

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:

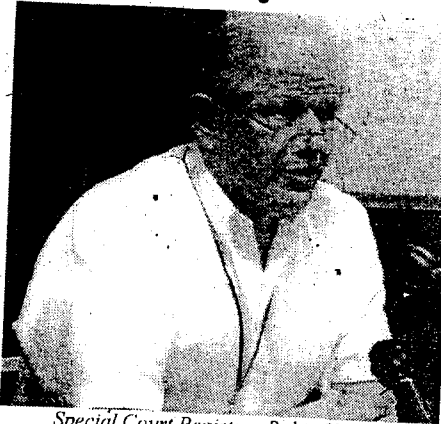
Friday, July 09, 2004

The press clips are produced Monday to Friday.
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Awoko

Friday July 09, 2004

Will Special Court Registrar Resign?



Special Court Registrar Robin Vincent

The Registrar of the Special Court Robin Vincent has signalled that he will not be continuing in his job after the next three months. According to sources close to the Special Court Robin Vincent disclosed his intention to quit, to some of the senior staff members of the Court at the start of this week. The reason why Mr Vincent is contemplating on this move is not known. Sources in the Court

however say they will sadly miss him if he goes. Efforts are now

underway to get the erstwhile registrar to change his mind. Sources

say that the Management Committee of the Special Court

Contd. Page 2

Will Special Court Registrar Resign?

From Front Page
Court which is made up of most of the donor countries who contributed to the initial funds to set up the

court have asked Mr Vincent to reconsider. The government of Sierra Leone too and the United

Kingdom are understood to have made similar requests to Mr Vincent. It will

be recalled that Robin Vincent was one of the first staff of the Special Court who flew into the country a little over two years ago. He worked assiduously to set up the structures of the court from their first office at Spur Road then on to the

Bank of Sierra Leone complex at Kingtom and finally at their final home in New England Ville. A good number of the staff members of the Special Court say they are sad that he is leaving and would miss him. Indeed if the Special Court is

deemed to be operating successfully now it is largely due to the dedication and steadfastness of Robin Vincent. Reasons for Mr Vincent's decision are not known. Efforts to get him to comment have so far not proved successful but we will continue trying.

Special Court dragged to Supreme Court

By Ophaniel Gooding
Three indictees standing trial in the Special Court for Sierra Leone have gone to the Supreme Court to challenge the validity of the court. The RUF indictees- Issa Sesay, Morris Kallon and Allieu Kondewa are challenging the establishment of the Special Court on the

basis that it is unconstitutional, adding that it is also trying to obliterate the Republic of Sierra Leone Court system according to Section 120 and Section 30, sub Section (1) of the constitution. The Special Court for Sierra Leone is trying the appellants for crimes against humanity and for bearing the greatest responsibility

during the ten-year rebel war in the country. However, the matter has been adjourned to the 20th of July 2004. In another development, Lawyer Palmer representing the Law Officers department has reacted to a no case submission made by Defence counsel Manley Spain, regarding the murder trial of an accused person, Salieu Kamara. In

the prosecution's reply, Miss Palmer's stated that there are two main elements which the prosecution has to produce, the act or omission which causes the death or the state of mind whether an intention to kill or causes bodily harm. She stated that it is the duty of the prosecution to adduce

Contd. Page 2

From Front Page

evidence showing this and added, "I submit the prosecution has done exactly this. The prosecution called six witnesses to Court me. Three witnesses of fact." Referring to the evidence of Prosecution Witness 3 (PW3)- Foday Songu Brewah which stated, "During the argument Obi the deceased came and hit Chernor in the mouth... there was a fight, then the accused came out of the crowd and ran into

the compound and came out with two star beer bottles which he broke before my feet and then ran towards the crowd as soon as he ran into the crowd I heard a voice saying 'e don chook me' she went on, "from the account given by the three witnesses with particular reference to that of PW3 there was a gang fight involving two people one Chernor and the deceased; the accused was seen by three witnesses going into the compound and coming out with two

beer bottles which he broke together and ran towards the crowd." Lawyer Manley Spain, deputizing M. Spain, objected to the references of authorities made by Lawyer Palmer, adding "How does the Court know that she was quoting from these authorities. The matter was adjourned to Monday the 12th this month."

Awoko

Friday July 09, 2004

At Supreme Court

Charles Margai tests Special Court's legality



Charles Margai

Defence lawyer in the Special Court, Charles Margai yesterday described the setting of the United Nations backed Special Court to try war crimes and crimes against humanity as "unconstitutional."

Speaking to press men at the Law Court after a Supreme Court sitting on the motion raised by former Revolutionary United Front (RUF) inditees challenging the Court's jurisdic-

ees challenging the Court's jurisdiction to try, the learned lawyer maintained that the Special Court was unconstitutional because, "it attempt to

alter the structure of the court system in Sierra Leone."

Contd. page 3

In his explanation to the journalists, Margai stressed "the supremacy claimed by the Special Court over the Supreme Court of Sierra Leone is unconstitutional and added that

Section 29 of the Special Court which fails to recognize the immunity

granted to His Excellency, under section 48 (4) of the 1991 Constitution is also unconstitutional.

Margai cited Section 120 of the 1991 constitution and said that no Referendum was made as required by 108, since 120 is an entrenched clause

Concord Times

Friday July 09, 2004

RUF CHALLENGES SPECIAL COURT

By James B. Sawyerr

High security measures were yesterday stepped-up around the precincts of the Law Courts Building in Freetown when a large number of Sierra Leone Police personnel were deployed as the matter of the RUF/AFRC war indictees, challenging the establishment of the Special Court as unconstitutional, came up for hearing.

When the controversial matter of the constitutional status of the Special Court came



David Crane

up for hearing at the Supreme Court presided over by Chief Justice, Dr. A.B. Timbo, as-



Serry-Kamal

sisted by Justice Maitland Tolla-Thompson, Justice Cont. Back Page

FROM PAGE 1

RUF CHALLENGES

E.C. Thompson-Davies, Justice V.A.D Wright and Hon. Sir Isham Muria, Lawyers for the RUF/AFRC, A. F. Serry-Kamal and Charles Margai representing Issa Sesay, Augustine Gbao, Allieu Kondowa and Moininah Fofanah, contested the supremacy of the Special Court over the Supreme Court of Sierra Leone, challenging the legal status and supremacy of the Special Court, which rendered the constitutional powers of the Supreme Court of Sierra Leone, as a toothless bulldog.

