

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



PRESS CLIPPINGS

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

Friday, 7 July 2006

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

Friday, 7 July 2006

Special Court will not execute anybody-Gabbidon

Ombudsman Francis Gabbidon has said that the Special Court for Sierra Leone will not execute any indictee.

He was speaking as chairman at the launching

of a report; "Death penalty in Sierra Leone: time for change", compiled by the Lawyers Centre For Legal Assistance- Sierra Leone (LAWCLA) in collaboration with the Centre For Capital Punishment Studies, University of Westminster,

United Kingdom (CCPS).

The chairman added that Sierra Leone inherited the death penalty from the colonial masters but noted that it had been abolished in England.

Justice Bankole-Thompson, a presiding judge

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Special Court will not execute anybody-Gabbidon

From Page 2

at the Special Court and who was the keynote speaker said, "in our contemporary world there is an all-pervading influence in our daily lives, and in today's world it is difficult to sustain image of law as the paradigm or quintessence of perfect order, impartiality, fairness and justice".

He stated that in any society where values and structures were changing there was a pressing need for a constant and continuing process of adjustment, adaptation and reformation of the law.

"In most common law jurisdictions and in the context of a global legal culture, the call for a new law reform has been predicated upon the need for lawyers to break out of their traditional mindset of contentment with 'lawyers' law' or technical or legalistic justice and to undertake reform of the law with a high social content thereby making a positive contribution towards ensuring that the law responds to society's needs

nationally and internationally", he averred, adding that in some common law jurisdictions there had been occasions when democratic institutions failed to respond to new social realities and needs.

Justice Bankole-Thompson stated that, "there have been times, too, when the

Application of the law has not only been unjust but also produced undesirable consequences".

Making reference to Sierra Leone, he maintained that despite constitutional affirmation of fundamental rights and freedoms, the legal system had quite often failed to provide adequate and effective protection for such rights and freedoms and contributed to the erosion of the dignity and self-respect of the individual.

Giving an overview of the report, Melron Nichol-Wilson said the death penalty was once used almost all over the world. Adding that, "the death penalty kills innocent people and it is used for political purpose and it violates human rights".

Lawyer Nichol-Wilson maintained that the report examined the present application of the death penalty in Sierra Leone and postulated compelling reasons for its abolition.

He noted that international human rights treaties which Sierra Leone signed and ratified, as well as important recommendations made by the Truth and Reconciliation Commission (TRC), advocated for the abolition of the death penalty in Sierra Leone.

In his statement, lawyer Brima Koroma who represented the Sierra Leone Bar Association noted that his association "is against the death penalty". He added that some Commonwealth countries had not carried out executions in the last ten years.

"The death penalty provides no punishment but an end to one's life," he philosophized.

The deputy British High Commissioner in Sierra Leone, David Dunn, launched the report at the Mattia conference hall, Youyi building in Freetown.

Standard Times

Friday, 7 July 2006

Kofi Annan defends Taylor's trial in the Hague

The UN Secretary General Kofi Annan, while on a visit to Sierra Leone defended the decision to move the high-profile trial of ex-Liberian president Charles Taylor to facilities in Europe.

A UN-backed Special Court in Sierra Leone indicted Taylor for war crimes in that country's ten year civil war, including supplying weapon in return for so-called "blood diamonds".

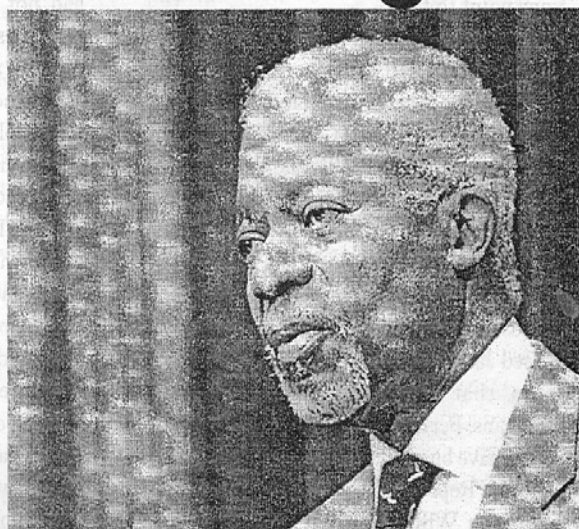
Taylor was arrested on the Nigeria/Cameroon border in March and hauled to the Special Court facility in Freetown. But court and UN officials concerned that his presence in Sierra Leone could pose a threat to regional security opted to shift his trial to facilities

in The Hague, Netherlands.

Annan on Monday defended that decision, saying: "We wanted Taylor to be tried in an environment which is free the sort of tension a conflict we see in this region."

According to Annan, a West African Taylor trial could destabilize fragile peace in the sub-region where a number of countries including Sierra Leone and Liberia are recovering from years of brutal civil war.

If Taylor is found guilty on any of seven indictments. The UK government has offered to jail the charismatic former president and rebel leader in a British prison.



