

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



PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

as at:

Thursday, 3 May 2012

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

Local News

...Taking Solace From a Verdict that Cant Bring Back Loved Ones / <i>The Satellite</i>	Page 3
Is International Criminal Court the Best Way to Stop War Crimes? / <i>Concord Times</i>	Pages 4-5
I Agree With The Court: Taylor is Guilty / <i>Politico</i>	Pages 6-8

International News

Professors & Students Contribute to Historic Charles Taylor Trial / <i>Case Global News</i>	Pages 9-10
Victims Find Justice After Liberian Leader Is Charged / <i>National Public Radio</i>	Pages 11-12
Will Charles Taylor Ever Face Justice for Crimes in Liberia? / <i>Christian Science Monitor</i>	Pages 13-15
PYJ - Taylor Is Kind-Hearted! / <i>The New Dawn</i>	Page 16
False Justice in the Charles Taylor Case / <i>The Gazette</i>	Page 17
Taylor War Crimes Verdict Incomplete Justice / <i>The Victorian Times Colonist</i>	Page 18
Kenya Races to Transfer ICC Election Violence Case to Africa / <i>Christian Science Monitor</i>	Pages 19-20

The Satellite
Thursday, 3 May 2012

THE CHARLES TAYLOR TRIAL - TAKING SOLACE FROM A VERDICT THAT CAN'T BRING BACK LOVED ONES

Mustapha Dumbuya* (IPS) – Saffa Momoh Lahai was just two years old when his father was killed during Sierra Leone's civil war. Rebels attacked their family home in Kailahun District, in the eastern reaches of the country, and shot Lahai's father when he tried to resist. More than a decade later, Lahai went to the local seat of the Special Court for Sierra Leone in Freetown to hear the verdict read out in the trial of Charles Taylor, the former president of Liberia (1997-2003) who was convicted on Thursday Apr. 26 of aiding and abetting crimes against humanity and war crimes in Sierra Leone.

The verdict, which was read out by Judge Richard Lussick from The Hague, was televised live across Sierra Leone.

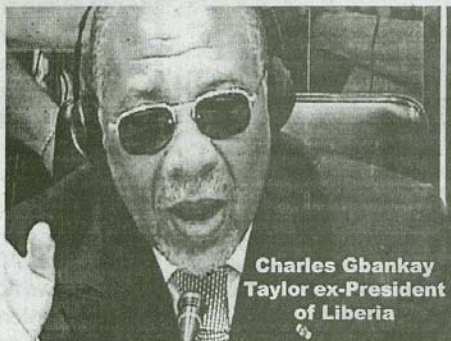
"I am so happy that Taylor has been found guilty," Lahai told IPS after hearing the verdict, which was handed down in The Hague.

"It cannot bring back my dead father, but it feels good that justice has now prevailed over injustice and evil, and that makes me very happy."

Many victims of the war in Sierra Leone were quietly pleased with the ruling, though the response was muted. Thousands across this West African country sat glued to TV sets or transistor radios to hear the court's findings. Most simply went back to their daily lives after the verdict was read.

Haja Bintu Mansaray's husband was killed by rebels in Koinadugu District, northern Sierra Leone, right in front of her. "This verdict cannot bring back my husband, but my children and I can take solace from it," said Mansaray, who added that she would never forget seeing her husband murdered.

Like many Sierra Leoneans, she said she has struggled to survive since the war, finding it difficult to pay her children's school fees. While the conflict ended in 2002, the country has remained near the bottom of the United Nations Human Development Index, and much of the damage done is yet to be repaired.



Charles Gbankay
Taylor ex-President
of Liberia

Taylor was convicted of supporting the Revolutionary United Front (RUF), a rebel faction led by Foday Sankoh, which invaded the east of the country in 1991. The RUF unleashed 11 years of suffering on the civilian population, with mass amputations, rape, sexual slavery and the use of child soldiers characterising its campaigns. The RUF sought control of the rich alluvial diamond fields in the eastern part of Sierra Leone.

In Kono District, one of the longest-suffering regions during the war, survivors said they were happy with the guilty verdict, but were anxious to know what the sentence would be.

"I would give him a slow agony of a death, because he was the one responsible for the amputations, the killings, the destruction of lives and property," said Eric Kellie, in Kono's capital town of Koidu.

Kellie's brother and mother were killed during the war, and his home was destroyed. More than a decade later, he is still trying to pick up the pieces.

"It has been very difficult for a long time," said Kellie. An estimated 50,000 people were killed during the war, with thousands more raped or suffering amputations. And since the war's end, Sierra Leone has seen far less

international support than neighbouring Liberia, which suffered a 14-year war after Taylor invaded the country with a small rebel faction in 1989. Taylor has not been indicted for any of the atrocities committed during the Liberian war.

Eldred Collins, the former RUF spokesman and current spokesman for the political party of the same name, said that Taylor was not to blame for the war, which he attributed instead to Sierra Leone's long history of corrupt and unjust governance. In order to prevent another conflict, those conditions need to change, said Collins. Abdul Rahim Kamara, director of Manifesto 99, a human rights organisation following the special court, said the trial had "sent out a loud and clear message, not only to Sierra Leone but to the whole continent: that the days of impunity are over."

"This should be a warning to all sitting officials that one day they will be held accountable for what they do," said Kamara.

In Freetown, Alhaji Jusu Jakka, the director of the War Amputees Victims' Association, said he was "happy" and "relieved" after the verdict. But he pointed out that the Taylor trial cost a great deal when little has been done for the victims of the war. The trial reportedly cost 50 million dollars.

"The international community has spent more money on perpetrators, rather than victims, who suffered the atrocities perpetrated by these people," said Jakka. He said the judgment was a victory for victims, but he expected more reparations.

The verdict represents the first time a head of state has been found guilty of war crimes since the end of the Second World War. Taylor is the first former African head of state to be tried for crimes against humanity, and the case has been hailed as an end of impunity for African despots. A sentence is expected on May 16. Taylor's lawyers have said they will appeal.

Culled From Newstime.africa.com

Concord Times
Thursday, 3 May 2012

Is International Criminal Court the Best Way to Stop War Crimes?

