

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



Zainab Lagara, Senior Secretary for Trial Chamber II, died this morning in Tanzania. May she rest in perfect peace.

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:

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Press clips are produced Monday through Friday.
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Awoko

Tuesday, 17 May 2011

International Tribunal Prosecutors call for complete independence



L-R Fatou Bensouda ICC, Brenda Hollis Special Court for Sierra Leone, Serge Brammertz ICTY and Andrew Cayley ECCC

International Tribunal Prosecutors call for complete independence

By Betty Milton

As most of the cases being prosecuted by different international tribunals are coming to an end, there has been a call for complete independence of the work of the Prosecutors as it is an important component in their work.

Six Prosecutors from different International Tribunals: the Special Court for Sierra Leone [host], the International Criminal Tribunal for the former Yugoslavia, Extraordinary Chambers in the Courts of Cambodia, International Criminal Court, International Criminal Tribunal for Rwanda and the Special Tribunal for Lebanon, met in Freetown during the Sixth Colloquium.

Briefing journalists at a press conference over the weekend at the Hotel Barmoi, the Chief Prosecutor of the Special Court for Sierra Leone, Brenda Hollis, said the Sixth Colloquium focused on the issues they are facing

and as most of the courts are closing down, they want to complete their mandate.

She added that there are issues and implications to their work that they want to solve before the closure of their work, saying that the two-day deliberation was successful "we had an active involvement from civil societies and other bodies"

Brenda Hollis explained that some of the issues highlighted during the meeting were that the Prosecutors need to be independent in carrying out their work as this is essential in the "exercise of our mandate. We are therefore calling on all parties to recognize and support that independence."

Another issue which, she said, they discussed was that "states need to locate, arrest and transfer fugitives to the International Criminal Courts and Tribunals whose closures are fast approaching."

For Sierra Leone, such fugitive include former leader of the Armed Forces Revolutionary Council (AFRC) Johnny Paul Koroma who fled the country even before his indictment was served to him.

The Sixth Colloquium further raised the issue of witness testifying before the Court to be free to testify without fear or favour and their personal safety and security will be endangered as their testimony is a success to the trials.

They urged national authorities to ensure full commitment to the end of impunity and to eliminate safe havens for those suspected or indicted for international crimes. They also stressed the need to maintain sufficient resources to effectively and efficiently complete their mandates.

The Colloquium further stressed that there is need for the establishment of effective residual

mechanism with sufficient political and financial support from the international community to enable them fulfill their function. Serge Brammertz, Prosecutor of the International Criminal Tribunal for the former Yugoslavia, said they come together once a year to share experience and problems and look for common answer. He said that they are looking for joint solution to a global problem.

He commended the Special Court for Sierra Leone's Outreach programme and also how information is disseminated, "we have learnt a lot and we have learnt from it."

Fatou Bensouda, Deputy Prosecutor of the International Criminal Court (ICC), said that the ICC is the only permanent court and it stands to gain more from this deliberation.

She said it is very important that this Colloquium be held every year as it is very beneficial for the ICC which is the only permanent court.

Andrew Cayley, Co-Prosecutor Extraordinary Chambers in the Courts of Cambodia, revealed that the court in Sierra Leone is similar to the one in Cambodia and they have similar problems. One of the problems they are faced with is that of funding to keep the court running. He said they have few years left but they have learnt a lot from this Sixth Colloquium.

