

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

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

Thursday, July 08, 2004

The press clips are produced Monday to Friday.
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Rebel Gbao rebels against Special Court



Courtesy
Awoko

Augustine Gbao -defiant

By Abdul Karim Koroma

Following his defiant stance not to recognize Special Court's jurisdiction

to try him, former Revolutionary United Front (RUF) indictee Augustine Gbao, 3rd accused in the ongoing Special Court RUF trial yesterday boy-

cotted Court sittings and was at his cell playing board game.

On Tuesday while addressing the Court, he disclosed that he was not going to appear in Court

and no lawyer should represent him.

Gbao also called on the European Union, Commonwealth and African Union to intervene in the matter.

On the non-appearance of the accused, Presiding Judge, Bankole Thompson ruled that the Trial Chamber would try Gbao in absentia despite challenging the Court's legality.

According to Judge Thompson, Gbao's trial would go ahead and his lawyers will continue to represent him.

Rebel Gbao rebels against Special Court

From front page

He said, "Gbao has made initial appearances on the 5th and 6th July and was represented in the Court" and noted that he was notified to appear in

Court for the purpose of his trial and he was in good health.

The accused, Judge Thompson, said had waived his right for him to be tried by the Court.

Concord Times

Thursday July 08, 2004

Augustine Gbao refuses to attend Court

By Odilia French
Special Court's RUF indictee- Augustine Gbao yesterday refused to attend court proceedings stressing in a letter addressed to the court that he still does not recognise the Special Court for Sierra Leone. According to a member of his Defence team- Mr. John Cammegh he said that following a lengthy discussion held with the accused on Tuesday evening he informed them that he no more wished to take part in the proceedings. In the letter, which was read by Mr. Cammegh, Augustine Gbao stated that in coming to court it would mean that he recognises the Special

Court. He also stated in the letter that he wishes to dissolve his present representation therefore they should not take part in any legal proceedings on his behalf. The letter was then tendered in court and marked exhibit 1. Testifying in court the Supervisor of the court's detention centre- Johannes Wagenaar said that after being informed by staff members about the accused's refusal to come to court he went there himself to investigate. On his arrival, the Supervisor said that he met the accused playing a board game, looking well and was laughing at some jokes. Johannes Wagenaar went on to tell the court that he informed Gbao that he was supposed to be in



court, to which he replied that he is not going anywhere. One of the presiding Judge- Justice Bankole Thompson in giving the unanimous

ruling of the Trial Chamber said that the trial will continue in the absence of the accused in pursuant of Rule 60 A (i), which states: "an

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Augustine Gbao refuses to attend Court

From Front Page

accused may not be tried in his absence, unless the accused had made his initial appearance, has been afforded the right to appear at his own trial but refuses so to do." According to Justice Bankole Thompson, the accused has the right to appear in court, adding that he has done so and even appeared on the 6th when the matter was adjourned and was fully notified yesterday

morning about the proceedings. Justice Thompson said that according to the Supervisor's testimony, Gbao was well and in that light they at the chamber are satisfied that he has waived his right. Also he went on in pursuant to Rule 60 B, which states, "in either case the accused may be represented by counsel of his choice or as directed by a Judge or Trial Chamber. The matter may be permitted to proceed if the

Judge or Trial Chamber is satisfied that the accused has, expressly or impliedly, waived his right to be present," the Defence team will continue to represent the accused. Meanwhile, head of Augustine Gbao's defence team- Andreas O'Shea has sought leave to appeal on the court's decision and was advised by the judges to do so in writing.

Awoke

Thursday July 08, 2004

At Special Court **Augustine Gbao Boycotts Trial**

By Joseph Turay

Third indictee of the Revolutionary United Front (RUF), Augustine Gbao, who is facing 18 count charges for bearing the greatest responsibility for war crimes and other breaches of international humanitarian law during the ten-year civil conflict, yesterday boycotted trial at the Special Court.

The RUF strong man had earlier declared that he does not recognise the court and that it is not in the interest of Sierra Leone.

During his second appearance at the Special Court last Tuesday, Augustine Gbao claimed that there are other

parties to the ten-year civil conflict who ought to have been tried but are conspicuously absent. He then submitted that he no longer wants to be represented by any counsel.

Yesterday, however, it came

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Augustine Gbao: boycotts trial

Augustine Gbao Boycotts Trial

From front page

as no surprise when a declaration read in the court by his leading defence counsel Andreas O'shea, and signed by the accused, states that he does not

recognise the court for refusing him the right to self defence. The declaration was presented to the judges and marked, Exhibit 1.

The Detention Supervisor, Johannes Wangenaar, told the court that he met the accused yesterday morning playing

board game with an inmate and also confirmed that the accused was hail and hearty. Meanwhile, the court has ruled that members of the defence team should continue to represent the accused and that he will be tried in absentia.

The Exclusive

Thursday July 08, 2008



RUF Man Threatens to Boycott Trial

Standard Times (Freetown)

NEWS

July 7, 2004

Posted to the web July 7, 2004

By Theophilus S, Gbenda

The third accused in the RUF set of indictees, Mr. Augustine Gboa, has sacked his defence team, saying he will no longer be cooperating with the proceedings of the Special Court for Sierra Leone.

Mr. Gboa made this assertion when the trial chamber uncompromisingly prevented him from concluding his opening speech, which the chamber referred to as contemptuous and political.

Though Mr. Gboa has until then been duly represented by a reputable team of defence lawyers, Rule 17 of the Statute of the Special Court gives the opportunity to accused persons to decide how they want to be represented in court, and to make statements where necessary.

When granted the permission to express his right, pursuant to Rule 17, Mr. Gboa started by challenging the legality of the court, stating among other things that he does not recognize the jurisdiction of the court to try him and his co-accused.

He went further to state that he and his co-accused, Issa Sesay and Morris Kallon are not afraid of any court system that constitutionally carry the mandate of the people of Sierra Leone, insisting that they are totally against the way and manner the Special Court was created.

It was at this juncture that the trial chamber stopped him from continuing, saying that it will not allow the accused to go on making political statements.

This, according to the trial chamber, is in line with the fact that, Rule 84 of the Statute does not allow indictees to make political statements.

Owing to that, Mr. Gboa pointed out that Rule 17 has been violated by the trial chamber, and that he no longer recognizes the legality of the court, adding that henceforth no lawyer should represent him.

He further noted that his position will not change until the international community steps in to remedy the situation.

To his co-accused, Mr. Gboa motioned that they can go their own way if they so choose.

Meanwhile, the defence counsels for Issa Sesay and Morris Kallon have complained bitterly over what they refer to as a deliberate attempt by the prosecution to stifle the defence.

This, according to them, has to do with the fact that the prosecution is not fully adhering to Rules 66A and 68, which calls for the disclosure of relevant materials to the parties involved.

The defence team also accuse the prosecution of paying thousands of dollars to two key witnesses (formerly of the RUF), with a view to getting their co-operation.

In response, the prosecution pointed out that it had nothing to hide and that the materials in question will be delivered accordingly.

On the issue of payments, the prosecution admitted that it issued a substantial amount of cash to the 15th and 16th witnesses but said it was in respect of their air tickets, luggage and maintenance abroad.

The proceedings continue today.

RUF LAWYERS GIVE DAVID CRANE TOUGH TIME

By Sampson Cole from Freetown

Tuesday June 6, 2004

After being detained for the past 14 months three key players in the RUF have made their maiden appearance at the Special Court Monday.



But the trial presided over by Justice Benjamin Itoe did not have a smooth sail when the prosecution was presenting its case against the three. The Defence Counsels objected to David Crane use of word during the delivery of his opening statement. The Defense Counsels actively objected to the use of the words like "hounds from hell" and "Dogs of War" by David Crane in reference to the accused persons.

