

**SPECIAL COURT FOR SIERRA LEONE
OUTREACH AND PUBLIC AFFAIRS OFFICE**



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

as at:

Thursday, 29 March 2012

Press clips are produced Monday through Friday.
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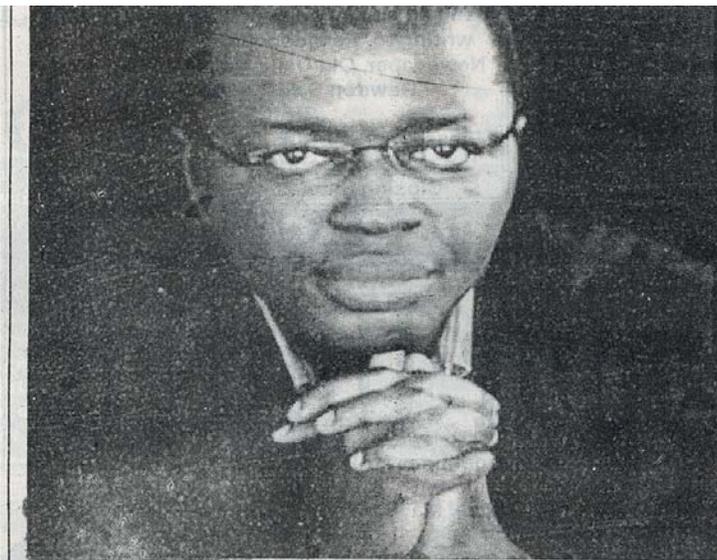
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Independent Observer

Thursday, 29 March 2012

Is Africa on Trial?

NO



*Tejan-Cole is a former prosecutor
of the Special Court for Sierra Leone.*

The International Criminal Court (ICC) was set up to try those responsible for the most serious crimes in the world - such as genocide, crimes against humanity and war crimes.

So far, all 24 people facing charges - and the only person convicted - are from Africa, leading to accusations of bias. The African Union has said members countries should stop cooperating with the Court.

We asked two experts whether Africa is on trial.

NO

Abdul Tejan-Cole Abdul Tejan-Cole says the African victims of war crimes welcome the perpetrators facing justice

Two weeks ago, the International Criminal Court (ICC) handed down its first judgment - finding Thomas Lubanga Dyilo guilty of war crimes in eastern DR Congo. While the decision was rightly hailed around the world as a landmark for international criminal justice and the fight against impunity for mass crimes, it also reignited the debate about the ICC and Africa - and particularly the notion that the continent is somehow "on trial".

It is a version of events that has increasingly come to dominate the debate in Africa with political leaders past and present publicly accusing the ICC of anti-African bias and of persecuting the continent through its prosecutions. But it is almost certainly not the view of the majority of Africans, who want the political and military leaders responsible for international crimes brought to justice.

It is farcical that we can equate the trial of 25 accused with the trial of an entire continent."

And it is definitely not the view of the victims of mass crimes - such as the 129 who participated in the Lubanga trial - who know that their national courts are invariably unable or unwilling to prosecute. And who celebrated when the ICC announced its landmark verdict.

Lubanga is the first person to have been convicted since the ICC was established in 2002. The Court found him guilty of enlisting, conscripting and using child soldiers between 2002 and 2003 when he was Commander-in-Chief of the notoriously brutal Patriotic Forces for the Liberation of Congo (FPLC). Multiple witnesses testified that Lubanga used these children as his bodyguards and that girl soldiers were subjected to sexual violence and rape.

But even as his victims were finally seeing justice being done, critics were condemning the ICC for taking so long and for costing so much, and castigating the prosecutor for not charging Lubanga with sexual violence crimes, despite allegations that women and girls were raped and abused by his forces. Others were wondering when some of Lubanga's co-perpetrators, notably his Rwandan deputy, Bosco Ntaganda, might face trial.

Until his conviction, Lubanga was one of 25 people facing trial in 14 different cases before the ICC. All 25 are Africans. This has generated increasing criticism. The African Union Chair, Jean Ping, has accused the ICC of targeting African leaders unfairly, while the Rwandan President, Paul Kagame, dismissed the Court saying it was made for Africans and poor countries.

'White man's Court'

Africa played a tremendous role in the establishment of the ICC, and only 11 African countries have not signed the Rome Statute while 33 have ratified its provisions, making Africa the most heavily represented region in its membership.

