

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

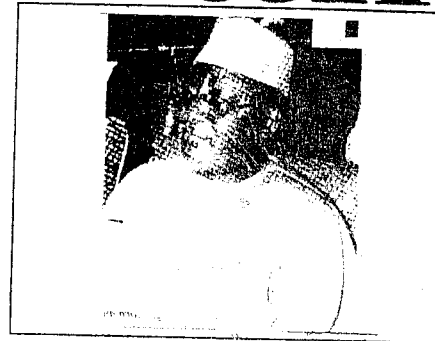
PRESS CLIPPINGS

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:

Friday, October 08, 2004

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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Why Norman Challenged Special Court



Chief Norman: self defending accused

The CDF first accused at the Special Court for Sierra Leone, Chief Samuel Hinga Norman, on September 20 this year addressed a letter to the Judges of the Trial Chamber for the CDF accused, stating that he would not appear before the Trial Chamber until certain stipulated legal conditions were fully met. We have published the unedited letter on page 2.

The Principal Defender
Defence Unit
Special Court for Sierra Leone
Freetown
20th Sept. 2004

Dear Sir/Madam,

Judicial Protest

This is to inform you that after the morning session of the Trial Chamber's Sitting of the case of a Joinder Trial of the Accused, Samuel Hinga Norman and Two others on Monday, 20 September 2004, until the following conditions are fulfilled, and judicial ORDERS are FULLY complied with and necessary actions in the interest of TRANSPARENT JUSTICE are taken: I, the 1st Accused, (Samuel Hinga Norman) have decided NOT to appear before the Trial Chamber of the Special Court composed of their Honours, Justice Itoe President and Justices Thompson and Bouter Members.

- The Joinder Indictment SERVED on the Accused pursuant to Rule 52 of the Rules.
- Arraigned the accused to enter a plea, pursuant to Rule 61 (iii) of the Rules of Procedure.
- Remove the Protective ORDER so that witnesses who are not sexually assaulted could TESTIFY in FULL VIEW OF THE PUBLIC in order to discourage the giving of the TESTIMONIES that the prosecution has been paying Prosecution Witnesses to give under hidden identity.
- That the Single Indictment AGAINST me alone, Dated 7th March, 2003 be quashed, so that it could not be used as a fall-back tactic in an eventuality by the Prosecutor.

At any time the above-mentioned conditions are judiciously addressed, I shall make myself available. But until then, may this letter please serve as instruction to my Standby Counsel NOT to appear in my absence nor do they have my authority to participate in any ongoing proceedings in my absence until the stipulated legal conditions are fully met.

My highest regards,

Samuel Hinga Norman J.P.
Self Defending Accused

SLAJ cautions its members

See page 2

STANDARD TIMES

Friday October 8, 2004

Le500

Liberian General exposes Special Court

BY THEOPHILUS GRENDA

Former commanding general of the Armed Forces of Liberia (AFL), General John S. Tarnue, now star prosecution witness at the Special Court for Sierra Leone, has ex-



Robin Vincent, Registrar

posed the Special Court's plan of purchase and machination of witnesses for its prosecution of indictees.

He disclosed among other things at his cross examination yesterday that he is aware that since April 2003 when he came in contact with the chief of investigations of the Special Court, Mr. Alan White, a good sum of money has been spent on him and his family, currently resident in Ghana.

According to General Tarnue, since that encounter, the Special Court has been paying his house rent, light, telephone and water bills, and taken responsibility for the schooling of his children.

The general made these revelations while answering to questions posed by defence council for Issa

Sesay, Wayne Jordash, who asked the Liberian general whether in fact he was awarded that since April 2003, to which he replied that in total he and his family must have benefited well over US\$90,000 from the Special court of Sierra Leone.

Asked whether he receives a monthly stipend of US\$1,000 from the Special Court, he denied receiving physical cash but confirmed that his lodging, feeding and other logistical needs were all taken care of by the Special Court.

In his evidence, the witness, who was one-time training commandant of the National Patriotic Front of Liberia (NPFL) said while he was training the third batch of

CONTINUED PAGE 2

Liberian General

FROM PAGE 1

NPFL recruits he took notice of Sierra Leoneans conscripts taken for training at camp Konola.

The witness also testified how he participated in arms delivery from the residence of Charles Taylor to Kailahun for onward distribution among Taylor's force and Benjamin Yeaten, who was Taylor's representative with the RUF.

The witness also said that because of his position as commanding general of the AFL under the Taylor regime, his name was placed on the

United Nations Traveling Ban.

Asked whether because of his role in the Taylor regime the witness does not see himself culpable to be tried by a war crimes tribunal, the witness answered in the negative, stressing however that he is ready to answer questions on his role before any tribunal at any time. The British born defence counsel, Wayne Jordash put it to the witness in the end that all what he had said in his testimony was a heap of lies aimed at making the prosecution nappy simply because he owed the latter.

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Police 'feared for' claim officer

By Padraic Murphy

October 8, 2004

VICTORIA'S police command feared for the safety of a Tasmanian officer working for the United Nations in Sierra Leone after she accused a former Victorian homicide squad boss of sexually abusing a 13-year-old girl.

