

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



**PRESS CLIPPINGS**

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

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Press clips are produced Monday through Friday.  
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Concord Times  
Monday, 31 January 2011

## As Taylor's Final Judgement day looms

# ANALYSIS

*By Alpha Sesay*

Mabinty Kargbo was just 15 years old when Sierra Leonean rebels cut off her hands and killed her parents in front of her during the country's horrific 11 year war. Now, she waits anxiously to hear whether the former Liberian President, Charles Taylor, was behind the rebel crimes as his trial draws to a close in The Hague.

"We all want to hear the judgment that the judges will issue, and we hope they execute Taylor, let him die just the way he caused the death of our people in this country. But even when Taylor dies, we will not forget what the rebels did to us. When I look at my hands, and when I wake up in the morning and don't see my parents, I will always remember the war in this country," Mabinty, now 26, tells me.

I was in Sierra Leone over the New Year break, wanting to find out what people thought about the high profile trial of Taylor, who has been charged with backing Revolutionary United Front (RUF) rebels, the rebel group that fought an 11 year battle to control the territory and resources of Sierra Leone. The trial has lasted for three years and with prosecutors and defense lawyers set to make their closing arguments from February 8-11, Sierra Leoneans can hope that judges will deliver a final verdict before the end of 2011.

During the closing arguments, Prosecutors hope to tell the judges that Taylor "created, armed, supported, and controlled" the RUF. Prosecutors intend to impress upon the judges that Taylor supplied RUF rebels with ma-

terials and manpower and that if it were not for Taylor's support to the rebels, "the crimes suffered by the people of Sierra Leone would not have occurred."

Defense lawyers, on their part will stress Taylor's innocence in their closing arguments. They will argue that RUF rebels might have had dealings with personnel within Taylor's security apparatus but any such relationships were not with Taylor's knowledge and support. Defense lawyers will tell the judges that when Taylor eventually had dealings with RUF rebels after he became president of Liberia in 1997, such dealings happened with the consent of other West African leaders and they were only geared towards bringing a peaceful resolution to the conflict in Sierra Leone.

Whatever the parties say to the judges, Sierra Leoneans will be waiting for only one thing—a final determination of whether Taylor is guilty or innocent. If the judges find Taylor guilty, many, like Mabinty, will be anxious to know the sentence he will receive.

Back in Sierra Leone, I had to explain to Mabinty that the Special Court for Sierra Leone will not hand out the death sentence on any convicted person.

Public opinion in Sierra Leone about



Taylor is hardly neutral, with a larger percentage of people you speak with pointing fingers at the former Liberian president as being responsible for what the RUF did to the people of that country. Speaking with people in Sierra Leone over the New Year break, a 46 year old man whose right hand was amputated by rebel forces in January 1999 tells me what it would feel like if he sees Taylor in jail.

"It will be a great day for, not only me, but for the hundreds of Sierra Leoneans who suffered at the hands of the rebels sent by Taylor, if he is sent to jail for the rest of his life," Lamin Bangura, 46, an amputee says.

At a meeting with university students in Sierra Leone, a bulk of them have a common position-that the fact that Taylor has been subjected to a credible accountability process, whether he is found guilty or not, should bring a measure of satisfaction or justice to victims of the conflict in Sierra Leone.

A prominent Pentecostal Pastor in Freetown thinks otherwise; "I hope Taylor is not released," he tells me.

On a radio discussion program held to commemorate the January 1999 rebel invasion of Freetown, a man makes reference to an alleged statement by Taylor in 1990, that "Sierra Leone will taste the bitterness of war."

"So when rebels entered the country, from Liberia, just as Taylor had predicted, who are we to blame?" Yusuf Kargbo, who lives in the East of Freetown, asks.

Kargbo adds that "we all know that RUF rebels reported directly to Taylor, he gave them arms and ammunition to attack us in this country..."

Another man calls into the radio program and says that "we should blame our own Sierra Leonean brothers and sisters for what they did to us during the conflict. Let us stop blaming Taylor. With my senses, if a foreigner tells me to kill my own brother or sister, I will use my own senses to say no way. So let us not blame Taylor."

