

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



“Storm at Lumley”. Photographer: Michelle Willis

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:

Monday, 28 July 2008

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Independent Observer
Monday, 28 July 2008

Lawyer Melron Nicol-Wilson explains his involvement in the cocaine matter

Melron C. Nicol-Wilson Esq
LL.M (Nottingham), LL.M (Pret), Dip (Lund), LL.B (Hons) BL
Barrister-at-Law and Solicitor of the High Court of Sierra Leone

25th July 1008

Mr. Philip Neville
Editor
Standard Times Newspaper

Dear Sir,

Re. Article entitled "Land that we love" published in the Standard Times Newspaper on Friday 25th July 2008, page 10.

I write in response to your request for an explanations to members of the public about my representation of Accused Person in the Trial of Avay Steven Perez and 18 others before Magistrate Deen Tarawallie on Thursday 24th July 2008. In particular you mentioned in your article entitle "Land that we love" that "Mr. Melron Nicol-Wilson should be able to come up with convincing answer to the Public and advance reason as to why he has compromised the position of his organizations for Cocaine Money".

I appreciate the call you made for me to explain to the Public about my representation of Accused Person in Court, in view of the Public interest work that I do and the perception that members of the public may have formed by virtue of such a representation in Court yesterday. This call is an opportunity for the other side (My Side) to be heard.

I appreciate your concern and interest in my Professional endeavours.

Firstly, I wish to inform the general public that I was trained as a lawyer and specialized in International Criminal Justice (holding a Master Degree in Law from the University of Nottingham, United Kingdom) and International Human Rights Law (holding a Masters Degree in Law from the University of Pretoria, South Africa) I have worked not only as a Human Rights Lawyer but also as a Criminal Defence Lawyer representing Accused Persons at the Special Court for Sierra Leone and before our own Domestic Courts thereby developing a reputation for Criminal Defence and Human rights.

As a result of my qualifications, professional reputation and expertise I was on Wednesday 23rd July 2008 consulted in my individual capacity to represent the 1st Accused, Avay Steven Perez, a Citizen of the United States of America. I was also informed at the time I was consulted that the 1st Accused was going to appear in

Court the next day on charges which did not include any Drug related offence. I accepted the brief because I believe that every Accused Person has the right to legal representation irrespective of Nationally or offence alleged committed.

My Professional calling demands that I proved legal representation to any human being caught on the other side of the law without any form of discrimination and this is what I have largely being doing since I became a Lawyer. By such representative I assist the Court in the speedy dispensation of Justice. Furthermore only a Court of Law can pronounce the guilty of an accused after consideration of evidence adduced in the court of a Trial. In this case the Accused Persons are presumed innocent until proven otherwise by a Court of Law.

I went to court on Thursday the 24th of July 2008 and met the Client for the first time. The charges were read and covered conspiracy, unlawful possession of arms and Malicious Damage. No charge relating to possession, trafficking or use of cocaine or any drug was proffered against my Client as such I did not defend "Cocaine Traders". I was never briefed to represent my Client for Cocaine or any other drug related offence.

I am only representing the 1st Accused, a citizen of the United States of America and not the others as stated in your publication.

Since the start of my Human Rights and Criminal Defence Work in Sierra Leone I have championed popular and unpopular cases, in the face of threats, persuasion, political intimidation and popular commendations.

This is not the first high profile criminal case in which I am representing an Accused Person.

For instance around July 2007 you were arrested and charged with offences under the Public Order Act of 1965 shortly after publishing an article about the rice donation to Sierra Leone by the Libyan Government. I represented you in Court and did a successful Bail application on your behalf in spite of pressures from some members of the public for me not to represent you.

In 2003 I represented a Traffic Police Officer who was allegedly assaulted by the then leader of the Majority party in Parliament Mr. S.B Marah (of blessed memory) in the Magistrate court in Freetown. Your Newspaper (The Standard Times) carried a front page article on this issue entitled "Human Rights Lawyer to nail S.B. Marah". In 2002 I also represented Foday Sayabna Sankoh, Idrissa Kamara (A.K.A Leather Boot) and fifty eight other Accused Person commonly referred to as the "West Side Boys" and the "R.U.F" indictees before the High Court of Sierra Leone in the midst of threats and undue pressure from members of the Public.

Between 2003 and 2007 I represented Mr. Morris Kallon a former commander of the Revolutionary United Front (RUF) before the Special Court for Sierra Leone for very serious offences including the burning of large urban dwellings, Murder and Rape.

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Lawyer Nicol-Wilson explains involvement in cocaine matter

from page 8

In 2006 and 2007 I represented Mr. Omery Golley before the High Court of Sierra Leone for Treason and related offences at a time when public opinion was very strong against him and any form of Legal Representation.

In addition to the above I have represented hundreds of Accused Person before various courts in Freetown, Bo, Kenema and Makeni at no cost.

I do not see any different between all of the above mentioned cases and the case against my Client-a Citizen of the United States of America even though it is widely reported by some Newspapers that his is part of a group of people alleged involved in a cocaine scam at the Lungi International Airport involving huge sums of money. Charles Taylor who is alleged to have committed some of the worst crimes ever recorded in the history of mankind has British Human Rights Lawyers representing him and their services paid for by the Special Court.

There are a number of reasons why Human Rights Lawyers may provide Legal Representation in unpopular cases. It may be for the purpose of giving effect to a Constitutional provision challenging an established legal norm which is considered outdated; or giving effect to the right to legal representation and the presumption of innocence. Money is not always a factor and in my case it is certainly not the reason for my representation.

I wish to inform the general public that I have not compromised 'the position of my organizations for Cocaine Money'. As a matter of fact I have not been paid a single cent for representing the 1st Accused and have fulfilled the mandate of my organization (which is a non-political entity).

I have also not compromised my loyalty to my beloved country Sierra Leone by adhering to the ethics of my Profession which demands the representation of accused Persons irrespective of the offence for which they are charged. By Analogy the Medical Doctor at the Central Prison, Pademba Road has not compromise the ethics of his profession and his loyalty to Sierra Leone by providing medical treatment to the individuals you have referred to as "cocaine Traders".

I hope the above clearly explains my position to members of the Public and I thank you for giving me an opportunity to do so.

I remain a loyal son of the soil.

