Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Press and Public Affairs Office
as at:
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Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Examining an Accused’s Right to Bail in Criminal Proceedings

**INTRODUCTION**

The right of an accused to bail in criminal proceedings is worth examination of recent times. In March 2007, the Sierra Leone Court Monitoring Programme (SLCMP) carried out a study of 20 cases before different MagistrateS in various Magistrates’ Court in Freetown dealing with criminal matters. However, it provides an insight into the practice of bail applications on a day to day level. The discussion below is an appraisal of what was discovered, and a more general discussion of the strengths and weaknesses of the current system, and how suggestions on improvement could be made.

**Under Sierra Leone Law**

In Sierra Leone, the right to bail in criminal proceedings is guaranteed under admission to Bail in the Criminal Procedure Act of 1965. Bail is the process by which a court releases a person pending appearance at future court hearing. It also refers to any security which the court may demand such as cash or a bond required by the court for the release of a prisoner in order to ensure that they appear at a future date. Under the 1991 Constitution, an accused person must be brought before a court within 72 hours of his arrest or detention in the case of misdemeanour and 10 days for felonious offences.

At the first occasion when he is brought to court the accused person listens to the charges against him and is asked to enter a plea of guilty or not guilty. If the accused enters a plea of guilty, he is convicted, sentenced, and the issue of bail would not arise.

On the other hand, if the accused enters a plea of not guilty, and if the offences is one for which bail may by law be granted, at this state the issue of bail usually arises. The defense counsel or the accused person, if he has a no representation, makes an application for bail. The prosecution has the opportunity to give counter arguments, and bail is granted or denied by the judge or magistrate as the case may be.

Bail is not usually a complicated matter of law, but almost always depends on the particular circumstances of the case. However, in certain cases, the court has discretion. When a person is charged with any felony other than murder or treason, such as rape, malicious damage, fraudulent conversion etc., the Court, may, if it thinks fits, admit him to bail. Subsection 3 of section 79 of the Criminal Procedure Act of 1965 states that when a person is charged with any offence other than those referred to in
subsection (1) and (2), (murder or treason), the Court shall admit him to bail, unless it sees good reason to the contrary.

International Standard
International conventions and protocols make parallel provisions for the granting and refusal of bail in criminal proceedings. Article 9 (3) of the International Covenant on Civil and Political Rights (ICCPR) provides that "it shall not be the general rule that persons awaiting trial shall be detained in custody but release may be subject to guarantee to appear for trial." In lieu with the principle of fair trial, international instruments require the granting of bail were bail conditions are fulfilled. In fact while bail is a right in other national jurisdictions, in Sierra Leone bail is not a constitutional right of the accused. For example, bail is a right according to the European Court of Human Rights, and as such all the countries in Europe has a provision in their national law that there is a right to bail, and Judges should explain why that right needs to be breached should be given bail, and that he can meet any of the conditions the court should choose to apply. Below is a description of what grounds the Judge can consider when deciding whether to grant bail, and how these grounds are being used in the courts. This follows a description of possible conditions judges can impose, and how these conditions are being used

Ground for Bail: The Law
The Defendant need not be granted bail if the court is satisfied that there are substantial grounds for believing that the defendant, if released on bail, would:
(a) Fail to surrender to custody (e.g. run away); or
(b) Commit an offence while on bail; or
(c) Interfere with witnesses or otherwise obstruct the course of justice.
When considering these, the court should consider:
(a) The nature and seriousness of the offence and probable method of dealing with the offender (e.g. if the defendant was convicted, what convictions of the accused.
(b) Whether he has returned to court when given bail previously (or whether he's run away);
(c) The strength of the evidence against him (if it is strong the accused may be more likely to run away)
If the defendant is charged with an offence for which he would not receive a prison sentence even if he were convicted, the defendant should always be granted bail unless:
1. for his own protection;
2. he is serving a sentence for another offence, or
3. he failed to appear after being granted bail on a previous occasion.

Grounds for Bail: The Practice
The grounds for which bail can be granted are not always addressed appropriately by defense counsel. For example, some defense counsel use trivial arguments such as "he is a Sierra Leonean citizen" as a reason for granting bail. Alternatively it suggests he does not understand the grounds for granting bail, which is a worrying indictment on lawyers who often charge large fees for their services. The argument as to citizenship was used in 28% of cases studied. Exaggeration of offence was used in four other arguments. However, in seven cases good arguments were used such as the accused being a worker with a fixed residence, and weakness of evidence another good argument used in 25% of cases was that the accused is married with children.

Conditions for Bail: The Law
The Court may decide that it will grant bail but only with certain conditions, being:
(a) The Defendant provides a 'surety'. Where there is a risk for the defendant running away, the court may require the Defendant provides a 'surety'. This is when another person comes to court to promise that if the Defendant runs away, that person will pay the court a certain sum of money.
(b) The defendant must stay, live and sleep at the certain address.
(c) The defendant must report to a local police station several times a week.
(d) The defendant must not go out at certain time, usually at night (curfew).
(e) The defendant must not enter a particular area/address.
(f) The defendant must not contact any victim or witness.
(g) The defendant must give his passports to the court or police.