Charles Margai, representing one of war crime

indictes, Allieu Kondowa, informed the galaxy of distinguished Judges that the President of the Republic of Sierra Leone failed to request the constitutional consent of the citizens to vote in a referendum for the establishment of the Special Court as required by Sections 108 and 120 of the Constitution, entrenched clauses of the Constitution of Sierra Leone.

Lawyer Serry-Kamal, representing RUF's Issa Sesay as complainant, stated that the Attorney General and Minister of Justice who appeared before the court is a defendant for the government and raised an application before the pre-

siding Judge, Justice A.B. Timbo for the President of the Special Court, the Registrar of the Special Court and the Prosecutor of the Special Court, David Crane, to appear at the next adjournment date of Tuesday July 20, 2004 before the Supreme Court.

Meanwhile, the US\$ 65 million Special Court house was closed as international and local staff glued themselves to their respective offices awaiting a swift ruling on the controversial issue of the unconstitutional establishment of the Special Court in Sierra Leone.

The New Citizen
Friday July 9, 2004

RUF Augustine Gbao Boycotts Yesterday's Sittings

By
John
Baimba
Sesay

Special Court judges yesterday unanimously decided to go ahead with the trial of former RUF Commander Augustine Gbao, after the accused refused to appear before the court, twenty four hours after sacking his entire

defence team and vowed not to cooperate with the court. Gbao is questioning the court's legitimacy to try him (and his colleagues) and also accusing it of being politically motivated. According to the detention supervisor,

Johannes Wagenaar, Gbao has asked for a decision to be made on his request. Gbao also claimed the 1996 Peace Accord in Abidjan, which ended the 10 year long civil war, granted blanket amnesty to the RUF and this was

ratified by Parliament and therefore there was no legal justification for the establishment of the court. Gbao, Sesay and Kallon are appearing before the Special Court as leaders and commanders in the

See page 4

GBAO BOYCOTTS SPECIAL COURT

From front
page

ing 18 count charges of war crimes and crimes against humanity and forced marriage. He has however not indicated whether he wanted to defend himself.

Independent Observer
Thursday July 08, 2004

RUF WAR CRIMES INDICTEE BOYCOTTS SPECIAL COURT RULES ON GBAAO

By Mohamed Mansaray

The third RUF accused Augustine Gbao in the ongoing Special Court trial did not attend the court yesterday. However, the court ruled in his absence based on the evidence before the court.

Justice Bankole Thompson noted that the accused was in good health and had made an initial appearance in court on April 26, 2003 in respect of the allegations brought against him by the Prosecution. The Judge noted in the ruling that the accused appeared in court on July 5 and 6 2004 and that he was in court when a ruling was delivered on the issue he raised regarding the legality of the court.

The court therefore noted that the joint trial of the three RUF accused proceed in accordance with Rule 60 a(1) of the Rules of Procedure of the Special Court. In addition, the court ruled that the former defence team to Augustine Gbao continue to represent him in.

court even without his consent so as to preserve the integrity of the proceedings.

The absence of Augustine Gbao was revealed to the court by his defence lawyer Andreas O'Shea at Court Room No. 1, Jomo Kenyatta Road, New England in Freetown yesterday.

He informed the court that his client has resolved not to attend any further court proceedings in respect of the war crimes charges brought against him by the Prosecution. He told the court that his client informed him that the Special Court was set up on the orders of only one party to the conflict in Sierra Leone, adding that ECOMOG and mercenary groups were also involved in the fighting in Sierra Leone. Mr. O'Shea quoted his client as regretting that those parties to the conflict in Sierra Leone have not been arrested. Mr. Gbao was also quoted as regretting that the court

SEE BACK PAGE

Sierra Times

Thursday July 08, 2004

has not recognised the amnesty granted him under the Lome Peace Accord.

Court Detention Supervisor, Johannes Wagenaar also told the court that the 3rd accused Augustine Gbao was in his custody. Mr. Wagenaar quoted a Sierra Leonean Special Court staff as telling him yesterday morning that the 3rd accused has declared his intention not to attend any further court sessions. "Mr. Gbao is healthy and was laughing on Wednesday morning," he told the court.

On Tuesday this week, Mr. Gbao sacked all his defence lawyers and refused to recognise the legitimacy of the Special Court for Sierra Leone.

The three accused, Issa Sesay, Morris Kallon and Augustine Gbao were indicted in March last year for individual criminal responsibility for crimes committed against civilians in Sierra Leone by the RUF between 1996 and 2000.

Tension mounts in Yenga



Joe Blé, Deputy Defence Minister...time to act

BY ELONGIMA MASUBA

Tension is once again reported to be mounting in Yenga, the contested village lying on the border between Sierra Leone and Guinea.

Relationship between the people of the two communities are reportedly very tense as Sierra Leoneans begin to manifest dismay at the apparent inability of the authorities to settle the differences between the two countries over the territory.

According to Standard Times sources close to the settlement, the attitude of the Guinean troops who still maintain security there have not been very good as many Sierra Leoneans complain of harassment and other forms of intimidation that Sierra Leoneans are not accustomed to.

Also on many occasions, the people are made to feel like foreigners as they are subjected to the harsh and

sometimes inhuman interpretations of the law in Guinea, when in fact they are

Continued back page

Tension mounts

From page 1

supposed to be under the jurisdiction of Sierra Leone.

This situation has created a lot of tension in the town and surrounding areas, as many have begun to wonder whether the government is actually serious about the matter or simply buying time until something happens to

move it into action.

Many recall that the matter was nearly settled last year, as senior officials met regularly to trash out the differences, which were never seen to be intractable.

Why the matter has been allowed to lie dormant again is the question that is baffling all that have been following the Yenga case.

