Foday S. Sillah, Detention National Supervisor, 1958-2008

PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

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Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Defense Rights under Sierra Leone Law and International Law

Principles of Equality of Arms in trials are provided for through their right to a fair hearing. As a sign of fair hearing, according to section 23(4) of the 1991 Constitution, an accused person is presumed innocent until found guilty by a trial court.

In section 193 of the Criminal Procedure Act, where an accused person is not defended by counsel and state that he does not intend to call any witness as to the facts except himself the Court shall forthwith call upon the accused to make his statement or say anything or give evidence on oath, as the facts, and after his cross-examination (if any) he shall be permitted to address the court if he so desires and to call any witnesses as to character.

According to section 23(5) of the Criminal Procedure Act of 1964, where it appears to the court that a charge is malicious, frivolous or vexatious and the court may order the prosecutor to pay all or any specified part of the expenses of the accused. In preliminary investigation, the Criminal Procedure Act by virtue of section 110 states that upon the appearance of the accused before the court of summons, warrant or otherwise, an accused shall be made to know the substance of the charge against him/her and reserve the right to remain silent or reply thereto.
The Times Online  
Monday, 16 June 2008

Inside the RUF: at last the child soldiers of Sierra Leone have their say

The trial of the rebel leaders behind a devastating civil war is soon to come to a close. The child soldiers who knew them tell their stories

Hawa Dumbuya was eight years old when a rebel commander, his machete still wet with the blood of her neighbours, marched her into the Sierra Leone jungle and forced her to become his “wife.” His name, Hawa says, was Issa Sesay, the notorious rebel leader currently on trial at the war crimes tribunal in Freetown.

For four years, until the Revolutionary United Front was disarmed in 2002, Hawa says she lived as Sesay’s slave, accompanying him on brutal missions by day and suffering his repeated rapes and assaults by night. Now 18 and rejected by her community as a “rebel wife”, she lives alone, scraping a living from selling jungle fruits and awaiting the verdict of a trial which offers the only hope of justice for victims of the group’s decade-long terror campaign.

With the judges to retire in a matter of weeks, Sierra Leoneans will know soon whether the leaders of the RUF will be held to account for the depravities that became the group’s hallmark. In their quest for power and control of the country’s diamond wealth, the Liberian-backed rebel group terrorised a reluctant civilian population with mass amputations, mutilations, rape and sexual abuse, looting, murder and the use of child soldiers.

Torture and rape: Former child combatants share their stories of serving in Sierra Leone's RUF

Hawa is all too familiar with such atrocities. “He forced me to have sexual intercourse with him. When I tried to refuse he said he was going to kill me. My parents had already been killed, that was why I could not do anything. He made me carry heavy loads and if I could not he beat me. Or he sent other combatants to deal with me.”

“A diminutive if muscular teenager, at eight Hawa could barely hold the gun Issa Sesay thrust in her hands. “I didn’t want to fight. I tried to refuse, but he beat me, and told me he would kill me.”

“I carried the gun. But I never killed anyone. One time they captured a pregnant woman, during an attack on a village. They were betting on whether her baby was a boy or a girl. They told me to shoot her, but I refused, so they shot me in the leg.” She is matter-of-fact as she pulls up her long skirt and points to a smooth, dark scar shaped like a two pence piece on her lower shin. Then her face contorts.

“They held the woman, screaming, and slit her belly from bottom to top. The baby came out, it was a boy. Then they killed them both.”

Sesay is currently defending himself on 17 counts of crimes against humanity – including murder, looting, use of child soldiers, abduction, forced labour and sexual violence. The RUF’s leader in Sierra Leone from the 2000 arrest of overlord Foday Sankoh until the end of the war, Sesay was indicted in 2003 after his arrest in a sting operation which drew him to the capital Freetown. With Sankoh having since died in custody, Sesay is the most senior RUF commander left alive.

Having pleaded not guilty on all charges, Sesay has never expressed any remorse for his role in the civil war which left up to 75,000 people dead, many thousands more mutilated and a nation traumatised. He
has frequently been pictured smiling and laughing in court while listening to allegations of his part in such depravities, which he has dismissed as "rumour and folklore". He argues not only that he was fighting a just uprising against a corrupt regime, but that he was betrayed by the government of President Kabbah, which granted an amnesty on crimes committed by the rebels as part of the eventual peace agreement. Though the amnesty was later revoked, the wheels of justice grind awkwardly – and at times even farcically – in Sierra Leone. So far just four men have been convicted of civil war crimes – all of them members of government-backed militia or military splinter groups. Sesay may yet be acquitted.