Three of the seven current situations under investigations by the Court - DR Congo, Uganda and the Central African Republic - were self-referrals to the Court by the respective governments. According to the Court's incoming Prosecutor, The Gambia's Fatou Bensouda, "the high rate of referrals in Africa could just as easily show that leaders on the continent were taking their responsibilities to international justice seriously."

Only two situations - Kenya and Ivory Coast - were opened at the instance of the prosecutor. The Kenya situation was opened after Kofi Annan, Chairman of the AU Panel of Eminent African Personalities, handed over a sealed list of suspects to the ICC and after the Kenyan parliament dithered over the establishment of a national tribunal.

In Ivory Coast, it was former President Laurent Gbagbo who accepted the jurisdiction

of the ICC in April 2003 under the provisions of Article 12 (3) of the Rome Statute. Like many other African leaders, Mr Gbagbo was quick to accept the jurisdiction of the Court so that it could prosecute rebels.

However, as soon as he was arrested and hauled off to The Hague, his supporters immediately began referring to the ICC as the "White man's Court" and complaining about its "neo-colonialist" and "imperialist" agenda.

'Western interests'

Contrary to popular opinion, the ICC is not a court of first resort. Entrenched in its statutes is the principle of complementarity - the ICC can only exercise its jurisdiction where the State Party of which the accused is a national or on whose soil the alleged crime was committed, is unable or unwilling to prosecute.

Many African countries will be unable to prosecute even if they want to because their judiciaries lack the capacity to prosecute the crimes in the Rome Statute and because their parliaments have failed to domesticate the relevant laws.

In the case of Kenya, even though Kofi Annan and others supported a "Kenyan-owned and Kenyan-led process", the country's parliament failed to pass the necessary laws to create a Special Tribunal thus giving the ICC jurisdiction.

Even though its criteria for selecting situations does not include geographical considerations, the perception that the Court is only targeting Africans will remain until it launches its first non-African prosecution.

And while it is true that the ICC can be lambasted for inconsistent case selection, there is not a single case before the Court that one could dismiss as being frivolous or vexatious.

They might all be African but they are also all legitimate. It is farcical that we can equate the trial of 25 accused with the trial of an entire continent.

Greater balance

In addition, the Court is currently analysing at least five situations outside Africa - including Afghanistan, Colombia, Georgia, Honduras and South Korea - all of which are awaiting determination by the prosecutor as to whether or not to open formal investigations.

"Start Quote

Ordinary Africans are not complaining"

The Palestinian National Authority has also petitioned the ICC prosecutor to accept jurisdiction over alleged crimes in Gaza from 1 July 2002, when the Rome Statute entered into force.

The Court has certainly made some missteps in its first decade. For example, the judges in the Lubanga trial were far from impressed by the prosecutor's use of intermediaries during the investigation.

And there is clearly a need to ensure greater balance in the geographical scope of the ICC's investigations and prosecutions. But there is not a case before the Court that critics can honestly argue should not be there.

And ordinary Africans are not complaining. Many have suffered at the hands of the perpetrators of mass crimes - and know that there is little chance that they will see justice done without international tribunals like the ICC.

Victims of the alleged atrocities of Chad's former President, Hissene Habre, have for several years been lobbying the Senegalese government to ensure that justice is done - but to little avail.

Had Mr Habre's alleged crimes been committed after 1 July 2002, his victims may have had their day in court just like Lubanga's.

Sierra Leone Commended For United Nations Peace Operations

"I commend Sierra Leone for being among the top contributors of women police officers to United Nations peacekeeping operations," said Ann-Marie Orlor, the highest ranking police official in the UN system.

In a statement issued yesterday at the UN Headquarters in New York, Ms Orlor, the Police Adviser for the UN Department of Peacekeeping Operations, said, "Sierra Leone's contribution of 78 women officers, or 30% of its 258 police contribution was helping the organization make progress towards its goal of having women make up 20% of its police deployed to UN peace operations.

"In 2009 the United Nations had around 7 percent female representation in the police it deployed and today we are half-way, with 10.4 percent. Not good enough, but on the right track," said Ms. Orlor.

Sierra Leone currently deploys police officers to two peacekeeping missions, including in Haiti (MINUSTAH) and Darfur, Sudan (UNAMID).

UN Police officers are deployed to UN peacekeeping operations and special

political missions in countries emerging from conflict, to help build accountable and trusted police services, which are essential for security and the rule of law, for the protection of civilians and for democratic governance.