SPECIAL COURT FOR SIERRA LEONE

OFFICE OF THE PROSECUTOR

SIXTH COLLOQUIUM OF INTERNATIONAL PROSECUTORS JOINT STATEMENT

WE THE PROSECUTORS, respectively, of the host institution - the Special Court for Sierra Leone (SCSL), the ad hoc International Criminal Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR), the Extraordinary Chambers in the Courts of Cambodia (ECCC), the Special Tribunal for Lebanon (STL) and the permanent court - the International Criminal Court, following constructive discussions during the Sixth Colloquium of International Prosecutors convened in Freetown, Sierra Leone on the 14th and 15th of May 2011;

CONFIRM the importance of the expeditious and effective completion of our mandates, on behalf of the victims in the affected communities that we serve, by bringing to justice those who committed serious violations of international humanitarian and criminal law
REITERATE that the international criminal justice process is an essential element in combating impunity, including for crimes against women and children, strengthening the rule of law, engendering respect for human rights and maintaining peaceful and stable societies

REITERATE ALSO the fundamental requirement that all remaining and future cases involving international crimes be conducted in accordance with the relevant provisions of due process and universal principles of justice

EMPHASISE that the independence of the prosecutors is essential in the exercise of their mandate and call on all parties to recognize and support that independence.

EMPHASISE ALSO the critical importance of witnesses to the success of all the trials and the imperative that these witnesses be free to testify without fear that their personal safety and security will be endangered
STRESS the urgent need to locate, arrest and transfer fugitives to the international criminal courts and tribunals whose closures are fast approaching

URGE national authorities to ensure full commitment to the end of impunity and to eliminating safe havens for those suspected or indicted for international crimes

RECOGNISE the essential support and cooperation of States in enabling international criminal courts and tribunals to pursue their respective mandates

ACKNOWLEDGE the critical contribution of vibrant civil society movements in the fight against impunity.

STRESS the need to maintain sufficient resources to effectively and efficiently complete our mandates
ALSO STRESS the need to establish effective residual mechanisms which are provided with sufficient political and financial support from the international community to enable them to properly fulfill their functions and have the capacity to: establish and operate an effective regime of protection and support to victims, witnesses and confidential sources and that access to such a regime is assured provide timely and effective access to the public records of the courts and tribunals whilst continuing to protect sensitive and confidential information, especially information which could jeopardize the security of witnesses and confidential sources continue to disseminate information about its mandate and its activities and continue to engage with relevant national authorities consider the views of the prosecutors in all matters that affect pardon or commutation of sentence, security of witnesses and challenges to convictions and sentences

COMMIT to support and cooperate with national authorities to build their capacity to investigate and prosecute international crimes to the extent possible within our limited resources and primary mandates.
 Brenda J. Hollis, Prosecutor Special Court for Sierra Leone

Serge Brammertz, Prosecutor International Criminal Tribunal for the former Yugoslavia

Andrew Cayley, Co-Prosecutor Extraordinary Chambers in the Courts of Cambodia

Fatou Bensouda, Deputy Prosecutor representing Luis Moreno-Ocampo, Prosecutor, International Criminal Court

Richard Karegyesa, Chief of Prosecutions representing Hassan Bubacar Jallow, Prosecutor, International Criminal Tribunal for Rwanda

Daryl Mundis, Chief of Prosecutions representing Daniel A. Bellemare, Prosecutor, Special Tribunal for Lebanon

FREETOWN, SIERRA LEONE

15 May 2011

'ARREST FUGITIVES'

- Special Court Demands



Special Court for Sierra Leone

By Dennis Jones

The Special Court of Sierra Leone with other Prosecutors of the International Criminal Tribunal (ICT) for Rwanda, Cambodia, Yugoslavia and Lebanon on Sunday 15th May 2011 held a press conference at Hotel Barmoi, Aberdeen in Freetown.

According to the Prosecutors, following constructive discussions during the Sixth Colloquium of International Prosecutors in Freetown from 14th - 15th May 2011, confirmed the importance of the expeditious and effective completion

of their mandates, on behalf of the victims in the affected communities that they serve, by bringing to justice those who committed serious violations of International humanitarian and criminal law.

Contd. on page 10

They reiterated that the international criminal justice process is an essential element in combating impunity, including for crimes against women and children, strengthening the rule of law, engendering respect for human rights and maintaining peaceful and stable societies.

The Prosecutors also reiterated the fundamental requirements that all remaining and future cases involving international crimes be conducted in accordance with the relevant provisions of due process and universal principles of justice with emphasis on the urgent need to locate, arrest and transfer fugitives to the international criminal courts and tribunals whose closures are fast approaching.