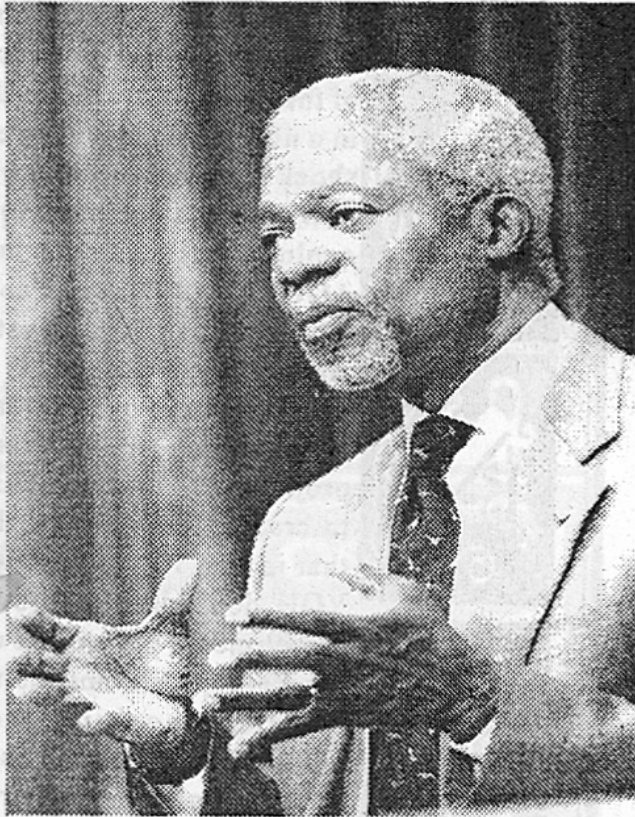
Kofi Annan

New Vision

Friday, 7 July 2006

Why Kofi Annan Visited Salone?

The one-day visit of the Secretary General of the United Nations, Mr. Kofi Annan was designed to evaluate the status of peace and security in the West African sub region. Sierra Leone has been commended for a very swift recovery and transition from the 10-years brutal civil war to a situation of relative stability and return to normal life.



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UN Secretary-General Kofi Annan

Why Kofi Annan Visited Salone?

Over the years the impression that has been created at the UN is that as long as Taylor remains in the sub-region, there will always be fears of instability. It was therefore necessary that for the attainment of total peace, Charles Taylor should have to quit the region and be kept some where else.

In recent years, all eyes have been focused on the UN-backed Special Court of Sierra Leone. This is because for a lasting and durable peace to exist in this country and indeed in West Africa, the UN should have to set the pace to see to it that it is practicing the justice and respect for law that it preaches.

The UN believes that the establishment of total peace and security any where should be foundation for the principles of justice and the rule of law. These are equally the fulcrum on which national development. There will be

no development in an atmosphere of chaos and the reign of fear.

Actually there will be no peace a semblance of justice, if there is no prosecution of the principal actors of the civil conflict in both Sierra Leone and Liberia. What affects one country often affects the others in the sub-region.

This is why the mandate of the Special Court, to prosecute those who bear the greatest responsibility for the civil war in Sierra Leone should not be construed as a partiality designed motive to witch-hunt the principal actors of the crisis. It is a court that operates on the basis of impartiality, and without fear or favour.

The fact that Charles Taylor has been arrested, detained and sent to the International Court of Justice at The Hague in the Netherlands is a pointer that the Special Court to a

large extent succeeded in its responsibilities.

Indeed if Kofi Annan and the UN system would take credit for ending the wars in both Liberia and Sierra Leone, there will be little doubt. The wars in Liberia, Sierra Leone, only ended as a result of global partnership, which involved the UN, the European Union and friendly Western countries such as, the UK and USA, especially countries that contributed towards the peace keeping troops.

In Liberia, Kofi Annan simply told Liberians that now that the sub-region had overcome the Taylor menace, the UN will now exert every effort to lift all the remaining economic sanctions against Liberia imposed against Taylor's regime for the export of diamonds, timber and other export commodities that Taylor used as a financial muscle to prolong the war, hence to prolong the

suffering of the people of the sub-region.

In the Ivory Coast, the impasse that has brought a general set back to the peace process is over the crucial issue of disarmament, voter's registration to distinguish foreigners from citizens, and the end of the mandate of President Laurent Gbagbo.

The argument presented by the ex-rebels against the Gbagbo regime who are still armed to the teeth, is that they will not disarm until some of the conditions that led to the rebellion in the first place are removed, such as the identification of all Ivorians. But the Gbagbo regime which is based in the economic capital, Abidjan is stressing that it is only through total disarmament that the atmosphere will exist for a true census of the Ivorian population.

These are the attributes of the week-long visit of Kofi Annan to Sierra Leone, Liberia and the Ivory Coast.

Awareness Times

Friday, 7 July 2006

Death Penalty in Sierra Leone Time for Change

By Vidal Boltman

The Lawyers Centre for Legal Assistance (LAWCLA) in collaboration with Capital Punishment Students (CCPS) U.K have launched a book entitled *Death Penalty in Sierra Leone Time for Change* at the Miatta Conference Hall on 5th Wednesday July 2006. In her welcome address Ms. E. Sankey, welcomed all present, she said the hand book which is about to be launched is a research undertaken by LAWCLA and CCPS, she also said that there is an urgent need for the abolition of death penalty in Sierra Leone. The chairman for the occasion was the Ombudsman, who exhorted civic society organizations to be active in collaborate their efforts in promoting the abolition of death penalty in Sierra Leone. He would do his part in urging the government to see reason away with the death penalty in accordance with Section 16 of the 1991 Constitution.

The editor of the book who is also the director for LAWCLA, Mr. Melron C. Nicol – Wilson, said that the abolition of the death penalty has been a debate of great controversy to the whole world. He said that death penalty is cruel and it degrades humanity and it kills innocent individuals. Fifty countries in Africa no longer recognize the death penalty and it has no place in a democratic states. Mr. Nicol – Wilson also said that the TRC Report found the continued existence of the death penalty on the statute books of Sierra Leone to be an affront to civilized society which is based on the rights to life, and strongly advocate for the absolute of the death penalty.

LAWCLA is dismayed that the government's White Paper in response to the TRC Report, rejected the call for the immediate abolition of the death penalty.