"We are not making this effort only because of the Security Council resolutions calling on peacekeeping to have a greater gender balance, but also because female police officers play an important role as, security providers, mediators, investigators and trainers in reconstructing police services around the world. They have a major impact as role models for the populations whom they serve," said Ms. Orlor.

"In other words we need more female officers in order to better implement the mandates that we are given. It does, as we see time and again, make a difference," said the UN Police Adviser.

AllAfrican.Com

Wednesday, 28 March 2012

Africa: Stop the Genocide, I'm Famous

By Lauren Comiteau

George Clooney testifying before the US Senate earlier this month that the Sudanese government is launching repeated and unlawful attacks on unarmed civilians (and then getting arrested outside the Sudanese embassy while protesting in Washington).

Angelina Jolie in the public gallery of the International Criminal Court (ICC) as its first ever verdict-against former Congolese militia leader Thomas Lubanga-is being handed down.

And of course, P Diddy, Rihanna and Oprah twittering Ugandan rebel leader Joseph Kony into the social media stratosphere by re-tweeting the Kony 2012 film.

What is it with superstars and war crimes? Do they deserve all the bad press they get, or do they genuinely help draw attention to under-reported conflicts?

"Yes, it's a general rule," says Charlie Kaye, Executive Producer for Radio with the mainstream American broadcaster CBS. He cites Clooney's focus on South Sudan as the best recent example of star wattage shining the light on often neglected issues. "It forced news organizations to address issues that wouldn't normally get time."

And he means the issues-not just the arm candy du jour. "I don't know how you can write about what he did without offering the background."

Like flies to a cowpat

It is exactly the kind of publicity that stars attract that has NGOs vying for their support. "Clooney says when he travels the cameras follow him, that he can't get away from the cameras. But many of the people who are in most need of attention, no matter what they do, they can't get the attention of the news," says Jonathan Hutson, Director of Communications of the Enough Project, which Clooney supports. (The project aims to end genocide and crimes against humanity.)

"So his idea is to simply go where people are facing human rights crimes and drag the cameras and microphones behind him in his wake," says Hutson.

But critics of the star phenomenon say it's not only the equipment being dragged through the mud, but the facts. "The problem with Clooney in Sudan is he was [in his Save Darfur campaign] saying everywhere that genocide was being committed, while it's the ICC prosecutor who has to prove that genocide occurred in Sudan, and it is the role of judges to say that something really happened--not celebrities," says one graduate student in international humanitarian law who comes from Rwanda and doesn't want to be named. "Celebrities misrepresent the facts. And they contribute to what we call victor's justice. That's a very big problem with these trials-they're considered victor's justice back home."

VIP seats

When Angelina Jolie turned up in the public gallery of the ICC to hear its first-ever verdict against former Congolese militia leader Thomas Lubanga, the invective came from pretty much all sides. On RNW's own international justice FB page, her appearance generated an unusually high volume of traffic. While some of it was positive, the LSE's Mark Kersten wrote, "What bothers me is that she gets a front-row seat. I understand giving seats to journalists (our eyes and ears), but celebrities? There are people who deserved to literally 'see' the verdict served today and Angelina wasn't one of them."

Added Helen Park: "Why would the OTP [Office of the Prosecutor] talk about her before even talking about the case itself?" She was referring to the first press release put out by prosecutors following the verdict-announcing Jolie's appearance in court.

While the OTP didn't respond to repeated requests from RNW about why they announced Jolie's appearance in court before reacting to the verdict itself, it is clear that the court welcomes the attention that follows in the star's wake.

"If it helps give more attention to the victims and crimes, then there's no reason to be against it," says ICC spokesman Fadi El Abdallah on Jolie's appearance in the public gallery. Jolie is indeed a Goodwill Ambassador for the UN, and the court neither paid for her appearance nor publicised it beforehand.

"The problem with her presence is that this case is about Lubanga and the Congolese. How many Congolese mothers were in the public gallery?" asks the Rwandan legal student. "She has a right to be there. But Congolese people should have been given the first role, not her."

Media Justice Complex

But ICC prosecutor Luis Moreno-Ocampo is a clear supporter of celebrity endorsements for his court. Besides several public appearances with Jolie, Moreno-Ocampo appears in the Kony 2012 film-an effort he whole-heartedly supports and which he has said "mobilised the world."

