

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

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

Tuesday, July 06, 2004

The press clips are produced Monday to Friday.
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War Crimes Trial for Sierra Leone Rebels Begins

Nico Colombant

Abidjan

05 Jul 2004, 13:53 UTC



AP

Six defendants accused of war crimes take their seats at the opening trials on June 3, 2004

The war crimes trial of three former rebel leaders from Sierra Leone has opened in Freetown. This is the second trial to open at the United Nations-backed special court.

Three former leaders of the Revolutionary United Front, the RUF, went on trial Monday for human rights abuses during the decade-long civil war, which ended in 2002.

In his opening statement, head prosecutor David Crane said the three accused, Issa Sessay, Morris Kallon and Augustine Gbao, will be held accountable for their own actions, as well as for those of their subordinate fighters.

Mr. Crane said the men are accused of crimes that have been separated into 18 categories.

"Each of them are charged with some of the worst atrocities: rape, murder, maiming, mutilation, pillage, burning, enslavement, terrorism, you name it," he said. "These are horrific crimes, and these will each be carefully proven."

The former rebel leaders also face counts of forced marriage, a crime being considered for the first time by an international war crimes court. Prosecutors say they will call more than 170 witnesses during the trial, including women and girls who were forced to become sexual slaves.

The defendants pleaded innocent before the trial started. Their defense team blocked the prosecution's opening statement for several hours Monday with a series of objections, including an accusation that prosecutors had paid a witness.

Secretary-general Jonathan Kposowa of the RUF, which continues to exist as a political party, says the trial could spell the end of his movement.

"How can I go on with a revolution without leaders? Issa Sessay, Maurice Kallon, Augustine Gbao, all of them are in jail," he said. "For me, how can I carry on the revolution when I don't have any support?"

Two other indicted RUF leaders, Foday Sankoh and Sam Bockarie, died last year. Their alleged patron, former Liberian President Charles Taylor, has also been indicted by the court, but he remains in exile in Nigeria.

Last month, the trial of three other former pro-government militia leaders got under way, but was suspended until September after three weeks, because only four witnesses appeared. The trial was also disrupted on its first day when one of the accused, former Interior Minister Hinga Norman, fired his defense team.

The special court is due eventually to bring to trial another group of three former coup leaders, but the date has not been scheduled.



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Rebels face Sierra Leone tribunal

A UN-backed war crimes tribunal in Sierra Leone has begun hearing the first cases against members of the rebel Revolutionary United Front.

The RUF is blamed for killings, rapes and abductions during the country's decade of civil war that ended in 2002.

But the first three defendants - who include the RUF's final military leader Issa Sesay - are refusing to acknowledge the court's legitimacy.

About 50,000 people were killed, and many more maimed and raped in the war.

Unlike the war crimes tribunals for Rwanda and the former Yugoslavia, the court is based where the alleged crimes occurred and draws on both national and international law.

Deaths in custody

The RUF's internal security chief, Augustine Gbao, and a key battlefield commander, Morris Kallon, are due to go on trial alongside Mr Sesay.

But the tribunal's importance has been diminished by the deaths in custody of Foday Sankoh and his deputy Sam Bockarie - best known under his nom de guerre, General Mosquito - correspondents say.

The tribunal has not yet been able to arrest the man widely believed to have been the RUF's paymaster, the former Liberian president Charles Taylor.

Despite being indicted on 17 charges of war crimes or crimes against humanity, Mr Taylor is living a life of luxury in exile in Nigeria.

Story from BBC NEWS:
<http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/3865941.stm>

Published: 2004/07/05 11:59:12 GMT

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Posted on Mon, Jul. 05, 2004

Court Opens Sierra Leone War-Crimes Cases

CLARENCE ROY-MACAULAY
Associated Press

FREETOWN, Sierra Leone - Calling it a "tale of horror," a U.N.-sponsored war crimes court opened the first trials Monday for rebel military commanders accused in a vicious 10-year campaign for control of diamond-rich Sierra Leone.

Onlookers in the tightly guarded courtroom muttered as the court detailed the allegations in an 18-count joint indictment - systematic killings, rapes, enslavement of child soldiers and mutilation with machetes.

Prosecutors also described a network of foreign backing for the rebels, including training and forces from Liberia's then-President Charles Taylor and Libyan leader Moammar Gadhafi.

"What took place in Sierra Leone marks the limits of our language to communicate, and falls outside the realm of expression," David Crane, the American chief prosecutor for the U.N.-backed court, said in opening statements.

"This is a tale of horror, beyond the gothic into the realm of Dante's Inferno," Crane said.

The three former military commanders of the Revolutionary United Front are accused as the primary culprits in their movement's 1991-2002 battle to take control of Sierra Leone and its diamond fields.

Rebels adopted a trademark atrocity that made them notorious: chopping off the hands, legs, lips, ears and breasts of their civilian victims with machetes. Countless maimed survivors struggle to make new livings today or inhabit vocational training camps set up for the mutilated.

The three accused are former rebel battlefield commanders Issa Sesay, Morris Kallon and Augustine Gbao. Sesay was the rebel's last leader before the fighting stopped.

The rebels' founder and longtime leader - Foday Sankoh, known as 'Pa' to his often drugged and drunk child fighters - died of natural causes in U.N. custody last year.

Crane made frequent reference Monday to another top indicted figure outside of court custody - Taylor, who has been living in exile in Nigeria, where he fled on Aug. 11 as rebels laid siege to the Liberian capital of Monrovia.

Sierra Leone's war began with a Feb. 27, 1991, planning session in Gbarnga, Liberia, Taylor's base, Crane alleged.

About 250 Revolutionary United Front fighters launched the invasion from Liberia, supported by Taylor's forces and Libyan special forces, Crane said.

Libya is widely accused of training and supporting both Taylor and Sankoh as Cold War-era guerrillas against U.S. interests in West Africa. Gadhafi was mentioned in the special court's indictments but was not accused of any crime.

All parties were fighting for influence and Sierra Leone's mineral wealth, the prosecutor said.

"Among their goals, the diamond fields of eastern Sierra Leone; and their motive - power, riches and control in furtherance of a joint criminal enterprise that extended from West Africa north into the Mediterranean region and the Middle East," Crane said.

"Blood diamonds are the common thread that bound them together," the prosecutor said. "The rule of the gun was supreme."

Rebels directed most of their attacks on civilians, aiming to terrorize the population, Crane said.

Relatives of victims were among those in the courtroom Monday. At times, individuals within the gallery would sigh as prosecutors described the alleged atrocities committed.

The rebel commanders listened attentively to prosecutors' outlining of the case against them. Defense lawyers are to speak at subsequent hearings, although two of the rebel leaders are asking to deliver their own opening statements.

Sierra Leone policemen and flak-jacketed U.N. troops armed with AK-47s guarded the courtroom.

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UN court opens Sierra Leone war crimes trials



Associated Press

Updated: Mon. Jul. 5 2004 10:13 PM ET

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Associated Press Worldstream July 5, 2004 Monday

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July 5, 2004 Monday

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HEADLINE: **U.N.-backed court alleges Liberian, Libyan** backing as first **Sierra Leone rebels go on trial**

BYLINE: CLARENCE ROY-MACAULAY; Associated Press Writer

DATELINE: FREETOWN, **Sierra Leone**

BODY:

Calling it a "tale of horror," the prosecutor for a **U.N.-sponsored war crimes court** opened the first **trials of rebel** military commanders accused in a vicious 10-year campaign for control of diamond-rich **Sierra Leone**.

Onlookers in the tightly guarded courtroom on Monday muttered as the **court** detailed the alleged crimes in an 18-count joint indictment - systematic killings, rapes, enslavement of child soldiers and mutilation with machete.

Prosecutors alleged a network of foreign backing for the **rebels**, including training and forces from Liberia's then-President Charles Taylor and **Libyan** leader Moammar Gadhafi.

"What took place in **Sierra Leone** marks the limits of our language to communicate, and falls outside the realm of expression," David Crane, the American chief prosecutor for the **U.N.-backed court**, said in opening statements.

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Date/Time: Tuesday, July 6, 2004 - 6:13 AM EDT

Q&A: Sierra Leone's war crimes tribunal

As a United Nations-backed war crimes court begins hearings in Sierra Leone to try to bring to justice those responsible for crimes during the decade-long civil war, BBC News Online looks at its operations.

Some 50,000 people were killed and thousands more had their bodies mutilated, with government militias and the rebel Revolutionary United Front (RUF) alike accused of extreme brutality against civilians during the war which officially ended in 2002.

Who will stand trial at the Special Court for Sierra Leone?

Thirteen people were originally indicted by the court, but only nine will stand trial.

Rebel leader Foday Sankoh and his deputy commander Sam Bockarie are dead. The former leader of the Armed Forces Revolutionary Council (AFRC) Johnny Paul Koroma - who seized power from the elected leader Ahmad Tejan Kabbah in 1997 and later formed an alliance with the RUF - is missing.

The former Liberian leader, Charles Taylor - accused of arming and training the RUF - is in exile in Nigeria. The government there has said that it will hand Taylor over to face justice in Liberia - not in neighbouring Sierra Leone.

The nine defendants will stand trial in groups of three - representing the RUF, the AFRC and the pro-government Civil Defence Forces (CDF) or Kamajors.

How is it different from other war crime tribunals?

Unlike the tribunals in the former Yugoslavia or Rwanda, the special court was set up with the agreement of Sierra Leone and operates under both Sierra Leone domestic law and international humanitarian law.

It is based in the capital, Freetown, and has both international and Sierra Leonean judges, prosecutors and staff.

The court is beyond the control of the UN Security Council and will be managed by countries - led by Britain and the US - which are funding it.

How long is it expected to last?

The court has funding to run until June 2005.

If appeals extend beyond that date or more people are brought to trial, the court could reconvene elsewhere.

Why is it controversial?

With Taylor, Koroma, Sankoh and Bockarie all missing, there are concerns that the court may have missed out on the ring-leaders of the brutal conflict.

Chief UN prosecutor in Sierra Leone David Crane has criticised Nigeria for not extraditing Mr Taylor.

Mr Crane has also accused Libyan leader Muammar Gaddafi of being behind the past decade of war in West Africa. He has not been indicted by the court - but this has not been ruled out.

There has also been much controversy over the indictment of Sam Hinga Norman, the leader of the former Kamajor pro-government militia group.

As a deputy defence minister during part of the war years, Mr Hinga Norman has been described by some as a hero for standing up to the rebels who were trying to oust an elected government.

Story from BBC NEWS:
<http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/3547345.stm>

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RUF LEADERS APEAR IN COURT TO ANSWER CHARGES OF WAR CRIMES AND CRIMES AGAINST HUMANITY

Tuesday July 6 , 2004

Leaders of a Sierra Leone rebel army that sparked a civil war which left over 50, 000 people dead, settlements of maimed victims and the country in complete ruins, appeared in court today to hear War crimes charges against them.

