the globe. In dealing with such a huge issue you need to be very pragmatic; you need to coordinate and organise the evidence,” said Constanze Oehlich.

Oehlich, who is visiting Bangladesh currently to attend the “2nd international conference on genocide, truth and justice,” expressed the view while explaining several features of Cambodian model for trial of war criminals with The Daily Star.

EU Parliament Member Helmut Scholz on Thursday said, “A legal analysis similar to the Cambodian model combined with international support is highly recommended for Bangladesh.”

Explaining the Cambodian model of court she said the Cambodian trial was backed by the United Nations. She mentioned that the Cambodian court was a mixed court involving judges from both national and international communities.

She mentioned that there was both national and international funding in Cambodian court.

“We have two prosecutors -- one is national and the other is international. We have both national judges and international judges. In case of taking decision both the national and international judges have to take decision unanimously,” she said.

She said that the trial of war criminals in Cambodia is divided into three parts---pre-trial, trial and Supreme Court chamber -- and majority of the judges are national.

There are, however, international judges in each step of the courts, she said.

“Decision in every step must be taken after getting super votes---like four votes out of five,” she added.

For example, if a decision is to be taken by the pre-trial court, which is consisted of five judges -- three Cambodian and two international judges, four judges must approve the decision.

She cited an example saying that Cambodian president at one stage ordered not to expand trial and limit it within the five accused. Later an international judge felt the necessity of conducting investigation against six more and then the matter was forwarded to pre-trial court for hearing.

She said it is tough to arrange a trial after 38 years of the incident. Newspaper reports can be used as written evidence and there are accounts of witnesses too.

Sharing her experience of work in the trial of war criminals in Cambodia Constanze said that there is a documentation centre in Cambodia, which has been collecting information soon after the killings in Cambodia.

She explained that the centre even visited countryside taking interviews and accounts of witnesses.

She and Nafia Tasmin Din, Victim's Unit, Extraordinary Chambers in the Courts of Cambodia, said that there are individual groups in Bangladesh who collected information after the Liberation War and that can be used during trial as evidence.

The genocide tribunal in Cambodia backed by UN began holding its first historic trial on November 20, 2007, 30 years into the killing of 1.7 million people, nearly a quarter of the Cambodian population.

## Radio Netherlands Worldwide

Tuesday, 4 August 2009

### Cambodians begin to learn of bloody past

By International Justice Desk



*Phnom Penh ,  
Cambodia*

It plunged their country into a communist "Year Zero" in the late 1970s and killed about a third of the population, but most young Cambodians shrug when asked about the Khmer Rouge.

"I don't know who are the Khmer Rouge. I never learned about the regime and my parents never told me about it either," says 15-year-old Si Phana.

Her schoolmate Ang Pheaktra, 17, knows only a little more about that bleak time which traumatised a generation.

"My parents only told me that the Khmer Rouge were very cruel," Ang Pheaktra says.

Even though there's a war crimes tribunal for senior leaders of the 1975-1979 movement, most here are unaware the regime killed up to two million people, emptying cities and enslaving the population on collective farms.

The country is pocked with bone-strewn memorials and mass graves but Hang Chhum, principal at Hun Sen Ang Snuol High School, says many young people do not even believe Khmer Rouge atrocities occurred.

"Cambodians rarely tell the bitter history to their children," Hang Chhum says. "Many young Cambodians nowadays do not believe the regime happened because its tragedy was too extreme."

More than 70 percent of Cambodia's 14 million people were born after the Khmer Rouge were ousted in 1979 and, as the topic has been sensitive among elites who were involved with the regime, little about it has been taught in schools.

But this year, three decades after the fall of the reign of terror, the Cambodian government has agreed to include a text on the Khmer Rouge, "A History of Democratic Kampuchea", in its 2009 high school curriculum.

Some half a million copies are being distributed to more than 1,300 schools across the country for grades nine through 12.

"We want students to know that this event did happen in Cambodia and it is not fabricated," Hang Chhum says.

"So when they learn and understand what happened under the regime, they will in the future tell their children so that this regime will never reoccur," he adds.

The 100-page text on the rise and fall of the Khmer Rouge was reviewed by Cambodian and foreign scholars. It also includes lessons from Nazi and Rwandan genocides.

