

SPECIAL COURT FOR SIERRA LEONE OUTREACH AND PUBLIC AFFAIRS OFFICE



Prosecutor Brenda Hollis visits the site of a mass grave at Tikonko following Saturday's Outreach community town hall meeting. Photo credit: Patrick Fatoma

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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Prosecutors seek 80-yr Sentence for Charles Taylor

Thu May 3, 2012 10:01pm GMT

*** Case closely watched for precedents**

*** Prosecution cites lengthy period crimes committed (Recasts, adds details, analyst quotes)**

AMSTERDAM, May 3 (Reuters) - Prosecutors have demanded an 80-year jail term for former Liberian president Charles Taylor, who last week was convicted of aiding and abetting crimes against humanity, before a sentencing decision that is expected to set a precedent.

Taylor's sentencing, on May 30, will be closely watched for its impact on other heads of state involved in cases at the International Criminal Court (ICC) in The Hague, where Laurent Gbagbo, the

former president of Ivory Coast, is due to face charges of crimes against humanity.

In a brief filed to judges at a special court in The Hague on Thursday, the prosecution said Taylor's position as a head of state, and the "length of time during which the crimes continued", were aggravating circumstances that necessitated a lengthy term.

Last week judges ruled that Taylor, 64, had helped the militias which, during the 11-year civil war in Sierra Leone, had perpetrated acts of terror against the civilian population, disembowelling and mutilating their victims, and recruiting child soldiers.

Until now, the longest sentence

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Prosecutors seek 80-yr Sentence for Charles Taylor

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imposed by the Special Court for Sierra Leone (SCSL) was one of 52 years, handed down to Issa Sesay, a commander in the Revolutionary United Front (RUF) militia that was responsible for some of the war's worst brutality.

The prosecution had sought to have Taylor convicted of direct criminal responsibility for human rights violations committed during the course of the conflict, but judges found that Taylor had not been in a position of direct command.

"The SCSL has given huge sentences, but that would be difficult for Taylor, given the way judges characterised his role," said William Schabas, professor of law at Middlesex University.

FEW PRECEDENTS

For now, there are few precedents. While Karl Doenitz, the German admiral, was German president in the final days of World War II, his 10-year sentence was handed down for his activities as a military commander.

Heads of state who have been tried and

sentenced, albeit by national courts, include Alberto Fujimori, who received 25 years for his role in kidnappings and killings committed while he was president of Peru, and Saddam Hussein, the Iraqi dictator, who was hanged.

"The whole field (of international criminal justice) is in disarray over sentencing," said Jens David Ohlin, professor of law at Cornell University.

"There is quite a debate in our field over whether the central issue is Charles Taylor's position as a former head of state or whether it's more important that he was only an accomplice in these crimes," Ohlin added.

"In theory accomplices should receive lower sentences than perpetrators, but if the crimes are so severe that only a life sentence will capture that level of guilt, then there is an argument that even accomplices should receive a long sentence."

The Sierra Leone court has handed down far more severe sentences than the

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Prosecutors seek 80-yr Sentence for Charles Taylor

From page 8

International Criminal Tribunal for the former Yugoslavia (ICTY), whose sentences have topped out at 30 years apart from one life sentence.

"In Europe, there is a mindset that excessively long sentences trigger human rights concerns," Ohlin said.

The ICC, which has been heavily

influenced by the practices evolved over 19 years by the ICTY, was likely to follow this pattern of milder sentencing, he said. Judges are due to sentence Taylor at the end of this month, after receiving a sentencing brief from his defence counsel. Both sides are expected to appeal. (Reporting By Thomas Escripp; Editing by Sara Webb and Michael Roddy)

The Exclusive

Monday, 7 May 2012

80 Years for Charles Taylor

Former Liberian President Charles Taylor should receive an 80-year sentence for his conviction for aiding and abetting war crimes in neighboring Sierra Leone's civil war, the chief prosecutor in the international court case recommended Thursday.

"Should the trial chamber decide to impose a global sentence, 80 years' imprisonment would be appropriate," said a signed statement by Brenda Hollis, chief prosecutor for the Special Court for Sierra Leone, according to the court's press and outreach officer.

"The recommended sentence is appropriate to reflect the essential role that Mr. Taylor played in crimes of such extreme scope and gravity," said the prosecutor's report. "It also reflects the critical and unique contributions Mr. Taylor made to the crimes. But for Charles Taylor's criminal conduct, thousands of people would not have had limbs amputated, would not have been raped, would not have been killed. Further, the recommended sentence provides fair and adequate response to the outrage these crimes caused in victims, their families and relatives, the Sierra Leonean people and the world at large."

Last week's landmark ruling by the international tribunal was the first war crimes conviction of a former head of state by an international court since the Nuremberg trials of Nazi leaders after World War II.

his conviction "immensely significant," saying it sends out a message that even, the most powerful are not above the law.

"This is undoubtedly a historic moment in the development of international justice," she said. "A former president, who once wielded immense influence in a neighboring country where tens of thousands of people were killed, mutilated, raped, robbed and repeatedly displaced for years on end, has been arrested, tried in a fair and thorough international procedure." Taylor has been a pivotal figure in Liberian politics for decades after he overthrew the regime of Samuel Doe in 1989, plunging the country into a bloody civil war that left 200,000 dead over the next 14 years.

After he was forced out of office under international pressure in 2003, he lived in exile in Nigeria, where border guards arrested him in 2006 as he was attempting to cross into Chad amid international pressure.

That culminated in his trial, which began in 2007 at the special court for Sierra Leone in The Hague, Netherlands. U.N. officials and the Sierra Leone government jointly set up the tribunal to try those who played the biggest role in the atrocities.

The court was moved from Sierra Leone, where emotions about the civil war still run high.

Prosecutors accused Taylor of financ-

Prosecutors, however, failed to prove that Taylor had direct command over the rebels who committed the atrocities, said Justice Richard Lussick of the Special Court for Sierra Leone.

A three-judge panel issued a unanimous decision that Taylor, 64, was guilty on all 11 counts of the indictment against him. The judges found him guilty of aiding and abetting rebel forces in a campaign of terror that involved murder, rape, sexual slavery, conscripting children younger than 15 and mining diamonds to pay for guns.

There is no death penalty in international criminal law, and Taylor would serve out any sentence in a British prison.

Taylor's lawyer, Courtenay Griffiths, suggested the trial was politically motivated. He claimed his client's conviction was "obtained on tainted and corrupted evidence" based on the testimony of witnesses from Sierra Leone who were paid to appear in court.

Griffiths portrayed Taylor as a legitimate leader who aided rebels in a neighboring nation. Those rebels, not Taylor, should be held accountable for their actions, the lawyer contended.

U.N. human rights chief Navi Pillay noted that Taylor can appeal the verdict, and it could be overturned. That said, she called

ing and giving orders to Revolutionary United Front rebels in Sierra Leone's civil war that ultimately left 50,000 dead or missing. His support for the rebels fueled the bloody war, prosecutors said.

Fighters included teenagers forced to kill, rape and plunder placed under the influence of drugs to provoke violent behavior.

Witnesses testified about grisly violence by the rebels during the conflict, including shooting and disemboweling pregnant women and children. Sometimes, rebels asked people if they wanted long sleeves or short sleeves. The former meant hacking off hands; the latter, forearms.

Taylor becomes the first former head of state since Adm. Karl Doenitz, who became president of Germany briefly after Adolf Hitler's suicide, to be convicted of war crimes or crimes against humanity by an international tribunal.

Former Yugoslav President Slobodan Milosevic was tried by an international tribunal but died before a judgment was issued.

The International Criminal Court has charged Laurent Gbagbo, the former Ivory Coast president, with crimes against humanity. It also has a warrant out for Sudanese President Omar al-Bashir, who, so far, has been able to elude arrest.

Taylor Gets New Defence Counsel

Special Court for Sierra Leone, Office of the Principal Defender

The Principal Defender has appointed Morris Anyah, an experienced international appeals lawyer, as Assigned Appeals Counsel to conduct the appeal of convicted former Liberian President Charles Taylor. Mr. Anyah has served as co-counsel on the Taylor Defence team since 2007. Apart from the Special Court for Sierra Leone, Mr. Anyah worked at the ICTY as a legal officer in the Office of the Prosecutor between 1999 and 2001. In 2000, he presented arguments before the Appeals Chamber in the genocide case against former Rwandan Prime Minister Jean Kambanda, and in two other genocide cases. Since 2011 he has served as victims' counsel be-

fore the International Criminal Court (ICC), representing over 200 victims in a case involving two defendants charged with crimes against humanity in Kenya.