CONDITIONS FOR BAIL: THE PRACTICE
In case were the level of surety demanded was reasonable. The Bench in some cases requested property ownership. In 20% of cases, the Bench requested that the defendant report to a local police station regular, and in one case the Bench required the handing over of the defendant's passport. None of the other conditions were sued.
This may reflect the practicality that some conditions are difficult to supervise.

TO BE CONTINUED
Running Africa
Wednesday, 13 June 2007

Justice delayed is justice denied

It was not news all when Charles Taylor, Liberia’s former president, refused to show up for his trial in The Hague. What was news, however, is the missive he sent to the Presiding Judge and The Court on the many injustices he’s faced and continues to encounter while languishing in prison! When considered in its full context, one sees a fragile and cowardly individual, who used guns and the excesses of power to extort, pillage, intimidate and kill the innocent without any compunction, and now seeks what his victims had no choice of – justice!

Justice! Where was justice for Nowai Flomo who was killed only for expressing her displeasure over Taylor’s regime? Where was justice for Serena Dokie, who only desire was to attend a wedding ceremony of her relative in Nimba? Where was justice for the thousands of amputees in Sierra Leone who give up their limbs as a collateral against death at the hands of Taylor’s henchmen? Justice is eye for an eye, and yes what is happening in The Hague is completely injustice to all of Taylor’s victims, especially those who never lived to see this day, yet Taylor lives conveniently in a detention facility with air condition; three full meals a day, a television and a computer! This is the real and unrecognizable injustice!

A trial under the Sierra Leonean penal system would have been the justice by far welcome by the victims in that country and yes that justice would have been fair and speedily serve, as it was with Saddam in Iraq! However, unlike Saddam who bravely opted for a bullet rather than the gallows since he was a military man, Taylor now runs to hide cowardly under the cloak of justice – what an irony! Be a man, be “The Okatakyie”!

Writes, Sam Ajavon
Topical Editor - Running Africa
The Liberian Government says the detained former Liberian leader, Charles Ghankay Taylor, will get what is legally due him as a former President of the country but not at this time while criminal charges are hanging over him.

The government's Information Minister, Lawrence Bropleh said, "What is legally due Mr. Taylor will get to him," but added, "I do not think that you should expect that government will pay out benefits at this point in time."

Minister Bropleh made these remarks on Friday at the Ministry of Information when he briefed Executive Mansion reporters on issues of national concerns some of which were discussed by the Liberian cabinet at a meeting presided over by President Ellen Johnson Sirleaf last Thursday.

Responding specifically to a question appertaining to whether government would make available benefits for former Heads of State including President Taylor what they are legally entitled to.

He quoted President Sirleaf as saying that if the government would enforce a law that was passed under the administration of former President Moses Blah, President Taylor's successor to pay remunerations and other benefits to former leaders, the entire nation will then go broke.

Explaining himself further, Mr. Bropleh said when the law was passed during the two months rule of former President Blah, it granted huge sum of monthly financial benefits for former Heads of State and the legislators. He said he didn't see how a proposed budget of 182 million or 150 million that such huge benefits and remunerations can be paid to former Liberian leaders.

"We have to be practical and realistic if we love our nation, or should we expect our country to go broke because we have passed a law that is unfair that does not take into account the country's resources?" he asked.

Minister Bropleh said, "Comprehensively, as I see it, this law needs to be reviewed. There is a problem in the law and it needs to be corrected and worked on."

Addressing the issues raised by Mr. Taylor in his letter to the Special Court last week, Minister Bropleh with his Assistant Information Minister for Information Services, Gabriel I. H. Williams stated that the UP government expects that the former President would get a free, transparent, and fair trial.

He added, "Mr. Taylor is a citizen of Liberia and a former President for that matter. This government's interest is for him to get a free and fair trial. He deserves that and that is this government's position. Liberia as a signatory to the UN Charter and other international conventions, we expect that our citizens will be given a free and fair trial."

He wondered what more the government could do especially when there are mounting criticisms in some quarters that the government is showing less interest in the prosecution of someone who served the nation as President.

"What else can this government do now? The government can neither be part of Mr. Taylor's legal defense nor does it have the money and it has not even been asked to be a part," he stressed.
Panel Says Liberian Ex-Leader’s Wealth Hasn’t Vanished

By LYDIA POLGREEN and MARLISE SIMONS

DAKAR, Senegal, June 13 — When Charles G. Taylor’s long-awaited trial on 11 war crimes and crimes against humanity opened in The Hague on June 4, Mr. Taylor upended the proceedings by refusing to appear, saying he was too poor to afford his own defense and unhappy with the one provided by the court, despite having amassed a personal fortune estimated at half a billion dollars while in power in Liberia.

But a confidential report by a panel of experts advising the United Nations Security Council suggests that Mr. Taylor may still have access to considerable wealth, salted away in investments in Nigeria and Liberia.

The Nigerian government refused to allow the panel, a group of financial analysts and specialists in the timber and diamond trades, to travel to Nigeria to investigate Mr. Taylor’s finances, according to the report. Nor have Nigeria and Liberia frozen assets believed to be connected to Mr. Taylor, in part because they have not done so for several other prominent local officials whose assets the United Nations has said should be frozen as well.

The report, which was sent to the Security Council on Wednesday, found evidence documenting payments Mr. Taylor received during his presidency from a timber company that was connected to an arms dealer convicted last year in a Dutch court of smuggling weapons for Mr. Taylor. There was also evidence suggesting that Mr. Taylor retained links to one of Liberia’s biggest cellphone companies.

