

**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 of:**

Thursday, 8 December 2005

The press clips are produced Monday to Friday.  
If you are aware of omissions or have any comments or suggestions please contact  
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New Twist to Fracas in Bo – Margai Jailed

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\* **Bo Town In State Of Tension**

*By Foday M. Jalloh and  
Aruna Kamara*

*Armed to the teeth, riot police in Freetown yesterday fired tear gas to disperse angry crowds protesting the arrest and subsequent detention at Pademba Road Prisons of Peoples Democratic Movement for Change (PMD) interim leader Charles Francis Margai. Mr. Margai was earlier in the day arrested at his Rawdon Street Chambers,*



SEE PAGE 2

*Old boy Berewa at CKC where it all started*

# Margai Arrested

vestigations Department (CID).

His arrest had been mooted since the incident in Bo recently during which his supporters are claimed to have humiliated Vice President Berewa, a rival candidate for the presidency, during the annual celebrations of Christ the King College which both are old students. Margai supporters have consistently debunked the claims, countering that the incident in Bo was orchestrated in a bid to find fault with him and keep him and the PMDC out of the presidential race.

Yesterday, Mr. Margai was arrested under a warrant signed by Magistrate MAB Shyllon. According to Sgt. 3375 Umar Sesay of the Police Media Unit, the interim PMDC leader is facing an 11-count charge including, functioning as a political party without registration; holding and assembly without informing the Inspector General or other competent authority as prescribed by the Public Order Act, insulting conduct; riotous conduct; and making use of threatening language.

At the CID headquarter at Government Wharf where Mr. Margai was taken after his arrest, there were scenes of chaos as hundreds sympathizers massed outside the building demanding his release. The protesters carried placards some of which read: "Mother Sierra Leone is crying for Freedom", "Arresting Charles Margai is like arresting the nation," "Bail Charles Margai!" "Sierra Leone belongs to all of us, we are tired of dictatorship." "Pa Kabbah give peace a Chance".

Many people known to be close to Mr. Margai were refused entry into the CID headquarters by police officers who displayed open hostility. One such visitor who was denied entry was Mr. Margai's wife Vivat who was rudely informed by a police officer to return where she came from. Hon. Osho-Williams who is believed to be part of the interim PMDC leader's defence team was also blocked from entering.

Mr. Margai was later whisked out of the CID headquarters onboard a police vehicle with registration number 526, bound for Pademba Road Prisons after having been refused bail. En route, angry sympathizers threatened to cause havoc, with many openly vowing to follow their leader to Bo where he is expected to be tried. Hours before his detention, Mr. Margai in a BBC interview said he felt sure he is the choice of the people for the 2007 presidential elections, adding that he believes in the rule of law.

In Bo where Mr. Margai enjoys considerable support, the situation was reported to be tense yesterday, with residents fearful over the outcome of Mr. Margai's trial in the township along with other key PMDC stalwarts including Rachel Lagawo, the daughter of late SLPP strongman, Teacher RES Lagawo.

An unspecified number of key Margai operatives including popular barrister Arrow-John Bockarie and SK Foyoh were being kept in detention up till yesterday evening, pending court trial.

Parents have already advised their kids not to venture out to go to school today due to the tense situation, our Bo reporter said.

**Charles Margai Charged With Conspiracy  
...to Appear in Court Today**

*Charles Margai leaving his office with some supporters Wednesday*

*Story: Tanu Jalloh and  
Mohamed Massaquoi*

Leader of the yet to be registered Peoples Movement for Democratic Change (PMDC), Charles Francis Margai was Wednesday finally arrested, detained for several hours at the Criminal Investigation Department (CID).

He is to face eleven-count charges of processing without permission, behaving in a disorderly manner and conspiracy.

Margai's warrant of arrest was effected by the police at about midday Wednesday after it was signed by Magistrate Shylon following the violence that erupted some two weeks ago at a ceremony observing the prize giving of Christ the King College (CKC) in Bo.

Teargas was fired at the CID headquarters Wednesday evening to disperse people, most of them Margai loyalists, who had con

*Continued page 3*

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## **Charles Margai charged with conspiracy**

*From page 1*

verged at the CID in solidarity with their leader.

According to Lawyer Robert Kowa of PMDC the offences range from public order offences to Political Party's Act and conspiracy, unlawful gathering without registration and insulting conduct against Vice President Berewa.

"Unfortunately the warrant of arrest that was issued Charles Margai did not endorse for bail because the Director of CID said there was no way he could be granted bail," says Kowa adding that Section 79 of the Criminal Procedure Act states that treasonable or criminal offences are not liable to bail but all other offences are liable.

As we went to press, the situation in the capital Freetown was tense, as several Margai loyalists had threatened to create violence in Bo where the hearings would occur. Some of the supporters were seen hiring motorbikes and vehicles heading for the Southern capital.

Police sources say some other PMDC members were detained with Margai among them Lamin Vonjo Gobeh, Sidique Janneh, Rachael Lagao, plus eight others who are currently detained by the police in Bo.