Defense Lawyer Wayne Jordash for Issa Sesay (who is ictured above) complained that the language used and the publicity attached to it affects them, as people would be afraid to come to the court because of the way the accused have been branded. To which Justice Itoe replied, "Sierra Leoneans are afraid of everything," further maintaining that what is said in the opening statements "have no effect on the hearings and is not binding on the court."

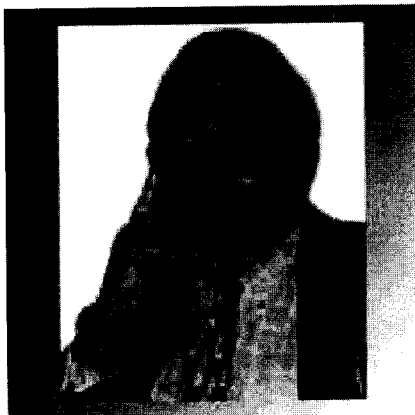
However the Prosecutor went on in his statement to say that Revolutionary United Front (RUF) movement started their invasion with only 250 RUF backed by the NPFL. He said that their motto was ruin and destruction their creed.

The Prosecutor went on to say that the three indictees- Issa Sesay, Morris Kallon and Augustine Gbao were in position of command during the war and exercised authority in the criminal enterprise they formed, adding, "for this they are criminally responsible." He said that they instigated, planned and even participated in the alleged crimes in the indictment.

David Crane said that the RUF were involved in killings, sexual violence, murder, looting which were witnessed by civilians who are already lined up to testify in court. These witnesses he went on would testify how they were raped, forced to mine in Kono under gunpoint without food and also how the Issa Sesay collected these diamonds.

Another witness he said would also testify how he watched while some people were burnt alive in a house and women being gang-raped and later stabbed to death. All this he added would be unfolded during the trial. Judge Itoe in his remarks said that the chamber according to its statutes would ensure that the trials are fair and free from irrelevancies and digression, which would protract the trial. To achieve this he went on they would exercise control over the interrogation of witnesses to ascertain the truth.

Looking a bit overweight the youthful Interim Leader Issa Sesay and Augustine Gbao were smiling as Prosecutor David Crane went through his opening statement. The second accused Morris Kallon who was a bit serious, listened attentively to the proceedings through interpretation. Earlier, the court was briefly adjourned when defense lawyer Andreas O'Shea drew the attention of the court that the accused were not following the proceedings because they were not provided with headphones.



**JUDGE BANKOLE THOMPSON WARNS THAT
SPECIAL COURT WILL NOT BE TURNED INTO A
POLITICAL DRAMA**

First hand report from the court by our man Sampson Cole

Wednesday July 7, 2004

Yeserday was a wild day in the war crimes tribunal as a very defiant RUF accused Augustine Gbao forced Judge Bankole Thompson to warn strongly that the Special Court will never be turned into a political drama.

Third accused- Augustine Gbao in the joint trial of the rebel Revolutionary United Front (RUF) said in his opening statement that he did not recognize the Special Court.

"Since I have been denied my right under Article 17, no lawyer should appear or defend me in court until the Commonwealth, African Union or other international body intervene in this matter" he said. At this point one of the presiding judges, Justice Bankole Thompson stopped him and warned, "the legality or constitution of the Special Court is not an issue before the court today." He cautioned the third accused saying "the bench will resist all attempt to transfer charges before this court into a political melodrama."

Defiantly, Gbao maintained, "I am not afraid of any court system and I am strongly against the manner in which the Special Court was established." Justice Thompson then ordered him to make his statement within the confines of Rule 84 of the Rules of Procedures, which states, "at the opening of his case, each party may make an opening statement confined to the evidence he intends to present in support of his case.

The Trial Chamber may limit the length of this statement in the interest of justice." Despite this rebuke from the bench, Gbao continued saying, "the Special Court is political and it is politics that established the court."

Dressed in a flowing African gown, the former National Security Officer of the RUF again defiantly stated, "it will be very difficult to be convinced that this court is not political," adding, "there is no judicial exercise without politics." Justice Thompson again stopped him saying Gbao would not be allowed to proceed further, "since Rule 84 does not allow an accused to make a

political statement in the opening statement."

The Judge said that it is their determination to resist any attempt by anyone high or low to allow politics to intrude into the domain of impartial justice. Gbao further informed the court that his decision does not influence the other accused persons, adding, "it does not bind me to the other accused."

Justice Itoe in delivering his ruling said that the accused in his application did not establish exceptional circumstances according to Rule 45 E of the Rules and Procedures. He therefore ruled that the present counsels for the accused will continue to represent him and would conduct the case to finality.

Meanwhile, the Defence Counsels for the first accused Issa Sesay and second accused Morris Kallon have said that they would not be in the position to cross-examine any Prosecution Witness until there is proper disclosure of exculpatory materials under Rule 66 A (iii) of the Rules of Procedure, which the Prosecution have not done. Mr. Tim Clayson and Mr. Jordash for the first accused, and Mrs. Wanda Akin for the second accused all maintained in their submissions that they would like to know whether the money provided for the Prosecution Witnesses are "cash for conviction."

According to Mr. Clayson, the Prosecution furnished them with a 2000 page document disclosing that the sum of about \$4000 was given to these witnesses and they (the Defence) would want to know where the funds came from and who administered the funds among other

things.

The Prosecution in their response told the court that the Defence should wait until cross-examination before asking such questions and then they would know where the money came from and the purpose it was used for. Judge Itoe said that ruling on those submissions would be on Friday.

JOIN THE FIGHT FOR THE RIGHTS OF ALL SIERRA LEONEANS

JOIN THE STRUGGLE FOR JUSTICE AN:

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

TRUTH

Power rests with the people...

JUSTICE



RECONCILIATION

...the resources theirs

VOLUME 6 NUMBER 6

Editor: Victor Sylver

JULY 3, 2004

HOME

JUSTICE, ALLEGED PERPETRATORS AND VICTIMS - THE END GAME

Contact Us

The accused in the on-going war crimes trial in the Special Court have been having a field day using every trick available to slow down the progress of their trial - and this after they had complained that they wanted the trial to start as soon as possible as they were convinced that justice was not been done with their continued detention.

Reminders

Now that the trial proper has started, every nuance, every trickery is being applied to ensure that the Special Court is challenged at every turn, even though the legitimacy of the court had long ago been established.

In court, the man who was thought to have been a very close confidante of the Foday Sankoh, a man who is thought to have been in charge of ensuring that "security" within RUF enclaves was "tight" with civilians bearing the brunt, was heard trying to make a political speech, quite forgetting that he was in court to show that all those serious charges against him were false.

Instead, Augustine Gbao, using the recent tactics of alleged war crimes perpetrators, like Milosevic and Saddam tried to make capital of the provisions of the court that ensured a fair trial.

Gbao wanted to give his own opening statement. He was advised that under Rule 84 (pretty standard for courts) his statement would have to be confined to the case against him, the evidence, the charges, etc. and how he would defend himself. No political speeches.

Four times he started, and each time it was an attack on the legitimacy of the court. He was interrupted each time by Judge Thompson, who explained Rule 84 to him a couple of times, told him that the legitimacy of the court had already been litigated in the Appeals Chamber, etc., but Gbao persisted. Finally Thompson told him to sit down. Gbao tried to keep talking over Judge Itoe, but his microphone was turned off.

Gbao then tried to sack his lawyers. The judges ruled that Rule 45E requires that lawyers represent their clients to the conclusion of the trial unless there are exceptional circumstances. Gbao's view that the court isn't legitimate didn't constitute exceptional circumstances, the judges found, and therefore the request was denied. The lawyers will continue to the end.

He then tried to tell his lawyers that they should boycott Court sittings, but his counsel said he explained to Gbao that they couldn't do that for professional reasons (they are Officers of the Court) and he said he thought that Gbao understood.

And he has now sent a declaration to court on Wednesday July 7, 2004 saying he did not recognize the court, would not attend, etc. The judges handed down a decision saying they were satisfied that he had waived his right to appear in court under Rule 60(A)i. of the Rules of Procedure and Evidence. The joint trial was ordered to continue in his absence, with his legal team continuing to represent him.

