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:

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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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Special Court takes judicial break

BY THEOPHILUS AGENDA

The Trial Chamber of the Special Court for Sierra Leone has taken a judicial break that is expected to last until early January.

This break, according to officials of the Court, is crucial, as it will enable the trial judges to recover from current judicial pressures and also allow the Court administration to put adequate modalities in place for the resumption of the trials, which had been dubbed as "challenging."

When the Court eventually resumes sittings in January, it

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Special Court

It is expected to focus on the trial of RUF indictees.

With the trial chamber handling both the CDF and RUF cases, plans are said to be underway to name a complimentary trial chamber expected to start sittings in mid-January 2005, concentrating on the trial of ARFIC indictees.

Prospective monitors of the proceedings have remarked that although the trials are going at a rather snail pace, they are however pleased with the steadfastness and professionalism of the trial judges.

One factor that has the potential of prolonging the trials has to do with the number of witnesses lined up by the prosecution.

For the CDF and RUF cases, for example, the prosecution has lined up close to 300 witnesses, most of whom were themselves actual participants in the atrocities, and intimate to an extent that the proceedings are expected to continue at the usual trial pace.

With the naming of the second chamber however, it is the general belief that things will change for the better especially so when the Court has a limited mandate, which could however be extended if it is unable to accomplish its task by 2005.

Already, negotiations are underway with foreign countries, particularly in the West-African sub-region, for the transfer of indictees who would be found guilty of bearing the greatest responsibility, as alleged by the Court.
Freetown, Sierra Leone (PANA) - Visiting German President Horst Koehler has described the Special Court for Sierra Leone as "very important" in ensuring justice and reconciliation in the West African nation. Speaking during a visit to the court Tuesday, Koehler stressed the importance of reconciliation in the aftermath of a decade-long civil war, noting: "It is important that at the end, the people of Sierra Leone will see that there is justice in the world for them." He added: "Based on that, they will get a long-term perspective of peace, economic and social development." President Koehler's visit was the first ever by a Western head of state to the Court's complex, where the German national flag flew over the courthouse to mark the occasion. Earlier, Koehler and a high-level German delegation were welcomed at the court by its president, Justice Emmanuel Ayoola and other judges.

After Koehler briefly observed a trial in progress, Justice Ayoola explained that the court was set up to prosecute those deemed to bear the greatest responsibility for the atrocities which took place during the conflict in Sierra Leone.

The court is an independent tribunal established jointly by the United Nations and the Sierra Leonean government, and is mandated to bring to justice those who bear the greatest responsibility for crimes committed in Sierra Leone after 30 November 1996.

To date, the Prosecutor has indicted 11 persons on various charges of war crimes, crimes against humanity, and other serious violations of international humanitarian law.

Nine indictees are currently in the custody of the Court.

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Liberia and Sierra Leone: Rebuilding Failed States
Africa Report №87
8 December 2004

EXECUTIVE SUMMARY AND RECOMMENDATIONS

The interventions in Liberia and Sierra Leone are failing to produce states that will be stable and capable of exercising the full range of sovereign responsibilities on behalf of their long-suffering populations. This is essentially because they treat peacebuilding as implementing an operational checklist, involving fixes to various institutions and processes, without tackling underlying political dynamics. At best, Liberia is on the path Sierra Leone entered upon several years earlier. A fresh strategy is needed if both are not to remain shadow states, vulnerable to new fighting and state failure. The international community needs to make genuinely long-term commitments -- not two to five years, as at present, but on the order of fifteen to 25 years -- to enable new political forces to develop.

In both countries the operational checklist includes deployment of peacekeepers; disarmament, demobilisation and reintegration (DDR) of fighters; repatriation of refugees; and judicial and security sector reform; with elections as virtually the final step. The time frame -- two to five years -- is too short. Individuals with criminal pasts are treated as viable political interlocutors. The judicial and law enforcement institutions never functioned effectively, and thus their repair without reform is no solution. New national militaries are untested, and their adherence to constitutional order uncertain. Voices from civil society who could catalyse real change tend to be marginalised, while the economy is left vulnerable to criminal capture.

