

**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**

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Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
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# Revealed!

## Charles Taylor Spied For USA



SHERIFF'S DEPT.

PLYMOUTH COUNTY

*Charles Taylor as an inmate at the Plymouth  
County House of Correction in 1984*

**I**t has emerged that former Liberian President turned prisoner at the Hague, Charles Taylor used to work for America's intelligence agencies, including the famous CIA, according to a report in The Boston Globe of America. The information was revealed by the US government to the newspaper following a Freedom of Information application.

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# Charles Taylor Spied For USA

*Mass. escapee turned Liberian dictator had US spy agency ties*

Officials confirm Charles Taylor was valued source of information in early 1980s

**By Bryan Bender (GLOBE STAFF)** escape from a second-floor window at  
WASHINGTON - When Charles G. the Plymouth House of Correction on  
Taylor tied bed sheets together to Sept. 15, 1985, he was more than a

fugitive trying to avoid extradition. He was a sought-after source for American intelligence.

After a quarter-century of silence, the US government has confirmed what has long been rumored: Taylor, who would become president of Liberia and the first African leader tried for war crimes, worked with US spy agencies during his rise as one of the world's most notorious dictators.

The disclosure on the former president comes in response to a request filed by the Globe six years ago under the Freedom of Information Act. The Defense Intelligence Agency, the Pentagon's spy arm, confirmed its agents and CIA agents worked with Taylor beginning in the early 1980s.

"They may have stuck with him longer than they should have but maybe he was providing something useful," said Douglas Farah, a senior fellow at the International Assessment and Strategy Center in Washington and an authority on Taylor's reign and the guns-for-diamonds trade that was a base of his power.

The Defense Intelligence Agency refused to reveal any details about the relationship, saying doing so would harm national security.

Taylor, 63, pleaded innocent in 2009 to multiple counts of murder, rape, attacking civilians, and deploying child soldiers during a civil war in neighboring Sierra Leone while he was president of Liberia from 1997 to 2003. After a proceeding that lasted several years, the three-judge panel of the UN Special Court for Sierra Leone is now reviewing tens of thousands of pages of evidence, including the testimony of about 100 victims, former rebels, and Taylor himself, whose testimony lasted seven months.

"We hope the verdict will come in the first quarter of this year," said Solomon Moriba, a spokesman for the court in The Hague.

Moriba said any relationship Taylor had with American intelligence was not related to his case before the court, but those who investigated the atrocities said it might explain why some US officials seemed reluctant to use their influence to bring Taylor to justice sooner.

After Taylor stepped down as Liberian president in 2003 following his indictment, he lived virtually in the open for three years in exile in Nigeria, a US ally. The Bush administration came under intense criticism from members of Congress for not intervening with the Nigerian government until Taylor was finally handed over to the court in 2006. Allan White, a former Defense Department investigator who helped build the case against Taylor on behalf of the United Nations, said the news

reinforced suspicions he had for years. "I think the intelligence community's past relationship with Taylor made some in the US government squeamish about a trial, despite knowing what a bad actor he was," White said in an interview.

Taylor's lawyer in the war crimes trial, Courtenay Griffiths, did not respond to several calls or e-mails seeking comment.

The Pentagon's response to the Globe states that the details of Taylor's role on behalf of the spy agencies are contained in dozens of secret reports - at least 48 separate documents - covering several decades. However, the exact duration and scope of the relationship remains hidden. The Defense Intelligence Agency said the details are exempt from public disclosure because of the need to protect "sources and methods," safeguard the inner workings of American spycraft, and shield the identities of government personnel. Former intelligence officials, who agreed to discuss the covert ties only on the condition of anonymity, and specialists including Farah believe Taylor probably was considered useful for gathering intelligence about the

activities of Moammar Khadafy. During the 1980s, the ruler of Libya was blamed for sponsoring such terrorist acts as the Pan Am Flight 103 bombing over Lockerbie, Scotland and for fomenting guerrilla wars across Africa.

Taylor testified that after fleeing Boston he recruited 168 men and women for the National Patriotic Front for Liberia and trained them in Libya.