Tasmanian police officer Mandy Cordwell accused fellow war-crimes investigator Superintendent Peter Halloran of sexually abusing a minor after allegedly finding a 13-year-old girl in his bedroom in early June.

Mr Halloran has consistently denied abusing the girl, whom he hired as a housekeeper and nanny to care for his girlfriend's deaf three-year-old.

Mr Halloran took leave in January to work for the United Nations' Special Court in Sierra Leone.

Sources have told *The Australian* that corruption investigator Inspector Peter De Santo contacted Ms Cordwell in Africa and offered security advice.

The Australian understands Mr De Santo took the unusual step because of fears for her safety.

Ms Cordwell told Freetown's High Court last month that the girl had admitted being sexually abused by Mr Halloran.

The alleged victim has given conflicting statements to police and was not medically examined until at least six weeks after the alleged incident.

The girl told the court that Ms Cordwell had convinced her to allege sexual abuse by Mr Halloran in exchange for a car and an overseas holiday.

He was cleared by a Special Court investigation which was also critical of Ms Cordwell's handling of the situation.

However, a source close to that investigation says it was a whitewash.

The Australian understands an initial UN report was highly critical of Mr Halloran's behaviour.

Local police conducted their own parallel investigation and charged Mr Halloran in August.

A Canadian officer of more than 30 years' experience is expected to testify against him when the hearing reopens next week. The male officer also lived with Mr Halloran and was involved in the initial complaint.

Two former colleagues of Mr Halloran - Tim Carrodus, now a risk management consultant, and serving Vicpol officer Wayne Baston - arrived in the country last month. It is not clear why the men are in Sierra Leone.

A Victoria Police media director, Stephen Linnell, said command could not stop members

from travelling overseas. "However, at all times they must be aware of their responsibilities as Victoria Police," Mr Linnell said.

The alleged abuse victim is understood to have come under intense pressure from her family not to testify and has been declared a hostile witness by the prosecution.

Mr Halloran is estranged from his wife and told fellow UN investigators he was in several other relationships.

Former Victorian police officer Abe Haddad recently left Sierra Leone and told Melbourne paper *The Age* that Mr Halloran was ill and could die in jail.

The Australian

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Liberia: Lack of Funds to Retrain Ex-Fighters Poses Security Threat

UN Integrated Regional Information Networks

NEWS

October 7, 2004

Posted to the web October 7, 2004

Monrovia

Restless ex-combatants in Liberia who have handed in their weapons but who have not received promised education or skills training because of a cash shortage pose a threat to national security, the transitional government and the United Nations have warned.

"The inability to absorb the demobilised combatants into training institutions is a major cause of the increasing unrest and rioting," the government and the United Nations said in a joint document submitted to international donors recently.

"The ex-combatants' overwhelming concentration in the over-congested capital Monrovia, without job opportunities, poses a threat to national security," it stressed.

The document was circulated to donors during last month's visit to New York by Gyude Bryant, the chairman of the transitional government and was made available to IRIN on Wednesday.

The prime reason for Bryant's two-week trip to the United States was to drum up more funds from donors to help Liberia recover from a 14-year civil war which ended in August 2003.

On Wednesday Bryant repeated a call, first made in mid-September, for the international community to provide an extra US\$44 million to help former fighters learn the skills needed to earn an honest living and lead a new, peaceful life.

Bryant said in a broadcast speech to the nation that funds had run out because twice as many former fighters had registered for disarmament as originally envisaged. As a result, the entire budget for disarmament, demobilisation, rehabilitation and reintegration (DDRR) had been spent on disarming them and providing them with a \$300 resettlement grant.

"All of the funding primarily intended to cover the entire DDRR programme was spent alone on DD and that is why we have launched an appeal for additional funding of \$44 million to cover the rest of the programme," he said.

The United Nations initially thought that only 38,000 ex-combatants would report for disarmament, but figures from the National Commission on Disarmament, Demobilisation, Reintegration and Rehabilitation show that by 5 October, 83,000 people had been disarmed.

But Molley Passaway, the spokesman for the commission, told IRIN that only 15,246 of these were currently benefiting from education or training.

Critics of the disarmament programme, which is due to end on 31 October, point out that only one in three of those disarmed has actually handed in a weapon. They suspect ordinary civilians are posing as ex-fighters to grab the cash.

It is not just programmes for rehabilitating former fighters that are short of money.

Justin Bagirishya, head of the UN World Food Programme (WFP) in Liberia, said on Tuesday that his agency had received only \$5.1 million of the \$6.6 million needed to feed some 650,000 people across the West African country until the end of the year.

The outlook for next year is even bleaker.

Bagirishya said that WFP would have about one million mouths to feed in 2005 once more than 300,000 refugees start returning from other countries in West Africa, and a further 300,000 people internally displaced within Liberia start to go home.

That implies that one third of Liberia's three million population will be dependent on food aid for at least part of next year.