A more radical strategy is needed. After restoring security, the international community should more quickly give greater political responsibility, while simultaneously targeting its interventions to help build non-political and professional law enforcement and judicial institutions to establish the rule of law, protect civil rights and foster a public space within which citizens can hammer out their own solutions. In Liberia it should also assume responsibility for revenue collection from ports, airports, customs, the maritime registry and export of timber and diamonds: because the collection of revenues is presently obscured from the beginning, it is easy to engineer corruption. But once funds begin entering the treasury transparently, it should be up to Liberians to decide how to use them, though international monitors, as part of independent and public oversight of procurement, should still be available to help civil society prevent gross abuse.

The same problem exists in Sierra Leone, but this prescription probably cannot be applied because its elected government is already in place and unlikely to give up so much control. Stop-gap measures there focus on trying to insert accounting mechanisms at the final stages of the revenue process, by which time much has already disappeared. However, the long-term security sector commitment has already been promised by the UK. Other steps needed are to protect freedom of press and expression better, to give the Anti-Corruption Commission prosecutorial powers, and to establish a public complaint mechanism applicable to newly-elected district governments.

The proposed approaches can only have a chance of succeeding within a much longer time frame than the international community has hitherto been willing to envisage. Liberia and Sierra Leone took decades to decay, and it will take decades to restore sustainable security and political and economic structures. The new Peacebuilding Commission proposed by the High-Level Panel on Threats, Challenges and Change, which reported to the UN Secretary-General on 2 December 2004, could be the institutional vehicle needed to implement the long-term commitments required in these countries, and many others around the world.
RECOMMENDATIONS

With Respect to Liberia:

To International Donors:

1. Pay quickly outstanding pledges for reconstruction ($276 million), especially the $42 million UNMIL needs to jump-start reintegration of ex-combatants who have been disarmed and demobilised.

2. Shift the focus of reintegration programs toward education and agriculture, including infrastructure (roads, processing equipment) that will support agricultural production.

3. Give greater political and operational support to civil society.

4. Fund independent oversight of government procurement as domestic professional auditing capacity is built.

5. Provide long-term funds based on implementation of a national strategy for law enforcement and justice sector reform.

To the International Contact Group on the Mano River Basin:

6. Convene a working group to prepare the political, technical and administrative modalities of a mechanism to assume responsibility for revenue collection for a projected fifteen to 25-year period, including an oversight board with mixed international and Liberian composition but controlled by the former and supported by a team of experts (forensic accountants) and international customs officers.

7. Work with Liberian civil society leaders to organise a national roundtable conference to develop consensus on a national strategy to be pursued after the October 2005 elections.

To Liberian Civil Society:

8. Promote discussion between Gios and Mandingos to reduce the threat of ethnic violence.

To the National Transitional Government of Liberia:

9. Enact legislation to guarantee all citizens (including youths and women) equal access to land use and to prevent rights to such use acquired by working and improving land from being revoked by traditional authorities.

To the United Nations Security Council:

10. Maintain timber and diamond sanctions until after the 2005 elections, then subordinate these sectors to the new revenue collection mechanism.

To the UN Department of Peacekeeping Operations (DPKO):

11. Extend military observers’ tours to one year, the entire period to be spent at a single site, so as to increase their ability to gather useful information.

To UNMIL:

12. Take more coercive measures to collect weapons now that the official DDR deadline for turning them in has passed.
13. Develop a program of targeted disarmament/development projects for ex-combatants and the communities into which they are reintegrated based on the "StopGaps" program in Sierra Leone.

To the Government of the United States:

14. Give a long-term (fifteen to 25-year) "over the horizon" security guarantee to Liberia similar to that given by the UK to Sierra Leone.

15. Provide incentives for Liberians resident in the U.S. to participate in rebuilding their home country, for example by not interrupting green card or citizenship application processes if they leave the U.S. to participate in rebuilding, investment, and governance initiatives.

16. Target financial crimes committed by members of the U.S.-based Liberian diaspora, and block U.S. bank accounts in such cases.

With Respect to Sierra Leone

To International Donors:

17. Shift the focus of development funding to programs directed toward education and agriculture, including infrastructure (roads, agricultural processing equipment) and increase funding to security sector reform, especially in order to build barracks for army and police.