SPECIAL FEATURE

By Roy Gutman -
Washington Bureau

THE HAGUE, Netherlands - Operating out of a converted parking garage and a modern high-rise in the Dutch capital, the International Criminal Court has toiled in relative obscurity for most of its 10 years, apart from the occasional negative headline, such as when President George W. Bush decided to undo Bill Clinton's decision to join it.

Then last month, a YouTube video suddenly catapulted the court to global fame. "Kony 2012" portrayed Joseph Kony, a Ugandan militia leader charged with abducting children and turning them into slaves and killers, as World Villain No. 1. The video's star was the man who indicted him, ICC Chief Prosecutor Luis Moreno-Ocampo of Argentina, and he denounced Kony as a criminal who should be arrested. "Joseph Kony was committing crimes for 20 years, and no one cared," he said. "We care."

For the ICC, which started work in July 2002, and until last month hadn't completed a single case, the Kony video may have been great public relations - it's had 88 million hits - but it also was a display of the court's impotence. Kony is still at large, despite the court's 2005

indictment charging him with crimes against humanity. U.S. special forces troops dispatched to the Central African Republic haven't been able to find him, and the aim of the video was to build public pressure on the U.S. and other governments to act.

In a historic case Thursday, the Special Court for Sierra Leone convicted Charles Taylor, the former president of Liberia, of aiding and abetting war crimes and crimes against humanity in arming rebel groups in neighboring Sierra Leone, receiving so-called blood diamonds in exchange. The United Nations and the Sierra Leone government set up that court, an ad hoc tribunal that's separate from the International Criminal Court, and the verdict was the first of its kind against a former head of state since the Nuremberg tribunal after World War II.

But even with Thursday's judgment, which followed a five-year trial, the question can be asked whether the ICC is the most effective way to deter the world's most serious crimes: genocide, crimes against humanity and war crimes. Might political initiatives launched in sub-Saharan Africa, where so many war crimes have occurred, or at U.N. headquarters eventually render the ICC superfluous?

To date, the only suspects the ICC has indicted are government and militia leaders from Africa. In the first verdict the court ever reached, in mid-March, it found Thomas



Lubanga, a rebel leader in eastern Congo, guilty of conscripting child soldiers.

A much bigger case will be that of Laurent Gbagbo of Ivory Coast, whose trial on charges of crimes against humanity is to begin shortly. Four senior Kenyan political figures also are to go on trial early this summer on charges of crimes against humanity, accused of helping to fan the violence after Kenya's 2007 elections. Other than Kony, the court's most prominent indictees is Sudanese President Omar al-Bashir, who's charged with genocide, crimes against humanity and war crimes in Darfur.

To an outsider, the court's annual budget of 108 million euros (\$142 million) and its 700 employees look big, and its plan for a massive permanent headquarters costing 120 million euros (\$158 million), grandiose.

Could the court have accomplished more in its first decade? "It really takes time for a new court to take off," said Navi Pillay, a former judge on the ICC and the ad hoc international tribunal on Rwanda who's now the U.N.'s high commissioner for human rights. "It's significant that in 10 years, without any mechanism of empowerment, they were able to secure the arrests of a number of high-ranking accused persons," she told McClatchy Newspapers.

She noted that it took the European Court of Human Rights six years to get its first case, and now it has a backlog of 60,000. One reason for the ICC's record is the absence of key powers from the list of nations that have signed the 1998 treaty that set up the court. The ICC has 121 state parties, which provide political and financial support and recognize its jurisdiction, the latest being Guatemala, but the U.S., Russia, China and Israel have refused to join.

"It is essentially ineffective because the major powers are not members," said Yehuda Bauer, a historian and academic adviser to Yad Vashem, Israel's memorial to the Holocaust, in Jerusalem. "The whole issue of international law is problematic," he said. "The moment a country decides its interests are contrary to international law, they just ignore it."

He gave as an example Israel's policy of building settlements on occupied Arab land, which is "in so many words contrary to international law." That brings up a sore point for ICC observers.

Early this month, Moreno-Ocampo rejected a 3-year-old request by the Palestinian Authority to become a member state so that the ICC could investigate the Israeli assault on Gaza at the end of 2008 for possible war crimes. Moreno-Ocampo cited the technical grounds that the U.N. General Assembly hadn't recognized Palestine as a state.

The ICC is a relative latecomer to the scene of international justice, and when the ad hoc tribunals that preceded it - for the former Yugoslavia, Rwanda, Cambodia and Sierra Leone - close their doors, it will have the field to itself.

But the world's horror over mass atrocities in Bosnia-Herzegovina and Rwanda, which gave birth to the ICC, also led to the creation of other international institutions, and while they operate mostly outside the public eye, they're intended to deal with volatile situations before they explode into genocide and other crimes against humanity.

The United Nations now has an undersecretary-general whose job is to advise on the prevention of genocide - to sound the alarm if there appears to be a risk of genocide occurring anywhere in the world. Francis Deng, the Sudanese-born human rights champion, has held the post for the past five years and has focused on reminding sovereign states of their obligations to uphold human rights.

Another creation is the International Conference on the Great Lakes Region, a grouping of 11 east African countries that's intended to raise awareness of genocide, rape and other atrocities that occur in war. Liberata Mulamula, the first executive secretary of the group, said

the initiative was founded on the idea that countries themselves must take responsibility for making certain their internal conflicts don't lead to major crimes.

"We committed ourselves to making the region genocide-free, by addressing the root causes," she said of the countries in the group, which include Rwanda, Burundi and the Congo.

Sudan is also a member, though its leader, al-Bashir, is under indictment on war crimes charges. So far, al-Bashir's main concession to the group is to allow a fact-finding mission to Darfur to determine who the perpetrators of the war crimes were, but he blocked the mission from visiting the states of South Kordofan and Blue Nile, where the Sudanese military is repressing restive populations. The report of the technical team won't be published.

Still, Mulamula said the initiative was having an impact. "Five years ago, nobody expected that the Great Lakes region would be relatively quiet and peaceful," she said. "For the first time, the Great Lakes region is not on the international agenda. If we continue and consolidate, we might have a completely different face on the region."

Until then, Mulamula, a career diplomat, thinks the ICC is performing a useful role. "For people who have suffered mass atrocities, it is the only form of justice that can restore confidence in the international justice system," she said. "It can be a big deterrent to whoever wants to commit crimes."