Gbao instructed his lawyer to seek leave to appeal the decision to refuse to allow him to dismiss his legal representatives. That motion will likely be filed on Friday.

Please, please please, do not bite your nails in anger nor curse the provisions of the law that allows accused persons of the likes of Augustine Gbao to enjoy the privileges of justice



Is the President able and willing to tackle corruption?



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



How did this man get into the Special Court?



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

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

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



The Editorial



Who hounded the late SLENA boss?

LINKS

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which they denied their victims. This is what civilised behaviour is all about and if they, the accused had exercised a wee bit of what they are now enjoying, then perhaps such crimes that they are accused of would not have materialised, would not have been committed and posterity would have judged them for what they did.

But as it is, the nightmares, the horrors still live with their surviving victims after sending tens of thousands to meet their Maker.

Gbao, like others facing the Special Court, like others facing UN-associated courts will always try to make a mockery of a system of justice that gives them a fair trial, will always do their best to delay, impede and put any obstacle in the way of justice, happy, yea happy and content in the belief that at the end of the day, they would not receive the death penalty. A sentence, it is alleged they used with vigour and out of hand when snuffing the life out of their victims.

That is justice.

The Special Court should brace itself for the appearance of the AFRC unit of the coalition of evil whose operatives should throw light on the "sobel" culture. They could, given their association with the RUF, be able to finger the moles within Cockerill who facilitated those frightening and bloody attacks on those civilian convoys. Remember the "Mas" - Matotoka, Masesay, Masingbi, Magbosi etc?

Together with the RUF, they should throw light on what happened so that never again would the mother country be subjected to such high levels of betrayal and opportunism. They should co-operate with the Special Court because at the end of the day, they would be allowed to live in relatively comfortable prison conditions, far removed from what they subjected their forced labour gangs to endure in the mining areas, far removed from the conditions under which their "wives" were held.

Given the behind the scenes moves by the faceless ones who do not want to be exposed, fingers would have to be kept crossed for a long time in the hope that a miracle would happen that would make them tell their story, not in the fashion of intermingling fact with fiction, but truly as it happened.

We leave you with an article sourced from the internet. It is an opinion. It is not carved in stone, but should send a kind of message to those opposing the Special Court and insisting on a sole Truth and Reconciliation Commission where they promised that "all would be revealed".

R e a d

Something worth thinking about in tackling the ills of Sierra Leone

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

Published fortnightly with updates between issues as necessary ©SIERRA HERALD 2002

A plaintive cry
for justice and
the truth for
the people of
Mabaylla over
the
September
3/4 1997 acts
of murder

Rebels face Sierra Leone tribunal

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

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



The tribunal's legitimacy is being questioned by the rebels

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

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

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

The RUF's campaign of violence included hacking off the limbs of civilians as a trademark act of terror.

Paymaster

The BBC's Lansana Fofana in Freetown says that Mr Sesay occasionally lowered his head as the 18 war crimes charges, including sexual slavery, murder, looting and terrorising civilians, were read out.

Chief Prosecutor David Crane said that atrocities were committed in virtually all parts of Sierra Leone.

"This is the day I have been waiting for," said one amputee.

"I am now satisfied that someone is being held accountable for what the rebels did to me."



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

Justice on trial Catalogue of horrors awaited

The tribunal has not yet been able to arrest the man accused of being the RUF's paymaster, former Liberian President Charles Taylor.

Despite being indicted on 17 charges of war crimes or crimes

against humanity, Mr Taylor is living a life of luxury in exile in Nigeria.

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

ZNet | Africa

Sierra Leone

The Mysteries of a Special War Crimes Trial

by Lansana Gberie; July 06, 2004

So much for international humanitarian law and justice...

On 3 June 2004, the UN-created Special Court for Sierra Leone began prosecution of those it alleged bear "the greatest responsibility" for war crimes, violations of humanitarian law and related offenses during Sierra Leone's decade-long dirty war. It was a "solemn occasion," said the court's American prosecutor, David Crane, whose many shortcomings surely does not include modesty or under-statement. Crane summoned all of mankind to "once again [assemble] before an international tribunal to begin the sober and steady climb upwards toward the towering summit of justice." Waxing poetic---rather in the manner of high-pitched tele-evangelists of the American south---Crane declared: "The path will be strewn with the bones of the dead, the moans of the mutilated, the cries of agony of the tortured, echoing down into the valley of death below. Horrors beyond the imagination will slide into this hallowed hall as this trek upward comes to a most certain and just conclusion."

The prosecutor must surely be thinking of the depredations of Foday Sankoh, the nihilistic and self-adoring ex-corporal whose petty army, known as the Revolutionary United Front (RUF), terrorized Sierra Leone from 1991 to 2000 by crudely mutilating civilians and burning down towns? No. Sankoh died peacefully last year. Charles Taylor, the buccaneering Liberian thug-president who helped set up the RUF after unleashing a catastrophic war on his own country? Not a chance. Taylor is hundreds of miles away from the court, in comfortable exile in the Nigerian port city of Calabar. In fact, what inspired Crane's pithy eloquence was Sam Hinga Norman, a former Sierra Leone government minister and the putative leader of the Civil Defence Force (CDF), a group of civilians who organized to liberate villages overrun by the RUF, keep the bloodthirsty rebel force in check, and restore a democratically-elected government which had been overthrown by the rebels and rogue government soldiers. Bathos is too limited a word to describe this grandly demented exercise in how not to pursue international justice: even Joseph Conrad, with that cold eye for heroic absurdity and hypocrisy, would not have invented this.

The notion of international humanitarian law is still inchoate, evolving. But one is sure that two rules of justice will, at least in the minds of decent people, remain valid. The first is that a justice system should be fairly sure that the guilty is held to account; and the second is that a justice system should be absolutely certain that the innocent is not punished. We know that this has not always been the case. When the baronet's sister in Dicken's novel exclaims, on hearing of the murder of the baronet, 'Far better hang wrong fellow than no fellow!' we are reminded that a certain vengefulness and zealous desire to punish others have always underpinned the modern justice system. Indeed we are reminded, as George Bernard Shaw cynically commented, that the wrong fellow is in some circumstances the right fellow to hang.

THE CHARGES

Crane's charge sheet against Norman and the two other CDF leaders---Moinina Fofana and Kondewa--- is a long one. The first part is largely forensic: it describes, in colourful details, the conditions and ideas that supposedly guided the activities of the CDF. The purpose of the CDF, we learn, was "to use any means necessary to defeat the RUF and AFRC [the Armed Forces Revolutionary Council, which overthrew the government of President Tejan Kabbah in May 1997] forces and to gain and exercise control over Sierra Leone territory." The CDF sought to do this by the "complete elimination of the RUF/AFRC, its supporters, sympathizers, and anyone who did not actively resist the RUF/AFRC occupation of Sierra Leone." Specific acts of war crimes are all limited to about the end of 1997 to about April 1998---when the fighting against the rebels forces was at its most intense---and they are alleged to have included "practices of elimination" of the RUF/AFRC in Tongo Field, Kenema, Bo and Koribondo. These included "human sacrifices and cannibalism." There is also the conscription of children below the age of 15; "multiple attacks on Tongo Field and the surrounding area and towns, during which the Kamajors unlawfully killed or inflicted serious bodily harm and serious physical suffering on an unknown number of civilians and captured enemy combatants;" the killing of "collaborators", including "an unknown number of police officers" in Kenema by the Kamajors on 15 February 1998; and the so-called Black December operation, in which the Kamajors allegedly killed "an unknown number of civilians" in 1997.

Crane noted, "Despite the obvious political dimension to this conflict... these individuals are indicted for those crimes, the most grievous of acts..." adding that each of the accused "acted individually and in concert with subordinates to carry out this plan, purpose or design." We are solemnly informed, in case we still do not get it, that "The light of this new day-today-and the many tomorrows ahead are a beginning of the end to the life of that beast of impunity, which howls in frustration and shrinks from the bright and shining spectre of the law. The jackals whimper in their cages certain of their impending demise. The law has returned to Sierra Leone and it stands with all Sierra Leoneans against those who seek their destruction."