In his address, the president of the Special Court for Sierra Leone, Hon. Justice Bankole Thompson, spoke on the topic 'Conceptualizing and Implementing Law Reform in Sierra Leone'. Some reflections Hon. Thompson, said it is his preliminary submission that in our centenary world there is an all- pervading influence of law in our daily lives and he stressed that, its because law is vital to the protection of civilized values in much the same way as Daniel Webster observed, that "justice is mankind's earth which binds all civilized nations together." In giving overview of the hand book, Sabrina Maltaril, said that LAWCLA argues that the death penalty has no place in the restoration of a democratic society, and that now is the time for changes. The public opinion in Sierra Leone would expire to confirm this argument and that the reforms should examines the current application of the death penalty in Sierra Leone and indicates compelling reasons for abolition.

Various speakers from the general public, human rights organizations and trade union associations supported the move and lauded the efforts of LAWCLA in taking the lead to get the government to abolish capital punishment.

Communication Bill Passed by Parliament

Independent Observer

Friday, 7 July 2006

LIBERIA:

ELLEN'S GOVERNMENT AND LIBERIANS DIFFER OVER WAR CRIMES TRIBUNAL

The war crimes tribunal brouhuahua in Liberia between the newly-elected government led by Mrs. Ellen Johnson-Sirleaf and the general public, reared its head again this week during the visit to Liberia of the United Nations Secretary General, Kofi Annan. When Mr. Annan's proposed visit was announced, Liberia civil and human rights organizations disclosed that they were going to use the occasion to press their demands for the establishment of a war crimes tribunal in the country. However, the orga-

nizations came in direct conflict with the government as the Minister of Justice, Mrs. Frances Johnson-Morris directed that the demonstration was banned because it was not in harmony with the aims and objectives of the Unity Party government. She also complained that the demonstration was not promotive of peace.

Mrs. Ellen Johnson-Sirleaf: She thinks that a war crimes tribunal would be inimical to peace and reconciliation in Liberia, but Liberians think that the tribunal is the way to go because justice had to be done for the 300, 000 people who perished at the hands of warlords and rebel fighters. Liberian civil and human rights organizations however went on with their demonstrations and thousands of people poured into the streets in defiance of the Justice Minister's declaration. How contentious the issue plans to be could be seen from the reaction of Liberians at large to the response given by the UN Secretary General to the question of the establishment of the court during a press conference in Monrovia. Mr. Annan's statement that the idea had to come from the government is being roundly condemned by Liberians.

According to our reporter, JIatch Doe, Liberians are complaining that the UN Secretary General wanted to "jive" them about the issue of a war crimes tribunal. They are arguing that the June 17, 1998 Statute of the International Criminal Court authorizes the UN to set up a war crimes tribunal where it found it necessary. A commentary by Radio Free Liberia, read by Bodio Siapoh, accused Mrs. Johnson-Sirleaf of being one of the sponsors of the Charles Taylor rebel war and as such she was against the setting up of the tribunal. The radio warned that failure to institute the tribunal would undermine international peace and security. It congratulated Liberians for staging the demonstration and encouraged Liberians not to relent but to continue pressing for the tribunal to ensure justice for all the people killed during the war.

A supporter of the Ellen Johnson-Sirleaf government justified the government's stand against the establishment of the court. Ms. Garmeh Suah said that the government should concentrate more on rebuilding the country.

The Star Ledger

Thursday, 6 July 2006

<http://www.nj.com/news/ledger/jersey/index.ssf?/base/news->

Jerseyan in Sierra Leone could go free

BY WAYNE WOOLLEY

A Scotch Plains man who has been held as a suspected spy in Sierra Leone since late April could be on American soil as early as this weekend, his family said yesterday.

At a hearing Tuesday, a judge in Freetown cleared the path for Michael Chemidlin to be allowed to leave the West African nation as early as Saturday, the man's son, Andrew Chemidlin, said in a telephone interview from New Jersey last night.

Prosecutors had accused Chemidlin of conspiring to free former Liberian President Charles Taylor after the New Jersey man photographed a court complex where the former dictator was being held.

Chemidlin, 58, a born-again Christian who went to Africa to proselytize, told officials he took the picture to remember his time there.

When Chemidlin arrived at the court hearing Tuesday accompanied by a legal team provided by the U.S. Embassy, "the courthouse was empty ... the prosecution didn't show up and they said 'You're free,'" Andrew Chemidlin said, relaying what his father told other family members in a brief telephone conversation.

The Associated Press reported from Freetown on Tuesday that Judge Sam Margai said he lacked jurisdiction to try the case because the court complex Chemidlin photographed was not a restricted area.

Andrew Chemidlin said the family was cautiously optimistic that Michael Chemidlin, a New Jersey National Guardsman who served in Iraq in 2005, would be allowed to leave the country as the judge had ruled.

The family has had its hopes dashed before. Chemidlin was released from custody once before only to be re-arrested while prosecutors considered filing new charges. He has been free on bail for the past month but barred from leaving Sierra Leone.

Now, officials in the American embassy are arranging for Chemidlin to be allowed to board a commercial flight out of Sierra Leone over the weekend.

"We're hoping Saturday, but it could be Monday" said Andrew Chemidlin. "Either way, we're going to have a celebration when he gets home."

The Patriotic Vanguard

Friday 7 July 2006.

It's not Over Yet

Norman Appeals Kabbah Subpoena Decision

"If the Appeals Chamber approves Mr. Norman's appeals for the Kabbah subpoena and Carpenter's appearance, and if Gen. Mohamed is able to travel to Freetown in September, the trial will likely end with a big bang."