Former Interim leader of the Revolutionary United Front (RUF), Issa Hassan Sesay(pictured left) and his colleagues Augustine Gbao and Morris Kallon, listened carefully, at times shifting nervously and showing some emotional flushes, as Special Prosecutor David Crane read the charges to them.

The rebel leaders face 18- count charges of terrorizing the civilian population, unlawful killings, sexual violence, physical violence, use of child soldiers, forced marriage (a new crime before a war crimes tribunal), abductions and forced labour, looting and burning and attacks on United Nations peacekeepers.

While the Special Prosecutor read the charges, passions rose in many Sierra Leonean communities today as the trial brought back fresh memories of the horrors that the nation faced during the 11 years that the rebels held sway in the country.

Many Sierra Leoneans also expressed thanks that at least some form of trial is taking place, though the generality of Sierra Leoneans would have loved to see more people indicted and dragged to court. Some Sierra Leoneans predicted that the gory testimonies of witnesses will see more pressures heaped on the Special Court for not indicting the worst perpetrators of atrocities. The small number of people in court and the SC's mandate to only try the leaders of the fighting forces who are deemed as bearing the greatest responsibilities are some of the points critics of the court are emphasizing.

Prosecutor Crane said that over 170 witnesses , including young girls used as sex slaves , will testify about the atrocities committed by the RUF which he described as horrific crimes, which he will carefully prove. Mr. Crane had problems starting his opening statements as submissions by defence attorneys bogged him. However, Crane had his day later and as usual, he meticulously detailed the charges against the accused.

OUR

SIERRA LEONE: Rebels "criminally gutted an entire nation" says international prosecutor



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**ex-RUF Chief Foday Sankoh
shortly before his death**

FREETOWN, 5 Jul 2004 (IRIN) - Three former commanders of the Revolutionary United Front (RUF), a rebel group accused of chopping off the limbs of innocent civilians, gang raping women and burning villagers alive in their homes, stood in the dock on Monday as Sierra Leone's Special Court put them on trial for war crimes.

But as Issa Hassan Sesay, Morris Kallon and Augustine Gbao listened to the 18 counts of crimes against humanity against them, the prosecution made reference to three more powerful men at the heart of the RUF's terror campaign during the 1990's who are now beyond the court's reach.

Foday Sankoh, the founder and historic leader of the RUF died in prison last year, Sam Bockarie, his top military commander was killed in a hail of bullets while fighting as a mercenary in Liberia and

former Liberian president Charles Taylor, who supplied the rebel movement with guns and ammunition in return for smuggled diamonds, has been granted political asylum in Nigeria.

"Throughout this war crimes trial... the phantoms of the deceased indictees Foday Sankoh and Samuel Bockarie will be ever present in this hall of justice," David Crane, the Special Court's chief prosecutor said as the trial of those deemed most responsible for the RUF's atrocities during the 1991-2001 civil war opened in Freetown.

Sankoh, who had become senile, died in custody in July 2003, and Bockarie, his right-hand man, widely known by his nickname Mosquito, was killed in Liberia two months earlier.

Crane also launched a thinly-veiled attack on the international community for failing to deliver Taylor to Sierra Leone to stand trial. The former Liberian warlord was forced to quit his own country in August last year as rebel forces advanced into the capital and now lives in exile in Nigeria.

"Charles Taylor would be sitting next to these accused war criminals today had he been turned over to this tribunal for a fair trial," Crane, an American lawyer who formerly worked for the Pentagon, said in his opening statement.

The three RUF defendants in court on Monday trooped jauntily into the newly-built trial chamber. Gbao, the RUF's Overall Security Commander, and Battle Field Commander Sesay smiled broadly as the prosecution outlined its case.

Kallon, who was also a Battle Field Commander, appeared more intent on following a translation of court proceedings on his headphones.

"Our evidence will show time and time again that these indictees criminally gutted an entire nation," Crane told the court, which has five foreign judges appointed by the United Nations sitting alongside three Sierra Leonean judges.

"The RUF physically mutilated men, women and children, including amputation of hands, feet, breasts, buttocks, lips, ears, noses, genitalia, and carving RUF on their bodies," Crane said in his opening statement at the RUF trial.

The prosecution promised to call one witness from the north-eastern town of Koidu who saw 25 men and women "roasting to death in a burning house, their cries adding to this true living hell on earth". The man was then forced to watch his wife being raped as his children sat by his side.

"(She) was raped by eight different RUF rebels before she was stabbed to death with a bayonet by the last RUF rapist," Crane said. "Why does he recall there being eight rapists.... because the witness had to count out loud the number as they tore into his wife."

For the first time at a war crimes tribunal the charge of forced marriage was brought up.

"Women were especially singled out by these rabid dogs from hell for over a decade; degraded, enslaved, mutilated, assaulted, sodomised and forced to live life in the bush," Crane said. "We will show that this condition, these forced marriage arrangements, were and are humane acts and should forever be recognised as a crime against humanity."

Another new charge is the recruitment of child soldiers.

"There is in Sierra Leone an entire lost generation of children, lost souls wallowing in a cesspit of physical and psychological torment. No child should be forced into situations that cause them to mutilate, maim, rape and murder," Crane said.

The RUF trial is the second to open at the Special Court, as it tries to punish those bearing the "greatest responsibility" for the atrocities committed during Sierra Leone's 10-year civil war.

Last month the prosecution began its case against the leaders of the Civil Defence Force (CDF), which supported elected President Ahmad Tejan Kabbah. The defendants in that trial are former interior minister Sam Hinga Norman, who founded the CDF, Moinina Fofana, the military commander of the militia group, and High Priest Allieu Kondewa, who conducted initiation ceremonies for new recruits.

A third trial, of former members of a military junta which briefly overthrew Kabbah in 1997, is due to open at a still unspecified date in the near future.

Sierra Leone's Special Court is the first international war crimes tribunal to sit U.N.-appointed international judges alongside local colleagues in the country where the atrocities actually took place.

However, for many Sierra Leoneans the relevance of its trials has been diminished by the death or absence of many of the key players in the brutal conflict.

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SPECIAL COURT PROSECUTOR DAVID CRANE INVITED TO FOURAH BAY COLLEGE : INSTALLS OFFICERS OF ACCOUNTABILITY CLUB

By Olu Faulkner in Freetown

Friday June 2, 2004

Students of the nation's premier institution of learning had the opportunity on Wednesday to meet personally with the man who has come to prosecute justice in Sierra Leone. Special Court Lead Prosecutor David Crane was at Fourah Bay College to install members of the new Accountability Now Club.

In an impressive program held at the Mary Kingsley Theatre on campus, Crane inducted members of the club into office with a succinct message on Accountability. He said that accountability was necessary to promote the rule of law and peace in Sierra Leone and he thanked the students for their zeal to promote the concept on their campus.

Dr. Crane spoke about the evils of impunity and said that the Special Court, which was set up to try those who bear the greatest responsibility for the atrocities committed by warring factions in Sierra Leone, was one aspect of the solutions of the problems of Sierra Leone. Crane said there can only be sustainable peace in Sierra Leone if there is justice.

The students of Fourah Bay College formed the Accountability Now Club, with support from the Special Court, to promote the concept of Accountability in Sierra Leone. They cheered the Special Prosecutor as he left the campus later.

JOIN THE FIGHT FOR THE RIGHTS OF ALL SIERRA LEONEANS

JOIN THE STRUGGLE FOR JUSTICE AN:

For Sierra Leone the other great threat for the future is corruption. Corruption, either grand (the looting of state coffers by those in public trust, the illegal trading in diamonds) or petty (the charge demanded by a low-ranking official for a service that should be free), remains endemic in Sierra Leone. Clare Short, then UK Development minister, 2002

TRUTH

Power rests with the people...

VOLUME 6 NUMBER 6

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The Editorial



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Editor: Victor Sylver

RECONCILIATION

...the resources theirs

JULY 3, 2004

THE WHEELS OF JUSTICE GRIND ON - BEWARE THE EVIL

Courtroom lovers and all those interested in the twists and turns of what could turn out to prove the age-old saying that "law nar biscit" will again have an opportunity to watch how this plays out as the Special Court continues the trial proper of all those now held in custody.



The scheduled Monday July 5, 2004 appearance of Issa Sesay, Augustine Gbao and Morris Kallon to hear the Prosecution's charges will no doubt create quite another electric atmosphere - far more than was generated when the former Deputy Defence minister and Co-ordinator of the Civil Defence Force, the CDF, Chief Hinga Norman's charges were read out.

These three men, if the past is to be believed, should have the clue as to how the alleged gross violations of human rights were executed with them being able to identify all those, especially the faceless ones, who supported their various murderous campaigns against the citizens they promised to liberate from the clutches of tyranny and deprivation.

Between them, these three men should be able to make public, if they are so inclined, the names of core activists, who while pretending to be above board and having nothing to do with the campaigns of arson, abduction, rape, pillage and murder, actually fuelled the murder machine that laid waste vast areas of the mother country.

I have stated in previous editorials that Sierra Leoneans have to be on their guard at all times if the evil that is stalking the beautiful land is to be eliminated for good, for despite the apparent peace that reigns in Sierra Leone, there are, in my opinion, a desperate band of men and women who are still bent on causing further mayhem and bloodshed in the mother country. This coven, presenting a respectable and cultured side, will not rest until they and their kind are in the highest seat of government in the land as they play out their tune, "Either us or no one"

In the last editorial I drew attention to the various manifestations of the supporters of the beasts in Sierra Leone, again cautioning against being unguarded as those who benefited from the mayhem would still want their pay masters to get off the hook - pulling strings at every opportunity to confuse and redirect.

Again as stated previously, those who were against the Special Court had a reason for putting up a strong bid for it to be scrapped and replaced by what they thought would have been the easy option out. Remember the many cries for the Truth and Reconciliation Commission only where they claimed that "all will be revealed"

Having failed in this, there is hyper activity on various websites pertaining to Sierra Leone with the beneficiaries weaving all types to stories to deceive and persuade using the usual gimmicks.

As I warned, the genuine Chief Hinga Norman supporters must be on guard, must watch for supporters of the beasts in human forms, who have been using the "defence of Chief Hinga Norman" to rubbish the Special Court in a desperate attempt, even if a last-ditch one to discredit the Special Court. They had promised the alleged perpetrators that they would never be brought to justice!!!!

If these activities are anything to go by in bashing the institution of justice known as the



Is the President able and willing to tackle corruption?



When will ministers like Dr Prince Harding account to the people?



How did this man get into the Special Court?



When will Kanji Daramy face the ACC and the courts for his SALPOST corruption?

Nailing one of the many lies of Expo Times editor Ibrahim Seaga Shaw

Smashing the Expo Times web of deceit, lies and outright dishonesty

Special Court, then wait and see what happens when it is time for the AFRC wing of the RUF/AFRC coalition of evil to stand in court.

Then shall you see them - those who benefited from murder, mayhem and rape. Those who benefited and jetted from one arms purchasing venture to another spewing out enough propaganda that would make a Sunday school teacher out of Lucifer.