The critical significance of witnesses to the success of all the trials and the imperative that these witnesses be free to testify without fear that their personal safety and security will be endangered was also highlighted.

The Colloquium also urged national authorities to ensure full commitment to end impunity and eliminate safe havens for those suspected or indicted for international crimes.

Recognizing the essential support and cooperation of States in enabling International Criminal Courts and tribunals to pursue their respective mandates was further underscored.

Recognizing the essential support and cooperation of States in enabling International Criminal Courts and tribunals to pursue their respective mandates was further underscored.

Acknowledging the critical contributions of vibrant civil society movements in the fight against impunity was stressed as well as the need to maintain sufficient resources to efficiently complete the mandates of all the courts.

"The need to establish effective residual mechanisms which are provided with sufficient political and financial support from the international community to enable them properly fulfill their functions and the

Premier Media
Tuesday, 17 May 2011

Sierra Leone Has Benefited From Special Court

-Joseph Kamara

The Commissioner of the Anti-Corruption Commission (ACC), Joseph Kamara has noted at the sixth colloquium of International Prosecutors on Saturday at the Special Court for Sierra Leone (SCSL) that Sierra Leone has benefited immensely from the court.

By Alpha Bedoh Kamara

The colloquium, which is held regularly, brings together prosecutors from the world's six international criminal tribunals to look at best prosecution practices and focus on necessary steps to close the courts, as several of them are near the completion of their mandates.

"We welcome you all to our little home. Through the international criminal justice system in Sierra Leone, we have benefitted a lot from the peace we now have and the improvement of our justice system," he said, adding that as they gather together Sierra Leoneans thank the prosecuting delegation for the support given to the United Nations to bring peace to Sierra Leone.

"We are confident in the peace we've established in Sierra Leone and the sub-region, and we are confident enough to initiate the trial of Charles Taylor," he said. He said with the establishment of the Special Court for Sierra Leone, Gender Acts, Devolution of Estate Act, and Child Rights Act, among others are now in the law books.

Among the dignitaries at the colloquium were Justices John Kamanda, Gelega King and Ambassador Steven Rapp, ICTY prosecutor, Serge Brammertz, ICTR prosecutor, Justice Hassan Bubacar Jallow, International Co-Prosecutor, Andrew Cayley of the Extraordinary Chambers in the Court of Cambodia, STL Chief of Prosecutions Daryl Mundis, and Deputy Prosecutor of the permanent International Criminal Court, Fatou Bensouda.

The host of this year's colloquium, Prosecutor Brenda J. Hollis, said it is significant that the colloquium is being hosted by the SCSL because it will be the first international court to complete its mandate and transition to a residual mechanism.

Mr. Stephen Rapp who succeeded Desmond de Silva to become the third Chief Prosecutor of the Special Court for Sierra Leone said Sierra Leoneans

suffered lots of atrocities, especially women and children, and that bringing the perpetrators to justice will give hope to the victims.

He said impunity should never be allowed to dictate the lives of people worldwide and that putting to trial perpetrators of heinous crimes against humanity is to tell the world that everyone has a right to live.

Rapp directed the prosecution of former Liberian President Charles Taylor and others alleged to have violated international criminal law during the Sierra Leone Civil War.

The Special Court for Sierra Leone was set up jointly by the Government of Sierra Leone and the United Nations with a mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996. Thirteen indictments were issued by the Prosecutor in 2003. Two of those indictments were subsequently withdrawn in December 2003 due to the deaths of the accused.

The trials of three former leaders of the Armed Forces Revolutionary Council (AFRC), of two members of the Civil Defence Forces (CDF) and of three former leaders of the Revolutionary United Front (RUF) have been completed, including appeals.

The trial of former Liberian President Charles Taylor is in the Defence phase at The Hague.