Joseph Kony is wanted by the ICC for crimes against humanity for using child soldiers in his Ugandan guerrilla group, the Lord's Resistance Army. To date, the Kony 2012 video made by Invisible Children, whose goal is to get Kony to the ICC to stand trial, has been viewed more than 85,000,000 times on YouTube, despite coming under criticism for both its accuracy and financing.

But many people in Uganda found the film patronizing. "The problem is with the victims," says the Rwandan student of international humanitarian law. "In the Kony case, the victims in Uganda say everything that Invisible Children did is not representative of their suffering. So why do it, if the people who you say you represent don't even relate to what you're doing?"

But accurate or not, the film's impact - largely started by celebrity re-tweets - is undeniable. After its star turn on YouTube and Twitter, says CBS' Charlie Kaye, the broadcaster had no choice but to cover it. "Twitter is helping drive the news agenda these days," says Kaye. "There's a delicate balance between what people need to know and what they want to know, with celebrities falling in the want to know category."

Diamonds are for courtrooms

Take the case of supermodel Naomi Campbell. Reluctant to appear in court, she was subpoenaed to testify at the trial of former Liberian president Charles Taylor for allegedly taking a gift of blood diamonds from him. Although she claimed she didn't know what the "dirty-looking stones" were, her appearance in court (made to contradict Taylor's own testimony that he never possessed uncut diamonds except as jewelry) brought with it satellite trucks and hordes of journalists.

It gave the trial unprecedented attention if only for a few days in the summer of 2010. Journalists conveniently hung around for the following witnesses-actress Mia Farrow and Campbell's former modeling agent Carole White, who both contradicted Campbell's testimony.

Solomon Moriba, the Press and Outreach Officer for the Special Court for Sierra Leone, says Campbell wasn't used to give the court celebrity status and her appearance never led to further funding. But, he says, "I can't dispute the facts, the media attention was there. People who hadn't been in court before, like celebrity bloggers, came." Still, he says she was a witness like any other-"the people who lost loved ones and limbs, those who were raped or sexually violated. They all came to explain their ordeals and contribute to the judicial process."

Rays of light

While Campbell received more coverage than most of those victims Moriba refers to, star wattage is sometimes converted into real action. "It's rare that we have literally millions of Americans calling for more engagement in Africa," said Senator Chris Coons, chair of the Senate Foreign Relations subcommittee on African Affairs, following the Kony 2012 film. Similarly, the African Union pledged 5,000 troops in South Sudan to help track the fugitive Kony down in the wake of the viral video.

Lisa Ann Richey, author of "Brand Aid: Shopping Well to Save the World", says stars' involvement in causes or court cases can indeed have a wider impact. "Maybe people who didn't know anything about Africa or the history of Sudan would then, for whatever reason they were attracted by George Clooney, start to look into more detail and educate themselves on these issues."

Even if celebrities' motives are sometimes suspect, in the end, it may not really matter. People do the right things for the wrong reasons all the time. And maybe sometimes, that's good enough.

BBC

Tuesday, 27 March 2012

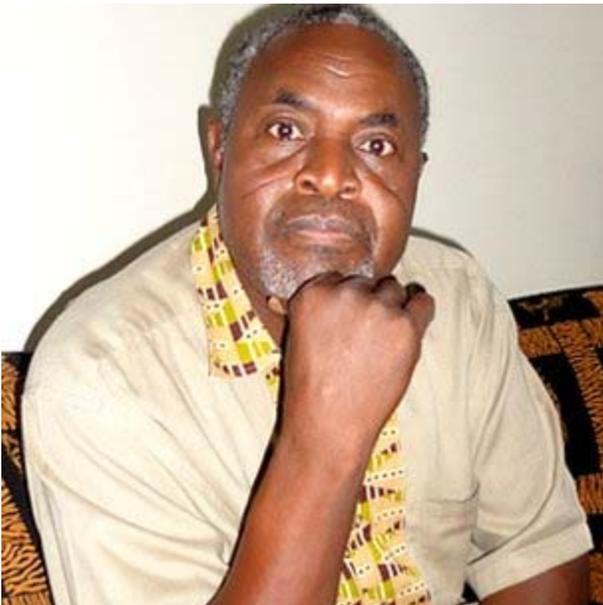
Is Africa on trial?

The International Criminal Court (ICC) was set up to try those responsible for the most serious crimes in the world - such as genocide, crimes against humanity and war crimes.