Reports say a robust team of police personnel has been dispatched to Bo to quell any violence should it arise.

Earlier, speaking to Concord Times Wednesday before his arrest, the PMDC leader had challenged that he would not honor the invitation of the CID until a warrant of arrest was issued.

He said at about 8.30 am Wednesday he saw police personnel at his residence inviting him to the CID head quarters.

"I am not going any were until there is a warrant," he had said.

Margai charged all the negative developments now are the machinations of Vice President Solomon Berewa and President Kabbah.

"The will of the people in a democratic system is the most paramount issue and the PMDC does not belong to me but to the people," he observed.

Margai challenged that the SI PP gov-

Exclusive  
8 December 2005

### For Conspiracy...Margai Others Arrested

By Musa Sesay  
Legal luminary and leader  
of the still to be registered

PMDC, Mr Charles  
Francis Margai and  
other members of his

movement, were yes-  
terday arrested and de-  
tained at the CID Head-

quarters in Freetown.  
They are expected to  
answer to charges of

## Margai Others Arrested

*From front page*

warrant of arrest in the afternoon hours of yesterday and was subsequently whisked to the CID, where he was detained up to press time. They further disclosed that other stalwarts, one Ngebeh and Alhaji Jenneh, were among those wanted by the court in Bo to answer to charges related to the Christ the King College imbroglio in Bo last month.

Earlier, Mr Margai had urged the government to be mindful of the people's welfare and to treat the security of the state with all the seriousness it deserves.

## Doomsday For Democracy: 11 Count Charges Send Margai to Bo



Charles Margai... sandwiched by police officers

BY UNISSA BANGURA &  
MOHAMED KONNEH

The Criminal Investigation Department headquarters in Freetown was yesterday barricaded by thousands of angry supporters of the leader of the yet to be registered People Movement for Democratic Change (PMDC) party.

The ugly situation was prompted by the arrest of Mr. Charles Margai and three others believed to be senior officials of the party.

According to police sources, a warrant of arrest for Mr. Margai and the others was late yesterday afternoon signed by Magistrate Shylon on the request of the Department of Public Prosecution (DPP), which has been in possession of a case file from Bo relating to the alleged riot in the township during the CKC Week.

The warrant contains eleven (11) different charges ranging from conspiracy, riotous conduct under the public order Act of 1965 and insulting

words against the vice President, Solomon Belewa.

According to Lawyer Robert Kowa, who is representing Charles Margai and his colleagues of Pademba Road including Iamin Vonjo Ngobeh, Sidikie Janneh and Rachel Legawo, his efforts to secure bail for the accused persons proved futile as all attempts to do so were frustrated by the authorities, who seemed determined and decided as to what they wanted to achieve at the end of the day.

He disclosed that the head of the CID maintained that the offences against the PMDC leader and his colleagues were not bailable offences, and must therefore remain in detention until the matter was ironed out.

It was also disclosed that the British High Commissioner in Freetown pleaded with the authorities for Mr. Margai to be released on bail, but that too was not entertained by

the authorities.

Sources revealed that Mr. Charles Margai and the three others are to be escorted to Bo today where they will make their first appearance at the Bo Magistrate Court.

According to the thousands supporters who displayed placards in support of Charles Margai, they are demanding the

immediate release of their leader with no precondition.

Some of the placards read, "Is This Democracy?", "Please give peace a chance," and "We do not want to go to war anymore."

The supporters are now calling on Unamsil and other international bodies to quickly intervene before the situation deteriorates further.

*- trucks load of police officers accompany him*



# Charles Margai, 10 others in Bo court this morning



Charles Margai is expected to appear in court in Bo this morning together with a few of his supporters on 11 counts criminal charges. His appearance in the court

targetly depends if the police were able to make the journey last night from Freetown

morning at his residence which he refused to honour and so the officers returned to prepare an arrest warrant. Shortly before midday yesterday, the police showed up at his Chambers at 40 Rawdon Street and took him away.

A few of his supporters who were with him had wanted to prevent the police take him away, but the leader of the yet to be registered People's Movement for Democratic Change (PMDC) prevailed on them not to obstruct the police in the performance of their duty.

Margai himself has been reaching that he believes in the rule of law.

Outside the C.I.D headquarters  
**Turn to page 2**

as loyal Margai supporters prevented them from doing so earlier in the day by barricading the C.I.D headquarters yesterday. Margai was served an invitation by the police yesterday

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# Margai In Court Today

from front page

ters yesterday, a few of his supporters, mostly college students, carried anti-government placards. Personnel from the police Operational Support Division (OSD) in riot gear were station-

tioned outside in readiness should the situation get out of hand.

Inside Margai was held in the top floor office of the Head of the C.I.D where the reason for arrest were explained to him, statement ob-

tained.

He was also allowed to make phone calls, and on one occasion he had a conversation with lawyer Ansu Lansana, who is also the party's official spokesman.

# **RIOT: Teargas Fired In Freetown Last Evening**

*By our Reporter*

Freetown was turned upside down last evening as police fired teargas to disperse the crowd prepared to vigil outside the C.I.D headquarters to prevent the police execute a Magistrate

court warrant for Charles Margai to appear in a Bo court this morning.