Mr. Anyah was educated in the United States, and called to the Bar in 1996. From 2002 to 2007 he worked in private practice, and from 1996 to 1999 was Assistant State's Attorney in Chicago.

The Special Court is an independent tribunal established jointly by the United Nations and the Government of Sierra Leone. It is mandated to bring to justice those who bear the greatest responsibility for atrocities committed in Sierra Leone after 30 November 1996.

Awoko

Monday, 7 May 2012

Danish National Appointed to Lead UN Peacebuilding Efforts in Sierra Leone

Secretary-General Ban Ki-moon has appointed Jens Anders Toyberg-Frandzen of Denmark to spearhead United Nations efforts to assist Sierra Leone in consolidating its hard-won peace.

The new envoy will replace Michael von der Schulenburg as the Executive Representative and head of the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL).

"Mr. Toyberg-Frandzen is well qualified to support the efforts of Sierra Leone in achieving its peacebuilding and development priorities," the UN said, as it announced the appointment of the veteran

staffer, who has over 30 years of experience with the world body.

Mr. Ban voiced his gratitude to Mr. von der Schulenburg for his excellent service as the head of UNIPSIL, which has contributed to the peacebuilding and development priorities of Sierra Leone.

Set up by the Security Council in 2008, UNIPSIL provides political advice to foster peace and political consolidation, offers support and training to the national police and security forces, and builds the capacity of democratic institutions in furtherance of good governance and the promotion and protection of human rights.

80 Yrs For Taylor!

Charles Taylor was convicted on 11 counts of war crimes and crimes against humanity.

Prosecutors in the trial of former Liberian president Charles Taylor have said he

should be handed an 80-year sentence following his war crimes conviction in The Hague last week.

In a brief, the team told the Special Court for Sierra Leone the "extreme magnitude" of the crimes he committed warranted the long-term sentence.

The 64-year old was found guilty on 11 counts, including rape and murder, relating to the Sierra Leone civil war. He will be sentenced on 30 May.



Charles Taylor

During the 1991-2002 civil war Charles Taylor, who was president of neighbouring Liberia, backed Revolutionary United Front rebels who killed tens of thousands of people.

In return, he received "blood diamonds" collected by slaves.

'Instrumental' in crimes

In their sentencing brief, the prosecution team stated Taylor "was not a simple weapons procurer or financier".

Instead, they say he "planned the bloodiest chapter in Sierra Leone's war - the Freetown invasion" and was instrumental in supporting the rebels in their strategy of "murders, rapes, sexual slavery, looting, child soldiers... and other forms of physical violence and acts of terror".

An 80-year sentence, the prosecutors claim, would reflect the severity of the crimes and the central role he had in facilitating them.

After a five-year trial, Taylor became the first former head of state convicted by

an international court since the Nuremburg trial of Nazis after World War II when he was found guilty last week.

A sentence hearing is expected to be held on 16 May, with the sentence to be handed down on 30 May. Taylor has a right to appeal against the conviction, but if he loses that appeal he is expected to serve his sentence in a British prison.

Daily Nation (Kenya)

Saturday, 5 May 2012

Kenyans' ICC lawyer to lead Taylor appeal



By TAMBA JEAN-MATTHEW III tamtami24@yahoo.com And EMEKA-MAYAKA GEKARA gmayaka@ke.nationmedia.com

Morris Anyah, the Nigerian-American lawyer who represented Kenyan victims in one of the cases at the International Criminal Case has been appointed to lead appeal case for former Liberian president Charles Taylor.

Taylor, who has been declared guilty of war crimes, is being tried by the United Nations-backed Special Court for Sierra Leone, also based in The Hague.

The lawyer acted for 229 victims in the case of Deputy Prime Minister Uhuru Kenyatta and Mr Francis Muthaura who resigned as head of public service.

The two are awaiting trial by the Hague-based court for charges of crimes against humanity committed during the 2007/8 violence.

During pre-trial hearings, Mr Anyah distinguished himself as a meticulous and eloquent interrogator of the two accused and their witnesses.

The decision on whether Mr Anyah will continue representing the victims will be made by the trial judges.

In an interesting turn of events, in the Kenyan case, Mr Anyah is pitted against Mr Karim Khan, Mr Muthaura's lead counsel, who at one time led Taylor's defence.

He also questioned the actress Naomi Campbell over "blood diamonds" at The Hague during which the star acknowledged receiving "dirty looking stones".

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Mr Anyah has served as co-counsel on the Taylor defence team since 2007. This week, prosecutors announced they would seek an 80-year jail term for the former Liberian strong man. (READ: Taylor prosecutor seeks 80-year sentence)

Ahead of the sentencing hearing scheduled for May 16, which will be followed by the sentencing judgment on May 30, the principal defender of Taylor named Mr Anyah the appeals counsel.

In 2000, the lawyer made arguments before the Appeals Chamber in the genocide case against former Rwandan Prime Minister Jean Kambanda. And between 1999 and 2001 he was a legal officer at the International Criminal Tribunal for Yugoslavia.

While in Kenya in March, Mr Anyah accused the government of protecting suspects at the expense of internally displaced families.

He said non-governmental organisations had sounded the alarm over increasing anti-ICC rhetoric in “prayer” rallies organised by Mr Kenyatta and Eldoret North MP William Ruto who is also accused at the ICC.

“If statements in any way expose our clients to harm we will bring it before the court,” he warned.

He added that the government had not demonstrated “sufficient empathy” in what the victims went through by waging an equally spirited campaign to seek justice for those who lost relatives and property in the violence.

“The government is reacting to the ICC as if it is the Republic of Kenya and its people who are on trial. It is individuals. The government sees the process as the enemy and an attack on the Republic of Kenya,” he said.

Mr Anyah has also argued that justice cannot be rendered unless there is a mechanism to try middle-level perpetrators – the foot soldiers.

And the special tribunal must have a reparation and compensation element as well as involve victims.

Africa Review (Kenya)

Saturday, 5 May 2012

Charles Taylor names lawyer to lead his appeal case

By TAMBA JEAN-MATTHEW



Former Liberian President and war crimes convict Charles Taylor has picked Morris Anyah as his appeals counsel.

The announcement came ahead of the sentencing hearing slated for May 16, to be followed by the sentencing judgement later on May 30.

Anyah has since 2007 served as co-counsel on the Taylor Defence team. The African-American legal expert is an international legal expert, who also cross examined the actress Naomi Campbell over “blood diamonds” at The Hague where the model acknowledged receiving “dirty looking stones”.

International expert

In 2000, Anyah also acted before the Appeals Chamber in the genocide case against former Rwandan Prime Minister Jean Kambanda.

The expert is also remembered for his participation at the International Criminal Tribunal for Yugoslavia, where he served as a legal officer in the Office of the Prosecutor between 1999 and 2001.

Earlier in the week, the prosecutors of the UN-backed Special Court for Sierra Leone announced that they would seek an 80-year jail term for the convicted former leader.

GuelphMercury.com

Monday, 7 May 2012

Opinion

<http://www.guelphmercury.com/opinion/editorial/article/718251--a-tenacious-pursuit>

A tenacious pursuit

This editorial first appeared in The Seattle Times:

Former Liberian president Charles Taylor is scheduled to be sentenced next month. His conviction on 11 counts of aiding and abetting a bloody civil war in Sierra Leone offers a grim punishment option: short sleeves or long sleeves?

Such was the cruel, maniacal choice given by rebels to men, women and children on where their limbs would be hacked off: at the elbow or the wrist.

Raw vengeance would never be as satisfying as the pursuit, capture and international legal proceedings against a tyrant once so supremely confident of his own invulnerability.

The message from the International Criminal Court is that those despots and oppressors engaging in war crimes will be held accountable. The demonstrated tenacity that followed Taylor after he went into exile in 2003, continued through his arrest in 2006 and ended with last month's verdict is extraordinary.