Over time, the former officials said, Taylor may have also been seen as a source for information on broader issues in Africa, from the illegal arms trade to the activities of the Soviet Union, which, like the United States, was seeking allies on the continent as part of the broader struggle of the Cold War.

Liberia, too, was of special interest to Washington. The country was founded in 1847 by freed American slaves who named its capital, Monrovia, after President James Monroe. The American embassy was among the largest in the world, covering two full city blocks, and US companies had significant investments in the country, including a Firestone tire factory and a Coca-Cola bottling plant.

A former ally of Taylor's, Prince Johnson, told a government commission in Liberia in 2008 that he believed US intelligence had encouraged Taylor to overthrow the government in Liberia, which had fallen out of favor with Washington for banning all political opposition.

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## Charles Taylor Spied For USA

### *Mass. escapee turned Liberian dictator had US spy agency ties*

**Officials confirm Charles Taylor was valued source of information in early 1980s**

*From page 9*

Taylor's ties to Boston reach back four decades.

He arrived in 1972 and attended Chamberlayne Junior College in Newton and studied economics at Bentley College in Waltham. While in Boston, he emerged as a political force as national chairman of the Union of Liberian Associations. In 1977 he returned to Liberia and joined Samuel Doe's government after a coup in 1980. Taylor served as chief of government procurement in the Doe regime but fled Liberia for Boston in 1983 after being accused of embezzling \$1 million from the government. He was arrested in Somerville in 1984 and jailed in Plymouth pending extradition.

The acknowledgment now that Taylor worked with US intelligence agencies at the time raises new questions about whether elements within the government orchestrated the Plymouth prison break in 1985 - as Taylor claimed during his trial - or at least helped him flee the United States.

Four other inmates who also escaped that night were soon recaptured.

"Why would someone walk out of a prison that's never been breached in a 100 years?" said David M. Crane, who was the chief prosecutor for the Sierra Leone war crimes court from 2002 to 2005 and now teaches at Syracuse University College of Law.

"It begs the question: How do you walk out of a prison? It seems someone looked the other way."

Taylor recounted the episode during his trial testimony, insisting that a guard opened his cell for him.

"I am calling it my release because I didn't break out," Taylor testified. "I did

not pay any money. I did not know the guys who picked me up. I was not hiding [afterwards]."

He said two men - he assumed they were American agents - were waiting for him outside the prison and drove him to New York to meet his wife. Using his own passport, he said, he traveled to Mexico before returning to Africa. Brian Gillen, the superintendent of the maximum security jail in Plymouth who was director of security at the time of Taylor's escape, declined to comment when reached last week by the Globe. Taylor reemerged in Liberia in 1989 as head of a rebel army.

"I assigned an officer to maintain a watch on the Taylor people," recalled James Keough Bishop, US ambassador in Liberia from 1981 to 1989.

Bishop said he was not aware of ties between American intelligence and Taylor.

After a series of bloody civil wars that lasted much of the 1990s, Taylor eventually assumed power. He was elected president in 1997.

Several former officials and specialists believe US intelligence had probably cut ties with Taylor by the time he became president, but Farah said he believes that even in the early years of their associations with Taylor, US intelligence agencies knew what kind of character he was.

"Even at the time, there were atrocities going on," he said. "He wasn't clean when they hooked up with him. We had a high tolerance for people who were willing to inform on Khadafy. The question is whether he actually provided anything useful."

Africa Young Voices  
Friday, 20 January 2012

# Charles Taylor 'worked' for CIA in Liberia

**U**S authorities say former Liberian leader Charles Taylor worked for its intelligence agencies, including the CIA, the Boston Globe reports.

The revelation comes in response to a Freedom of Information request by the newspaper.

A Globe reporter told the BBC this is the first official confirmation of long-held reports of a relationship between US intelligence and Mr Taylor.

Mr Taylor is awaiting a verdict on his trial for alleged war crimes.