The police deliberately avoid using force all throughout the yesterday, ignoring provocation from the handful of loyal-

ists who held siege outside. But their patient run out in the evening and they were left with no alternative but to fire teargas in a show of force. For about 30 minutes, Siaka Stevens Street, between Char-

lotte Street and the Cotton Tree was a no go area. Briefly hoodlums who had joined in set up barricade in front of the National Development Bank and armed with stones smashed a few vehicles

Their target were vehicles belonging to NaCSA parked in front of their head office. Pedestrians caught up in the unexpected riot were seen

covering their noses and rubbing their eyes from the teargas infection while at the same time running helter skelter. Privately owned vehicles immediately diverted direction.

Around the P.Z roundabout, the situation was calm and business went on as normal. By 7pm calm had returned and vehicles were back on the road in the area affected by the riot.

## Tension Mounts At CID As... Margai Arrested, Refused Bail

*By Mohamed Kallon &  
Francesse Marke*

The police in Freetown yesterday in connection with the incident that took place in Bo two weeks ago have proffered one new charge on the unregistered PMDC



*Charles Margai*

leader Mr. Charles Margai. The charge of conspiracy has been added to the initial 10 count charge of unlawful procession and illegal association that may likely undermine security. Mr. Margai had been to Bo to



*Acha Kamara*

grace the CKC thanksgiving service. Mr. Margai was yesterday morning arrested at his 40 Rawdon Street Chambers by the police and interrogated at the CID Headquarters at

*Contd Page 2*

Page 2 Thursday December 8, 2005 NEW VISION

### ***Margai Arrested...***

Government Wharf amidst anti government chanting by his supporters calling for his immediate release.

According to Lawyer Ansu Kaikai who is believed to be a defense Lawyer for Mr. Margai, his arrest was surprising in that the Magistrate who ordered the arrest did not sign the warrant, and further revealed that the police did not grant Mr. Margai bail. In addition, on to press time Charles Margai was not released.

However, sources close to the police intimated that Mr. Margai was not released because of fear of crowd trouble that brewed around the station at the time, and that preparations were made to send him to Bo where he is expected to appear in court today.

Meanwhile Mr. Charles Margai told the New Vision minutes before his arrest that he was eager to know what the police meant by "illegal procession".

Speaking at his 40 Rawdon Street office yesterday he said that at about 7:45 a.m. as he was preparing for work, when a group of policemen headed by one I. Amin invited him to C.I.D. Headquarters which he refused on the grounds that there was no warrant of arrest. Mr. Margai said he told the police to follow him to his office as he was ready to go to work and they should meet him there noting that he was tired of rumours of his arrest and the charges which he does not understand.

Friday December 9 2005 where no com

## High Court seeks comprehensive submission

*Story: Tanu Jalloh*

The presiding panel at the Supreme Court in the matter between indicted war crimes indictee, Chief Sam Hinga Norman and Sierra Leone Peoples Party (SLPP) Wednesday told both counsels for the plaintiff respondent and defendant applicant that they seek comprehensive written submissions for the proceedings.

Alluding to the procedure sought by the Supreme Court, Dr. Bubuakai Jabbie, representing the plaintiff Hinga Norman on behalf of the applicant's counsel proposed that in view of the order that a full and comprehensive written submissions be made by the 12th December, some considerations or extension should be made of the date to Wednesday 14 December 2005. According to the presiding panel, the court is disposed to look at the motion and the papers to see whether they can be invoked.

"Make your written submissions and send them. Order 52, Rule 3 invoked the powers to do the submissions in writing and should be tendered against the 16 December 2005," the panel states.

Eke Hallaway on behalf of the defendant applicant said they were comfortable with the Order of procedure.

The matter was adjourned to 16th December 2005.

The panel of judges include Chief Justice Ade Renner-Thomas, Justice Virginia Wright, Justice Sydney Warne and Justice Muir.

## **Local News**

Story Mariama Kandeh

The eminent jury and organizers of the international moot court competition held in Arusha, Tanzania has said that they were greatly impressed by the three-man team from Sierra Leone, a release from the International Committee of Red Cross (ICRC) states.

Osman Jalloh, Gerald Cole, and Drucil Taylor who went as the first Sierra Leonean participants did not win but expressed that they had a great experience. They said this offered them the opportunity to confront some of the finest minds in Africa who are expected to be leaders of tomorrow.

# Moot court jury impressed with Salone team

Three students on their return said they want to help the students who will represent our country next year adding that "when we prepared for the competition with the ICRC and during our trip we noticed the importance of International Humanitar-

ian Law (IHL)."