Youk Chhang, director of the Documentation Centre of Cambodia, which produced the text, says students studying the Khmer Rouge past will "help heal the wounds of their parents and help build a reconciled society in Cambodia".

Cambodia's bloody history was briefly included in 2002 high school social studies classes, but the book was cut from the curriculum after it caused tension between Premier Hun Sen and his then rival, Prince Norodom Ranariddh.

The text failed to mention that Ranariddh defeated Hun Sen in the country's 1993 election, the first democratic polls after the premier participated in a Vietnam-backed invasion force which ousted the Khmer Rouge.

Hun Sen forced a coalition after that UN-backed poll, and the two men served as co-prime ministers until he ousted the prince in 1997. The rejected textbook glossed over those details, while highlighting Hun Sen's 1998 national election victory.

Students appeared pleased to get the new textbook and promised to study hard during a recent ceremony unveiling the book at Hun Sen Ang Snuol High School, some eight kilometers from the first UN-backed Khmer Rouge court.

The tribunal is currently dealing with the trial of Duch, the former head of the regime's notorious Tuol Sleng prison, which is now a genocide museum.

At the start of proceedings in March, 66-year-old Duch, whose real name is Kaing Guek Eav, begged forgiveness from victims after accepting responsibility for overseeing the torture and execution of around 15,000 people.

But as the trial continues, it remains to be seen if many Cambodians will learn more about their brutal history.

Knowledge here about the Khmer Rouge has been so dismal that a University of California, Berkeley study showed last year, before Duch's trial began, that nearly 40 percent of Cambodians had no knowledge of the war crimes court.

Court officials assert that number has changed drastically as 12,000 people so far have visited Duch's trial, and compelling testimony has been broadcast on national television.

"With your own eyes, you can see people in this country are very thirsty for information about this tribunal," says court spokesman Reach Sambath.

"It's important to get people engaged in the process. We think it will help Cambodians finally settle with peace in their hearts."

# Zimbabwe Telegraph

Monday, 3 August 2009

## Fallacy of Reconciliation and Integration without Justice in Zimbabwe.

By Sanderson N Makombe



Pondering over the naïve statements made by Sekai Holland and Gibson Sibanda, I could not help but consult the Holy bible for natural law answers and indeed it came to my rescue, further reinforcing my personal views on how to deal with past atrocities and achieve societal healing in Zimbabwe.

The two people mentioned above made some rather sad comments prior to the days set aside for national healing. Gibson Sibanda [MDC –M] is quoted as having said that those calling for justice are hypocrites because they themselves benefited from Mugabe's hand of reconciliation after independence. For starters, Sibanda hails from Matebeleland, a region that suffered some of the most atrocious, eggrious human rights violations in Zimbabwe during the early 1980s. Thousands of innocent civilians were butchered and maimed by the 5th brigade in the name of fighting insurgency.

Twenty nine years down the line, not a single individual has been brought to account for those atrocities, neither has an official apology been issued by the Mugabe regime. Sibanda was instrumental in the formation of the MDC, becoming the interim president, then the party's' deputy president to Morgan Tsvangirai at the inaugural congress in 1999. Among the campaign issues of the MDC and its core founding values was the need for the return of the rule of law in Zimbabwe. I remember PM Morgan Tsvangirai visiting the sites of the massacres in 2001 and declaring that perpetrators should be brought to account. Fast forward to last week, Sibanda now a minister in a GNU unashamedly calls victims and those genuinely calling for justice hypocrites. How absurd?

I wrote an article on the same issue on the 15th of April 2009, marking the 9TH anniversary of the death of Tachiona Chiminya and Talent Mabika, two colleagues dosed and burnt to death alive by Mwale, Gwama and other barbaric Zanu Pf thugs just outside Murumbinda in 2000. The thrust of that article was to sinuate that the proper ways of dealing with past atrocities is to have a truth and reconciliation process complementing a prosecuting traditional justice mechanism. Those who bear the greatest responsibility must appear before the courts and be tried for their crimes.

Granting amnesties or running pseudo amnesties disguised as reconciliation and integration schemes are affront to states' legal obligations arising from international treaties, international human rights law and other international law obligations. It is against the rule of law and assaults the foundations and fabrics of a moral society.