Mr. Taylor’s claims of penury are a surprising turn of events for a man believed to have stolen hundreds of millions of dollars from Liberia and neighboring Sierra Leone, which he dragged into a civil war that lasted more than a decade. Mr. Taylor built a fortune in kickbacks from sales of the rich array of natural resources from both countries.

A court spokesman said that Mr. Taylor still had a court-appointed lawyer, Karim Khan, and that although Mr. Taylor said in a letter to the court on June 4 that he was firing Mr. Khan, he cannot. Only the court can make that change, the spokesman said. Mr. Taylor also said in his letter that he wanted to defend himself. But for that he will have to ask the court’s permission, and it may not be given, the spokesman said.

The court spokesman also said that a second defense lawyer was expected to join Mr. Khan. The Taylor defense team, paid by the court, at present includes two legal assistants and two researchers.

No one knows what happened to Mr. Taylor’s money. In the Nigerian city of Calabar, where Mr. Taylor lived in exile for three years under a deal in which he gave up power in 2003, he lived in style with a handful of luxurious villas for himself and his entourage.

In an earlier report last year, the United Nations panel of experts said evidence suggested that Mr. Taylor had “made significant investments in Nigeria, such as in real estate,” the report said.

But efforts to trace his fortune have bumped up against resistance in Nigeria, where the panel of experts says he has made a number of investments, and Liberia, where he is connected, through intermediaries, to one of the country’s biggest cellphone networks.
When Mr. Taylor was arrested as he tried to flee Nigeria last March, he had with him a large amount of cash, but that money has also disappeared, the report said.

In his time as a warlord and later as president of Liberia, Mr. Taylor extracted millions in exchange for tax breaks and a wide range of other favors for businessmen who hauled off billions’ worth of treasure from Sierra Leone and Liberia in the nearly two decades they spent embroiled in interconnected civil wars.

He built his first fortune as a government official in the 1980s, pocketing close to $1 million before fleeing an embezzling charge. He ended up in the United States, where he was arrested for extradition to Liberia but mysteriously escaped a Massachusetts prison.

After several years of wandering around Africa, including a spell in a Libyan militia training camp, he launched his offensive on Liberia from Ivory Coast in 1989. By wresting control of the most mineral- and timber-rich regions of the country, he gained, by some estimates, $100 million a year in the early 1990s.

The report details of one such deal between Mr. Taylor and Natura Holding, which hauled thousands of tons of hardwoods from Liberia during the civil war. According to a 2001 statement of account from the Ministry of Finance of Liberia unearthed by researchers, a subsidiary of the timber company, Natura, was credited for paying $2 million in taxes on July 17, 2000. The next day, a deposit from Natura for almost the same amount appeared in Mr. Taylor’s personal account, according to a bank statement.

“Millions more may have been deposited into Taylor’s accounts, but definitive information on the ownership of these bank accounts has been difficult to obtain,” the report said.

He is believed to have entered into similar deals with the Oriental Timber Company, which was partly owned by Guus van Kouwenhoven, a Dutch businessman who was convicted in a Dutch court in 2006 of smuggling arms for Mr. Taylor. He was but one of a number of businessmen suspected of helping funnel arms for Mr. Taylor’s insurgents and later his army to fuel the civil wars in Liberia and Sierra Leone.

*Lydia Polgreen reported from Dakar, and Marlise Simons from Paris.*
Newsweek
Tuesday, 12 June 2007

Not Above the Law

The prosecutor in the war-crimes trial of ex-Liberian president Charles Taylor discusses the tribunal's message and the challenges that lie ahead.

By Jessica Bennett

June 12, 2007 - He is accused of backing rebels in some of the most atrocious crimes of our time: the slaughter and looting of entire villages, the use of child soldiers, rape, and the systematic amputation of hands and limbs by axes and machetes. So when it was determined that Charles Taylor, the former Liberian president, would be brought to trial--the first African head of state ever to be tried for war crimes--the indictment was hailed as a landmark for war-torn western Africa. Taylor, who was elected president in 1997, would face charges of crimes against humanity by the Special Court for Sierra Leone, a tribunal created by the United Nations to seek justice for Taylor's role (which prosecutors have described as "the very worst humans are capable of") in the neighbouring nation's 10-year civil war.

But last Monday, the 59-year-old Taylor plunged the opening day of his trial into chaos, boycotting the hearing and firing his court-appointed lawyer, who walked out of the courtroom after receiving word that Taylor planned to represent himself. And though the trial (which is taking place at the International Criminal Court in The Hague) was expected to be a challenge, the disruption raised questions about how the process would work, and highlighted the difficulties in trying complex international cases. It also drew comparisons to the theatrical trial of former Yugoslavian president Slobodan Milosevic. Stephen Rapp, the prosecutor in Taylor’s case and the former chief prosecutor in the Rwandan genocide tribunal, addressed those questions with NEWSWEEK's Jessica Bennett. Excerpts:

NEWSWEEK: What was your reaction to day one of the trial, and is it a sign of things to come?
Stephen Rapp: We [know] that in all of these international trials you have situations where the accused decide to thumb their nose at the process, and you just have to be ready to accept that. But I was happy we were able to present our case and lay out the evidence that we think is powerful and compelling.