Melron C. Nicole-Wilson

Jurist
July 2008

Karadzic's Choice: Why War Criminals Defend Themselves

JURIST Contributing Editor David Crane of Syracuse University College of Law, former Chief Prosecutor for the UN Special Court for Sierra Leone, says that the declaration by recently-arrested Bosnian Serb war crimes suspect Radovan Karadzic that he will defend himself before the ICTY at The Hague is an historically-predictable bid to control, play up and even disrupt the proceedings under the guise of exercising his legal right to defend himself....



A few days after his arrest in Serbia, Radovan Karadzic declared that he would defend himself before the International Criminal Tribunal for the former Yugoslavia against his indictment related to the horrors he allegedly helped perpetrate in the Balkans. Thus begins an all too familiar pattern in the trial of yet another faction leader for war crimes, genocide, and crimes against humanity.

I recall Hinga Norman, leader of the Sierra Leone's Civil Defense Forces, in June of 2004, loudly declaring he was firing his defense counsel and defending himself just after I gave my opening statement in the joint criminal trial of Norman and his two henchmen. Also, in June of 2007, Charles Taylor refused to come out of his cell on the day his trial opened wanting to represent himself. Saddam Hussein railed at the Iraqi High Tribunal as he defended himself against various international and domestic crimes. And of course there is Slobodan Milosevic, who defended himself in a years-long and drawn out spectacle that eventually ended in Milosevic's death before a judgment could be rendered on his indictment.

One finds such histrionics going all the way back to the International Military Tribunal at Nuremberg as Hermann Goering sought to take control of the proceedings for his own political advantage. Why do these warlords, dictators, and thugs want to represent themselves? The easy answer is that they can. A review of the various rules of procedure and evidence allows an indictee to defend himself if he so chooses. But there is more to all this than the legal right of defending yourself before a tribunal or court.

First, there is the control issue. Having been removed from positions of great and even absolute power, these indictees have controlled nations and even regions in a way that is hard to imagine. In many instances they were the law. To remain in power absolute control was essential. This need to control all matters around them extends into the court room. Their disdain for the judicial proceedings is all part of this. They rant and rave at their situation and howl at the judges refusing to be a part of their case or the jurisdiction of the court to even try them, among other real or imagined incongruities.

A second reason is politics. A trial on international crimes before the world is an incredible "bully pulpit" for these masters of politics and manipulation. To these heads of state and leaders of various factions the trial is in some ways the ultimate grandstand from which they can play out whatever politics they choose to present and in a way that explains their actions and crimes they are being for which they are being prosecuted. It has only been recently that the judges have begun to get their procedural arms around this to avoid the events that took place in the Milosevic trial.

Thirdly, disruption and injecting error into the record of proceedings may be a subtle yet compelling reason. Somewhat similar to control, disruption of the proceedings can show not only control and disdain for the authority of the court, but it is also good theater and many, if not all, of these defendants are great actors. The martyr facing an inevitable fate and before great odds plays well back at home. Yet another more serious issue is the hope of injecting enough error into the proceedings to build an appellate record that may cause a reversal of a judgment or a retrial. Neither of these results is acceptable.

As a former Chief Prosecutor reversible error was one of my biggest fears. Though the proceeding must be open, fair, and just, you can't release these individuals on a technicality caused by an error at the trial level by judges who have generally little to no trial experience. Disruptions of any kind only enhance that chance and the defendants know this.

Of course none of these tactics have actually proven to be of benefit to the accused. Over time each settles down into an almost predictable pattern of anger and rage, denial, and finally acceptance of their situation. These former heads of state are going through a psychological process that moves them from arrogance to humility and it is usually not pretty to watch.

The various tribunals and courts have begun to work out legally supportable methods to ensure the rights of the accused are carefully protected. In places where there is little respect for the law or a great fear of the law, these proceedings must be perceived by the victims and the citizenry of the region as fair and that the law can bring a type of justice that can account for these atrocities in a way that is acceptable to them.

And so it begins again, Radovan Karadzic will represent himself, howling, ranting, and raving at the tribunal that will decide his fate. I wonder if Presidents Omar al-Bashir and Robert Mugabe* will do the same.

*For more information on the crimes against humanity perpetrated by President Mugabe see the recently published white paper "Justice for Zimbabwe" by the !ENOUGH Project and Impunity watch at <http://www.enoughproject.org> or <http://www.impunitywatch.net>

David M. Crane is a professor at Syracuse University College of Law, and former founding Chief Prosecutor for the UN Special Court for Sierra Leone (2002-2005).

New York Times
Sunday, 27 July 2008

Waiting for Justice



CRIMES OF WAR Evidence of killings by government troops abounds in Sudan.

By HELENE COOPER

WASHINGTON — Let's pretend, for a moment, that you are Sudan's president, Omar Hassan al-Bashir, sitting in Khartoum and likely to face charges of genocide and crimes against humanity from the International Criminal Court for the last five years of bloodshed in Darfur.

You're watching CNN International, and what comes on the screen but Radovan Karadzic, the notorious Bosnian Serb leader, apprehended after 13 years in hiding and about to be hauled to the United Nations-backed tribunal in The Hague on war-crimes charges.

Now what, Mr. Bashir?

A) Do you get really nervous at this peek into your future and decide to straighten up, do what the international community has been telling you to do, sign a peace deal and let peacekeeping forces into Darfur?

B) Or do you get only mildly nervous at this peek into your future, figure that you have some options, and decide that since there's a wanted poster with your face on it, you might as well forget the peace deal and give the Janjaweed even freer rein to attack civilians and maybe even a few relief workers?

The dueling war-crimes cases of July — first Mr. Bashir is told that a prosecutor is seeking a warrant for his arrest on war-crimes charges, and then Mr. Karadzic actually gets arrested in Belgrade, Serbia, in a move that will most likely send him to The Hague — received two very distinct reactions from the international community. The reason may well lie in the two very distinct pathways that Mr. Bashir could choose in our opening puzzle.

Just about everyone except a few übernationalistic Serbs appeared to cheer the arrest of Mr. Karadzic, who was indicted for the 1995 massacre in Srebrenica in which Bosnian Muslim men were singled out for slaughter. But curiously, the request by the International Criminal Court's prosecutor, Luis Moreno-Ocampo, for a warrant for Mr. Bashir's arrest was greeted with ambivalence among international human rights activists.