I ask Eldred Collins, presently the interim leader of the RUF, what he thinks about allegations of Taylor's

support to the RUF.

"Let us wait for the judges to deliver their judgment," he tells me.

This is what Sierra Leoneans now await-a determination by Special Court for Sierra Leone judges whether Taylor is guilty or innocent of the charges against him.

Many people you speak with along the streets of Freetown will tell you that the process has taken too long and that all they want to hear now is the judgment.

A university student tells me in Freetown that "if this year comes to an end without a judgment for or against Taylor, we'll no longer be interested in the trial."

A taxi driver who survived several rebel attacks during the conflict believes that the Taylor trial must be brought to a close so as to allow Sierra Leoneans to forget about anything that has to do with the war.

"As it is, the major thing that reminds us about the war is when we see the Special Court and know that it is still trying Charles Taylor," he tells me, as we drive pass the Special Court for Sierra Leone premises in Freetown in January this year.

"We want this thing over with, let the judges tell us if Taylor is guilty or not, and then we can put this all behind us," he adds.

For Mabinty, however, looking at her arms and not seeing her parents will always remind her about the war. While she will carry the pain of her experiences for a long time, Mabinty believes that ensuring that those responsible for her ordeal are held accountable will still give her a measure of satisfaction.

"We feel like our cries are being heard...we feel like there are people who did not suffer like us but who want to make sure that those responsible for our sufferings are made to answer for their acts and that the same thing does not happen to other people again," she tells me.

*Editor's note: Alpha Sesay is a Sierra Leonean lawyer and International Criminal Court-Legal Officer for the Open Society Justice Initiative.*

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**On a radio discussion program held to commemorate the January 1999 rebel invasion of Freetown, a man makes reference to an alleged statement by Taylor in 1990, that "Sierra Leone will taste the bitterness of war."**

## Ivorian crisis: All options remain on the table - ECOWAS Chair

Abuja, Nigeria - As Nigeria intensifies its diplomatic efforts to find a quick resolution of the post-election crisis in Cote d'Ivoire, President Goodluck Jonathan has said all options remain on the table to ensure that incumbent President Laurent Gbagbo quits office. President Jonathan, who also holds the rotational chairmanship of the 15-member Economic Community of West African States (ECOWAS), made the statement at a meeting with members of the diplomatic community in Nigeria, in the capital city of Abuja Wednesday. ECOWAS has threatened to remove Gbagbo by force if he refuses to step down in favour of Alassane Ouattara, widely believed to have won the 28 Nov. 2010 presidential runoff in the cocoa-rich West African nation.

President Jonathan assured the diplomats that he was on top of the situation in Cote d'Ivoire, and that efforts would be made to put a stop to the use of "impunity and use of State power to subvert the will of the people." "Excellencies, Ladies and Gentlemen,

I must say that the situation in Cote d'Ivoire is volatile and needs the cooperation of the international community, including the United Nations, African union and ECOWAS, in maintaining a united position to resolve it. Our priority remains the early resolution of this crisis within the context of ECOWAS principled stand against impunity and the use of State power to subvert the right of citizens to freely choose their leaders.

"However, as I steer ECOWAS in search of peace in cote d'Ivoire, perhaps I should let you know that all options remain on the table. It is my expectation that Nigeria and indeed, ECOWAS, can count on the support of your various governments in the quick resolution of the crisis," he said.

A special delegation of ECOWAS is in the US for meetings with American and UN officials on the situation in Cote d'Ivoire.



Reuters

Friday, 28 January 2011

## War crimes court dismisses Taylor's claims of bias over cables



AMSTERDAM (Reuters) - The Special Court for Sierra Leone trying former Liberian President Charles Taylor for war crimes on Friday dismissed a challenge to its impartiality that was based on U.S. embassy cables published by WikiLeaks.

Taylor, who denies all charges of instigating murder, rape, mutilation, sexual slavery and conscription of child soldiers in wars in Liberia and Sierra Leone in which more than 250,000 were killed, had been allowed to use the cables as evidence in court.