So far, all 24 people facing charges - and the only person convicted - are from Africa, leading to accusations of bias. The African Union has said members countries should stop cooperating with the Court.

We asked two experts whether Africa is on trial.

YES



Mr Yeebo says that the ICC trials are designed to target the leaders who have offended powerful western interests

Zaya Yeebo is a writer and commentator on Pan African Affairs. He is a programme manager at UNDP's Civil Society Democratic Governance Facility in Kenya.

There are 15 cases currently before the International Criminal Court. All of them are against Africans. There is every indication that the ICC is targeting African leaders, working to a script written in Washington, Paris and London.

The former President of Ivory Coast, Laurent Gbagbo, was "abducted" at midnight and secretly carted off to The Hague. Liberia's former President, Charles Taylor, is still incarcerated at the ICC [he is being tried by the Special Court for Sierra Leone]. Sudan's head of state, President Omar al-Bashir, has been indicted. Muammar Gaddafi's son Saif, and Libya's intelligence chief were indicted before the court could even establish the nature of their crimes. The trend is easy to spot.

“Start Quote

The trials are nothing to do with seeking justice for the hundreds of thousands of wronged people”

It is indisputable that some of these men were behind untold suffering. Their actions cannot be defended or denied. But this list of people suggests African leaders are the only ones imprisoning, torturing and murdering their citizens. They are clearly not. But no-one else is on trial.

When American staff sergeant Robert Bales allegedly shot dead 16 civilians in Afghanistan, including nine children, he was quietly spirited away to a military prison in the US, despite the demands of Afghan President Hamid Karzai to try him in the country where the massacre took place.

Had Mr Bales been an African, his commander-in-chief - although thousands of miles away - would have been subjected to the ICC's Rome process. But the idea that US President Barack Obama would be put on trial for crimes in Afghanistan is absurd. Yet senior Kenyan officials are being held responsible for the deplorable actions of men who were not even taking orders from them.

The Africa Debate

Tune in to the BBC World Service at 1900 GMT on Friday to listen to The Africa Debate broadcast from Nairobi: Is Africa on trial?

Or take part in Twitter - using #bbcafricadebate - Facebook or Google+

The reason is simple: "[Lead ICC prosecutor, Jose Luis Moreno Ocampo has] avoided situations where he would likely step on the toes of permanent members of the UN Security Council, from Afghanistan to Gaza, to Iraq, to Columbia," argues international human rights law expert William Schabas, chairman of the Irish Centre for Human Rights at the National University of Ireland, Galway.

'Charade'

Politicians, activists and lawyers have desperately tried to bring horrific crimes from other parts of the world to the ICC's attention, but the court seems to actively avoid their pleas for justice.

International Criminal Court (ICC)



- Set up in 2002
- Ratified by 114 countries - but not US, Russia, Israel, Iran, Egypt, China, India, Pakistan, among others
- Goal: To bring to justice those responsible for the worst crimes committed anywhere in the world
- Only verdict - against DR Congo warlord Thomas Lubanga
- 24 others facing trial - all from Africa
- Opened cases in Uganda, DR Congo, Sudan, Central African Republic, Kenya, Libya, Ivory Coast, Libya

- Studying at least five situations outside Africa: Afghanistan, Colombia, Georgia, Honduras and South Korea
- The Palestinian National Authority has asked the ICC prosecutor to accept jurisdiction over alleged crimes committed in Gaza

The worst thing about the entire process is that the human suffering that inspired the creation of the court is irrelevant when it comes to who gets prosecuted.

The American ability to dictate the court's agenda was not at all diminished by the fact that the US refused to ratify the Rome Statute creating the court, meaning no American is subject to the court's authority.

African states, by contrast, signed up to the Rome Statute as equal partners.

But when the African Union - which knows a little more about African affairs than some American diplomats - tries to advise the court, it is systematically ignored. This attitude tells you everything you need to know about the ICC.

The trials are nothing to do with seeking justice for the hundreds of thousands of wronged people.

They are designed to target the leaders who have offended powerful western interests enough to earn the court's attention. If African "warlords" have western friends, they are ignored.

Col Gaddafi's son did not start abusing his power in 2011. But that is when western politicians decided to stop feting him, and the ICC decided he was a criminal.

Similarly, Mr Taylor is in The Hague because he had a spat with American diplomats. The crimes he is being accused of are simply an afterthought. It's a charade.