Even the great scribes of the Old Testament would not better this. But how valid is the implication that the CDF leaders should even be remotely considered as "most responsible" for the recently-ended war and its almost unique atrocities? And how do we react to this odd American awakening to the necessity to address impunity and rights violations around the world?

LIKE THE RUF, LIKE THE CDF?

Sierra Leone's war started in March 1991 when a self-adoring former army corporal and photographer, Foday Saybanah Sankoh, led a petty army---of mainly Liberian rebels and a few Sierra Leonean insurgents---from territories controlled by then Liberian warlord Charles Taylor into southern and eastern Sierra Leone. Sankoh had trained in Libya with Taylor, and he fought alongside the Liberian from the start of Liberia's civil war in 1989 until intervention by West African troops, known as ECOMOG, led to a bloody stalemate in late 1990. It was then that Taylor opened another front, so to speak, in Sierra Leone by launching the Sankoh-led Revolutionary United Front rebels. The new conflict, like the one in Liberia, was characterized by vandalism and terror, and soon enough it became evident that pillage---of mainly the country's forest resources and diamond mines---was a far greater motivation than politics. Sierra Leone's feeble and corrupt army almost imploded, and a large number of its members collaborated with the RUF. Hundreds of thousands of the country's rural population were displaced by the fighting. It was out of this dreary displacement that the civil defence force, the Kamajors, mobilizing from makeshift camps, and drawing upon the traditional coherence and resources of a putative hunters' guild, organized to fight back the rebels and reclaim their lost villages and towns. They soon became the only bulwark against the complete over-running of the country by the RUF---and the main saviors of Sierra Leone's new experiment in democracy.

No one can dispute that the Kamajors, an inchoate group lacking logistical support, committed excesses in its fight against the RUF and to protect the general civil population. But then the demented nature of the RUF's total warfare ensured that in order to effectively challenge them one could hardly have avoided using brutal tactics. The mealy-mouthed argument---so vigorously enunciated, with ringing and seductive familiarity, by the Special Court's prosecutors---that those combating the depredations of the rebels should not have themselves been drawn into similar excesses flows from a well known pathology: the complacent 'humanitarianism' of people from more secure societies, people who in the end do little more than celebrate their own security. When the military theorist Martin van Creveld wrote that prolonged 'low-intensity' conflicts, like that which occurred in Sierra Leone, always ensures that combatants on both sides would look and act in the same way, he was stating an objective fact, not explaining away state or civil brutality.

What is striking about the war crimes trials going on in Sierra Leone at the moment is that, defying comprehension and every form of decent sensibility, the star accused is not a member of the RUF or one of its foreign backers but Hinga Norman, the man who provided inspiration and leadership for the civil defence forces. It simply beggars belief. One commentator on the issue, Abdul Bangura, has even gone so far as to accuse Crane of racism for this suspect failure of discernment as well as for making a number of stock statements. This is an extraordinary charge; it is far from the truth. Crane is no racist. What Crane represents is an irresistible old tragicomedy, the parable of simple and very good-natured people who substitute doctrine for knowledge, and who in the process cause great damage in good conscience. In the past they could have appeared as missionaries in colonial outposts, but they are really best represented in fiction. Conrad, in one of his famous stories---set in the bloodstained Belgian Congo---has his narrator speak of "the outraged law" coming from beyond the seas to a helpless people who had been labeled "criminals," the law appearing to them as "an insoluble mystery from the sea." This may be too cynical in this context: horrible crimes were committed in Sierra Leone, and the effort to account for them is a noble one. Mr. Pyle in Graham Greene's novel appears more appropriate: the "quiet American", a decent and very simple man, seeking to apply some crackpot theories he had learnt from a book, causes great pain with his simple mind assured that it is all for a good cause.

I do not suggest this because Crane is American, a former Pentagon lawyer. But there is something to be said about the fact that the country which is so aggressive in resisting the efforts to institutionalize an international justice mechanism is the chief backer of the limited and 'hybrid' experiment that is the Sierra Leone Special Court. But then again this suggest an interesting line of speculation but is otherwise irrelevant to the point of this article, which is that in aggressively prosecuting the CDF leaders the court may not only be doing a grave injustice, it may also be doing a grave damage to Sierra Leone's future ability to defend itself if such predatory groups as the RUF were to emerge again. Who will emerge to lead the effort given the appalling example that has been made of Norman?

As for the charges, well the trial has begun and it would be in very bad taste to examine them here. But one can't help observing how suggestive the inclusion of 'cannibalism' is. The narrator in the Conrad story referred to seems obsessed with the notion of Africans as cannibals. This was a strong motif in colonial self-justification. The British seemed to have been particularly determined to have it suppressed in Africa. But the testimony of a former British colonial Acting Attorney General in Sierra Leone long long ago is worth keeping in mind. He had heard many stories of cannibal rituals in the country, he said, and had even heard vivid descriptions of cannibal acts by supposed eye-witnesses. But "No District Commissioner has ever been able to get hold" of the instruments, knives and other paraphernalia that were supposed to be integral to the rituals. In other words, he found no evidence...

But then, unfortunately, the myth stuck. Such may be the sad legacy of the Special Court for Sierra Leone, Crane's eloquence notwithstanding: "The ghosts of thousands of the murdered dead stand among us. They cry out for a fair and transparent trial-to let the world know what took place here, here in Sierra Leone. The tears of the maimed, the mutilated, and the violated will dampen these walls. These victims, their families, their towns, their districts-their country ask all of us here for a just accounting for the agony of those ten long years in the valley of death." 'Just accounting': that is not going to happen until the Nigerian President Obasanjo hands over Charles Taylor to the court, something he---another daunting mystery---seemed determined not to do.



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To: leonenet@listproc.umbc.edu
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Harvest Time At Special Court As Witnesses Receive \$10,500

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Concord Times (Freetown)

July 7, 2004
Posted to the web July 7, 2004

Abdual Karim Koroma
Freetown

Counsel for the indicted former RUF Interim Leader Gen. Issah Sesay, Timothy Clay Tuesday revealed at the Special Court that the Court has paid \$10,500 to two witnesses who should testify against RUF indictees the sum of \$4,500 and \$6,000 respectively.

In his address to the Court, Clayson observed that these substantial monies include lodging, clothing and maintenance and questioned where the Court is getting all these monies.

"We can't feel confident in Cross Examining witnesses until we know fully what the Prosecution is actually up to," Clayson said and noted that if they were not reasonable satisfied with these issues, the trial would be undermined.

According to him, he wanted to know from what funds these monies were paid from and who administered the payment of such funds.

Lawyer for War Crimes indictee Augustine Gbao, Andreas O'Shea told the Court that since the Prosecution had access to such funds the Defence should also lay hands on the same fund so as to expedite the justice process.

Prosecution counsel Leslie Taylor countered that the 15th and 16th witnesses were provided with luggage, tickets and maintenance.

The Court will give a ruling on this Friday

LIBERIA: Parliament rejects petition for Taylor to be tried in Sierra Leone



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**Charles Taylor - no pressure from
Monrovia to send him for trial**

MONROVIA, 7 Jul 2004 (IRIN) - Liberia's transitional parliament has rejected a petition from human rights groups to pressurise the Nigerian government into handing over former leader Charles Taylor to face war crimes charges in neighbouring Sierra Leone, minutes published on Wednesday showed.

The nominated assembly is dominated by representatives of Taylor's former government and the two rebel movements that opposed it before last year's peace settlement.

All three factions have been accused by human rights groups of committing

atrocities during the 14-year civil war in Liberia.

Taylor fled to Nigeria last August when he stepped down from power after rebel attacks on the capital Monrovia and mounting international pressure, led by the United States.