18. Give greater political and operational support to civil society and train district councillors in basic accounting and administrative skills to facilitate their ability to work transparently.

19. Provide long-term funds based on implementation of a national strategy for law enforcement and justice sector reform.

To the UN Department of Peacekeeping Operations (DPKO):

20. Extend military observers' tours to one year, the entire period to be spent at a single site, so as to increase their ability to gather useful information.

To the Government of Sierra Leone:

21. Give prosecutorial powers to the Anti-Corruption Commission on a temporary basis (five to ten years), provide it adequate financial and human resources, and move quickly to implement a comprehensive reform of the judicial system.

22. Publish all budgets from ministry level downward, using the model of the Local Government Act of March 2004, require candidates for public office to declare their assets both before and after assuming office, and assure freedom of the press, speech and association.

23. Work with donors to promote agriculture, first assuring self-sufficiency in rice production, and then shifting toward greater diversification, higher productivity, and local value-added processing.

24. Enact legislation to guarantee all citizens (including youths and women) equal access to land use and to prevent rights to such use acquired by working and improving land from being revoked by traditional authorities.

25. Establish effective control over diamond resources, applying Kimberly process procedures.
To the Government of the UK:

26. Confirm the long-term "over the horizon" security guarantee to Sierra Leone for a 25-year period.

Dakar/Brussels, 8 December 2004
Liberia & Sierra Leone: Rebuilding Failed States

International Crisis Group (Brussels)
PRESS RELEASE
December 8, 2004
Posted to the web December 8, 2004
Dakar/Brussels

The international interventions in Liberia and Sierra Leone are failing to produce stable sovereign states. A fresh strategy is needed if both are not to remain vulnerable to new fighting and state collapse.

Liberia & Sierra Leone: Rebuilding Failed States, the latest report from the International Crisis Group, says peacebuilding in both countries is off track because it is treated as a straightforward matter of implementing a checklist of operational processes and does not tackle underlying political dynamics. Deeper -- and much longer -- engagement is required.

"The international community needs to make fifteen- to 25-year commitments to security and civil freedoms in Liberia and Sierra Leone", says Suliman Baldo, Crisis Group's Africa Program Director. "It needs to invest the time to allow new political forces to develop".

A year after the inauguration of the UN Mission in Liberia (UNMIL), the situation is improved, but peace is fragile. Monrovia has no power grid, no sewage or water systems, and no land line telephones. Crime is a major problem, and outside major towns and principal roads, UNMIL exercises little control. Civilians are still subject to abuses by ex-combatants, who continue illegal extraction of gold, rubber and timber.

Sierra Leone, culturally, historically and geographically linked, has already had its elections, but the UN mission (UNAMSIL) that was scheduled to withdraw all peacekeepers by December 2004 will remain until at least the end of June 2005 for fear peace would not otherwise hold.

In both cases the operational checklist includes deployment of peacekeepers; disarmament, demobilisation and reintegration of fighters; repatriation of refugees; judicial and security sector reform; and elections, as virtually the final step. Those are all necessary measures but more is needed, and the time frame of two to five years is unrealistically short.

A more radical strategy is required in both countries. After restoring security, the international community should more quickly give greater political responsibility, while simultaneously targeting its interventions to help build non-political and professional law enforcement and judicial institutions to establish the rule of law, protect civil rights and foster a public space within which citizens can hammer out their own solutions. In Liberia, where it is still possible, the international community should adopt a long-term revenue-collection trusteeship or management system that would simultaneously finance much of its engagement, take incentives away from spoilers and give the state significantly more money.

"These approaches can only succeed within a much longer time frame", says Mike McGovern Crisis Group's West Africa Project Director. "Liberia and Sierra Leone took decades to decay, and it will take decades to restore sustainable security and political and economic structures".

http://allafrica.com/stories/printable/200412080644.html
The new Peacebuilding Commission proposed by the UN High-level Panel on 2 December 2004 could be the institutional vehicle to implement such long-term commitments.
Global Witness Warns Against Lifting Liberia Sanctions

By Yigal Grayeff

(Rapaport...December 8, 2004) Non-governmental organization (NGO) Global Witness has warned against the lifting of sanctions on Liberia's diamond and timber trades, saying there are still many links between these industries and regional instability.