But on Friday the court rejected a motion by Taylor's lawyers seeking disclosure and an investigation into the identity of sources that the U.S. government has within the court's trial chamber, prosecution and the registry.

In its filing, Taylor's defence said the cables "raise grave doubts about the independence and impartiality of the Special Court's prosecution of Charles Taylor."

One of the diplomatic cables leaked by WikiLeaks last month contained comments made by a U.S. ambassador that if Taylor was acquitted or given a light sentence, his return to Liberia could "tip the balance in a fragile peace".

Another cable stated that U.S. contacts in The Hague-based court's prosecution and registry said one of the judges may be trying to time proceedings so as to be in charge when the judgement was handed down.

The judge named in the cable, Julia Sebutinde, rejected the allegation and excluded herself from the ruling on the cables to ensure objectivity.

In its ruling, the court said the cables did not demonstrate that such contacts may have a relationship with the U.S. government capable of interfering with its independence or impartiality.

Officials from the court's registry and prosecution interact on a regular basis with governments from a number of countries as part of their official functions, it added.

Both the prosecution and defence have already finished presenting their evidence, but the court ruled in favour of a defence motion seeking to re-open its case for the "limited purpose" of admitting into evidence two U.S. cables.

Macleans.Ca

Friday, 28 January 2011

<http://www2.macleans.ca>

## Canada on verge of deporting man who brought a tyrant to justice

By Michael Petrou



Cindor Reeves, a man largely responsible for bringing to justice one of the most blood-soaked tyrants in recent history, has had his refugee case rejected by Canada and may soon be deported to his native Liberia, where he runs a high risk of being murdered.

Reeves was the brother-in-law of Charles Taylor, who in 1989 launched a civil war in Liberia that killed more than 200,000 and left Taylor in charge of much of the country. Taylor was elected president during a brief lull in the fighting in 1997. Taylor also

created a proxy army in neighbouring Sierra Leone that called itself the Revolutionary United Front, or RUF. The RUF's child soldiers terrorized Sierra Leone for years. Taylor used them to obtain diamonds. He sent the RUF weapons; they sent him gems. Thousands died as a result.

It is for these crimes the Taylor is now on trial in The Hague. He's there in large part because Cindor Reeves — of his own volition, without receiving anything, and at enormous risk to himself — helped the United Nations-backed Special Court for Sierra Leone build its case against Taylor.

“I am willing to go on the record and confirm that CR provided invaluable information that led to the indictment of Charles Taylor and others who were ultimately convicted,” Alan White, chief of investigations for the court from 2002 to 2005, said in a 2009 email that was published in *Maclean's*. He further explained Reeves' help in a 2009 affidavit: “I could always rely on the information and support provided by Mr. Reeves. In his effort to bring peace and security to the region he endangered himself and his family, yet he did so willingly without asking anything in return but for protection for his family. The court owes Mr. Reeves a debt of gratitude for his support and service.”

Reeves got to know Charles Taylor when he was nine and Taylor married his sister. Taylor invited Reeves to live with them when Reeves was 17. In the late 1990s, Reeves helped Taylor run guns and diamonds between Liberia and Sierra Leone. There is no evidence he personally harmed anyone. (I have reported on this and subsequent events in detail [here](#).)

Reeves later turned against Taylor and began to secretly cooperate with British intelligence agents, and with the Special Court for Sierra Leone, which was compiling a war crimes case against Taylor. When the court learned from one of its informants that Taylor, suspicious, had sent an assassination squad to murder Reeves in Accra, Ghana, where he was staying at the time, they sent their own team to evacuate him and his family. (David Michael Crane, the Special Court's chief prosecutor at the time, confirmed this to *Maclean's*. Douglas Farah, a former reporter with the *Washington Post*, has confirmed he introduced Reeves to a British agent.)