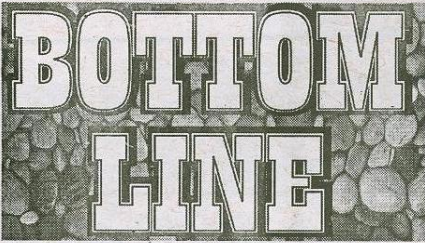
She criticizes the ICC, however, for indicting only Africans so far, and even in those cases moving against a relatively small number of people. "In my view they should widen the net," she said.

Bauer, the Israeli historian, has a different approach: convincing sympathetic governments to join a bloc at the United Nations that will press the major powers. "Regional conferences are extremely important and can create pressure on the major powers to change their ways," he said. "A group of 30 to 40 countries at the United Nations, if it can be done, is much more persuasive than any delegation."

At the ground level in Africa, however, there are many who view the ICC as the best immediate solution available.

"The general opinion in Kenya is that the ICC is the best thing for the country," said Raymond Kitevu, a Kenyan consultant with the U.N.'s office for the prevention of genocide. "Impunity is the experience here. There have been clashes in the past, and no one's ever been tried. The ICC will do the punishing. There will be a lesson. It is really worth having."

I Agree With The Court: Taylor is Guilty



By Isaac Massaquoi

In less than a month from now, the mercurial and idiosyncratic former Liberian president, Charles Taylor will take up residence in Belmarsh prison, South London to spend the rest of his tragic life. He probably wouldn't get a life sentence, but forty years which is a real possibility will represent a life sentence for the sixty-four year old. His life could be summed up in this way: here was a man who gained the whole world but will now lose his own soul.

In this article, I am attempting to put on record some information I picked up working as a journalist in the MRU while Charles Taylor was active in the region. Convicting Mr. Taylor for aiding and abetting the RUF mission to kill our people and destroy our country was absolutely correct. I believe that Taylor was in fact the Field Marshall for the rag tag RUF army that ravaged Sierra Leone for ten years. The standards of proof were so high in this court that no matter how hard they tried, the prosecution couldn't prove this. The important point to make though is that Mr. Taylor is today a War Criminal.

TAYLOR AND THE MRU To me he was disrespectful to our government at all times.

Charles Taylor's relationship with President Kabbah was what the late reggae star Joe Hills described as hand a bowl; knife nar throat. Taylor was a

perfect example of a Jekyll and Hyde character - in one situation posing as a peacemaker and in another helping rebels overthrow the government of Sierra Leone. He was very disrespectful to the leaders of Sierra Leone and Guinea, particularly, Alhaji Tejan Kabbah. It was even reported once in the local media that he maltreated our former Vice President, Albert Demby who travelled to Liberia to deliver a special letter from his boss. The politically inexperienced Demby arrived in Monrovia in mid afternoon and made his way to the Executive Mansion for his appointment with Taylor. The reports said that Taylor kept Demby in his waiting room for hours before asking his aides to tell him to go to the hotel and return in the evening.

Demby did not see Taylor until 3 am the next day and their meeting lasted less than five minutes. What a way to treat a visiting Vice President.

MRU PEACE-MAKING

I spent three months working at the presidential lodge as a reporter during my time at SLBS. Covering State House in those periods was a drab business. My journalism was restricted to five minutes photo opportunities for the many local and international groups that visited the lodge. I truly hated hanging around listening to idle gossip by security personnel and other sycophants waiting to see the president. In fact, State House under Kabbah was a boring place characterised by infighting and juju talk particularly when it came to travelling abroad. Kabbah made very few trips out of the country, but that only intensified the struggle for the few overseas trips that happened. So I was very surprised on November 12, 1998 when I was told to prepare for a trip to Conakry with the

president. Alhaji Kabbah was travelling to a summit of the moribund Mano River Union with the Rev. Jesse Jackson playing a facilitating role.

Our flight to Conakry onboard a rickety Russian-made helicopter lasted just under an hour and a half. Eleven people including the foreign minister made the trip.

The Weasua flight carrying Taylor was one hour late and his guards were already involved in some scuffle with Guinean soldiers as we were being driven to the same presidential villa at Bellevue where Kabbah had spent a year in exile.

As far as I am concerned, the meeting was another opportunity for Taylor to show himself off as a "respected statesman" while plotting the attack on Freetown with a sixty-eight tonne arms and ammunition consignment that would land in Sierra Leone two months later. Throughout the press conference that followed their lengthy meeting, the president of Guinea, Lansana Conteh looked totally unimpressed. He shook hands with Taylor only once and that was after the signing of the communiqué that said nothing. His mind was made up long ago that Taylor understood only the language of force. He was to employ that effectively with the help of Damate Kone's LURD, the rebel group that eventually helped bring down Taylor. We returned to Freetown late that evening and I found myself basing my report largely on the communiqué and a few words I got out of Jesse Jackson. My attempt to interview Taylor was thwarted by a bulky fidgety fellow who introduced himself to me as chief protocol officer to Charles Taylor.

INSIDE MONROVIA

Two months after that meeting, Freetown witnessed the most horrendous atrocity in its entire history. The rebels attacked Freetown and killed three thousand people; they abducted almost two thousand children; not to talk of rapes or arson attacks.

When I arrived in Monrovia towards the end of 1999, I was keen to find out how much Monrovia knew about the January 6 attack on Freetown. I wasn't going to interview any officials but I would talk to ordinary people and people who would know about such things.

The voyage from Freetown lasted an unbelievable 27 hours onboard MV Madam Monique. The captain, a talkative middle aged man allowed me to go up to his bridge to watch him plot his way through the choppy waters. Like the old former seamen of Krootown road, he told me endless stories of his work at sea for over twenty-five years while the rest of the staff of Madam Monique brought me a constant supply of tea and hot food. They were really nice people. Also I thought they wanted to have good coverage back in Freetown because they had just been given a contract to repatriate Sierra Leonean soldiers numbering in their thousands who had either fled to Liberia or had refused to return home at the end of their tour of duty with ECOMOG. Madam Monique just didn't want a journalist saying anything negative about how they executed this lucrative contract.