Will Taylor be allowed to represent himself?
I doubt it. The judges are going to have to make a decision about that, and I think they'd be more inclined, if worst came to worst, to appoint a new counsel for him. [The court next meets in late June.]

What's the message of this trial?
The big message is that no individual is above the law. But another clear message I think resonates in Darfur and other places where individuals think they'll get away with [crimes against humanity] and may even be able to arrange for a safe exile out is that those kinds of arrangements don't work. At the end of the day, the pressure internationally is so great that countries have to give up these people that are accused of these serious offences.

Has that put dictators on notice?
Yes, absolutely. And we're not just talking Africa, but other places as well. I think the news is that as people become aware of the charges and the allegations and the crimes, eventually the pressure builds to the point that their cohorts give them up. And those who think that by putting an indictment out hurts the chances for peace I think have discovered that actually in the end it aids the cause for peace. These individuals end up losing support and legitimacy they had beforehand.
You were the chief prosecutor at the International Criminal Tribunal for Rwanda. What are the biggest challenges when dealing with these kind of high-profile cases?
The biggest challenge is the insider-witness challenge. Taylor obviously never set foot in Sierra Leone, but we think there's abundant evidence of all the ways that he assisted and aided and abetted and indeed planned the war, and used the rebel army essentially as his own. And we have multiple witnesses to prove every part of it.

Are those witnesses in danger?
The witnesses do feel themselves in threat, and there are issues of how to protect them once their identities are disclosed to the accused, and whether you can protect them in the long run, and find them a home somewhere else. That's always a difficulty when you're in the international system and you've got to deal with getting people immigration status in another country to protect them. In many cases, you have to deal with the fact that an insider could be arguably implicated in the crime and therefore not eligible for refugee status.

How will you protect them?
The court has already relocated 15 witnesses in earlier cases, so it can be done and we're working through that.

How will the prosecution link Taylor's alleged participation in the crimes and the crimes themselves?
There are communications and radio operators who were his key aids, his eyes and ears, both when he was a rebel leader and president. And there are minutes and records regarding their trips to see Taylor, what he told them in these, how many diamonds they delivered to him and how many weapons he sent them. And then there are insiders in Liberia who can describe weaponry supplies and other support given to them throughout the conflict. And if that's not enough, we have the fact that throughout this entire period, he was receiving regular notice of what the [Revolutionary United Front in Sierra Leone] was doing and continued to support them.

There's some concern that Taylor's trial could follow the trajectory of Slobodan Milosevic's. What was the major fault of that trial, and what's being done in this case to prevent that?
The real complication with the Milosevic trial was Milosevic's health, which limited the number of days they could sit [in court] dramatically. He was also of course his own attorney, so they had that problem. In Taylor's case, we don't have a health problem, and we don't have self-representation unless the judges approve it. Another issue in [Milosevic's] case was that the chief judge died, and to avoid that situation, though it's costing us some money, we've asked the United Nations to appoint a fourth judge to sit as an alternate throughout the trial just in the unfortunate and indeed unforeseen event that one of the other judges didn't end up finishing.

Why isn't Taylor being tried in Sierra Leone?
Leaders in the region expressed concern about having him tried there for the potential destabilizing effect it could have on the region.

But does holding trial in Europe run the risk of isolating the victims from the process? What's being done to ensure awareness?
We usually like to have our trials in-country, where they're accessible to the victims and close to the scene of the crime. But if that's not possible, we extend outreach programs all over the country describing what
was going on and showing videos. We've also received grant funding for three journalists from Sierra Leone and three from Liberia to come to The Hague for two or three months and cover the trial.

The Special Court is funded by contributions from other governments. Is there worry that the funding could potentially run out?
I don't think so. Back in 2004 the court had a financial crisis and the U.N. came through with a grant. And though they said that would never happen again, I don't think realistically the world community would let us run out of money. But we obviously don't want to face that prospect. So my challenge, as a prosecutor, goes beyond even being in the court. I have to make sure we've got the money to try these cases.
Taylor trial will continue as scheduled despite boycott: prosecutor
Leslie Schulman at 1:06 PM ET

[JURIST] The trial of former Liberian President Charles Taylor [BBC profile; JURIST news archive] will continue as scheduled, despite Taylor's boycott of the trial's opening last week, according to Special Court for Sierra Leone (SCSL) [official website] chief prosecutor Stephen Rapp Monday. Taylor, who is being tried in front of the UN-backed court for crimes against humanity and violations of international humanitarian law, had boycotted the start of proceedings against him [JURIST report], saying in a letter to the court that he had no confidence in the SCSL to dispense justice because he was prevented from seeing his preferred lawyer and because his single court-appointed defense lawyer was outnumbered by the prosecution team. Taylor's assigned lawyer, Karim Khan, told the court last week that Taylor has fired him and is seeking to represent himself. Khan subsequently left the trial, despite court requests that he remain as counsel to Taylor for at least the first day of proceedings. Opening statements by the prosecution continued in Taylor's and Khan's absence.