The Special Court flew Reeves to Freetown, Sierra Leone. He was debriefed there for six weeks and then placed in witness protection programs in Holland and Germany. Unhappy and unable to work, in 2006 Reeves took his family to Toronto, where Reeves applied for refugee status. He did not hide his past connections to Charles Taylor and the work he did for him.

Reeves didn't have the Special Court's permission to leave Germany, and when he did he lost its protection. But Reeves felt he had little choice. His legal status in the country was precarious, and the Special Court's failure to properly reimburse the German police services that were managing his case made it more so. Alan White is sympathetic. "Although I don't necessarily support anyone fleeing to another country without following proper and legal immigration process I can certainly understand why Mr. Reeves fled to Canada after being abandoned by the Special Court in Sierra Leone," he wrote in his affidavit.

The Special Court, which Canada funds with millions of dollars, has shown little inclination to assist Reeves in Canada. It has come to him at least twice to ask for his help regarding the court's case against Taylor. Reeves cooperated. He asked for and received nothing in return. Supporting a wife and two small children on low wages, Reeves has been forced to fund a costly and complicated refugee application process on his own.

Liberians loyal to Charles Taylor continue to make threats against Reeves and his family. He received the following email earlier this week:

"President Charles Taylor took you as his own son and look how you repay paid Him by betraying to the international community and helped Him to get him in jail? Cindor IM telling you as I told you two years ago we will kill you here in liberia so we are not going through the trouble of killing you in Canada Because we know that Canada will have you deported to Liberia. Canada, The USA. Germany, and the EU. all used you and look where you at now? Apparently the death of your two sisters didn't Hurt you enough so your mother in Law [...] will died in the coming time time. the same way you made us to suffer by conniving with the international community to take our father , Brothers Uncle president away from us you will feel the weight of death, You will die a very solw and painful death CR. if you go to the cops we will know and take action right away mother fucker." [sic]

None of this is surprising. Nor are the threats against Reeves empty. Said White in his affidavit: "It is absolutely clear that if Mr. Reeves and his family went to Liberia he would be sought after by Charles Taylor supporters, which are still large in numbers and plentiful in Liberia and he and his family would undoubtedly be in fear of their lives.

David Michael Crane made a similar prediction about what would happen to Reeves in Liberia: "If word ever got out that he was there, I would not give him long," he said in a 2009 *Maclean's* article.

The Immigration and Refugee Board formally rejected Reeves' case on January 20. He faces imminent expulsion to Liberia, though he retains the right to appeal. Reeves' wife and children will be allowed to stay. The board cites Article 1F(a) and 1F(b) of the United Nations Convention and Protocol Relating to the Status of Refugees, which excludes from protection persons there are "serious reasons" to believe committed: a "crime against peace," a "war crime, a "crime against humanity," or a "serious non-political crime" outside the country of refuge.

The Immigration and Refugee Board's panel does not dispute that Reeves helped the Special Court and that these actions may have placed him and his family at risk, but it suggests he was motivated by self-preservation. "[O]ne must question what may have happened to Cindor Reeves and his family had he not come forth with the relevant evidence," the panel concludes. It then lists the fates of others involved in



Liberia and Sierra Leone's diamond and weapons trade who have been charged or convicted of war crimes. The implication is that the same thing would have happened to Reeves.

This is a serious accusation. One might think the panel would have investigated such a claim before making it. Here's David Michael Crane, the Special Court's chief prosecutor, who would have indicted Reeves if what the panel alleges were true: "I don't have any direct evidence that he was someone who perpetuated war crimes and crimes against humanity," he said in a 2009 statement published in *Maclean's*. "Certainly he is not someone I would have prosecuted."

The panel disputes Reeves' claim that he began collecting evidence against Charles Taylor in the 1990s and that he attempted to report Charles Taylor and his activities to the U.S. consulate in Burkina Faso in 1997. Among the evidence cited by the panel is that Reeves, they say, did not mention this alleged meeting in interviews with *Maclean's*. The Immigration and Refugee Board has no idea what Reeves did or did not say to me. It knows what I published. The panel could have contacted the American diplomat Reeves claims he met and asked him. It appears it did not.