Two months earlier he had been indicted on 17 counts by a U.N.-backed Special Court in Freetown for arming and backing the rebels in Sierra Leone's 1991-2001 civil war.

"Taylor went into exile in Nigeria as part of an Economic Community of West African States (ECOWAS) arrangement to have peace restored to Liberia and this national transitional legislative assembly would not do otherwise," said the parliamentary minutes from Tuesday's meeting.

"Allowing Taylor to face the Court in Freetown, Sierra Leone will hamper the peace process," the parliamentarians added, unanimously rejecting a petition submitted by eighty human rights and pro-democracy groups.

Liberia's 76-member parliament is made up of the rebel factions that launched insurgencies against Taylor's regime, representatives from his former government, political parties, civil society organizations and citizens from all of the country's 15 counties.

The petitioners wanted parliament to persuade Gyude Bryant, the head of Liberia's power-sharing government, to put pressure on Nigeria to send Taylor to Freetown for trial.

However, the move was never likely to succeed. In April, Bryant had already declared that Taylor's presence in Nigeria was part of Liberia's peace process and

no request would be made to move him.

Prosecutors at the Special Court in Sierra Leone have said they remain hopeful Taylor will be brought to trial.

On Monday, chief prosecutor David Crane, opening the case against leaders of the Revolutionary United Front (RUF) which Taylor is accused of backing, launched a thinly-veiled attack on the international community for failing to bring the former Liberian leader to the Freetown court.

"Charles Taylor would be sitting next to these accused war criminals today had he been turned over to this tribunal for a fair trial," the American lawyer who used to work for the Pentagon, said in his opening statement at the trial of three former military commanders of the RUF.

[ENDS]

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Sierra Leone Places Emphasis On Joint Border Security --- As Bryant Visits Embassy

The NEWS (Monrovia)

NEWS

July 7, 2004

Posted to the web July 7, 2004

By Jimmey C. Fahngon
Monrovia

The Sierra Leonean Ambassador accredited to Liberia, Patrick Foyah, has stressed the need for the implementation of the Joint Border Security along the Liberian-Sierra Leonean borders as agreed at a recent Mano River Union Summit.

Ambassador Foyah spoke Tuesday when the Chairman of the Transitional Government of Liberia, Gyude Bryant, visited him at his Embassy in Sinkor.

The Sierra Leonean Ambassador said security along the borders was of paramount importance and great concern to his Government and people.

"Our borders are porous. Moreover, both Governments recognize the difficulties inherited in effectively monitoring the borders. It is for this reason that my Government considers the implementation of the Joint Borders Security as very vital", he emphasized.

Ambassador Foyah also said the border community should be empowered and encouraged to actively participate in the implementation exercise.

The Sierra Leonean Ambassador pointed out that, "the progress made thus far in both countries should not make us loose sight of bad elements within our midst, who may attempt to counter the gains made."

He thanked Chairman Bryant for the visit and said, "this is a clear manifestation of your concern and care for my country, which, with all sincerity, I greatly appreciate."

According to him, it was the first time in the history of the Embassy for a Liberian Head of State to pay a visit there.

Accordingly, Ambassador Foyah told Chairman Bryant that, "your coming here today marks another mile stone in the natural relations, which these two sisterly Republics have enjoyed for generations."

Ambassador Foyah lauded Chairman Bryant for his contribution in the attainment of peace and stability within the Mano River basin.

"When you took over the helm of leadership of this nation, you were determined to mend fences not only with Sierra Leone but also with other nations whose special relations with Liberia have been checkered in recent memory", the Sierra Leonean diplomat told Chairman Bryant.

He reiterated his Government's commitment to the Liberian peace process and said his government and its people will cooperate with the Transitional Government of Liberia and its people to realize the objective of a peaceful and prosperous Liberia.

Chairman Bryant spoke in apologetic tone, expressing regrets to the Government and People of Sierra Leone for the atrocities that Liberians committed in that country during its civil war.

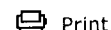
He said that Liberians and Sierra Leoneans are one people, as such, it is important for them to unite in the attainment of lasting peace in their countries.

Chairman Bryant said his visit to the Sierra Leonean Embassy was aimed at healing the wounds and strengthening good relationship between the two countries.

He said that if there is no peace in Liberia there can be no peace in Sierra Leone, therefore, it is important for the two countries to work together for peace and stability in the basin.

The Liberian Head of State said he has been traveling in the sub-region to ensure that peace and stability is achieved in the region.

Chairman Bryant also visited the Guinean and Libyan Embassies Tuesday. Reports on these visits will be in the subsequent edition of The NEWS.



THE DAILY STAR

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Thursday, July 08, 2004

Left behind: the false 'handover' of Iraqi sovereignty and Saddam Hussein

Actual control - in the prison or on the ground - remains with Americans

By Phyllis Bennis

Expert briefing

Last week was filled with false "handovers." The handover of Saddam Hussein and the handover of Iraqi sovereignty were both fake. In both cases "virtual" political or legal authority was declared to be in the hands of Iraq's interim government, while actual control on the ground or in the prison remains with the US. Sovereignty is absolute; a nation is either sovereign or it is not; being "partially sovereign" is like being "partially pregnant." Iraq remains occupied; it is not sovereign.

When US pro-consul Paul Bremer left Baghdad with what one of his own assistants called "his tail between his legs," he left behind a country still occupied, and governed by an imposed interim authority still completely reliant economically, militarily and politically on US backing. The shift from Bremer's Coalition Provisional Authority to the new US "Embassy" led by Ambassador John Negroponte reflects a shift from Pentagon authority to what appears to be a growing State Department-CIA collaboration as lead agencies in Iraq. It does not reflect a shift from US to Iraqi control.

The anticipated June 30 date for the handover was moved up partly to avert likely embarrassing attacks by anti-occupation forces on the date of what was supposed to be a celebration, and partly to take advantage of the NATO summit in Istanbul. There, Bush used the opportunity of announcing the furtive, secret "transfer of sovereignty" in the hope of winning allies' support for his war. It was not sufficient; while NATO agreed to an undefined commitment to train Iraqi police and soldiers, there were no new troop commitments or endorsements of the war.

The secrecy and stealth of the handover is one more indication of the failure of Bush administration policies. The war has not brought Iraq sovereignty, freedom or independence. Whatever they may try to sell to American voters, the invasion and occupation of Iraq is nothing for this administration to be proud of.

Bremer himself, referring to the multitude of new laws he imposed on Iraq in the last weeks before the so-called "transfer of sovereignty" designed to insure future Iraqi compliance with US-dictated laws, institutions and economic interests (oil, the WTO and more), noted that "you set up these things ... and it's harder to reverse course."

What did Bremer's departure and the June 28 "transfer of sovereignty" leave behind?

| A total of 140,000 US troops, 20,000 "coalition" troops, and 20,000 private military contractors still occupying the country.

| A total of 97 new laws and regulations, which Bremer himself identified as "binding instructions or directives to the Iraqi people."

| An appointed electoral commission with authority to disqualify parties or candidates, whose rules places tight restrictions on fundraising and political participation by any party connected to a militia or armed wing, while imposing no restrictions on money pouring in to Iraqi parties from US, Saudi, Iranian or any other foreign sources.

| US-appointed national security and intelligence chiefs for Iraq, each promised a 5 year term.

| US minders, known as "inspector generals" appointed for five year terms in every Iraqi ministry, with oversight power - and although Iraqi interim ministers nominally have the authority to ignore their advice or even fire them, the utter dependence of the interim government on US political and economic backing makes such a move virtually unthinkable.

Iraq's post-transition economy remains dependent on and reflective of US priorities. Bremer's economic regulations included capping taxes at 15 percent, guaranteeing the right to 100 percent foreign

ownership of all Iraqi entities, corporate regulations designed to qualify Iraq for the WTO, and continued immunity for companies (such as Halliburton) with oil-related contracts signed before the handover.