Hawa prays every day that that won’t happen.

“I saw him cut off hands, feet, sometimes male organs. One time I was standing in front of Issa Sesay when he caught a man the age of my grandfather. He told him to carry a very heavy load for him to another village. But the man couldn’t, so Issa Sesay chopped off his hands.”

Sao Augusta, an 18-year-old former fighter abducted by the rebels at the age of seven, says she worked as a slave on Sesay's farm from 1998 to 1999. “He was an evil man, a very wicked man,” she whispers.

Working from six in the morning till seven at night, Sao received only beatings and a meagre evening ration of bulgar wheat from her captors. Like Hawa, she soon fell victim to the RUF’s appetite for young virgins, raped at the age of 10 by Augustine Gbao, a senior commander on trial alongside Sesay.

“He came to the house where I was staying with Issay Sesay’s wife and he forcefully took me and raped me, because I was a virgin. He said he had a ceremony to perform. He had a ritual to perform, he wanted to go to the front, the war front, and one of the conditions they gave him was that he had to have sex with a virgin. I was about 10 years old.”

Hawa and Sao are among many former child fighters or slaves still living in Kailahun, the RUF’s headquarters during the 11-year civil war. According to Dauda Kanu, who runs the district offices of Plan, an international NGO working to support children in the country, some 95 per cent of young people living in the area fought – willingly or not – for the RUF or another militia force.

Torture and rape: Former child combatants share their stories of serving in Sierra Leone's RUF
In Kailahun town, a huddle of make-shift huts and bombed-out concrete ruins buried in the eastern rainforest just a few miles from the Liberian border, bike riders shelter from the scorching sun under the corrugated corners of lean-to stalls, waiting for their next hire. These are the rebels, the meagre living they can scratch out ferrying passengers their only opportunity for survival in a community which might have been ordered to forgive, but will never forget.

Hawa lives in a state of fear, knowing that the next stall-holder she buys from, the next customer to whom she sells her jungle fruits, could be one of her abusers. “I am afraid when I see them. I am afraid that something like that might happen again.”

Gloria Bonda, seven years old when she was captured by the rebels, knows her tormentor will never be brought to justice. At 11, she became a “bodyguard” to Sam Bockarie, the notoriously sadistic RUF commander nicknamed “Mosquito” for supposedly killing more people than malaria. Killed in a 2003 firefight in Liberia while on the run from Special Court prosecutors, Bockarie was second-in-command to RUF leader Foday Sankoh, and during his two-year imprisonment from 2007 was the overall commander of the group, leading its nihilistic attack on Freetown in 1999 under the codename “Operation No Living Thing.”
It was Bockarie who lined five villagers up against a blood-stained wall and ordered 11-year-old Gloria to shoot them dead. “I refused, but they said if I refused, they would kill me. I did that, just so they wouldn’t kill me.”

Gloria shows me where she carried out the killings. Blood still stains the walls of the dank, dungeon-like room, in a bombed-out building known as the Slaughterhouse. As she tells me of the atrocities she witnessed there, the murders she was forced to commit, her jaw hardens, her stare becomes stony and faraway.

“At the Slaughterhouse, so many people were killed by him,” she says. The rebels would take groups of captured villagers there, line them up in front of a pit and shoot them so their bodies would fall in. At other times, they would be more inventive.

“There’s many ways to hurt people so that they die. Taking the knife and cutting them to death. Sometimes they beat them, flog them so that all their body was broken and all their parts would be flexible and they would die. Sometimes they would take a big drum, and fill it with palm oil, and boil it for some time. Then they would take them, and put them in it. Or they cook them, and eat them. I saw it.”

Now Gloria lives alone. Her father dead, her mother killed in front of her eyes long ago, she has no one to help her survive. Shunned by many in her community for the rapes she endured and the killings she committed, she struggles to earn the money for her school fees from selling jungle fruits. With some help from Plan, who provide counselling sessions and educational support, she has just taken her West Africa school-leaving certificate. She hopes to become a nurse to help those injured in the war, but she does not know how she will pay for the course.

“They say we are rebels, that we are thieves, killers, sometimes they run away from us. There is so much stigma, forcing us to live alone without anyone. There are so many girls like us. We need help.”

Plan International's report on women in war zones - Because I Am a girl: In the Shadow of War - was launched on May 15 by Cherie Blair. Visit www.becauseiamagirl.org
Special Court Supplement
Day of the African Child – Outreach at Paddy’s
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