The panel contends the exact date when Reeves provided information to outside sources — including the Special Court for Sierra Leone, the NGO Global Witness, British intelligence agents, and former Washington Post reporter Douglas Farah — is important because it speaks to his credibility, and his motivations. The panel alleges Reeves' most serious moves against Taylor began in August 2001, after his wife was arrested and brutalized by Taylor's thugs in July (though the panel acknowledges Reeves gave Farah a document as early as January 2001). They therefore dispute that Reeves' participation in Charles Taylor's weapons-for-diamonds regime was motivated by a desire to gather and distribute evidence of Taylor's crimes.

I don't know why Reeves cooperated with Taylor. It might have been greed. It might have been fear. It might have been the safest option available to him in a country that had descended into hell. What is indisputable is that Reeves then risked his life to help bring Taylor to justice, and may now lose it as a result. I doubt that many of us, including those now seeking to deport him, faced with similar circumstances, could find the same courage.

The minister of citizenship and immigration is Jason Kenney. He can be reached [here](#). The Liberal immigration critic is Justin Trudeau. He can be reached [here](#). The NDP's critic is Olivia Chow. She can be reached [here](#).

**Ban reiterates concern over Côte d'Ivoire crisis at meeting with West African officials**

*Secretary-General Ban Ki-moon*

Ban Ki-moon today in Addis Ababa met with a delegation of the Economic Commission of West African States (ECOWAS) and underlined his deep concern over the continuing post-election crisis in Côte d'Ivoire and the deadlock's impact on security and development prospects for the country.

At the meeting with the delegation, which comprised Henry Ajumogobia, the Foreign Minister of Nigeria, and James Victor Gbeho, the President of the ECOWAS Commission, Mr. Ban commended the West African bloc for its efforts to find a peaceful solution to the political uncertainty in Côte d'Ivoire and thanked the organization for its leadership on the issue.

“The Secretary-General stressed the importance for the United Nations, ECOWAS and the African Union to preserve their principled and unified position,” said a statement issued by the spokesperson of the Secretary-General.

Mr. Ban also welcomed the decision by the African Union Peace and Security Council to reaffirm previous decisions of ECOWAS and the African Union and reiterate its support for the work of the UN.

He expressed his willingness to work closely with a High-Level Panel, to be established by the African Union, for the resolution of the crisis in Côte d'Ivoire.

Côte d'Ivoire has been in turmoil since early December when outgoing President Laurent Gbagbo refused leave office despite opposition leader Alassane Ouattara's UN-certified victory in November's run-off election.

Mr. Ouattara, who has set up base in the Golf Hotel in Abidjan, has been recognized by the international community as the West African country's duly elected president

Voice of America  
Friday, 28 January 2011

## Rwanda Hutu Leader Faces ICC

Selah Hennessy



**Photo: AFP**

*Rwandan rebel group leader Callixte Mbarushimana makes his initial appearance before the International Criminal Court (ICC) in The Hague, January 28, 2011*

A Rwandan rebel leader appeared before the International Criminal Court on Friday facing charges of murder, torture and rape of Congolese civilians.

Prosecutors at the International Criminal Court, or ICC, say Calixte Mbarushimana was a top leader of the Rwandan rebel group FDLR who spread terror in eastern Democratic Republic of Congo. Prosecutors say he directed operations from France, where he's been living in exile since 2002.

Mbarushimana spoke before war crimes judges on Friday.

He said all his life he has fought injustice, hatred of other people and all forms of exploitation.

Mbarushimana is accused of 11 counts of crimes against humanity and war crimes carried out by his rebel forces - that includes murder, rape, and torture. He said Friday he has "in no way" been involved in any of those crimes.

He said he condemns attacks on innocent civilians.

Mbarushimana hasn't yet entered a formal plea.

Geraldine Mattioli, from the New York-based campaign group Human Rights Watch, says it's an important step for Mbarushimana, who was living in France for almost a decade before French authorities handed him over to the ICC last year, to finally face trial. And, she says, it's not the only such case in Europe. Germany arrested



two top FDLR leaders in 2009; they're awaiting trial.