Standard Times

Friday July 09, 2024

07/07/2004 13:35:55

S.Leone rebel's trial to go on despite boycott

FREETOWN, July 7 (Reuters) - Sierra Leone's war crimes court ruled on Wednesday that a rebel leader accused of responsibility for mass killings, rapes and mutilations would be tried in his absence after he refused to leave his cell to attend his trial.

Augustine Gbao, a senior commander in the Revolutionary United Front (RUF), declared the previous day that he did not recognise the United Nations-backed court and on Wednesday he refused to leave his cell and appear before the judges.

``He told me that he does not recognise the legitimacy of the special court and for that reason he will not be attending the sitting," Gbao's defence lawyer Andreas O'Shea told the court.

Gbao laughed when asked to attend the trial and played draughts with a cellmate, the head of the court's jail said.

On Monday, Gbao and two other commanders became the first rebels to go on trial at the new court.

Prosecutors say they led fighters who killed civilians, recruited child soldiers and carved initials into their chests, raped young girls and hacked off people's limbs.

Gbao asked on Tuesday to dismiss his lawyer. But the three judges declared that O'Shea would continue to represent him and the trial would continue even if he did not appear in court.

Sierra Leone's 10-year war killed 50,000 people and shocked the world with images of drugged up young gunmen and their mutilated victims. It was declared over in 2002 after a huge U.N. peacekeeping force disarmed some 47,000 fighters.

The court in the West African country's sprawling capital was set up to bring to justice those bearing the greatest responsibility for atrocities.

It is the first of its kind to try suspects in the country where the crimes were committed and to have U.N.-appointed and local judges working side by side.

The tribunal's first case began last month with three suspects -- former interior minister Sam Hinga Norman and two other leaders of the feared pro-government Kamajor militia -- facing charges of crimes against humanity.

07/08/2004 04:11:42

UN May Seek Liberian Government Help Over Taylor's Trial

All Africa Global Media via NewsEdge Corporation : Jul 07, 2004 (Vanguard/All Africa Global Media via COMTEX) --The international community may seek the co-operation of the Liberian government in the bid to secure the release of exiled Charles Taylor for trial at the UN backed war crimes court in Sierra Leone. A United Nations official, Ambassador Jones Parry who dropped this hint in a BBC interview accused Taylor of committing atrocities in both Sierra Leone and Liberia adding that the issue of Taylor's trial was no longer a "question of whether he would face trial but a question of when he would face trial."

Parry who led the Security Council team on a recent tour of West Africa stressed that the issue of Taylor's trial was discussed with the Liberian authorities in Monrovia. He further indicated that Liberian president Gyude Bryant was not against the idea of bringing Taylor to justice, stressing: " I know what (president) Bryant thinks." The envoy affirmed that the UN does not intend to force Nigeria to produce the former president for trial adding that the world body would act in line with president Olusegun Obasanjo's position that Taylor would only be released on the request of the Liberian government. "There should be no immunity for people who have been alleged to have committed the sorts of crimes [listed in the] ... indictment issued against Taylor," said ambassador Parry on the one-day stop in Freetown.

The head of the 14-member UN Security Council delegation touring West Africa added that any trial should not be allowed to threaten Liberia's young peace process. "The timing of bringing anybody before the court is a mix both of the indictment and of the circumstances of the case," Parry said. Taylor left Liberia on August 11 for exile in Nigeria, where he has so far been protected from the jurisdiction of a UN-backed special court that has indicted him for war crimes in that country's decade-long civil war. Parry said that any trial of Taylor would mark a third stage in Liberia's post-conflict recovery process after firstly stopping the fighting and secondly beginning a process of truth and reconciliation. "I think we're getting towards that third stage in the case of Liberia," he said.

"The question therefore is when should Taylor be actually brought before the court," he said, adding that the conditions for that have been set out by the president of Nigeria. "It's really a question of whether a request is made and how that should be dealt with," he added. President Olusegun Obasanjo of Nigeria has repeatedly said that his country will hand over Taylor to the special court if the Liberian government requests it. So far Gyude Bryant has declined to make such a request for fear of destabilising a 10-month old peace process. Parry said that of immediate concern is ensuring that the special court has sufficient funds to enable it to work.

Meanwhile the 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.

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.

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.

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



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- Niger Delta
- South East
- North
- Politics
- Business
- Sports
- World
- Viewpoints
- Features

LAW & HUMAN RIGHTS :- What the President told us about Charles Taylor Human Rights Watch
By Funmi Komolafe, Wahab Abdulah & Victor Ahiuma-Young
Friday, July 09, 2004

Human Rights Watch (HRW), an international rights organisation based in New-York, USA, has been working around the world to ensure that Government of every nation practices and abides by the provisions that guarantee access to justice and promotion of the Rule of Law. In this interview with Vanguard crew, the Executive Director of the organisation, Mr. Kenneth Roth spoke on the reasons why Nigeria must release former Liberia President, Mr. Charles Taylor for trial in the established criminal Courts and other sundry issues. Excerpts:

Can you briefly tell us what Human Rights Watch is all about (HRW) and your mission in Nigeria?
Human Rights watch is an international organisation, based in New-York and we work in about seventy other countries around the world, including Nigeria, where we have worked for many years. For instance, we have carried out works in United States, fighting some human rights violations.

We operate by having our investigations channels on human rights violations in each country we visit and get petitions. For example in countries we have travelled to, like Nigeria, we have investigated human rights problems by talking to victims, civil societies, government and everybody. We try as much as possible to get accurate testimonies.

We then pick these testimonies and put them into reports and we publish these reports on regular basis to improve on government's human rights relationship.

We review that and have to dialogue with the government and try to find ways out of the problems, the way we are doing in Nigeria this week. We also publish all the reports in the past and expose issues to public scrutiny impartially and also bring these to the attention of the international community. That is, in a nutshell, we take no government money and we are completely independent organisation, funded solely from the project fund.

Recently there was an alarm from the Human Rights Watch concerning the violence in Jos that government was not doing enough to avoid the spread of the violence. Is there anything that Human Rights Watch and civil societies in communities can do to prevent violence?

We work with some of the human rights societies. There many human

rights societies in Nigeria. We try to work with them and take some of their petitions and work on them to prevent re-occurrence of the issues raised there in.