Taylor's trial adjourned after last week's opening statements, and will resume on June 25 to present evidence and hear witnesses. Charges against the former president [indictment text, PDF] include murder, rape, and the recruitment and use of child soldiers during a bloody civil war in Sierra Leone [JURIST news archive]. If acquitted, he will be permitted to return to Liberia; if convicted, he will serve his jail time in Britain. The trial, which is expected to last 18 months, was relocated to The Hague from Sierra Leone [JURIST report] for security reasons last year. Voice of America has more.
Special Court: Verdict on AFRC Next Week

According to a news alert from the Special Court for Sierra Leone, verdicts in the trial of The Prosecutor vs. Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu are scheduled for Wednesday, 20 June at 11:00 a.m. The hearing will take place at Courtroom II in Freetown, Sierra Leone.

The three defendants are alleged to have been leaders of the Armed Forces Revolutionary Council (AFRC). They each face a 14-count indictment for war crimes, crimes against humanity, and other serious violations of international humanitarian law. All three have pleaded not guilty to

These will be the first verdicts delivered at the Special Court. Although tried jointly, each accused will be judged as an individual.

The trial was heard by the Special Court’s Trial Chamber II, consisting of Justice Julia Sebutinde (presiding), Justice Teresa Doherty and Justice Richard Lussick. Trial Chamber II is also conducting the trial of former Liberian President Charles Taylor in The Hague.

Photos: Left to right: Brima Bazzy Kamara, Santigie Borbor Kanu and Alex Tamba Brima.
Trial brings a hope of justice

Verdict on war crimes charges could show a new age of rule of law has come to Africa

BY RICHARD S. WILLIAMSON

Something very important began in a courtroom in the Hague last month. For the first time, an African head of state has gone on trial for war crimes. It is an opportunity to achieve restorative justice for countless victims of his brutality.

Africa is a continent rich in culture, natural resources and wonderful people. Tragically, for too long its land has been exploited and its people violated by vicious violence.

During colonial rule, a long litany of abuse was inflicted upon the innocent, such as the murderous campaign to eliminate Kikuyu people in late colonial Kenya.

Unfortunately, as colonies gained independence, the agony did not end. New nations suffered civil wars, ethnic killings and savage authoritarian regimes. As Martin Meredith explores in his book The Fate of Africa, the continent moved from the hopes of freedom to the heart of despair. Rwanda, the eastern Congo, Zimbabwe and Darfur are just a few places scarred by atrocities and abuse.

The small west African nation of Sierra Leone has a history of turmoil and trauma since it gained independence from Britain in 1961. Charles Taylor, the former president of neighboring Liberia, fomented brutal conflicts in Sierra Leone and Liberia with widespread use of child soldiers. Between 1989 and 2003, these wars claimed 400,000 people.

While serving as Ambassador to the U.N. for Special Political Affairs, I traveled to Sierra Leone in 2002 and again in 2003. In the capital, Freetown, and in villages in the countryside, I heard horror stories, saw countless people who had lost limbs, and felt the lingering sense of insecurity in a society desperately trying to mend itself.

The story of Sierra Leone's child soldiers is dramatically told with heartbreaking honesty by Ishmael Beah in his best-selling book, A Long Way Gone: Memoirs of a Boy Soldier. Kidnapped at 10 years old and enlisted as a soldier, Beah endured descent into hell and survived. He describes how he became one of tens of thousands of underage, drugged-up irregulars "fighting without inhibitions and killing without compunction." It is a powerful, gripping and deeply disturbing story. Most of these child soldiers never regain their humanity.

Mending broken societies rendered unrecognizable by violence is not easy. Establishing a sense of security, reconciliation and renewal takes time. Among the cornerstones of a new and stable society is establishing justice and accountability.

Truth and reconciliation commissions are a means to recognize the suffering of victims and shame perpetrators.

But for those guilty of the worst crimes against humanity, for men like Taylor, that is not enough. For renewal to commence, justice must be done.
Up until now, heads of state in Africa could commit truly terrible acts with impunity.

In 2003, Taylor fled the Liberian presidency for exile in Nigeria. Three years later, he was arrested and now he sits in the dock.

This trial and the justice it will bring is vital to the healing and renewal of Sierra Leone.

But its impact goes beyond Sierra Leone. It will demonstrate that the days of impunity have come to an end for African rulers. It offers hope that the rule of law and accountability have arrived. It may give pause to future monsters who would abuse others. Let's hope so.

Richard S. Williamson is a Chicago lawyer and former U.S. ambassador at the United Nations.
UNMIL Public Information Office Media Summary 13 June 2007

[The media summaries and press clips do not necessarily represent the views of UNMIL.]

**International Clips on Liberia**

**President Sirleaf Leaves for Equatorial Guinea**

Jun 12, 2007 (Liberia Government/All Africa Global Media via COMTEX) -- President Ellen Johnson Sirleaf has left the country for Malebo, Equatorial Guinea to begin a two day state visit. The visit, which is at the invitation of the Government of Equatorial Guinea, is scheduled for the 12th-14th 2007. President Johnson Sirleaf will also travel to Abuja, Nigeria to attend the ECOWAS Summit from the 15th-16th of June, 2007 and return home on the 17th of June.

**International Clips on West Africa**

**Burkina Faso leader eyes ICost polls next year**

YAMOUSSOUKRO, June 12, 2007 (AFP) - Burkina Faso President Blaise Compaore said Tuesday elections could be held in neighbouring Ivory Coast early next year to finalise a peace process which is showing signs of veering off course. "It seems probable to us that, at the latest, in the first weeks of 2008 these elections can be held so that we can see the closure of the process. I think we can say the limit is the first quarter of 2008," he said. Compaore brokered the peace deal that ended a five-year civil conflict that split Ivory Coast between the rebel-held north and the government-controlled South.