Let me leave you with this bit. It was a statement put out by the RUF on June 18, 1997 and broadcast on the Sierra Leone Broadcasting Service. This statement gives a clue as to what was happening then and how, with their own lips, they confessed to actions which had been previously denied.

The words were from the lips ofno not former spokesman Omrie Golley, but from another who took on that mantle - Eldred Collins.

I know because I was on the ground then and heard and reported it on the 18.30 edition of the BBC Focus on Africa programme.

I was also on the ground when an "all-knowing" lady, (a "computer expert"?) desperate to set up a website for her benefactors went to the offices of SIERRATEL, to woo Sierra Leonean correspondents who reported for the international media to "angle" stories that would be "favourable" to the RUF/AFRC coalition of evil.

And so despite the various masks, those in the know, know and expect desperate measures by the desperate clique to rubbish the Special Court.

Wait until the AFRC operatives are brought to the court and watch the build up as fears increase of an exposure, a ripping off of the mask that had hidden true intentions.

Ask just one question. How many of them, those who benefited from the "gifts and cash in kind" of the RUF and AFRC, dared to defend their benefactors in public?

The cowards use each and every passing bandwagon that comes their way. So is their nature. Beasts in the form of human beings.

Let justice reign!!!!!!!!!!!!

Something worth thinking about in tackling the ills of Sierra Leone

In tackling corruption in Sierra Leone can we do something similar to this?

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for justice and
the truth for
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World News

Khaleej Times Online >> News >> THE WORLD

UN-backed court alleges Liberian, Libyan backing as first Sierra Leone rebels go on trial

(AP)

6 July 2004

FREETOWN, Sierra Leone - Calling it a "tale of horror," the prosecutor for a UN-sponsored war crimes court opened the first trials of rebel military commanders accused in a vicious 10-year campaign for control of diamond-rich Sierra Leone.

Onlookers in the tightly guarded courtroom on Monday muttered as the court detailed the alleged crimes in an 18-count joint indictment - systematic killings, rapes, enslavement of child soldiers and mutilation with machete.

Prosecutors alleged a network of foreign backing for the rebels, including training and forces from Liberia's then-President Charles Taylor and Libyan leader Moammar Gadhafi.

"What took place in Sierra Leone marks the limits of our language to communicate, and falls outside the realm of expression," David Crane, the American chief prosecutor for the UN-backed court, said in opening statements.

"This is a tale of horror, beyond the gothic into the realm of Dante's Inferno," Crane said.

The three former military commanders of the Revolutionary United Front are accused as alleged primary culprits in their movement's 1991-2002 battle to take control of Sierra Leone and its diamond fields.

Rebels adopted a trademark atrocity that made them notorious: chopping off the hands, legs, lips, ears and breasts of their civilian victims with machetes. Countless maimed survivors struggle to make new livings today, or inhabit vocational training camps set up for the mutilated.

The three ex-rebels are former battlefield commanders Issa Sesay, Morris Kallon and Augustine Gbao. Sesay was the rebel's last leader before the fighting stopped.

The rebels' founder and longtime leader - Foday Sankoh, known as 'Pa' to his drugged, drunk child fighters - died of natural causes in UN custody last year.

Crane made frequent reference Monday to another top indicted figure outside of court custody - Taylor, a former Liberian president



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now living in exile in Nigeria.

Sierra Leone's war began with a Feb. 27, 1991, planning session in Gbarnga, Liberia, Taylor's base, Crane alleged.

About 250 Revolutionary United Front fighters launched the invasion from Liberia, supported by Taylor's forces and Libyan special forces, Crane said.

Libya is widely accused of training and supporting both Taylor and Sankoh as Cold War-era guerrillas against U.S. interests in West Africa.

Gadhafi is mentioned in the special court's indictments but not indicted.

All parties were after influence and Sierra Leone's mineral wealth, the prosecutor said.

"Among their goals, the diamond fields of eastern Sierra Leone; and their motive - power, riches and control in furtherance of a joint criminal enterprise that extended from West Africa north into the Mediterranean region and the Middle East," Crane said.

"Blood diamonds are the common thread that bound them together," the prosecutor said. "The rule of the gun was supreme."

Rebels directed most of their attacks on civilians, aiming to terrorize the population, Crane said.

Relatives of victims were among those in the courtroom Monday. At times, individuals within the gallery would sigh as prosecutors described the alleged atrocities committed.

The rebel commanders listened attentively as prosecutors outlined the case against them. Defense lawyers are to speak at subsequent hearings, although two of the rebel leaders are asking to deliver their own opening statements.

Sierra Leone policemen and flak-jacketed UN troops armed with AK-47s guarded the courtroom.

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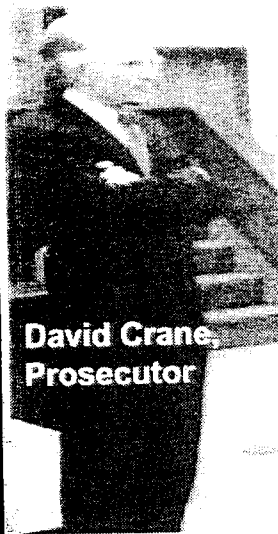
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RUF Trio Line Up 12 Lawyers

More
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Page
2



**David Crane,
Prosecutor**



**Robin
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Registrar**

JUDGE

Benjamin Itoe
Bankole Thompson
Pierre Boutet

PROSECUTION

David Crane, Luc Cote, Robert Petit,
Jim Johnson, Abdul Tejan-Cole, Leslie
Taylor, Alain Werner, Boi-Tai Stevens,
Christopher Santora, Sharan Parmar,
Bobby Gboyor, Sigali Horovitz, Xavier
Cormier-Lassonde, Peter Harrison,
Alieu Iscandri

DEFENCE

Tim Clayson, Wayne Jordash, Serry
Kamal, Serata Ashraph

**for Issa Sesay*

Sekou Toure, Mr Brown, Mrs Wanda
Akin, Melron Nicol-Wilson

**for Morris Kallon*

Andreas O'Shea, John Cammegh, Ben
Holden, Glenna Thompson

**for Augustine Gbao*

Crane's case against RUF trio

By John Baimba Sesay

In a prelude yesterday to the prosecution's case against three RUF indictees who made their first appearance before the Special Court, David Crane disclosed that

after the formation of the movement, they were getting support from the NPFL headed by Charles Taylor, and also from Libya. He informed the court of a meeting on February 27,

1991 in which Taylor instructed Foday Sankoh to train young and abled men into the RUF. He promised to present before the court evidence to show the involvement of the three, whom he

referred to as 'dogs of war' in atrocities committed all over the country. And how they used diamonds jointly in their criminal activities. Justice Benjamin Itoe promised the accused persons a fair trial.

Independent Observer Tuesday July 6, 2009

Trial of RUF indictees begins

By Theophilus S. Ocheida

The long-awaited trial of the three RUF indictees at the Special Court for Sierra Leone started yesterday, Monday July 5, 2004.

The trio, Issa H. Sesay, Morris Kallon and Augustine Gbowee, have been in the

custody of the Special Court for about 15 months now and the commencement of their trial has been viewed by many as long overdue.

The three are charged with war crimes and crimes against humanity committed

within the territory of Sierra Leone during the just concluded rebel war.

The trial of the RUF indictees will be conducted in conjunction with that of the CDF.

Delivering his opening statement, the prosecutor,

David Crane referred to the membership of the RUF as "Dogs of war" who crossed into Sierra Leone from neighbouring Liberia, to orchestrate what he referred to as a "joint criminal enterprise" aimed at gaining

wealth and power at all cost.

He named Charles Taylor as the then godfather of the RUF, who together with the late corporal Foday Sankoh, were the actual planners of the war.

CONTINUED BACK PAGE

Trial of RUF indictees begins

FROM PAGE 1

He promised to prove his case against the indictees beyond all reasonable doubts so as to address the issue of impunity.

Already, the defence counsels have promised to

put up a stiff resistance to the allegations, and have complained bitterly of the prosecution's conduct towards the disclosure of vital documents dictated by the statute of the court.

Hearings continue today

Standard Times

Tuesday July 6, 2004

Christian Monitor

Tuesday July 6, 2004

As Blood Diamond Tales are recounted, Judge warns.. SPECIAL COURT TO WRAP UP 2005

While warning against "irrelevancies and digressions, which could prolong" the Revolutionary United Front (RUF) joint trial, Presiding Judge Benjamin Itoe intimated that the Special Court is supposed to wrap up its activities by December 2005.

"We are committed to a fair trial of the accused persons and to dispose of the case expeditiously" the Judge said. He warned against any political ramifications of the trial and advised both the prosecution and the defence against making any political statements. Earlier in his 45 minutes opening statement, chief prosecutor of the Special Court David Crane, Monday July 5th, said hardened rebels came from across the border in March 1991, trained by outside actors from Liberia, Libya and Burkina Faso. Approximately 250 armed members of the RUF under the command of Foday Sankoh were the initial invading force backed by members of Charles Taylor's National Patriotic Front of Liberia (NPFL).

Mr. David Crane



Among their goals were the diamond fields of eastern Sierra Leone he said, and their motives were "poor, riches and control in furtherance of a joint criminal enterprise that extended from West Africa, north into the Mediterranean region and the Middle East". Crane said blood diamonds was the common thread that bound them together. The rule of the gun reigned supreme. After the opening statement of the prosecution, there were exchanges between the trial judges and defence counsels over the issue of getting the accused persons especially Issa Sesay and Augustine Gbao to understand the ramifications of mak-

ing opening statements under the Rules of Procedure of the court; whether it should be made by counsel or the accused or both, the latter which Justice Bankole-Thompson described as "extraordinary procedure". Counsel for Gbao wanted the court to allow him to supplement the statement of his client, the contents of which he said he has no control over. The Judges ruled that "the bench is of the opinion that we cannot allow both the accused and counsel making opening statements". Either the accused makes it in person or the defence counsel but not both. The court is adjourned to today 6th July "so as to allow the defence to

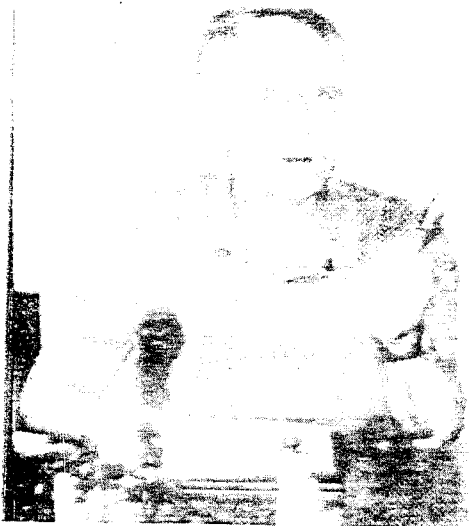
opening statement. All three accused persons, Issa Sesay, Morris Kallon and Augustine Gbao formerly of the RUF were present in court contrary to an ear-

lier threat to boycott the sittings until a ruling by the Supreme Court of Sierra Leone on the legitimacy of the Special Court to try them for war crimes.

