

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



Congratulations to the Principal Defender on her appointment to the Advisory Board of the International Centre for Transitional Justice.

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:

Tuesday, 11 December 2012

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217

Local News

\$14 M For Charles Taylor's Appeal / <i>The Exclusive</i>	Page 3
Special Court Running Out of Funds / <i>Awareness Times</i>	Page 4
Statement by UN ERSG On International Human Rights Day / <i>The New Storm</i>	Pages 5-6

International News

ICTJ Appoints Fatmata Claire Carlton-Hanciles to its Advisory Board. / <i>ICTJ</i>	Page 7
Rwanda Complains to UN Over Convicts' Lavish Life / <i>The New Times</i>	Pages 8-9
Sweden's 'Unprecedented and Unique' Genocide Trial / <i>Publicserviceeurope.com</i>	Page 10
The Many Troubles of the ICC / <i>The National Interest</i>	Pages 11-14
Senegal Trial of Chad Dictator Operational Soon / <i>The Associated Press</i>	Page 15

\$14m for Charles Taylor's appeal

With the appeal case of former Liberian warlord and president, Charles Taylor, still pending, Sierra Leone's Special Court is going to run out of money in December says UN Secretary General Ban Ki Moon. In an appeal to the Security Council for \$14 million for Charles Taylor's appeal, Moon said that the international community will have issues if it doesn't make the funds available.

"As I have said before, the legacy of the Special Court and the progress that has been made towards ensuring accountability and restoring peace and security in Sierra Leone and the region would be at risk."

If there is no money for the Special Court it means it has out run its purpose. However, it is rather alarmist of Moon to suggest that the region and Sierra Leone will be at risk if the Special Court doesn't get funds. Quite frankly the biggest fall-out from the court if it doesn't get the grant it needs is that those who are now employed by the court will face immediate unemployment.

The risk that Moon invokes does not exist. Sierra Leone just had its third peaceful elections since the war ended in 2002. That the court is still in operation 10 years since it was set up is a sign of its ineffectiveness.

Special Court Running out of Funds

The Special Court for Sierra Leone will soon run out of funds and will not be able to meet the necessary contributions to complete its works. The United Nations Secretary General, Ben Ki- Moon has said that if the Court runs out of funds it will not be able to complete the appeals trial of former Liberian President, Charles Taylor.

The New Storm

Tuesday, 11 December 2012

Statement by Mr. Jens Anders Tøyberg-Frandzen, Executive Representative of the United Nations Secretary-General, on the 2012 International Human Rights Day celebration

2012 theme: "Inclusion and the right to participate in public life"

Excellencies,

Distinguished guests,

Ladies and gentlemen,

Only three weeks ago, the people of Sierra Leone took to the polls in large numbers to cast their ballots on the future of this country.

The world watched closely as men, women, young people, the disabled – people from all walks of life – made their voices heard clearly... and peacefully.

It is to these people – and to those everywhere who take part in public service – to whom we dedicate this year's observance of International Human Rights Day.

As you know, the theme of this year's celebration is "inclusion and the right to participate in public life" – rights which are enshrined in the Universal Declaration of Human Rights.

This document was adopted by the United Nations General Assembly more than six decades ago, but its relevance remains unabated today.

Did you know that the Guinness Book of World Records has recognized the Declaration as being the most widely translated document in the world?

You can read it in more than 380 languages and dialects, ranging from Mandarin Chinese – which has some one billion speakers – to the nearly-extinct Pipil dialect, which is spoken by fewer than two dozen people in Central America.

As the Declaration says, everybody has the right to have their voice heard and to have a role in making the decisions that shape their communities.

Everyone should be able to choose the people to represent us in government, to stand for public office and to vote on the fundamental issues that shape our destinies.

It is essential that each and every single one of us has the opportunity to join in the debate, to offer ideas, to campaign for change... to participate.

Many groups – such as women, people living with disabilities, minorities, indigenous peoples, and those living in remote and rural communities – continue to be left out of this process due to discrimination or lack of access to education.

For example, in many communities, women are still excluded from making decisions affecting their lives.

Here in Sierra Leone, despite efforts by women's groups and civil society organizations in the lead-up to the elections, the Gender Equality Bill was not adopted by the Parliament.

And while many women all over the country took to the polls on election day, only 15 women were elected to Parliament out of 124 seats.

People living with disabilities have also long been ignored in public life, but they are now campaigning to be included.