Rumours of CIA ties were fuelled in July 2009 when Mr Taylor himself told his trial, at the UN-backed Special Court for Sierra Leone in the Hague, that US agents had helped him escape

from a maximum security prison in Boston in 1985. The CIA at the time denied such claims as "completely absurd".

But now the Defence Intelligence Agency, the Pentagon's spy arm, has disclosed that its agents - and those of the CIA - did later use Mr Taylor as an informant, the Globe reports.

Globe reporter Bryan Bender told the BBC's Network Africa programme that Pentagon officials refused to give details on exactly what role Mr Taylor played, citing national security.

But they did confirm that Mr Taylor first started working with US intelligence in the 1980s, the period when he rose to become one of the world's most notorious warlords, Mr Bender



*Charles Taylor was a CIA informant in the 1980s*

says. Mr Taylor was later elected Liberia's president. He has been accused of arming and controlling the RUF rebels in neighbouring Sierra Leone during a 10-year campaign of

terror conducted largely against civilians. If convicted, Mr Taylor would serve a prison sentence in the UK. He denies charges of murder, rape and using child soldiers.

### **Special Court appoints New Judge**

The Special Court for Sierra Leone has elected Justice Richard Brunt Lussick as the new presiding Judge of trial chamber II. According to reports, the Justice succeeds Justice Teresa Doherty whose one year term came to an end on the 17<sup>th</sup> January 2012. Reports say, pursuant to Rule 27 of the Special Court's Rules of procedure, the presiding Judge is elected for a renewable term of one year.

## Africa Review

Thursday, 19 January 2012

<http://www.africareview.com/News/Sierra+Leone+Special+court+gets+new+judge/-/979180/1310398/-/51u4xc/-/>

### **Sierra Leone war crimes court gets new judge**

The UN-backed Sierra Leone Special Court that is conducting the war crimes trial of former Liberian President Charles Taylor has elected a new presiding judge.

Judge Richard Brunt Lussick, who is a native of Samoa, replaces Justice Teresa Doherty whose one-year term ended on January 17, 2012, a statement by the court said Wednesday.

Because of earlier concerns about security if Taylor's trial was held in Freetown, his trial was shifted to The Hague, though it still remains under the auspices of the Sierra Leone Special Court.

The actual trial is virtually over and the court was expected to pass a verdict last year on the case, but due to some technicalities, the delivery of the judgement was postponed to this year.

Judge Lussick will now head the Trial Chamber II which will deliver the verdict.

Before he was named as judge of the Special Court in 2004, Judge Lussick held several positions within the Samoan judiciary, including acting Chief Justice and Judge of the Court of Appeal.

He will now head the Trial Chamber II of the court which has been handling the trial of the former Liberian leader.

A Jamaican-born lawyer Courtenay Griffiths has been leading Taylor's defence since the trial began nearly three years ago at The Hague.

The former Liberian president has been standing trial at the facilities of the International Criminal Court (ICC) in The Hague on eleven counts of war crimes and crimes against humanity for allegedly fuelling the decade-long civil war in neighbouring Sierra Leone.

[Note: The SCSL press release was also published online by The Patriotic Vanguard and Sierra Express Media.]



## Public Radio International

Wednesday, 18 January 2012

### **Investigation finds ties between CIA, Pentagon and accused war criminal Charles Taylor**

recent investigation by the Boston Globe provides the first proof that former Liberian President Charles Taylor, who stands accused of war crimes that led to the death of more than a million people, worked for the CIA and the Pentagon during his rise to power.

Former Liberian president Charles Taylor is infamous for his atrocities and crimes against his own people.

One of the first African leaders to be tried for war crimes, Taylor was a notorious dictator who oversaw the murder of more than 1 million people. He was an active participant in the diamonds-for-guns trade and once gifted Naomi Campbell a pouch of blood diamonds.

On Monday, the Boston Globe revealed that Taylor worked with U.S. agencies including the CIA and Pentagon during his rise to power in the 1980s. Taylor stepped down as president of Liberia in 2003 and lived openly in Nigeria until 2006, when he was handed over for trial as a war criminal. A verdict in the years-long case over his conduct during a civil war in neighboring Sierra Leone is expected sometime early this year.