This was my second experience with sea sickness. The first occasion also had Liberian connections. I was among about ten journalists given the privilege by the

American embassy to visit the USS Guam while on its way to a mission just off the Liberian coast.

SOMALIA DRIVE - MONROVIA

Now back to that voyage to Liberia. We arrived at the Free Port of Monrovia at about 10am. Liberia has a long and beautiful coastline, a bit like ours. The port itself was deserted. This was the middle of 1999 and Liberia was just beginning to put itself together again after the election of Charles Taylor two years earlier. Our captain was told to stay just off the coast while contacts were made with authorities in Freetown and Monrovia to get a clear picture of who we were. That process lasted two hours. In the meantime a lady Reverend, who travelled with us and had been praying and singing throughout the journey, burst out singing again "this mountain shall be removed", she sang lustily. Other scared and weary people on the vessel joined in the extremely poor harmony.

It was now a real mountain because somehow word came from the shore that Liberian defence minister, Daniel Chea had ordered the ship back to "where it came from." We were running out of food, water and fuel too; it was getting serious. Many of the passengers rushed to the Captain to confirm the news. He was the only man communicating. He had by this time lost his cool and was busy kicking people off his bridge. I lost my privileged status and was also asked to leave, politely but firmly.

I was soundly asleep when we were finally given permission to berth. Hungry-looking immigration officers in threadbare uniforms asked us all sorts of questions and scrupulously recorded our answers and our personal information.

Many Sierra Leonean came to the port to receive us and to ask whether their family members survived the devastating January attack on Freetown. All kinds of stories were making the rounds in Monrovia about what happened in Sierra Leone on January 6 1999 and the two weeks following that.

My mother who lived in Liberia for more than twenty-five years wept openly when she saw me for the first time in about ten years. She'd been told that when rebels attacked SLBS, I was among the casualties. She in fact was the real reason I was on this trip. So doing journalism was why I was allowed on the ship, but seeing my mother in the process was why I took on the assignment.

She looked pleasant as ever but hard times and the wretchedness of life on Bushrod Island, had taken a heavy toll on her health and beauty.

We were taken to house on Somalia drive that was to be our home for the next three weeks. Around seven in the evening of the same day, two pickup trucks loaded with soldiers entered the compound. All fifteen of them were Sierra Leonean soldiers attached to the Executive Mansion - Taylor's fortified seat of power. They offered us drinks and by mid-night, they were now talking freely about their exploits on the battle field in Sierra Leone. I had told the crew members and our hosts never to identify me as a journalist. These nocturnal visits were to continue at least every other day for two weeks. One of the young girls who were in fact the reason these soldiers always stopped by was a very nice person. She told me a lot

about her trade links with rebel -controlled areas in Kailahun and Kono and that she travels on a helicopter that brought supplies to the rebels in rural Sierra Leone at least once every two weeks. She travelled to Kailahun once while we were there and reported that "business was good" and that many other people were openly trading in the same way, travelling to Kailahun and Kono by road. She actually told me all this to demonstrate how difficult it was to make a living in Liberia.

I have no reason to doubt that the Liberian government of Charles Taylor knew about this trade that was so crucial to the survival of RUF combatants.

MY VISIT TO SINJE CAMP

Our trip to Monrovia was all about bringing home Sierra Leone soldiers who had found their way into Liberia at different points of the war. Our ambassador to Liberia at the time Dr. Kemoh Salia Bao arranged preliminary visit to the refugee camp at a place called Sinje, to the West of Monrovia close to the border with Sierra Leone. At the camp, I found at least nine soldiers who were my classmates in secondary school. I leave you to imagine the kind of questions I would have asked. Here was I in this camp with soldiers who were prepared to speak to me both as a journalist and a friend. At least three of them really cleared their minds. The details will be for some other publication but I can say that it's a fact that some of the soldiers in that camp were recruited to join the attack on Freetown in January 1999. There were more than one thousand of them there. We brought back six hundred of them to Freetown.

When I visited the United States in 2006 under the US government's International Visitor's program, I was handed a video at the Centre for Investigative Journalists in San Francisco in which the journalists followed a particular shipment of arms and ammunition from Ukraine to Sierra Leone just before the rebels attacked and destroyed Freetown in January 1999. Burkina Faso provided end-user certificates to facilitate the supply which was brought to Sierra Leone through Liberia with a senior Liberian government official organizing the shipment. After watching that video, my mind raced back to my first meeting with Felix Mujakperou, the Nigerian ECOMOG commander who took over from the squabbling Generals under whose watch rebels ransacked Freetown. Mujakperou was addressing a programme organised by the Sierra Leone Chamber of Commerce at the Bank Complex, Kingtom in the northwest of Freetown. It was in that ceremony that he disclosed that a shipment of sixty eight tonnes of arms and ammunition was brought to Sierra Leone through Burkina Faso and Liberia for the invasion of the city. The video confirmed that several years later.

I hope people now understand why some of us have questioned why Burkina Faso was the first country President Koroma visited after his accession to power. And why indeed is Blaise Compaore still in power acting as mediator for all conflicts in ECOWAS when his hands are equally drenched in blood.

Mr. Taylor will never see daylight in Freedom. Some of us knew that "wickedness will prevail but only for a little while."

Case Global News

Wednesday, 2 May 2012

Special Report: Professors & Students Contribute to Historic Charles Taylor Trial



On April 26, 2012, the Special Court for Sierra Leone (SCSL) convicted former Liberian president Charles Taylor (left) of 11 counts of aiding and abetting war crimes and crimes against humanity in neighboring Sierra Leone. It was the first time in history that an international tribunal has convicted a head of state. Over the past 10 years, Case Western Reserve University School of Law professors, students, and alumni have been privileged to have played several key roles in the historic case.

Shortly after his appointment in 2002, David Crane, founding Chief Prosecutor of the SCSL, reached out to our War Crimes Research Office, directed by Professor Michael Scharf, and the Public International Law and Policy Group, the NGO Scharf co-founded, for assistance on the most difficult and complicated legal issues facing the Tribunal. Since then, professors Michael Scharf and Carol Fox, and adjunct professors Christopher Rassi and Christopher McLaughlin, supported by a dozen students each year, have provided 32 lengthy research memos to the Chief Prosecutor and his successors.