Sierra Leone Times

Tuesday July 6, 2004

SPECIAL COURT PROSECUTOR CLAIMS ISSA SESAY 'SAW KILLING OF 60 KAMAJORS'



Prosecutor: David Crane

By Mohamed Mansaray

The Chief Prosecutor of the Special Court for Sierra Leone, David Crane alleged yesterday that sixty people believed to be Kamajors were murdered in Kailahun in the presence of Revolutionary United Front (RUF) interim leader Issa Sesay and Augustine Gbao between 1996 and 2000.

He also alleged that 73 people were burnt alive by the RUF rebels in the Port Loko district in the same period, adding that 25 people were also burnt alive by the RUF members in Kono whilst 13 others were beheaded in the period under review.

Mr. Crane was presenting his opening statement at Court No. 1 Jomo Kenyatta Road, New England in Freetown yesterday. The Chief Prosecutor further alleged that 20 women were openly raped by the rebels in Kono district. He claimed also that a teen age girl was raped by eight RUF rebels in the district that the girl bled profusely for a couple of days. According to Mr. Crane eight different RUF rebels sexually abused a mother and her daughter in Koinadugu, adding that a pregnant woman was also raped in that district leading to a miscarriage of her pregnancy. Mr. Crane

SEE BACK PAGE



Morris Kallon : one of the RUF indictees

Silence Times

Tuesday July 6, 2004

RUF Indictees On Trial

claimed further that dozens of people were murdered at Tikonko and other towns in the Bo district and that similar offences were also perpetrated against civilians in Freetown.

The Chief Prosecutor told the court that the RUF was founded in 1998/1999 in Libya. He disclosed that about 250 RUF fighters aided by Charles Taylor's National Patriotic Front of Liberia (NPFL) commandos initially invaded Sierra Leone from Liberia in 1991. He also disclosed that these rebels received training in Libya, Burkina Faso and Liberia. He mentioned Benjamin Yaten, Issac Musa, Joe Moiba (former NPFL commandos) as those who assisted the RUF to invade Sierra Leone in the early 90s.

The indictees, Isa Sesay Morris Kallon and Augustine Gbao are charged with 18 Counts indictment including terrorism, murder, sexual violence and slavery, burning, conscription of child soldiers, abduction of peacekeepers, forced labour, collective punishment among others.

"The indictees are criminally responsible for the crimes alleged in this joint indictment in accordance with Article 6 (1 and 3) of the Special Court Statutes", he said.

A member of the Prosecution, Abdul Tejan-Cole told the court that evidence will cover seven districts where horrible offences were committed against innocent people by the RUF. He mentioned Bo, Kenema, Kailahun, Kono, Port Loko, Koinadugu and the Western Area as the main RUF crime bases in the country.

"Amputation was used as a tool by the RUF to bring people into submission", he said, adding that the the indictees planned, ordered, witnessed and participated in those war crimes. "The RUF was not fighting to save Sierra Leone, they were fighting to capture power and govern Sierra Leone", Mr. Tejan-Cole added.

The three RUF accused were indicted in March last for the commission of the above mentioned crimes.

Cleveland Times

Tuesday July 6, 2004

Revelation at Special Court

Taylor tells Sankoh to recruit child soldiers



By Abdul Karim Koroma

When Special Court Prosecutor David Crane had another day in Court during the opening session of the trial against three former Revolutionary United Front (RUF) figures, Gen Issah Sesay, Morris Kallon and Augustine Gbao yesterday, he revealed that on 27 February 1991, at a planning conference held in Gbanga, Liberia, former Liberian President, "Charles Taylor told Foday Sankoh to recruit through involuntary conscription any and all able bodied men and women, boys and girls, within captured areas, to join their ranks."

In his own Opening Statement, Crane disclosed, "Taylor told Sankoh to train them and make them part of the fighting forces of the RUF," and those who refused were tagged as enemies of the revolution.

He identified Gbao who is among those facing an eighteen-count charge including war crimes and crimes against humanity as one of those who attended that meeting.

Reading his part of the Opening Statement, lawyer Abdul Tejan-Cole said the RUF was not fighting a just war and stressed that this brutality was

intended, it had purpose and it was designed.

Presiding Judge, Benjamin Itoe informed the Court that it is not binding for the Trial Chamber to base their legality on the submission of the Prosecution, but on evidence tendered in Court by witnesses.

When Sesay was allowed to make a statement under Article 84 of the Rules of Procedure, he said, "I am talking to the Court, the people of Sierra Leone

and the International Community that I am saying the truth in the interest of peace and in the conflict, there were no losers."

He was however cut short from continuing because Judge Itoe had earlier warned him not to make any statement with political undertone.

The matter was adjourned to this morning to allow Issah and his Counsel, Timothy Clayson hang heads and discuss his statement.

All the indictees look hail and hearty.

For the People

Tuesday July 6, 2009

PROSECUTOR CRANE AT THE SPECIAL COURT

SPECIAL COURT Chief prosecutor, David Crane yesterday said the initial number of the ex-rebel outfit Ruf was approximately 250 backed up by members of the National Patriotic Front of Liberia led by former president Charles Taylor.

by SU THORONKA

His invasion force he said was under the command of late Ruf leader Corporal Foday Saybana Sankoh.

He said at the planning conference for the invasion held at Gbarnga, Liberia, Foday Sankoh had been delighted with the initial overall plan of this blueprint of death and destruction and that he unconditionally promised to work with the NPFL training command to ensure professional and technical military training of his forces.

Crane said at this meeting, Taylor told Sankoh to recruit through involuntary conscription any and all able-bodied men and women, boys and girls within captured areas.

All this which took place on 27 February 1991. Crane said Charles Taylor appointed Benjamin Yeaten and others to be the ones to initially go into Sierra Leone. He said Charles Taylor told Foday Sankoh that Benjamin Yeaten was his (Taylor) personal representative with responsibility for bringing back all diamonds and gold that would be mined from the Kono district as a way to help finance the war about to be started.

He said Taylor also told Sankoh that the diamonds and gold would be forwarded to Burkina Faso and Libya to pay for additional weapons, ammunition, food and other supplies.

Cruelly led by Charles Taylor, Samuel Bockarie and Foday Sankoh, these war crimes indictees Crane said, are the evil spawn of the unholy union, this joint criminal enterprise, Issa Sesay-battlefield commander and leader of the Ruf and an AFRC-Ruf member, Morris Kallon-battlefield commander and member of the AFRC-Ruf and Augustine Gbao-overall security commander of the AFRC-Ruf and senior Ruf commander in Kailahun district and the Makeni area.

Crane said these were the leaders after 1999, the commanders of an army of evil, a corps of destroyers, a brigade of executioners bent on the criminal takeover of Sierra Leone.

He said ruin was their motto and destruction their creed. Crane said their alleged crime against humanity cannot justly or practically be ignored as they were the hand maidens' beast of impunity that walked this burnt and pillaged land-its bloody claw marks in evidence on the backs of the hundreds of thousand of victims in their tragic conflict begun on the 23 March of 1991.

RUF, A BRIGADE OF MURDERERS- David Crane

By James B Sawyerr.

When Special Court Senior Prosecutor, David Crane yesterday delivered his address at the opening ceremony of the trial of the RUF/AFRC indicted accused leaders, he informed the presiding Judge Benjamin Itoe, that at all times relevant to the indictments, Issa Hassan Sesay, Morris Kallon and Augustine Gbao occupied various key leadership positions with the AFRC/RUF forces during which inhuman acts of torture, mass killing, gang raping and burning to death of large number of civilians were carried out at different locations



David Crane, Special Court Prosecutor

within the boundaries of Sierra Leone. that on the 23rd March 1991, 250 armed rebels of the RUF David Crane informed the court *Cont. Back Page*

From page 1

RUF TRIAL

consisting of trained Sierra Leoneans and Liberians and assisted by Libyan special forces, backed by members of the NPFL of Charles Taylor under the leadership of Foday Sankoh, Issa Hassan Sesay, Morris Kallon and Augustine Gbao invaded Sierra Leone. They implemented their main motive when later they captured the diamond fields of Eastern Sierra Leone. The Special Court prosecutor recalled that the RUF had joint military machinery that extended from West Africa onto the Mediterranean Region, Europe and the Middle East and that the demand for blood diamonds was the common thread that bound them together to promote their hellish criminal enterprise.

The American born prosecutor, David Crane, informed Judge Itoe that the indicted war criminals, Issa Sesay, leader of RUF, Morris Kallon, Battle Field Commander of AFRC/RUF and Augustine Gbao, overall Security Com-

mander were the war leaders of the movement after 1996. The prosecutor also revealed to the presiding Judge that the indicted war commanders were leaders of an evil army, a brigade of executioners of innocent people and ruin was their motto and destruction their creed.

Prosecutor David Crane said that accused persons, Sesay, Kallon and Gbao were facing an 18 count charge for crimes committed against humanity before the Special Court and that they would be prosecuted vigorously as witnesses from various regions of Sierra Leone will reveal evidences of horror against the accused persons.

A witness who was a member of the AFRC/RUF joint murderous criminal enterprise will reveal how twenty civilians, women and children who attempted to flee from rebel occupation in Koidu Town in the Kono District were shot dead by instructions of the three war crimes indictees.

Pendembu Village which had been overrun by RUF rebels

witnessed twenty five civilians consisting of pregnant women, girls and suckling mothers were forced into a house which was later set on fire by the RUF rebels. All of them were burnt alive whilst hundreds of other civilian captives were forced to listen to their agonized screams, David Crane also disclosed to the court.

At this point, the Cameroonian born judge, Benjamin Itoe warned the accused persons that they should desist from uttering political statements and remarks in court when they commence their initial address today in response to the prosecutor's opening statement.

Issa Sesay is represented by Timistly Clayson, Abdul Serry-Kamal and Wayne Jordash.

Morris Kallon is represented by Shekou Touray, Raymond M. Brown, Melron Nicol-Wilson and Wander Akim while Augustine Gbao is represented by Andreas O'Shea, Girish Thanki and Kenneth Carl.

The New Citizen

Tuesday July 6, 2009

...as RUF's Trial starts

Defence object to Prosecutor's use of words

By Odilia French
As trial for former RUF leaders started yesterday Defence Counsels for the accused persons have objected to the Prosecutor's use of

word during the delivery of his opening statement. The Defense Counsels actively objected to the use of the words like "hounds from hell" and "Dogs of war" by David Crane in
Contd. Page 2



Defence object to Prosecutor's use of words

From Front Page
reference to the accused persons. Wayne Jordash Defense Lawyer for Issa Sesay complained that the language used and the publicity attached to it affects them, as people would be afraid to come to the court because of the way the accused have been branded. To which Justice Itoe replied, "Sierra Leoneans are afraid of everything," further maintaining that what is said in the opening statements "have no effect on the hearings and is not binding on the court." However the Prosecutor went on in his statement to say that

Revolutionary United Front (RUF) movement started their invasion with only 250 RUF backed by the NPFL. He said that their motto was ruin and destruction their creed. The Prosecutor went on to say that the three indictees- Issa Sesay, Morris Kallon and Augustine Gbao were in position of command during the war and exercised authority in the criminal enterprise they formed, adding, "for this they are criminally responsible." He said that they instigated, planned and even participated in the alleged crimes in the indictment. David Crane said that the RUF were involved in killings, sexual violence,

murder, looting which were witnessed by civilians who are already lined up to testify in court. These witnesses he went on would testify how they were raped, forced to mine in Kono under gunpoint without food and also how the Issa Sesay collected these diamonds. Another witness he said would also testify how he watched while some people were burnt alive in a house and women being gang-raped and later stabbed to death. All this he added would be unfolded during the trial.