Taylor swapped weapons for diamonds with rebels in Sierra Leone, and helped sustain a malicious upheaval for 11 years that claimed 50,000 lives. Taylor came to power in Liberia in 1989 via another bloody civil war that killed 200,000 over more than a decade.

The ruling, issued by the Special Court for Sierra Leone from the trial's secure venue in the Netherlands, has been cheered around the world, including in the African media. Broad hints are dropped about who might be next.

CNN reported William Hague, Britain's foreign minister, suggested Syrian President Bashar al-Assad, who has brutally suppressed dissent, might pay attention to what transpired with Taylor.

The central message is that the world paid attention. Africa was not too remote to register on the international conscience. Dedicated, purposeful people acted to enforce the law.

Thisday (Nigeria)

Monday, 7 May 2012

Opinion

Charles Taylor - Accountability Will Trump Immunity

After four years of a trial that had its moments of drama, the International Criminal Court via the Special Court for Sierra Leone on April 26, 2012 convicted former Liberian President, Charles Taylor, for sundry war crimes and crimes against humanity during the Sierra Leonean conflict which rocked the sub-region for over one decade, beginning 1991. With his sentencing due on May 30, FUNKE ABOYADE last week sought the views of Dr. Mark Ellis, an Executive Director of the International Bar Association. Twice a Fulbright Scholar at the Economic Institute in Zagreb, Croatia, Ellis who gained his J.D. and B.S. (Economics) Degrees from Florida State University also has a Ph.D in International Criminal Law from King's College, London. He has extensive experience in war crimes tribunals, providing in the past, technical legal assistance to the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague, and serving as Legal Advisor to the Independent International Commission on Kosovo, chaired by Justice Richard J. Goldstone. He was also appointed to advise on the creation of Serbia's War Crimes Tribunal and was actively involved with the Iraqi High Tribunal

The verdict entered against Charles Taylor was for aiding and abetting the war atrocities committed in Sierra Leone, rather than the ordering or planning of those atrocities. In your view, has justice been served given that it may affect the severity of the sentence?

It is much more difficult for the Prosecution to prove that Taylor was involved in ordering the attacks committed by the rebel fighters in Sierra Leone. The fact that Taylor was found guilty of aiding and abetting and planning the attacks on Sierra Leoneans reinforces the legal principle that a suspect does not have to fire a weapon in order to be found guilty of committing a crime. By aiding and abetting and planning such crimes, Taylor is equally culpable for the atrocities committed by rebel forces. By providing rebel forces with the necessary communications, technical, operational and financial support and military training he is just as guilty as those who carried out attacks on civilians directly.

Many Liberians are reportedly finding it hard to reconcile the fact that Taylor was tried for war crimes committed in Sierra Leone rather than Liberia. What would you say to such people?

The jurisdiction of the Special Court for Sierra Leone (SCSL) covered Sierra Leone and not Liberia. However, Taylor's prosecution for crimes committed in Sierra Leone marks an important step towards ending impunity, and should be seen in that light. Under different circumstances, I believe Taylor could have faced trial for his alleged crimes in Liberia.

What message would you say the conviction of Charles Taylor is sending to other Heads of State?

The conviction of Taylor marks a progression in international law and is a significant step for international accountability for war crimes and crimes against humanity. For the first time since the Nuremberg trials, a former Head of State has been held accountable for committing international crimes.

Equally important is that the SCSL, like all international tribunals, ensures that the law applies equally to all persons without any distinction based on official capacity. In particular, official positions as Head of State or Government, member of a Government or parliament, elected representative or a government official shall in no case exempt a person from criminal responsibility.

This is the first time a former Head of State has been convicted after the Nuremberg trials. Is it a coincidence that he's African? Some commentators would argue that the ICC is too fixated on African leaders?

The SCSL was created by the United Nations AND the Government of Sierra Leone to prosecute those most responsible for the atrocities against Sierra Leoneans. Therefore, the case against Taylor arose at the request of the Government of Sierra Leone. Similarly, current cases before the International Criminal Court, i.e. the cases against Joseph Kony, Thomas Lubanga Dyilo and Jean-Pierre Bemba Gombo, were referred to the Court by the governments of Uganda, the Democratic Republic of the Congo and the Central African Republic, not by the ICC.

The other two active indictments, i.e. the cases against Muammar Gaddafi and Saif al-Islam Gaddafi, were referred to the Court by the UN Security Council.

Does it suggest we have more rogue leaders in Africa? Or is it that we have poorer legal systems in the developing world?

I do not believe that there are more "rogue" leaders in Africa. History has shown that there is no safe haven for evil people - all corners of the world have had their equal share of leaders who have committed heinous crimes. However, some parts of the world have done a better job of advocating for and protecting human rights, as well as bringing to justice those who have committed international crimes. For instance, Europe has the European Court of Human Rights, governed by the European Convention on Human Rights to which 47 States are party. Consequently, victims of violations committed by the State have a supra-national entity which ensures that States adhere to human rights obligations. Whereas the European Court of Human Rights has been in place for over fifty years, the African Court on Human and People's Rights was only established in 2004 and is thus still in its infancy.

Naomi Campbell and Mia Farrow's testimonies brought the trial to mainstream international media attention which had hitherto given it scant recognition. Was this a plus in your view? Or a media circus feeding frenzy which detracted from the main issues?

The media attention surrounding the testimony of Naomi Campbell and Mia Farrow undoubtedly played an important role as a catalyst in bringing attention to the atrocities committed during the Sierra Leonean war. The media did not shy away from showing the true impact that the war had on the civilian population. Consequently, I think beyond the testimony of celebrities, the horrors of the war and the fact that a former Head of State was facing trial for such heinous acts, are what ultimately kept people interested in the outcome of the trial.

The United States has refused to sign the Rome Statute which created the ICC, yet they are in the forefront of promoting this form of international justice. Is this not a contradiction? Should America have a moral right to do be in the forefront? As an American, what are your views?

The United States is simply wrong in its reasons and justifications for not becoming a State Party to the Rome Statute. The US plays an important role in world leadership and is rightly at the forefront of promoting human rights, but its absence from the ICC is contradictory to its standing in the international community. It suggests that the United States is willing to support international justice, so long as it is not judged by the same standards. I hope that in the future the US will reverse its position on the ICC. There is some evidence that this may be happening, albeit slowly. As a permanent member of the UN Security Council, it voted in favour of referring the cases against Omar Hassan Ahmad Al Bashir, President of Sudan and Muammar Gaddafi, then President of Libya, and his son, Saif Al-Islam Gaddafi, to the ICC.

In your experience of war crime tribunals, what are the challenges these tribunals face?

The biggest challenge facing international war crimes tribunals is securing international support. International tribunals do not have their own police force or army to apprehend indicted war criminals. The tribunals depend solely on the cooperation of the international community to hold these individuals accountable for international crimes. The current case against Omar Hassan Ahmad Al Bashir highlights the importance of international cooperation. With state support he could be apprehended and swiftly brought to face trial before the ICC. However, more than three years after an arrest warrant was issued, he still remains President of Sudan and, due to a lack of support from states to apprehend him, he continues to freely travel in the region with immunity.

Charles Taylor's trial took some 5 years and millions of dollars in resources. Was it worth it?

Yes, it is a small price to pay to ensure that those who have committed the most serious international crimes are brought to justice. It reflects the paradigm shift in international law that there is no immunity for crimes of this nature. The Taylor case reinforces the commitment of the international community to bring to justice those who have committed these crimes - if not today then tomorrow, and if not tomorrow, then at some time in the future. Accountability will trump immunity.

Al Arabiya News

Saturday, 5 May 2012

Opinion

Deterring criminals and brutes

By Rami G. Khouri

How does society use legal means at its disposal to stop dictators from using their power to kill and terrorise civilians?

Several simultaneous efforts around the world — related to Sierra Leone, Syria, Lebanon, Sudan and Iran — point to various options available, without a single proven one. This debate has been revived by the conviction this week of former Liberian President Charles Taylor by the UN-backed Special Court for Sierra Leone on 11 counts of war crimes and crimes against humanity, for arming Sierra Leone rebels in exchange for “blood diamonds”.