The US will continue to exercise enormous economic, as well as political and military, control of Iraq. According to The Washington Post, only \$366 million of the \$18 billion allocated by Congress for Iraqi reconstruction has actually been spent, providing some insight as to why the country remains so intractably destroyed. In recent weeks several billion more were assigned to, though not yet spent on, future projects chosen by the US occupation authorities, not by Iraqis. (It appears the funds to pay Halliburton and other US corporations have come from Iraqi money - oil-for-food funds, frozen assets held in other countries, etc, all usurped by the US occupation.) Dangling the remaining billions of dollars before government officials desperate for funding will continue to provide huge political leverage for the new proconsul, Ambassador John Negroponte. According to Mahmoud Othman, a Kurdish member of the earlier US-appointed Governing Council, the US authorities "have established a system to meddle in our affairs."

With the collapse of all earlier claims and the exposure of the lies on which the war was justified (weapons of mass destruction, Iraq- Al-Qaeda links, mobile biological labs, etc.) the Bush administration now claims that the war was still justified because the dictatorship of Saddam Hussein has been ousted and Iraq is now "free and democratic." While there is little doubt most Iraqis were delighted to see the end of the Baathist regime, there is no such thrill with the US occupation. To the contrary - in a May 2004 poll conducted by the occupation authorities themselves, 55 percent of Iraqis said they would feel safer if all US troops immediately left the country. In a later poll, less than half of Iraqis say that their life is better than before the US invasion and war.

The "transfer of custody" of Saddam Hussein, like the "transfer of sovereignty" of Iraq as a whole, is a sham. The former Iraqi president not only remains in the physical custody of US occupation troops. The trial itself, unlike the model sought by many human rights campaigners which would have combined Iraqi and international jurisdiction (like the model now underway in Sierra Leone), has been organized, paid for and arranged by US officials, primarily from the FBI and the Justice Department and their Iraqi surrogates. Those Iraqis include Salem Chalabi, nephew of the exiled Iraqi felon and former Pentagon minion Ahmed Chalabi, who serves as coordinator of the special court where Saddam Hussein and top officials of his regime will be tried. Moving forward without the UN, without international jurisdiction and without acknowledging the legitimacy of the International Criminal Court, this American court-with-an-Iraqi-face may be the first war crimes tribunal the Bush administration could love.

In what may become a foretelling of the limited power of the Iraqi officials ostensibly running the court, another Iraqi judge recently faced the consequences of challenging the US occupation authorities even after the supposed "end of occupation." In a June 28 story reported in the British Financial Times but ignored in much of the US press, an Iraqi prisoner found not guilty of an attack against US occupation forces, and the judge who acquitted him, came face to face with the continuing realities of US power. US authorities "refused to uphold an Iraqi judge's order acquitting him of attempted murder of coalition troops. ... US prosecutors said that he was being returned to the controversial Abu Ghraib prison because under the Geneva Conventions they were not bound by Iraqi law. ... The Central Criminal Court is a hybrid legal institution, created by the American-led occupation, in which US lawyers prepare cases for Iraqi prosecutors to present to Iraqi judges, who were in turn chosen by the coalition."

With such direct US involvement behind the scenes of the trial, the possibility that defense lawyers will be allowed to subpoena and question the former allies of Saddam Hussein, particularly those who enabled the worst of his crimes, remains virtually nil. Those officials could include current Secretary of Defense Donald Rumsfeld, who served as Ronald Reagan's special envoy to negotiate oil deals with Saddam Hussein, and ranking officials of the Reagan administration, which provided financial support, military intelligence, agricultural credits and other aid to Saddam Hussein. They might include, for instance, officials of the Reagan-era Commerce Department who authorized selling Baghdad the seed stock for anthrax, e-coli, botulinum and other biological weapons, as well as the British, German, and other allied governments who provided Iraq with precursor chemicals, biological growth medium, and more.

Phyllis Bennis is a fellow of the Washington-based Institute for Policy Studies. The institute's new report, "Paying the Price: The Mounting Cost of the Iraq War," is available at www.ips-dc.org

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Saddam's trial creates a new legal model

Tom Parker NYT

Thursday, July 08, 2004

International law

NEW HAVEN, Connecticut I spent six months in Baghdad in 2003 working with Iraqis to devise a strategy for bringing Saddam Hussein and his cronies to account. Saddam's appearance before an Iraqi judge last week was the culmination of a remarkable collaboration between the American-led coalition and Iraqi jurists. It also marked an important new stage in the evolution of international justice.

For probably the first time in history, a country will put its former leaders on trial under international criminal law in a locally constituted court.

Unlike its UN sponsored cousin-courts in The Hague and Sierra Leone, the Iraqi Special Tribunal empowers local officials to bring the perpetrators of atrocity crimes to trial. International financing will go where it will do the most good - toward rebuilding Iraq's judiciary and ensuring that the victims of Saddam's regime are finally heard.

The coalition authority spent almost six months formulating tribunal plans with Iraqis. It organized working groups and conferences on subjects as diverse as truth and reconciliation commissions and forensic anthropology.

In these sessions, which were open to the public, one message came across loud and clear: Iraqis wanted to see Saddam tried by Iraqis. Coalition advisers worked closely with Iraqi lawyers to ensure that the tribunal statute we created was in harmony with the latest developments in international law.

Much thought was also given to developing an investigative strategy that would help Iraqis make sense of a seemingly endless catalogue of crimes - approximately 300,000 dead, and thousands more tortured, raped and otherwise abused over a period of more than 30 years.

We suggested that the tribunal impose a strict limit on the number of cases brought before it. Why? Because investigating and prosecuting these sorts of crimes is complex and time-consuming. Without some limitations, trials could drag on for decades. What's more, with each passing year the meaning of the trials could become increasingly diluted.

Our conclusions were based, in some measure, on the experience of the International Criminal Tribunal for the Former Yugoslavia, which did not pick its early cases well and took on a greater caseload than it could easily handle.

As a result, the tribunal is expected to take almost 18 years to try a mixed bag of approximately 100 cases at a cost of more than \$1.5 billion. To many in the Balkans, it has been a costly disappointment.

Coalition advisers recommended that in Iraq - as in Nuremberg almost 60 years ago - the initial investigative effort be limited to no more than 20 to 25 high-profile perpetrators. Defendants will be immediately recognizable to the Iraqi public and the tribunal's initial list of indictees was chosen with this in mind.

It is vital that the cases heard by the tribunal address the full spectrum of the regime's atrocities. People all across Iraq experienced human rights abuses under Saddam. In a fragmented country, this is a rare unifying factor. The tribunal's defendants have been selected with an eye toward providing a representative accounting of these crimes.

Equally significant: Defendants will face penalties under Iraqi law - not penalties deemed appropriate by the international community. There is little likelihood, then, that Saddam will live out his days in a comfortable Dutch prison.

Nor will Iraqis have to suffer the absurdity of the so-called Rwandan paradox, where the worst that can befall mass murderers brought before the United Nations tribunal in Arusha, Tanzania, is life imprisonment while low-level offenders, brought before local courts in Rwanda, face the death penalty.

International law places great emphasis on the principle that cases should, where possible, be resolved at a local level - an aspiration recognized in Article 17 of the Rome Statute of the International Criminal Court. The creation of Iraq's tribunal honors this commitment.

Restoring respect for the judiciary and the rule of law will be a key step in the stabilization and recovery of Iraq. It's difficult to imagine a more effective or symbolic manner in which this could be achieved than by Iraqi judges presiding over Saddam's trial.

In addition, by giving Iraqis the power to tackle this task themselves, we will be creating an experienced cadre of judges, lawyers and investigators steeped in international notions of due process. When their tribunal work is finished, many will return to Iraq's still-fragile legal system, where they will be able to pass their skills on to their compatriots.

A televised judicial process conducted according to internationally accepted standards will become a civics class for the whole country. Saddam's victims will at last have a chance to be heard in front of their own people.