Judge Itoe in his remarks said that the chamber according to its statutes would ensure that the trials are fair and free from irrelevancies and digression, which would protract the trial. To achieve this he went on they would exercise control over the

interrogation of witnesses to ascertain the truth. Looking a bit overweight the youthful Interim Leader Issa Sesay and Augustine Gbao were smiling as Prosecutor David Crane went through his opening statement The second accused Morris

Kallon who was a bit serious, listened attentively to the proceedings through interpretation. Earlier, the court was briefly adjourned when defense lawyer Andreas O'Shea drew the attention of the court that the accused were not following the proceedings because they were not provided with headphones.

Awoko

Tuesday July 6, 2004

Issa Sesay, Others Charged with 18 Count Indictment

Barely a year and some months the former succeeded leader of the Revolutionary United Front (RUF) in Mid-2000 was arrested and indicted for war crime.

The former successor to the late Foday Sabana Sankoh as

leader of the RUF appeared yesterday at the court house of the special court, New England Freetown. Along side two

of his very close influential associates, Morris Kallon who was an RUF commander and Augustine Gbao the then RUF's

Chief of Security. Issa Sesay and others was indicted last year in April awaiting trial in the



Crane



Issa Sesay

Contd. page 2

Issa Sesay and Others

From front page

special court's detention facility on an 18 count indictment for individual criminal responsibility for offences committed which includes Terrorizing civilian population, unlawful killings, sexual violence, physical violence, use of child soldiers, abductions and forced labour, looting burning and attacks on peace

keepers, the last but not the least, the 18th count charge and "OTHER IN HUMANITY ACT" which was added to the indictment on 17th May 2004, FORCED MARRIAGE. This has been the first time that, it has been prosecuted before an international criminal court as a crime against humanity.

The Trumpet

Tuesday July 6, 2004

Concord Times

Monday July 5, 2004

America, Nigeria negotiate Taylor's arrest

The United States government has begun negotiations with Nigeria on the possible arrest and repatriation of former Liberian President, Charles Taylor to the Special Court. This Day in Nigeria reports.

The new United States Ambassador to Nigeria, John Campbell dropped this hint last week in Lagos at a breakfast session with selected editors.

Although Campbell would not go into details of what he described as "negotiations between two friendly states and two friendly governments," he said the ultimate goal is to ensure Taylor accounts for his past misdeeds.

According to him, Taylor must be held accountable for what he did, and because of that we believe he must be answerable to the International Crimi-



Charles Taylor: Crane extends a hearty welcome

nal Court in Sierra Leone where he has already been indicted for war crimes. Campbell said the position of the United States on Taylor had nothing to do with on-going suits against the former Liberian warlord in local courts. He praised Nigeria's role in Liberia, saying: "Charles Taylor's departure from Liberia was an extremely important step in ending the bloodshed in that country. The response of Nigeria in taking Taylor out promoted an end to the bloodshed."

He, however, argued that Nigeria owes it as a duty to the international community to ensure Taylor was brought to justice, "and we have an on-going dialogue with the government to ensure that."

David Crane launches accountability club at FBC

BY THEOPHILUS GBENDI

The Chief prosecutor of the Special Court for Sierra Leone, David Crane has launched the Accountability Now Club (ANC) at Fourah Bay College (FBC) during a ceremony held at the Mary Kingsley Hall.

Initiated by the Outreach Section of the Special Court, the ANC is geared towards enabling students particularly in tertiary institutions across the country to serve as conduits in dishing

out the correct information about the activities of the court to their peers and communities at large.

Already, eight tertiary institutions across the country have been targeted and is hoped that other institutions will soon join the course.

The driving force of this special court project is to prevent a situation wherein students will develop a negative notion of the court on the pretext of lack of adequate information.

According to an official of the Outreach Section, Mr. Mohamed Suma, the ANC initiative is expected to continue even after the Special Court would have completed its mandate in the country.

According to him, the methodology used in the initiative is organising special sessions to train and capacitate students to serve as conduits conveying Special Court message as well as introducing justice related issues, human rights, the rule of law, corruption and issues bordering on national development.

One such training on Friday July 2, 2004 at the Milton Margai College of Education and Technology, Congo Cross campus a total of 45 students from various department were targetted.

Similar training programs are scheduled to be held next week at the Bo Teachers College and is to be replicated in other institutions around the country.

A special project for secondary and primary schools is also in the making.

Standard Times

Monday July 05, 2004

Special Feature

War Criminal Gains Popularity

For many in Sierra Leone, particularly in the East and South, justice will come only when Sam Hinga Norman is put in his proper place in the West African State - the president's office.

But for prosecutors at the UN-backed war crimes court, justice will be served when Norman is jailed for life for crimes against humanity he committed as head of the pro-government Civil Defence Forces (CDF).

Norman was a traditional chief for an eastern district when he began in 1994 to mount a militia of traditional Mende hunters known as the Kamajors, one of the many ethnically-based factions who fought beside the national army in the war against the Revolutionary United Front

that raged from 1991-2001.

Under Norman's leadership, the Kamajors racked up a string of major military victories that helped stem the rebel advances on the capital Freetown as well as in the southern city of Bo, Sierra Leone's second city.

But the dominance of the Kamajors over the national army once Ahmad Tejan Kabbah won the presidency in 1996 caused a rift within the pro-government forces, sparking bitterness among Army generals who believed the Kamajors were able to commit crimes, even against soldiers, with impunity and government approval.

Norman was also one of the more outspoken critics of the RUF and vehemently opposed the decision to grant them amnesty due to horrific acts of rape, mutilation and murder that made the Sierra Leone war among the most brutal in modern history.

May 2000 massacre

His criticism of the RUF mounted in the aftermath of a May 2000 massacre that effectively squashed peace accords reached less than a year earlier in the Togolese capital Lome, and earned greater currency as he rose through the ranks of the government to be appointed minister of Internal Affairs in the 2002 election that returned Kabbah to power.

His indictment on eight counts of war crimes and crimes against humanity, including the charge of conscription of child soldiers that was upheld on appeal on Monday, has shocked Sierra Leoneans, many of whom consider him a hero for having freed them from the clutches of the notorious RUF.

In the 16 months since he was imprisoned, Norman has

In the 16 months since he was imprisoned, Norman has become more and more popular in Sierra Leone, with many suggesting he could be the next president once Kabbah steps down in 2007 - should he be out of jail and free to present himself as a candidate

become more and more popular in Sierra Leone, with many suggesting he could be the next president once Kabbah steps down in 2007 - should he be out of jail and free to present himself as a candidate.

Also facing trial are Moinina Fofana and Allieu Kondewa, two of Norman's top lieutenants in the CDF who joined the Kamajors as young men when it was primarily involved in hunting, not war.

Fofana, Norman's second in command, was known as a brilliant strategist who rose through the ranks to become national director of war for the many-tentacled CDF. Kondewa's background was in farming and herbalism before joining the Kamajors as a young man, becoming the CDF high priest responsible for the initiation of new recruits into the fighting forces.

*Edited by
Tori Foxcroft
and culled from South Africa's
New24.com*

Under Norman's leadership, the Kamajors racked up a string of major military victories that helped stem the rebel advances on the capital Freetown as well as in the southern city of Bo, Sierra Leone's second city

Special Court And The TRC

"CHIEF SAM Hinga Norman instructed that only three homes should be spared in Koribondo and not four...I do not know Molnina Fofanah and could not might even meet him."

by JIA KANGBAI

You gasped to discover that we human beings had sunk so low. The words above are those of a member of the Kamajors who as a matter of fact were active participants in our just concluded decade long war. Sierra Leoneans however continue to be amazed that when the war ended instead of reconciliation and forgiveness as in the TRC, vengeance and retribution to individuals have returned for full disclosure. There are those (include this author), who did not approve and asked: but why retributive justice?

This is a far-fetched inquiry. For in Africa when most people talk about justice they have in mind retributive justice. They really are looking for an

eye for an eye. But the great American Martin Luther King observed that where the law of an eye for an eye exist there will be only blind people. One don't represent the entire Sierra Leonean society, but many here contend that retributive justice is not the only or best form of justice.

Restorative justice which the TRC preached was contended to be the best. An offence injures a relationship and restorative justice like that exhibited in the just concluded TRC seeks to restore such broken relationship. Restorative justice is based on the essence of being human beings. None of us including the David Crane and the other panel Judges at the UN backed Special Court on Sierra Leone come in to this world fully formed. We could not behave like human beings unless we learned from other human beings. And in all of life's process, we continue to learn. Hence, my humanity is caught up in yours. So when one person is dehumanised, I am also dehumanised. You cannot flout the laws of a moral universe with impudence and not pay the price.

Continued Page 7

Special Court And TRC

From Page 2

Prospect for enduring peace in Sierra Leone remains bleak with the ongoing Special Court proceedings. We were blessed to have the UN here in the first place to curb our violence but it is becoming increasingly clear that we have been cursed to have those instituting legal proceedings on the so-called "war criminals." Take the example of Nelson Mandela who after 27 years of illegal incarceration should have emerged bristling with resentment and revenge but instead has now become an icon of forgiveness and reconciliation. Our decade long war opened wounds and now that the wounds are opened they should not be festered. Balm has been poured on them by the TRC-the balm of public acknowledgement and reparation. Leading psychologists at US prestigious Johns Hopkins are finding that forgiveness is good for one's health. Resentment in other words alongside anger are bad for your pressure and digestion. And this is what the Special Court is trying to do-building high voltage resentment and anger in a war-weary populace. Forgiveness is not something nebulous,

from outer world, extra-terrestrial or spiritual. It has to do with how we do politics with all its rough sides and tumbles. Without forgiveness, there can be no future relationship between individuals, or nations and sadly though, this is what the Special Court is festering. Who in his or her right-thinking mind could have believed Mandela and South Africa could be an example of anything but the most awful ghastliness?

They are such an unlikely lot. But today, God is using them to curse Sierra Leone, Iraq and Afghanistan. It is not yet late and our country so utterly improbable could become a beacon of hope in this dark trouble-ridden world. What the TRC showed was our capacity as human beings for devastating evil. But the Special Court is now reversing that expectation. We can still cope as we are remarkably good in that capacity. We are made for the transcendent, for the beautiful, for the true and of course for the best. We are like that strange chicken in the farm yard ridiculed until a stranger picked us up point to the sun and said: "Fly eagle, fly. And we spread our pinions and rose higher and higher." The Special Court should not bring us down.

