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May 15, 2023

Robert Doar
President
American Enterprise Institute
1789 Massachusetts Avenue, NW
Washington, DC 20036

Kori Schake
Senior Fellow and Director of Foreign and Defense Policy Studies
American Enterprise Institute
1789 Massachusetts Avenue, NW
Washington, DC 20036

Re: False and Defamatory Statements

Dear Mr. Doar and Ms. Schake,

My firm represents Civitas Maxima. This letter concerns some posts which have contained false and defamatory information with respect to Civitas Maxima. In particular, I call your attention to the article “It’s time to tackle Human Rights Fraud” dated April 25, 2023.

Attached are excerpts of the false and defamatory statements in the article and information showing the defamatory aspects below the excerpts as well as more background on the cases discussed in your paper. The explanations cite potential evidence in the judgments and prosecutors who can support the claims of Civitas Maxima. If necessary, Civitas Maxima will produce the evidence.

The piece also contradicts your policy with respect to your policy on AEI Research Integrity, particularly assuring the integrity and reputation of its work.

The piece also undermines your policy with respect to intrinsic quality. Your policy is to strive “to produce work that is lucid, precise, informative and wise, AEI hopes that the honesty and integrity of its work, also, can be judged on its face.”

BERLINER CORCORAN & ROWE LLP

Because the attached excerpts show the article defames Civitas Maxima and Alain Werner, the founder and director of Civitas Maxima, we request that you remove the article and issue a retraction.

If you do not remove the false and defamatory article, Civitas Maxima reserves its legal rights.

Thank you in advance for your attention and cooperation.

Sincerely,



Bruce Zagaris

Article Washington Examiner 25 April 2023
Article American Enterprise Institute 25 April 2023
"It's time to tackle Human Rights Fraud".

Alain Werner

"Swiss Executive Director Alain Werner engaged in elaborate fraud and shakedown scam"

No details are given or witnesses quoted to support this claim.

Alain Werner is a lawyer admitted to the Geneva Bar (1999) (Switzerland), with a LL.M from Columbia University (2003). He has worked on the side of the victims in international criminal law for over 20 years, including for 3 international courts on 3 continents, and two trials against former Heads of State. He also took part in the first trial of Khmer Rouge crimes in Cambodia.

All these trials on which he worked resulted in convictions.

He created Civitas Maxima in 2012 and for 10 years its works have contributed to 5 judgments, 4 convictions (2 on appeal stages, 2 final) and 1 acquittal (on appeal stage).

None of the trials on which Alain Werner worked one way or another for the past 20 years led to a judgement where - in any shape or form - conclusions were made about any inappropriate behaviour on his part.

In 2019 Alain Werner was awarded the "Prize Michel Halpérin for Excellency" by the Geneva Bar Association. In 2020 he received a life Fellowship by the oldest and most famous worldwide network of Social Entrepreneurs, the U.S organization Ashoka.

Several of the Prosecutors in the highest functions today in international tribunals or bodies can and are willing to vouch for the integrity of Alain Werner.

Civitas Maxima and the Global Justice and Research Project (GJRP):

"Courts across Europe and Africa are scrambling to reexamine cases in which Civitas Maxima or their local Liberian partner Global Justice and Research Project contributed false affidavits and coached witnesses".

"Civitas Maxima may be an extreme case, as its reports polluted court proceedings in the United States, Europe and Africa".

No details are given or witnesses quoted to support this claim.

No court has reexamined cases in which CM or GJRB have contributed false affidavits or coached witnesses. The Massaquoi case is on appeal, but, as discussed below, the decision

on the dismissal of charges did not include conclusion on any unethical conduct by CM, or GJRP.

No finding has been made in any verdict rendered on unethical behaviour by Civitas Maxima or the GJRP.

Prosecutors involved in the cases where Civitas Maxima and the GJRP contributed can confirm this.

Furthermore, the United States Ambassador in Liberia and the United States Ambassador at large for global criminal justice have both publicly praised the GJRP for its work:

<https://www.state.gov/ambassador-van-schaacks-open-letter-to-the-people-of-liberia/>

<https://www.premiumtimesng.com/news/more-news/488864-liberia-u-s-ambassador-intervenes-endorses-bility.html?tztc=1>

Woewiyu case :

« “Much of the testimony targeting Woewiyu for personal involvement in war crimes today appears fabricated”.