**Ivory Coast election possible early 2008-mediator**

YAMOUSSOUKRO, June 12 (Reuters) - Ivory Coast can still hold a presidential election in early 2008 despite delays in implementing a peace deal between its former government and rebels, Burkina Faso's president said on Tuesday. Blaise Compaore, who helped broker a March peace agreement between President Laurent Gbagbo and rebel leader Guillaume Soro, met top Ivorian politicians to review progress towards disarmament and the long-delayed poll. "We still have a month and a half, two months delays in our activities and there's no doubt that with each other's efforts, we can try to get make up for that," he told reporters after the meeting in Ivory Coast's political capital Yamoussoukro.

**Prime Minister of Guinea Has Meetings with Hyperdynamics and Secretary of State Condoleezza Rice**

HOUSTON--(BUSINESS WIRE)--June 13, 2007--Hyperdynamics Corporation (AMEX:HDY) announced today that it attended a meeting last week in Washington, DC with the Prime Minister of the Republic of Guinea, Lansana Kouyate. Company participants included its Chief Executive Officer, Kent Watts; Executive Vice President, Harry Briers; and Vice President of Guinea Affairs, Famourou Kourouma. Additionally, representing the Company's legal counsel for political matters, former Congressman, Robert Christopher "Chris" Bell was also in attendance.

**Local Media – Newspaper**
Liberia’s Auditor General, John Morlu, II has labeled the Government of President Ellen Johnson Sirleaf as being “three times more corrupt” than the Transitional Government of Gyude Bryant whose prime actors have been indicted for corruption. But the Government has challenged claims by Mr. Morlu.

In interviews with the VOA and the BBC, the Auditor General said the current government has surpassed the power-sharing government which was widely known to be highly corrupt on the scale of corruption, even though Mr. Morlu provided no specifics.

President’s Cabinet Reshuffle Takes Place Next Week

President Ellen Johnson Sirleaf's long-awaited plan to reshuffle her Government will take place next week. The reshuffle plan follows reports of corruption in the public sector.

There are speculations that the reshuffle is already slowly taking place and that not much is likely to change at the top of any ministries and agencies.

Besides the Ministry of Lands, Mines and Energy, President Johnson Sirleaf has also made changes at the National Port Authority, the Roberts International Airport, and most recently at the Bureau of Immigration, and the Special Security Service. But some observers said the changes have mostly been a rearrangement of posts with very little new faces in the government.

The Monrovia Central Prison is jammed pack with more than 642 inmates, with rapists and thieves topping the list.

Chief of a local NGO, the Center for Trauma Counselling and Conflict Resolution, Saydee Monboe wants the National Legislature not to pass the new draft telecommunications law because it is “undemocratic”.

LTA Confirms Seeking Legislation to Monitor Phone Calls

In a statement issued in Monrovia yesterday, the Liberia Telecommunications Authority (LTA) confirmed that the state will monitor phone calls under the emerging telecommunications law but said this will be done in connection with national security requirements.

The LTA said there will be no invasion of privacy and that the monitoring of phone conversation was necessary for national security reasons which will be undertaken only in line with warrants, court orders and any other processes provided for under applicable laws.

Meanwhile, the head of a local NGO, the Center for Trauma Counselling and Conflict Resolution, Saydee Monboe wants the National Legislature not to pass the new draft telecommunication law because it is “undemocratic”.

The Senate Plenary has summoned heads of National Security Institutions to give explanation on the increase in armed robberies in the country and want urgent actions taken to halt the practice.

However, in a letter to the Senate, President Ellen Johnson-Sirleaf announced a number of security measures taken by government to combat armed robberies throughout the city.

President Sirleaf said operations “Calm Down Fear” will help combat armed robberies.
President Sirleaf Announces Major Cabinet Reshuffle
(Also reported on ELBS and Star Radio)

Executive Mansion Submits Quarterly Report on 2006/2007 Budget
- The Executive Mansion has submitted the second and third quarterly report of the fiscal year 2006/2007 to the Liberian Senate.
- The report also takes into account the result of the first quarter of the fiscal year.
- A communication from the President said a final full fiscal year report would be submitted in July this year to the National Legislature.

President Sirleaf off to Equatorial Guinea
- President Ellen Johnson Sirleaf has left the country for Malabo, Equatorial Guinea for a two-day state visit.
- An Executive Mansion release said the President will later travel to Abuja, Nigeria to attend the ECOWAS summit from June 15-16.

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Complete versions of the UNMIL International Press Clips, UNMIL Daily Liberian Radio Summary and UNMIL Liberian Newspapers Summary are posted each day on the UNMIL Bulletin Board. If you are unable to access the UNMIL Bulletin Board or would like further information on the content of the summaries, please contact Mr. Weah Karpeh at karpeh@un.org.
United Nations officials and delegates from about 20 African nations are meeting in Kinshasa to talk about disarmament strategies that can be implemented when conflicts come to an end. Analysts say the session will be provide a useful platform for delegates from across Africa to exchange information on disarmament, but say it is important that the U.N. does not dominate a process that must be driven by Africans themselves. Selah Hennessy reports from our West and Central Africa bureau in Dakar.