David Crane, the former chief prosecutor of the special court for Sierra Leone, which indicted Charles Taylor in 2003, said he'd heard many rumors that Taylor had been working for some sort of intelligence agency.

"It's somewhat of a throwback to the Cold War, where the U.S. probably did this more frequently than just Charles Taylor," Crane said.

According to the Globe, Taylor was deemed valuable because of his close ties with deposed Libyan leader Muammar Gaddafi.

"This revelation wasn't relevant to my work in West Africa," Crane said. "It shouldn't affect the case at all. It's more of an embarrassment to the U.S., but this is not outside the U.S.'s policies to deal with, work with and pay off heads of state to get information."

"The Takeaway" is a national morning news program, delivering the news and analysis you need to catch up, start your day, and prepare for what's ahead. The show is a co-production of WNYC and PRI, in editorial collaboration with the BBC, The New York Times Radio, and WGBH Radio Boston.

## IRIN

Friday, 20 January 2012

### **Fighting For The Rights Of Child Soldiers**

Written by: IRIN

At end-November 2011, Somalia and the Central African Republic became the latest countries to commit to end the use of child soldiers – a move seen as “encouraging” by the UN, albeit with the proviso that the situation in both countries remains volatile.

All sides to the Somali conflict have reportedly been recruiting children. An official working with an NGO that monitors the state of children in the country told IRIN that although the exact number of child soldiers was unknown, his group suspected between 2,000 and 3,000 children were in different armed groups.

Up to 300,000 children are still involved in more than 30 conflicts worldwide, according to the UN Children’s Fund (UNICEF).

In April 2011, the UN listed dozens of groups that continued to recruit or use children in its annual report on children and armed conflict. This bid to “name and shame” countries into cooperating with the law has only a limited effect, however. While fewer children are being used as child soldiers today, it is thanks to conflicts having ended, not the practice of recruiting and using children.

“Despite some examples of progress, the bigger picture remains essentially unaltered: the recruitment and use of boys and girls by armed groups remains widespread,” according to the latest report by the Coalition to Stop the Use of Child Soldiers in 2008.

Gender is no protection, as girls are recruited into armed groups or abducted for forced labour or sex. Age also proved no barrier; in Columbia, the FARC militia announced it would recruit all children over the age of eight, reported the UN Secretary-General in April 2011: “In one characteristic use of children, a child was used by FARC-EP to carry out an attack against a police station using explosives. The explosives were attached to the child and activated as he approached the police station, killing him instantly.”

#### **Defenceless**

“Many children have few alternatives to, or defences against, joining armed groups,” states the 2008 Coalition report. It cited poverty, discrimination and social exclusion, lack of access to education, and limited job prospects as some of the factors pushing minors to join armed groups.

Not all children associated with armed forces are used as fighters. Minors have been seen manning checkpoints, acting as scouts and guides in battles, running errands, cooking and cleaning for forces during the Côte d’Ivoire election conflict, according to government social workers, UN agency and NGO staff, as well as direct testimonies from children. Social workers in Duékoué, in the west, told NGO Save the Children they saw children involved whom they estimated to be as young as 11.

#### **Suicide bombers**

Children have also been made to carry explosives between Afghanistan and Pakistan, conduct military operations in the DRC, Philippines, Myanmar and Somalia, carry out arson attacks and collect kidnap ransoms in Haiti; they were used as suicide bombers in Iraq, according to the Secretary-General’s 2010 report, as well as Pakistan and Afghanistan.

According to a Foreign Policy Association blog: “The use of child suicide bombers appears to be increasing, and while many children are educated and reared into this deadly fate, many are thankfully saved or removed before their actions have deadly consequences. Many have seen the images of infants and toddlers dressed in mock suicide

bomber outfits in Palestine, and while they may not commit such acts when they grow up, their fate is one undoubtedly leaning towards violence.”