Last year, Sierra Leone took big steps to further this by ratifying the International Convention on Persons with Disabilities and by adopting the Disability Act. It also set up a Disability Commission. However, even with these moves, those living with disabilities are still not fully involved. As we saw in last month's elections, they had problems with accessing polling stations, those who are visually impaired did not have tactile ballots, and there was limited voter education.

So on this International Human Rights Day, I challenge each and every one of you to reaffirm your right to voice your opinion and to take part in public debate and decision-making processes without shame or fear.

What avenues can you take to achieve this?

You can exercise your rights by serving as a member of a legislative body or by holding executive office.

You can participate – directly or indirectly – by electing your local representatives, members of Parliament, and the leader of your country.

You can also take part in popular assemblies set up to take decisions on local issues.

International Human Rights Day is not just an opportunity to celebrate human rights. It is also a Day to remind ourselves of our collective responsibility – as demanded by the Charter – to defend human rights, not just for ourselves as individuals, but for all people.

Thank you very much.

ICTJ

Friday, 7 December 2012

ICTJ is pleased to announce that Fatmata Claire Carlton-Hanciles has joined its Advisory Board.

Mrs. Carlton-Hanciles is currently the Principal Defender, The Special Court for Sierra Leone (SCSL). Appointed in 2009, she is the first Sierra Leonean to hold this position. She first joined the Special Court in 2003 as Legal Officer/Duty Counsel in the Office of the Principal Defender.



Mrs. Carlton-Hanciles has many years of leadership experience in Sierra Leonean civil society on issues related to human rights and transitional justice. She is a member of the Sierra Leone Bar Association and the Lawyers Committee for Human Rights (Sierra Leone). She also serves as Legal Adviser to the Sierra Leone Women's Forum and the Planned Parenthood Association of Sierra Leone and brings with her extensive experience in issues relating to sexual and gender-based violence.

Mrs. Carlton-Hanciles holds a double bachelor's degree from the University of Sierra Leone in Arts and Law, and in 1997, was called to the Bar as a Barrister and Solicitor. Mrs. Carlton-Hanciles is also currently a Fellow of the Sierra Leone Institute of International Law.

The New Times (Kigali)

Monday, 10 December 2012

Rwanda Complains to UN Over Convicts' Lavish Life

By Edwin Musoni,

Following reports unveiling the lavish lifestyle enjoyed by Genocide convicts incarcerated in Mali, Rwanda's Permanent Representative at the UN presented a formal complaint to the Security Council.

The convicts, who are serving varying sentences handed to them by the International Criminal Tribunal for Rwanda (ICTR), are mainly key architects of the Genocide against the Tutsi which claimed over a million people.

Addressing the UN Security Council on the 'Report of The ICTR', Ambassador Eugene-Richard Gasana said; "Rwanda, while deeply concerned by the political, security and humanitarian situation in Mali, is also alarmed by information according to which Genocide convicts who were transferred to Mali to serve their sentences are living a lavish life and running businesses."

Recently The New Times reported that the convicts, including the former Prime Minister of the genocidal regime, Jean Kambanda, run businesses and are also believed to have special helpers who are not part of the prison arrangement working for them in their cells.

"The convicts are allowed to move out of their cells unguarded to visit their friends and families. We call upon International Residual Mechanism of the Criminal Tribunals (IRMCT) to investigate this serious matter and, if confirmed, to take appropriate measures to end this situation, including reviewing the sentence enforcement agreement with Mali," said Gasana, who was recently promoted to cabinet minister ahead of Rwanda's assumption of its position on the UN Security Council.

The convicts are in Koulikoro Prison, located just outside Bamako.

Established by the UN, the MICT is an organ mandated to carry out essential functions and to maintain the legacy of the Criminal Tribunals for Rwanda and for the former Yugoslavia.

Similarly, in his opinion, an independent Rwandan legal practitioner, Andre Martin Karongozi, who is conversant with the operations of the ICTR and the state of the tribunal's prisoners, said that it would not be a surprise if prisoners were indeed running business.

"We have to first note that the lawyers who defend these people are paid exorbitantly, also, previously, there were cases where an ICTR prisoner could set conditions for the defence lawyer to share the lawyers' payments and in this way they could acquire money, so it would not be a surprise to me if they are running business," said Karongozi.

He hastened to add that some prisoners at the ICTR could even pay investigators just to leak information to them.

"It is also important to consider that they are held in a poor, corrupt and insecure country. They would definitely take advantage of that," said Karongozi.