Representatives from around 20 African countries are attending the conference on the process of disarmament, demobilization, and reintegration, widely known as DDR.

Organizers say they want to facilitate communication between officials from countries that have already gone through the process, like Mozambique and Sierra Leone, and those that are just beginning, such as in divided Ivory Coast.

Observers say it is significant that the conference is taking place in the Democratic Republic of Congo, which is currently working towards disarmament following a drawn-out civil war.

Opening the conference, the DRC Foreign Minister Antipas Mbusa Nyamwisi, said that over 100,000 former combatants have been disarmed in his country, including at least 30,000 child soldiers. But he said there is still much to be done.

Some aid workers say thousands of former fighters in the DRC still need to be disarmed or reintegrated into a newly formed army.

Alex Vines is from the London-based research center Chatham House. He says conferences such as these, where delegates from across Africa share experiences and information, are very important.

He says that it is necessary to have a consistent approach to disarmament, especially when dealing with countries that neighbor one another. Vines says there are often noticeable differences, such as the amount of money given to fighters who enter the process.

"I remember that the disarmament package being offered in Liberia was much less than the one that was going to be offered in Cote d'Ivoire, which meant for example that ex-combatants were waiting to hand their weapons over in Cote d'Ivoire because they get more money for it," he said. "These are the types of lessons that need to be learned."

Emmanuel Sowatey, a researcher with the Ghana-based non-profit organization Africa Security Dialogue and Research, says the conference will be beneficial, but may not lead to any concrete change.

"It is sometimes very difficult to make prognosis based on these conferences, particularly if no actionable policy is being implemented," he said. "Time and again we see this type of workshop and conferences, but the real, for me, fulcrum of the issue is seeing the actionable policies being implemented."

Sowatey says the U.N. presence in Africa is beneficial to the continent, especially in terms of financial support.

But he says it is important that the international body does not always take the lead role in decision making, and that local perspectives are respected and incorporated into policy planning, including in how to manage the delicate period of disarmament and reintegration.
New York Times
Tuesday, 12 June 2007

War Crimes Tribunal Sentences Serb to 35 Years

By MARLISE SIMONS

PARIS, June 12 — The United Nations war crimes court established to hear cases from the former Yugoslavia found a former henchman of president Slobodan Milosevic guilty on Tuesday of multiple crimes while leading a Serbian separatist rebellion and handed down a sentence of 35 years.

Milan Martic, 52, listened motionless as the three judges called him “one of the most important and influential political figures” of the Serbian ministate of Krajina, which broke off from Croatia in the early 1990s as Yugoslavia fell apart.

They convicted Mr. Martic of crimes against humanity, including murder, persecution and torture of Croatian civilians, and of war crimes, including plunder and wanton destruction of civilian sites, churches, schools and entire villages. The campaign to drive non-Serbs out of Krajina caused hundreds of deaths and created tens of thousands of refugees.

Mr. Martic was also found guilty of ordering an unjustified two-day rocket attack on the Croatian capital, Zagreb, in 1995. In the days after the attacks, Mr. Martic boasted to reporters that he had given the orders.

The defense had demanded an acquittal and described Mr. Martic as a hero and a protector of the Serbian population, while prosecutors had pressed for a life sentence.

The 35-year prison term is high by the standards of the tribunal, which has completed proceedings against more than 100 of those accused. Mr. Martic has already been in detention for five years, since he surrendered to the tribunal in 2002. But the judges gave him little credit for turning himself in, because by then he had been on the run for seven years, they wrote.

During his 13-month trial, Mr. Martic, a former policeman and an ardent Serbian nationalist, showed no remorse. He tried to justify the violent actions of the police and paramilitary groups he directed as minister of defense and minister of the interior and eventually as president of the self-styled republic of Krajina.

The ministate, which occupied one-third of Croatia, lasted from 1991 to 1995, when the Croatian military, backed by American advisers, restored Zagreb’s control. The judgment also cited the Serbian leadership in Belgrade for planning a Greater Serbia to include all ethnic Serbs, of which Krajina was to have been a part. Belgrade sent funds, supplies and forces to the Krajina separatists.

Evidence had established that Slobodan Milosevic, who died shortly before his four-year trial at the tribunal ended, “covertly” intended to seize control of swaths of land in Bosnia and Croatia, the judgment said, by using paramilitary groups to provoke violence, after which the Belgrade army would intervene to secure and unify the territories.

The plan eventually failed after intervention from the West. But the judgment said Mr. Martic was a key part of that plan. It quoted Mr. Martic as saying in 1994 that he would “speed up the process of unification” and “pass on the baton to our all-Serbian leader Slobodan Milosevic.”
Justice Initiative Hails Adoption of Rules for Khmer Rouge Trials

New York, June 13, 2007—The quest for justice in Cambodia advanced significantly when judges for the Extraordinary Chambers in the Courts of Cambodia (ECCC) announced their agreement on internal rules to govern the court's operations, the Open Society Justice Initiative said today.

The ECCC, which has a three-year mandate to try "those most responsible" for the mass crimes of the Khmer Rouge, was stalled over the rules that will guide the court. Internal Rules of Procedure are necessary for formal judicial proceedings to go forward and to ensure the court meets minimum fair trial standards.