### **Laws not applied**

There are various instruments outlawing the recruitment and use of children for combat in human rights law, humanitarian law, labour law and criminal law – but a chasm exists between these standards and their application. The Coalition report cites ineffective government and a lack of enforcement mechanisms as reasons why armed groups continued to operate with relative impunity.

Although child soldiers are used all over the world, the largest numbers are in Africa, despite the 1999 African Charter on the Rights and Welfare of the Child, the only regional treaty in the world that prohibits the use of child soldiers.

Most observers agree that the practice continues because children make for cheap and obedient fighters, easily frightened or brainwashed into compliance. The accessibility of light weaponry has also fed into the problem, making it possible for very young children to bear and use arms.

“Any country that has an active armed conflict can expect that troop-hungry commanders will use children to fill their ranks,” said professor, author and psychologist Michael Wessells in a United States Department of State webchat in June 2008.

But all agree that the most obvious reason armed forces take on children is because they can. Despite the regulations outlawing the practice, most of those who violate the conventions and international agreements are not prosecuted.

Children who have been displaced or separated from their parents, have limited access to education, or who have suffered an injustice or emotional abuse, are more vulnerable to recruitment, according to UNICEF.

Among other things, protection involves addressing these vulnerabilities, and identifying non-violent ways for them to contribute to their families and communities. Resources and capacity are particularly needed to extend education and vocational training, as well as to revive agriculture and provide other economic opportunities, according to the UN.

Demobilizing, reintegrating and rehabilitating children who have already participated in armed conflict is as difficult as protecting them. “Children who transition successfully into civilian life are less likely to continue the life of the gun, with its inherent dangers. However, instability in the post-conflict environment can put children at grave risk of re-recruitment and thwart their reintegration,” Wessells wrote in his 2006 book, *Child Soldiers: from violence to protection*.

### **The effects on children**

Child soldiers are subject to ill-treatment and sexual exploitation. They are often forced to commit terrible atrocities, and beaten or killed if they try to escape. They are subjected to brutal initiation and punishment rituals, hard labour, cruel training regimes and torture. Many are given drugs and alcohol to agitate them and make it easier to break down their psychological barriers to fighting or committing atrocities.

Some speak of having been forced to witness or commit atrocities, including rape and murder. Others speak of seeing friends and family killed. Susan, 16, captures the brutalization children suffered at the hands of the Lord’s Resistance Army (LRA) in northern Uganda in the following testimony :

“One boy tried to escape but he was caught. His hands were tied and then they made us, the other new captives, kill him with a stick. I felt sick. I knew this boy from before; we were from the same village. I refused to do it and they told me they would shoot me. They pointed a gun at me, so I had to do it... I see him in my dreams and he is saying I killed him for nothing, and I am crying.”

“Fighting groups have developed brutal and sophisticated techniques to separate and isolate children from their communities. Children are often terrorized into obedience, consistently made to fear for their lives and well-being,” wrote the UN’s Office of the Special Representative of the Secretary-General for Children and Armed Conflict. “Sometimes they are compelled to participate in the killing of other children or family members, because it is understood by these groups that there is ‘no way back home’ for children after they have committed such crimes.”

Many child soldiers report psycho-social disturbances – from nightmares and aggression that is difficult to control to strongly anti-social behaviour and substance abuse – both during their involvement in war and after their return to civilian life. Others, who held high ranks and were feared and respected by other children, find it difficult to go back to classrooms or family dwellings where they are expected to be subservient.

For that reason, according to UNICEF, successful demobilization and rehabilitation programmes not only involve taking the guns out of children’s hands but finding ways to reunite and resettle the children with their families and communities, and provide for their psycho-social care and recovery.

In Burundi, for example, the lucky ones among the country’s 3,421 former child soldiers who went through a demobilization, disarmament and reintegration (DDR) process returned to school but most languish in poverty, with little to do, officials told IRIN.

Cyprien Ndayishimiye, supervisor of former child soldiers in Bubanza province, said the situation for many former child soldiers was “dangerous” as even those who underwent vocational training during reintegration had yet to find gainful employment or set up income-generating activities.