13 teams of three students from ten African countries including Sierra Leone and Nigeria from West Africa contested three preliminary rounds after which two teams were selected for the final which was held

in the International Criminal Tribunal for Rwanda (ICTR). The team from the University of Nairobi school of Law (L.A.N) in Kenya was the eventual winner of the competition with South Africa taking the Runners up. The competition was initially held for Kenyan students starting back in 2000 but has grown to include other countries in and outside East Africa

Cocorioko website  
<http://www.cocorioko.com>,

## **'IT IS NOT WITCH-HUNTING : WE HAVE TO ENFORCE THE LAW ' ---Says Inspector General of Police**

Thursday December 8, 2005

The Inspector General of Police, Mr. Brima Acha Kamara , said in Freetown today that the arrest of People's Movement for Democratic Change ( PMDC) Leader , Mr. Charles Margai , was not political witch-hunting. Talking to COCORIOKO in another exclusive interview, the Police Chief intimated that Mr. Margai committed serious crimes and the law had to take its course.

He informed COCORIOKO that Margai would be appearing in court in the Southern Province capital of Bo today to answer to charges that ranged from unlawful assembly, incitement , to operating a political party without a licence.

Asked whether the arrest of Mr. Margai would not disturb the peace of the country, The Inspector General posed the question : "With the Presidential Elections 16 months to go, If we start allowing people to do what they want to do and break the law with impunity , what will this country look like in 16 months time ? " .

COCORIOKO remarked that people would be looking at the issue from the point of view of democracy and the newspaper demanded to know whether the interest of democracy was served by yesterday's arrest . In response , Mr. Kamara emphasized that democracy was The Rule of Law. "You don't talk about democracy without the Rule of Law.", he firmly retorted . "Charles Margai broke the law .It is not democracy to break the law ", he philosophised . Democracy operates through the Rule of Law. And Charles Margai, as a lawyer, should have known this. If we allow people to break the law in the name of democracy, what kind of democracy are we talking about?", he continued.

Mr. Kamara said Charles Margai was not the only one arrested. Between 8-9 people , he said , were arrested in connection with the incidents in Bo. Asked whether it was wise to try the case in Bo where Charles Margai had such a big following, Mr . Kamara said that it had to be done that way because the crimes were committed in Bo. He informed COCORIOKO that after Margai and Co. are indicted in Bo, if it becomes expedient, the trial will be transferred to Freetown. .

The Inspector General stated that the Director of Public Prosecutions fully investigated the case and came to the decision that serious crimes were committed in Bo.

Asked what message he had for tense Sierra Leoneans at home and abroad, the Inspector General admonished everyone to remain calm and wait for the law to take its course. He said that if Margai did not commit a crime, it will be proved by the court and he will be set free. The Police Chief, drawing an example from the Paul Kamara case, expressed

## **Tense moment in Sierra Leone. and Margai says .....**

### **I AM NOT DISTURBED BY THIS ARREST !!!**

Wednesday November 7, 2005

People's Movement for Democratic Change ( PMDC) Leader , Charles Margai, said in Freetown today that he was not disturbed by his dramatic arrest , before he was carried away in handcuffs by the Sierra Leone Police, who upped the ante in the chaotic cat-and-mouse game going on between the PMDC Chairman and the SLPP government.

True to Inspector General Brima Acha Kamara's statement to COCORIOKO last night that Margai would soon be charged, the son of former Prime Minister Albert Margai was arrested today and slapped with an 11-count charge in connection with the turmoil in Bo two weeks ago when supporters of Margai were alleged to have blocked the motorcade of Vice-President Solomon Berewa from entering the campus of Christ The King's College.

Despite Margai 's cool demeanor to what might raise the stakes in the drama, at least 1,000 supporters soon massed around the Criminal Investigations Department ( CID ) where the atmosphere is said to be tense.

great confidence in the Sierra Leone judiciary of today . "If there is no case against Margai, this judiciary will say so and he will go free."

Asked what was happening to the Harry Yansaneh case, the Inspector General said the Police had played their own part and an inquest was held. He directed the Editor to refer his enquiries to the Attorney General.

### **NO ARREST AT YESTERDAY'S RIOT IN FREETOWN. POLICE USED MINIMAL FORCE -- SAYS I.G**

Thursday December 8, 2005

There were no arrests during yesterday's rioting in front of the Criminal Investigations Department ( CID ), the Inspector General of Police told COCORIOKO in an exclusive interview this morning. The Police Chief said that the intent of the Police was to disperse the crowd and so minimal force was used.

Yesterday, shortly after the arrest of the leader of the People's

### **RIOT POLICE BREAKS UP CHAOTIC SCENES IN FREETOWN**

Wednesday December 7, 2005

Freetown for a moment exploded with chaotic scenes today as Police and supporters of Charles Margai warred in front of the CID Headquarters. Thousands of Margai supporters had stormed the CID after the arrest of the People's Movement for Democratic Change ( PMDC ) leader earlier this morning.

The angry crowd protested the arrest of Mr. Margai . While the protests were on, Police arrived in full riot gear and started spraying the crowd with teargas. The agitated crowd then started throwing stones and running battles ensued between the Police and the mobs. Members of the public fled for their lives and shops were quickly closed while market women and traders could be seen running helter-skelter with their wares on their heads. Many people were injured during the stampede.

Our reporter , Chernor Ojuku Sesay said : "My eyes are burning and they are getting swollen from the teargas..It was so serious . " Chernor said further that though the Police had dispersed the crowd, the tension in the city remains high .