Commentary

Counsels for Chief Sam Hinga Norman and Mr. Moinina Fofana have filed an appeal with the Appeals Chamber of the special court for Sierra Leone on the recent decision by the Trial Chamber. The Chamber in a two to one majority decision ruled on 13th June, 2006 that President Kabbah cannot be forced to testify as a witness for the Defence as requested in the motion for subpoena ad testificandum submitted by Mr. Norman and Mr. Fofana through Counsels.

On 28th June, the Trial Chamber in a unanimous decision granted the defence leave to take the matter to the Appeals Chamber. The Trial Chamber presided over by the Chamber's lone Sierra Leonean, Justice Bankole Thompson, ruled among other things, that "the novel nature of this issue and the likelihood that it will be raised again in the case and other cases before the court together with the diverse legal perspectives from which it can be viewed...it would be in the interests of justice to have this matter determined by the Appeals Chamber."

The Chamber also appears to have been conscious of the fact that it may have erred in their decision not to issue the subpoena and added "if the Chamber wrongly determined the novel question before the Special Court, it may have unduly impinged upon the right of the First and Second accused...".

From a layperson's perspective it appears that the court was not at all sure about the legality of its own ruling. As a result, the Chamber put out not one opinion, but three separate opinions on the matter: The majority opinion, the separate but concurring opinion by Cameroonian jurist, Mutanga Itoe, and a separate and dissenting opinion by Justice Bankole Thompson.

In his opinion Thompson states, "There is nothing problematic about statutory powers to issue a subpoena, nationally or internationally." Thompson admonished his colleagues "to ensure that no relevant evidence vital to the discovery of the truth is foreclosed by reason of legal technicalities, novel artificial, judicial conceptual distinctions or outmoded judicial doctrines not contemplated by the meaning of the applicable statutory provisions and rules."

Indeed the request for a subpoena and the basis of the subsequent appeal is that Mr. Kabbah is in possession of relevant exculpatory material which will not be obtainable elsewhere should Kabbah not appear as a defence witness. Based on the legal uncertainty of the court's ruling and the relative speed with which it allowed the defence to appeal, it appears to this writer that the court was actually urging the defence to take the matter off their hands and take it to the Appeals Chamber.

The main argument of Attorney General, as legal Counsel for Mr. Kabbah was that Section 48(4) of the Sierra Leone constitution grants Kabbah immunity from all legal procedures. Counsels for Norman and Fofana argued and Justice Thompson who was appointed to the court by Mr. Kabbah, agrees that being a witness does not by itself constitute a legal procedure as intended by Section 48(4). In any case, the statutes of the court do not grant immunity to Heads of State by virtue of their office or position. Section 48(4) of the constitution, according to Counsel for Mr. Norman, Dr. Bubuakei Jabbi, only applies to legal procedures in Sierra National courts where Mr. Kabbah is Chief Magistrate.

The intent of Section 48(4), one would also argue, would be to prevent the judiciary from trampling over the Executive Branch in violation of the doctrine of separation of powers. But this doctrine will not apply to an international tribunal not subject to the national constitution. Indeed Kabbah himself had argued vehemently that with respect to the so-called special court for Sierra Leone, that there were no sacred cows. But perhaps that was before Mr. Kabbah realized that Chief Norman and Mr. Fofana would defend themselves by any means necessary to restore their integrity and their freedoms including calling Mr. Kabbah as Defence Witness No.1.

The trial resumes on 13th September with or without Mr. Kabbah. Besides Kabbah, Norman has two more uncertain witnesses: Clerk of the House of Representatives, J. A. Carpenter, and former ECOMOG Chief of Staff, General Abdul Wan Mohamed. Carpenter is expected to testify to parliamentary procedures authorizing the establishment and funding for the CDF at the request of President Kabbah.

But the court had put a stumbling block before Carpenter's appearance on purely procedural grounds. Norman has taken that too to the Appeals Chamber. Gen. Mohamed who resides in Nigeria has indicated his willingness to appear as a witness but was hampered by medical reasons from appearing before the end of the June session of the trial.

If the Appeals Chamber approves Mr. Norman's appeals for the Kabbah subpoena and Carpenter's appearance, and if Gen. Mohamed is able to travel to Freetown in September, the trial will likely end with a big bang. The ECOMOG commander is expected to testify to transactions between the West African military command and President Kabbah including but not limited to authorizations to bomb civilian targets in Freetown and the transfer of arms and ammunition to Mr. Norman and the CDF..

Immediately following those witnesses, the court and the rest of the world will hear the statement we have all been waiting for the past three and half years: *If it pleases My Lords, the Defence rests.*

The New York Times

Thursday, July 6 2006

Son of accused Liberian warlord awaits own trial in Miami

The son of Charles Taylor, the Liberian warlord and former president who is awaiting trial in the Netherlands on charges of human rights atrocities, has pleaded not guilty here to charges of passport fraud and was returned to jail to await trial.

The son, Charles McArthur Emmanuel, also known as Charles Taylor Jr., has been held without bail at the Federal Detention Center since March 30, when he arrived at Miami International Airport from Trinidad and Tobago.

Emmanuel lied on March 15 in applying to renew his passport, listing his father as Steven Smith of St. Vincent, court papers say.

He was seeking the renewal at the U.S. Embassy in Port of Spain, Trinidad, days before President Ellen Johnson Sirleaf of Liberia asked Nigeria to extradite his father to face charges in Sierra Leone.

Emmanuel, 29, was born in Boston to a girlfriend of Taylor, who was then living there. The criminal complaint against him says Emmanuel joined his father in West Africa in the 1990s, running the Liberian Antiterrorist Unit, an elite military force that provided security to Taylor while he was president of war-torn Liberia.

Taylor claimed asylum in Nigeria in 2003, and Emmanuel flew to Trinidad and Tobago through Dulles International Airport in Virginia on July 31, 2003, the complaint says.