In a press release on December 8, the NGO said the United Nations Security Council "threatens" to amend the sanctions, which would undermine peace in the region and further punish war-torn Liberia and Côte d'Ivoire.

Global Witness came to this conclusion in a briefing document entitled 'Dangerous Liaisons: The ongoing relationship between Liberia's natural resource industries, arms trafficking and regional insecurity'.

The briefing details Liberia's lack of interior and border security and how this allows armed ex-combatants and others to continue profiting from the cross-border trafficking of weapons and natural resources.

Global Witness also said the Liberian government lacks control over its diamond producing areas and is not in compliance with the Kimberley Process.

Lifting the sanctions prematurely would facilitate the cross-border trafficking and escalate cross-border violence, the NGO said.

The Security Council imposed sanctions on Liberia in 2001 and extended them last year as the country's 14-year civil war ended. In October, the council said it was maintaining the penalties as the relevant conditions had not yet been met, but that it recognized the need to lift the sanctions on diamonds and timber as soon as possible.

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Reports Indicate Former President Taylor’s Interference in Liberia
(The Diary)

- Speaking at a Cabinet meeting after his recent visit to Europe, Chairman Bryant said that donor countries were apprehensive over the involvement of exiled former President Charles Taylor in the Liberian peace process.
- Apart from influencing activities in Liberia from his Calabar residence in Nigeria, the former Liberian leader is also said to be receiving huge sum of money from major businesses in the country.
- The Liberian Bank for Development and Investment (LBDI) is reportedly in a dubious financial deal with Taylor. Though the bank has rejected the allegation, three of the LBDI executives have been diverting funds to Charles Taylor on a periodic basis.
News

AMNESTY INTERNATIONAL
PRESS RELEASE

AMNESTY INTERNATIONAL ASKS INTERNATIONAL CRIMINAL COURT TO PUT VIOLENCE AGAINST WOMEN AT FOREFRONT OF EARLY PROSECUTIONS

Organization Urges UN to Put Sudan on ICC Docket with Support from US and Other Global Leaders as it Launches Report Examining Effects of Militarization on Women Worldwide

(New York) – The International Criminal Court (ICC) should further its stated commitment to women’s human rights by prioritizing its initial prosecutions to include cases of violence against women, Amnesty International said as it released Lives Blown Apart: Crimes Against Women in Conflict. The report examines militarization and its impact on women -- the latest thematic focus of the human rights organization’s Stop Violence Against Women campaign.

The organization stressed that the ICC, which already has vowed to investigate cases of sexual violence in the Democratic Republic of Congo, must receive the political support it needs to ensure its success -- including cooperation and assistance with investigations, evidence sharing and witnesses protection. In particular, the international community should strongly encourage the United Nations Security Council to refer Sudan to the ICC for investigation and prosecution, ensuring that the country, which is not party to the Rome Statute, still can be held accountable for human rights violations.

"Women’s lives and their bodies have been the unacknowledged casualties of war for too long," said Irene Khan, Secretary General for Amnesty International (AI). "Tools to tackle the violence exist, but justice for women victims of war will only be delivered if world leaders are ready to do more than just make pious statements condemning rape and sexual violence. They must adopt an agenda for action, centered on the ICC and complemented by universal jurisdiction through national systems."

The United States, which has been a leader in providing aid to Sudan and condemning the deaths and rapes in Darfur, should take the lead in ensuring that Sudan to be included in the ICC’s mandate. "For too long, the United States has treated the ICC as a nefarious conspiracy designed to target its troops and leaders," said Dr. William F. Schulz, Executive Director for Amnesty International USA (AIUSA). "As an outspoken defender of the Sudanese citizenry, it is time for our government to take a supportive stance toward the ICC by encouraging the UN Security Council to take action. In doing so, and by stressing the plight of the thousands of women being raped during the conflict, the United States can help rebuild its reputation as a leader for women’s rights."
Lives Blown Apart reveals a systematic pattern of abuse in Colombia, Iraq, Sudan, Chechnya, Nepal, Afghanistan and 30 other areas of armed conflict. Worldwide, women and girls bear the brunt of armed conflict, making up the majority of civilians killed and maimed in armed attacks. They comprise a full 80 percent of the estimated 40 million refugees and asylum-seekers who have fled homes as a result of armed conflict - leaving them vulnerable to a host of abuses, especially rape, which millions of women have suffered.