However, there are situations whereby the reports by these civil societies are forwarded to the government to work with in order to prevent outbreak of violence. Going back to 2001, there was a report then, where we received our own warning signals, which was considered.

This year again, at the beginning of February, there were warning signals as to violence in Bauchi and Plateau states; which was as a result of the efforts of some of the civil societies.

Now, before we talk about government, do you think, civil societies in Nigeria are in positions to help prevent violence or stem the tide of violence?

I don't see the civil society contributing to political tension but I feel with the number of civil societies in Nigeria, they are there to generate ideas to help the building of the society. Though the resultant effects of their ideas, may form returns that can generate reactions, I feel that the number of people at the local level, or the local government officials create more effect to misinform the people to create political problems. I also blame the Federal Government for refusing to deploy mechanism to step down the tide of violence and prosecute those involved in the crisis. Obviously you think that, prosecution of those responsible would have prevented escalation of violence?

We would never say, but in every democratic setting, there are methods and mechanism of preventing violence, which will definitely create impression that you cannot walk away if you partake in a violence.

But if there is a signal for instance that one can easily work away with murder, that life of others would not be valuable with him that means, there is possibility of repeating the crime, when you know nobody would prosecute your actions.

I am also of the belief that the lack of the will by the government to prosecute diligently violence, and also by way of pardon of violence and impunity to some extent also contribute to spate of violence, when there was no action to bring to justice those who are responsible for violence internationally and in connection with 2001 national election and 2004 local elections, the people seem to continue with violence.

I think the most important thing also is for the future, because soon people will be preparing for the 2007 elections. The government must prepare for what the government officials can do in addressing the problem and largely for the government to be responsible to the people. I expect a situation where government does not support impunity for violence. So violence in whatever form, either political violence or religious violence, the ability of the authority to demonstrate the will definitely would help in stemming violence in Nigeria.

The problem of violence itself is also the problem of the state security forces themselves. This issue is peculiar to the officers and men of the forces. For instance the military massacre in Benue in 2001, the operation fire for fire by the police, where suspects are put on summary execution, either they know these suspects were guilty or not guilty since they have not faced any trial.

This also extended to various incidents of shoot out where the number of weapons recovered and the number of suspects killed did not tally. This can definitely mean there are some summary executions.

For strong democracy to be on ground, the principles of the rule of law have to be extended to the security forces. In many other ways too, the judiciary has to be strengthened, with better trained prosecutors, better trained police. Before the advent of democracy in Nigeria the belief was that the civil society groups are very active in agitation for democracy. The perception now is that these groups are not functioning well and that they don't get support from international rights groups again. What is actually happening?

It is a fact that we don't work in Nigeria now as we did under the military rule. The situation unlike under the military rule is not what is obtaining now.

However in my view, it is premature to leave Nigeria behind, because the foundation of full blown democracy is just being constructed.

This is because the confidence of the people in the rulers and especially the security forces is still shaky. This situation can still lead to some lawlessness.

Are there any different roles by civil societies under the military regime and the civilian government?

During the military, the civil societies have focus on how to get out the military rule and they always fine-tuned their activities towards this. They also work toward entrenchment and to promote democracy. Today there are differences.

Since you arrived in Nigeria, have you got opportunity of meeting any government agencies?

We have met with the president, spent over an hour with him, the vice-president, the Minister of Justice, the Inspector General of Police and the Military Chief of Staff. Our meeting afforded us the opportunity of discussing some human rights issues with the president. We opened some domestic issues which involved the Nigerian human rights violation.

There was designation of these problems, that is creating opportunity for violence. The government indicated readiness to eradicate human rights violations and also work with civil societies to achieve the expected results.

But I see it that, the way to achieve result is the demonstration of the political will in the first place.

What role is your organisation planning to play in the 2007 elections in

Nigeria?

We support the monitoring of elections in Nigeria. We participated in the monitoring of elections in 2003/2004 elections in the country. There were other groups which monitored the conduct of the elections on the election days too.

We are always in support of free and fair elections, whenever it comes and also in support of eradication of violence during elections.

There is this argument that emerging democracy like ours is always like this, especially target killings and violence. Is that true?

Probably no. If you think that transition to civilian government goes with violence, we have other emerging democracy in the world that is peaceful. We have example in some Latin America countries, like Colombia, Argentina, Chile and even in India. In Africa, you can check Mozambique, which is one of the stable democracies around. All these depend on the leadership.

To minimise Nigeria's problem, I learnt that the judiciary and the security forces have big roles to play. So for a growing democracy to flourish, the leadership is very important and essential.

Recently, two Nigerians took former Liberia president, Mr. Charles Taylor to court, complaining that they were amputated by his army during the Liberia civil war. Now the government seemed not to be interested. What is your organisation doing in this situation to ensure those victims get justice?

We spoke with the Federal Minister of Justice about this particular issue, he gave a technical answer, that Charles Taylor has not been formally served with the legal papers and until that happens, nothing can be done. However, that is a technical answer to the issue. I believe and think that President Obasanjo, intervened on behalf of the Liberian people to offer temporary refuge to Mr. Charles Taylor as a way to leave the country to avoid bloodshed. I think all what has happened demands for justice and it is time to bring Charles Taylor to justice. The Sierra Leone court has insisted that Charles Taylor be charged and there is no known legal obstacles from delivering Charles Taylor for trial. Indeed there is a duty on the international law, to hand-off for trial somebody, who was assured to have committed crimes against humanity and war crimes, which Charles Taylor has. And we subsequently met with President Obasanjo and opened up the issues on Monday and he responded first by saying that he promised that he wouldn't render Charles Taylor for trial." My respond is that, whatever he might say, there are moral principles that needed to be considered. This is somebody that has committed crime against humanity. Somebody who has abused trust and peoples rights in Sierra-Leone. The highest principle at this stage is for him to be brought to justice.

The promise is that, he was only offered a temporary refuge and not a permanent amnesty. The other thing he said was that, well, we may hand-him over when there is a democratically elected Liberian government. Ofcourse there is no elected government in place now, may be sometimes. My own response was that, while we think of the situation in Liberia, the same situation does not apply in Sierra-Leone.