“The problem is, it doesn't stop the war,” said one human rights official, who spoke on condition that his name not be used. Gary Bass, a Princeton professor who wrote a book on the politics of war-crimes tribunals, said human rights advocates were caught in a bind in the Bashir case because they worry that an indicted Mr. Bashir might think he has no option but to continue waging war; if he makes peace, he will still have an indictment hanging over his head and could end up in The Hague.

“From a human rights perspective, what's more important?” Mr. Bass asks.

“Delivering justice for people who've been victimized, or preventing future victimization?”

There is a strand of those within the human rights community who say that war-crimes indictments should be used only after a conflict is resolved, because such indictments, they say, can extend the length of a conflict. Advocates of this view point to the case of Joseph Kony, head of the Lord's Resistance Army, the guerrilla group that has been engaged in an armed resistance against the Ugandan government since 1987. During peace negotiations in 2005, the I.C.C. issued arrest warrants for Mr. Kony and his deputies, charging them with crimes against humanity that include murder, rape, sexual slavery and the enlisting of children as combatants.

Mr. Moreno-Ocampo met with some human rights advocates before issuing the warrants; the advocates said they urged him not to do it. Mr. Kony's advisers said they would never surrender unless they were granted immunity from prosecution, but the Ugandan government doesn't have the power to revoke a war-crimes indictment. A tenuous peace is holding right now in Uganda, but human rights advocates point out that Mr. Kony remains at large — he is believed to be hiding in eastern Congo — and fighting could flare up again at any time.

International justice advocates say the don't-indict-until-the-conflict-is-over argument is bogus. “The push for justice is getting a bum rap,” said John Norris, executive director at Enough, a group that seeks to end genocide. “What they miss is what an indictment does to change the internal debate. It's a big thing when the international community stands up and says ‘this guy is reprehensible and we're not going to do business with him.’ ”

Mr. Norris worked on the Kosovo war for the State Department during the Clinton administration. He said he was in Moscow for negotiations in 1999, while NATO forces were bombing Serbia, when news came that the Serbian president, Slobodan Milosevic, had been indicted for war crimes. Russian negotiators, Mr. Norris said, “saw this indictment as a disaster.”

“They said the war was never going to end,” Mr. Norris said. “Everybody was gnashing their teeth about it.” But, he argues, the indictment didn’t change Mr. Milosevic’s calculations. In fact, it was only a week later that Mr. Milosevic gave in to NATO’s demands and the war ended.

Why? For one thing, Mr. Milosevic had endured a fierce bombing campaign. For another, he believed — rightly — that he had other options. Indeed, it wasn’t until two years after he was indicted, in 2001 — after he had lost elections — that he was forced to surrender to Yugoslav security forces. He was then transferred from a jail in Belgrade to United Nations custody just inside Bosnian territory, and eventually to The Hague, where he died two years ago, his trial incomplete.

Mr. Karadzic’s case is even more striking. After the Bosnian war ended in 1995, he lived as a fugitive for 13 years. It wasn’t until Serbia elected a new government more interested in joining Europe than in nationalism that the authorities arrested the Bosnian Serb leader.

Those cases suggest that one way war-crimes indictments are useful is not so much to obtain justice, but as a tool to help shape the postwar behavior of a country: its new leaders may need a way to re-engage the outside world. In the case of Mr. Karadzic, Serbia’s new leaders realized he was of more use to them as a way to get back into the good graces of Europe.

An indictment also didn’t change the calculations of Charles Taylor, the Liberian president indicted for war crimes in March 2003. But it did play a role in clearing a path for peace, all the same.

Just a few months after he was indicted, Mr. Taylor agreed to a deal that forced him to leave Liberia for what was supposed to be a safe haven in Nigeria. Part of the deal, which Mr. Taylor struck with Nigeria’s president, Olusegun Obasanjo, was that he could stay, unarrested, provided he didn’t meddle in West African affairs and wars while in exile.

Prosecutors with the Special Court for Sierra Leone said that Mr. Taylor didn’t keep that promise, and Mr. Obasanjo rescinded Mr. Taylor’s “safe haven.” He was captured while trying to leave Nigeria in 2006, and was eventually carted off to The Hague; meanwhile, in his absence, Liberians had elected a new democratic leader, Ellen Johnson Sirleaf, who promised reconciliation.

Professor Bass of Princeton says that while he’s not sure war-crimes indictments are always the way to go in the midst of a conflict, he does think indictments sometimes embolden a country’s opposition, making a despot’s reign more tenuous. “It tells domestic political opponents that maybe the time is right to get rid of you,” he says.

And, he adds, no matter the problems it may create, there’s something to be said for justice.

“Does finding out the truth mean something?” he asks. “For a lot of people — like the Armenians, for instance — it does.”

The Star (Toronto)
Saturday, 26 July 2008

The world's most wanted despots



REUTERS/MOHHAMED NURELDIN ABDALLA

Sudan's President Omar Hassan al-Bashir has been charged with genocide and crimes against humanity in Darfur.

OMAR AL-BASHIR

President of Sudan, accused by the International Criminal Court's prosecutor of genocide and other crimes against the people of Darfur. Bashir, 64, was born in northern Sudanese village. A career military man, he came to power in an Islamist-backed coup in 1989, imposed Islamic law and fought bloody wars against opponents in the south and west of the country.

Where is he now?

In his presidential palace in Khartoum, where he denies any guilt for atrocities. A heavily guarded authoritarian ruler, he's unlikely to be arrested soon.

GORAN HADZIC

An ethnic Serb born in Croatia 50 years ago, Hadzic was elected president of the breakaway Republic of Serbian Krajina, seized from Croatia by Serbs who opposed the breakup of Yugoslavia. He's accused of atrocities including the 1991 massacre of 250 non-Serbs seized in the Croatian town of Vukovar.

Where is he now?

The glum Hadzic has been reported hiding in an Orthodox monastery in a northern Serbian village, and in a town on the picturesque Montenegrin coast.

OSAMA BIN LADEN

Now 51, he's the son of a wealthy Saudi family who became a militant jihadist and power behind the Afghanistan's Taliban regime, as well as kingpin of the Al Qaeda network and mastermind of the Sept. 11, 2001, terror attacks and U.S. embassy bombings in Tanzania and Kenya.

Where is he now?

Bin Laden has the money and contacts to remain on the lam where few can follow. Sightings were reported in Afghanistan and on the Pakistan border.

RATKO MLADIC

As chief of the Bosnian Serb army, Mladic is accused of working with Radovan Karadzic to ethnically cleanse non-Serbs from Bosnia. He was in charge during the seige of Sarajevo and the massacre of some 8,000 Muslim men and boys in Srebrenica.