“Many have even sold the materials they got from the DDR programme, such as sewing machines for those who learned sewing, and planes for those who hoped carpentry would help them,” Ndayishimiye said.

### **Tougher for girls**

Girls – especially orphans or unaccompanied girls – are especially vulnerable because they are often sexually exploited, raped or otherwise abused, subjected to human trafficking and prostitution, and forced to be “wives” by other combatants. This, in turn, can result in physical and psychological trauma, unwanted pregnancies, sexually transmitted diseases (including HIV/AIDS) and social stigmatization.

“Girls are mostly used by armed opposition groups, paramilitaries and militias, but they are also used by government forces,” wrote Dyan Mazurana and Khristopher Carlson in a paper for the UN. “Worldwide estimates suggest girls may account for between 10 to 30 percent of children in fighting forces.”

Girls returning from war are often stigmatized and ostracized by their communities, especially if they return with children.

“Girl soldiers are exploited in all the ways that boys are and carry the added burden of gender-based violence,” wrote Wessells.

Girls in particular continue to be excluded from official demobilization, disarmament, repatriation, resettlement and reintegration (DDRRR) programmes, despite their special post-conflict needs.

For example, some 3,000 girl soldiers in Liberia were officially demobilized while as many as 8,000 were excluded or did not register, according to the 2008 Coalition report. In the DRC, only about 15 percent of the girls believed to have been involved in the conflict were officially demobilized as the national programme drew to a close.

For the girls who do not go through the official programmes, there is no formal support at all.

### **Society pays a high price**

Military recruitment is not only harmful to the children themselves but to societies as a whole. Children’s lost years of schooling reduce societies’ human and economic development potential. The educational system is further

damaged when violent attacks are aimed at schools. The UN reported in 2010 that such attacks are becoming a “significant and a growing trend”.

Tensions may also be high between children returning from combat and those who stayed behind, especially when social support and reintegration programmes are aimed at ex-combatants, seeming to reward participation in violence.

Though child soldiers have committed and continue to commit some terrible crimes in wartime, they are still entitled, as children, to special provision and protection.

Besides criminal proceedings, “other, more age- and culturally-appropriate options exist, including truth and reconciliation commissions, community-based rehabilitation and reintegration programmes and the traditional practice of cleansing rituals”, wrote Radhika Coomaraswamy, Special Representative to the UN Secretary-General for Children and Armed Conflict.

There is no international consensus on the minimum legal age for criminal responsibility, said Coomaraswamy. International Criminal Court (ICC) Article 26 prevents the court from prosecuting anyone under the age of 18, but not because it believes children should be exempt from prosecution for international crimes, “but rather that the decision on whether to prosecute should be left to states”, says Coomaraswamy’s office [ Working Paper Number 3: Children and Justice During and in the Aftermath of Armed Conflict, September 2011 ]. “[The] exclusion of children from the ICC jurisdiction avoided an argument between States on the minimum age for international crimes,” it noted.

There are substantial challenges in healing and reintegrating children into their communities when they have been instruments of brutality and atrocities, and whole societies must sometimes be involved in communal healing and acceptance of the returnees.

Somehow, the differing needs for justice and the reintegration in society of former child soldiers have to be accommodated.

### **Progress update**

The past decade has seen a steady commitment to ending the use and abuse of children in conflict, and a strengthened framework to protect minors and bring perpetrators to justice.

By 2010, 129 countries had signed up to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict while 143 had also ratified it.

The Protocol outlaws recruitment of children under 18 years of age, obliges states to ensure that members of their armed forces under age 18 do not take direct part in combat, raises the minimum age for voluntary enlistment into armed forces to 16 years and includes specific measures requiring proof of a wish to enlist.

In 2006, integrated disarmament, demobilization and reintegration standards were created, and the Paris Principles and Guidelines on children associated with armed forces or armed groups were created in 2007 to protect children from being recruited, and helping those who already were. A 2009 policy directive mainstreamed the protection, rights and well-being of children affected by armed conflict within peacekeeping operations.