The Vice President of Sierra Leone, Alhaji Sam Sumana, while giving the keynote address, thanked the SCSL for intervening at a time the country was in need of justice and peace.

"On behalf of the President and the people of Sierra Leone, I hope the relationship between the international criminal court and Sierra Leone will continue to grow," he said.

Libya: ICC prosecutor seeks warrant for Gaddafi

The International Criminal Court chief prosecutor is seeking the arrest of Libyan leader Col Muammar Gaddafi and two others for crimes against humanity.

Luis Moreno-Ocampo said Col Gaddafi, his son Saif al-Islam, and intelligence chief Abdullah al-Sanussi bore the greatest responsibility for "widespread and systematic attacks" on civilians. ICC judges must still decide whether or not to issue warrants for their arrest.

The Libyan government has already said it will ignore the announcement. Deputy Foreign Minister Khalid Kaim said the court was a "baby of the European Union designed for African politicians and leaders" and its practices were "questionable".

Libya did not recognise its jurisdiction, like most African countries and the United States, and would ignore any announcement, he added. Mr Moreno-Ocampo said that after reviewing more than 1,200 documents and 50 interviews with key insiders and witnesses, his office had evidence showing that Col Gaddafi had "personally ordered attacks on unarmed Libyan civilians". The office documented how the three held meetings to plan and direct the operations.

"His forces attacked Libyan civilians in their homes and in public spaces, shot demonstrators with live ammunition, used heavy weaponry against participants in funeral processions, and placed snipers to kill those leaving mosques after prayers," he told a news conference in The Hague. "The evidence shows that such persecution is still ongoing as I speak today in the areas under Gaddafi control. Gaddafi forces have prepared a list with names of alleged dissidents, and they are being arrested, put into prisons in Tripoli and tortured," he added.

Mr Moreno-Ocampo said that Col Gaddafi had "committed the crimes with the goal of preserving his absolute authority". "The evidence shows that Gaddafi relied on his inner circle to implement a systematic policy of suppressing any challenge to his authority."

"His second-oldest son, Saif al-Islam, is the de facto prime minister and Sanussi, Gaddafi's brother-in-law, is his right-hand man - the executioner, the head of military intelligence. He commanded personally some of the attacks." The three "held meetings to plan and direct the operations", he alleged.

"The office gathered direct evidence about orders issued by Muammar Gaddafi himself, direct evidence of Saif al-Islam organising the recruitment of mercenaries and direct evidence of the participation of Sanussi in the attacks against demonstrators."

The prosecutor insisted he was almost ready for a trial, based on the quality and quantity of the testimony - particularly of those who had escaped from Libya. Earlier, Mr Moreno-Ocampo said the three men were suspected of committing crimes against humanity in two categories - murder and persecution - under the Rome Statute which established the court.

The charges cover the days following the start of anti-government protests on 15 February. Between 500 and 700 people are believed to have been killed in that month alone. The ICC prosecutors are also studying evidence about the alleged commission of



Luis Moreno-Ocampo: "Gaddafi committed the crimes with the goal of preserving his authority"

war crimes once the situation developed into an armed conflict, including allegations of rape and attacks against sub-Saharan Africans wrongly perceived to be mercenaries.

An inquiry set up by the UN Human Rights Council is expected to submit its report on the alleged war crimes to the UN Security Council on 7 June.

Mr Moreno-Ocampo said he was acting in accordance with UN Security Council resolution 1970, which referred the situation in Libya to the ICC, and stressed the need to hold to account those responsible for attacks on civilians. The Pre-Trial Chamber's judges may decide to accept the prosecutor's application, reject it, or ask him for additional information.

If Col Gaddafi is named, it would only be the second time the ICC has sought a warrant for a sitting head of state. Sudanese President Omar al-Bashir has been indicted for crimes including genocide in Darfur. The BBC's Andrew North in Tripoli says making any arrests would be difficult as first responsibility would rest with the Libyan authorities. There are concerns in some Western capitals that the ICC's announcement could further complicate efforts to halt the conflict in Libya, our correspondent says.