In many countries, where women bear the "honor" of their communities, disparaging a woman's sexuality and destroying her physical integrity are means to terrorize, demean and "defeat" entire communities, as well as to punish, intimidate and humiliate the women. Rape survivors then suffer not only from the psychological, physical and emotional trauma of the rape itself, but also the fear of being ostracized:

"In the community, they made such fun of me that I had to leave the village and live in the forest. Today, the only thing that I can think about is that I want an abortion. I am hungry, I have no clothes and no soap. I don't have any money to pay for medical care. It would be better if I died with the baby in my womb." Sanguina, raped twice and impregnated by a soldier during the DRC conflict.

Rape, however, is only one of the myriad abuses suffered during times of militarization. Girls are recruited as child soldiers, and then they are used as human shields on the frontlines or physically and sexually abused as "wives" of male combatants. Women accused of siding with the enemy are detained without just cause and then tortured. Because women and children are those most likely forced to flee their homes or collect food and water, they suffer disproportionately from exploding landmines and are more vulnerable to being trafficked as sex slaves or domestic workers. And evidence demonstrates that the violent nature of sexual attacks makes women and girls more susceptible to HIV/AIDS and other sexually transmitted diseases such as syphilis.

Lives Blown Apart notes that increasing militarization and new security agendas to fight global terrorism further jeopardize women's security and human rights. Increased militarization and the diversion of resources for armaments often impacts women negatively, as health care, maternity benefits, child care and education for women and children are downgraded or eliminated to fund "national security issues." In addition, the explosion in the exportation of small arms, with little or no regard given to a country's human rights record, allows more women to be killed in domestic violence.

Despite this, women are still excluded from peace negotiations. Women are more likely to be subjected to cultural pressures not to put themselves forward; also, women are less likely to have received an education or training or to have "relevant" working experience.

"The economic, social and cultural factors that lead to women to bear the violent impact of militarization are equally as prevalent when it comes time for peace processes," said Sheila Dauer, director of AIUSA's Women's Human Rights Program. "When governments fail to attend to women's educational and economic needs, they also paralyze their ability to rebuild society. When they fail to protect those who dare to speak out, they let impunity reign supreme. It is time for the international community to empower women so this vicious cycle can be broken."

Despite promises, treaties and legal mechanisms, governments have failed to protect women and girls from a host of abuses. Therefore, AI is presenting an agenda for
action at global, regional, national and local levels:

- The ICC must be allowed to act effectively and deliver justice to women and girls. If the Security Council is serious about ending violence against women in conflict it can refer cases to the ICC, when governments fail to do so.
- Governments must give their political support to enable the ICC to work effectively. This includes ratifying the Rome Statute of the ICC, implementing the Rome Statute into national law so that perpetrators can be prosecuted for these crimes in national systems, sharing information with the ICC, and providing protection for victims and witnesses.
- Governments must publicly condemn violence against women and girls in any circumstances, issuing clear warnings or instructions to their forces that violence against women will not be tolerated.
- The international community: all governments, the United Nations and relevant international bodies must ensure that women play a key role in the design and implementation of all peace-building initiatives.
- All parties and the United Nations must provide immediate and effective assistance to survivors of violence against women, including emergency health care programs and rehabilitation.
Unraveling the African Tragedy

John Prendergast, John Prendergast is special advisor to the International Crisis Group. He worked at the White House and State Department during the Clinton administration and has written seven books on Africa.

The catalog of horrors that is Africa knows few boundaries. Genocide and ethnic cleansing in Rwanda and Darfur have ripped a hole in the heart of the continent, on top of two wars in Congo and southern Sudan that have left 5 1/2 million dead. Militias -- the Revolutionary United Front in Sierra Leone and the Lord's Resistance Army in northern Uganda -- have specialized in the amputation of limbs and the abduction of children. And echoes of last year's civil wars in Burundi and Liberia continue to haunt residents of Africa.