And best of all, Iraqis will have the satisfaction of punishing their tormentors for themselves.

Tom Parker was the head of the Coalition Provisional Authority's crimes against humanity investigations unit in Iraq.

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OP-ED CONTRIBUTOR

Judgment at Baghdad

By TOM PARKER

Published: July 7, 2004

NEW HAVEN — I spent six months in Baghdad in 2003 working with Iraqis to devise a strategy for bringing Saddam Hussein and his cronies to account. Mr. Hussein's appearance before an Iraqi judge last week was the culmination of a remarkable collaboration between the American-led coalition and Iraqi jurists. It also marked an important new stage in the evolution of international justice.

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We suggested that the tribunal impose a strict upper limit on the number of cases brought before it. Why was this important? Because investigating and prosecuting these sorts of crimes is complex and time-consuming. Without some limitations, trials could drag on for decades at great expense. What's more, with each passing year the meaning of the trials could become increasingly diluted.

Our conclusions were based, in some measure, on the experience of the International Criminal

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Terms: **africa faces tough choices** ([Edit Search](#))

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Africa News July 7, 2004 Wednesday

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Africa News

July 7, 2004 Wednesday

LENGTH: 305 words

HEADLINE: PanAfrica;
Africa Faces Tough Choices

BYLINE: The Nation

BODY:

The third summit of the African Union, which brings together African Heads of States, opened yesterday in Addis Ababa to take stock of the past and forecast on the future. As has been the case in the past, the leaders are meeting against a backdrop of numerous challenges.

Right across in Sudan is the festering Darfur crisis, a monumental human tragedy that has refused to go away. Neither regional nor international efforts have borne any fruit, which just serves to underscore the continent's apparent inability to deal with human catastrophes on its own.

Intermittent conflicts continue to be recorded in various parts of the continent, including DR Congo, Chad, Eritrea, Angola and Liberia. Human right abuses and political intolerance are also rampant in Zimbabwe.

Poverty, hunger and HIV/Aids, continue to ravage the continent. Indeed, conservative estimates indicate that some 2.3 million people died of Aids in the continent last year. Matters have been compounded by the heavy debt burden now estimated at \$201 billion.

Like its predecessor - the Organisation of African Unity - the AU has not found its rightful place in the global economic and political power equation. Nor has it acquired the resources to shepherd the continent's democratic processes.

While the new union started with a lot of fanfare during its launch in Durban, South **Africa**, three years ago, it has little to show in terms of practical action plans to sort out the continent's problems.

It is for this reason that the summit must go beyond the usual diplomatic niceties and make some hard decisions. We welcome, for instance, the plan to send 300 AU peacekeepers to Darfur to protect those displaced by carnage.

Time has come when the continent started looking inwards and seeking homegrown solutions to its problems.

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Terms: **addressing the plight of girl soldiers** ([Edit Search](#))

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New Straits Times (Malaysia) July 8, 2004, Thursday

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New Straits Times (Malaysia)

July 8, 2004, Thursday

SECTION: WoMan; Women world wide; Pg. 7

LENGTH: 808 words

HEADLINE: Addressing plight of girl soldiers

BYLINE: Compiled by Sofianni Subki

BODY:

UNDER a fierce midday sun, Nicole Ibrehim clutches her semi-automatic rifle, cracked purple fingernail polish glinting in the light and a red beret perched over pierced ears. She waves her gun towards a group of nervous boy **soldiers** standing nearby and shouts an order in a low, booming voice, sending the boys scuttling.

"Don't you have **girl soldiers** in your country?" the Democratic Republic of Congo rebel asks in French, surprised at the attention she is receiving from a cluster of foreign journalists. "Here there are many."

Despite the larger roles played by female American **soldiers** in the recent wars in Iraq and Afghanistan, in the US and much of the developed world, war is still seen largely as a man's game. In Western conceptions of conflict, women, if they feature at all, largely play the role of victims.

But new research shows that **girls** and women are active combatants in wars across the world. According to Tufts University researcher Dyan Mazurana, over the last decade, **girls** have fought in conflicts in at least 54 countries, most of them in the developing world. Yet the international community still believes most child **soldiers** are boys and fails to recognise the role that female fighters play in many conflicts.

As a result, programmes to help demobilise and reintegrate **soldiers** at the end of conflicts, in countries such as Liberia and the Congo, usually fail to address the needs of former female **soldiers**. In addition to the emotional trauma suffered by any child who has killed or been abducted, many young female fighters are infected with sexually transmitted diseases or have children born of rape.

Ostracised from their families and communities, **girl soldiers** are also at high risk of falling into prostitution when their countries return to peace.

"At the local level within Africa there is a very clear recognition of

the role that women are playing," said Mazurana. Her research - including a study published early this year called **Where are the Girls?**, about **girl soldiers** in northern Uganda, Mozambique and Sierra Leone - has brought new light to issues concerning female fighters.

"It's at the level of the international community that there's a big disjunction that's tied to western masculine notions that fighters are men and are adults and that is simply not the reality on the ground."

Despite the feminine touches to her camouflage green military uniform, Nicole is a seasoned **soldier** trained from childhood to kill. Just 19, she is already an officer in the Union of Congolese Patriots, a rebel group active in the tumultuous Ituri region in the northeast part of the Congo.

She is just one of thousands the female teens who have fought and killed in brutal civil conflicts in Africa, Asia and Latin America.

Yet, as their countries move towards peace and work to disarm former combatants, female **soldiers** like them are likely to slip through the cracks of official disarmament and demobilisation programmes, which continue to classify women involved in conflict as dependents rather than combatants.

In Sierra Leone, for example, Mazurana found that one-third of women involved with rebel or government forces had been involved in active combat, while nearly half had weapons training. Most said they had been abducted, usually around the age of 12, and many were forced to be "wives" to male soldiers, often bearing them children.

Yet, these young women and their children could not claim demobilisation benefits from the new Sierra Leonean government and its partners - including the United Nations - unless identified as a wife of a male soldier.

It did not matter to officials whether they had participated in combat or that the men who would claim women as wives were often the same ones who had raped or abducted them.

Many international non-governmental organisations are beginning to realise this.

In most conflicts, between 10 and 50 per cent of child fighters are **girls**. While some NGOs, such as CARE and local religious groups, are beginning to address the problem there are still almost no programmes tied to official demobilisation efforts aimed specifically at helping female fighters.

Sadly, these fighters often have even more difficulties reintegrating into society than boys. Often they find themselves ostracised for acting outside traditional female roles and because it is widely believed that they have been sexually abused and are therefore unsuitable for marriage. With few other choices, many such former **soldiers** slip into prostitution, especially because the arrival of peace often means the arrival of largely male peacekeepers.

"**Girl soldiers** have the highest levels of rejection," said Mazurana.



Mail & Guardianonline

Guinea: Ethnic Tensions Threaten to Explode in Southeast

UN Integrated Regional Information Networks

NEWS

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Nzerekore

An influx of arms and idle gunmen from Liberia threatens to inflame ethnic quarrels in the Forest Region of southeastern Guinea, leading to further violence and instability in this remote region, government officials, aid workers and human rights activists in the area said.

Tensions between the local Guerze ethnic group and incomers from the Konianke subgroup of the Mandingo people have simmered away for years.

About 100 people were killed in Nzerekore, the capital of the Forest Region, when clashes erupted between them in this ragged city surrounded by forest covered hills during local elections in 2001.

Humanitarian workers and political activists said at least two people died in a fresh round of fighting between the two ethnic communities in the city of 500,000 people last month.

Things could have got much worse had the Guinean security forces not intervened rapidly to quell the ethnic fighting in the city, which lies 850 km by road east of the capital Conakry.

There were several exchanges of gunfire, but the army eventually restored order and arrested over 200 suspects, most of whom were Konianke of Liberian origin.

A huge problem of insecurity

"The problem is very simple but, since the social and economic situation is getting worse and worse in the country, it was just about to degenerate into a conflict," said Major Algassimou Barry, the Prefect (government administrator) of Nzerekore and the surrounding district.