Where is he now?

Sightings have been reported in Belgrade, Montenegro and Bosnia. Other reports say the 66-year-old suffers from a serious heart condition or died after a stroke.

MULLAH MOHAMMED OMAR

Chief of the Taliban movement and former head of its extreme Islamist regime in Afghanistan. Omar, 49, is a mystery man who seldom communicates with the outside world. Born in Kandahar, he fought against Russia and Western troops, losing an eye in battle.

Where is he now?

In hiding, possibly in Pakistan, Omar is said to have discarded his signature beard and turban for more Western dress. Some reports place him in the northwestern town of Quetta, where he is said to be an imam.

Political wrangling often stymies international courts, but wheels of justice starting to turn more rapidly

July 26, 2008

OLIVIA WARD

FOREIGN AFFAIRS REPORTER

From Osama to Radovan, the global public is on first-name terms with many of the usual suspects wanted for appalling international crimes.

But dozens of others never make the indictment list of any international court. And some, accused of gruesome attacks on innocent civilians, are unknown quantities outside their own countries.

It's easier to point fingers than to indict war criminals. Political wrangling stymies international courts from signing warrants against mass murderers, torturers and directors of violence that shatters millions of lives.

In an ideal world, a list of the worst dictators would be a template for future trials. North Korea's Kim Jong-il, Burma's junta leader Than Shwe, Zimbabwe's Robert Mugabe and Uzbekistan's Islam Karimov would top the roster.

They preside over countries where some of the most horrific abuses of human rights have taken place. But few, if any, will end up in the dock of an international court.

"There's the wish list, and the reality check," says Param-Preet Singh, Human Rights Watch's counsel in international justice.

"There is always the possibility of justice, but without political will, it is much harder to deliver."

President Omar al-Bashir of Sudan was a rare exception. He was recently indicted by the International Criminal Court – a surprise move that could shake up other brutal rulers.

Bashir's campaign against Darfur rebels in western Sudan led to rape, torture and murder of thousands of civilians, on a scale the U.S. calls genocide.

A groundswell of public outrage against the atrocities committed in Darfur propelled Bashir's indictment, which wasn't opposed by any of the powerful members of the United Nations Security Council who have a veto over cases referred to the international court.

But Mugabe, protected by China, Russia and South Africa – a non-permanent council member – would be an unlikely prisoner.

If a warrant were issued, arresting him would be close to impossible.

"There's no tribunal police force," Singh notes. "And if there were, it would still be dependent on national security forces to do its job."

Arresting a dictator in power is unprecedented. And the apprehension of former strongmen may give pause to those who are considering stepping down.

A UN-backed Special Court for Sierra Leone seized Liberia's Charles Taylor and sent him to The Hague after he gave up the presidency under international pressure and fled to Nigeria.

Former Serb leader Slobodan Milosevic was turned over to an international tribunal after he was ousted by reformers. Fugitive Bosnian Serb leader Radovan Karadzic was nabbed after 13 years in hiding. And former Chilean president Augusto Pinochet spent his last years under house arrest in his home country, accused of dozens of human rights violations after overthrowing Salvador Allende in 1973.

The looming scales of justice may have convinced Mugabe to cling to power for the rest of his life.

And the aging Than Shwe, reportedly ailing, shows no sign of handing over the reins to a successor.

Some in the West also worry that indicting heads of state sets an uncomfortable precedent.

There have been calls for war crimes trials of U.S. President George W. Bush and former British prime minister Tony Blair, who backed the invasion of Iraq and the overthrow of Saddam Hussein, sparking a bloody civil war.

But Washington's opposition to the international court has quashed any move to indict them.

Further down the political chain, former U.S. secretary of state Henry Kissinger has been accused of committing war crimes in Indochina, Bangladesh, East Timor and Chile, also without effect.

In the U.S., a well-publicized list of most wanted terror suspects has made men like Ramzi Yousef, convicted mastermind of the 1993 World Trade Center bombing, household names.

Other countries' bêtes noires are more obscure, despite the horrible crimes of which they are accused.

India has called for the extradition of Tamil Tiger leader Velupillai Prabhakaran, its chief suspect in the 1991 murder of prime minister Rajiv Gandhi, and numerous other serious crimes.

Israel's most wanted list includes dozens of Palestinian militants, accused of planning and carrying out deadly attacks. Several have been assassinated, including leaders of the militant faction Hamas.

Russia's most wanted, Chechen field commander Shamil Basayev, was killed in an explosion after fighting two wars against Moscow and carrying out catastrophic attacks on civilians.

Hundreds of suspects are still at large in dozens of countries. But, says Singh, the international courts' wheels of justice are turning more rapidly than ever – in spite of political stumbling blocks.

"More and more, international justice is a powerful tool. Milosevic, Taylor, Karadzic are people who even 15 years ago would never have been brought to justice. It shows that with political will, anything is possible."

BBC News Hour

Saturday, 26 July 2008

Transcript

LEAD-IN: (Julian Marshall) The former Bosnian Serb leader Radovan Karadzic, now in custody in Belgrade and awaiting transfer pending an appeal to the UN war crimes tribunal in The Hague. We are going to be discussing global justice for the rest of the programme.

The man detained in the Serbian capital earlier this week looked nothing like the politician who's been accused of genocide and crimes against humanity during the Bosnian war in the 1990s. His flowing white beard and career in alternative medicine must have helped him evade capture for more than a decade, but his day in court will now come. But what sort of trial will Radovan Karadzic get? Whose interests do international courts really serve, and are they the best way to promote long-term peace and stability in regions of conflict? In a moment we'll be getting the views of a panel of legal experts, but first the BBC's Helen Fawkes reports on this week's dramatic events in Belgrade.

FAWKES: For more than a decade, Radovan Karadzic was a fugitive. He was hunted across the Balkans, on distant mountains and in isolated monasteries. But it turned out that for the past eight years he was right here in the Serbian capital. Children are playing football across from the anonymous tower block which was his last home. The brother of the war crimes suspect is Luka Karadzic.

LUKA KARADZIC: (Interpreter) I think you shouldn't ask how I feel at this moment because my dear brother and a member of our family has just been arrested and will be taken to The Hague, to the monsters there who don't recognize justice.