Standard Times

Monday July 05, 2004



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[Asia-Pacific](#)

[Europe](#)

[Middle East](#)

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[Science/Nature](#)

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[Week at a Glance](#)

[Country Profiles](#)

[In Depth](#)

[Programmes](#)

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Melted plastic

Safiatu Koroma was just nine year old when the last thing she ever saw was her father being murdered. Safiatu was screaming and the killers ordered her to be quiet.

"When I was still crying they burst one eye and they melted plastic in my other eye," she said in her soft voice.

Her family has abandoned her and she now lives in a blind school in the capital, Freetown.

"God said we should forgive the people who do bad to us, so I forgive them."

Melted plastic

[BACK](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [NEXT](#)

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[BBC ON THIS DAY](#)

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[Back to top](#) ^

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[Americas](#)

[Asia-Pacific](#)

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[Middle East](#)

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[2](#)
[3](#)
[4](#)
[5](#)
[6](#)
[7](#)
[8](#)
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Tightrope

Alhaji Njai Mustapha, journalist, 41

"Of course the Special Court is important, but I sometimes wonder whether it should be our highest priority.

"The causes of the war are not being addressed and many of the young are without education or work. It is a dangerous situation – the country is still walking a tightrope.

"Freetown is overcrowded with displaced people from the province and the infrastructure is still in ruins. There is dirt, rubbish and human excreta everywhere."

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[Back to top ^](#)

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Living rough

Mariama Mansaray, 74

"My village was attacked so many times by the army, the rebels and the Kamajors that we fled and live in the bush. When we returned there was hardly a building standing, and the children who had not been killed or mutilated had been forced to work for the armed groups.

"Now we must rebuild our agriculture sector. Sierra Leone was once a rice exporter; now we rely on food handouts. First, we need to encourage the young people to return from Freetown to help us."

Living rough[BACK](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [NEXT](#)[News alerts](#) | [E-mail services](#) | [Desktop ticker](#) | [Mobiles/PDAs](#)[Back to top ^](#)[News Front Page](#) | [Africa](#) | [Americas](#) | [Asia-Pacific](#) | [Europe](#) | [Middle East](#) | [South Asia](#) | [UK](#) | [Business](#) | [Entertainment](#) | [Science/Nature](#) | [Technology](#) | [Health](#)[Have Your Say](#) | [In Pictures](#) | [Week at a Glance](#) | [Country Profiles](#) | [In Depth](#) | [Programmes](#)[BBC Homepage >>](#) | [BBC Sport >>](#) | [BBC Weather >>](#) | [BBC World Service >>](#)[About BBC News](#) | [Help](#) | [Feedback](#) | [News sources](#) | [Privacy & Cookies Policy](#) | [About the BBC](#)

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 - Technology**
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 - [In Pictures](#)
 - [Week at a Glance](#)
 - [Country Profiles](#)
 - [In Depth](#)
 - [Programmes](#)
-
-
-

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Amputation

[BACK](#)
[1](#)
[2](#)
[3](#)
[4](#)
[5](#)
[6](#)
[7](#)
[8](#)
[NEXT](#)

Amputation

Mohammed Kamara, former driver 53

"My left hand was hacked off in 1998 by a Sierra Leonean army officer. He cut off my arm at the wrist and slapped my face with my own hand.

"The last time I saw him was when I gave evidence at the Truth and Reconciliation hearings.

"I asked him why he had done this to me, but he was unable to answer; he sat in front of me and cried. He and many others like him should face trial by the Special Court. I don't think that I can forgive him."

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[Back to top ^](#)

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News Front Page



[Africa](#)

[Americas](#)

[Asia-Pacific](#)

[Europe](#)

[Middle East](#)

[South Asia](#)

[UK](#)

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[Health](#)

[Science/Nature](#)

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[In Depth](#)

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Cross-border conflict

Rosalind Cole, Liberian refugee, 8

The Sierra Leone war has close links with the conflict in neighbouring Liberia.

"We had to run away from Liberia two years ago because of the fighting, and I have been in Taiam refugee camp ever since.

"There are over 5,000 of us here. We have school during the mornin but in the afternoon I have to help my mother to fetch water and firewood.

"It is a difficult life, and all I want to do is go home and live in a real house."

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[Back to top](#) ^

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Extended family

◀ BACK 1 2 3 4 5 6 7 8 NEXT ▶

Extended family

Abdul Kargbo, driver, 49

"My main concern is the rising prices in all basic commodities – rice, palm oil, diesel fuel.

"Most areas in Freetown do not have running water or electricity. Our roads are a disgrace, and the destruction of our forest and the hillside will cause serious mud slides in the coming rains.

"Although I am lucky to be employed, I have to look after 11 relatives. We can barely afford to eat a meal a day. Sometimes I think it would be easier without a job."

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[Back to top](#) ^

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Corrupt education

[BACK](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [NEXT](#)

Corrupt education

Alcot Lappia, student, 20

"For me the priority is education, but the system is corrupt and standards are low.

"I sat my university entrance exam a month ago. Now they are telling us that the results have been leaked and the university will not accept them.

"If I had money I could bribe my way, but I am not from a rich family. And if I go to university it will still be difficult to find a job. I wonder so many of us want to go abroad and start a new life."

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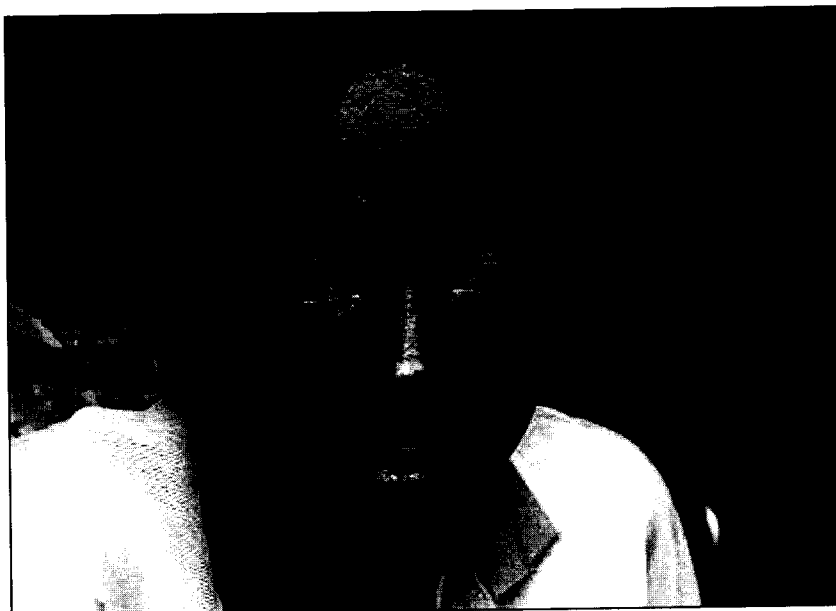
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[News](#) [Sport](#) [Weather](#) [World Service](#) [Languages](#)[Search](#)[Low Graphics version](#) | [Change edition](#)[About BBC News](#) | [Feedback](#) | [Help](#)**BBC NEWS** WORLD EDITION[WATCH/LISTEN TO BBC NEWS](#)**News Front Page**[Africa](#)[Americas](#)[Asia-Pacific](#)[Europe](#)[Middle East](#)[South Asia](#)[UK](#)[Business](#)[Health](#)[Science/Nature](#)[Technology](#)[Entertainment](#)[Have Your Say](#)[In Pictures](#)[Week at a Glance](#)[Country Profiles](#)[In Depth](#)[Programmes](#)[BBC SPORT](#)[BBC WEATHER](#)[BBC ON THIS DAY](#)

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Disappointed

A UN-backed war crimes court is putting on trial some of those who led armed groups responsible for atrocities during Sierra Leone's brutal 10-year civil war.

Sierra Leoneans tell of their lives today.

Alusine Kamara, mechanic, 36

"The Special Court is very necessary, but I am disappointed that there have been so few indictments. I was abused by the pro-government Kamajors, but I suffered worse abuse at the hands of the Nigerian peacekeepers."

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[News Front Page](#) | [Africa](#) | [Americas](#) | [Asia-Pacific](#) | [Europe](#) | [Middle East](#) | [South Asia](#) | [UK](#) | [Business](#) | [Entertainment](#) | [Science/Nature](#) | [Technology](#) | [Health](#)

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Nigerian opposition urges handover of Liberia's Taylor for trial

www.chinaview.cn 2004-07-06 05:13:41

Abuja, July 5 (Xinhuanet) -- A coalition of Nigerian opposition political parties on Monday urged the federal government to hand over former Liberian president Charles Taylor to the UN-backed special court in Sierra Leone.

Taylor, who went into exile in Nigeria last August as rebels besieged the Liberian capital of Monrovia, was accused by the Sierra Leonean court of main backer of the Sierra Leonean rebels.

However, Nigerian President Olusegun Obasanjo ensured that his country would not succumb to pressure to hand him over for trial though the United States government has offered a reward of 2 million US dollars for his capture.

The former Liberian president has since lived in Calabar, the capital of Nigeria's southern state of Cross River.

But the Conference of Nigerian Political Parties (CNPP) on Monday called on Obasanjo to urgently hand over Taylor to the Sierra Leonean court to defend himself against war crime charges in line with Nigeria's 1999 constitution.

"The CNPP is of the view that, the tribunal cannot deliver any meaningful judgment in the (Sierra Leonean) 10-year old civil war, without the mastermind, paymaster and warlord, Charles Taylor, more so when principal actors, Fordeh Sankoh and Sam Bakare, alias Mosquito are dead and John Paul Kromah is on the run."

The tribunal is currently sitting in Sierra Leone. However, the case against the rebel group, the Revolutionary United Front (RUF), has diminished somewhat with the deaths of founder Sankoh and his top lieutenant Sam "Mosquito" Bockarie and the failure to bring Taylor, himself indicted on 18 counts of war crimes and crimes against humanity, to trial.

The RUF launched its attack on Sierra Leone, a diamond-rich west African nation, in 1991 from neighboring Liberia. The war, one of the most brutal in the continent's modern history in which 50,000 people were killed, was declared over in 2002 after a massive UN peacekeeping troops deployment.

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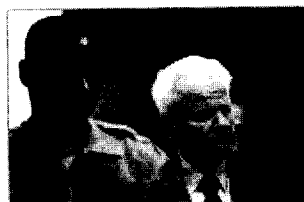


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Milosevic Ill Health Throws Trial Into Doubt

Mon Jul 5, 2004 06:50 AM ET



By Paul Gallagher and Emma Thomasson

THE HAGUE (Reuters) - Slobodan Milosevic's trial was thrown into doubt on Monday with concerns about his health prompting judges to question whether Europe's biggest war crimes proceedings in more than half a century could continue.