In addition, the UN says more attention is being paid to understanding the root causes of child soldiering in an effort to provide more insight into children’s vulnerability and decision-making. There is, for example, increasing recognition of the role that notions of masculinity play in enticing or coercing children into armed groups.

The UN Security Council passed resolutions 1539 in 2004; 1612 in 2005; and 1882 in 2009, which together created a working group and a monitoring and reporting mechanism to systematically monitor, document and report on the recruitment, abduction, killing or maiming of children, rape and sexual violence, attacks on schools and hospitals, and the denial of humanitarian access. It also led to systematic listing of parties that recruited or used child soldiers, in the Secretary-General’s annual report.

This public humiliation may be effective: in the last two years, five armed groups have signed special Action Plans with the UN, the first step in being de-listed from the annual report.

“However, the gap between what governments say and what they do remains wide,” says the 2008 Coalition report.

The UN does not monitor and report on every country where children are being used in fighting or these grave violations occur. For example, Côte d’Ivoire is not on the official list of countries monitored by the UN Security Council task force for recruitment of children, yet, as cited earlier, social workers told Save the Children they saw children involved with armed groups who they estimated to be as young as 11.

Other parties pledge to change but do not, despite the “naming and shaming” of the annual report. “More must be done to systematize and activate the full range of options available to the international community to ensure more robust action against recalcitrant violators,” said the Office for the Special Representative for the Secretary-General on Children and Armed Conflict. “There are, for instance, 16 such persistent violators who have been explicitly named and listed by the Secretary-General for five years or more and the lack of action against them undermines accountability initiatives.”

And of course, national governments are only part of the problem. The Optional Protocol outlaws the recruitment or participation of anyone under 18 in insurgency groups and rebel forces, but “a wide array of armed groups – with diverse aims, methods and constituencies – continue to use children as soldiers and they have proved resistant to pressure or persuasion to stop the practice”, says the Coalition to Stop the Use of Child Soldiers.

“Despite progress, the overall picture is one of armed groups that have ignored international law and standards, that renege on commitments, are resistant to pressure and persuasion, or have so far proved to be beyond the reach of efforts to end the involvement of children in conflict and political violence,” said the Coalition’s 2008 report.

### **Higher political profile**

The UN said national and international tribunals were setting important precedents in the fight to end impunity for grave child rights violations, serving as a deterrent for commanders and warlords all over the world and creating leverage for their compliance with international norms.

Of the 12 individuals publicly indicted by the International Criminal Court at The Hague, seven have been charged with war crimes against children such as using child soldiers. They include Lord’s Resistance Army leaders Joseph Kony, Vincent Otti (since deceased) and Okot Odhiambo. Also on trial or in the pre-trial stage are cases against Thomas Lubanga Dyilo, a militia leader from the Democratic Republic of Congo, who is on trial for recruiting children under 15. The ICC also has open cases on DRC commanders Bosco Ntaganda, Germain Katanga and Matthieu Ngudjolo Chui for their crimes against children.

The Special Court for Sierra Leone is nearly finished trying a case in The Hague against Liberia’s Charles Taylor for war crimes and crimes against humanity, including conscripting or enlisting children into armed forces or groups and using them to participate actively in hostilities. The trial of a former president is a strong message to the world that even leaders of nations are not beyond the reach of international law when it comes to protecting the rights of children.

### **Calls for future action**

Tackling impunity remains a key priority for the international community. “Concerted emphasis must be maintained on fighting the impunity of perpetrators,” said Coomaraswamy’s office.

It is also strengthening the data collection and reporting on sexual violence, in the hope it will allow for better identification of perpetrators and better analysis of trends on sexual violence against children. The proliferation of small arms is another issue that the UN would like to see addressed in order to make sure weapons do not end up in the hands of children.

In 2010, Coomaraswamy, with the Special Representative of the Secretary-General on Violence against Children, UNICEF and the Office of the High Commissioner on Human Rights, launched the Zero Under 18 Campaign: a

two-year initiative to achieve universal ratification of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict by 2012. The push is premised on the belief that the strongest defence against impunity for child rights violators is to have an international moral consensus that no child should take part in armed conflict – and a strong enforcement mechanism to back it up.