The current process as adopted by the GNU is indeed an amnesty in disguise. It is one thing to have an organ tasked with national healing and reconciliation, and another thing to have a specific legal mandate to undertake it. What makes this process hollow is the absence of enabling legislation to deal with the various atrocities perpetrated. An act defining the process, the mechanisms, the institutions, the time threshold of the offences, the type of offences and jurisdictional issues and objectives is paramount to achieve society's healing and for citizens to have faith in the process. The reconciliation in South Africa was backed by enabling legislation, The Promotion of National Unity and Reconciliation Act 1995.

In Sierra Leone a similar programme was adopted through an act of parliament, The Truth and Reconciliation Act 2000, defining the process and the mandate. For in the specific act comes also the rights of the victims to compensation and reparation which are critical ingredients in achieving a just settlement. It also spells out the consequences for those who do not own up and makes explicit that such actions will never be condoned. Sadly our parliament has not seen it fit to debate this issue so far.

A complete failure to bring to book perpetrators vitiates the authority of the law itself. Prosecutions renew a society's faith in the concept that the rule of law protects the inherent dignity of the individuals and strengthen the belief that those who violate the rights of others will henceforth be held to account. A criminal justice process provides victims of abuse and their families and communities with a sense of justice and a catharsis, a feeling that their grievances have been addressed.

A failure on the other hand leads to vigilante justice as already been seen in some parts of Zimbabwe where MDC supporters have been reported to have attacked their former perpetrators. Furthermore it fosters a distrust of the new government and encourages cynicism towards the rule of law.

There is enough compelling evidence, academic and, legal opinion that to grant amnesties or any other processes short of real prosecutions to perpetrators of international crimes is in conflict with states international law obligations. This is specifically to genocide, war crimes, crimes against humanity and other international crimes like terrorism and torture. I am going to pick on some aspects of crimes against humanity to illustrate my point. Crimes against humanity involve commissioning of certain inhumane acts in a widespread or systematic attack directed against a civilian population.

The acts include murder, extermination, imprisonment, torture and many other sexual offences. On a true legal interpretation, there is debate on whether what happened in Matabeleland is genocide, a war crime or crime against humanity. There is an overlap between crimes against humanity and war crimes. The problem with genocide is to provide evidence that there was an intention to destroy in whole or in part a certain recognized national group. Whatever it is called, it definitely would fit in one of these crimes which are crimes of concern to all human kind.

Torture is a crime against humanity [Quinteros v Uruguay, HRC Comm NO 107/1981]. It is prohibited by the Universal Declarations of Human Rights Article 5, the International Covenant on Civil and Political Rights Article 7, European Convention on Human Rights Article 3 and for Zimbabwe more importantly, the African Charter of Human and Peoples Rights Article 5. Furthermore the Convention Against Torture 1984 explicitly forbids torture and places obligations on state parties to prosecute those who practise torture. There is indisputable evidence of torture in Zimbabwe, from the torture of Mark Chavhunduka and Ray Choto, the torture of Solomon Chikowero [Sox] and recently of Ghandi Mudzingwa and Jestina Mukoko and many others. More importantly some of the perpetrators are known in the public domain.

In 2003 Detective Inspector Henry Dohwa was working for the UN in Prizren, Kosovo. Efforts were made requesting the UN to arrest him for torture he had practised in Zimbabwe. Many of the real MDC cadres would know the suffering they endured on the hands of people like Dohwa, Makedenge and Skovha at Harare Central Police station Law and Order Section. However the UN declined stating 'We have with regret concluded that the United Nations interim mission in Kosovo cannot pursue criminal prosecution of the officer in Kosovo on the allegations you properly brought to our attention.

We have to dedicate our scarce resources to pressing and serious cases in Kosovo'.

This process adopted is not without precedent in the application of universal jurisdiction in international law. Senator Pinochet [former Chilean president] came to the UK seeking medical attention in 1998. Spain sought to extradite him allegedly for crimes against Spanish people in Chile and other crimes including torture. Pinochet was then a former head of state and the Chilean government [which Pinochet headed] had purported to grant amnesty for belligerents in its civil war through the amnesty decree of 1978.