The start of the former Yugoslav President's defense case was postponed with prosecutors calling for the imposition of a defense counsel on Milosevic after judges raised concerns about Milosevic's high blood pressure and his need to rest.

Milosevic's bouts of high blood pressure, flu and exhaustion have frequently delayed his trial that began in February 2002. The 62-year-old faces charges of genocide, crimes against humanity and war crimes in the Balkans in the 1990s.

"The time has come for a radical review of the trial process and the continuation of the trial in the light of the health problems of the accused," presiding judge Patrick Robinson said at what the tribunal described as an administrative hearing.

The trial's three judges are to rule by Tuesday on how to proceed with the case.

Milosevic, who graduated from the Belgrade Law Faculty and is conducting his own defense, has described his trial as a battle for truth against what he called politically motivated charges that were "false" and "monstrous."

The former Serb strongman had been due to launch his defense by making a four-hour opening statement in a case widely regarded as Europe's biggest war crimes trial since Hitler's henchmen were tried at Nuremberg after World War II.

Prosecutor Geoffrey Nice rejected a suggestion that Milosevic was no longer fit to stand trial but called for the court to appoint defense lawyers to represent him to reduce stress.

"This is a case that must be tried. The accused wishes it to be tried," he said. "The time has now come where it is essential if this case is to be properly concluded and in a reasonable period of time that counsel is imposed."

Milosevic has repeatedly rejected calls to appoint a defense lawyer since the trial opened.

Charged with dozens of counts of war crimes in Croatia, Bosnia and Kosovo in the 1990s, Milosevic wants to summon former U.S. President Bill Clinton and British Prime Minister Tony Blair in the 150 working days he has for his case.

"Today was the day set by the chamber for the accused to commence the presentation of his defense but last week the chamber received two medical reports...on the health of the accused," judge Patrick Robinson said.

The court decided to hold a hearing to look at the implications of the reports, Robinson said.

Since the prosecution wrapped up their case in February, Milosevic has been working on his defense from an office with a computer, fax, telephone and filing cabinets in the tribunal's detention center.

Milosevic says the tribunal is guilty of inherent bias against him and the Serb people, branding it an illegal institution designed to cover up what he says were NATO war crimes sponsored by the United States and Britain.

NATO launched a bombing campaign against Serbia in 1999 after accusing it of ethnic cleansing against the majority Albanians in Kosovo, forcing Milosevic to withdraw his forces from the province.

Milosevic has also charged that the United States, Britain, Germany and Osama bin Laden's al Qaeda all supported terrorism by the Kosovo Liberation Army.

Milosevic, who has described himself as a peacemaker in the Balkans, declined to enter a plea to the charges. Pleas of not guilty were entered on his behalf by the trial's three judges.

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Africans Want Justice for 'Forced Brides'

AP Associated Press

Sat Jul 3, 2:32 AM ET

By **EDWARD HARRIS**, Associated Press Writer

KOIDU, Sierra Leone - These days, Mamoussa Bangura's brown eyes shine beneath the exclamation point that rebels branded on her forehead.



AP Photo

For Mamoussa, now 19, it's the lasting mark of a rampant wartime practice that forced her and other girls into years of sexual captivity. On Monday, it is to be prosecuted for the first time ever as a crime against humanity, by a U.N.-sponsored court in Sierra Leone.

In 1993 — when Mamoussa was just 8 — those same eyes watched in terror as insurgents attacking her eastern Sierra Leone village killed her family with machetes. Fighters spared only Mamoussa and her toddler sister.

Mamoussa was abducted by Aboy, a powerful rebel fighter who would rape her for years. Aboy's brother burned her forehead with a hot iron and rubbed in soot.

"It's a symbol of identification," says Mamoussa, now living in Sierra Leone's diamond center of Koidu. "Other women were burned on their breasts."

She bore her hated captor a son — now dead, like his father — before she found freedom as the west African nation's brutal 10-year civil conflict calmed.

She now spends her days at Koidu's Progressive Women's Center, a poorly funded, locally run skills-training center helping only a fraction of the estimated thousands of females known locally as "bush wives."

In the capital Freetown, Sierra Leone's U.N.-backed war crimes tribunal is to hear the first case against rebel suspects charged with what prosecutors call "forced marriage" — a system of abuse encompassing abduction, rape and sexual slavery.

Analysts say a conviction would mark an important precedent in international law for criminalizing abuse of women, and sexual crimes, in conflict zones.

Sierra Leone's own conflict flared in 1991, when rebels who would gain infamy for hacking off the limbs of civilians began fighting to control the diamond fields surrounding Koidu, in eastern Sierra Leone.

Fighting ended by 2002, after British and West African soldiers finally crushed the rebels.

While no exact figures are known, experts say thousands of women in the country of 6 million were abducted and kept as sex slaves who also cooked, cleaned and bore children.

"During the war, there was poverty and insecurity. The women were overpowered. They were forced to be married, at gunpoint," says T.F. Gbekie, who helps run the Koidu training center. "It was rare to have legitimate marriages during that

time."

Gbekie estimates 15 percent of bush wives had their arrangement formalized in a ceremony, sometimes officiated by military commanders.

At those times, a few of the women's family members would attend, a bride price might be paid and traditional dish of kola nuts proffered, Gbekie says.

The war-crimes court, which opened trials on June 3, has indicted 13 men from all sides in the conflict for bearing the "greatest responsibility" for abuses.

Four of the accused — including ex-Liberian President Charles Taylor, in exile in Nigeria — are out of the court's reach, with two known to have been killed.

Legal experts say for a conviction of all defendants, prosecutors will have to prove that the rebel commanders knew or should have known of the forced marriages, while establishing that forced marriage was widespread and systematic in the former British colony — which it is not in Africa, outside the worst conflict zones.

In Sierra Leone, "the court is a major initiative to ensure that justice is brought after horrific crimes — rapes, killings, amputations," said Elise Keppler, an attorney for Human Rights Watch in New York. "Because sexual violence was so pervasive, it's essential that these crimes are prosecuted as part of the court's work."

Showing Sierra Leoneans that the practice is a crime — rather than just a deeply stigmatized shame — could help the recovery of victims, some of whom are still kept as bush wives.

"Some of them remain with the men, even now in free Sierra Leone," says Isaac Lappia, director of London-based Amnesty International's local wing.

"Because of the stigma, it's so hard for the women to say. 'I was raped, I was forced to marry,'" says Lappia.

Here in Koidu, 200 women — including many former bush wives like Mamoussa — proudly wear their green gingham uniforms while learning hairdressing, batik dyeing, tailoring and AIDS ([news](#) - [web sites](#)) awareness.

As Mamoussa practices plaiting synthetic hair in a room without electricity or windows, her eyes reflect the brilliant African sunshine streaming through the door.

Since Mamoussa's release, she has reconnected with her younger sister — Kady, now 13 — and hopes to earn enough for her sibling's education: "I just want her to go to school."

Umuahawa Jalloh — captured by rebels in the late 1990s and held for months by a man named Youssouf Camara — has followed the court's proceedings on the radio.

"That wasn't marriage," the 20-year-old says of the legalistic euphemism used at the court. "I didn't love him. I was forced."

Other former bush wives dream of Cinderella-style matrimony: a feast with meat for guests in fancy clothes.

"If I get the chance, I'd like to get married," says Anita Kpakiwa, whose entire family died at the hands of rebels on the day of her first capture, by a man she knew only as "Small Mosquito."

"On that day, it should be a joyful day, with people gathered around," she says. "It shouldn't be something you're forced into, but something you do for yourself."

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Milosevic trial defense delayed

Monday, July 5, 2004 Posted: 7:26 AM EDT (1126 GMT)

THE HAGUE, Netherlands -- The U.N. war crimes tribunal has delayed opening defense statements by former Yugoslav president Slobodan Milosevic due to concerns about his health.

A judge will make a decision about when the trial will resume "in the coming days."

Doctors for the 62-year-old former Yugoslav president had warned that he needed rest, and discussed details of his medical troubles in open session.

Milosevic, a former lawyer, was to have been given four hours Monday to make his opening statements to 66 war crimes charges, including genocide, during the breakup of the former Yugoslavia in the 1990s filed against him.

But Steven Kay, one of the independent lawyers assigned to ensure a fair trial for Milosevic, said new medical evidence put the continuation of the case in question, The Associated Press reported.

"It's quite clear over the past five months that his health had been gradually declining," Kay told the panel of three judges.

Based on new medical reports, "he is plainly not fit enough this week," to appear in court.

His fragile health has repeatedly delayed the trial since it began in February 2002.

Prior to Monday's court appearance, Milosevic said he would call hundreds of witnesses in his defense.

The prosecution, which wrapped up its case in February after testimony from nearly 300 witnesses, has tried to link Milosevic directly to the wars in the Balkans in the 1990s that left more than 200,000 people dead.

Milosevic has pleaded innocent and insists on defending himself despite his poor health.

He has demanded that former U.S. President Bill Clinton and over 1,600 others appear as defense witnesses, but Milosevic has only 150 days to present his case.

The court has also said that he must provide good reason as to why any witness should appear.

But the former Serb strongman also refuses to recognize the legality of the International Criminal Tribunal for the former Yugoslavia and observers say he could run into procedural difficulties while

conducting his own defense.

In his opening statement Monday, Milosevic is expected to criticize Clinton, UK Prime Minister Tony Blair and other NATO country leaders.

His first witness is set to take the stand Tuesday.

Milosevic has argued in the past that a 1999 crackdown he ordered on ethnic Albanian Muslims in Kosovo was intended to protect the Serbian minority there.

He also says NATO's 78-day bombing campaign, which forced out his troops from the region, caused civilian deaths.

Additionally, Milosevic has said that when he was president of a crumbling Yugoslavia in the early 1990s, he did not have control over Serb troops in neighboring Croatia and Bosnia.

Presiding over Monday's hearing is a three-judge panel led by Jamaican Patrick Robinson.

Robinson took over from former lead judge Richard May who quit the court in February due to illness.

He died last week.

Hearings in Milosevic's case are limited to three days a week at the request of his doctors.

Milosevic has a weak heart and high blood pressure, forcing his trial to be delayed for months because of ill health.

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Court Undertakes Radical Review to Continue Milosevic Trial

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International Criminal Tribunal for Yugoslavia (ICTY)

Milosevic Trial - The Hague

05 July 2004

THE HAGUE - The trial of Slobodan Milosevic has reached a critical juncture. With the Accused protesting he was not well enough to be in court and demanding he be given at least another month to prepare his case, the Presiding Judge declared, "The Chamber clearly is of the view that the time has come for a radical review of the trial process and continuation of the trial in light of the health problems of the Accused."

The Court was moved to act by a July 2 medical report by Milosevic's treating cardiologist which indicated not only that his blood pressure was unacceptably high this past week, but that it was likely to spike again after a rest and a return to trial. The Accused, the Amici Curiae and the Prosecutor all spoke to the deterioration of Milosevic's health over the past 18 months. Indeed, despite his not having been in the courtroom since February, Milosevic has been unable to work on his defence for significant periods.