"This agreement on the rules is a significant step forward for the ECCC," said James A. Goldston, executive director of the Open Society Justice Initiative. "Major tasks remain for the court, but today's announcement puts the Cambodian people closer to seeing justice done. The critical next step is for the rules to be released publicly."

Completing the Internal Rules of Procedure was a demanding and complex task given the unique structure of the ECCC, which combines Cambodian and international law. Previous attempts foundered when the ECCC judges failed to agree on the rules, but a plenary meeting of the judges in Phnom Penh led to successful adoption. With today's announcement, the court can begin moving forward with referrals from the co-prosecutors and, eventually, trials.

"Adoption of the rules shows what the court can achieve when all parties have the requisite will," said Goldston. "We hope the same joint determination will be applied to the court's remaining challenges, including finalizing referrals of cases for formal investigation, conducting investigations that meet international standards, and establishing transparent administrative procedures."
UN News Service (New York)  
Wednesday, 13 June 2007

UN Welcomes Child Rights Bill in Sierra Leone

The United Nations Children's Fund (UNICEF) has welcomed new legislation protecting the rights of the young in Sierra Leone, where they suffer disproportionately from poverty and other social ills.

The National Child Rights Bill, approved by the Sierra Leone Parliament last week, is a "huge step forward for children's rights," the agency said in a news release.

Superseding all other existing national laws, the legislation offers an opportunity for aligning Sierra Leone with international rights standards for children, according to UNICEF.

With non-discrimination as one of the guiding principles of the Bill, it provides the overall framework for ensuring adequate standards of care for all children in Sierra Leone. These include prohibition of early marriage, of conscription of children into the armed forces, the right to a name and nationality, free and compulsory education, protection against domestic violence and child trafficking, structures and systems for the protection of children at village and chiefdom levels, as well as protection against harmful traditional practices affecting children including female genital mutilation.

"The implementation of the Child Rights Bill provides us with an operational framework for the roll-out of child rights in Sierra Leone," said the UNICEF Representative Geert Cappelaere.

The Bill "marks for all children in Sierra Leone one of the most significant events since the end of the war in 2002," said the Representative. "It is clear also from discussions in Parliament that many more efforts are needed to ensure a fully fledged culture of children's rights in all parts of society."

Poverty is endemic in Sierra Leone, which was ranked 176 out of 177 countries listed in the UN's Human Development Index. Infant mortality is estimated at 158 per 1,000 live births, under-five mortality rate at 267 per 1,000 and maternal mortality rate at 1,077 per 100,000 live births - all among the highest rates in the world.

Children are exposed to violence, exploitation, abuse and deprivation. Almost one half of children aged 5-14 years are engaged in some form of child labour. About 11 per cent of children are orphans and 20 per cent do not live with their biological parents.

UNICEF said despite this bleak picture, "much progress has been made," citing increased immunization coverage rates and the Government's commitment to give priority attention to cutting child and maternal mortality.
Voice of America
Thursday, 14 June 2007

Uganda Peace Talks Enter New Phase Today

By Peter Clotty
Washington, D.C.

The current peace talks between the Ugandan government and the Lord’s Resistance Army (LRA) rebels in the Southern Sudan capital of Juba enters a new phase today (Thursday). Both sides are expected to debate the framework of the third item on the agenda, which is accountability and reconciliation. Meanwhile the rebels are demanding the lifting of the International Criminal Court’s (ICC) indictments against their commander Vincent Otti and his top deputies.

James Obita is the technical advisor to the LRA negotiating team at the Juba peace talks. From Southern Sudan he told VOA that the ICC has taken only one side of the conflict.

“Today, we moved one step further, we adopted the framework for working out the principles for agenda number three. It was a document, which was agreed upon by both parties and it was acknowledged that tomorrow (Thursday) we can begin the process of a brief debate and then thereafter we shall begin to work out the principles for agenda number three, that is accountability and reconciliation,” Obita noted.

He said both parties believe the debate would help them focus on the way forward for the current peace negotiations.

“It was thought that because this is a very sensitive and crucial agenda both parties should be given a chance to debate issues that they feel is important to them, like on our side we feel that on the issue of accountability, we should be given a chance debate some of the issues that we think has occurred in the last 20 years of the conflict…we think the issue of accountability is important so that we can hold everybody to account for whatever that has taken place for the last 21 years,” he said.

Obita said the rebels would propose an alternative justice system that would meet international standard of justice.

“This would actually come into the discussion in the next coupe of days to come because we want the government to come clearly and tell us what framework they have…because the basic thing is one we finish with the principles, then we want to propose some tangible alternative justice mechanism that we think would meet international bench marks of justice. From there they should be able to help us resolve this issue of the ICC,” Obita pointed out.

He reiterated the rebels want an alternative justice system, which conforms to justice in Uganda.

“You cannot tell me that other than the ICC there is no other mechanism on us that can be worked out… that is what we are trying to work out now. We want an alternative justice system, which is specific to Ugandan issue that would still be able to meet international standards,” he said.

Obita dismissed President Yoweri Museveni’s proposal of “soft landing” for the rebels.

“We have told them that the issue of soft landing is a non starter because don’t forget that the ICC has only taken one side or have issued arrest warrants one side of the conflict. We are very confident that if the government wants to pursue the society route, we would also ensure that we have dragged some of the key officials in the government or in the service of the government to the ICC, period. Who is going to soft land, us or them?” Obita asked.