According to Scharf, "It was one of our memos that provided the research background for the Prosecutor to argue that head of state immunity did not apply to international crimes tried by the SCSL." This laid the foundation for the Prosecutor to obtain the indictment of Taylor while he was a sitting head of state in 2003.

Scharf says, "The memos we prepared dealt with just about every issue in the trial, from the authority of the Sierra Leone Tribunal to prosecute leaders in Liberia, to the legal contours of aiding and abetting, to the definitions of crimes against humanity, terrorism, pillage, and war crimes." Ultimately, Taylor was convicted of aiding and abetting crimes against humanity, and war crimes - for providing weapons to rebel groups in neighboring Sierra Leone who he knew were engaging in mass atrocities, in return for blood diamonds. In Scharf's words, "Taylor was convicted of being enabler-in-chief - a theory our work helped support."

Ten years ago, we provided the very first legal intern, Lesley Murray, now a human rights lawyer in Toledo, to the Tribunal's office in Freetown. Twenty other Case Western Reserve University School of Law interns followed in Murray's footsteps, many more than from any other law school in the world. In 2007, our faculty established a unique international tribunal externship program so students could earn a full semester's worth of credit for interning at the Tribunal's offices in Freetown and The Hague.

At the high point of the trial in 2010, when super model Naomi Campbell testified about receiving blood diamonds from the defendant after a party at Nelson Mandela's home, Case Western intern Jacqueline Green could be seen in the video of the courtroom proceedings, sitting just behind the witness at the prosecution table.



Two other interns for the Tribunal, Ruth Mary Hackler (JD '05) (left) and Nathan Quick (JD '09), were hired after graduation to be part of the 10-person prosecution team that tried Taylor. Quick recently went on to be legal adviser to the judges of the Cambodia Tribunal, while Hackler says she plans to be among the last to leave when the SCSL closes in the fall. Another student who interned for the SCSL prosecutor, Chelan Bliss (JD '07), is now Vice Consul of the U.S. Embassy in Nairobi, Kenya. Brianne Draffin (JD '08), who interned for the judges presiding over the Taylor trial, is now treaty negotiator for the U.S. Social Security Administration.

The significance of the School of Law's contributions to the Tribunal were recognized in 2005 when Prosecutor David Crane nominated Scharf, the Public International Law and Policy Group, and the School of Law's war crimes research program for the Nobel Peace Prize. Case Western Reserve University has awarded Crane an honorary doctorate and at this year's Commencement on May 20, will award an honorary doctorate to Brenda Hollis, the current Chief Prosecutor of the Tribunal.



Hollis invited Scharf to be her guest at the Taylor judgment and to join the prosecution team for a special celebration in The Hague with Crane and the Tribunal's other former Chief Prosecutors, Desmond De Silva (2005-07) and Stephen Rapp (2007-09), now U.S. Ambassador at Large for War Crimes Issues (above).

The School of Law's War Crimes Research Office is supported by an annual grant from the Open Society Institute. The Office currently provides research assistance to the Special Tribunal for Lebanon, where alumnus Christopher Rassi (JD/MBA '02) serves as a legal advisor to the prosecutor; the International Criminal Tribunal for Rwanda, where alumnus Andres Perez (JD '05) serves as legal advisor to the judges; and to the Cambodia genocide Tribunal, as well as several regional courts prosecuting Somali pirates.

National Public Radio

Thursday, 26 April 2012

Victims Find Justice After Liberian Leader Is Charged

By Susannah George

In Sierra Leone, victims of the brutal civil war there watched as the verdict was rendered against former Liberian President Charles Taylor. Many blame Taylor for thousands of deaths and mutilations in the fight over diamonds in their country.

MELISSA BLOCK, HOST:

When Charles Taylor was first indicted, his trial was set to take place at the special court of Sierra Leone in Freetown, but the young government there expressed concern that the trial could destabilize the nation's fragile peace, so it was moved to The Hague. Today, though, the special court in Sierra Leone hosted a live broadcast of the verdict. NPR's Susannah George was there. She sent this report.

SUSANNAH GEORGE, BYLINE: Hundreds of civil war victims, government ministers and tribal leaders were invited to watch the reading of today's verdict broadcast live at the special court here in the capital of Freetown. Mohammed Bah sat in silence as the judge read Charles Taylor's verdict, the man accused of backing the rebels who amputated his arm at the elbow, the disfiguration known as short-sleeved.

Mohammed lost his arm at the age of 24. Now, more than 10 years later, he says he's found justice.

MOHAMMED BAH: I feel great. I feel happy for this judgment - long awaited judgment. I thank the international community. I think the government of Sierra Leone.

GEORGE: He now works for a human rights organization. He says that after what he went through, he wanted to help others. Two dozen students who lost family members to civil war violence stand outside the courtroom holding signs that read shame on you, Taylor and, give us our diamonds. Isaac Bengura is 28 years old.

ISAAC BENGURA: My plaque reads - this judgment sends a strong message to potential perpetrators of violence.

GEORGE: He says that the lengthy trial was worth it. Now that Sierra Leone has justice, the country can move on, develop its economy and grow. But outside the walls of the special court, some Sierra Leoneans battling fuel and water shortages are less interested in trying the crimes of the past. Alfred Tu-Ray fled his village during the war. Now, he's a film student in Freetown. He says he's not paying attention to the Taylor trial. He wants to forget about the war and move on.

ALFRED TU-RAY: If I have a memory, I have it in my head, too. I don't want to see something about the war again.

GEORGE: His mentor, Julius Spencer, a film producer, agrees. He says very few people tuned into the Taylor verdict this morning.

JULIUS SPENCER: The war is there in the background. It is not in the forefront of people's memories. It is not an issue that people think or talk about here in Sierra Leone.

GEORGE: But Spencer says that this public amnesia worries him.

SPENCER: As soon as you forget about what we've been through, we seem to be going back to the attitudes and behaviors that led us to war in the first place.

GEORGE: Especially, he says, with national elections just months away. Susannah George, NPR News, Freetown, Sierra Leone.

The Christian Science Monitor

Wednesday, 2 May 2012

Will Charles Taylor ever face justice for crimes in Liberia?