For the first time, the Court seemed seriously to consider appointing counsel to represent Milosevic despite his objection. It may be the only way for the Court to carry out its responsibility under Article 20 of the ICTY Statute to assure a fair and expeditious trial conducted with "full respect for the rights of the accused and due regard for the protection of victims and witnesses."

Amicus Steven Kay advised the Court that it should address both the Accused's ability to return to trial in the immediate future and his long term fitness to stand trial at all. Lead Prosecutor Geoffrey Nice returned to a recommendation he has made many times in the past, "It is now essential if the case is to be properly concluded in a reasonable time that counsel be imposed. . . ." Mr. Nice suggested that the first option for the Court to consider is asking Milosevic to nominate someone to represent him, most likely one of his legal associates. If he declines to do so, the Court could proceed to appoint someone, probably one of the Amici because of their familiarity with the case. He also suggested that Milosevic could watch the examination of witnesses via videolink from his cell in the Detention Center on days he is not up to coming to court. "Circumstances have changed," he concluded, "This is a case that must be tried. The Accused wishes it to be tried. The way it can satisfactorily and reasonably be tried is with imposition of counsel for at least part of the defence case."

The Accused vehemently objected to be represented by counsel. "It is out of the question, as you know. Nor will I ever agree to it." "I am going to examine my witnesses and will be present here in this room." Not content with this declaration, however, he added that the doctor recommended he work no more than three days per week, which included days working out of court as well as those in court. This probably didn't help his argument for continued self-representation, since it would reduce weekly trial days even more, possibly doubling the length of the trial from here on out.

The Court thanked the parties and the Amicus for their arguments and adjourned, promising to make a decision by the end of the day or tomorrow. In reaching that decision, the Court will be mindful of the fact that nearly 2 1/2 years have elapsed since the beginning of the trial, the Judge who presided over the trial since its inception has died and the Accused's health continues to deteriorate, further delaying the proceedings to some unpredictable and far in the future end date. It serves no one's interest for the trial to drag on endlessly, not the public's, the victims', the Tribunal's nor the Accused's. If the Accused is not capable of mounting a defence, the Court is obligated to provide him with the means of doing so. The Court is not obligated to provide him the kind of forum he desires, a political pulpit from which he can address the world.

He has been brought before a criminal tribunal to answer for the most serious crimes known to humanity. He deserves and is entitled to a good professional defence, one he is both unwilling and incapable of providing. At this point, the Court must act to uphold the integrity of the process, which includes the interests of the public and the victims in reaching a conclusion in a reasonable time.

Submitted by Judith Armatta on 05 July, 2004

▲ Top

Who's Involved

Defendent: Milosevic, Slobodan; ; **Judges:** Judge Iain Bonomy Judge O-Gon Kwon Judge Patrick Robinson ; **Prosecutors:** Del Ponte, Carla Nice, Geoffrey ; **Defence Counsel:** Self ; **Indictee Mentioned:** Milosevic, Slobodan

▲ Top

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DRC: ICC'S FIRST-EVER PROBE MUST BE EFFECTIVE

ICC's First-Ever Probe Must Be Effective

Criminal Responsibility in Congo Conflict Reaches Across
Borders

(Brussels, June 23, 2004) - Amid recent killings and rapes by government and rebel soldiers in the eastern Congo, the decision by the International Criminal Court's (ICC) prosecutor to systematically investigate war crimes in the Democratic Republic of the Congo could not be more timely, Human Rights Watch said today.

Luis Moreno Ocampo, the ICC prosecutor, today June 23, announced the beginning of this first-ever investigation by the prosecutor's office of this newly established court. Earlier this year, the Democratic Republic of the Congo's (DRC) transitional government triggered the action by requesting the ICC prosecutor to investigate crimes in the Congo. The prosecutor's office can investigate where national courts are unable or unwilling to do so, and its authority can be triggered by a formal request from the state involved.

"There will be no meaningful transition in the Congo without putting an end to impunity for the horrific crimes that have characterized the conflict there," said Richard Dicker, director of the International Justice program at Human Rights Watch. "The recent killings and rapes in the eastern Congo underscore the urgent need for a thorough and effective investigation into these and other horrific crimes."

Human Rights Watch estimates that at least 5,000 civilians died from direct violence in Ituri between July 2002 and March 2003, with hundreds more having died in this eastern region during the past year. These victims are in addition to the 50,000 civilians who died there since 1999, according to U.N. estimates. Since the formation of the transitional government in Kinshasa last year, several thousand more have died in deliberate attacks on civilians by armed groups in the Northern Katanga province.

These losses are just part of an estimated total of 3.3 million civilians dead throughout the Congo, a toll that makes this war more deadly to civilians than any other since World War II. In Bukavu, south Kivu, both government and dissident forces carried out war crimes, killing and raping civilians in their battle to control the city. This is only the latest round of fighting in the eastern parts of Congo, where massive violations of human rights have become commonplace.

Women and girls have been particularly targeted in the Congo, with most of the forces involved in the conflict using sexual violence as a weapon of war. The United Nations estimates that more than 40,000 women and girls may have been raped in the eastern parts of Congo over the past five

years, some as young as three years of age.

The Ituri conflict, as well as others in eastern DRC, highlights the participation of non-Congolese forces. Human Rights Watch believes that Ugandan and Rwandan officials, among others, may be implicated in some of these crimes and the prosecutor's investigation should look beyond the borders of the DRC.

"We urge Luis Moreno Ocampo to follow the trail of criminality across national borders and investigate not only Congolese warlords, but their foreign backers as well," Dicker said. "With this investigation, the Prosecutor has the chance to send a message across the Great Lakes Region that impunity for these horrific crimes is coming to an end."

Human Rights Watch also highlighted the challenges of working with victims and witnesses.

"This investigation may set the standard for others to follow. It's of the utmost importance that investigators work carefully with victims and witnesses they are mandated to serve," Dicker said.

The International Criminal Court, based in The Hague, has broad international support. Currently, 94 countries have ratified the Rome Statute establishing the court, and nearly 140 have signed this treaty. Last year, these states elected the court's first 18 judges and prosecutor.

For more information about the conflict in the Democratic Republic of the Congo, see <http://www.hrw.org/doc?t=africa&c=congo>

For more information about the ICC, see <http://www.hrw.org/campaigns/icc/>

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HEADLINE: Why the **trial of Saddam** is no **job** for **Iraqi justice**

BYLINE: Steven Powles

BODY:

Crimes against humanity should be dealt with by an international court set up by the United Nations, argues Steven Powles.

SADDAM HUSSEIN'S brief but defiant court appearance in Baghdad last week set in train proceedings that could eventually lead to his conviction and execution.

It could be a year or more until he eventually stands **trial** before the **Iraqi** Special Tribunal, set up by the **Iraqi** Governing Council last December after Paul Bremer, then the US administrator for Iraq, temporarily ceded it legislative authority. Yet there are already concerns -despite assurances to the contrary by Iyad Allawi, the Prime Minister -as to whether **Saddam** or any other members of his regime will receive a fair **trial** before such a tribunal.

Last week British lawyers were swift to cast their own doubts on the proceedings, whose judges are not perceived as independent and at which the former dictator - in shades of Slobodan Milosevic before the tribunal for the former Yugoslavia - declared: "This is all theatre."

As the tribunal's title suggests, the **trial** will be predominantly an **Iraqi** affair.

Unlike the UN tribunal for the former Yugoslavia, it is not international. The **Iraqi** tribunal's judges and prosecutors are mainly **Iraqi** and there is only limited scope for international involvement. The allegations that **Saddam** faces are genocide, crimes against humanity, war crimes and aggression. It is the first time since Nuremberg that someone has been charged with aggression (or the "abuse of position and pursuit of policies that may lead to the threat of war or the use of the armed forces of Iraq against an Arab country"). They are crimes said to shock the conscience of humanity. They are not crimes against only one nation or one people but crimes against the the international community.

Such is the far-reaching nature of these crimes that it should be for the international community as a whole to mark its disapproval rather than one state alone. But does Iraq have the experience to conduct such important criminal proceedings? Article 33 of the **Iraqi** Tribunal Statute specifically prohibits any former members of **Saddam's** Baath party having any official involvement with the court. This is not necessarily a bad thing, but after more than 30 years of Baathist rule they are the only people who have had any judicial or

prosecutorial experience; excluding them excludes those Iraqis with extensive legal experience.

A further problem is the likely allegation that **Saddam's** reign caused tremendous suffering for almost every citizen of Iraq. It will therefore be nearly impossible to find people to preside over any **trial** who are not only independent and impartial but also perceived as such. Seven judges and a number of prosecutors have been chosen but it is not planned to involve foreign lawyers in the **trials**. A truly international court -one set up by the UN and similar to those for the former Yugoslavia and Rwanda -would have brought two advantages: it would have ensured a fair **trial** and, in the event of a conviction, meaningful **justice** for **Saddam's** alleged victims.

With the **Iraqi** authorities intent on prosecuting **Saddam** before the **Iraqi** tribunal, however, it is to be hoped that the new regime will consider ratifying the Optional Protocol to the International Covenant on Civil and Political Rights.

That would give all **Iraqi** citizens, including **Saddam**, the right to petition to UN Human Rights Committee and complain of human rights violations -subjecting Iraq to a scrutiny similar to that which all European states are subject to under the European Court of Human Rights. Such a move would at least ensure basic fair **trial** rights were observed, as well as other human rights.

In practical terms, the **trial** process will not be easy. The tribunal has a budget of \$ 75 million for 2004-05. But half of that is expected to go on security for the court and witnesses. Like the special court in Sierra Leone, it is operating at its "crime scene", so security will be a constant concern.

Will **Saddam** face the death penalty? Mr Allawi has said that he would be in favour of executing him. This, he says, has nothing to with **Saddam** having once ordered his murder.

The possibility of an execution is but one example of how the special tribunal is unlikely to comply with international standards. The Coalition Provisional Authority abolished the death penalty in Iraq when it assumed power last year.

Article 15 of the International Covenant on Civil and Political Rights stipulates: "If, subsequent to the commission of (an) offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby." It follows that, as the death penalty was abolished, even if it is now reintroduced it cannot be carried out on anyone convicted of crimes committed before its abolition. Without Iraq's ratification of the Optional Protocol, an individual will be entirely reliant upon the new regime to respect international law and its many safeguards.

With the development of the UN tribunals for the former Yugoslavia and Rwanda, and the more recent creation of the permanent International Criminal Court, the international community has made great advances in prosecuting those responsible for egregious human rights abuses. It would be a tragedy if, at this critical juncture in the development of a genuine international criminal **justice** regime, the **trial of Saddam** were to set that process back. And it would render any conviction hollow -an unacceptable legacy for the victims of **Saddam's** regime.

The author is a barrister at Doughty Street Chambers. He is co-author of International Criminal Practice and on the executive of the Bar Human Rights Committee

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