No details are given or witnesses quoted to support this claim.

Civitas Maxima and Global Justice and Research Project followed very strict protocols of US authorities in their assistance on the Woewiyu case. No interference or coaching from these organizations on the witnesses was alleged or proved before or during the trial.

US federal prosecutors involved in the Woewiyu can vouch for CM and GJRP’s conduct in this case.

Jucontee Thomas Woewiyu, also known as Tom Woewiyu, co-founded the National Patriotic Front of Liberia (NPFL) with Charles Taylor.

Tom Woewiyu served as NPFL Defense Minister and Spokesman from 1989 to 1996, a time period during which the rebel faction was guilty of a plethora of brutal human rights violations such as mass rape, slavery, conscription of child soldiers, and indiscriminate massacres of civilians.

He was allegedly involved in the planning of some of the most horrific attacks on civilians, including “Operation Octopus” in 1992. The operation resulted in the murder of thousands of combatants and civilians, including the executions of five American nuns. During the 14 years of civil war in Liberia approximately 250,000 civilians were killed by factions like the NPFL.

Mr. Woewiyu omitted his affiliation with violent rebel factions and political associations advocating for violent and forceful government overthrow when applying for U.S. citizenship

in 2006. He also denied persecuting any person because of race, religion, or national origin, one of the key motivations of NPFL killings.

In May 2014, Tom Woewiyu was arrested at the Newark Liberty International Airport in New Jersey, upon his return from a trip to Liberia. He was charged with 2 counts of fraudulently attempting to obtain citizenship, 4 counts of fraud in immigration documents, 3 counts of false statements in relation to naturalization, and 7 counts of perjury.

Mr. Woewiyu's immigration fraud trial began on 11 June 2018. Over 35 witnesses testified to his direct and indirect involvement with war crimes during the civil war. After 13 days in court, the jury found Tom Woewiyu guilty on 11 of 16 counts on July 3, 2018. This trial was the first time ever that somebody who held a ministerial position during the First Liberian Civil War faced justice and the first time that the atrocities of the NPFL – the most violent rebel faction active from 1989-1996 – were documented in a courtroom. Tom Woewiyu died on April 12, 2020, of COVID-19, in Philadelphia, US. He was still awaiting sentencing.

The only potential source for Rubin's assertion may come from Christopher Vambo, also known as General Mosquito, who participated in the assault on Monrovia during Operation Octopus. In responding to Woewiyu's U.S. indictment, General Mosquito makes two claims: 1. That he and Mr. Woewiyu had no personal relationship and 2. That Mr. Woewiyu was not in Liberia at the time of Operation Octopus and therefore could not have ordered his men to forcibly conscript child soldiers.

<https://frontpageafricaonline.com/liberia-war-crimes-trial/liberia-general-mosquito-issues-disclaimer-on-woewiyu-u-s-indictment/>

Even if we take the foundation of both of these claims at face value, that Woewiyu and General Mosquito were not acquaintances and Woewiyu was not in Liberia during the Operation, they still do not disprove the witness testimony provided at Woewiyu's trial which directly named him as the person who ordered his men, as Charles Taylor's defense minister and co-founder of the NPFL, to forcibly conscript child soldiers. Furthermore, General Mosquito is certainly a biased and interested source who would want to avoid legal scrutiny by creating distance between him and Mr. Woewiyu. The defense never called General Mosquito as a witness. There was no allegation of corruption or fabrication made in the trial. Lastly and most importantly, the opinion piece's unfounded assertion, that much of the testimony targeting Woewiyu's involvement was fabricated, is on its face far too broad, inflammatory, and dubious to be written in such a matter-of-fact tone.

Martina Johnson case

"In 2016, Belgian courts released alleged war criminal Martina Johnson from prison pretrial due to concerns about Civitas Maxima-provided witnesses".

No details are given or witnesses quoted to support this claim.

Martina Johnson was not released in 2016.

Her release pre-trial is entirely un-related to any evidentiary matter. The case was not dropped, but on the contrary is still ongoing.