With Col Gaddafi facing possible arrest on charges of crimes against humanity, he may be even less likely to stand down, he adds. On Sunday, Libyan Prime Minister al-Baghdadi Ali al-Mahmoudi told the UN's special envoy, Abdul Ilah al-Khatib, that his country wanted "an immediate ceasefire to coincide with a halt to the Nato bombardment and the acceptance of international observers", state media said.

Libya was committed to the unity of its territory and people, and Libyans had the right to "decide on their internal affairs and political system through democratic dialogue away from the bombing threat", he added. Overnight, Libyan state television reported said Nato aircraft had bombed an oil terminal in the eastern port of Ras Lanuf. The alleged strike came after rebel fighters said they had taken full control of the western city of Misrata.

The government had earlier condemned British calls for Nato to bomb a wider range of infrastructure targets to put pressure on Col Gaddafi. A spokesman said the comments by the Chief of the Defence Staff, Gen Sir David Richards, was a threat "aimed at terrorising civilians".

Voice of America

Tuesday, 17 May 2011

Court Finds Former Rwandan Military Chiefs Guilty of Genocide

The International Criminal Tribunal for Rwanda has found two former military chiefs guilty of genocide for their role in the 1994 killing of Tutsis and moderate Hutus.

The court in Arusha, Tanzania on Tuesday sentenced former army chief Augustin Bizimungu to 30 years in prison.

It also convicted the former head of the military police, Augustin Ndindiliyimana, but released him saying he had limited command over his men and was opposed to the killing.

Two other army officers were found guilty of crimes against humanity.

The court was established to try those considered most responsible for the 1994 genocide. Extremist Hutus killed an estimated 800,000 Tutsis and moderate Hutus during a three-months killing spree.

BBC

Tuesday, 17 May 2011

Rwanda genocide: Ex-army chief given 30-year sentence

Former Rwandan army chief Augustin Bizimungu has been sentenced to 30 years in prison for his role in the 1994 genocide.

The Tanzania-based International Criminal Tribunal for Rwanda also convicted Augustin Ndindiliyimana, the ex-paramilitary police chief, but released him for time already served.

Two other senior generals were each sentenced to 20 years in prison.

Some 800,000 ethnic Tutsis and moderate Hutus died in the 100-day genocide.

Bizimungu and Ndindiliyimana are two of the most senior figures to be sentenced by the International Criminal Tribunal for Rwanda (ICTR), established to try those who committed crimes during the genocide.

'Complete control'

"It is a welcome decision by the ICTR. In its own circumstances, that is a big sentence, even if many people would think he [Bizimungu] deserved the highest," Martin Ngoga, Rwanda's chief prosecutor, told Reuters news agency.

The court ruled that Bizimungu, who was arrested in Angola in 2002, had complete control over the men he commanded in 1994, AFP news agency said.

Augustin Bizimungu

- Born 1952
- Close ally of genocide masterminds
- Named army chief during 1994 genocide
- Gave soldiers orders to kill
- Trained militias
- Prepared lists of people to be slaughtered
- Arrested in Angola in 2002

Ndindiliyimana, however, was said to have only had "limited control" over his forces and was described as being opposed to the killing.

Having already spent 11 years in jail following his arrest in Belgium in 2000, Ndindiliyimana was released.

Both men were found guilty of genocide and crimes against humanity.

The BBC's Will Ross in Nairobi, Kenya, says Bizimungu appeared unmoved when he was handed his sentence.

The 59-year-old was accused of going to the homes of militants and ordering them to kill all those from the Tutsi ethnic group - people he referred to as cockroaches.

He was said to have promised weapons, as well as fuel to burn houses, our correspondent says.

Major Francois-Xavier Nzuwonemeye, the former commander of a reconnaissance battalion, and his second-in-command, Capt Innocent Sagahutu, were meanwhile given a 20-year sentence each for crimes against humanity.