Some hail this as historic because it represents the first time since World War II that a head of state has been convicted in this way, seeing it as a precedent that will cause other tyrants to change their ways before they, too, are brought to justice. Many others, however, wonder if the rule of law will only be used against Third World dictators, without applying the same standards of justice and morality to Israeli, American, British or other leaders whose actions have resulted in tens of thousands of deaths, hundreds of thousands of injured and millions of refugees.

This distinction is important because if international law is used discriminately to punish some leaders and not others, many countries will ignore not only such international law applications but other dimensions of global legal norms that are related to international peace and security as well.

The Charles Taylor conviction occurred simultaneously with other such attempts to punish and deter others from contemplating carrying out brutal policies that target civilians. The Special Tribunal for Lebanon continues to move along very slowly, seven years after the assassination of former Lebanese prime minister Rafik Hariri. His son, Saad, said last Thursday that the Taylor verdict provides hope that Syrian President Bashar Assad will one day be held accountable for his brutality against the Syrian people.

The indictment of Sudanese President Omar Hassan Bashir by the International Criminal Court for alleged crimes in Darfur remains static because the court is unable to bring Bashir to trial. He travels freely to many countries, illustrating the ICC’s erratic global credibility and legitimacy.

In Syria and Iran, the international community has used sanctions imposed unilaterally (by the United States and European Union) or multilaterally through the UN Security Council to bring about changes in those governments’ policies, but with meagre results. Tehran and Damascus seem neither impressed nor fearful.

One problem with this approach, which the ICC and special tribunals do not suffer, is that the sanctions are applied merely on the basis of accusations by Western powers that often lack factual support, such as Iran’s determination to build a nuclear bomb.

Another dimension of this UN Security Council strategy is the current demand by some powers, including the United States, for the council to meet next week and invoke the use of Chapter Seven of the UN Charter, which allows member states to use force to deal with threats to peace and security. This could

include direct warfare, like in Afghanistan and Iraq in recent years, with varying degrees of Security Council approval, or it could see foreign powers militarily supporting the Syrian rebels.

War, however, seems to be a poor teacher, because the threat or actual use of this option does not seem to have caused policy changes among countries like Syria, Iran, Sudan or others.

One more approach was initiated last week by the United States government when President Barack Obama announced sanctions against private companies that provide technology that allows governments to track down dissidents and imprison, torture or kill them. This is a new twist on existing sanctions against companies around the world that do major business with Syria and Iran, including buying oil from them.

This sanctions-based punitive or deterrent policy also failed to bring about the desired changes in policy by Damascus or Tehran, perhaps because it also suffers from the accusation of double standards (i.e., will the same companies be sanctioned for selling the same technology to Arab countries that are close to the United States?).

The Taylor conviction is the most dramatic example to date of how the rule of law can legitimately counter the deeds of criminals and ruling brutes. Yet this approach will continue to elicit protests and opposition from many around the world if it remains selective and discriminating by ignoring the accusations of crimes by American, British, Israeli and other leaders who have used warfare or supported attacks against civilians as routine policies.

When the law is selectively applied — favouring whites and prosecuting blacks, as happened for centuries in the American south — it stops being an instrument of justice and order, and turns into one more sickening example of perpetual colonialism and racism.

(The writer is a prominent columnist. The article was published in Jordan Times on May 4, 2012)

The Conversation

Monday, 7 May 2012

Opinion

<http://theconversation.edu.au/the-charles-taylor-verdict-a-step-forward-for-the-women-of-sierra-leone-6751>

The Charles Taylor verdict: a step forward for the women of Sierra Leone

By Lisa Lee



The recent decision of the Special Court for Sierra Leone (Special Court) in the trial of former President of Liberia, Charles Taylor, is a landmark and historic verdict. Why is the judgement an important one for gender-based jurisprudence? It is the first time a former head of state has been convicted...

The recent decision of the Special Court for Sierra Leone (Special Court) in the trial of former President of Liberia, Charles Taylor, is a landmark and historic verdict.

Why is the judgement an important one for gender-based jurisprudence?

It is the first time a former head of state has been convicted by an international criminal court for gender-based crimes. International gender crimes scholar, Dr Kelly Dawn Askin, lauded the verdict as a “major victory for gender justice worldwide”.

The Special Court's judgement affirms the increased recognition of gender-based violence in international law.

Former head of state responsible for gender crimes

The Trial Chamber of the Special Court found Taylor guilty of aiding and abetting the Revolutionary United Front (RUF), Armed Forces Revolutionary Council (AFRC), AFRC/RUF junta and Liberian fighters in the commission of crimes during the Sierra Leone civil war between 1996 and 2002.

Taylor was indicted on direct and indirect forms of criminal responsibility. Direct forms of responsibility are described by the Statute of the Special Court, as planning, ordering, instigating, or aiding and abetting crimes. The indirect form is superior responsibility.

The prosecution also alleged that Taylor was part of a joint criminal enterprise. The Special Court judges rejected this submission. Conceptual issues with the prosecution's framing of liability were evident during the trial, as Professor William Schabas highlights.



Taylor was charged with individual criminal responsibility for crimes against humanity, war crimes and serious violations of international humanitarian law.

The Statute of the Special Court's definition of crimes against humanity includes rape, sexual slavery, forced pregnancy, sexual violence and forced prostitution. Rape, humiliating and degrading treatment, enforced prostitution, indecent assault, and acts of terrorism are also defined as war crimes.

The Special Court determined that women and girls in the Kono and Kailahun Districts, and the Freetown and Western Area, were raped and/or forced to be sex slaves by the rebel forces.

The Special Court also considered rape within the broader ambit of terrorism. It held that rebel forces terrorised civilians in the target districts. The rebels raped women and girls in public as part of their campaign of terror.

How was Taylor involved? He provided the rebels with vital operational, financial, military and technical support, and arms and ammunition – in exchange for “blood diamonds”.

Taylor was found guilty of aiding and abetting the rebels, and in this sense, criminally responsible in the commission of gender-based atrocities.

The judges determined that Taylor had requisite knowledge of the commission of gender crimes – obtained through daily security briefings, public reports, intergovernmental reports, and media coverage.

It was established, beyond reasonable doubt, that Taylor possessed “a clear intent to act in support” of the gender crimes committed.

Forms of criminal responsibility are crucial as they enable prosecutions against high-ranking civilian or military superiors. Such charges ensure that superiors who formulate or implement overarching strategies and policies, for instance, are not exculpated on the grounds that they did not physically perpetrate crimes.

Recognising gender-based violence

Gender-based jurisprudence is continually evolving and expanding. Much of the substantive progress has been achieved in the past few decades.

In the post-World War Two period, sexual violence was not prosecuted at the Nuremberg Trials. In the trials of Japanese war criminals before the International Military Tribunal for the Far East, rape was prosecuted under general prohibitions against attacks on “family honour”.

In the 1990s, the International Military Tribunal for the former Yugoslavia, and the International Military Tribunal for Rwanda, significantly contributed to the evolution of gender jurisprudence. Rape, as a crime against humanity, was expressly recognised in their statutes and decisions.

The 1998 judgement of Rwandan politician Jean Paul Akayesu was the first time an international criminal court held that rape was a crime against humanity, and that rape and sexual violence could constitute genocidal acts (accompanied with the requisite intent).

Taylor’s trial shows an increased awareness by the international community of gender-based violence during war, and the need to formulate appropriate gender strategies in prosecutions of those responsible.

Justice for women and girls in Sierra Leone

The Truth and Reconciliation Commission (TRC) for Sierra Leone was established in 2000. The TRC’s 2004 report recommended that the government compensate victims. The reparations process has been a difficult and slow one, hampered by inadequate resources.



Young women from the Holy Rosary Girls Secondary School in Pujehun, Sierra Leone Flickr/Sustainable Sanitation

While the TRC has focused on providing a forum for victims' voices and directing reparations, the Special Court's mandate is to "prosecute persons who bear the greatest responsibility for serious violations" committed in the civil war.

The symbolism of the Special Court's retributive and punitive verdict should be emphasised – particularly with regard to victims of gender crimes.

Margot Wallström, the United Nations Secretary-General's Special Representative on Sexual Violence in Conflict, stated that the Taylor verdict "signals that no leader – however powerful – is above the law; and that no woman or girl is below it."