FAWKES: (Sounds of traffic) Europe's most wanted man was finally captured on Monday. He was arrested on a bus like this, the Number 73. As the process to extradite Mr. Karadzic got underway, a picture of his secret and sometimes bizarre life began to emerge. Since the war he'd lost weight. He changed his appearance, with long gray hair and a matching bushy beard. He obtained fake ID using the name Dragan Dabic. He worked as an alternative health guru, even appearing at public events.

Bruno Vekaric is a senior adviser to the war crimes prosecutor.

VEKARIC: (Interpreter) He had already assumed this identity before October 5, 2000. At the time, the political climate was in his favour. His political allies were in power. The Republic of Milosevic was in power. He'd started living a parallel life more than eight years ago, and this is more than enough time for him to believe he was not Radovan Karadzic any more.

FAWKES: He even became a regular customer at this pub known as Madhouse near to his flat in a suburb of Belgrade. Incredibly, just above the bar here there are photos of Radovan Karadzic, his war-time commander, and Slobodan Milosevic. Apparently he enjoyed listening to traditional live music like this, and drinking red wine. According to the owner, Misko Kovijanic.

KOVIJANIC: (Interpreter) I didn't have a clue that this was Radovan Karadzic. He said to me, "it's so lovely that you have these pictures in your bar." No, we didn't talk about the war. He talked about ordinary things like alternative medicine.

FAWKES: There have been daily protests on the streets of Belgrade. On Tuesday, demonstrators clashed with police. There's been an angry reaction to the arrest by some Serbs who see Mr. Karadzic as a war hero. But the protests have been very small, attracting just several hundred hard-line nationalists. Since his

arrest, Mr. Karadzic has been held here, at a special court in the capital. It's guarded by hundreds of police. His lawyers have said they're determined to fight the extradition, but it seems almost inevitable that Mr. Karadzic will be sent to the international war crimes tribunal in The Hague within the next few days. Following in the footsteps of the late Slobodan Milosevic, he plans to represent himself in court, but it might be many months before the trial starts, and Mr. Karadzic takes to the stand, accused of genocide and crimes against humanity.

The BBC's Helen Fawkes reporting from Belgrade.

JULIAN MARSHALL: So Radovan Karadzic will soon be facing international justice, just like Slobodan Milosevic before him and, who knows, perhaps in future Omar al-Bashir, the President of Sudan. The Prosecutor of the International Criminal Court recently asked for him to be arrested for genocide in Darfur. So is global working? Who decided who gets put on trial? We've got three top legal brains to help us answer those questions and others. Maybe you've got one – our email address is worldhaveyoursay@bbc.co.uk. From Washington, DC I'm joined by David Rivkin, a partner in the firm Baker & Hostetler; from New York City by Geoffrey Robertson, a leading barrister and author of the book "Crimes Against Humanity"; and from the Moroccan capital Rabat Marieke Wierda from the International Centre for Transitional Justice and a former lawyer at The Hague tribunal.

The arrest of Mr. Karadzic, Marieke Wierda – good news for the tribunal?

WIERDA: I think it's extremely good news. It's extremely significant that after all this time of waiting, victims of the Bosnian conflict will now get their chance to see the mastermind of the campaign of Bosnian Serbs against Bosnian Croats and Muslims be put on trial.

MARSHALL: Geoffrey Robertson, might it be said to be more as a result of political expediency?

ROBERTSON: No I think this is great news because what people outside Europe have to understand is that this is the alleged mastermind and it's not [decided] that he's guilty already, of the worst war crimes since the Nazis, 7,000 men and boys taken and killed in cold blood and buried in shallow graves at Serbenicia. This was horrific, this was genocide, and if indeed he was the author of it through ramping up nationalism in his little republic, then undoubtedly he's guilty of genocide and should be tried as a moral issue - we talk about globalization in other things, let's be clear this is an allegation of mass murder and there is a moral imperative to put him on trial.

MARSHALL: David Rivkin?

RIVKIN: I think it's an excellent thing, and I hope that people like Mr. Mladic would be apprehended. I don't think there's any disagreement in this panel. I think where I may differ from my colleagues is however extrapolating this experience with Mr. Karadzic into the proposition that it's always universally good and positive to commence criminal proceedings against the head of a [indistinct] foreign leader. Invariably it leads to positive results, and that is a far more nuanced situation. Let me just point out two things. As I think you implied in your question. The reason Mr. Karadzic was apprehended [40:13] – let's leave aside any possibility of law enforcement ? because the political environment in Belgrade has changed for the better, and it's very good. But I think the proponents of these types of things invariably allege that the very fact that there is the ongoing work of the various tribunals leads to reconciliation, leads to stability, and that is not always the case, and I hope we get a little bit into this...

ROBERTSON: Well David that is absolutely right in the sense that international justice is always a last resort. It only is appropriate where the state itself cannot act against mass-murderers, either because they're in power or because they have control over those who succeed them, and Pinochet is an example

of that. Charles Taylor is on trial as we speak in an important case in The Hague which the media tends to ignore. There are example of trials in countries where new regimes come in. Argentina is a good example of where a country itself has in time put the generals who were responsible for the hideous dirty war on trial itself. That's the best solution. But where that cannot be a solution then – well you were a member of the Reagan administration which ratified the genocide convention. Where there is an allegation of genocide committed by those in power, then the international community, as a result of that convention, simply has an obligation, I think, to act. But yes, it's better if the country does it of its own volition.

MARSHALL: Marieke Wierda, you worked at The Hague tribunal. I mean it was the first court of its kind since Nuremberg – correct me if I'm wrong. But why was it set up?

WIERDA: The Yugoslav tribunal was set up because there was an unfreezing of the Security Council which made it possible for this tribunal to be created by the Council. One has to remember that at that time, the question was the level of involvement in terms of preventing the crimes that were happening, and of course the international community did not act very decisively in that regard. So some would say the Yugoslav tribunal was in some ways established to make amends and to do something about the crimes even retrospectively, and at the same time I think it was an extremely important development and that it can contribute to reconciliation. But it is our experience as an organization that justice needs a variety of forms and that there have to be criminal trials, and that also a variety of other measures including truth-seeking reparations and certain institutional reforms. And here I think Bosnia still has some ways to go, but the trial of Karadzic can help, especially in uncovering the truth.

MARSHALL: Geoffrey Robertson, The Hague tribunal, it's not without its critics. They point to the slowly-turning wheels of justice...

ROBERTSON: Absolutely...