LIBERIA: Lack of funds to retrain ex-fighters poses security threat



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**If former fighters have nothing to do,
they pose a security risk to Liberia**

MONROVIA, 7 Oct 2004 (IRIN) - Restless ex-combatants in Liberia who have handed in their weapons but who have not received promised education or skills training because of a cash shortage pose a threat to national security, the transitional government and the United Nations have warned.

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Liberia-Sierra Leone: Ex-Combatants to Be Repatriated And Pardoned

UN Integrated Regional Information Networks

NEWS

October 7, 2004

Posted to the web October 7, 2004

Monrovia

Sierra Leone will start the repatriation next January of 435 former Liberian government fighters who fled across the border to seek refuge during the latter stages of Liberia's civil war, officials said on Thursday.

A further unspecified number of Liberians who have been detained in Sierra Leone after fighting with various factions during that country's 1991-2001 civil war would be repatriated at a later stage, they added.

The two governments had also agreed in principle that Liberia would send back to Sierra Leone 231 Sierra Leoneans who fought with armed factions in the Liberian conflict and who had recently registered for disarmament, the officials said.

On Thursday delegations from the two countries signed a memorandum of understanding in Monrovia to finalise arrangements for the repatriation of the first batch of Liberian fighters in Sierra Leone.

This stated that the former combatants, who entered Sierra Leone in 2002 and 2003 to escape the advance of rebel forces, would benefit from an amnesty.

"It is the view of the government of Sierra Leone that the repatriation of the former Liberian fighters should mark a new beginning for repatriation of foreign combatants in the West African sub-region who crossed over into another country to ensure that peace and stability reign," Jonathan Sandy, an official of Sierra Leone Office of National Security told IRIN.

"Another point that the two government delegations agreed is the granting of total amnesty for those former fighters that we have interned in our country," he added.

Sandy said the returning Liberian combatants, who had fought for former president Charles Taylor, had been rehabilitated and "transformed into productive citizens."

Justin Bangura, the deputy head of the National Commission for Social Action of Sierra Leone, said last week that about 500 Liberian fighters were being held at several camps across Sierra Leone. He said they had received vocational training with the help of US\$1.2 million of funding from the European Union.

The executive director of the Liberia's National Commission on Disarmament, Demobilization, Reintegration and Rehabilitation Moses Jarbo, who signed the repatriation agreement on behalf of the Liberian government, confirmed that the returnees would benefit from a total amnesty in accordance with the terms of Liberia's August 2003 peace agreement.

Jarbo also raised for the first time the issue of Sierra Leoneans who had fought in Liberia's civil war.

"The transitional government has also consented to assist in repatriating about 231 Sierra Leonean ex-fighters who participated in the Liberian civil war by fighting for different armed groups. Repatriating any fighter will be voluntary," he said.

According to Liberia's disarmament commission, a total of 589 foreign combatants in Liberia had registered for disarmament by 5 October.

Guinea topped the list with 303 of its nationals disarmed. Sierra Leone followed with 231. Fighters from Cote d'Ivoire, Mali and Nigeria accounted for the remaining 53.

Several Sierra Leonean mercenaries fought with Taylor's forces, notably Sam Bockarie, the former military commander of Sierra Leone's Revolutionary United Front (RUF) rebel movement, who was killed in May 2003.

Liberia's main rebel movements meanwhile had close links with Guinea and Cote d'Ivoire.

Diplomats say the Liberians United for Reconciliation and Democracy (LURD) rebel movement was strongly backed by Guinea, while the Movement for Democracy in Liberia (MODEL), had close links with Cote d'Ivoire.



Liberia looks to end old leadership dispute

Monrovia - Liberian transitional government chairmperson Gyude Bryant moved on Wednesday to end a long-running dispute over leadership of the main rebel Liberians United for Reconciliation and Democracy (Lurd) that has threatened the fragile peace in the west African state.

A power struggle between Sekou Damate Conneh and his estranged wife Aisha Keita Conneh has polarized the motley rebel band and sparked repeated outbursts of violence around Lurd territory, which before the war was declared over in August last year stretched across two-thirds of the Atlantic coastal state.

In comments Wednesday Bryant strongly backed Conneh's claim in a bid to "put to rest this Lurd issue".

The rebel power tussle has manifested itself violently, which has produced unease within the UN Mission in Liberia (Unmil), mindful that much of Lurd's territory remains volatile with its young fighters still in arms.

Conneh has been chairman of Lurd since it was formed in October 1998, in the wake of the election of former president Charles Taylor, and remained so through the savage conflict that ended in August of last year with a peace pact and power-sharing agreement.

The Economic Community of West African States (Ecowas), which sent peacekeepers into Liberia to end the war and has kept a close watch on the emerging peace, said in August that Lurd should hold an election to choose a chairperson.

But in an address to the nation Wednesday, Bryant said that Ecowas had thrown its weight behind Conneh.

"In a letter addressed to me, Ecowas said that the only elected chairman of Lurd is the one who was presented to it from the initial stage of the peace talks," meaning Conneh, Bryant said.