Victims of gender-based violence in war have been historically ignored, shunned and stigmatised.

This verdict is a monumental affirmation of the inherent rights of women and girls in Sierra Leone – and that these rights are inviolable, regardless of the rank or status of persons responsible.

Lisa Lee is a doctoral candidate at Monash University

Disclosure Statement

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CNN

Thursday, 3 May 2012

Prosecutor recommends 80 years for Charles Taylor

By the CNN Wire Staff

Liberian ex-President Charles Taylor is escorted at the Freetown, Sierra Leone, airport on his way to the Netherlands in 2006.

Former Liberian President Charles Taylor should receive an 80-year sentence for his conviction for aiding and abetting war crimes in neighboring Sierra Leone's civil war, the chief prosecutor in the international court case recommended Thursday.

"Should the trial chamber decide to impose a global sentence, 80 years' imprisonment would be appropriate," said a signed statement by Brenda Hollis, chief prosecutor for the Special Court for Sierra Leone, according to the court's press and outreach officer.

"The recommended sentence is appropriate to reflect the essential role that Mr. Taylor played in crimes of such extreme scope and gravity," said the prosecutor's report. "It also reflects the critical and unique contributions Mr. Taylor made to the crimes. But for Charles Taylor's criminal conduct, thousands of people would not have had limbs amputated, would not have been raped, would not have been killed. Further, the recommended sentence provides fair and adequate response to the outrage these crimes caused in victims, their families and relatives, the Sierra Leonean people and the world at large."

Last week's landmark ruling by the international tribunal was the first war crimes conviction of a former head of state by an international court since the Nuremberg trials of Nazi leaders after World War II.

Prosecutors, however, failed to prove that Taylor had direct command over the rebels who committed the atrocities, said Justice Richard Lussick of the Special Court for Sierra Leone.

A three-judge panel issued a unanimous decision that Taylor, 64, was guilty on all 11 counts of the indictment against him. The judges found him guilty of aiding and abetting rebel forces in a campaign of terror that involved murder, rape, sexual slavery, conscripting children younger than 15 and mining diamonds to pay for guns.

There is no death penalty in international criminal law, and Taylor would serve out any sentence in a British prison.

Taylor's lawyer, Courtenay Griffiths, suggested the trial was politically motivated. He claimed his client's conviction was "obtained on tainted and corrupted evidence" based on the testimony of witnesses from Sierra Leone who were paid to appear in court.

Griffiths portrayed Taylor as a legitimate leader who aided rebels in a neighboring nation. Those rebels, not Taylor, should be held accountable for their actions, the lawyer contended.

Washington Post
Thursday, 29 April 2012
Opinion

The beginning of justice for Liberia's Charles Taylor?

Regarding the April 26 front-page article "A milestone in quest for global justice":

Costly and cumbersome, the Special Court for Sierra Leone is probably not the ideal model for future international human rights tribunals. Nonetheless, two decades after the crimes in question and following nearly five years of legal debate, the court finally provided some small measure of justice to the countless victims of former Liberian president Charles Taylor. Having witnessed the savagery and suffering of the intertwined wars of Liberia and Sierra Leone as a relief worker, I cannot imagine a punishment harsh enough for this criminal. One hopes the special court will hand down a sentence that keeps Mr. Taylor behind bars to reflect on his sins for the remainder of his natural life.

With the conviction of Charles Taylor for aiding and abetting war crimes in Sierra Leone ["Ex-Liberian leader found guilty of war crimes," news story, April 27], perhaps now is a good time to remind him of his responsibility for the murder of five American nuns. In 1992, during the siege of Monrovia as part of an effort to terrorize and intimidate the local population, five American nuns and others working with the Catholic Church in an outlying part of the capital were killed, allegedly by rebels controlling the area under Mr. Taylor's command.

Mr. Taylor has yet to be tried for any war crimes or crimes against humanity committed in Liberia from 1990 to 2003. While Liberia works to rebuild its justice system in the wake of Mr. Taylor's departure from power, the U.S. attorney general needs to achieve justice for these Americans murdered almost two decades ago.

Timothy McEniry-Roschke, Washington

Washington Post

Thursday, 3 May 2012

Opinion

In Liberia or D.C., celebrating peace

By Donna Lewis Johnson

My 14-year-old lacrosse-playing son came home the other day with bandages laced around his right shin. A swath of gauze covered a skinned leg slimy with puss and antibiotic ointment. I winced.



My baby boy was injured. But he shrugged off the scrape and dismissed my overreaction. And he was right. He was injured defending a goal on a new AstroTurf field while playing an organized team sport.

Liberian President Charles Taylor in 2003, surrounded by security, waves goodbye to Nigerian President Olusegun Obasanjo after a press conference at the Roberts International Airport 30 miles east of the Liberian capital Monrovia. (Ben Curtis - AP) His nasty nick is worlds apart from the battle scars boy soldiers my son's age and younger suffered under the brutal reign of former-Liberian president Charles Taylor. During Liberia's civil war from 1999-2003, Taylor's cruel regime conscripted boys. It doped them with drugs and threatened them with death. It transformed them into cold-blooded warriors who raped, killed and mutilated villagers in a gruesome strategy by Taylor to instill fear, oppress liberty, and satisfy his vainglory and greed.

Over the duration of the four-year war, Taylor forced thousands of Liberian children into battle to fend off an uprising in Liberia and to support an insurgency in neighboring Sierra Leone.

He profited mightily, as he received blood diamonds in exchange for his exploits. When The Hague finally convicted Taylor on April 26 for war crimes and crimes against humanity, my heart cried, "Amen." And I couldn't believe the timing: Months ago, the Episcopal church women of St. Timothy's in Southeast Washington set out to plan Women & Girls Week for May 3-6 that will celebrate women working together to uplift our collective humanity.

-SNIP-

While the District's children are not fighting on faraway battlefields, many are struggling to survive in homes, schools and communities that fall short in guiding, educating, and protecting them. Help us help children by coming out to tonight's forum and donating a book.

The week kicks off at Parish Hall at St. Timothy's Episcopal Church, 3601 Alabama Ave SE Washington, D.C. 20020 from 7 to 9 p.m.

Donna Lewis Johnson lives and writes in Washington, D.C. She grew up in St. Timothy's and still calls the parish home.

Allafrica.com

Thursday, 29 April 2012

Opinion

Fugitives Take Note - Justice Can Be Done

By Elise Keppler



Former Liberian President Charles Taylor takes notes in court. (Photo Courtesy RNW)

Liberia's "big man" surely thought he'd enjoy a comfortable retirement when he left power back in 2003. But on April 26 the Special Court for Sierra Leone convicted Charles Taylor for war crimes and crimes against humanity, proving that even the most powerful aren't immune from justice.

As I watched Taylor looking on somberly as the verdict was read, I recalled that for years, the prospects for Taylor's surrender looked extremely bleak. Despite an international arrest warrant for him, the Nigerian government offered Taylor safe haven and he went into exile.

The judges at the United Nations-backed Special Court for Sierra Leone, a mixed international-national war crimes court sitting in The Hague, found Taylor guilty of aiding and abetting all 11 counts of war crimes and crimes against humanity on which he was charged. He was also found guilty of planning the crimes during attacks on three districts in Sierra Leone. This decision is the first of its kind against a head of state.

The conviction is a triumph for the Sierra Leone victims. When I traveled to Freetown in 2004, people consistently told me they wouldn't consider justice complete for the country's armed conflict, which ended in 2002, unless Taylor was brought to the dock. Activists emphasized that because of Taylor's involvement with Sierra Leone's rebel forces during the conflict, he was central to any effort to hold those responsible to account.

While Taylor got on with a quiet existence in Calabar, Nigeria, activists across West Africa joined with international groups such as Human Rights Watch to campaign for his surrender. We sought to make clear that seeing to it that he faced trial was not simply a matter of "Western concern," as some critics suggested, and to keep the issue on the international agenda.