There is an Akan saying: "Megyefo de abaa tare me so", which means "My redeemer has turned my persecutor".

The International Criminal Court is in fact a pathetic continuation of an imperial tradition, a way for western powers to pretend they are protecting human rights in Africa, that they are teaching Africans right from wrong.

It is time Africa's criminals were held to account by Africans.

The Kansas City Star

Wednesday, 28 March 2012

Commentary: Gadhafi's ghost stalks Malian Sahara

Ben Barber

Moammar Gadhafi is reaching out from his grave — this time threatening Mali.

For more than 20 years Gadhafi used his oil wealth to meddle in the affairs of Black Africa, overthrowing governments friendly to the U.S., Britain and France.

When I was in Ouagadougou, the capital of Burkina Faso, some years ago, people told me that at night they heard the planes landing and taking off, bringing Libyan weapons to be passed on to rebels or dictators in Liberia, Gambia, Sierra Leone, Ivory Coast, Senegal, Chad and Western Sahara.

His weapons enabled the most horrible militias in modern history to chop hands off small children and massacre thousands. One client, former Liberian dictator Charles Taylor, is on trial in The Hague for war crimes and crimes against humanity in the Sierra Leone civil war.

Another client, Yahya Jammeh, remains dictator of Gambia since 1994.

Now Mali is the latest country to be uprooted. Its 20-year legacy as a pro-American democracy is shaken.

Ethnic Tuareg rebels seeking a separate state have launched an uprising and taken over much of the country. Islamists have been kidnapping, killing and threatening foreign tourists, travelers, academics and journalists. March 22, the army staged a coup, upset at the lack of heavy weapons and support needed to turn back the Tuareg advances.

Gadhafi's ghost can take credit.

The weapons he distributed to ethnic Tuaregs from Mali, Niger and other nearby countries, recruited to fight in his failed effort to remain in power, are now being turned on Mali's government, army, and all who resist the rebels seeking to carve out an independent Tuareg state.

As in so many wars, it is the civilians who suffer the most. These poor people have fled to Niger, Burkina Faso, Algeria, Senegal and Mauretania.

Meanwhile, rebel forces continue to push south and threaten to take – and to damage – the historic cultural treasure of Timbuctou – a city containing ancient manuscripts of Islamic culture from the Middle Ages and mud built mosques and houses dating back hundreds of years.

The Malian army, distressed because of a lack of adequate weapons to match the ones given to the Tuaregs, and upset because of heavy losses and a failure to compensate families of dead troops, launched the coup Thursday, March 22, and drove President Amadou Toumani Toure into hiding. Troops ransacked his presidential palace, seized the radio and television station and arrested cabinet ministers and others.

In a communiqué on the website of the Mouvement National de la Liberation Azwad (MNLA), Tuareg rebels have cancelled upcoming elections, dismissed all government officials and called for creation of an independent state roughly carved from northern Mali.

I was told by a former senior USAID official that these events are a great tragedy because Mali had been a shining example that democracy can take root in a troubled region, and that U.S. assistance can, in fact, help to build democratic processes despite illiteracy and poverty.

There had not been a coup in Mali since 1991, and governments were changed through the ballot box.

But when rebels seized half the country in the past days – albeit the most barren and arid half consisting entirely of Saharan desert – the 7,500 strong army panicked and felt the direction and leadership of the country was inadequate to keep the country intact.

U.S. and French governments have been quick to threaten a cut off in foreign aid, except for food aid and for anti-terrorism assistance. Ironically, the coup leader is one of those who had already received U.S. counter-terrorism training – a sign that such skills can cut both ways – against enemies of Mali or against the duly elected government.

What can be done now that the rebels hold much of the country, al Qaida cells are roaming the desert, the president is in hiding and the rebel troops have ordered the air and land borders closed?

The regional grouping of 16 West African nations – ECOWAS – could be asked to intervene. It has previously taken on peacekeeping roles in the region.

The former colonial ruler France could send in troops to separate the warring sides – it was able to defuse the Ivory Coast conflict.

The African Union could authorize or assemble forces to intervene, separate the sides, restore order and hold new elections – albeit delayed by several months from the original schedule.

And the United States could play its Africom card, using the resources and good will of the U.S. Africa Command created under former President Bush. It is still based in Germany but has sent many training missions to work with friendly armies in Africa.