Our Provincial reporter , Soribah Kalokoh, also reported a tense situation in Bo where Margai supporters are threatening to demonstrate against the arrest of their leader. Soon after news spread in Bo about the incidents in Freetown, Police were seen in a heightened state of security alert "I saw two trucks full of Policemen coming in from God-knows - where " , he went on. It is believed that Police reinforcement is being sent to Bo to prepare for Charles Margai's appearance in court , possibly tomorrow. .



**FOREIGN PRESS CENTER BRIEFING WITH ASSISTANT SECRETARY FOR  
AFRICAN AFFAIRS JENDAYI FRAZER**

TOPIC: "AFRICA UPDATE: DEMOCRACY AND HUMAN RIGHTS"

THE WASHINGTON FOREIGN PRESS CENTER, WASHINGTON, DC  
MONDAY, DECEMBER 5, 2005, 1:45 P.M. EST

-SNIP-

QUESTION: Okay. Thank you very much. My name is James Butty. I'm host of the Voice of America program Daybreak Africa. You mentioned the elections -- Ellen Johnson-Sirleaf, but her election is just one part of the equation in Liberia. What is the United States ready or willing to do to help her deal with the monumental problems that the country faces? Two, is it the view of the United States that her government should or will be made to turn Charles Taylor over or to push for Charles Taylor to go before the special court in Sierra Leone?

AMBASSADOR FRAZER: Thank you. The United States will continue to support the people of Liberia and their newly elected government in developing the country.

-SNIP-

As for Charles Taylor, it's always been our policy that he must be turned over to the Sierra Leone special court. We've said that it is a matter of timing. Certainly you know that President Bush had a conversation with the President-elect to discuss the issue of Charles Taylor and she said that she needed more time, but certainly we would have an expectation that that government would turn him over. And there's a Security Council resolution to that effect.

-SNIP-

And also, do you have an opinion as to whether Hissene Habre should be extradited to Belgium now that the Senegalese Government has said they're going to refer this to the AU?

QUESTION: Does the U.S. have a position? Because the President of Senegal has now said that the African Union should decide at their next meeting.

AMBASSADOR FRAZER: Right. I think that the African Union should decide at their next meeting. (Laughter.)

-SNIP-

(Distributed by the Bureau of International Information Programs, U.S. Department of State. Web site: <http://usinfo.state.gov>)

<http://www.baltimoresun.com/news/opinion/oped/bal-op.liberia08dec08,1,3252929.story?coll=bal-oped-headlines>

# Liberia must confront its past if it wants a brighter future

By Jeremy I. Levitt and J. Peter Pham

December 8, 2005

Ellen Johnson-Sirleaf, chosen president of Liberia last month in the country's first free polling in its 183-year history, is the first woman elected to a presidency in Africa.

The choice of Ms. Johnson-Sirleaf is a remarkable breakthrough in a historically patriarchal society where women largely have been kept at the periphery in politics. She explicitly campaigned on her gender, and many of her supporters wore T-shirts that proclaimed, "All the men have failed Liberia; let's try a woman this time." It was a none-too-subtle reminder of the failure of men who have led the country into nearly two decades of authoritarian rule and civil strife from which it is only now emerging.

But while Ms. Johnson-Sirleaf ran for office on her differences with the country's past rulers, in one troubling aspect she has been all too conventional, at least by African standards.

During her campaign, Ms. Johnson-Sirleaf made it clear that she would not support prosecuting those who committed unspeakable atrocities during the 1989-2003 civil wars. The conflicts took the lives of up to 250,000 Liberians and displaced over 1 million others, igniting a regional conflagration that continues to smolder in the West African country's neighbors. She stated unambiguously: "Let me just say, I have said consistently, and I reiterate, that I do not support any war crime tribunal in Liberia."

No wonder she drew support, not only from civil society organizations, the educated classes and women but also from less-savory characters.

Among them were Senator-elect Yormie Johnson, the former confidant of exiled former President Charles Taylor and a warlord best known for butchering President Samuel K. Doe at the start of the Liberian civil war.

Another supporter was Senator-elect Jewel Taylor, wife of Mr. Taylor. The former president has been indicted by the U.N.-backed Special Court for Sierra Leone on 17 counts of crimes against humanity and other serious violations of international humanitarian law.

So egregious were the crimes for which Mr. Taylor has been indicted that the U.N. Security Council, lately so divided, unanimously voted recently to authorize U.N. peacekeepers in Liberia to detain him and turn

Liberia must confront its past if it wants a brighter future

him over to the special court should he attempt a return from his asylum in Nigeria. But the charges relate to Mr. Taylor's role in Sierra Leone's civil war, not to atrocities committed or directed by him during the Liberian civil wars.

Ms. Johnson-Sirleaf has defended her stand by asserting that Liberia needs to look forward. "We cannot spend our time looking backward, looking for skeletons in closets, trying to witch hunt people because of the wrong they have done, because we all sin," she said. "None of us is perfect. All of us have contributed by omission and commission to the state in which our country finds itself today."