"It is to put to rest this Lurd issue; that is what Ecowas wrote me."



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Côte d'Ivoire
Society | Human rights

Call for war crimes court in Côte d'Ivoire

afrol News, 7 October - A future UN tribunal of war crimes should be included in the peace settlement for Côte d'Ivoire, according to human rights groups. Only in that way could the current culture of impunity, fuelling the crisis, be stopped. In Côte d'Ivoire, both government and rebel forces have been held responsible for massacres, sexual violence and recruiting child soldiers.

Also the UN has lately expressed concern over the increased number of human rights violations in Côte d'Ivoire, which has experienced civil war like conditions since September 2002. On Tuesday, the UN peacekeeping mission in Côte d'Ivoire said it was "very concerned" by reports over the detention and torture of some 380 people at the Adjame market in Abidjan were detained by Ivorian security forces on 20 September.

The New York-based group Human Rights Watch yesterday evening released a report, saying impunity for rebel and government forces committing human rights violations had turned systematic. The UN thus was recommended to create "a judicial body with significant international participation to address the country's deadly cycle of violence and impunity."

The Ivorian national justice system was believed to be "unwilling or unable" to prosecute serious violations of international law. Therefore, the human rights group holds, "alternative judicial mechanisms must be considered." The Ivorian government has demonstrated little political will to hold accountable perpetrators and within rebel-held areas, there were no legally constituted courts.

In September, a UN Commission of Inquiry concluded its investigations into serious violations of human rights and humanitarian law in Côte d'Ivoire. The commission was tasked with investigating abuses committed since 19 September 2002, when northern-based rebels launched an insurgency to unseat the government of President Laurent Gbagbo. The commission's final report is soon to be presented to UN Secretary-General Kofi Annan.

Human Rights Watch in a statement said it hoped the commission's report would include concrete recommendations on "how to hold accountable those individuals most responsible for the abuses, which include massacres, summary executions, political assassinations, sexual violence including rape, and the recruitment and use of child combatants."

- In Cote d'Ivoire, impunity has become order of the day, said Peter Takirambudde of the human rights group. "Both government forces and rebel factions have murdered hundreds of civilians since the 1999 coup, but neither side has taken steps to punish those responsible," he emphasised.

Two serious incidents in 2004 had "exemplified the conflict's deadly cycle of violence and impunity," the group said. In March, a protest march by opposition groups in

Abidjan was met with lethal force by members of the Ivorian security forces, resulting in the death of at least 105 civilians. In late June, clashes between rival rebel factions in the northern city of Korhogo led to the deaths of some 100 people, many of whom had been executed after being held in a makeshift prison.

- In recent months, government forces have executed civilians in gendarme bases, while rebel factions have executed captured combatants and civilians in makeshift prisons, said Mr Takirambudde. "The all-around failure to bring those responsible to justice only serves to embolden the perpetrators, which ultimately makes a solution to the political crisis more elusive," he added.

Côte d'Ivoire remains divided even though there has been no relapse into full-scale war since the French-brokered Linas-Marcoussis peace agreement was signed in January 2003. Rebel forces maintain control of the north, while the government retains control of the south. Implementation of the Linas-Marcoussis peace is failing due to lack of will on both sides.

Some 4,000 French troops monitor the ceasefire line and a 6,000-strong UN peacekeeping mission (UNOCI) has been established. UNOCI however has been unable to facilitate respect for human rights or return to the rule of law, according to the report. It is however increasingly monitoring human rights violations in Côte d'Ivoire.

By staff writers

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Justice, not a political platform, for Milosevic

Judith Armatta IHT

Thursday, October 07, 2004

The rule of law

WASHINGTON The trial of Slobodan Milosevic before the International Criminal Tribunal for the Former Yugoslavia has reached a standoff, where the will of the UN-established court is pitted against the will of one individual, the accused.

The tribunal, faced with medical opinions that Milosevic's health will not allow him to continue representing himself, appointed counsel for his defense. The accused refuses to communicate with counsel or assist in selecting and securing witnesses or developing a defense strategy, since he seeks not to defend himself but to use the trial as a platform to advance his political agenda.

As he has consistently maintained, he does not recognize the legitimacy of the tribunal but will use whatever opportunity is provided to make his political case to the public. Representation by counsel will not allow him to do that. Nearly half the witnesses initially scheduled to testify on his behalf have followed his example by refusing to appear in court if Milosevic is not allowed to represent himself.

While this impasse is relatively new on the stage of international justice, it is a harbinger of what will come as other former political and military leaders are called to account for serious violations of international humanitarian law. The trend, in fact, has already begun - in another case at the Yugoslavia tribunal, as well as in cases before the Rwanda tribunal and the special court for Sierra Leone. In each of these cases, the accused have challenged the authority of the courts and have refused to abide by their rules, refusing to participate unless the proceedings be conducted in a manner they approve.