Much of the information in the complaint was from investigations by Immigration and Customs Enforcement into "illicit arms trafficking, human rights violations and other illicit activities" in Liberia, it said.

A spokesman for the immigration agency, Dean Boyd, said only that Emmanuel was "the target of an ongoing investigation."

Taylor was captured trying to flee Nigeria on March 29, the day before his son flew to Miami. Last month, Taylor was taken to the Netherlands to be tried by the Special Court for Sierra Leone, the tribunal backed by the United Nations that has indicted him on charges of crimes against humanity and war crimes.

He is accused of backing rebels in Sierra Leone who killed tens of thousands of civilians and hacked off the limbs of others while seeking control of diamond fields. He is also believed to have worked with Al Qaeda.

Human Rights Watch has asked the Justice Department to investigate Emmanuel for war crimes and torture, saying his Antiterrorist Unit committed assaults, rapes and fatal beatings, abducted and burned civilians to death and recruited child soldiers.

"Federal law makes it a crime for American citizens to commit those kinds of crimes abroad," Elise Keppler, a lawyer with the rights group, said. "He's implicated in horrific abuses."

Emmanuel's public defender, Miguel Caridad, said he suspected that the investigation of his client did extend beyond the charge of passport fraud.

BBC Online
Friday, 7 July 2006

UN head in Ivory Coast peace bid

UN head Kofi Annan is to meet Ivory Coast's President Laurent Gbagbo to urge that October's elections go ahead and boost the flagging peace process.

The president has urged his supporters, who demonstrated violently against the United Nations in January, to welcome the UN secretary general.

The UN deployed peacekeepers there after rebels seized the north in 2002.

The BBC's James Copnall says elections are looking increasingly unlikely as disarmament has yet to take place. It is Mr Annan's first visit to the country since the civil war began four years ago.

Some 10,000 French and UN peacekeepers monitor a buffer zone between the rebels in the north and the government-held south.

Heavy weights

Our correspondent says the UN is generally not popular in the Ivory Coast.

President Gbagbo's supporters feel it is up to the UN to disarm the northern New Forces rebels and they also accuse the organisation of interfering in internal politics.

Mr Annan will preside over a meeting between President Gbagbo, Ivorian Prime Minister Charles Konan Banny, opposition politicians and rebel leaders.

Other heavy weights due to attend include the current head of the African Union, Congolese leader Denis Sassou-Nguesso, and South African President Thabo Mbeki.

President Gbagbo has stressed that this meeting is not in addition to the long list of summits aimed at resolving the Ivorian crisis.

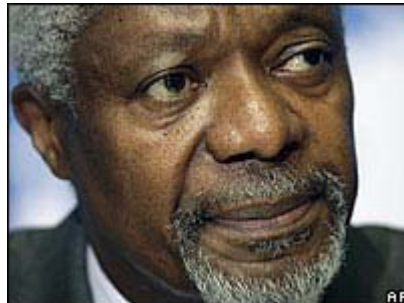
Instead the president says it is to evaluate progress, which, our reporter says, has been slight.

Discussions may well include what will happen when President Gbagbo's mandate runs out in October.

The country is still split in two, with rebels controlling the north of the country.

On Tuesday rebel military chiefs were meant to meet President Gbagbo, but the talks were cancelled after a row about status and security.

Our correspondent says that political gamesmanship, timed to coincide with Mr Annan's visit, is just a small sign of how divided Ivory Coast still is.



Mr Annan has not visited Ivory Coast since the civil war began



United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 6 July 2006

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

International Clips on Liberia

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

International Clips on West Africa

AP July 06, 2006

Ivory Coast "mini-summit" sets new peace process deadlines, postpones election decision

By SERME LASSINA

YAMO USSOUKRO, Ivory Coast _ Warring factions in Ivory Coast agreed to a later deadline for militia disarmament and a plan for a long-awaited citizen identification program, but the "mini-summit" with the U.N. secretary-general and others put off a decision on whether to delay elections. Meanwhile, the U.S. ambassador to Ivory Coast set off Thursday on a weeklong tour of northern rebel-controlled territory in an attempt to "engage all groups in the process of peace and reconciliation," according to a statement by Ambassador Aubrey Hooks' office.

VOA 06 July 2006

Annan: Ivory Coast Elections Still Possible

By Franz Wild Yamoussoukro, Ivory Coast

With less than four months left before the deadline, U.N. Secretary General Kofi Annan has reaffirmed his faith that Ivory Coast can still hold elections as scheduled. The U.N. leader said there was only a small chance presidential elections would not take place before the end of October. The U.N. Secretary-General Kofi Annan said a lot of work has still to be done before elections can be held in Ivory Coast, but he was confident it was still possible to meet October's deadline.

VOA 05 July 2006

In Sierra Leone, Violence and Frustration Increase

By Joe De Capua, Washington, DC

In Sierra Leone, there are increasing reports of violence at schools, as well as reports of vigilantism, as local residents take the law into their own hands. Sierra Leone is still in the process of rebuilding following a civil war. Among those raising the alarm about growing violence is Valnora Edwin, country coordinator for the NGO, campaign for good governance. From Freetown, she spoke to VOA English to Africa Service reporter Joe De Capua first about problems in the country's schools.

Local Media – Newspapers

Government Opens Book of Condolence for Associate Justice Wureh

(Liberian Express)

- According to a press statement, the Government of Liberia has announced that funeral activities for Associate Justice Emmanuel Wureh would begin with the signing, on Friday, July 7, of a Book of Condolence and he would be buried on Tuesday, July 11 after a wake-keeping at a Catholic church in Monrovia.