But it is not clear that her position on impunity is fully understood or shared by her followers, many of whom are women who were brutalized during the war.

After more than two decades of strife, Liberia desperately needs the rule of law if it is to avoid a return to armed conflict. In order for that to happen, those responsible for committing war crimes and crimes against humanity must be held accountable.

Not only do the applicable norms of human rights and humanitarian law demand prosecution of perpetrators of those crimes, but it is a fundamental obligation of justice owed to the war victims and a precondition for Liberia to develop as a rule-based and democratic nation. Failure to punish those responsible for the most horrific crimes hardly sends the right signals to those who will inherit the state, to say nothing of any would-be rebels who might seek to violently unseat Ms. Johnson-Sirleaf.

While poverty, illiteracy, unemployment, lack of private sector infrastructure, illicit foreign competition for natural resources and international indifference are major factors hampering Liberia's development, the lack of accountability is the common thread running through its tragic history. So long as warlords, elected or otherwise, are allowed to benefit from the havoc they cause without having to answer to anyone, the lives and resources of the Liberian people will be up for grabs. Far from stabilizing the situation, impunity undermines the very foundation of a free society based on the rule of law.

Ms. Johnson-Sirleaf has won applause for breaking down a significant barrier as Africa's first elected woman president. But she will really earn an ovation if she can tear down an even more powerful barrier to development on the continent: its culture of impunity.

*Jeremy I. Levitt is associate professor of law at Florida International University College of Law in Miami. His e-mail is [jlevitt@fiu.edu](mailto:jlevitt@fiu.edu). J. Peter Pham is director of the Nelson Institute for International and Public Affairs at James Madison University in Virginia. His e-mail is [phamjp@jmu.edu](mailto:phamjp@jmu.edu). Both have written books about Liberia and were observers in the first round of the Liberian election Oct. 11.*

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## Ellen Entangled in Taylor's Web

FrontPageAfrica (Monrovia)

ANALYSIS

December 6, 2005

Posted to the web December 7, 2005

By John S. Morlu

Ellen Johnson-Sirleaf, former waitress-turned Ivy Leaguer, is destined to become Africa's first elected female president. She will become, on January 16, a card carrying member of the world's prestigious club-The Presidential Roundtable. She is, however, being welcomed to sit around a table that comprises mainly tough men. She is also coming to the round table from one of Africa's poorest and war-wrecked countries.

Immeasurably, she has several daunting tasks ahead of her. Liberia is facing many problems. Reconstructions such as building schools, roads, highways, health centers, communication infrastructure, and public facilities are a given. Reconciliation and unification efforts also must be undertaken. George Weah and all the "Class of 22" presidential candidates promised to do just those things. There is no doubt each of them would have mustered the political strength to get them done.

But there are three major things that will make or unmake the presidency of Sirleaf. These triple challenges are: Forming a credible government, dealing with the Charles Taylor question, reforming government. How she deals with the GEMAP is part and parcel the reforming government initiative. In no small way, without an orchestrated plan to deal with these three challenges, she will not succeed.

Liberians from all walks of life have used Sirleaf's Transition Team as a lynchpin to begin the discussion of her desire to form a governing team that is not only reflective of the country but that it is also credible. The hard work of governance and reform of the economic, judiciary, and political systems will come soon after she takes office. In measurably, the task ahead of her is daunting and exacting.

In this article, the Charles Taylor's question will be examined because Taylor's ghost has entangled-or is seemingly haunting-Sirleaf. It will be the test case of her presidency. It is a global mess, fully impregnated with excruciating international consequences, that has fallen in her lap. Some say she asked for it. Others say it was inevitable since the Chairman of the Liberian National Transitional Government, Gyude Bryant, refused to deal with it during the interim period. But whatever the case, she has no choice but to deal with it now, or else she is forever doomed and threatened with needed aid being withheld by powerful economic forces that are critical to steer Liberia from war to peace as well as from destruction to development.

The Taylor question has created enormous division among prominent international and domestic stakeholders with a cascading effect. No doubt, Taylor is an international pyromaniac. Unfortunately, Sirleaf is now caught in the middle on the Taylor question. His exiled host, Nigeria, says Taylor can only be turned over to an elected Liberian government. Will Sirleaf request Taylor's extradition to Sierra Leone to answer charges of crimes against humanity? Or, will she just ignore the issue with the hope that some how, somewhere and some day the international community reaches a global consensus on one of the notorious international criminal in the name of Charles Taylor. But many would agree that she is now effectively in a "catch 22" situation.

## Campaign Promise

A person runs for an elected position to win. And winning requires a proper combination of logistical planning, message/political strategy formulation and execution. All of these things have to take into account domestic factors, assessing the mood of the country. In the second round of elections, Sirleaf and her team got it correct. She put together a winning coalition that baffled many independent observers. It was like matchmaking reminiscent of an unholy alliance. Part of her winning alliance consisted of key Charles Taylor's fanatics, including his wife Jewel Howard-Taylor; a Senate-Elect who is on the United Nations travel ban and asset freeze list.