Thus far, the courts have refused to be hijacked or blackmailed. They have stood firm, granting the accused all rights necessary to have a fair trial. Where the accused have refused to exercise those rights in accordance with court rules and procedure - refusing to attend court, for example, or to communicate with defense counsel - the courts have made it clear that the proceedings will continue. To do otherwise is to let the accused dictate the terms under which they will answer very serious charges. It is also to ignore other interests at stake in trials for violations of international humanitarian law.

The Yugoslav tribunal was duly constituted by the UN Security Council and its legitimacy affirmed in the case against Dusan Tadic, whose 1997 conviction on 11 counts of war crimes and crimes against humanity was the tribunal's first. As a legitimate court, it is charged with seeing justice done for the heinous crimes, including genocide, committed throughout the territory of the former Yugoslavia during the 1990s. Its fundamental responsibility, as that of all courts, is to justice. An essential element of justice in the criminal context is a fair and expeditious trial for the accused, even if he wants something different.

Under tribunal rules, a defense can indeed be made either through counsel or by oneself. In all circumstances, however, the court has an overriding duty to ensure that the trial is fair, that justice is done and that the integrity of the process is upheld. This is what is meant by the "rule of law."

The court is also charged with protecting other interests involved in a criminal trial besides those of the accused, i.e. the interests of the public and victims in seeing justice done. While this is not to prejudge Milosevic as guilty, they, too, have an interest in a fair and expeditious trial.

Indeed, legitimate defenses are available to Milosevic. Witnesses who can testify on those issues owe it to the accused, the public and the victims to participate in the trial. Only a full hearing of all the evidence and defenses can lead to a just resolution. It is

incumbent on this tribunal to stand up to Milosevic, assert its authority and bring the world one step closer to the rule of law.

Judith Armatta, a lawyer with the Coalition for International Justice, is its liaison to the International Criminal Tribunal for the Former Yugoslavia.



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Sierra Leone: Independent Report Calls On Libya to Pay Reparations for Role in Civil War

UN Integrated Regional Information Networks

NEWS

October 6, 2004

Posted to the web October 6, 2004

Dakar

An independent report on Sierra Leone's brutal decade of civil war has recommended that Libya pay reparations for having trained top rebel military commanders, but it also warned the government in Freetown that poverty and corruption were still as rampant now as when the conflict broke out.

Following a two-year investigation into atrocities committed during the war, the Sierra Leone Truth and Reconciliation Commission said both Libya and Liberia had played a key role in the West African conflict which saw drugged-up rebels and government soldiers hacking off the limbs of innocent civilians.

A summary of its final report, handed to the government on Tuesday, was made available to IRIN.

"Libya has the resources to make a substantial financial contribution and it must make it because it was in charge of training key players in the Sierra Leone conflict," Howard Varney, the Commission's chief investigator, told IRIN by telephone on Wednesday.

He said the seven-member commission, chaired by Bishop Joseph Humper, had not recommended a particular sum.

In the last 14 months Libya has helped to cast off its international pariah status by agreeing to pay almost US\$3 billion in compensation to victims of the 1988 bombing of a Pan-Am airliner over Lockerbie in Scotland, the 1989 bombing of a French airliner which exploded in the sky over Niger, and the 1986 bombing of a Berlin nightclub.

The Truth and Reconciliation Commission said Liberia, whose former President Charles Taylor has been indicted for war crimes by an international tribunal for financing and arming Sierra Leonean rebels, should also accept its responsibility for stoking its neighbour's civil war.

But the commission said that since Liberia was still emerging from its own crisis, enjoying its first fragile year of peace after 14 years of civil war, the reparation should be symbolic.

"It would be something like building a monument or holding a ceremony," Varney explained. "Liberia is a very poor country going through its own transition so it's not in a position to make a financial contribution."

"Dire conditions"

Besides dealing with past responsibilities, the independent report sounded alarm bells over the current state of affairs in Sierra Leone.

"Many of the dire conditions that gave rise to the conflict in 1991 remain in 2004," said the summary of the final report.

Two years after the civil war ended, Sierra Leone was still ranked bottom out of 177 countries in the United Nations Development Programme's (UNDP) 2004 Human Development Index.

The country may have lucrative deposits of diamonds, titanium and bauxite, but in Freetown shacks and streets get washed away during the long heavy rainy season and the average Sierra Leonean is not expected to reach his 35th birthday.

Diplomats say corruption is rampant and they increasingly express fears about the continued stability of Sierra Leone's elected government once the last UN peacekeeping troops are withdrawn in June 2005.

"We are not suggesting for one moment that war is about to break in Sierra Leone," Varney clarified. "But there are concerns that issues like political participation need to be addressed quickly to stop a possible recurrence."

Youths, defined by the Sierra Leone government as those aged between 18 and 35, are one of the Truth and Reconciliation Commission's top priorities, given that they formed the bulk of the fighting forces across all factions.

"As in the late 1980s, many young adults continue to occupy urban ghettos where they languish in a twilight zone of unemployment and despair," the report said.

It recommended that this age group should be encouraged to participate more fully in society, and provide at least 10 percent candidates at national and local elections.