While we wait for the dispensation of justice to victims in Liberia, why can't justice start from Sierra - Leone. Through adequate representatives, a certain court has been set-up on agreement between the government of Sierra-Leone and the United nations.

That court has indicted Charles Taylor in his position as former president. That should be enough and he should be prosecuted before that court. In future when there is democracy in Liberia, and they want to prosecute Charles Taylor, well, fine. They can do that, because that would be well established court.

But let us start with the one in Sierra-Leone now, if we don't want to be sending a wrong signal that one could easily get away with killings and crime against humanity in West Africa that the only thing you do is to find a refuge in the next door and nothing would happen to you.

Don't you see another scenario playing itself out in the long-run, whereby the government would now rely on the suit in Nigeria, using it as pretence not to hand-over Charles Taylor for trial in Liberia? Let us face the argument this way. That would be a completely untenable shifting of responsibility, because the handing-over of Charles Taylor for trial is on basis of international law. For instance, considering the crop of journalists who were victims. Remedies for these can only come under international law. So, he should be charged, where justice could be delivered now. The federal ministry of justice know this, the government is a signatory to these laws. The AU and ECOWAS are also in partnership with this court and President Obasanjo is also in partnership with it too. Be that as it may, I am sure he knows exactly who has the power to deal with such issue.

Coming back to Taylor's trial in Sierra-Leone, if Nigeria refuses to hand him over for trial, is there any sanction that the international community could impose on her?

Definitely, I am not aware of any formal sanction, but you know Nigeria is a proud member of the international court in Hague. In ratifying its own treaty, behind the international criminal court, Nigeria, like representing the other nations of the world, cannot support an impunity for serious crimes. There is a duty on the international criminal court to deliver suspect to the Hague, should that court seek him (suspect).

So the same principle should apply to the request from Sierra-Leone special court for Charles Taylor. So, I like to see the consistency in the principle of the law and its applications.

The other important thing is that President Obasanjo, if he wants to send a serious signal about problem of impunity for violence at home, he should also think of it when he creates impunity for violence, next door, in West Africa. You know, Charles Taylor represents a high profile example of the problem of impunity we've been talking about all day, here in Nigeria.

So, I hope the way President Obasanjo helped in ending impunity for violence at home should also apply to the end of such impunity for violence in West Africa.



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Liberia: Parliament Rejects Petition for Taylor to Be Tried in Sierra Leone

UN Integrated Regional Information Networks

NEWS

July 7, 2004

Posted to the web July 8, 2004

Monrovia

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.

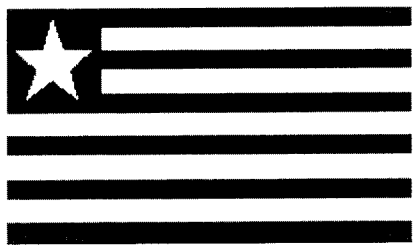
newsroom

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UN Team to Investigate Liberia Sanction Violations

(July 8, '04, 5:42 Edahn Golan)

United Nations Secretary-General Kofi Annan has appointed a team of diamond and timber specialists to investigate the implementation and possible violations of Security Council diamond and timber sanctions against Liberia.



Annan wants to ensure diamond sanctions are enforced in Liberia

The five-member team, called an expert panel, includes Arthur Blundell of Canada, Senegal's Atabou Bodian (chairman), Damien Callemmand (France), Caspar Fithen (United Kingdom) and Tommy Garnett (Sierra Leone). All five served as members of the previous expert monitoring panel on Liberia.

The previous panel acted from the end of last year until the end of its mandate in June. Fithen is the diamond expert of the team while Callemmand has an investigative police background.

Last month the expert panel was re-established and tasked by the Security Council to investigate violations of the arms embargo, the travel ban on individuals who pose a threat to the region's security, and the embargo on the export of rough diamonds and round logs and timber products from Liberia.

Liberia recently asked the Council to lift the sanctions on the export of diamonds and timber products, but the measures will continue until at least December 21. The expert panel is mandated to operate until then as well.

The Council imposed the sanctions in 2001 and widened them last year, after the long-running civil war in Liberia ended, in a bid to discourage instability in West Africa.

2. Editorial

PEACEKEEPERS AND GENDER: DRC AND SIERRA LEONE

Paul Higate

It was late at night when the woman farmer came out of her house in the village of Joru in Sierra Leone to go to the lavatory. She saw a large white truck that had stopped about 50 metres from her home. It was an unusual sight, so she hid and watched what was going on. Inside were two white men and a black woman, who was yelling, 'leave me alone'. 'The door was open and one of them was on top of her', recalled the farmer, 'K', who is in her fifties. 'The lady was really struggling. I saw that one was holding her down while the other was raping her ...I saw both of them have their turn on her. After they had finished, I saw one of them drag her out of the cabin and put her in the back of the big truck. They then drove off' (Stuart, 2003).

Currently, there are over 55,000 military personnel and police from 97 countries serving in 16 Peace Support Operations (PSOs) around the world. These personnel have to confront a range of complex challenges involving mass movements of people, war crimes including torture, rape and ethnic cleansing, as well as confronting child soldiers - frequently within hostile environments. Overall these men (and considerably less women) contribute a great deal to the peace, stability and reconstruction of post-conflict states and their traumatized and displaced populations.

While it is clear that many peacekeepers carry out vital work in tough conditions to improve the security of host populations, in recent years, a significant number of male peacekeepers have been implicated in the sexual abuse of local women and children. These exploitative activities have included the manufacture of a pornographic video by an Irish peacekeeper involving a local woman in Eritrea, the exchange of sex for goods and services in refugee camps in Liberia, Guinea and Sierra Leone and the routine use of prostitutes (including girls under the age of 18) in many PSOs (Enloe, 2000; Fisher, 2003; Higate, 2004; Naik, 2002; Rehn and Sirleaf, 2002).

Anecdotally at least, activities of this kind appear to be widespread and almost always involve peacekeepers abusing their positions of trust, power and privilege to acquire sexual services from local women, and young girls and boys. These actions can have negative short and long-term impacts on the victims of such abuse and the wider host population.