"I think there has been some commitment on the part of the European Union for some time now to take care of these kind of networks supporting this rebel group the FDLR in Congo," she said.

But she adds the battle shouldn't stop with Mbarushimana. She says there are many armed groups in DRC's eastern provinces that are responsible for ongoing atrocities.

"Other groups in the Kivus have been involved in committing very serious crimes. I'm thinking here of the Mai Mai, the CNDP - a Congolese Tutsi group, and the Congolese army itself. In this campaign in 2009 all of these groups have committed very serious crimes against civilians," she said.

She says new arrest warrants should be made for the leaders of these other armed groups.

## The New Times (Kigali)

Saturday, 29 January 2011

### Rwanda: Genocide Fugitive Deported

Ivan Mugisha

Kigali — At approximately 8:30AM yesterday, Jean Mary Vianney Mudahinyuka, a Genocide fugitive, was handed over to the national police by US officials, following a deportation order by a Chicago court after he was convicted on immigration fraud.

Prior to his deportation, Mudahinyuka had served 42 months in an American prison for assaulting an American police officer and lying on US immigration documents, while under oath. He had changed his name to Thierry Rugamba and assumed Burundian nationality.

Described as "dangerous and violent" on Interpol Red Notice, Mudahinyuka was wanted by the National Public Prosecution Authority (NPPA) and has been on an Interpol Wanted List since November 2009, for crimes against humanity and genocide.

He is expected to proceed to jail to begin his 19-year sentence was handed down in absentia by the Gacaca Court of Nyakabanda, Kigali City in 2008.

In a press briefing after his hand over, Martin Ngoga, the Prosecutor General, welcomed Mudahinyuka's deportation as a "another step towards justice" and commended the US efforts and trust in the Rwandan judiciary.

"Mudahinyuka is one of the top Genocide criminals identified in the 55 files sent to Rwanda by the International Criminal Tribunal for Rwanda. We have been collaborating with American authorities as they worked to exhaust the legal processes that led to his deportation," he said.

Ngoga further challenged countries which still harbor Genocide fugitives to collaborate and ensure that those indentified and are wanted for trial are brought to face justice.

"There are organizations and countries on the lookout for any mistake we make so that they can criticize us, but we guarantee that all Genocide suspects extradited or deported back will be treated as Rwandans and will be given a fair trial," Ngoga stressed.

Born on January 1, 1960, Mudahinyuka is described as one of the most zealous supporters of the 1994 Genocide against the Tutsi.

According to prosecution, on April 7, 1994, at Nyamirambo Stadium, Mudahinyuka and accomplices organized political rallies where they called on participants to kill Tutsis and also distributed weapons including machetes and grenades.

It adds that on April 17, 1994, acting under his orders, Mudahinyuka's bodyguards conducted a house-to-house search in Nyamirambo, rounded up 62 people who were escorted to the stadium and massacred under his supervision.

On his Interpol fact file, Mudahinyuka is said to have attacked a family In Mumena Cell, Nyamirambo, on June 22, 1994, and personally killed all its members and on June 24, he commanded an attack on a school that led to the murder of 600 Tutsis.

## Hirondelle News Agency

Friday, 28 January 2011

### **Ndahimana defence hearing adjourned to February**

The International Criminal Tribunal for Rwanda (ICTR) Friday adjourned to February 7, defence hearing of case involving former Rwandan mayor, Grégoire Ndahimana, as per judicial calendar.

Lead counsel Bharat Chadha for Ndahimana, ex-mayor of Kivumu Commune in Kibuye prefecture, said he expected to call five witnesses each week in the next session ending February 25, 2011.

Ndahimana has called 10 witnesses since he started presenting his defence case on January 17, 2011. They include a survivor of massacres at Nyange Parish in the same prefecture, Western Rwanda, who claimed that the accused was not present when Tutsi refugees were attacked and killed at the parish in April 1994.

"I did not see Ndahimana during the attack," said witness code-named ND-7 to protect her identity, referring to April 15, 1994, when an extensive attack was launched at the parish.