"We have a huge problem of insecurity here, but we don't have the human and financial means to deal with it," he told IRIN.

"We're at the heart of a region in turmoil. The flow of light weapons and hold-ups is increasing and we are always in alert," he added.

Government officials in Nzerekore told IRIN that hundreds of people were arrested following the disturbances on 16 and 17 June and 90 percent of them were Liberians.

Jean-Marie Dore, leader of the opposition Union for the Progress of Guinea (UPG) party, who is from Nzerekore, said a total of 238 people were arrested, of whom 234 were Konianke. About 100 of them were caught carrying firearms, he added.

Konianke traders from northern Guinea have developed a strong presence in the Forest Region ever since France established its colonial administration in the area during the late nineteenth century.

But in recent years, trouble has stemmed mainly from an influx of Konianke from nearby Liberia associated with the ULIMO rebel movement that fought against former President Charles Taylor and its successor LURD.

Residents in Nzerekore said the town was packed with hundreds of Liberian gunmen made idle by a peace agreement which ended 14 years of civil war in their own country in August last year.

"The town is full of them, everybody knows that," a local human rights activist in Nzerekore told IRIN.

"We know where they live, we know that they're still carrying their weapons and that they help their brothers the Konianke when the disputes explode between the two communities," he said.

Liberian rebels recruited young Guineans openly

The human rights activist, who belongs to the Guerze community, said that when the civil war started in Liberia in 1989, ULIMO (United Liberation Movement of Liberia for Democracy), the main faction opposing Taylor, recruited heavily in Guinea.

He added that during the early 1990s, ULIMO offered young Guineans a cash bounty to go and fight in Liberia and there were many takers.

The recruitment of young Guineans to fight Liberia resumed in 2000 after a two-year lull in the conflict, when LURD (Liberians United for Reconciliation and Democracy) took up arms against Taylor from rear bases in Guinea.

Guinean President Lansana Conte was no friend of Taylor and diplomats say he was LURD's main backer.

Residents in the Forest Region said that so long as the civil war in Liberia lasted, the rebel movement's fighters moved freely in and out of Nzerekore with no interference from the government security forces.

Since the conflict ended in August last year however, the army has tried to clamp down on the activities of LURD fighters in Guinea.

While the Konianke in the Forest Region tended to support their rebel kin in Liberia, and for many years received tacit encouragement from the authorities to do so, many of the Guerze sympathised with Taylor, who belongs to their own ethnic group.

"As a Guinean from the Forest Region, it was terrible to see the recruitment operations taking place in the main stadium of Nzerekore to fight against Taylor, a man from our own tribe," one local employee of an international aid agency told IRIN.

But the Konianke are not the only ones to carry unauthorised guns in the Forest Region.

Many Guerze are also armed

Many Guerze youths and young men from other ethnic groups in the Forest Region were armed by the government and sent into combat as hastily trained militiamen when insurgents backed by Taylor tried unsuccessfully to invade Guinea from Liberia in 2000 and 2001.

Aid workers said that once the emergency was over and the militias were disbanded, many of these combatants kept their guns. Some of these young men - officially known as "volunteers" - now use them to set up clandestine road blocks in Nzerekore at night to extort money from passing motorists.

When ethnic clashes broke out in Nzerekore last month, an IRIN correspondent saw many armed men, identified by local residents as former volunteers, manning road blocks around the town set up by hastily formed self defence committees. Within a few hours, however, the army cleared them off the streets and took control of security.

Religious differences between the Konianke and Guerze have deepened the divide between the two communities.

The Konianke are predominantly Muslim, whereas the Guerze, who consider themselves to be the rightful masters of the Forest Region, are mainly Christian and animist.

"They (the Konianke) took the land, started to trade and tried to impose their own religion, culture and language on the Forest Region, causing enormous frustrations among the local ethnic groups," the human rights activist told IRIN.

"In many villages, Guerze tribesmen refuse to allow Konianke people to spend the night. They are highly suspicious of them and of Mandingo people in general. There is no respect at all between them," he added.

The Konianke themselves are reluctant to talk openly about the recent clashes to outsiders. "It was God's will" many of them commented as they shied away from questions.

Clashes between the two communities do not just occur in Guinea. Last month one person was killed in fighting between Konianke tribesmen and Guerze people in the town of Gbarnga in northern Liberia, where the Guerze are known as Kpelle.

That incident was sparked off by a dispute over a woman between a LURD fighter from the Mandingo ethnic group and a local Kpelle man.

Liberian gunmen move easily across nearby frontiers

The problem in controlling former combatants from Liberia in Guinea is not just that they are protected by the local Konianke community. They also melt into the 50,000-strong Liberian refugee community in southeastern Guinea, much of which is concentrated in five refugee camps.

Aid workers said people regularly moved in and out of these camps and across the border to Liberia and Cote d'Ivoire, where rebels still occupy the north of the country, a year after its civil war was officially declared to be over.

Many are convinced that former Liberian rebels were the source of last month's trouble in Nzerekore.

"We think that ULIMO (as local people still call all the Liberian rebels) was behind the latest shooting," said one Nzerekore-based aid worker. "They live in town, unemployed, and they are always ready to fight as they still have their weapons," he added.

Guinean government officials said many former Liberian combatants had brought guns across the border since the UN peacekeepers began to disarm the three warring factions in Liberia in April.

Some of these had ended up in Cote d'Ivoire, where the United Nations proposes to pay US\$900 to every fighter volunteering for demobilisation, they added.

UN peacekeepers in Liberia are only offering only US\$300 to ex-combatants and about half of those presenting themselves for disarmament so far have turned up at the demobilisation camps without a gun.

"We're concerned that disarmed or not, they will install themselves in Guinea," said Colonel Lamine Bangoura, the governor of Nzerekore.

"We want them to stay in their own country and the best guarantee of preventing raids across the border is to provide them jobs," Bangoura said. "On the Guinean side, we can handle security on the border but it's so expensive and we are short of equipment and money."

Patience grows thin in lean season before harvest

The governor said the Guinean authorities were particularly wary of further outbreaks of violence during the coming months as food supplies dwindled and people grew hungry waiting for the new harvest to begin in October at the end of the current rainy season.

"We are being very careful because we're bridging the gap until the harvest period. People are hungry and fragile. If local communities refuse to give food or provide assistance to the others, things could get bad," he said in apparent reference to the Konianke.

Aid workers warned that LURD fighters in Liberia were now convinced that the Guinean government had abandoned them following Taylor's departure into exile in Nigeria and the restoration of peace in Liberia. That made the situation more volatile than before, they added.

Dore, the opposition leader who is normally no friend of President Conte and his government, urged people in the Forest Region to collaborate with the authorities in removing weapons from unauthorised hands.

"Ex-fighters are waiting for an excuse to settle scores," he told IRIN during an interview in the capital Conakry. "To solve the problem, we must gather the weapons and help the armed forces because the people know where they are."

A senior UN official in Guinea said the United Nations had already appealed to donors for US\$20-25 million to help to collect weapons in Guinea, provide rehabilitation facilities for former members of the militia force which helped to repel the incursions from Liberia three years ago and develop schools and health centres in the region.

These funds had been sought in the context of wider appeals for money to deal with the aftermath of civil war in Sierra Leone, Liberia and Cote d'Ivoire, he added.

"We must react quickly because right now is when we risk having problems regarding the social and economic situation in Guinea," he told IRIN.

"We need to help the vulnerable populations, to mitigate the impact on environment and security with a disarmament plan and to develop social and health services," the UN official said.

Meanwhile, the Guinean government is determined to keep a lid on the situation by continuing to impose tight security wherever violence threatens to rear its ugly head.

"We are responsible for what happens in Guinea. We are calling for calm," said Bangoura, the governor of Nzerekore. "We have been able to control the situation for the past 10 years. This must continue or we will suffer the consequences."

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