Sirleaf also realized that she had two fundamental weaknesses. It was her close association with Taylor's war efforts and her unfriendly departure from Taylor in the early days of the war. In the eyes of some Liberians, Sirleaf was "public enemy" number one for Taylor and his marauding gangsters-turned-government officials. Defeated Presidential candidate Varney Sherman realized that the Liberian people were afraid of a return to war, so decide to pitch that as Sirleaf's main weakness.

Defeated candidate Sherman seized every opportunity to inform the Liberian people that electing Sirleaf would mean a return to war, because "she still has enemies." Winston Tubman, Joe Mohamedu Woa-tee, Margaret Thompson and other presidential contenders urged the Liberian people to forgive the warmongers, but not reward them with their votes. The 1997 campaign scenario was being re-echoed and drummed in the people's ears, again. But, were voters listening?

Another significant factor was that Sirleaf was being viewed-or paraded around the country-as the lone candidate that could bring those who committed heinous crimes, including Taylor, to book. She was accused of the same intent during the Accra Conference to form a transitional administration to replace Taylor after he was exiled to Nigeria. She lost to Chairman Bryant because Taylor and other warlords voted against her.

Taylor and these warlords feared Sirleaf would bring them to book by sending them to the Liberian version of the Russian Gulag-the notorious Belle Yalla, torture chamber Monrovia Central Prison or Taylor's death camp Wantaga. During the runoff elections, Sirleaf's team was afraid the large number of ex-combatants including large number of Taylor's ex-fighters in Nimba and Bong counties would vote against her. And so was determined never again to repeat the Accra misfortune.

Sirleaf and her team went back to the drawing board to map out a campaign message that would eventually gain her votes that would later come to entangle her in Taylor's web. On August 15 2005, Sirleaf spoke at a press conference on the issue of war, peace and the future of the Liberian nation. She declared her disfavor for war crimes tribunal in Liberia and her intention not to witch hunt people who committed economic crimes.

That declaration did the magic. All Taylor's former rebel NPFLers, including its political wing, the National Patriotic Party (NPP) consolidated and quietly declared support for Sirleaf, who was, once upon the time, a key ally, a partial founder and financier of the rebel National Patriotic Front of Liberia (NPFL). In the minds of some Taylorites, this was a classic case of a prodigy child-a lost lamb finding its way back home. Sirleaf was just doing what any sound and serious politician would do to gain votes in a growing close election. Taylor folks like his wife Jewel Howard-Taylor joining Sirleaf discounted the notion she has enemies. Undoubtedly, Sirleaf was home free with an Ivy League education and zillions of experience under her belt. She became the consensus candidate.

But some people-nationally and internationally-interpreted her declarations as a blanket clemency for Taylor and economic criminals. Her lone opponent George Weah made a light of that in an exclusive interview with [www.frontpageafrica.com](http://www.frontpageafrica.com). Not too many Liberians seemed to listen to Weah. For so many, the fear of the return to war if Sirleaf was elected had been laid to rest with all those main Taylor's supporters backing her. Sirleaf had the education and the experience, and so nothing Weah or any body else said will not convince them otherwise. But the sober reality became to set in as soon as she was projected to become the

next president of war-ravaged Liberia.

From news coverage to news coverage and from interviews to interviews, the Taylor question seems to have taken on center stage in Sirleaf's post election life. In a series of interview questions flashed across the international lines to Sirleaf in Monrovia this November by National Public Radio host Ed Gordon, the Taylor question featured prominently. The renowned British Broadcasting (BBC) also cornered Sirleaf about the Taylor's questions. The Cable News Network (CNN) and other newspaper outlets did same. So let's use the remaining space to dissect Sirleaf's dilemma as reflected in each of the major international actors.

### **Divided Line: ECOWAS versus MRU**

ECOWAS is a member of the International Contact Group on Liberia, an organization overseeing the peaceful transition of war-infested Liberia to a functioning democracy. Since 1990, ECOWAS has also been one of the main international actors in peacemaking in Liberia. During the first round of war that ended with the election of Charles Taylor in 1997, ECOWAS peacekeeping force, ECOMOG, maintained the peace. Also from the Banjul Conference to Yamoussoukro to the recent peace agreement in Accra, ECOWAS has led the initiatives. For many of its members, Liberia has become a problem child.

### **ECOWAS' Position**

There are 16 countries in the West African subregion that are members of the organization. But the main actors are Ghana and Nigeria. Burkina Faso is also important because it has a long-standing history of fermenting troubles in West Africa.

Nigeria is the godfather of ECOWAS because of its size as well as its economic and military strengths. It has the largest military in West Africa and the most number of peacekeepers in Liberia. The Chief ECOWAS Mediator in Liberia, former Nigerian Head of State and Retired General Abdulsalami Abubakar, is also from Nigeria. The next superpower in West Africa is Ghana. It is a respected democracy and has shouldered a large burden of peacekeeping initiatives in the subregion. It also is relatively economically stable and has a professional standing army.