Government Accuses Three Men of Economic Sabotage

(Liberian Express)

- The Government of Liberia yesterday handed over to the Monrovia Magisterial Court for prosecution three senior executives of the National Social Security and Welfare Corporation. The three men, Clarine Roberts, Anthony Selmah and Moses Quemie, had been accused of stealing nearly US\$80,000 when they overpaid themselves their severance pay.

House Speaker Implicated in Deal to Rescind Diplomatic Ties with China

(Daily Observer, The Analyst and The Evidence)

- Correspondents said that some members of the National Legislature requested the plenary to probe House of Representatives Speaker Edwin Snowe and others for secretly initiating talks to rescind diplomatic ties between Liberia and the Peoples Republic of China for Taiwan.
- In their letter, Maryland County Representative Dr. Bhofal Chambers, Lofa County Representative Vaforay Kamara and Nimba County Representatives Worlea-Saywah Donnah and Nuhu Rebecca Kidau said that Speaker Snowe had written to Taiwanese Ambassador Patrick Chang in Banjul, The Gambia informing him that the Liberian Legislature wanted to initiate discussions to re-establish diplomatic ties between Liberia and Taiwan.
- The aggrieved lawmakers thought the letter contravened Article 57 of the Liberian Constitution empowering the President of Liberia to conclude treaties, conventions and similar international agreements with the consent of the National Legislature and therefore should be probed.

NCDDRR and UN Confer on Challenges Facing Reintegration Program

(Heritage)

- A press release issued in Monrovia yesterday said that the National Commission on Disarmament, Demobilization, Rehabilitation and Reintegration (NCDDRR) and the United Nations agencies were in consultations to seek ways to implement Government's Executive Order #4 extending by another year the work of the NCDDRR to assist in reintegrating ex-combatants.

U.S. Congressional Delegation Arrives in Liberia Saturday

(The Inquirer, Heritage and The Informer)

- A delegation of the United States Congress would arrive in Liberia on Saturday, July 8 to hold talks with President Ellen Johnson-Sirleaf, members of the National Legislature and senior government officials and later help to develop a program of collaboration between the U.S. Congress and National Legislature.
- An Executive Mansion press statement yesterday said that members of the delegation include Representatives David Price, John Boozmani, Adam Schiff and Principal Deputy Secretary of State for Legislative Affairs Matthew Reynolds. President Ellen Johnson-Sirleaf invited the Congressmen to visit Liberia when she visited the United States in March.

Liberians in The Gambia Appeal for Ship to Convey Home

(The Inquirer and The Informer)

- In their statement to President Ellen Johnson-Sirleaf during her visit to The Gambia recently, Liberian refugees in that country appealed to the President to send a ship which would convey them to Liberia. The Liberians said that they were pleased with the progress being made in their country, citing the establishment of the Truth and Reconciliation Commission as a surest way to heal the wounds of the past.
- President Johnson-Sirleaf lauded her compatriots for their desire to return and promised that she would impress on the UNHCR to facilitate the process.

Annan's Presence Reminisced War-Time Blockades

(The Evidence)

- *The Evidence* newspaper reported that UN Secretary-General Kofi Annan's visit to Liberia contravened perceived notions that relief was on its way and that UN's policy towards Liberia would improve as a result of the visit. Instead, the paper contended, Mr. Annan's presence impeded free flow of traffic and people with UNMIL security personnel enforcing the restrictions.
- The paper likened the UN Secretary-General's presence from Monday afternoon to his departure, to the days when only looted vehicles patrolled the streets of Monrovia during the civil war, adding that only UNMIL and Liberian national police vehicles plied the streets forcing the thousands of residents to trek home after work throughout his visit.

Bad Roads Impede Refugees Return to Southeastern Liberia

(The Informer and The Monitor)

- A UNHCR press release said that bad roads were impeding the agency's effort to repatriate Liberians returning to rural parts of Liberia including the Southeast where a convoy of returning refugees was stranded in the mud near Fish Town, River Gee County

Telecommunications Group Contributes to Children Village Project

(The Inquirer, The News and The Analyst)

- The West African Telecommunications Corporation yesterday presented a check for US\$10,000 to help the Crusaders for Peace implement its children village project at Fendell outside Monrovia.

Local Media – Radio Veritas *(News monitored yesterday at 6:45 pm)*

Government Opens Book of Condolence for Associate Justice Wureh

(Also reported on ELBS and Star Radio)

Government Accuses Three Men of Economic Sabotage

(Also reported on ELBS and Star Radio)

U.S. Congressional Delegation Arrives in Liberia Saturday

(Also reported on ELBS and Star Radio)

Telecommunications Group Donates to Children Village

(Also reported on ELBS and Star Radio)

Youth Group Creates Awareness on Millennium Development Goals

- A workshop aimed at creating awareness on the Millennium Development Goals ended yesterday in Monrovia. The workshop, organized by the Youth for Community and Academic Services, exposed the 300 participants including students to the ways that they could work with government to achieve the Millennium Development Goals.

(Also reported on ELBS and Star Radio)

STAR RADIO (*News culled from website today at 09:00 am*)

Elections Commission Receives Nominations for By-Election

- In an interview with Star Radio yesterday, National Elections Commission Information Officer Bobby Livingstone said that the Commission would on Friday, July 7, stop receiving nomination of candidates for the legislative by-election for Margibi County. He added that the electoral body had received 5 nominees for the poll scheduled for August 9.

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

Voice of America

Friday, 7 July 2006

US Says Uganda Rebels Who Committed Atrocities Should Be Prosecuted

The United States says Ugandan rebels accused of war crimes should face justice, despite an offer of amnesty from Uganda's President Yoweri Museveni.

The U.S. Embassy in Kampala issued a statement Thursday, two days after Mr. Museveni said he would grant "total amnesty" to rebel leader Joseph Kony if peace talks between the government and rebels succeed.