First, it could be thought that the presence of peacekeepers might signal a break with the past for local women. Given that many of these vulnerable women have already endured unimaginable experiences of gender-based violence during the conflict, the close proximity of aggressively heterosexual military men might serve as an unwelcome reminder of their trauma. Second, many local women are made pregnant by peacekeepers who then leave the PSO and in so doing renege on their responsibility for paternity. Third, the stigma attached by the wider community and families to the involvement of local women and girls in prostitution may further

marginalize individuals who are desperate for income. Fourth, local men may struggle to form relationships with local women as some of their potential female partners are drawn to the power and privilege of peacekeepers with large disposable incomes. In these instances, peacekeepers activities with local women can undermine their broader relations with the local community, in this example causing friction between local men and peacekeepers. Fifth, military men remain a key vector in the transmission of HIV/AIDS. Finally, militarised commercial sex industries can become institutionalised and, after the peacekeepers have gone, become a magnet for sex-tourists disposed to the abuse of young boys and girls. This has been the case for a number of the regions used for 'rest and recreation' by US troops deployed in South East Asia over the last 40 years.

Clearly then, the idea that 'boys-will-be-boys' - signalled by male peacekeepers' fraternization with members of the host population - may not be the benign activity that it is often argued to be. The post-conflict setting is especially sensitive and requires a host of skills including cultural awareness and self-discipline. These challenges need to be balanced with peacekeepers' very real human needs for affection and intimacy. In the remaining discussions of this article I present findings from exploratory fieldwork in the UN PSO in the Democratic Republic of Congo (DRC) (MONUC) and Sierra Leone (UNAMSIL). Here, I attempt to provide some insight into how male peacekeepers perceive their activities with local women and girls. My aim is to illuminate the ways in which the male peacekeepers in the study both enact and perceive their masculine gender identities.

In the spring of 2003, with the support of the Institute for Security Studies (ISS) in Pretoria, I spent time in the DRC and Sierra Leone interviewing male and female peacekeepers, civilian UN personnel and representatives of NGOs. I also accompanied peacekeepers on patrol, spent time chatting informally with them and observed their leisure-time activities in local bars and hotels. Throughout this period of fieldwork research, my aim was to learn more about peacekeeper's perceptions of gender in its widest sense, their experiences of gender awareness training and, as the work developed organically, the nature of their relation with local women and girls. I wanted to understand how these experiences helped to shape the peacekeeper's masculinities (Higate, 2004).

The operating conditions of the PSO in the DRC are particularly challenging (Ginifer, 2002). Average annual income per capita in the DRC is US\$100; life expectancy for men is 47 years and for women 51 years. Sierra Leone has a history of trafficking and sexual exploitation of women. The violent war in the country has involved rape, gang rape and sexual slavery, and is argued to have affected between 215,000 and 257,000 women and girls (Ministry of Gender and Children's Affairs, Sierra Leone, 1996). The documenting of sexual exploitation in refugee camps is likely to represent one aspect of a much wider instance of gender-based violence. Both PSOs have, in common with post-conflict societies more generally, a severe dislocation of the civilian population. This first extract comes from a fieldwork diary kept throughout the course of the work:

"I am waiting to brief the Sector Commander as to the details of my research in his geographical area of responsibility; this is an anxious moment for me, given the sensitivities of my developing interests in peacekeepers and prostitution. Three North African peacekeepers (in support roles to the Sector Commander) ask me about the details of the work. I explain that it involves 'gender issues' and 'gender relations', linked to the gender-awareness lecture attended by military observers in Kinshasa.

There is an awkward silence, broken by some nervous laughter and quizzical looks. They ask me what I 'mean' by 'gender'. I stall momentarily, and my colleague rescues me by providing an appropriate definition. I find myself surprised that such a question might be posed as I hadn't considered the terms' potential to be interpreted differently from the ways in which I unthinkingly used it" (Extract from fieldwork diary, 20 April).

Participants struggled to recall the gender-awareness strategies in both PSOs. Some remembered the involvement of a woman in the proceedings, with others speaking at length about responsibilities and tasks that chimed more centrally with their roles as soldiers. It was clear that concerns around personal and team safety, patrolling conventions, radio-communication protocols, vehicle maintenance, care of and familiarisation with equipment such as electricity generators and medical problems had been successfully assimilated. Pride is institutionalised through discipline and the structures of units to which individual soldiers can feel loyal; pride in the military context is also masculinised, circulating within discourses of the peacekeeper as 'saviours of the war-torn citizenry' - who inevitably are women who require 'protection' (Stiehm, 2000).

When these sentiments were combined with what might be described as the neo-colonial orientations towards the host population evident in the two battalions from the Indian sub-continent deployed to Sierra Leone, it was possible to make sense of peacekeepers' interventions into local culture. For example, one officer explained with great pride how local women in the villages no longer 'showed their breasts'. He explained how he had held discussions with Paramount Chiefs who had been asked that the women in the villages 'cover up'. Several women had replied that they did not have sufficient clothing to meet the demands of the peacekeeping hierarchy. Members of the battalion then set about distributing clothing so that the women could ensure their breasts were no longer exposed to peacekeepers on patrol.

In another incident, early one night, we were driven around the town by a local NGO worker who expressed concern at the level of prostitution and the apparent impunity of peacekeepers in these activities. The town was alive with activity, and adjacent to one peacekeeper barracks were a fleet of velo-taxis waiting to take peacekeepers to local bars, hotels and a bushy area in which sex was alleged to take place. We were told that members of the contingent had to scale their barrack fence in order to make these liaisons, as they were formally subject to a curfew. Local women and girls were seen dotted around the vicinity of the barracks, as was one young man; their demeanour and location indicated that they were touting for business with peacekeepers.

A UN civilian worker had stated that in one class at the local secondary school 'at least two-thirds of the girls are paying their fees with money made from sleeping with peacekeepers', even though some of these girls were said to have regular local boyfriends as well.