Foreign Policy

Monday, 17 May 2011

Mad Dog in The Hague?

It might seem quixotic for the International Criminal Court to indict Libya's unrepentant leader, Muammar al-Qaddafi. But the call for justice can have a pragmatic effect too.

BY JAMES A. GOLDSTON



As the conflict in Libya drags on, with a swift military solution looking increasingly less likely, the International Criminal Court (ICC) has now launched its bid to hold Muammar al-Qaddafi accountable for his crimes.

The ICC's prosecutor, Luis Moreno-Ocampo, announced on May 16 that he will seek the arrest of Qaddafi -- along with his son Saif al-Islam and intelligence chief Abdullah al-Senussi - - for "widespread and systematic

attacks" against civilians. It remains to be seen whether ICC judges will issue warrants for the three's arrest, but the question is already being asked: Will the threat of ICC prosecution only discourage the Libyan leader from negotiating his eventual departure?

Blind fidelity to law, some say, removes a potentially valuable carrot -- amnesty -- from the negotiator's tool kit. And Libyan leaders are offering a cease-fire. So why risk prolonging a reign of terror in Libya simply for the sake of a moral ideal?

It's a fair question, but not an unfamiliar one; we make similar tactical choices every day in our own cities and towns. Take the example of kidnappers: The prospect of arrest may discourage some from giving up, extend the period of captivity for their victims, and heighten the risk of violence. But police don't let these criminals walk free. Rather, they manage the short-term risks in order to preserve the long-term deterrent impact on others of swift and sure punishment.

Is the international arena different? In fact, the accumulating experience of the past two decades shows that, though in the short run the prospect of justice may lead some teetering autocrats to cling to power -- Zimbabwe's Robert Mugabe is an oft-cited example -- the prosecution of sitting senior leaders for war crimes often speeds an end to conflict.

In 1995, ethnic cleansing had been raging for three years in Bosnia, resulting in tens of thousands of deaths, widespread rape, and massive displacement of civilians. When the U.N.-backed International Criminal Tribunal for the former Yugoslavia (ICTY) indicted two of the main perpetrators -- Bosnian Serb leader Radovan Karadzic and his military chief, Gen. Ratko Mladic -- on the eve of the Dayton peace talks, some cried foul. But the threat of prosecution did not prevent negotiators from reaching an agreement to end the war.

Indeed, by keeping the indictees from attending Dayton, the charges may have helped U.S. officials find common ground among Bosniaks, Croats, and Serbs.

After Dayton, Yugoslav President Slobodan Milosevic remained in power and continued his use of violence to achieve political ends. In 1998, as conflict in Kosovo intensified and reports of atrocities by Yugoslav military and Serbian paramilitary forces against ethnic Albanian civilians proliferated, NATO launched a series of air raids against Yugoslavia to force Milosevic to halt military operations. The ICTY's indictment of Milosevic in May 1999, just as NATO's military campaign in Kosovo was under way, sparked concern that, by rigidifying attitudes on all sides, it would block a deal. But two weeks later, the war ended when Milosevic accepted the terms of a U.S.-brokered peace plan, despite the ICTY indictment. He lost power after elections in late 2000 and was handed over to U.N. custody in June 2001.

In Africa, as well, concern has arisen about the impact of a judicial process on potential or ongoing peace negotiations. Ghanaian officials were outraged when, in June 2003, the Special Court for Sierra Leone made public an indictment against Liberian President Charles Taylor at the very moment when he was attending talks in Accra aimed at ending Liberia's civil war. Although Ghana refused to arrest Taylor, the indictment made it politically impossible for him to continue as president. Two months later, he fled to Nigeria under a purported grant of asylum by that country's president, in exchange for his promise not to meddle further in Liberia's politics. In 2006, as a growing chorus of voices in West Africa and beyond pressed for his apprehension, Taylor was forced to flee his Nigerian hideout. He was subsequently turned over for trial in The Hague. Liberia is today a country at peace.