No finding was made in that case on any unethical behaviour by Civitas Maxima or the GJRP.

Prosecutors involved in the case can vouch for the conduct of CM and GJRP in this case..

Martina Johnson is a former front line commander of the National Patriotic Front of Liberia (NPFL). She was arrested in 2014 on suspicion of war crimes and crimes against humanity allegedly committed during the First Liberian Civil War. She was arrested in Belgium, a country where she resided since 2003. This was the very first time an alleged Liberian perpetrator was criminally charged for crimes under international law committed in Liberia during the first civil war.

Liberian victims implicate Martina Johnson as having participated directly in mutilation and mass killings in late 1992 during “Operation Octopus”, an infamous military offensive by Charles Taylor’s NPFL on the capital Monrovia.

Shortly after her arrest, Martina Johnson was placed on conditional release for reasons entirely unrelated with the evidence in the case.. In the ensuing years, the investigation progressed at a relatively slow pace.

The case is not closed.

Michel Desaeleer case

“The court’s actions came too late for American Michel Desaeleer, who committed suicide in prison after Belgian police arrested him for slavery on evidence subsequently exposed as fraudulent”.

No details are given or witnesses quoted to support this claim.

At no point in the Desaeleer case was unethical behaviour by Civitas Maxima or GJRP even alleged by anyone.

Belgian Prosecutors involved in the case can vouch for the conduct of CM and GJRP in this case

Michel Desaeleer, a US and Belgian citizen, was arrested in September 2015 in Malaga, Spain, following the issuance of a European arrest warrant against him. He was then transferred to Belgium where he was charged for war crimes and crimes against humanity, being accused of having participated with Charles Taylor and the rebels of the Sierra Leonean RUF rebels in the trade of so-called “blood diamonds”.

During the civil war in Sierra Leone (1991-2002), the RUF used civilians as slaves in the district of Kono to mine the diamond pits. The proceeds of the forced labor were brought to

Charles Taylor in Liberia and then sold on the international market, funding the and substantially prolonging the armed conflict.

Sierra Leone's civil war was one of the most brutal in the history of the African continent. The RUF unleashed a massive campaign of terror against the civilian population and instituted a policy of systematic mutilations. In ten years, 27,000 Sierra Leonean civilians had their arms amputated by the RUF.

The arrest came after several citizens of Sierra Leon who were victims of enslavement during the civil war, filed a criminal complaint against Mr. Desaeleer in Brussels in January 2011. Mr. Desaeleer then resided in the United States.

Mr. Desaeleer's arrest was the very first time that someone was arrested and indicted for participation in the blood diamonds trade, qualified as a war crime – pillage – and crime against humanity – forced labor.

Michel Desaeleer committed suicide in Belgian custody on September 28, 2016, a few weeks before his trial for international crimes was scheduled to commence.

Agnes Reeves Taylor case

"In 2017 British authorities arrested Agnes Reeves Taylor for alleged torture. They released her after 27 months in solitary confinement and without ever trying her when the information provided by Werner and his Liberian partner Hassan Bility was proven false".

No details are given or witnesses quoted to support this claim.

Agnes Reeves Taylor did not spend 27 months in jail in the UK.

The case against Agnes Reeves Taylor was closed because of a legal matter under UK law on torture, unrelated to the evidence. On the contrary it was noted in the decision to close the case that there was prima facie evidence of torture against her.

On December 6, 2019, the Central Criminal Court decided to dismiss the case against Agnes Reeves Taylor.

The Central Criminal Court's decision came after the UK Supreme Court confirmed in a historic judgment that members of non-State armed groups may be prosecuted for crimes of torture under UK law, thus legally paving the way for the case against Mrs. Taylor to proceed to trial. However, after rendering its judgment, the UK Supreme Court sent the case back to the Central Criminal Court to consider further evidence from the prosecution's expert and apply the legal standard confirmed by the Supreme Court to the facts of the case.

The Supreme Court clarified that, in order for a member of a rebel group to be charged with torture, the group must have exercised "governmental functions", meaning "administrative control" as opposed to simple military occupation. The Central Criminal Court ruled that the

evidence presented by the Crown Prosecution Service (CPS) failed to prove that the NPFL exercised such functions in the area and at the time of the alleged crimes by Reeves Taylor.