The embassy statement says the United States respects Uganda's decision on this matter, but that those who have committed atrocities during the Ugandan insurgency should be held accountable for their deeds.



Joseph Kony (file photo)

Kony and four of his top commanders face charges of war crimes and crimes against humanity from the International Criminal Court.

The rebel Lord's Resistance Army is accused of kidnapping, mutilating, and killing thousands of civilians during its 20-year war against the Ugandan government.

On Wednesday, an International Criminal Court spokesman said the court still expects Uganda to carry out an arrest warrant for Kony and his aides.

Kony is believed to be hiding at a rebel base in the Democratic Republic of Congo.

The Ugandan government agreed just this week to hold peace talks with the LRA. The talks are scheduled to begin next week in southern Sudan.

BBC Online
Friday, 7 July 2006

Uganda LRA rebels reject amnesty

Uganda's Lord's Resistance Army (LRA) rebels have rejected a Ugandan offer of amnesty ahead of peace talks next week.

President Yoweri Museveni has promised to grant LRA leader Joseph Kony amnesty if he gives up what he described as "terrorism" by the end of July.

But an LRA spokesman described the offer as "redundant", as all parties needed to be equal at negotiations.

Mr Kony and four other commanders were indicted by the International Criminal Court for war crimes last year.

The talks between the government and rebels are considered northern Uganda's best chance for peace in years.

They are scheduled to take place on 12 July in the southern Sudanese town of Juba, and will be mediated by the south Sudan regional government.

In a recent BBC interview, Mr Kony denied the LRA had carried out atrocities, particularly on children.

Thousands have died in the two-decade conflict between rebels and the government, and some two million have been forced to flee their homes.

Welcomed

"When we go for negotiations, we negotiate as equal persons on the table so it is... redundant for the president of Uganda to come out and say we are offering amnesty to the LRA leaders," said LRA spokesman in Juba Obonyo Olweny, Reuters news agency reports.

According to Uganda's New Vision newspaper, LRA legal adviser Krispus Ayena Odongo reiterated this position.

"Amnesty presupposes surrender... [it] would mean you are no longer available for discussion," the paper quotes him as saying.

Mr Museveni's office said in a statement this week that it would grant the amnesty if the rebel leader "responds positively to the talks... and abandons terrorism", despite the ICC indictments.

The ICC has stressed that Mr Kony and others indictees remain wanted men and should be arrested.

The Ugandan president says his government would not have re-opened negotiations with Mr



Joseph Kony calls himself a freedom fighter

“ It would be totally wrong to encourage African devils to continue killing fellow Africans in the name of freedom fighting, and later be given red

Beau Garcon, Bujumbura

Should amnesty be offered?

INTERNATIONAL CRIMINAL COURT

First permanent court to try individuals for genocide, war crimes and other human rights violations

Rome Statute set up in July 1998, when 120 countries adopted the treaty

Came into force in April 2002 after ratification by 60 countries

Uganda and DR Congo investigations began in 2004

Q&A: International Criminal Court

Kony if it had "reliable partners" in the region and the world.

He said he would keep his promise to grant an amnesty, because United Nations forces had failed to catch him and there was no option but to try another way.

The LRA's rejection of amnesty comes a week after the BBC's Newsnight programme broadcast an interview with the elusive Joseph Kony, in which he described himself as a "freedom fighter".

He said stories of LRA rebels cutting off people's ears or lips were Ugandan government propaganda.

International Herald Tribune

Thursday, 6 July 2006

The killing fields

Three decades have passed since the world first learned of the "killing fields" of Cambodia: whole populations driven from cities, mass executions, and countless deaths by starvation, forced labor and disease at the bloody hands of the Khmer Rouge. Yet it was only this week that a UN- Cambodian tribunal was sworn in and began the long task of bringing those most responsible to trial.

The tribunal, the Extraordinary Chambers in the Courts of Cambodia, faces enormous hurdles, not least of which is that the leaders of the Khmer Rouge are either old or dead. Pol Pot died in 1998. Of his top lieutenants, Nuon Chea, Khieu Samphan and Ieng Sary are in bad health. Only two former leaders are in detention, and one of them, Ta Mok, the former military chief of the Khmer Rouge, was hospitalized last Thursday. We can only hope that there will be enough of a trial in the end to give Cambodia's survivors some sense of justice done.

The tribunal has a responsibility not only to those survivors but to a world that has yet to learn how to deal with crimes against humanity. The horrified outcry when the crimes of the Khmer Rouge came to light was only repeated later, over Srebrenica, Rwanda, Sierra Leone. Yet the international tribunals set up for these atrocities have been painfully slow, frightfully expensive and sadly inadequate. Slobodan Milosevic died before judgment could be passed by the Yugoslavia tribunal; Charles Taylor, the former president of Liberia, was arrested only in March to face trial before the Sierra Leone court. And another genocide is under way today, in Darfur, in full view of the entire world.

Given this history, it should not be surprising if victims of atrocities come to see international justice as an expensive exercise in allaying Western guilt for failing to act in time. The Cambodia tribunal, with 17 Cambodian judges and 13 from other countries, is set to spend \$56.3 million over three years in a country where most people live on less than a dollar a day. Yet that expense will be justified if it can bring culprits to justice as quickly as possible; if it can help Cambodians learn what happened and why; and if it can demonstrate to the world that justice, however delayed, awaits those in power who commit heinous crimes against humanity.

The court - as well as other international tribunals - should be supported by serious efforts to ensure that such atrocities do not happen again. Getting a UN force into Darfur would be a good start.

Jurist

Friday, 7 July 2006

Trying Habre in Senegal: An African Solution to an African Problem?