Pinochet defence was to seek an application for habeas corpus. He also a claimed immunity as former head of state. The House of Lords made a land mark judgement stating categorically that 'it is implicit in the international crime of torture that diplomatic immunity and immunity as former head of state doctrines do not apply'.

In 1980, former Chadian dictator Hissene Habre was arrested in and brought to trial in Senegal for alleged torture of Chadians. This was based on the Senegal's obligations under the Torture Convention. However Habre was later acquitted of the charges through alleged executive interference in the due process of law.

In the USA, Thomas Ricardo Anderson Kohatsu, a retired official of PERU's notorious army intelligence service was detained by FBI agents after attending the Inter American Commission on Human Rights in Washington. The FBI had information that he was a perpetrator of horrendous crimes including torture in his country. Surprisingly he was released by the Secretary of State, then Thomas Pickering, citing diplomatic immunity. The irony is that it was supposed to be the USA courts not the Secretary of State to make that decision.

In the same country, Kelbessa Negewo, a well known perpetrator and torturer fled Ethiopia and settled in the USA. He became a USA citizen. However he was discovered by some of his alleged victims who commenced civil actions against him. A judge awarded damages under the Alien Tort Act and Negewo lost his citizenship and was also deported to Ethiopia where a sentence had already been passed on him in absentia.

Various UN bodies have also supported the view that torture is internationally prohibited. These include the UN Human Rights Commission which adopted a General Comment NO 20[40] article 7 stating that 'amnesties for torture are generally incompatible with the duty of states to investigate such acts, and to guarantee freedom from such acts within their territories'. This is also explicit in UN General Assembly Resolutions 3059, 3452 and 3453 passed in 1973 and 1975. Furthermore support is also evident in the statutes of the International Criminal Tribunal for former Yugoslavia and Rwanda [article 5] and Rwanda [article 3].

In the writing of the Lome Conventions, a purported blanket amnesty for perpetrators of torture included in the statute for the Special Court for Sierra Leone was deemed invalid. The UN stated that 'the UN does not acknowledge the application of this amnesty to acts of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law.

In *Prosecutor v Furundzija* the ICTR noted 'the prohibition of torture has evolved into a peremptory norm or jus cogens, that is, a norm that enjoys a higher rank in the international hierarchy than treaty law and even ordinary customary rule..that it signals to all members of the international community and the individuals over whom they wielded authority that the prohibition of torture is an absolute value from which nobody must deviate'.

Earlier in *Demjanjuk v Petrovsky* it was ruled 'the jus cogens nature of the international crime of torture justifies states in taking universal jurisdiction over torture wherever committed. International law provides that offences jus cogens may be punished by any state because the offenders are 'common enemies of all mankind and all nations have equal interest in their apprehension and prosecution.' The court further ruled that amnesties for torture are null and void and will not receive foreign recognition [ Case NO IT-95-17/1 [10 Dec 1998].

Some have asked whether prosecutions ever achieved a purpose. In Sierra Leone a blanket amnesty was issued in 1999 with the hope that it was necessary for peace and reconciliation. Instead it only reinforced a culture of impunity in which brutal acts of mutilation and lawlessness continued led by Foday Sanko.

After more conflict, the policy was reversed in favor of prosecutions and punishments for those who bore the greatest responsibilities. The indictment of Charles Taylor was a major factor in subsidizing the conflict. The indictment of Slobodan Milosevic quickly led to a peace agreement a few months after and achieved stabilization of the war.

In Uganda an amnesty was granted to Lord Resistance Army leaders since 2000 and up to now the war is still raging on. It is also on record that the largest number of people deserting the LRA came after the first indictment of Joseph Konye and seven others by the International Criminal Court.

The same lines of argument can be used also to support the fact that prosecutions are a necessity for some of these crimes mentioned in this article. The authorities in Zimbabwe must work not oblivious to these facts and no amount of pacification will silence the voice of the oppressed and those calling for justice. On this note I will remind Sekai Holland on what she seems to have forgotten very fast. It is only two years ago that she was at Avenues Clinic having been brutally attacked by state sponsored militias and it is just less than a year when Godfrey Kauzani and Better Chokururama were murdered by Zanu Pf thugs.