MICT has neither denied nor confirmed the reports.

"I am not in a position to provide any further detail on security matters. Mali has been a State of enforcement for ICTR sentences since 2001. The conditions of detention of the ICTR convicts in Mali have been regularly inspected by a highly reputable international monitoring body," an email sent last week by MICT Registrar, John Hocking to The New Times reads in part.

Among the prisoners serving their sentence, eight of them are serving a life sentence and these are; Jean Kambanda, Jean Paul Akayesu, Mikaeli Muhimana, Alfred Musema, Ferdinand Nahimana and Jean de Dieu Kamuhanda.

Others serving different sentences include Sylvestre Gacumbitsi and Samuel Imanishimwe (30 and 27 years), while Paul Bisengimana, Obed Ruzindana and Laurent Semanza were sentenced to 25 years each.

Omar Serushago is serving 15 years.

Publicserviceeurope.com

Monday, 10 December 2012

www.publicserviceeurope.com

Sweden's 'unprecedented and unique' genocide trial

By Morvary Samaré

The process of reconciliation and the road to justice for the victims of the Rwandan genocide is one that continues – and the latest development is Sweden's first genocide trial

A case involving a 54-year-old Rwandan man with Swedish citizenship charged with taking part in the 1994 genocide opened last month in Stockholm District Court. According to prosecutor Magnus Elving, the accused allegedly took part in four massacres in western Rwanda that resulted in the deaths of thousands of people. Elving has further stated that this is the most serious crime ever investigated by Swedish police. However, he denies all the allegations against him.

Sweden rejected requests to extradite the man to Rwanda as he has been a Swedish citizen since 2008. The trial will last until May 2013, during which time hearings will be held both in Kigali as well as in Stockholm. At present a Swedish delegation is in Rwanda to hear the accounts of witnesses, until December 20. The second session of hearings will commence in January and last until March 2013. If convicted, the accused would be facing up to life in prison.

Although Sweden has previously investigated cases relating to war crimes, this is the first genocide case in the country and as such it is unprecedented and unique. Sweden has in recent years made attempts to step up the fight against suspected war criminals residing in the country. In 2007 the Swedish police launched a special war crimes unit with a specific focus on investigating war crime cases. This was done in an effort to stop the country from becoming a safe haven for potential war criminals.

Elisabeth Löfgren, from Amnesty International Sweden stated in an interview with the Swedish radio that "the trial demonstrates Sweden's international responsibility" and that "the crimes haven't occurred here but if someone is in Sweden it is important to show that there is no sanctuary here, that justice will catch up with you."

The man has already been dealt a lifetime sentence in absentia in Rwanda in the so called 'Gacaca' trials. Gacaca trials were community courts set up to deal with the backlog which the judicial system faced after the genocide. According to Human Rights Watch, more than 1.2 million cases have been tried in Gacaca courts since 2005, and according to government figures 65 per cent of those tried were found guilty.

The International Criminal Tribunal for Rwanda was set up in Arusha, Tanzania to try the people responsible for the genocide. However, this left hundreds of thousands accused of having taken part in the genocide and so the Gacaca courts were set up to deal with this significant backlog. It is esteemed that more than 800,000 people lost their lives between April and June of 1994, leaving the country in ruins. The victims were the Tutsi ethnic minority but also politically moderate Hutus.

This has marked the ending of several of the judicial processes relating to the genocide of 1994 in Rwanda. The work of the Gacaca courts was completed earlier this year and the work of the International Criminal Tribunal for Rwanda is expected to come to an end this year. Nevertheless the process of reconciliation and the road to justice for the victims of the genocide is one that continues.

Morvary Samaré is the co-founder of Ramz Media, a documentary production company which focuses on global human rights issues

The National Interest

Friday, 7 December 2012

The Many Troubles of the ICC

Kyle T. Jones

When the International Criminal Court was first formed in 2002, many feared that it would become too powerful. It turns out that the problem with the ICC is not that it is too powerful, but that it is too weak.

One reason the U.S. government was reluctant to sign the treaty establishing the court was that it feared that American soldiers would be tried by the court for what some on the left view as war crimes. The Israelis had similar concerns. Others feared a court that could use the armed forces of one nation to go after criminals in another, take them to be tried in a third, and imprison any convicted in still another, as if there were a world government. There also was fear that these alien tribunals would adopt alien or hybrid procedures to railroad the defendants in service of some new mega-criminal law.