In October 2005, the ICC unsealed its first warrants of arrest, for senior leaders of Uganda's Lord's Resistance Army (LRA), which had long been accused of brutal conduct during its 20-year struggle with Uganda's government. Many Ugandans -- particularly those in the rural northwest -- were desperate to halt the fighting, but worried that the court's action would create insurmountable disincentives to peace. But just six weeks later, the LRA made public its desire to hold talks with the Ugandan government. Although those talks were never consummated and LRA leader Joseph Kony remains at large, it's widely acknowledged that the ICC's action helped isolate the LRA and permanently diminish it as a fighting force. Indeed, as the U.S. ambassador to Uganda made clear in 2006, "The ICC is not a hurdle to the talks. Instead, it is the reason why we have peace talks today."

In mid-2008, U.S. and other officials voiced concern that the ICC prosecutor's request to charge Sudanese President Omar Hassan al-Bashir for crimes in Darfur risked reigniting war in south Sudan. "[M]any diplomats, analysts and aid workers," the *New York Times* noted at the time, "worry that the Sudanese government could lash out at the prosecutor's move ... shutting the door to vital diplomatic efforts to bring lasting peace." Three years later, while defying the court's issuance of arrest warrants against him for genocide and crimes against humanity, Bashir has accepted the south's secession and even publicly pledged his full support for the new state.

In short, as these examples suggest, justice is often worth pursuing -- not simply for its own sake, but because it helps resolve conflicts by increasing international pressure. By delegitimizing leaders who commit crimes against civilian populations, the prospect of legal sanction may reduce their capacity for political obstruction and, as is the case in Libya, encourage subordinates to abandon ship. Such thinking may have led not only the United States, but China and Russia, to support the U.N. Security Council resolution calling for an ICC investigation in Libya, even though none of these three have ratified the court's underlying statute.

At least in the short run, justice may well complicate diplomatic efforts. Thus the timing - if not the imperative -- of accountability may have to adjust. But the canard that international justice is quixotic, impractical, and harmful is part of a broader pattern of resistance to the movement for accountability that has emerged since the end of the Cold War. Critics have balked at the price tag (more than 100 million euros annually each for both the ICC and the ICTY), the length of proceedings (Milosevic died in his cell before judgment while the ICC has yet to complete its first trial), and the fact that its site at The Hague is too remote from the crime sites and the victims it serves.

It's true that the ICC is often not the most appropriate vehicle for judging facts and imposing sentences. There is increasing recognition that national courts -- closer to victims and witnesses, less costly, and often more widely accepted -- are preferable, when they are given the resources, the capacity, and the necessary political backing. But, as long as local courts remain unable or unwilling to put heads of state and others in the dock for grave crimes, international justice -- whether through the ICC or U.N.-backed hybrid tribunals -- will remain essential components of an emerging global accountability framework.

Perhaps that is why, despite the concerns of so-called "realists," the U.N. Security Council has referred two major crises in succession to the ICC, first Darfur and then (unanimously) Libya. Even the most hardened politicians seem to appreciate that, whatever its shortcomings, the ICC is a valuable means of addressing armed conflict. In the end, the strongest argument for some form of accountability may be to consider what a world without any would look like. It is, in fact, a world from which we have only recently emerged -- one where dictators like Idi Amin, Suharto, and Trujillo oversaw mass killings without fear of punishment.

That questions remain about how to enforce the new norm of accountability in practice is a testament to how much has changed so fast. As at the domestic level, so too in the world of diplomacy the benefits of sticking to principle multiply over time. Yes, the prospect of ICC action has not stopped Qaddafi's forces from using cluster bombs or land mines against civilians in Misrata.

And yet, over time, consistent U.S. support for Qaddafi's prosecution will bolster the credibility of the international community's deterrent for the next war criminal who threatens peace. By contrast, yielding now to tempting, if shortsighted, calls for "flexibility" in accommodating Qaddafi will give future "mad dogs" reason to believe they can get away with murder.

That is hardly in Washington's interest.