President Olusegun Obasanjo, Nigeria's president at the time, indicated he would consider extraditing Taylor to Liberia if a duly-elected Liberian president requested it. However, Liberia's new president, Ellen Johnson Sirleaf, who took office in January 2006, initially indicated that Taylor's surrender was not a priority. Perhaps partly due to our campaigning, accompanied by urging for Taylor's surrender by the British and United States governments, Johnson Sirleaf did an about face. In March, explaining that

international pressure had made it impossible for Liberia to address other issues until Taylor was surrendered, she submitted a request to the Nigerian government for his transfer.

An international chase that seemed the stuff of Hollywood films followed. But in the end - and with the apparent threat that a scheduled meeting between the Nigerian president and U.S. President George Bush would be cancelled unless Taylor was arrested - Taylor was taken into custody on Nigeria's border with Cameroon and sent to Freetown. His trial was transferred to The Hague in June 2006 due to concerns over instability if his case were tried in West Africa, and opening arguments began in June 2007.

The trial was complex. Some 115 witnesses testified, more than 1,000 exhibits were admitted, tens of thousands of pages of transcripts were generated, and hundreds of motions were decided. Taylor himself took the stand for nearly seven months.

After more than a year of deliberations, the judges announced their verdict in a session lasting more than two hours, which provided detailed findings on Taylor's role in committing war crimes and crimes against humanity in Sierra Leone. Specifically, the court found that Taylor was individually criminally responsible for the crimes by providing arms and ammunition, military and financial support, and encouragement to the Revolutionary United Front and Armed Forces Revolutionary Council, rebel groups responsible for terrorizing civilians, rape, murder, enslavement, and child recruitment, among other crimes. Appeals are now anticipated, while sentencing is scheduled for late May.

Critics of international justice often question the significance of charging suspects when they seem beyond the reach of law. The Taylor verdict shows how short-sighted that perspective is. Though Taylor did not immediately face justice after his indictment was unsealed, he ultimately was taken into custody, tried and judged for his crimes.

The verdict should put fugitives from justice - even at the highest levels of power - on notice. Notably, while President Omar al-Bashir of Sudan who is wanted by the International Criminal Court on crimes committed in Darfur is at liberty today, he may be brought to trial in the future.

Of course, whether suspects are held to account depends on the actions of governments, and the long-term impact of the verdict beyond Sierra Leone rests with countries that are committed to accountability for the worst crimes. Countries that are members of the International Criminal Court, for example, should insist that Al-Bashir is surrendered for trial. For crimes not subject to the ICC's jurisdiction, including crimes committed in Liberia under Taylor's presidency before the ICC became operational, we look to governments to pursue prosecutions through national courts with international support as needed.

Victims obtained some justice for Taylor's brutal crimes on April 26.

Governments should build upon this landmark decision to ensure that victims everywhere have the same opportunity.

Elise Keppler is senior counsel with Human Rights Watch's international justice program.

Watertown Daily News (New York State)

Monday, 7 May 2012

Tyrant faces music

An international court has convicted former Liberian President Charles Taylor of war crimes and crimes against humanity.

The April 27 verdict from the international war crimes court sends a message that heads of state who commit such crimes may be brought to justice.

Mr. Taylor was found guilty on 11 counts of war crimes and crimes against humanity. He supplied arms, equipment and planning assistance to Sierra Leone rebels in exchange for “blood diamonds” mined by slave laborers and smuggled into Liberia.

His support of rebels in Sierra Leone helped them wreak bloody havoc during the West African country’s 11-year civil war which ended in 2002. More than 50,000 people died in that conflict.

The rebels were notorious for committing brutal atrocities such as chopping off their victims’ limbs and carving their groups’ initials into their opponents. They kidnapped children, drugged them and pressed them into militia service. They raped, tortured and murdered innocent people.

Judges at the Special Court for Sierra Leone in Leidschendam, Netherlands, found the former president and warlord guilty of aiding and abetting the rebels, but ruled that he had no direct control over their actions.

Not since World War II has a head of state been convicted by an international war crimes court.

Former prosecutor David Crane, who indicted Mr. Taylor in 2003 and now teaches international law at Syracuse University, said the ruling “permanently locks in and solidifies the idea that heads of state are now accountable for what they do to their own people. This is a bell that has been rung and clearly rings throughout the world. If you are a head of state and you are killing your own people, you could be next.”

Others, including U.N. Secretary General Ban Ki-Moon and the U.S. State Department, agree.

Other heads of state have been indicted: former Ivory Coast President Laurent Gbagbo, who is jailed in The Hague; the late Libyan dictator Moammar Gadhafi; and Sudan’s President Omar al-Bashir, who remains at large.

Sentencing will be later this month. The court, which imposes no death penalty or life sentence, has given rebels up to 52 years in prison.

This is a measure of justice for aiding horrific crimes.

Daily Nation (Kenya)

Friday, 4 May 2012

Taylor prosecutor seeks 80-year sentence



A TV grab released by the Special Court for Sierra Leone shows Liberian ex-president Charles Taylor, accused of arming Sierra Leone's rebels who paid him in "blood diamonds", listening to the judge at the opening of the judgement hearing on April 26, 2012 at the court in Leidshendam, outside The Hague. The chief prosecutor in the trial of Charles Taylor has suggested an 80-year sentence after the Liberian former president's conviction for war crimes, according to a document made public May 3, 2012. AFP

By AFP

The chief prosecutor in the trial of Charles Taylor has suggested an 80-year sentence after the Liberian former president's conviction for war crimes, according to a document made public Thursday.

The prosecutor said the term would be fair given Taylor's role in arming and aiding rebels who killed and mutilated thousands in neighbouring Sierra Leone during the 1991-2001 civil war, one of the most brutal conflicts in modern history.

"Should the trial chamber decide to impose a global sentence, 80 years imprisonment would be appropriate," said the document, signed by the Special Court for Sierra Leone's chief prosecutor Brenda Hollis in The Hague.

"The recommended sentence is appropriate to reflect the essential role that Mr Taylor played in crimes of such extreme scope and gravity."

Taylor, 64, was found guilty by the UN-backed court last week for aiding and abetting war crimes.

In the first judgement against an ex-head of state by a world court since the World War II Nuremberg trials, Taylor was convicted on all 11 counts including acts of terrorism, murder and rape committed by the Revolutionary United Front (RUF) rebels, who paid him for arms with diamonds mined by slave labour.

Taylor will be sentenced on May 30 by the court, based in the leafy suburb of Leidschendam outside The Hague. Should he get jail time, it will be spent in a British prison.

The hearings, which saw model Naomi Campbell testify she had received diamonds from Taylor, lasted nearly four years, wrapping up in March 2011.

Prosecutors alleged that the RUF paid Taylor with illegally mined so-called blood diamonds worth millions, stuffed into mayonnaise jars.

The rebels would in return get arms and ammunition provided by Taylor.

Prosecutors said “but for Charles Taylor’s criminal conduct, thousands of people would not have had limbs amputated, would not have been raped, would not have been killed.”

But during his conviction, judge Richard Lussick did however stress that although Taylor had substantial influence over the RUF, including its feared leader Foday Sankoh — who died in 2003 before he could be convicted by the SCSL — “it fell short of command and control” of rebel forces.

Taylor, Liberia’s president from 1997 to 2003, had dismissed the charges as “lies” and claimed to be the victim of a plot by “powerful countries.”

During his own 81 hours of testimony, which began in July 2009, he called the trial a “sham” and denied allegations that he had eaten human flesh.

“These convictions were obtained with corrupt and tainted evidence effectively bought by the prosecution,” his lawyer Courtenay Griffiths said after last week’s verdict.

Prosecutors however said they believed their suggested sentence “provide a fair and adequate response to the outrage these crimes caused in victims, their families... the Sierra Leonian people and the world at large.”

Authorities in Nigeria arrested Taylor in March 2006 and he was transferred to The Hague in 2006 after security fears in the west African country.

During Taylor’s trial which began on June 4, 2007, 94 witnesses took the stand for the prosecution and 21 for the defence.

The New Dawn (Liberia)

Monday, 7 May 2012

Taylor, Son Compete For Jail Terms

It appears that ex-President Charles Taylor will be released from prison 17-years earlier before his son, Chuckie or Charles Taylor Jr., who was sentenced to 97 years in prison on January 9, 2009.



Though his prison term is yet to be announced by judges of the UN-backed Special Court for Sierra Leone, Prosecutors have said that Taylor should be handed an 80-year sentence.