JURIST Guest Columnist Chandra Lekha Sriram, Chair of Human Rights at the University of East London School of Law (UK), says that the favorable response by Senegal's president to an African Union call that former Chadian president Hissene Habre be tried in Africa for alleged torture and mass killings committed by his regime in the 1980s is promising, but the option of trying Habre elsewhere should not be abandoned if Senegal fails, yet again, to follow through...



On 1 July, an expert panel appointed by the African Union (AU) reported to the organization's summit in Banjul that the former Chadian dictator, Hissene Habre, should be tried for alleged torture and mass killings during his regime by the courts of Senegal, the country to which he fled in 1990. The panel announced that this was an "African solution", a phrase that resonates with the AU's mantra, "African solutions to African problems". The Panel's report was endorsed by the AU membership, and on the 3rd of July Senegal's President, Abdoulaye Wade, announced that his country would try Habre, stating that "Africans must be judged in Africa." This is an admirable sentiment, no doubt, but it is worth asking whether a trial in Senegal will offer any solution at all. In light of the potential difficulties, is an African solution really to be preferred above all others?

It is first perhaps worth asking why the Habre case has provoked such interest, and why therefore African countries have been so keen to ensure that he remains in Africa. The current dispute over trying Habre for his past crimes arose because victims of his regime brought a case in Belgium under its universal jurisdiction legislation in 2001. Belgium issued a request to Senegal for Habre's extradition to stand trial. However, in 2005, a judge in Senegal determined that Senegalese courts were not competent to rule on the extradition request.

The President of Senegal then indicated that he did not wish to send Habre to Belgium, and some African nations supported that, viewing the Belgian request as "neocolonial" and insisting that only an African court could try an African leader. This stance is in line with recent statements by Habre's attorney, El-Hadj Diouf, rejecting a Belgian trial: "Belgium is a colonialist. Belgium created a genocide in Rwanda and Congo. Belgium cannot accuse an African man, it is the new colonization. Why Belgium? Hissene Habre is a Chadian." Such assertions resonate in much of post-colonial Africa, although they do not explain why the courts of Senegal could not or would not try Habre themselves, as required by the UN Convention Against Torture (CAT), to which Senegal is a party.

The challenge of Hissene Habre is not a novel one. He is not the first African to face trial in Europe for war crimes, crimes against humanity, or torture, nor will he be the last. The worries of Africans about controlling their own fate, and the guilt of their former colonizers, are very real.

But so are the legal requirements that certain crimes be tried, no matter where they occurred. It is partly for this reason that the African solution of the Special Court for Sierra Leone was nuanced by the recent transfer of Charles Taylor to The Hague. He still faces a partially African court, but in a European venue. The move was not one of colonization, but of pragmatism: if he didn't face trial outside the region he had so decimated, it was feared, he might not face a functional trial at all. Similarly, the dilemma of Habre was for some time not that of African trial vs. European trial, but of trial elsewhere vs. no trial at all.

Following international pressure on Senegal, the AU set up a panel of experts to consider the situation. In May, the Committee Against Torture, set up to monitor the CAT, issued a statement giving Senegal 90 days to try or extradite Habre, and indicating that the country was in violation of its obligations under the CAT for not having dealt with Habre's past abuses during the 15 years he spent in exile there.

The AU panel indicated not only that Habre must be tried, and could indeed be tried in several African venues, whether Chad, Senegal, an ad hoc tribunal, or any other African nation that has ratified the CAT, but also indicated that Senegal would be the most suitable location for a trial. Further, contrary to the finding of the earlier Senegalese ruling that courts of that nation did not have competence to even rule on the extradition request, the AU experts found that Senegal not only had jurisdiction over the case, but an obligation to act in accord with its duties under the CAT.

The AU panel's contradiction of the Senegalese judge regarding competence might seem like a technicality, but it highlights a potentially serious problem. Senegalese courts may be the most appropriate venue to try Habre, but they have evinced a distinct aversion to doing so. The evasion by the judge in 2005 was only the latest example. A case had previously been brought in Senegal against Habre through the exercise of universal jurisdiction, in 2000. Habre was placed under house arrest, and the case proceeded, briefly.

However, following apparent interference by politicians, the country's highest court ruled in 2001 that Senegalese courts could not hear a case involving crimes outside the country, and the Senegalese President even suggested that Habre could be sent to any country, such as Belgium, interested in trying him. While it is to be hoped that Senegalese courts are now more immune to political pressure, and interested in implementing the country's obligations under the CAT, the

2005 judicial decision on competence suggests the opposite.

It remains to be seen whether Senegal will now fulfill its obligations under the CAT, as articulated by the Committee Against Torture and the AU Panel.

President Wade's announcement holds out the promise of a trial in Senegal, perhaps through the creation of a special court in the country with wider African jurisdiction, and in collaboration with Chadian authorities. If that promise is fulfilled, then the idea of an African solution might at long last be vindicated, but if not, one can only hope that one of the other venues identified by the AU Panel will be utilized. However, Senegal has avoided trying Habre for over 15 years, so some skepticism may be warranted. If no steps are taken, and no African solution emerges, allegations of neocolonialism should not deter considerations of trying Habre elsewhere in the world.

Of course, there is potentially a more positive interpretation of these events: that the recommendation and President Wade's announcement constitute a real break with the past on a continent where countries routinely elevate sovereignty above examination of internal abuses. If so, then the AU decision itself is a sort of African solution to an endemic African problem: impunity of sitting and former leaders.

Professor Chandra Lekha Sriram is Chair in Human Rights and Director of the Centre on Human Rights in Conflict at the University of East London School of Law, and is currently conducting research in Sudan on that country's Comprehensive Peace Agreement.