In reality, its own bureaucracy has kept the ICC from becoming anything approaching tyrannical—let alone effective. Procedural and substantive deficiencies have marred the work of the court, leading to lengthy delays and frustration. In ten years of existence, the ICC has opened formal investigations into 28 of the most serious atrocities and has conducted cases against a number of the alleged perpetrators. Yet, as John Bellinger recently noted [3] in the Washington Post, it has completed just one, raising concerns regarding the effectiveness of the court.

Given the complex and often political nature of international trials, some delay is to be expected. But the glacial proceedings that are now commonplace pose three serious problems. The first concern is a practical one: long trials are expensive, and they consume resources with such veracity that international tribunals are often unable to carry a sizable caseload or deal swiftly with new crises. The second concern verges on the philosophical. Criminal courts across the globe recognize the basic right of accused persons to trial with undue delay; however, international tribunals' demonstrated inability to assure this right threatens both their functionality and their perceived legitimacy worldwide. The third concern is utilitarian: that the international tribunals' inefficiency may ultimately undermine whatever deterrent effect they have on the world's most malevolent wrongdoers.

Justice delayed is indeed justice denied, not just to the accused and their past victims, but also to the present and future victims of wrongdoers who might be deterred by swifter justice. But the delays that have plagued the ICC and companion courts are not inevitable. The concerns that have been raised can be substantially addressed by a number of relatively modest changes in procedure and in the courts' approach to obstructive defendants.

Complicated Procedures

A June 2011 report [4] by the War Crimes Research Office at American University's Washington College of Law catalogued a plethora of procedural issues facing the ICC, painting a picture of a Court in real disarray. The delays start even before trial. Judges in pretrial chambers in international proceedings

sometimes take months to respond to applications for warrants of arrest or issue summonses. Leaving suspected war criminals at large while the court dithers over such applications not only disillusion those who look to international courts to mete out justice, but also gives alleged criminals the chance to escape their grasp.

This delay, however, is among the easiest to cure. As the report notes, the International Criminal Tribunals for the former Yugoslavia and Rwanda and the Special Court for Sierra Leone have substantially streamlined their processes, permitting the approval of indictments and the issuance of arrest warrants on short notice, even in cases against high-profile offenders. Permitting single judges to approve indictments, or decide when the issuance of a warrant is appropriate (rather than panels), and simply setting (and enforcing) deadlines for judges to make them issue warrants more quickly can make a significant difference.

A more difficult source of delay is too few judges. The obvious solution to this problem is the appointment of additional judges, but this solution can be expensive. (Indeed, as the Financial Times recently noted, ICC judges receive an annual tax-free salary of €180,000 [more than \$230,000]). Thus, some courts elect “ad litem judges” – judges assigned to a particular case for its duration—from the regions involved in pending proceedings. This solution not only can reduce delays that otherwise arise from the need for interpretation—it can also shore up a tribunal’s perceived legitimacy, as the presence of local jurists can quiet the local public’s fears of bias and foreign interference.

Yet, even when the pool of judges may be sufficient, requirements for collegial decision-making by “panels” for the most uncontroversial administrative portions of a proceeding can so drain the pool that scheduling more than a handful of cases at a time is a pipedream. For this problem, the reform is obvious—permit more single-judge decisions—but it comes at a cost in legitimacy and, some would say, accuracy. This cost can be reduced by allowing interlocutory appeals (appeals before a final judgment) of errant single-judge decisions, but this cure may be also be worse than the disease because of the delay it entails.

Another major source of delay is the international criminal courts’ preference for live testimony. This makes sense where key evidence is testimonial, not documentary, for live witnesses can be cross-examined by opposing parties and observed by the judges (international criminal courts do not use juries). However, a significant amount of the evidence in international criminal trials often relates to background events, jurisdictional prerequisites, and impact on victims, all matters collateral to the conduct of the accused. Documentary evidence, or testimonial evidence in the form of depositions taken outside the court, will often suffice to prove these matters.

The courts have also lengthened trials by adopting restrictive rules concerning witnesses, such as rules banning “witness proofing”—a lawyer’s reviewing of testimony with witnesses before their appearance in court. While such a ban is intended to reduce witness tampering, it also increases surprise, sometimes necessitating the recall of a witness after she has recanted testimony or breaks in testimony following the witness’s emotional breakdown, delays that could be avoided or reduced by liberalized rules about witness preparation before trial. Bans on leading questions are also common in international criminal tribunals. But leading questions are the most efficient way to bring out essential background and other non-contentious evidence and to elicit direct and succinct responses on cross-examination. These restrictions all force the courts and parties to take the long way around, even if they arrive, at length, at the same place.