Nigerian President Olusegun Obasanjo, mediator Abubakar and Ghanaian President John Agyekum Kufuor have shown no interest in sending Taylor to Sierra Leone. Neither has Burkina Faso's President Blaise Campaore. President Obasanjo has refused repeated calls from the international community to turn Taylor over to the UN-backed Special War Crimes Tribunal in Sierra Leone, where he was indicted for the mayhem that engulfed that country during his Presidency in Liberia.

President Obasanjo main contention has been Taylor was sent to exile under an international agreement to end Liberia's civil. He, therefore, is under obligation to uphold that agreement. But under international pressure, President Obasanjo qualified his position. He now maintains that Taylor can stand trial in Sierra Leone if an elected government requests his extradition or when he violates his asylum terms resident.

But Obasanjo did not move an inch when it was documented and reported by the Mano River Union that Taylor was still involved in fermenting wars in Guinea and has shown continued involvement in Liberian affairs. Even Sirleaf acknowledge that report during the debate of presidential candidates. But truth be told, Obasanjo seems to have purchased a breathing room by throwing the problem in the lap of the next President of Liberia. He has clearly used an elected president in a fragile country as his trump card.

Ghanaian President Kufuor is also believed to be against transferring Taylor to face charges in Sierra Leone. Taylor and President Kufuor share a strong political bond. What a strange bedfellow. Taylor is alleged to have financed Kufuor's first election that wrenched power out of the hands of the National Democratic Congress, the incumbent party of former Ghanaian President Jerry John Rawlings. The ruling party in Ghana is the National Patriotic Party (NPP), similar to Taylor's NPP.

The wife of Sierra Leone's notorious rebel leader, Foday Sankoh, was guest of Kufuor on many occasions. During one of the visits in 1999, she openly goofed during an early morning TV talk show when she commended Kufuor for his hospitality during her stay in Accra, Ghana. It was a Taylor's machination. Taylor was the middleman in the blood diamond business involving the rebel Revolutionary United Front of Sierra Leone. So he cut deal with an old ally, whom he had helped to power knowing that Rawlings was about to turn his back on him and Sankoh for perpetuating and supporting violence in Sierra Leone. It was Taylor's desire to create a political influence throughout West Africa by leveraging Liberia's as well as Sierra Leone's resources to rupture old political institutions and build a Libya-styled, autocratic institution across the subregion.

His military ventures into Sierra Leone, Guinea and the Ivory Coast were all part of the influence-seeking grand plan he and his friends had concocted during the heydays of the battle for Liberia. He needed the diamond money to buy influence. He did that with Kufuor of Ghana. So there is no way President Kufuor will ever back an administration in Liberia that will turn Taylor over to the Special Court in Sierra Leone.

It is simple to see why President Blaise Camporaore of Burkina Faso also vehemently opposes Taylor's extradition to Sierra Leone to face criminal charges.

Camporaore, unlike Kufuor and Obasanjo, physically and openly aided Taylor to execute the Liberian civil war. He defended Taylor at various regional and continental meetings through lobbying and public utterances. He received arms and ammunition from Libya for the NPFL and arranged meetings with shadowy arms and diamond dealers for the NPFL and later for the rebel Revolutionary United Front of Sierra Leone. Who knows whether the diamond dealers were not part of the bin Laden terrorist network?

Also, he received and oversaw the selling of all looted machineries, such as gigantic electric generators, trucks and other heavy-duty mining equipment from the Bong Mining Company and Lamco Mining Company. The Burkinabe capital, Ouagadougou, boomed with the spoils of war from Liberia.

During the war years, Camporaore also recruited fighting men for Taylor's ragtag rebels, most of them commanders of various battalions. His recruited fighters and generals executed many Liberians. Camporaore is equally culpable for war crimes and crimes against humanity just as Taylor is.

So if Taylor is put on trial, the chances are Camporaore may be dragged into the case or probably face prosecution, too. The arms of the law know no bounds these days. Camporaore did not hide his support for Taylor's sadism. Acting at the behest of the then Ivorian President Felix Houphouet Boigny, who was also his father-in-law, and Muammar Gaddafi, who supplied the 'big' guns, Camporaore supported Taylor's sadism and atrocities in Liberia and Sierra Leone.

He helped Taylor because the late Liberian President, Samuel Kanyon Doe, was blamed for the death of A. B. Tolbert, who was initially married to Camporaore's present wife. A. B. Tolbert was the son of William Tolbert, who died in the April 12, 1980 putsch led by Sgt. Doe, was the first husband of Camporaore's current wife. Out of vengeance, Camporaore aided and abetted Taylor's criminal activities.

As international pressure mounts on Nigeria to return Taylor for trial, Camporaore heart pulse is getting fainter-if not faintest-by the day. It is the case of 'when you pull rope, rope pulls bush'. Camporaore is an indicted war criminal in waiting. And he knows that his roles were not honorable and moral, whatsoever.

Undoubtedly, Presidents Obasanjo, Kufuor and Camporaore have set the tone on the Taylor question. ECOWAS Mediator Abubakar is also against turning Taylor over. He was furious at European Union (EU) suggestions that the next