Taylor, 64, was found guilty on 11 counts, including rape and murder, relating to the Sierra Leone civil war, while his son was found guilty on torture.

Charles "Chuckie" Taylor Jr was convicted in October for leading a campaign of torture

against people opposed to his father's rule. Although he wasn't charged with killing any of them, his indictment alleged that he killed at least one of seven victims.

If the UN-backed Special Court judges uphold prosecution's request for an 80-year sentence, Taylor, now 64, will be 144-years old when he walks out of the British prison, while his son at the time of his sentence was 31, will be 128, when he walks out of the US prison. US prosecutors had earlier requested that "Chuckie" be handed 147 years, stemming from his convictions on eight conspiracy, torture and firearm charges.

Meanwhile, the Special Court's Principal Defender appointed Morris Anyah, an experienced international appeals lawyer, as Assigned Appeals Counsel to conduct the appeal of Mr. Taylor, the court announced Friday. Mr. Anyah has served as co-counsel on the Taylor Defence team, alongside lead Counsel Courtenay Griffiths, since 2007.

Apart from the Special Court for Sierra Leone, Mr. Anyah worked at the ICTY as a legal officer in the Office of the Prosecutor between 1999 and 2001. In 2000, he presented arguments before the Appeals Chamber in the genocide case against former Rwandan Prime Minister Jean Kambanda and in two other genocide cases.

Since 2011 he has served as victims' counsel before the International Criminal Court (ICC), representing over 200 victims in a case involving two defendants charged with crimes against humanity in Kenya.

His appointment comes at the time Prosecutors have said that Taylor should be handed an 80-year sentence. In a brief, the team told the Special Court for Sierra Leone that the "extreme magnitude" of the crimes he committed warranted the long-term sentence.

He will be sentenced on 30 May.

An 80-year sentence, the prosecutors claim, would reflect the severity of the crimes and the central role he had in facilitating them. After a five-year trial, Taylor became the first former head of state convicted by an international court since the Nuremburg trial of Nazis after World War II when he was found guilty on April 26.

A sentence hearing is expected to be held on 16 May, with the sentence to be handed down on 30 May. Taylor has a right to appeal against the conviction, but if he loses that appeal, he is expected to serve his sentence in a British prison.

The Guardian

Friday, 4 May 2012

Charles Taylor should face 80 years in jail, UN prosecution urges

Former Liberian dictator was found guilty of aiding and abetting war crimes in Sierra Leone at Hague tribunal

Owen Bowcott, legal affairs correspondent



Charles Taylor was convicted of arming rebels during Sierra Leone's civil war in return for blood diamonds. Photograph: Issouf Sanogo/AFP/Getty Images

The convicted, former president of Liberia, Charles Taylor, should be punished with a sentence of 80 years for committing atrocities in west Africa, the chief prosecutor at a UN-backed tribunal has urged.

Taylor, who is 64, was found guilty at the special court for Sierra Leone in The Hague last month of aiding and abetting war crimes and crimes against humanity by supporting rebels in Sierra Leone in return for "blood diamonds".

Any prison sentence is likely to be served in the UK which has offered to accommodate him once his trial and appeal is finally completed.

Sentencing for the 11 counts of which he was found guilty – including murder, rape, sexual slavery, enforced amputations and pillage carried out – is scheduled to take place on 30 May. The offences took place between 1996 and 2002.

In a submission to the special court this week, the prosecutor Brenda Hollis argued that: "Taylor was not a simple weapons procurer or financier who sat on the sidelines of a civil war raging in a neighbouring country ...

"[His] positions both as president of Liberia and within the west African regional bodies distinguish him from any other individual that has appeared before this court. Taylor's abuse of his authority and influence is especially egregious given that west African leaders repeatedly entrusted him with a role to facilitate peace.

"The [court's] findings reveal the reality of Taylor's role in the peace process, noting that 'while the accused publicly played a substantial role in the Sierra Leone peace process secretly he was fuelling hostilities between the AFRC/RUF and the democratically elected authorities in Sierra Leone, by urging the former not to disarm and actively providing them with arms and ammunition ... acting as a two-headed Janus'."

Hollis added: "Considering the extreme magnitude and seriousness of the crimes that were committed against the people of Sierra Leone for which Taylor has been found responsible ... the prosecution recommends that Charles Taylor be sentenced to a prison term of no less than 80 years. No significant mitigating circumstances exist in this case."

The request for such a long jail term reflects common practice in the US. Hollis was formerly a US military prosecutor. The special court for Sierra Leone cannot impose the death penalty or life sentences.

In interview with the Guardian after the trial, Hollis pointed out that Taylor had been involved in planning some of the bloodiest episodes of the civil war in Sierra Leone, including the attack on the capital, Freetown.

If given 80 years, the former Liberian president, who has been in custody in a Dutch jail since 2006, would receive a far longer sentence than the leaders of the Sierra Leonean militias already imprisoned for their part in the atrocities. One of them, Issa Sesay, a former leader of the Revolutionary United Front (RUF) was given 52 years for his role. He is currently in a Rwandan prison.

Taylor was found guilty of aiding and abetting in the offences rather than of being directly in command of the rebel groups. He was convicted unanimously by the three-judge panel at The Hague.

In a highly unusual move, the reserve judge, Justice El Hadji Malick Sow, from Senegal, who did not deliver the verdict, interrupted the end of the hearing to voice his opposition and make clear that he dissented from his colleagues' finding. His words were cut off as the proceedings ended last month but he did warn that the "international justice system was in grave danger of losing all credibility".

After the trial, Courtenay Griffiths QC, Taylor's lead counsel, accused the international justice community of targeting African leaders excessively. He said that Africans were being sent for trial and detention thousands of miles away to Europe "in handcuffs and chains". He added: "This is a 21st-century form of colonialism."

The cost of the trial, which has so far lasted four years, is estimated at (£30m) \$50m.

The Portland Press Herald

Monday, 7 May 2012

Opinion

Incomplete justice: Taylor war crimes verdict

Better than just the conviction would be recovering his vast assets and making him face the enormity of his crimes.

By CARINA RAY McClatchy-Tribune Forum

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

[click image to enlarge](#)

Charles Taylor, above, and an amputee victim and her baby, lower right, in a camp run by Doctors Without Borders in Sierra Leone. Maria Tukamara, 14, lost both her hands when the Revolutionary United Front invaded her village. In photo at lower left, young Sierra Leone men who had their ears, hands or fingers chopped off wait at a hospital for medical care.

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 is assistant professor of African history at Fordham University. Her publications include "Darfur and the Crisis of Governance in Sudan: A Critical Reader" and "Crossing the Color Line: Race, Sex and the Contested Politics of Colonial Rule in Ghana."



New Vision (Uganda)

Monday, 7 May 2012

Opinion

Taylor's conviction heralds the end of impunity

By Moses Walubiri



ON the account of the evidence adduced before the UN-backed special Court for Sierra Leone in The Hague, the writing was clear on the wall that Charles Taylor's chickens would ultimately come home to roost - even before Justice Richard Lussick delivered his much awaited judgment.

From beheading of civilians, displaying victims' heads at checkpoints, to grisly amputations and gruesome dismembering of hapless civilians, Taylor's proxy killing machine in Sierra Leone – the

Revolutionary United Front – raised barbarism a notch higher, even for a continent that had borne the brunt of Idi Amin and Emperor Jean-Bedel Bokassa.

For abetting and aiding war crimes and crimes against humanity in his support for rebels in Sierra Leone in return for “blood diamonds,” the 64th year old erstwhile president of Liberia faces a lengthy term in a British jail.

At the height of his powers – both as a rebel chief and president – Taylor epitomized what lesser mortals in Africa admire about those with real power – grandeur and brazen impunity.

At a time when his National Patriotic Front of Liberia was at the cusp of wresting power from Samuel Doe's imploding regime in the early 1990s, Taylor gave the world a glimpse of the flamboyance they were to expect from the next chief in Monrovia.

Uninvited, he attended an ECOWAS summit in Lagos which left many invited dignitaries including regional presidents in the shade.

Right from Murtala Mohammad International Airport to the summit venue, Taylor's convey was escorted by his heavily armed rebel escorts, who went trotting besides their boss's car.