The report also urged the government to stop women being pushed to the periphery by making sure they represented 30 percent of those in public office and standing for election.

Combat corruption

The commission, which included members from Canada, South Africa and Gambia, as well as four appointees from Sierra Leone, called for measures to control widespread corruption.

This has drawn public protests from businessmen trying to resurrect Sierra Leone's service sector and tourism industry and private complaints from donors angry at seeing their aid money diverted into private pockets.

"The Commission proposes the introduction of a new and transparent regime in which citizens will have reasonable access to government information, where senior public officials disclose their financial interests and where government informs people down to the community level what amounts are being spent," the summary of its report said, without giving more details.

Another important task identified by the commission is to help Sierra Leoneans heal their psychological scars and recover from the atrocities experienced during the civil war

To this end, it called for 18 January to be declared a national reconciliation day every year.

The commission proposed free physical and mental healthcare for amputees and rape victims and recommended paying a monthly pension to all war wounded whose injuries meant they could only earn half of their previous income.

It also called for free education for their children, as well as youngsters who had been injured or orphaned during the fighting.

But the report gave no clue as to who would be footing the bill for the amount and the size of the pool that would be eligible for the benefits.

Varney said some money would hopefully be provided by the government and that maybe the international community would step forward with funds.



Sierra Leone: Media Watchdogs Condemn Two-Year Jail Term for Newspaper Editor

UN Integrated Regional Information Networks

NEWS

October 7, 2004

Posted to the web October 7, 2004

Dakar

International media watchdogs on Thursday blasted the decision of a Sierra Leonean court to shut down a daily newspaper for six months and send its editor, Paul Kamara, to prison for two years for "seditiously" libelling the president.

Kamara, founder and editor of the daily For Di People, published a series of articles last October about a 1967 commission of inquiry which found President Ahmad Tejan Kabbah, who was then finance minister, guilty of fraud.

"This new case is deeply troubling because it violates the fundamental principles of free expression," the New York-based Committee to Protect Journalists wrote in a letter to Kabbah.

"In a democracy, political leaders such as yourself must be subject to public scrutiny and should enjoy no special protection from criticism," it went on.

Paris-based watchdog, Reporters Sans Frontieres joined the chorus of criticism.

"Paul Kamara must be freed immediately and his newspaper must be allowed to reappear," it said. "This heavy sentence at the end of a trial full of legal quibbling looks more like a harsh punishment for a dissident voice than a fair decision aimed at keeping the peace."

The watchdog noted that the Sierra Leone Association of Journalists had repeatedly and unsuccessfully called for the repeal of the 1965 Public Order Act, which allows reporters to be sent to prison for libel and permits printers and newspaper vendors to be prosecuted for the same crime.

Reporters Sans Frontieres also urged the United Nations Mission in Sierra Leone (UNAMSIL), which has been stationed for the last five years in the war-scarred West African country, to persuade the government to decriminalise press offences.

But in the capital Freetown, not all media professionals were bemoaning the verdict, handed down on Tuesday.

"I think he was very unprofessional and he went overboard," Kelvin Lewis, the editor of Awoko, a daily newspaper in Freetown told IRIN. "I think the sentence was lenient. He has a history of doing these things."

Kamara served a six-month prison sentence after being convicted of criminal libel in November 2002 for defaming a local judge. In October the following year he had to pay almost US\$25,000 in damages after losing a civil suit brought in connection with the same case.

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**HEADLINE: Arms and Military Affairs;
Armed Forces Chief Killed As Soldiers Mutiny Over Pay Arrears**

BYLINE: UN Integrated Regional Information Networks

BODY:

The head of the **armed forces** of Guinea-Bissau, General Verissimo Correia Seabra, has been **killed** by mutinous **soldiers** demanding the immediate payment of substantial salary **arrears**, Defence Minister Daniel Gomes said on Thursday.

Correia Seabra and Colonel Domingos de Barros, the head of human resources, were **killed** at the **military** high command building during the early hours of the **mutiny** on Wednesday, he told reporters.

Portugal, the former colonial power, said an attempted coup was under way in the West African country. But the mutineers issued a statement on Thursday saying that their insurrection was a simple dispute over salaries and not an attempt to overthrow Guinea-Bissau's elected government.

"This is not a coup d'etat this is just a **pay** dispute, not a disturbance or an insurrection," the statement began.

The document did not refer to the death of Correia Seabra and Barros and the Defence Minister told reporters their killers had not yet been individually identified.

The **mutiny** began on Wednesday, apparently led by a battallion of 600 **soldiers** that served with the United Nations Mission in Liberia for nine months until July this year. Several **soldiers** told IRIN that they were demanding back payments amounting to US\$1,428 each.

Correia Seabra was detained and several other **military** chiefs went into hiding. Dozens of heavily armed troops marched through the streets of the capital Bissau, but otherwise life continued as usual.

On Thursday, shops, markets and government offices remained open and the atmosphere in the city remained relaxed with no abnormal **military** presence on the streets.

Prime Minister Carlos Gomes Junior accused unnamed opposition leaders of inciting the rebellion and diplomats in West Africa quickly pointed the finger at former president Kumba Yala and his supporters.