Battalion personnel from a northern region of Africa, deployed in one of the eastern sectors of the DRC, were routinely observed with local members of the female community in bars, hotels and clubs. An NGO participant suggested that they 'weren't strictly allowed to have anything to do with 'sex-workers' although 'a blind eye was turned' to their activities. However, some concern had been expressed in the local town at the outcomes of several of these sexual liaisons that had culminated in pregnancy, leading to controversial paternity issues and further

damaging the reputation of the UN.

Commanders did, however, make some concessions to local opinion by declaring certain bars as 'out of bounds' to peacekeeping personnel. To this, several peacekeepers responded by parking their UN vehicles away from the bars and clubs in question, and spending only enough time on the premises to link up with a local woman. Thus, activities of this nature were known to be ongoing, but definitive action tended not to be in force. Peacekeepers in both PSOs also employed other strategies to make their liaisons less visible. These included providing women with mobile phones so that they could be contacted more discretely, and indicating that the women they accompanied in hotels and other public spaces were 'translators'.

By contrast, in Sierra Leone the legacy of the UNHCR/SCFUK report detailing the abuses of refugees appeared to have influenced the extent to which peacekeepers were open about their use of sex-workers. For example, at various bars and clubs renowned as 'pick-up' sites with sex-workers visited during my brief period of fieldwork, peacekeeping personnel did not wear uniform (unlike in the DRC fieldwork site) and tended to be low-key in their activities. The sensitive political climate around the nexus linking peacekeepers, prostitution, sexual abuse and the UN Code of Conduct prohibiting sexual abuse of women under the age of 18 shaped masculine performances in Sierra Leone in ways that differed from those observed in the DRC.

During an interview in Kinshasa, a peacekeeper openly discussed the issue of prostitution:

Peacekeeper: 'These guys want to see what it is like'

Interviewer: 'What it is like?'

Peacekeeper: 'Sex with young girls...to see if it is different.'

Interviewer: 'Erm...right'

Peacekeeper: 'Some of them have daughters who are the same age, 14 or 15, and they want to know...they can have more than one at a time, it's an adventure. The guys might turn them down...but the girls are persistent and then it becomes a challenge for them [the girls] to get [sleep with] him.'

A female civilian UN worker in the DRC spoke of peacekeepers and civilian UN personnel keeping a mental tally of how many women or girls they had had sex with and competing with colleagues. She mentioned how she had seen older men, 'fat and balding' with 'plenty of young girls around them'. She added that in fact she preferred to work with a man who had a sexual outlet of this kind, as he was more likely to be 'controlled' in the office. She considered that 'the girls must have had a smell or something about them' that peacekeepers from overseas found attractive.

Once again, there was no recognition of the women's lack of alternative opportunities to generate income: they were being blamed for their predicament and their response to it. A central theme emerging in accounts from across the sample was that of the local women being 'enthusiastic' in attracting peacekeepers. A female UN civilian reinforced this point by referring to the ways that local women who were 'after peacekeepers' would lift up their skirts to passing UN vehicles to 'show them what they had'. The following excerpt from a military police officer captures this reversal of feminine and masculine roles, exchanging women's passivity for their part in the traditional role of the male in initiating sex:

"We were in a bar one night in [the local town]. It was full of girls, dancing and

drinking...all over us. [The name of the peacekeeper] paid one of the women to keep the others away from him, they were hassling so much."

Other accounts presented as 'vocabularies of motive' - again from both male and female civilian and military participants - drew on this discourse in which peacekeepers' masculinity was (re)presented as vulnerable to the advances of local women intent on 'getting to know them better'. The following account, relayed by a male participant working for an NGO in Sierra Leone, frames the women as 'doing all the running':

"Just as soon as the [nationality of peacekeepers] are rotated, the women are straight up to Lungi [the international airport in Freetown] to meet the new ones [replacement troops]. You see, they're having relationships, and all in love, and crying and waving them off [the returning troops]...next thing, they're picking out the ones they like, just after they've landed!"

The participant went on to speak of the 'relationships' between the peacekeepers (who originated from a neighbouring African country) and some local women. He injected a degree of glamour into his account, painting the peacekeepers as 'playboys' who were real 'ladies' men', able to provide well for 'their women'. In these terms, any notions of prostitution and the profound inequalities in power and privilege were absent from his understanding, which spoke more of affluence and carefree sexual and romantic liaisons.

In this article I have argued that while many peacekeepers do a good job whilst deployed, a significant number of others abuse their positions of power and trust through their sexual abuse of local women and children. These peacekeepers live out a masculine identity that has negative consequences on a number of local women and children and that may further undermine already vulnerable groups.

Though women in these contexts should not be seen as bereft of human agency, nevertheless, the opportunities and possibilities available to them are extremely constrained. The UN, whilst having in place a range of policies intended to combat the sexually abusive activities of its peacekeepers appears largely ineffective in its response to perpetrators. Many of them go unpunished and act with impunity. Reasons for this are complex and involve delicate political and cultural dynamics at a number of bureaucratic and international levels. However, a significant component of gendered exploitation is argued here to relate to the dominance of masculine world-views and masculine culture that continue to struggle to take seriously the plight of many women and children in the post-conflict context. If we decide - as we should - that there is nothing essential or fixed about masculinities (suggested in the 'boys-will-be-boys' rhetoric), then we should make greater efforts to help change what is considered to be acceptable and unacceptable behaviour for male peacekeepers.

* I would like to acknowledge the help of Nadine Puechguirbal, Vanessa Kent (at the ISS), Dr Marsha Henry and the continued support of Katinka and Mo in this and ongoing work.

* Paul Higate is a Lecturer in Social Policy in the School for Policy Studies at the University of Bristol. His research interests are gendered relations in peacekeeping operations and he has recently started a project to further explore the topic in Liberia, East Timor and Cyprus.

* Please send comments to editor@pambazuka.org

Source: [News & Business > News > News, Most Recent 90 Days \(English, Full Text\)](#) 

Terms: **liberia; 500,000 killed, one million injured, arms producers challenged** ([Edit Search](#))

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Africa News July 8, 2004 Thursday

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Africa News

July 8, 2004 Thursday

LENGTH: 347 words

**HEADLINE: Liberia;
500,000 Killed, One Million Injured, Arms Producers Challenged**

BYLINE: The NEWS

BODY:

The availability of small **arms** has reportedly increased the level of global violence with at least 500,000 deaths every year and a **million injured** by the use of small **arms** and light weapons.