Some rules are already in place to reduce these kinds of delays. As the American University report points out, the ICC’s governing documents make some exceptions to the general presumption in favor of in-court witness testimony. The Rome Statute allows for *viva voce* (oral) or recorded testimony of a witness by means of video or audio technology, as well as the introduction of documents or written transcripts,” and the ICC’s Rules of Procedure and Evidence provide that a Trial Chamber may allow the introduction of

previously recorded audio or video testimony of a witness (or the transcript or other documented evidence of such testimony), as long as both parties had the opportunity to examine the witness when the recording was made, or the witness is available for live examination (and his testimony is essential). That said, the ICC's Trial Chambers have yet to make much use of these provisions.

Finally, too many interlocutory appeals are yet another cause of delay in international criminal cases. Trial courts start the problem by waiting far too long to decide parties' requests for permission to seek interlocutory appeal. The appeals chambers then often take months to decide the issues they review, during which the trial below is often stayed. Ironically, moreover, notwithstanding these inordinate delays, the resulting opinions are often so brief and conclusory that they offer insufficient guidance to the lower courts, possibly inviting new errors and future appeals on the same or similar subjects. The interlocutory appeals process, in other words, labors mightily (and at length) without offering much, if anything, by way of systemic guidance.

The clearest solution would be to take a leaf from the U.S. federal judicial system and strictly limit the availability of interlocutory appeal. The "final judgment rule" generally requires parties in federal court to wait until a final judgment before appealing, thus mooting many appeals and economizing on the rest by making the appellant "save up" its claims of error for one try. At the same time, there are some cases in which interlocutory appeal could speed the case if an immediate appellate decision could either avert a long and expensive trial or significantly alter the substance of that trial. Any limitation on interlocutory appeal should ideally leave room for exceptions for such cases (as, indeed, the U.S. system does by statutory exception). Alternatively, the international criminal courts could at least impose time limits on both decisions on requests for leave to appeal and on the resulting appeals themselves. More problematically, it could perhaps encourage appeals chambers to provide more substantive reasoning for their decisions, so that any delays caused by the appellate process contribute to more expeditious proceedings in the long run.

Difficult Defendants

Many delays in international criminal tribunals are caused by the attempts of accused persons to disrupt or boycott the proceedings. This oft-employed tactic has triggered two very different types of responses from international tribunals.

The more extreme response (but the one that typically results in the least delay) is to require defense counsel to continue to represent the accused as though he were acting under the accused's instruction, but without his actual cooperation. For example, after a series of adverse rulings in the trial of Jean-Bosco Barayagwiza, a former Rwandan official who faced genocide charges before the International Criminal Tribunal for Rwanda (ICTR), a frustrated Barayagwiza fired his assigned lawyers and refused to attend any further hearings, telling the tribunal that it was incapable of rendering "independent and impartial justice."

But when the fired lawyers filed a motion to withdraw, the ICTR denied the withdrawal motion because the tribunal's rules only permitted withdrawal only "in the most exceptional circumstances." The Chamber declared that its decision was "in the interest of preserving the Accused's rights," in hopes that Barayagwiza would change his mind after "further reflection." When this hope was dashed, his attorneys refiled their motion, now arguing that continued representation of Barayagwiza would violate the ICTR Code of Conduct, as well as many national ethical codes that forbade attorneys from representing clients who have terminated their mandate. The ICTR again rejected their motion, noting that Barayagwiza's lawyers were not obligated to recognize their firing when it was part and parcel of his attempt to boycott the proceedings. It cited the ICTR's Rules and Code of Conduct, which required court-appointed counsel to "ensure that the Accused receives a fair trial" by "mount[ing] an active defence in the best interest of the Accused." The ruling avoided the delay that appointing new counsel, or letting the accused represent

himself, would cause, but only at the cost of a shotgun wedding between the accused and the lawyers he wanted to fire.

Some, like Southern Methodist University's Jenia Iontcheva Turner, cite the Barayagwiza case as an example of an international tribunal that has gone too far to prevent delay. Indeed, locking a reluctant accused to assigned lawyers over his objection violates codes of conduct which often require that attorneys cease their representation after being discharged by a defendant. It also leads to a serious conflict of interest: attorneys must simultaneously consider their clients' interests and satisfy the demands of the tribunal. Additionally, a discharged attorney's continued "representation" of a defendant can create the dangerous illusion that the defendant's interests are being defended, when in reality the defendant is taking no role in his own defense.