ABOUT THE WRITER

Ben Barber has written about the developing world since 1980 for Newsday, the London Observer, the Christian Science Monitor, Salon.com, Foreign Affairs, the Washington Times and USA TODAY. From 2003 to August, 2010, he was senior writer at the U.S. foreign aid agency. His photojournalism book — GROUNDTRUTH: The Third World at Work at play and at war — is to be published in 2012 by de-MO.org. He can be reached at benbarber2@hotmail.com.

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The Miami Herald

Wednesday, 28 March 2012

Scourge of child soldiers reaches around the globe

Recently in The Hague, the International Criminal Court, or ICC, found the Congolese warlord Thomas Lubanga guilty of recruiting and using child soldiers in the armed conflict in that country, sealing his fate as the court's first convicted war criminal.

At the same time, the viral video Kony 2012 seemingly has achieved its goal of making Joseph Kony, another rebel commander facing an ICC arrest warrant, notorious for his alleged crimes, including the abduction of an estimated 30,000 children for his Lord's Resistance Army. Millions of people have viewed the video, with millions more learning about Kony, who is still at large, through mainstream media coverage of the campaign.

Kony, Lubanga and Charles Taylor could be regarded as the three most infamous child soldier recruiters in the world today. Taylor, the former president of Liberia, is awaiting a verdict from the Special Court for Sierra Leone on charges of recruiting child soldiers and other crimes.

Together, the three may bear responsibility for forcing tens of thousands of children into brutal and deadly wars.

But the use of child soldiers extends far beyond Central and West Africa. Today, child soldiers are fighting in at least 14 countries, including Colombia, Myanmar (also known as Burma) and Afghanistan. In most of these cases, there have been no arrest warrants, no trials and no convictions for those responsible.

The United Nations has identified more than a dozen "persistent perpetrators," governments and armed groups that are known to have used child soldiers in active conflict for more than 10 years. The Revolutionary Armed Forces of Colombia, or FARC, rebels in Colombia, for example, have recruited children as young as 7 and forced them into combat. They execute fighters who try to desert.

In some cases, military recruiters not only escape punishment but are rewarded for bringing children into their forces.

On the Thailand-Burma border, I interviewed boys who had escaped from Burma's army. Some were only 11 years old when recruiters threatened or coerced them into joining the army. They said that when they arrived at the recruitment center, the commanders not only turned a blind eye to the boys' young age but gave the recruiters cash and bags of rice.

The situation in a few countries is becoming notably worse. In Afghanistan, the Taliban has stepped up its use of children for suicide attacks. In Somalia, the Islamist armed group Shabab has increasingly targeted children for forced recruitment, often abducting children as young as 10 from their homes or schools.

Lubanga's conviction is a landmark. But more action is needed to address the problem globally.

At the national level, governments need to crack down on commanders who recruit children. Burma has prosecuted some low-level soldiers but no high-ranking officers. In the Democratic Republic of Congo, not only is Bosco Ntaganda, one of six wanted by the ICC for recruiting child soldiers, still at large, but he has been promoted to the rank of general in the national army.

Other governments may be complicit in the use of child soldiers by other countries. The United States, for example, continues to provide military assistance to governments using child soldiers in their national forces, including the Democratic Republic of Congo and Yemen, despite U.S. laws prohibiting such aid.

Lubanga and Taylor are facing real consequences for their use of child soldiers. Kony, if apprehended, could also face decades in prison.

But the scourge of child soldiers reaches around the globe. To end the use of child soldiers, we can't stop with these three.

Jo Becker is the children's-rights advocacy director for Human Rights Watch. She has investigated the recruitment and use of child soldiers in Uganda, Burma, Sri Lanka, India and Nepal.

Read more here: <http://www.miamiherald.com/2012/03/27/2717423/scourge-of-child-soldiers-reaches.html#storylink=cpy>

The Human Rights Warriors

Tuesday, 27 March 2012

Justice Delayed Is Justice Denied for Cambodians

Monoram Hang was just 9 years old in April 1975 when Khmer Rouge soldiers forced his family from their home in Phnom Penh. His mother, weak from giving birth two days earlier, fell to her knees and begged for permission to wait for her husband to return from work so their family could leave together. The soldiers kicked her to the ground and ordered them out at gunpoint, forcing them to join the swollen river of people leaving Cambodia's capital. As Hang related, "At that time we walk, we don't know where we are going, we don't know where we end up. We just walk and walk. . . . And Khmer Rouge soldiers behind us and shoot from behind and force us to go."