MARSHALL: ...(indistinct) the trial of Slobodan Milosevic... (conflicting voices)...against the Serbs?

ROBERTSON: Yeah, this tribunal was set up as a fig leaf, let's face it, look, it was the wonderful legacy of Nuremberg which no one in the cold war ever thought to collect on. The UN was in desperation, it didn't do anything about, couldn't, NATO couldn't act, the UN couldn't act, and so hundreds of thousands of people were killed in the Balkans, and I think it was set up pretty much as a fig leaf to (laughs) indicate the UN's inadequacy. But it had its own momentum. It didn't operate except in relation to some foot soldier until about five years later, and then slowly – largely thanks I think to Madeline Albright, to Robin Cook, to the, that coincidence, NATO suddenly was put in gear, concentration camp commandants were arrested, some senior generals, finally Milosevic, and so it did have a momentum. Gradually it played itself out. A lot of mistakes were made. There was a terrible mess made of the Milosevic trial when they overloaded his indictment. They allowed him to strut and fret his hour upon the stage without really being able to come to grips with how do you give a fair trial to a man who doesn't want to be tried at all and conducts those pantomime antics. I think these are lessons learnt for international justice. So when the Sierra Leone tribunal was set up it went much better. It was in the country itself rather than in The Hague, and I think having the tribunal at the scene of the crime is an important advance. I've certainly been a critic of the delays and of the costs that sometimes occur in these tribunals, and sometimes of the inadequacy of the judges and of the over-zealousness of the prosecutors, but nonetheless I think we are improving, and I think the Karadzic trial will be an important event. We'll see how much we've learnt and improved since the Milosevic trial.

MARSHALL: David Rivkin, Geoffrey Robertson mentioned there in passing Sierra Leone. We've also got Rwanda and Cambodia country-specific trials. These are other kind of international criminal tribunals. But again, questions being asked there about their standards. Some of the local lawyers, for instance, in

Cambodia are not up to international standards or too easily swayed by national governments. Do you think those sort of criticisms are justified?

RIVKIN: [Well particularly], but let me begin by saying I largely agree with Geoffrey Robinson's (sic.) assessment of IK-TEE's (ICTY's) impact; despite some growing pains it has done a lot of good work. But there's, to me, the Cambodian and Sierra Leone model are vastly preferred despite some technical competence issues and some corruption, because I think we all agree that the best justice is the one rendered as close to the local circumstances, at least regional circumstances, as possible, because it really gives the sense to the people involved that their dignity is not being slighted, that this is not some new form of colonialism. I wanted to comment also on, again, a fundamental disconnect I think between me and some people, that timing is very important. There is this view that some individuals have that it's almost an automatic process once you get enough information to sustain an indictment and you believe a person has committed horrible things as let's stipulate Mr. Bashir has evidently committed horrible crimes, then you go immediately and anybody who wants to delay it is indifferent to the moral imperatives. It's not how justice works. If you look for example at domestic justice, the concept of prosecutorial discretion means that you just don't go after everybody whom you can indict. You have to look at the impact of that development, of that indictment on the body polity. And my opinion – and God knows I am not holding a candle for Mr. Bashir – that this particular indictment is going to greatly complicate any prospect for, already difficult for obtaining some resolution and easing suffering in Darfur. Another example, the indictment – and this is not international justice, but it is in a way – the indictment of Mr. Karenzi who is the deputy head of the UN force by a Spanish magistrate a la Pinochet. Because again, very difficult situation, Rwanda is the backbone of this peacekeeping force and Rwanda is going to pull out their soldiers and the whole mission would collapse because some Spanish magistrate didn't think it was important enough to wait and temper his desire for justice. That's not justice – it's foolishness in my opinion.

ROBERTSON: David I agree in a sense, that local prosecutors always have to consider the public interest, and it's important in international justice to introduce that element. Now it has been introduced at the International Criminal Court because Bashir has not been indicted. All that has happened is that the Prosecutor, who is the weakest prosecutor in the world, has been forced by the evidence in his possession to bring charges of genocide. But he's the weakest prosecutor largely because of American concerns – the Clinton Administration was most concerned about making him a super prosecutor a la Ken Starr, and they insisted – and this was what...He can't bring an indictment. The man Bashir is not accused, he's not referred to as an accused, until three judges are persuaded that there is a very strong case of genocide against him.

[At this point, NPA failed. By the time there was electricity again, the file had been changed.]

The National (Abu Dhabi)

Sunday, 27 July 2008

Child soldier makes it to rap charts

James Reinl, United Nations Correspondent



Emmanuel Jal, who has recently released his second album, says he was forced to fight alongside Sudanese rebels when he was six years old. Jim Cooper / AP

UNITED NATIONS // Emmanuel Jal is not certain, but thinks he was six years old when he was forced to fight alongside southern rebels in Sudan's bloody civil war, becoming a hate-filled gun-toter, determined to "kill as many Arabs or Muslims as possible".

Today, Mr Jal is an emerging star of Africa's rap scene, with lyrics on his recently released second album, WARchild, fuelling debate on one of the most complex moral issues of the modern era: child soldiers.

The talented performer demonstrates how underage combatants can be rehabilitated, but his memories of ruthlessness and horror before he became a teenager remain extremely provocative.

"When I first held the AK-47, I became very powerful," said Mr Jal, describing events in 1987, four years after the start of a conflict that left 1.9 million dead. "What I remembered was my village. My aunt who was raped. My house that was burnt down.

"I forgot that I was a child and I wanted to kill as many Arabs or Muslims as possible. And that's a desire. When you are given that gun, you want to get revenge."

Mr Jal's powerful lyrics echoed through UN headquarters in New York as part of a conference series in which delegates grappled thorny topics, including how professional armies and peacekeepers should respond when they encounter child soldiers on the battlefield.

Radhika Coomaraswamy, a UN special representative whose portfolio is children and armed conflict, describes a massive increase in the use of child soldiers over the past six decades, with 250,000 fighting in 57 forces around the world – mostly in Africa, Latin America and the Middle East.

"There has been an incredible rise in the number of child soldiers since the Second World War, culminating in the 1980s and 1990s where it reached its peak of about 300,000," Ms Coomaraswamy said. "It is argued by many that it is really the proliferation of small arms that has actually contributed to this rise."