However, in its decision, the Court noted that *“there is prima facie evidence that she held a high rank in the NPFL and (...) carried out, whether personally, or by giving orders, or by acquiescing in, the acts of torture (...) which took place in, or on the border of, Nimba County.”* Agnes Reeves Taylor was not found innocent.

No evidence was ever adduced during this case that Alain Werner or Hassan Bility provided false information.

UK Prosecutors involved in this case can vouch for the conduct of CM and GJRP in this case.

Gibril Massaquoi case

“Just last year, it was déjà vu in Finland, where alleged witnesses alleged (sic) Civitas and its partners coached them and falsified claims”.

No details are given or witnesses quoted to support this claim.

No allegations were made by witnesses in the Massaquoi case that Civitas Maxima was involved in misconduct or unethical conduct of any kind. Some defence witnesses alleged that Hassan Bility (not Civitas Maxima) corrupted people. However, in the 800 page decision in 2022 acquitting Massoquoi for reasonable doubt, the court made no finding on the claims made by these witnesses.

Therefore, no findings were made in the judgment in the Massaquoi case about any unethical behaviour by Civitas Maxima and/or its partners.

The Finnish prosecutors involved in the case can vouch for the conduct of CM and GJRP in this case.

Lieutenant-Colonel Gibril Massaquoi was in the Revolutionary United Front (RUF) inner circle during the Sierra Leonean Civil War. He was the spokesman of the rebel group – as well as an assistant to the group’s founder, Foday Sankoh.

In 2005, Massaquoi testified in open session before the Special Court for Sierra Leone (SCSL) in a case against members of Sierra Leone’s former Armed Forces Revolutionary Council (AFRC) – a rebel group that allied itself with the RUF rebels in the late 1990s.

On March 10, 2020, Massaquoi was arrested in Tampere, Finland, by the Finnish police, on suspicion of war crimes and crimes against humanity committed in Liberia between 1999 and 2003. The crimes he allegedly committed include homicide, sexual violence, and the recruitment and use of child soldiers.

During the First Liberian Civil War, fighting spilled over into neighboring Sierra Leone when the NPFL-backed RUF invaded Sierra Leone in an attempt to overthrow the government in 1991. The civil war in Sierra Leone ended in 2002.

During both the Liberian and Sierra Leonean civil wars, hundreds of thousands of civilians were killed. These conflicts were characterized by mass atrocities against the civilian population, including rampant sexual violence, mass killings, amputations and mutilations, slavery, torture, cannibalism, and the widespread use of child soldiers.

Despite some fallout between the two groups, the NPFL and RUF stayed closely connected throughout the Sierra Leonean Civil War – exchanging arms and ammunition for diamonds – especially once Charles Taylor was elected President of Liberia in 1997. There was also a continuous exchange of fighters and leaders between the two rebel groups. Charles Taylor was convicted by the Special Court for Sierra Leone (SCSL) in 2012 for aiding, abetting, and planning the commission of war crimes and crimes against humanity in Sierra Leone by the RUF.

On January 13, 2021, Finland's National Bureau of Investigation's pre-trial investigation on Gibril Massaquoi concluded and the case was officially handed over to the prosecutor. Mr. Massaquoi's trial began on February 3, 2021.

On April 29th, 2022 the Pirkanmaa District Court in Tampere, Finland, issued its judgement in the trial of Gibril Massaquoi. The District Court dismissed all charges and found that there was reasonable doubt that the defendant committed the offences he was charged with.

Subsequently, the Finnish prosecutor decided to file an 80-page appeal in May 2022. The appeals trial of Gibril Massaquoi is currently ongoing. Under the Nordic civil law system appeals are in effect a re-trial, not only of the merits of the case, but of the facts – this allows the judges to re-evaluate further evidence which supports the case of the prosecution or defense.

From the first week of February to the end of March 2023, the Finnish appeal court moved to Liberia to conduct in-country hearings. The appeal court came back to Finland in April 2023. The Judges return again to Liberia in May. The end of the trial is expected in the summer of 2023, although this deadline is by no means a hard one, and proceedings could stretch up to far beyond that.