I mention these two because Holland would know that these are the same youths who provided her with security and escort during her terror suffered at the hands of the so styled Biggie Chitoro in Mberengwa since 2000 elections. What message is the MDC sending to those who are still terrorizing innocent civilians in Zimbabwe? An assurance that they will be pardoned? Are we not taking our eyes off the ball?

‘There can be no truth without justice. And no justice without truth’, said PM Tsvangirai. Very true. So who do Sibanda and Holland speak for?

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## Daily Nation (Kenya)

Monday, 3 August 2009

### Kenya: Mutula Urges ICC to Arrest Post Poll Suspects

Nairobi — The International Criminal Court should start issuing arrest warrants for key suspects behind the post-election violence, a Cabinet minister has said.

Justice, National Cohesion and Constitutional Affairs minister Mutula Kilonzo's gesture to the ICC came as the European Union said it had petitioned Prime Minister Raila Odinga for the reason why the Cabinet decided to reject two draft Bills that were to set up a local tribunal.

Mr Kilonzo and the EU took their positions as pressure mounted on the government to pave the way for the key suspects, who include ministers and MPs, to face justice either before the special tribunal or at The Hague.

Speaking during the swearing in of the Truth, Justice and Reconciliation Commission (TJRC) set up to decide the fate of the suspects, the Justice minister said ICC chief prosecutor Luis Moreno-Ocampo should take quick steps if there was proof that crimes against humanity were committed early last year.

"I would very much like to know if the country really passed the threshold set for the offences that have been classified as international crimes against humanity. If we did, then I prefer (warrants of) arrests to be even issued by December this year," said Mr Kilonzo.

The minister spoke only a day after reports that two members of the Waki Commission that investigated the poll violence had been summoned to The Hague.

On Monday, British high commissioner Rob Macaire said the EU had written to Mr Odinga and Mr Kilonzo seeking to be told the reasons for the Cabinet throwing out the tribunal draft Bills last week.

"We'd like to talk to the government about practical implications of the Cabinet decision. If people are not held accountable for their actions in the terrible events that happened a year and a half ago, there is nothing to deter people from doing it again," he said.

"We want to engage with the government to understand what they meant when they picked the Truth Justice and Reconciliation Commission."

Vice-President Kalonzo Musyoka was to meet Mr Macaire yesterday evening but the high commission said it had nothing to do with the ongoing behind-the-scenes talks between EU members and government ministers.

Mr Kilonzo said the TJRC was not one of the options and declared it would not have a role in prosecutions. "The TJRC cannot deal with international crimes. Its role is to promote justice for victims of past transgressions."

And speaking at various stations, Gichugu MP Martha Karua demanded the resignation of President Kibaki and Mr Odinga on grounds that they had failed to honour their promise on a local tribunal.

Ms Karua, a former Justice minister, urged Mr Moreno-Ocampo to act quickly, saying local courts had failed to deliver justice to ordinary Kenyans.

Reports by Dave Opiyo, Caroline Wafula, and Alphonse Shiundu

## BBC Online

Monday, 3 August 2009

### Kenya empties its death-row cells

By Will Ross

BBC News, Nairobi

More than 4,000 prisoners on death row in Kenya will have their sentences commuted to life imprisonment, President Mwai Kibaki has announced.

No death sentences have been carried out in Kenya for more than two decades.

Since then more than 4,000 people have been on death row in the country's overcrowded, underfunded prisons.



Kenyan prisoners can spend years locked up awaiting trial

Giving reasons for commuting all these sentences to life imprisonment, President Kibaki said the law did not allow those prisoners to work.

He said this had led to idleness and had affected general prison discipline.

The impact on the prisoners' mental health was also given as a reason.

Human rights groups will welcome the fact that more than 4,000 prisoners are no longer on death row but will hope that this leads to the eventual scrapping of the death penalty in Kenya.

President Kibaki noted that the decision did not in any way suggest the abolition of the death penalty but said he had directed the government to assess whether the punishment was having any impact on the fight against crime.

Prisoners in Kenya and in many other African countries can spend years locked up awaiting trial. The Kenyan government has long promised judicial and prison reform.