The world responds to these atrocities with statements of grave concern that are rarely backed by substantial action. Instead, feckless military observer missions provide front-row seats to the slaughter, and planeloads of humanitarian Band-Aids reassure us that we are indeed doing something.

Why is Africa so susceptible to these complex emergencies? And how can people maintain interest and compassion when the problems seem so endless and intractable?

It must be noted that the positive stories emanating from Africa usually don't make the news. Most countries are democratic or are moving in that direction, such as Senegal and Mali. Military coups -- as in Uganda in the 1980s and Nigeria in the 1990s -- used to dominate the landscape but now, for the most part, are an anachronism. The majority of African countries -- like Botswana and Mozambique -- are posting positive economic growth rates with the help of responsible fiscal policies. A number of African governments are playing important roles in the war on terrorism, and increasing numbers are addressing other transnational threats, such as disease and environmental degradation.

Yet the horrors continue to grab the headlines. With millions of Africans on the knife's edge of daily survival, vulnerability is extreme. Some countries are beset by war and organized criminal networks that control all the political power and economic opportunities. International and regional piranhas -- including neighboring governments, rebel groups, multinational corporations and arms dealers -- fund predatory militias to help them gain control over the production and distribution of diamonds, oil or other prized commodities. In the absence of effective governing institutions and in the face of a global economy stacked against them, conflict-ridden African countries are easily sucked into free-for-alls to determine who controls the few avenues for wealth creation.
So how can we respond? First, we need to directly confront the major killer -- after HIV/AIDS and malaria -- that is threatening Africa: the criminal networks that destabilize African countries, loot resources and topple governments. We can demand accountability from these rogue states and militias. Valuable lessons are being learned in our counter-terrorism efforts that could be used to confront Africa's killers.

In extreme situations, we need to be prepared to use military force to counter crimes against humanity when they are being committed, not just to pick up the pieces afterward. The good news here is that the embryonic African Union is beginning to find its way in this regard. Given much greater support from the U.S. and the European Union, African deployments of military force could help prevent future Rwandas and Darfurs.

As the body counts mounted in Darfur, I worried that the usual compassion fatigue would lead people en masse to avert their eyes. Rather, the opposite is occurring. Local groups are springing up in the United States to raise awareness about the crisis and to encourage a more assertive U.S. government response. Private civic organizations and leaders have banded together to demand a greater American role. Hollywood actors and student activists are also getting involved.

So hope is by no means lost. The challenge will be to build a more lasting coalition to prevent and respond to Africa's most graphic tragedies once Darfur's bleeding is staunched.
Construction Company Shames Special Court

The company that was contracted to build the special Court for Sierra Leone (SCSL), Sierra Construction Systems (SCS), humiliated Special Court 3-0 in a friendly football encounter over the weekend.

The match which was played at the St. Edwards Secondary School playing field, Kingston, Freetown saw fans of both the Special Court and SCS, trooping to the field to cheer their sides to victory.

The first half of the match was visibly dominated by Sierra Construction Systems (SCS). The SCS players demonstrated excellent teamwork, coordinated passes and by mid-way into the first half their skills were rewarded.

Medien Ware in the SCS No. 9 jersey, and his team captain Abu Mansaray donned in the No. 14 jersey scored one goal each in quick succession to the approval of their fans who went wild with singing, clapping and booing their Special Court counterparts.

When play resumed after the interval, the SCS team continued their professional streak in football with more technical passes and deliberate breaks into the eighteen yard box of the Special Court team. Once again, again the SCS proved to be the better team as captain Abu Mansaray lobbed the ball into the net making the score line 3-1 against the Special Court team.

The second half started with the Special Court playing an offensive drill, and well into the mid-way mark of the second half, it was like they would finally make a breakthrough to redeem their image. But alas, this was not to be.

Their disappointment reached near exhaustion when out of the blues, SCS' Van Nestorkey in the No. 10 jersey scored the fourth and fifth goal in quick succession bringing the scoreline to 5-0 against the Special Court team.