A week after a Special Tribunal for war crimes in Liberia found Liberian President Charles Taylor guilty for aiding war crimes in Sierra Leone, Liberians ask if he will face justice at home.

By Clair MacDougall, Correspondent

Monrovia, Liberia

The guilty verdict handed down last week in the trial against Charles Taylor for committing war crimes and crimes against humanity in Sierra Leone was lauded by the international community and human rights groups as a victory for international justice.

But many, both inside and outside of Liberia, are questioning when those responsible for atrocities committed during the nation's brutal civil war, among them Taylor, will have their day in court. More than 250,000 were killed in the course of the war, which destroyed the nation's infrastructure.

"The lack of justice for the victims of the Liberian conflict is shocking," said Brima Abdulai Sheriff, director of Amnesty International Sierra Leone. "The government of Liberia must end the reign of impunity by enacting the necessary legislation and acting on its duty to investigate and prosecute alleged perpetrators."

The Special Court for Sierra Leone in the Hague found Mr. Taylor guilty of aiding and abetting crimes including murder, terrorism, rape, sexual slavery, and mutilations committed by rebel forces during Sierra Leone's civil war. The 11-year conflict, which ended in 2002, killed more than 50,000, and left many traumatized and maimed.

Taylor's defense counsel has 14 days to appeal the case. A sentence is scheduled to be delivered at the end of the month. Experts in international law expect that his sentence will be less severe because the prosecution was unable to prove allegations that Taylor had command and control over the rebel Revolutionary United Front.

Counselor Tiawan Gongloe, a human rights lawyer who was severely tortured under Taylor's orders when he criticized the government in 2002, said the verdict was a victory for human rights and sent out a warning message to key players in Liberia's civil war that like Taylor, their time too would come.

"His conviction is the beginning of the end of impunity in Liberia because now the 'big man syndrome' in Liberia is going to end and no one will feel that he or she is above the law," Mr. Gongloe says. "People will know that whatever happens in the sub-region that there is a day for accountability and this will serve as a deterrent for all other leaders after Taylor."

But unlike Sierra Leone, which, with the support of the United Nations, established a hybrid domestic and international court in 2002 to prosecute key players in its devastating civil war, the government in Liberia has yet to take action and prosecute key players in the war.

"Liberia should follow Sierra Leone's example so that Liberian victims can also see justice done," says Elise Keppler, a senior counsel with the International Justice Program at Human Rights Watch.

Like many African nations emerging from war, Liberia had a Truth and Reconciliation Commission (TRC). The final report was released in 2009 and recommended that 120 people be tried for war crimes and 50 people be barred from politics for 30 years. President Ellen Johnson Sirleaf -- who won this year's Nobel Peace Prize for her role in reconciliation in post-war Liberia -- was listed in the latter category for sending money to Taylor early on in the war in order to, in her own words, "challenge the brutality" of President Doe's regime.

Liberian civil society activist Aaron Weah says that while there were many problems with the TRC, the indictment of powerful members of the political establishment, such as Ms. Sirleaf and the controversial ex-warlord Sen. Prince Johnson, has been the main reason the report appears to have been shelved and its more punitive recommendations ignored.

"The prospects seem very remote, but it is only because of the prevailing political will," Mr. Weah says. "If there is a change of regime, the conversation might change and the space could be opened up for prosecution and we could be involved in a new round of investigations."

But others argue that the recommendations of the TRC were unlikely to be implemented because they were deeply flawed and because the report did not build up a case as to why certain people should be prosecuted or banned from politics. In 2011 the Supreme Court found the TRC's recommendations to be unconstitutional because the commission violated the rights of individuals to due process.

While international rights groups are calling for the Liberian government to act, not everyone agrees that prosecutions are the way forward in Liberia, a nation that remains divided along the ethnic lines that defined the war and the rebel factions that took part in it.

Nobel Peace Prize Laureate Leymah Gbowee, who led a women's prayer movement to end the war in 2003 and who is now the head of the Liberian Reconciliation Initiative, argues that prosecutions could fuel ethnic tensions. Liberia's peace still remains fragile and is maintained by the United Nations Mission in Liberia and its force of 8,000 UN peacekeepers.

"If you decide to indict Prince and use the retributive kind of justice for prosecution, especially in Liberia, you need to think about how you will quell some of the riots and demonstrations that will come as a result of this," Gbowee said in an interview before the verdict. "The question is, should we allow him to go free because of fear of that? The answer is no -- I do not support impunity. But the other question is, when? Not now."

But not everyone agrees with Gbowee. Peterson Sonyah, 36, is a survivor of the St. Peter's Lutheran Church massacre that claimed over 600 lives, the majority of them from Gio and Mano ethnic groups, and committed by members of the Armed Forces of Liberia in 1990, under the leadership of the then-president Samuel K. Doe. Sonyah now heads the Liberian Massacre Survivors Association (LIMASA).

Sonyah recounts laying still under a church pew as Doe's men shot people dead or chop them to pieces with cutlasses. His father was hit in the leg and later bled to death. He wants the government to act now.

"There should be prosecutions because maybe some people will think that they can go back again into the bushes and wage war on the Liberian people," he says. "If people face justice they will not go back to what they did again."

International human rights advocates like Keppler argue that prosecutions will play an important role in Liberia turning a page on its dark history, and establishing faith in the rule of law.

“From Human Rights Watch’s perspective, trials, for the gravest crimes and human rights violations committed are essential to making a serious break from the past, giving redress to the victims and the rule of law,” she says.

“War crimes and crimes against humanity cannot be forgotten and cannot be forgiven, certainly not by those who committed them, or by successor governments,” says Geoffrey Robertson QC, who was president of the UN’s war crimes court in Sierra Leone and is the author of "Crimes Against Humanity: The Struggle for Global Justice." Robertson says government support would be necessary if a country such as Liberia were to initiate prosecutions for war crimes.

“Without commenting on the present Liberian government, I would say in general it would require a government to ask the United Nations for assistance in establishing an independent tribunal,” says Mr. Robertson. “It would be a good idea to make that a hybrid tribunal in which the majority of judges are appointed by the UN and a minority of deputy prosecutors coming from Liberia that would engage the Liberian lawyers and investigators by making sure that the majority of the court was unbiased and unaffected by the obvious prejudice that would arise from having had their friends or relatives killed.”