These casualties occur in wars by combatants or civilians or as victims of crime, oppression, suicide or communal violence.

This tragic state of affairs was highlighted in observance of the Global Action Week Against the proliferation of Small **Arms**.

The **Liberia** Action Network on Small **Arms** (LANSA) has therefore observed that the menace of small **arms** is a serious setback to human security and development, and has thus **challenged arms producers** to convert these deadly weapons into productive tools in order to make the Millennium Development Goal achievable.

Quoting UNICEF's estimate on conflict in the 90's, LANSA said about 2 **million** children died in armed conflict while 300,000 were conscripted as child soldiers. These situations are mostly prevalent in the world's poorest regions including Africa.

In a release Wednesday, LANSA viewed small **arms** availability as being responsible for the prolonged violence in West Africa.

According to the release, "West Africa has about 8 **million** small **arms** in circulation. The destruction of lives, properties, separation of families and the thousands of people made refugees in the sub region are the direct result of conflict characterized by Small **Arms**."

LANSA believes the crises in **Liberia**, and other countries are part of the entrenched socio-political anomalies that are characteristics of African States.

The **Liberia** Action Network on Small **Arms** also holds the conviction that in order to prevent the trend towards violence and warfare, policies and appropriate mechanism that lead to the reduction in the demand of **arms** must be addressed including endemic poverty, impunity, bad governance, social, political and religious marginalization.

Meanwhile, LANSA has hailed the international community for restoring sanity to **Liberia** and called for partnership in the DDDR process for peace and stability in **Liberia**.

Source: [News & Business > News > News, Most Recent 90 Days \(English, Full Text\)](#) 

Terms: **difficult decisions in africa** ([Edit Search](#))

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The Kansas City Star July 8, 2004 Thursday 1 EDITION

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The Kansas City Star

July 8, 2004 Thursday 1 EDITION

SECTION: B; Pg. 9

LENGTH: 196 words

HEADLINE: **Difficult** decisions in **Africa**

BYLINE: From an editorial in the Daily Nation, Nairobi, Kenya

BODY:

African Union leaders are meeting against a backdrop of numerous challenges.

The third summit of the African Union, which brings together African heads of state, opened Monday in Addis Ababa.

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 Congo, Chad, Eritrea, Angola and Liberia. Human rights 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 in U.S. dollars.

The summit must go beyond the usual diplomatic niceties and make some hard decisions.

LOAD-DATE: July 8, 2004

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SEATTLE POST-INTELLIGENCER

Thursday, July 8, 2004 · Last updated 11:49 p.m. PT

Saddam's lawyer seeks Supreme Court action

By GINA HOLLAND
ASSOCIATED PRESS WRITER

WASHINGTON -- Attorney Curtis F.J. Doebbler has made an unusual appeal to the Supreme Court on behalf of an unlikely client - Saddam Hussein.

Doebbler, the lone American on Saddam's legal team, wants the high court to declare the detention of the ousted Iraqi president unconstitutional.

The long-shot legal maneuver comes as Saddam's lawyers await the chance to meet with their client and find out what charges he will face in a war crimes trial by Iraq's new government. He could face the death penalty.

"Even the people we dislike the most have a right to a fair trial," said Doebbler, who volunteered his services on the 20-member team with lawyers from Belgium, Britain, France, Jordan, Lebanon, Libya and Tunisia.

Doebbler said his clients over the past decade have gotten little media attention: Ethiopian refugees, displaced persons in Sudan's Khartoum State, and political activists in Sudan.

His work for his latest client has earned him threats but not deterred him, he told reporters Thursday. "Whether it's a former president or whether it's a refugee, individuals have the same basic human rights," he said.

Doebbler has been critical of the United States' invasion of Iraq.

In an article on his Web site, he wrote, "The world's most powerful army is an army of cowards. They are soldiers who are willing to risk the lives of innocent civilians to protect their own. I don't know about my fellow Americans, but I don't feel very much protected by such cowards."

Paul R. Williams, an international law professor at American University, is not surprised that lawyers are taking up Saddam's defense.

"Saddam is likely to have an eclectic mix of lawyers," Williams said. "It's a peculiar thing that there will be no shortage of lawyers willing to defend Saddam for financial and philosophical reasons or self-promotion. Others will just want to write a book."

James Klimaski, a Washington lawyer who has worked with Doebbler, said the 43-year-old native of Buffalo, N.Y., is taking on a challenge.

"Lawyers who take unpopular cases believe in the law," he said. "Unpopular cases sometimes in history become popular cases."

U.S. authorities have refused to let Doebbler or the other lawyers see Saddam, who was arrested in December.

Saddam is being held in a U.S.-controlled jail guarded by Americans until the Iraqis are ready to take physical custody of him. Iraq's new authorities have taken legal control of Saddam and 11 deputies last week.

The filing at the Supreme Court, dated Tuesday and titled "Saddam Hussein v. George W. Bush," asks the court for permission to file an indigent appeal on his behalf. The court will have to grant special permission, however, because the documents lack Saddam's signature vouching that he has no assets and cannot afford the filing fee.

The Supreme Court is on a three-month summer break and likely will not act on the request until the justices return to work in late September.

In paperwork at the high court, Doebbler said the detention of the 67-year-old violates multiple international laws and his constitutional Fifth Amendment right not to be deprived of "life, liberty or property without due process." He also said the war crimes tribunal planned in Iraq was neither independent nor impartial.

The Supreme Court will review those arguments only if it grants permission for the filing.

Doebbler had filed a brief in the Supreme Court this year encouraging it to rule in favor of legal rights of foreign terror suspects held at Guantanamo Bay, Cuba. Last week, justices decided the nearly 600 men from 42 countries held at the U.S. prison in Cuba may use American courts to challenge their detentions.

In a dissent to that opinion, Justice Antonin Scalia warned that federal courts will now have to deal with lawsuits from "around the world, challenging actions and events far away."

On the Net:

Curtis Doebbler: <http://dcregistry.com/homepages/curtis.html>