A more forgiving, but also more dilatory, response to such tactics by the accused is to appoint "standby counsel" (sometimes called "amici curiae") to replace the counsel fired by the boycotting defendant. Standby counsel take over with the understanding that they are merely representing the accused's interests in the abstract—the accused's objective interests as standby counsel see them. Supporters of this approach argue that the "standby counsel" label makes the mandate of such attorneys clear to the public, the defendant, and (perhaps most importantly) to the attorney himself. But "reading in" the new lawyers also can take substantial time, often in the middle of trial. Appointing standby counsel may therefore simply substitute one delay for another.

It also does not necessarily avoid or reduce the delay caused by obstructive behavior of the boycotting defendant. Perhaps the most effective response to such a defendant is to find that he has "forfeited" certain fundamental rights by his behavior. Those rights and procedural protections are an amalgam of generally-shared due process principles from across the globe and are often the product of an uneasy marriage of common law and civil law rules. For example, an uncooperative defendant may be denied the right to counsel of his choice, or the right to represent himself. Defendants who threaten or harm witnesses may be denied the right to confront witnesses. Boisterously disruptive defendants can even be evicted from court and tried in absentia.

But international courts are usually reluctant to take away the already-diluted rights afforded to criminal defendants. They fear that stripping rights from the accused (even for good cause) will merely delegitimize the judicial process, which is exactly what the obstructive accused is seeking. These tribunals maintain that "the integrity of the proceedings" must ultimately be protected "to ensure that the administration of justice is not brought into disrepute." They also often require that responses to disruptive behavior must be proportional to the offense. In other words, curbing the obstructive defendant is always a delicate balance between delegitimizing the process and tolerating delay and diversion.

A Long Road to Reform

Much work remains before international criminal tribunals are truly a "finished product." Partly self-inflicted procedural delays and histrionic obstruction by accused parties currently serve as severe impediments to achieving the speed and efficiency that mark the best criminal justice systems.

But the impediments need not be permanent, as proposals by scholars and incremental reforms by the courts themselves suggest: justice can be done without delay, even if it will take time to figure out how to do so.

Kyle T. Jones is a third-year student at the George Washington University Law School and a member of the George Washington International Law Review.

The Associated Press

Friday, 7 December 2012

Senegal trial of Chad dictator operational soon

By CAROLE BACH CHAITOU

DAKAR, Senegal (AP) — Victims of Chad's ex-dictator may finally have their day in court, as a tribunal set-up to try the former leader is due to become operational in Senegal soon, human rights experts said Monday.

The special court created in Senegal in order to try Hissene Habre, who was exiled here, may start its proceedings later this month, said Reed Brody, a lawyer for New York-based Human Rights Watch.

Senegal's National Assembly is expected to hold an emergency meeting to discuss the case, said Alioune Tine, head of a West African human rights association.

Habre was the president of Chad from 1982 until 1990, when he was deposed in a coup. He is accused of mass atrocities and in 1992, the Chadian Truth and Reconciliation Commission provided evidence indicating he had carried out some 40,000 political murders. He fled to Senegal, and for more than 21 years, the country has dragged its feet on bringing him to justice.

He is seen as a test case for whether Africa can finally try one of its own. All other leaders accused of abuse that have faced proceedings, including ex-Liberian warlord Charles Taylor and former Ivory Coast strongman Laurent Gbagbo, have done so at the aegis of international tribunals, like the International Criminal Court in the Hague.

In Chad, the head of an association of victims under Habre's regime, Clement Abaifouta, said he is anxiously awaiting the trial and feels that he cannot resume his life until the man that he accuses of torturing him is behind bars.

Abaifouta was a student during Habre's reign. He had just won a scholarship to study medicine in Slovakia and was getting ready to leave for the airport, when security forces broke into his house and arrested him. An uncle living abroad had criticized Chad's regime, and Abaifouta said they came for him since they could not arrest his relative.

Abaifouta said he was thrown into jail, and they beat him every day. When his meals were served, guards mixed sand into his food, to make it impossible for him to eat. He was incarcerated for four years.

"I am waiting for one thing only, that he (Habre) be condemned so that I can find my life force again," said Abaifouta. "My life and my future was completely destroyed."