Guns have become cheaper, lighter and more accessible, with serviceable weapons available for just US\$5 (Dh18) in most developing countries. The business now involves 600 firms in 95 states and, in 2000, saw illegal traders double the turnover of legitimate dealers with sales estimated at \$10 billion.

Children in war-torn countries are “manipulated and exploited by cynical, brutal adults” to become efficient and cold-blooded killers, Ms Coomaraswamy said. “It takes a child 40 minutes, on average, to master an AK-47.”

“Some children are abducted into armed conflict, but others join voluntarily because of ideological reasons, poverty, grievance or revenge. There are many reasons,” Ms Coomaraswamy said.

“They talk about the power that it gives them when they carry weapons and control the population. The gun gives the child complete power over others, even elders, and destroys the social fabric in that society, as children become the leaders, and elders have to cower to that weapon.”

A new feature film titled *Johnny Mad Dog*, which won the Prize of Hope at this year’s Cannes film festival and is screening at other festivals around the world, offers insight into the unspeakable horrors children unleash when toting guns in a war zone.

The film graphically depicts a drug-crazed unit of boy soldiers marauding through the chaos of an unnamed African civil war raping women, butchering civilians and chanting their bleak anthem: “If you don’t wanna die, don’t be born.”

Stephen Rapp, prosecutor of the Special Court for Sierra Leone, established to try those responsible for war crimes during the West African country’s nine-year civil conflict in the 1990s, is acquainted with the capabilities of killer kids.

“They are torn from their communities, put on dope and given a persona like Rambo,” Mr Rapp said. “They can commit acts of brutality that many adults would not commit. In Sierra Leone, one of those involved in the amputations, Dr Chop Chop, who became proficient at chopping off arms and limbs of adults and children, was himself 12 years old.”

Jean-Maurice Ripert, France’s ambassador to the UN, has been active in framing international standards that define child soldiers “primarily as victims, exposed to unbearable violence and deprived of their childhood”.

During a security council debate, Ban Ki-moon, the UN secretary general, cited a “solid body of international standards” relating to children and war, notably the Rome Statute of the International Criminal Court, which criminalises the recruitment of children younger than 15 into fighting units.

Nevertheless, Mr Ban lamented the fact that “we have only begun to scratch the surface” of the problem. Only a handful of child soldier recruiters have been brought to justice. Ms Coomaraswamy echoed the concerns, calling for the council to begin “targeted and concrete measures” against repeat violators of children’s rights.

Although Mr Rapp lauds the world’s first successful prosecution of individuals responsible for recruiting child soldiers – three rebel leaders from Sierra Leone’s civil war, convicted last year of a range of war crimes charges – he talked about the difficulty of making allegations stick.

His colleagues running the ICC in The Hague have bigger problems, such as Joseph Kony, head of Uganda's Lord's Resistance Army and alleged to be responsible for abducting an estimated 60,000 children and forcing them into ragtag combat units or sexual slavery. Kony remains at large despite an arrest warrant that was issued in 2005.

Tensions were raised further when UN analysts discussed how peacekeepers should respond when engaging a hostile but underage enemy in the field: a complex moral argument that must balance the rights of child soldiers against those of professional forces.

Ms Coomaraswamy contended that children, "regardless of whether they wear a uniform or not, are civilians, and the only time you can use force against them is in self-defence".

But blue-helmet troops take a different stance on engaging children. Peacekeepers try "everything possible to avoid a confrontation" with child soldiers, but rules on the battlefield are very different, an official said.

"The age of the attacker is not a part of calculation once we've entered into the realm of protecting our forces," the official said. "In some situations, this will be when we are being fired at. In other situations, it can be when there is a perceived threat."

After several alterations, the council debate concluded with an agreed presidential statement in "condemnation of the continuing recruitment and use of children in armed conflict".

But for Mr Rapp, attitudes in the outside world are taking too long to change. His prosecutions of child soldier recruiters in Sierra Leone, he said, surprised a population that was previously not alarmed by the idea of arming 12-year-olds.

His concerns are borne out by global evidence, with images of teenage suicide bombers still hanging as martyrdom tributes in Palestinian camps, and a worrying trend among Yemeni families to order boys to commit honour killings – thus escaping the death penalty should they get caught.

Even the country that convened the debate, Vietnam – which presides over the security council this month – was unwilling to wholly tackle the moral ambiguities surrounding the use of children in conflict.

When asked whether it had been acceptable for the Viet Cong to use children against vastly superior US forces during the 1970s war, Pham Gia Khiem, Vietnam's deputy prime minister and minister of foreign affairs, ignored a body of historical evidence.

"Vietnam has never involved children as combat troops," he answered.

BBC

Thursday, 24 June 2008

Senegal 'ready' for Habre trial

Hissene Habre's regime is accused of widespread atrocities

Senegal says it has moved a step closer to trying Chad's former leader Hissene Habre, appointing judges and passing an empowering bill.

Mr Habre has been living in exile in Senegal's capital under nominal house arrest since fleeing Chad in 1990.

Sometimes dubbed "Africa's Pinochet", he is accused of human rights abuses during his eight years in power.

Senegal has also appealed for financial help from international donors to conduct the trial.

The measures approved on Wednesday allow a 2007 law permitting the prosecution of genocide, crimes against humanity, war crimes and torture to be applied to events in the past.

"We have witnessed a joint session of the parliament which gave us the legal basis to try President Habre," said Justice Minister Madicke Niang.

Mr Niang said Senegal needed 18bn CFA francs (\$43m) to proceed with the trial.

"Donors have not given us anything yet," he said.

Reed Brody of Human Rights Watch said that Senegal now had "one of the world's strongest laws for prosecuting atrocities".

The group welcomed the new measures, though it noted that it was two years since the African Union asked for Mr Habre to be tried, and more than eight years since he had first been indicted in Senegal.

Mr Habre was deposed in an uprising led by current President Idriss Deby, and denies knowledge of the alleged murder and torture of political opponents.

A commission of inquiry said his government was responsible for some 40,000 politically motivated murders and 200,000 cases of torture.

There have been a number of international efforts to bring him to justice, but Senegal has always refused to accept any extradition requests.

Reuters

Monday, 28 July 2008

Thai bid to extradite "Merchant of Death" postponed

BANGKOK (Reuters) - A Thai court postponed a hearing on Monday to extradite suspected Russian arms dealer Viktor Bout to the United States because his lawyer was absent, a prosecutor said.