Hang was lucky to survive; as many as two million Cambodians died in the "killing fields" of the Khmer Rouge regime. He found refuge in the United States, one of nearly 10,000 Cambodians now living in Minnesota—the country's sixth-largest home to Cambodians. Like Hang, most witnessed genocide and endured forced migration and labor camps under the Khmer Rouge.

1990: Minnesota Puts the Khmer Rouge on Trial

In 1990, Hang and other survivors testified at a mock trial of the Khmer Rouge leadership that was held at the State Capitol in St. Paul. The Advocates for Human Rights organized the mock trial with Minnesota's Cambodian community to give voice to the victims of Khmer Rouge atrocities. The panel of public officials serving as judges at the mock trial found the Khmer Rouge leaders guilty of genocide. The entire Minnesota Congressional Delegation issued a statement formally recognizing members of Minnesota's Cambodian community for their testimony and joined "the appeal to establish an international inquiry into crimes of genocide perpetrated by the Khmer Rouge between 1975–79. Well-established principles of international law require accountability and punishment for those responsible for genocide, the Khmer Rouge being no exception."

The mock trial was such a positive experience for the Cambodian community that The Advocates then created the Khmer Oral History Project, enlisting volunteer attorneys to interview Hang and other members of Minnesota's Cambodian community about their experiences under the Khmer Rouge, their life in refugee camps, and their immigration to the United States. Transcripts and video recordings of those interviews are available through the Minnesota Historical Society.

2012: Actual Justice Remains Elusive

Yet more than two decades after The Advocates put the Khmer Rouge on trial in Minnesota and Minnesota lawmakers called for accountability, one—and only one—Khmer Rouge leader has actually been brought to justice. In 2010, a hybrid United Nations-Cambodian tribunal, the Extraordinary Chambers in the Courts of Cambodia (ECCC), found Kaing Guek Eav responsible for the deaths of more than 14,000 people at the notorious S-21 prison and convicted him of crimes against humanity, murder, and torture. An ECCC appeals court last month increased his sentence to life imprisonment.

For survivors like Hang, justice delayed may be justice denied. Thirty-five years after the Khmer Rouge took power, only three additional leaders, all in their eighties, are answering charges in an ECCC "mini-trial." Additional mini-trials against the same elderly defendants will follow—if their health holds out. Proceedings against a fourth defendant have been stayed as she battles age-related dementia.

Cambodian Government Interference Perpetuates a Culture of Impunity

A recent dispute between UN and Cambodian authorities threatens to bring the ECCC's slow progress to a grinding halt. The Cambodian government, which is bidding for a rotating seat on the UN Security Council for 2013–2014, has made plain that it opposes any additional charges against other defendants. International co-investigating judge Siegfried Blunk resigned last October, complaining of government interference.

According to the painstakingly negotiated UN/Cambodian agreement establishing the ECCC, Cambodia's Supreme Council of the Magistracy was obligated to appoint reserve judge Laurent Kasper-Ansermet to replace Blunk. Kasper-Ansermet took his post in December, paying no heed to government efforts to obstruct justice and launching investigations against new defendants. In January, however, the Supreme Council rejected his appointment, and Kasper-Ansermet's Cambodian co-investigating judge has constantly contested his authority to investigate cases. UN Special Expert to the ECCC, David Scheffer, has emphasized to Cambodians on the court that Kasper-Ansermet has full authority to serve as the international investigating judge.

Last week, frustrated with the recalcitrance of his Cambodian colleague and the resulting “dysfunctional situation within the ECCC,” Kasper-Ansermet tendered his resignation. He did so in view of “the victims’ right to have investigations conducted in a proper manner.” The UN has voiced “serious concern” at the developments prompting Kasper-Ansermet's departure.

Hang and other victims of the Khmer Rouge have waited too long for justice. For their sake, it is time to ensure that the work of the ECCC goes forward to hold the perpetrators of horrific crimes against humanity accountable. United States lawmakers should join California Representative Ed Royce in calling for more trials and an end to the Cambodian government's culture of impunity.

Further, the United States, which has contributed more than \$6.7 million to the ECCC, should demand that the Cambodian government cease its interference in the proceedings. Unless the meddling ends, Cambodia has no place at the table on the Security Council.

This commentary was written with Amy Bergquist and originally published as an op-ed in MinnPost. Justice delayed may be justice denied for Minnesota