“I think the political will is there. What is lacking is the momentum, and that is what we hope to achieve in this campaign,” said Coomaraswamy.

Ending child soldiering remains a daunting challenge. “The military imperatives of the group and the political, economic and social factors that drive conflicts and cause children to enlist – often underpinned by local cultural attitudes towards the age of majority – can outweigh legal and moral arguments,” said the 2008 Coalition report.

The report analyzed 21 conflicts where children were used or deployed and found that children will “almost inevitably” become involved when armed conflict breaks out.

And no matter how strongly the international community pushes for stronger protection and decreased impunity, national laws have to reflect the same in order for change to take place.

Governments must also remember that the problem has deeper and more human roots than the conflict du jour. Because children are more likely to be drawn to armed groups if they have experienced human rights violations or other forms of violence, “governments and societies that fail to prioritize the promotion and protection of children’s rights – economic, social and cultural, as well as civil and political – share responsibility for driving children into the ranks of armed groups”, says the Coalition report. Understanding these deep-seated drivers of child involvement in conflict will be essential in devising a plan to protect them, and punish those who do not.

## Reuters

Friday, 20 January 2012

### **ICC rules on January 23 if Kenya suspects face trial**

AMSTERDAM (Reuters) - The International Criminal Court will decide on January 23 whether six high-profile Kenyans, including presidential contenders Uhuru Kenyatta and William Ruto, should be tried for crimes against humanity, it said on Friday.

The decision by the Hague-based court - whose proceedings have been closely followed in Kenya - could have far-reaching political consequences for the biggest economy in east Africa.

The six politicians and officials are suspected of orchestrating the violence that followed a disputed election in December 2007, in which at least 1,200 people died and hundreds of thousands were forced from their homes.

If either finance minister Kenyatta or former cabinet minister Ruto, or both men, have to go on trial at the international war crimes court, it could hit their chances of running for president in the next election.

However, if Kenyans feel that the court's decision is unfair or fails to hold those responsible for violence accountable, it could lead to angry protests or fresh violence.

The ICC chief prosecutor had applied to bring two separate cases before the court, reflecting the ethnic fault lines behind Kenya's post-election violence.

Kenyatta, Francis Muthaura, who is civil service head and cabinet secretary, and Mohammed Hussein Ali, the former police commissioner, are accused of crimes against humanity, including murder, forcible transfer, rape and persecution.

Ruto, who is the former higher education minister, Henry Kosgey, the former industrialisation minister, and Joshua arap Sang, the head of operations at Radio KASS FM, are accused of crimes against humanity, including murder, forcible transfer and persecution.

Kenya's High Court has ruled that the presidential election should be held in March 2013, not this August as stipulated in the constitution, nor in December as proposed by the government.

The court also ruled, however, that if the coalition government is dissolved there would be an election within 60 days and the executive has since come under pressure to arrange for a vote this year.

(Reporting by Sara Webb; Editing by Maria Golovnina)



## UN News Centre

Thursday, 19 January 2012

### Security Council to hold election in April to fill UN World Court vacancy



The Security Council today set 27 April as the date for an election to fill the vacancy on the International Court of Justice (ICJ), the principal judicial organ of the United Nations, resulting from a recent resignation.

In a resolution that was adopted without a vote, the Council noted with “deep regret” the resignation of Judge Awn Shawkat Al-Khasawneh which took effect on 31 December 2011. His term was to end on 5 February 2018.

According to the Court’s Statute, its judges must be chosen by coordinated actions of both the Council and the General Assembly, with the date of elections determined by the Council.

Judges are chosen on the basis of their qualifications, not their nationality, but no two judges can be from the same country. Effort is also taken to ensure that the principal legal systems of the world are reflected in the composition of the court.

Established in 1945, and based in The Hague in the Netherlands, the ICJ settles legal disputes between States and gives advisory opinions on legal questions that have been referred to it by other authorized UN organs.