Ndahimana, who is charged with genocide or complicity in genocide, in the alternative and extermination, as a crime against humanity, allegedly planned the massacres at Nyange Parish jointly with other officials. In these massacres, the prosecution alleges, more than 2000 Tutsi refugees were killed.

The former mayor was arrested in the Democratic Republic of Congo (DRC) on August 10, 2009. He was transferred to the UN Detention Facility in Arusha on August 21, 2009. He made his initial appearance on September 28, 2009 and pleaded not guilty to all the charges.

His trial took off on September 6, 2010. The prosecution called 15 witnesses before closing its case on November 19, 2010.

FK/ER/GF

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Monday, 31 January 2011

## Judging international criminal justice

The Holocaust needed closure and the Nuremberg trials allowed the world to do it.

Just months after World War II ended, 22 Nazi leaders were put on trial for war crimes and crimes against humanity before a hastily selected international panel of judges. The judges convicted 19 of the defendants and 12 were sentenced to death. While Nuremberg was welcomed by many, critics derided it as "victor's justice" that lacked the qualities of a proper legal process. So began the modern international criminal justice movement, with advocates and skeptics to boot.

International criminal justice has come far since Nuremberg and a conference at Northwestern University on Monday will judge its worth. The Balkan wars' ethnic cleansing, the Rwandan and Cambodian genocides, the blood diamonds of Sierra Leone and the terrorist killing of Lebanon's former prime minister have all found international legal refuge where the courts at home were not up to the task. Still, naysayers, citing the flaws of the International Criminal Court, claim that international criminal justice — despite its humanitarian agenda — has not come far enough and should be buried once and for all. Wars and their attendant crimes — however grotesque — belong solely to the countries with the blood-stained soil, they say. According to these critics, the grimmest displays of human behavior, which tend to take the form of mass murder, torture, rape and ethnic cleansing, are not the business of far-away countries, much less an ivory-tower court sitting thousands of miles away in The Hague.

### **This view gets it wrong.**

For one, the naysayers ignore what war crimes tribunals, other than the International Criminal Court, have given to the international community. 2010 was a big year. The Special Tribunal for Lebanon, created to prosecute those responsible for the 2005 assassination of former Lebanese Prime Minister Rafik Hariri, issued its first indictment. Radovan Karadzic, the highest profile figure since Slobodan Milosevic to appear in The Hague for crimes committed in the 1990s Balkan wars, is in the full throes of trial before the former Yugoslavia war crimes court. And the Khmer Rouge tribunal in Cambodia, established to address the nearly 2 million deaths suffered at the hands of Khmer Rouge founder Pol Pot's communist regime in the late 1970s, handed down its first conviction in July. Chicago Shopping Overwhelming Offers: Always 50% off or more from your favorite brands >>

And what of the International Criminal Court? It is true that the court has been lacing up its shoes for awhile. But this past year, it took major strides. The crime of aggression was codified to join war crimes, crimes against humanity and genocide. In 2017, member states can vote to formally activate the court's jurisdictional power over the new crime.

In March, the prosecutor gained authorization to investigate the 2009 massacres in Kenya which saw more than 29 people stoned and hacked to death. Four other investigations continue, including a probe into what the U.S. government has called genocide in Sudan's Darfur region. Two trials are also under way: one against a Congolese rebel leader, Thomas Lubanga, accused of enlisting child soldiers to murder, mutilate and mass rape; the other against two of Lubanga's underlings for the same alleged wrongs.

These achievements provide hard evidence that international criminal justice, even with its flaws, is working.

So when the major players fly into Chicago from The Hague to speak at Northwestern's annual Atrocity Crimes Litigation Year-in-Review Conference on Monday, it should make for interesting conversation about whether international criminal law is worth the effort. Given this past year, my prediction is that while the naysayers may not say "yes," they will say less.

Kyle R. Olson is a Chicago attorney at Baker & McKenzie. He assisted the office of the prosecutor for the U.N. war crimes tribunal for the former Yugoslavia in The Hague.