Given the state of Liberia’s legal system, which often fails to serve justice even in cases involving minor crimes, most agree international legal and technical support would be required. Counselor Gongloe agrees that international support would be needed but argues that alleged perpetrators should be tried in county courts in the places where they are accused of committing the worst crimes so that victims can see justice done.

But Gongloe argues that civil society and the members of the political establishment will need to push for prosecutions in Liberia. “Sierra Leoneans got justice because they wanted justice,” Gongloe said. “They put justice at the front line in the search for peace. Liberians did not. The majority of the outspoken people were not advocating for justice.”

Gongloe says this is in part a result of the outcome of the war that saw Taylor become a democratically elected president who was able to influence public opinion through patronage. But Gongloe is optimistic that with Taylor behind bars and his influence declining, the push for justice in Liberia will begin.

Get daily or weekly updates from CSMonitor.com delivered to your inbox. Sign up today.

The New Dawn
Thursday, 3 May 2012

Liberia: PYJ - Taylor Is Kind-Hearted!

By Edwin G. Genoway, Jr.

Comment

As the UN-backed Special Court for Sierra Leone convicts former President Charles Taylor and the world condemns him for his evil deeds, including crimes against humanity, fellow former rebel leader Prince Johnson, now Senior Senator of Nimba County, has rained praises on his former boss and war crimes convict Charles Taylor, describing him as "a kind-hearted and generous man."

The Senator did not give any details about the kindness and generousness of Charles Taylor; however, he maintained that, because of Taylor's kind-heartedness and generousness, he (Taylor) should be forgiven of the crimes he was accused of committing in Sierra Leone.

Speaking to this paper in an exclusive interview Wednesday, Senator Johnson said: "Charles Taylor is a kind-hearted and very generous man. We all need to forgive him and pray for him while we await his sentence."

Concerning Taylor's guilty verdict focusing on "aiding and abetting" the Revolutionary United Front (RUF) vis-à-vis the weight of his charges, Senator Johnson indicated that the grounds for the verdict is weaker than the original charges.

"They accused him of bearing the full responsibility of whatever happened in Sierra Leone, but, to the greatest surprise of the whole world, after trying him for five years, he was convicted for only aiding and abetting, which I see lesser than what they accused him of."

He was quick to point out, though, that he was not in the position to say whether the trial was free or fair, but noted that Taylor had problem with the West and Sierra Leone, something he said he does not have any idea of, as he was not with Taylor during the Sierra Leonean crisis because, according to him, he had already broken away from Charles Taylor and his NPFL rebel group based on political reasons.

"But, nevertheless, he's my boss. I still respect him highly... He got problem with the West and Sierra Leone. I was not with him to know his involvement in the Sierra Leone war he was indicted for."

The Nimba County Senior Senator also said that Liberians do not have problem with Charles Taylor.

The Gazette

Wednesday, 2 May 2012

Letter: False justice in the Charles Taylor case



Re: “In the Charles Taylor conviction, a warning to other national leaders”

I find it discouraging that anyone in the legal profession actually thinks that putting the Liberian “president” in jail for fomenting mayhem among the locals and neighbours sends any kind of message to anyone worthy of being put in the clink.

Taylor, as the local guerrilla leader with the most soldiers – abetted by who knows how many Western nations or interests – managed to get himself into a position of regional power by encouraging his troops in the bloody and violent rules of tribal warfare against his neighbours.

And his punishment for “crimes against humanity”? A few years’ confinement in an air-conditioned cell with three meals a day and TV privileges. And the United Nations and all its sycophants call that punishment? Some justice!

The most ominous message being sent to Western citizens is this: if the International Criminal Court gets its way, the idea of national systems of justice goes overboard, and George Orwell’s fear of a planetwide thought police is one step closer to realization.

The Victorian Times Colonist

Wednesday, 2 May 2012

Commentary: Taylor war crimes verdict incomplete justice

By Carina Ray

The conviction of former Liberian President Charles Taylor amounts to only partial justice.

While many Sierra Leoneans are relieved to see Taylor finally convicted for his destructive role in their country's brutal civil war, his wanton destabilization elsewhere in West Africa hardly figured in the criminal proceedings against him.

In Taylor's home country of Liberia, the seven-year civil war that brought him to power in 1997 cost the lives of more than 250,000 Liberians. Thousands more were killed during the second Liberian civil war, which sent him into exile in 2003. As president, Taylor's violent anti-terrorist unit, led by his son, Charles "Chucky" Emmanuel, brutally repressed his opponents. Meanwhile, Taylor and his clique enriched themselves at the expense of average Liberians, who lived in abject poverty.

In neighboring Ivory Coast and Guinea, Taylor's armed forces committed horrendous abuses with impunity. And he has long been suspected of playing a role in the assassination of Thomas Sankara, the visionary leader of Burkina Faso.

But none of this led to his much-anticipated conviction on April 26. While criminal accountability is one of the few safeguards against permanent impunity and lawlessness, Taylor's conviction on 11 counts of war crimes and crimes against humanity in Sierra Leone was insufficient.

To make the conviction more meaningful, the Special Court for Sierra Leone at The Hague should hand down a sentence that seeks restorative justice. Reparation and healing among all those affected by the criminal's acts are key features of restorative justice, which also invites victims to participate in the justice process.

As they consider Taylor's sentence, the judges on the Special Court should solicit input from his Sierra Leonean victims. And they ought to think creatively about how to make his sentence fit the nature of his crimes. Instead of letting him idly pass his days in prison, for example, Taylor could be trained to help manufacture prosthetic limbs, thereby allowing him to improve the lives of the estimated 10,000 Sierra Leonean amputees who were maimed during the war.

Part of his sentence might also include requiring him to read and respond to victims' letters. In creating a space for those who didn't make it to The Hague to tell their stories, Taylor would be confronted with the magnitude of his crimes.

What's more, a renewed effort must be made to recover his vast hidden assets so that they can be used to repair the damage he caused.

By imposing a sentence of restorative justice, the Special Court would point to a more effective way of dealing with criminals. Punishment without communal healing serves no one's interests.

Carina Ray, assistant professor of African history at Fordham University, wrote this for the Progressive Media Project.