Yala was overthrown by Correia Seabra in a bloodless coup on 14 September 2003. Yala's Social Renovation Party (PRS) subsequently lost parliamentary elections in March this year to Gomes Junior's African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC).

The PRS has not yet spelt out its position on this week's events in Guinea-Bissau, but party leader Artur Sanha said in a radio interview that it would do so on Friday.

Diplomats said that beyond the party political conflict lay deep-seated ethnic differences. The PRS draws strong support from the Balanta ethnic group which comprises 30 percent of Guinea-Bissau's 1.3 million population and controls most of the top jobs in government. Correia Seabra was a member of the minority Papel tribe.

The mutineers held several hours of talks on Wednesday with a government delegation led by Foreign Minister Soares Sambu. The UN Secretary General's Special Representative in Guinea-Bissau, Joao Bernardo Honwana, was also present.

The mutineers were represented by General Pagme Nawai, the Inspector General of the **Armed Forces**, and Colonel Aniseto Naslak, the head of the the army's airborne commando unit.

On Thursday, the mutineers issued a statement signed by Major Baute Iamta Naman, a relatively unknown figure in the **military** hierarchy, outlining a serious of **pay** demands and other grievances. The document complained about poor living conditions in **military** barracks, rampant corruption in the high command and the lack of concern among commanders for the welfare of ordinary **soldiers**.

The Economic Community of West African States (ECOWAS) and the Community of Portuguese Speaking Countries (CPLP) which played a key role in putting Guinea-Bissau back on the path towards democracy after last year's coup each sent a high-level mission to the country on Thursday.

Diplomatic sources in Dakar said the ECOWAS delegation would be led by the organisation's Executive Secretary, Mohamed Ibn Chambas, and Senegalese Foreign Minister Cheikh Ridiene Gadio. It was due to arrive in Bissau on Thursday night.

In Lisbon, a Portuguese Foreign Ministry spokesman said the CPLP delegation would be led by Jose Ramos Horta, the Foreign Minister of East Timor, who played a key role in last year's crisis, and Ovideo Pequeno, his counterpart from Sao Tome and Principe.

Guinea-Bissau's cabinet met for an emergency session on Thursday morning. Ministers were tight-lipped as they emerged from the meeting.

Interim President Henrique Rosa later chaired a fresh round of talks between the government and the **armed forces** mutineers at the presidential palace, again with the UN representative in Guinea-Bissau, in attendance.

Rosa, a respected businessman who oversaw Guinea-Bissau's first multi-party elections in 1994, was chosen by consensus after last year's coup to be head of state until presidential elections are held in March 2005.

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Bringing the Khmer Rouge to Justice

by **Michael Pan**
October 6, 2004

President Bush often refers to "killing fields" when describing the brutal crimes committed by Saddam Hussein against his own people. Given the world's almost exclusive focus on Iraq, few may recall the genocidal regime that gave rise to that phrase 30 years ago. Earlier this week, the Cambodian National Assembly ratified a law establishing a long-overdue war crimes tribunal for the remaining leaders of the Khmer Rouge. As Saddam awaits trial in Baghdad one year after being ousted from power, Cambodia is just beginning to reopen the book on its own tortured past.

From April 1975 until January 1979, the Khmer Rouge regime subjected citizens to forced labor and genocide in a quest to turn the country into an agrarian communist society. The entire population of Cambodia's urban areas was evacuated from their homes and forced into slave labor in the killing fields. The entire professional and technical workforce was targeted in an attempt to rid the country of "intellectual" or "elite" classes. By the end, nearly two million Cambodians lost their lives, representing a staggering fifth of the entire population.

No senior Khmer Rouge official has ever been called to account for the regime's atrocities. Pol Pot died in 1998 under mysterious circumstances in the jungles of Thailand as the international community closed in on his capture. Two of his top deputies – Ta Mok and Kaing Guek Iev – are in jail after being seized by the government in recent years, but have not been convicted of any crimes. Other key leaders like Nuon Chea, Khieu Samphou, and Ieng Sary remain free. Thousands of perpetrators continue to roam the countryside.

After years of pained negotiation between the United Nations and the Cambodian government, an agreement was reached last year establishing special chambers within the Cambodian court structure to prosecute the handful of former Khmer Rouge leaders deemed "most responsible" for war crimes, crimes against humanity, and genocide. The tribunal is to consist of both foreign and Cambodian prosecutors and judges. In an awkward and complex formula, Cambodian judges would outnumber their foreign counterparts, but would need the vote of at least one foreign judge to confirm any decisions.

Some fear the trials will become politicized. Similar concerns were raised about the trials in Sierra Leone, East Timor, and Rwanda. As in those cases, the bar will not be one of perfect justice, but rather credible justice. How this arrangement is applied will make all the difference. The trick will be to find a way to balance Cambodian ownership with international legitimacy. This will be extremely difficult, but not entirely impossible.