Bout's new lawyer had asked the Bangkok Criminal Court to push back the first plaintiff witness hearing to September 22, prosecutor Vipon Kititasnaisornchai told reporters.

"The lawyer, who recently took over the job from another, sent his representative to ask the court to postpone the hearing as he had already had another case scheduled today," Vipon said.

Bout, dubbed the "Merchant of Death" by the media, arrived at the court in orange prison garb, with his wrists and ankles shackled. He was arrested in a Bangkok hotel in a Thai-American sting operation after arriving from Moscow in March.

U.S. authorities have urged Bangkok to extradite Bout to New York, where he would stand trial for conspiracy to sell millions of dollars of weapons to Colombia's FARC rebels that they say could be used to kill Americans in Colombia.

U.S. prosecutors said in a statement Bout had been trafficking weapons since the 1990s, using a fleet of cargo planes to send arms to Africa, South America, the Middle East and elsewhere.

As a result of such activities in Liberia, the U.S. authorities froze Bout's assets in the United States in 2004 and banned U.S. nationals from having any business dealings with him, the prosecutors said.

According to the United Nations and the U.S. Treasury Department, Bout has sold or brokered arms that have also helped fuel wars in Afghanistan, Angola, Rwanda, Sierra Leone and Sudan.

(Reporting by Songphon Koisiriphong; Writing by Nopporn Wong-Anan; Editing by Alan Raybould and Alex Richardson)

Gulfnews.com
Sunday, 27 July 2008

The cruelty of Guantanamo

By Adel Safty, Special to Gulf News

Last month the Bush administration suffered two legal defeats regarding its shameful policy of denying due process to detainees held at Guantanamo Bay.

The United States Supreme Court ruled that the Guantanamo detainees had a constitutional right to petition a federal court to challenge the basis of their continued detention.

In another rebuff to the Bush administration's disregard for due process, a federal appeals court ruled that Guantanamo detainee Huzaifa Parhat, who has been detained for six years without knowing the charges against him, was improperly labelled an "enemy combatant."

These court rulings, and several other previous rulings, clearly reject the Bush administration's violations of the human and constitutional rights of the Guantanamo detainees. The New York Times editors noted that the latest ruling "is a victory for the rights of detainees - and a rebuke to the lawless policies of the Bush administration". (June 25, 2008)

Nevertheless, the Bush administration shows no sign of fundamentally abandoning its discredited Guantanamo policies. Bush asked Congress for a plan to allow the Guantanamo prisoners to challenge the basis of their incarceration in federal courts but without ever setting foot in the United States because of the "extraordinary risk" they allegedly pose.

Bush also asked Congress to reaffirm in the same plan that the United States "remains engaged in an armed conflict with Al Qaida". A similar affirmation following 9/11 was used by the Bush administration to justify its violations of the human and constitutional rights of detainees in American camps abroad and its war on civil liberties at home.

In the belligerent mindset of the Bush administration the so-called war on terror justified the horrors of Abu Ghraib, the extraordinary renditions, the CIA secret prisons, the countless violations of international law, and the cruelty of Guantanamo.

'Worst of the worst'

The Bush administration called the Guantanamo detainees "the worst of the worst". A report on Guantanamo detainees prepared by Seton Hall University School of Law concluded that 55 per cent of the detainees had not been determined to have committed any hostile acts against the United States. Only 8 per cent of the detainees are alleged to be Al Qaida fighters.

The report also found that 60 per cent of the Guantanamo suspects had been detained simply because they were "associated with" groups the Bush administration considered terrorist organisations.

Moreover, an eight-month McClatchy newspapers investigation in 11 countries on three continents, published last month, established that dozens of men, perhaps hundreds, had wrongfully been imprisoned in Afghanistan, Guantanamo and elsewhere by US forces on the basis of flimsy or fabricated evidence, or bounty payments.

McClatchy newspapers reporters interviewed 66 released detainees, more than a dozen Afghan officials - and US officials with intimate knowledge of the detention programme. The investigation also reviewed thousands of pages of US military tribunal documents.

"The investigation also found," a report of the investigation stated, "that despite the uncertainty about whom they were holding, US soldiers beat and abused many prisoners".

One of these detainees is 21-year old Egyptian Canadian Omar Khadr who was arrested by American forces when he was 15 years old. Khadr was injured and arrested during an American raid on a compound in Afghanistan and accused of throwing a grenade that killed an American medical officer.

Khadr complained to Canadian intelligence agents who visited him in 2003 that he had been tortured in Afghanistan by American personnel before being sent to Guantanamo where he suffered abuse and cruelty.

Successive Canadian governments ignored his pleas for help and repatriation to Canada. Former Canadian Prime Minister Paul Martin now says that if his government knew what is now known he would have repatriated Khadr to Canada. Current Prime Minister Stephen Harper refuses to intervene.

Earlier this month the Supreme Court of Canada ordered the government to release secret documents about the Khadr case. The documents indicate that Khadr had been abused by his interrogators and that he suffered sleep deprivation.

Khadr was classified as an enemy combatant. The UN considers any person under the age of 18 who is part of regular or irregular armed forces as a child soldier-generally viewed by the international community as a victim in need of rehabilitation.

Enough suffering

In a court brief to the military commission set to try Khadr in October, Professor Sarah Paoletti of the University of Pennsylvania School of Law stated: "To date, there is no precedent in history for the prosecution of a child soldier before an international criminal tribunal."

At the Special Court for Sierra Leone in 2004, the US prosecutor, David Crane, was given the option of putting on trial those aged 15 to 17 who committed war crimes. Crane famously rejected the idea. "The children of Sierra Leone have suffered enough both as victims and perpetrators," he said, "I want to prosecute the people who forced thousands of children to commit unspeakable crimes."

Khadr's human and constitutional rights have been violated, in particular his right not to be prosecuted for ex post facto crimes-offences that were not crimes at the time they were committed. The charges against Khadr include conspiracy to aid Al Qaida, and murder by an "unprivileged belligerent".

But these charges were not offences in 2002 when Khadr was arrested. They became offences only in 2006 when Congress passed the Military Commission Act. A defendant cannot be tried on the basis of retroactive application of the law. Khadr could not be expected to comply with a law that had not yet existed.

Regrettably, the kangaroo courts of Guantanamo are nonetheless going ahead with the trial of Omar Khadr, a child soldier and a prisoner of war, abandoned by his government and denied due process by his captors. One of the many stories of cruelty of the Guantanamo prison.

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