Christian Science Monitor

Wednesday, 2 May 2012

Kenya races to transfer ICC election violence case to Africa

By Fredrick Nzwili,

Days after the conviction of former Liberian President Charles Taylor for war crimes, Kenya's president has accelerated his efforts to have the International Criminal Court cases against four senior Kenyan leaders transferred to a court in Africa.

Taylor's conviction for war crimes on April 26 at The Hague based court sent shock waves across the African continents where senior political figures, including current Sudanese President Omar al-Bashir and former Ivorian President Laurent Gbagbo have been indicted. President Bashir is facing arrest by the court for war crimes and crimes against humanity committed in the Darfur region, while Mr. Gbagbo is under arrest at the Hague for charges of crimes against humanity for his role in the deaths of 3,000 people after he refused to cede power following disputed elections in late 2010.

For Kenya, where post-election violence left at least 1,300 people dead and 600,000 displaced following the flawed December 2007 elections, the International Criminal Court has set the stage for similar criminal cases against four senior Kenyan leaders deemed most responsible for orchestrating the violence. With two of those leaders – Deputy Prime Minister Uhuru Kenyatta and former Higher Education Minister William Ruto – both planning presidential runs in the upcoming elections, and still commanding support among their own ethnic groups, the Taylor conviction has become a rallying cry for Kenya to demand a "fairer hearing" on African soil.

The cases against Mr. Kenyatta, Mr. Ruto, former head of civil service Francis Muthaura, and radio journalist Joshua Sang were announced in January this year.

Drawing on documents and eyewitness accounts from victims and participants, the ICC's main prosecutor Luis Moreno Ocampo argues that these four men organized mob violence in the Central, Rift Valley, and Western provinces of Kenya, violence that sparked off after President Mwai Kibaki was declared the winner of the Dec. 2007 elections. In Western and Rift Valley provinces, mobs of ethnic Luo and Kalenjin supporters targeted ethnic Kikuyu neighbors who were presumed to have voted for President Kibaki, a Kikuyu. In Central province and in the town of Naivasha, Kikuyu mobs returned the favor, targeting the Luo and Kalenjin community who were presumed to have supported Ruto, a Kalenjin, and Prime Minister Raila Odinga, a Luo.

The violence raged for two months, before a mediation team led by Kofi Annan negotiated a new coalition government that included all the major players. Although those regions affected by the violence have since recovered, efforts to seek justice for the victims through a Kenyan-led tribunal have been rejected twice by parliament, a move that prompted the ICC to take up the case instead.

Now Kibaki is spearheading efforts to move the cases to the East African Court of Justice based in the Tanzanian town of Arusha. For Kibaki's supporters, trying the so-called "Ocampo Four" at the Hague is akin to ceding African sovereignty to European colonial powers. To date, all of the cases heard by the ICC have involved African leaders, a fact that many African intellectuals see as evidence that the court is simply a "neo-colonial" tool of rich Western nations against poorer African ones.

"The victims of the post-election violence deserve justice," Kibaki said in an address to the Kenyan parliament late April. The Kenyans facing trial also deserve a fair and legal hearing, he argued. He has called on citizens to remain calm, "even as we pursue the option of having a local mechanism to deal with any international crimes."

The President's call for a trial at Arusha has drawn support from the heads of state of the East African Community. The EAC held a meeting in Tanzania on April 28, and passed a resolution to expand the court's jurisdiction to cover crimes against humanity.

The resolution had been preceded by another from the East African Legislative Assembly, which had urged the East African Community Council of Ministers to implore the ICC to transfer the cases to East Africa.

"We must never allow ourselves to return to neocolonialism," said Peter Munya, Kenyan member of the assembly, following the resolution.

Those who supported the resolution said that holding war-crimes tribunals at Arusha would strengthen local courts and dispense justice both to the accused as well as to survivors. Dora Byamukama, a Ugandan member of the assembly who was part of the Observer Mission to Kenya in the elections, said that the ICC cases were more symbolic, and failed to reach out at the core and heart of Kenyans. There is a precedent for holding war crimes tribunals at Arusha. Special tribunals were held there for war crimes committed in the Burundi civil war and the 1994 Rwandan genocide.

The citizens will be facing another election later this year or early 2013, the first elections to be held under the new constitution, which was approved in 2010.

Kibaki, who has ruled the country since 2002, is expected to retire after the election. Kenyatta, the son of Kenya's founding President Jomo Kenyatta, and Ruto have indicated their intention to contest in the 2013 Presidential elections to succeed Kibaki, despite the ICC cases. Local media reports say powerful elites around the president favour Kenyatta to succeed him.

The success of the ICC prosecutor in getting cases approved by the ICC surprised senior politicians, especially those allied to Kibaki's wing of government and those who support Kenyatta, according to political analysts.

Since announcement of the cases, the politicians have backed efforts delay or withdraw them from the international court. The politicians successfully passed a non-binding resolution in parliament urging the president to pull Kenya out of the Rome Statute, the 1998 pact which established the ICC court.

While Kenyan politicians seem in broad agreement about moving the post-election violence cases to Arusha, Kibaki's efforts have stirred a heated debate among Kenyans over the suitability of the move.

Human rights activists have questioned the East African Court's capacity to handle the cases, saying the Rome Statute does not provide for the transfers out of the Hague. Activists have also argued the court is ill prepared to deal with the cases, despite the latest jurisdiction to handle criminal cases.

"The LSK (Law Society of Kenya) is opposed to the transfer of the cases," Eric Mutua, the LSK chairman told journalists in Nairobi on 30 April.

Among the court's shortcomings, activists say, are its set-up, its mandate, and its funding.

"It's a long shot," said Wainana Ndung'u, the executive director of the International Centre for Policy and Conflict.

"The problem is that those who [are] proposing to move the cases are employing political approaches rather than technical and legal," he observed. "I don't see it working in the current circumstances. There is a lot that need to be done, if the court is going to be able to handle criminal cases of this nature."

Many activists praise the notion of strengthening of the East African Court, but some also accuse Kibaki of attempting to protect the accused.

The attention that Kibaki is according the Ocampo Four cases raises questions about whether Kibaki himself fears prosecution, after he relinquishes power in 2013.

"He may want a friendly court in such a situation," said Ndung'u.