After years of division and violence, the need for the tribunal is clear. It offers an opportunity to place into the record the countless stories now burdening shoulders of former victims, as well as former perpetrators. As one Cambodian human rights worker noted, "it doesn't matter to me so much what the outcome of the trials are – whether folks are acquitted or not – just that there is a process that allows for people to talk... and while the people don't necessarily *want* the tribunal, they recognize that they need it." Nonetheless, the trials will leave many Cambodians unsatisfied. Designed only for a handful of former Khmer Rouge leaders, mass killers will continue to live freely among those they tormented.

Those who have struggled for decades to see the creation of a Khmer Rouge tribunal are at a critical juncture. I recently traveled to the country with a team of experts assisting in preparations for the tribunal. Several obstacles to its establishment and operation are emerging.

- First, as the current judicial system is notoriously corrupt, it will be up to the international community to ensure the tribunal's credibility. The United Nations has a vital role to play in providing the necessary credibility and oversight. The United Nations, notoriously slow when it comes to vetting and appointing international personnel, will need to move quickly to set the tone and provide staff with integrity.
- Second, after the conclusion of years of stalled negotiations, the tribunal is in jeopardy of being delayed indefinitely due to the lack of international financial assistance. Despite the fact that the United Nations and

the government have come to agreement on several thorny issues, the tribunal will not come into existence until adequate funding is raised. If the past record of funding tribunals is any indication, it could be years until this requirement is met.

- Third, due to the mixed nature of the tribunal, several final administrative and internal management arrangements present complicated problems for the tribunal's day-to-day work. The tribunal will have difficulty getting off the ground unless arrangements are clarified between the two sides on issues ranging from how to deal with pay disparities between the international and national staff to responsibility for issues of witness protection and security.
- Fourth, while most of the potential indictees have indicated willingness to answer charges before the tribunal, the possibility exists that many will try to flee the country. Because the tribunal lacks explicit powers from the U.N. Security Council, there is no solid legal obligation for countries to extradite fugitives back to Cambodia to face trial. Preparations for entering into memoranda of understanding and agreements with states must be undertaken now to ensure that fugitives do not slip through the cracks of international law.
- Fifth, the political momentum – both in Cambodia and abroad – for the tribunal is disappearing. While the Cambodian population, after over two decades of waiting, is anxious for a final accounting of crimes, it is becoming increasingly impatient with the seemingly unending process of compromise. Without clear leadership and visible progress, the tribunal may well collapse in the coming weeks.

The tribunal has the potential to establish higher standards in a country still plagued by violence, lawlessness, and impunity. As the world struggles with modern day atrocities in Iraq, Afghanistan, Sudan, and elsewhere, one lesson from Cambodia is worth learning – the failure to pursue the truth about the past will continue to poison hopes for the future. The months ahead will reveal if Cambodia, with the assistance of the international community, will finally be able to bring senior perpetrators of atrocities to justice, or whether judgment day will yet again be postponed.

Michael Pan is a senior policy analyst at the Center for American Progress. He served as the political adviser to the Chief Prosecutor of the Special Court for Sierra Leone.



UN to investigate Darfur genocide

A five-member panel to investigate whether genocide has taken place in Darfur has been appointed by United Nations Secretary General Kofi Annan.

The commission has been given three months to report its verdict about events in the western Sudanese region.

The United States has already declared the attacks in Darfur to be genocide, and human rights organisations have said they amount to war crimes.

An estimated 50,000 people have died in the past year and a half in Darfur

Some 1.4 million have also been made homeless as a result of attacks by pro-government Arab militias.

The Janjaweed are accused of killing thousands of black African civilians and emptying villages as part of a campaign against rebels in Darfur.

The commission includes human rights and legal experts from Peru, Egypt, Pakistan and Ghana and is chaired by Italian law professor Antonio Cassese, who was president of the UN war crimes tribunal for former Yugoslavia from 1993-1997.

They will leave shortly for Sudan.

Genocide

European diplomats and the United Kingdom have fallen short of saying genocide is taking place.

Mr Annan has also refused to use the term genocide, which would carry a legal obligation to act.

Sudan's Foreign Minister Mustafa Osman Ismail has accused the US of using the humanitarian problem in Darfur for its own political purposes.

Last month the UN Security Council adopted a resolution which threatened oil sanctions against Sudan if it did not rein in the militias. It also called for the investigation into genocide.

Attacks

Earlier this week, UN special envoy Jan Pronk told the UN's Security Council that Sudan's government has failed to keep its promise to end violence in Darfur over the past month.

He said attacks on civilians continued and that both pro-government forces and rebel groups had broken a truce.

Mr Pronk said the army had continued its attacks, sometimes with helicopter gunships and neither the government nor the rebels had respected the ceasefire signed on 8 April.

Sudan has now said it will welcome more troops from the African Union.

But the UN envoy said these troops should not only monitor the ceasefire but ensure the safety of the displaced, oversee the disarming of fighters and act as a buffer between civilians and possible attackers.

Libya is planning to host a mini-summit on the Darfur crisis later in October.

Story from BBC NEWS:

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