Upon being charged of being a gunrunner and diamond smuggler during his presidency, the son of an Americo-Liberian appeared in public in all White robes and implored God for forgiveness in mock repentance, while denying the charges.

Sad to say, for Taylor, the times had fundamentally changed in the wake of the tearing down of the Iron Curtain in 1991.

The cold war tensions had clouded the need to enshrine the Nuremberg trial of Nazi war criminals as precedent in international law.

The effect was five decades of sacrificing human rights and civil liberties on the altar of ideological cold war and its attendant proxy wars around the globe.

In Africa, Amin and Central Africa's Bokassa met their creator without ever answering for the carnage and reign of terror their respective regimes spawned.

While Bokassa served six years in jail for murders during his presidency – including over 100 school children for protesting against wearing expensive uniforms supplied by his wife – Amin savored a tranquil evening in Jeddah Saudi Arabia until his death in 2003.

In Asia and Latin America, Cambodia's Pol Pot and Augusto Pinochet respectively continued to enjoy diplomatic support from their Communist and Capitalist god fathers even as they went about annihilating thousands with nonchalant ease in their fiefdoms.

In Europe, only former Yugoslavia and later Serbian president, Slobodan Milosevic, has ever been arraigned before the International Criminal Court (ICC) for crimes against humanity.

In his bid to craft a strong Serbian state from the smoldering ruins of Yugoslavia, Milosevic sanctioned ethnic cleansing in the Serb populated areas of Croatia, Kosovo, and Bosnia. He expired in a jail cell at The Hague without getting his comeuppance.

Taylor's conviction marks veritable watershed in the struggle by the international community to draw a line under acts of barbarism by those intoxicated with power.

Despite genuine concerns about the ICC's failure thus far to bring to book equally criminal elements in the West, Taylor's conviction sends out one clear message – the days of impunity were interred in the ruins of the Cold War.

They are over.

Business Day (South Africa)

Friday, 4 May 2012

Opinion

The real value in pursuing justice is closure

The many victims of Sierra Leone's war will know that the crimes against them did not go unacknowledged

NICOLE FRITZ

LAST month, the Special Court for Sierra Leone convicted former Liberian president Charles Taylor of crimes against humanity, war crimes and other violations of humanitarian law. It is the most high-profile conviction by the court and the ruling for which it is likely to be known.

It found him liable not, as the prosecution had charged, on the basis of command responsibility for the gruesome atrocities committed by the Revolutionary United Front and other rebel forces in Sierra Leone during the civil war, or on the basis that he formed a joint enterprise with the rebels, but because he had aided and abetted their acts and had helped plan some of the rebel attacks.

For some observers, this will seem less the resounding condemnation that all the time, effort and resources deployed by the court should yield. And yet Taylor will likely live out the rest of his days in prison, and the many victims of Sierra Leone's war will now know that the crimes against them did not go unacknowledged.

International criminal justice, particularly in an African context, is an easy target. What dividends does it pay, critics ask. Too expensive, too time-consuming, too far away, they say. Admittedly, some of these criticisms are fairly made. It's hard, for instance, to make the case that international justice proceedings have any deterrent effect. Does Syrian President Bashar al-Assad go any softer on anti-regime forces for fear of a possible International Criminal Court (ICC) indictment? Does Sudan's Omar al-Bashir, already the subject of an ICC indictment, make this impending sanction any part of his calculations against South Sudan?

But we appear to ask of international criminal justice proceedings far more than we ask of any domestic criminal process. Countless studies call into question the deterrent effect of domestic prosecutions and punishments without us ever significantly interrogating the value of these proceedings.

It is the back story to another international law judgment issued last month, that perhaps best testifies to the value of proceedings such as those against Taylor. This case, heard by the European Court of Human Rights, concerned the Katyn massacre, a Second World War atrocity in which more than 20,000 Polish army officers and other nationals were executed — the crime hidden by burying their bodies in the Russian forests of Katyn. The killings were on Joseph Stalin's orders after the Soviet invasion of Poland, but the Russians blamed the crime on the Nazis, going so far as to try to have them prosecuted at Nuremberg. Only in 1993 did then Russian president Boris Yeltsin acknowledge that Stalin and the politburo of the Communist Party were responsible for the deaths.

Descendants of the victims attempted to initiate investigations and prosecutions but, in 2004, Russian officials classified most of the volumes gathered in investigations as "top secret" and classified their decision to discontinue investigation as "top secret" too, effectively ending the descendants' search for accountability.

They approached the European Court for assistance. The court's judgment is of limited value — it concluded that the time between the crimes (in 1940) and the entry into force of Russia's obligations under the European Convention (in 1998) meant that it could exercise no jurisdiction in ordering investigation and prosecution. But it is this very lapse of time that makes the case so notable.

Seventy-two years on — several generations gone — the applicants before the court, including a widow, children and grandchildren, seek official acknowledgment of the wrong that was done to their families.

Court judgments tend to be one dimensional, foregrounding the issue at hand. Still, even if every day of the past 72 years has not been only joyless grappling with the trauma of Katyn for these descendants, there is no doubt that it has cast a long shadow over their lives — that their lives would have been made easier by an acknowledgment of what happened, that their husbands, fathers and grandfathers had not simply disappeared.

International criminal justice proceedings will not erase the trauma of international crimes, but its acknowledgement, its accounting, will go some way to easing the suffering and memory of those who endured Sierra Leone's brutal war — a prospect still sought by many, such as those who, 72 years on, seek reckoning for the massacre of Katyn.

Its justification lies not in it offering a complete salve, but in offering some.

- Fritz is the director of the Southern Africa Litigation Centre.

Times Live (South Africa)

Friday, 4 May 2012

Opinion

<http://www.timeslive.co.za/ilive/2012/05/04/icc-has-no-respect-for-africa-ilive>

ICC has no respect for Africa: iLIVE

Uzair Mohsin, Robertsham



Former Liberian president Charles Taylor was tried and convicted by the International Criminal Court of human rights violations, war crimes, rape, murder, using child soldiers and receiving blood diamonds to fund a 'war' in central Africa .

Common sense, natural justice and the lex fori principle require that the accused be tried in the country where the crimes were committed. Why was this not the case with Taylor?

Even Saddam Hussein was tried in an Iraqi court. Are African courts not competent to dispense justice or are we too uncivilised to try such "big" cases?

Taylor is to be sentenced next month. As you may have guessed, he will serve his sentence in the UK.

It is an insult to the non-European world that Taylor and other war criminals are shipped off to The Hague to be tried there as Radovan Karadzic was.

My plea to our government and other African, Asian and South American countries is not to cooperate with the kangaroo ICC judiciary. Rather bring to book violators of human rights and war criminals in our own countries, our own courts and under our own legal systems.

BrandeisNOW

Monday, 7 May 2012

<http://www.brandeis.edu/now/2012/may/haguestudents.html>

Brandeis interns witness the trial of Charles Taylor

Major war crimes case decided by Special Court for Sierra Leone in The Hague

Brandeis interns in The Hague include Carly Lenhoff and Kochava Ayoun.

When the Special Court for Sierra Leone in The Hague convicted former Liberian President Charles Taylor of war crimes last week, some of the nine Brandeis undergraduates who have been studying international law and human rights in the Dutch city this semester were able to witness the epic event and reflect on its meaning for their studies.

“After a morning spent running around escorting various diplomats, civil society members, judges and the Taylor family itself, I finally saw Charles Taylor,” said Kochava Ayoun ‘14, one of the students in the spring semester Brandeis in The Hague program. “He appeared impassive, if a bit strained, as the Presiding Judge Lussick delivered a detailed recounting of the civil war that ravaged Sierra Leone in the ‘90s.”

Ayoun, a major in psychology and international and global studies, is interning with Registrar of the Special Court of Sierra Leone, where her work focuses on the projected tasks the Court must deal with when this case is closed, “such as closing the main office in Sierra Leone, handling the archives, and establishing the Residual Special Court to handle post-completion tasks such as re-expanding” if a last indictee, who is still at large, is found, she explained.

“So when my supervisor, the Deputy Registrar, offered to allow me into the courtroom, I was excited, if not surprised,” Ayoun said. “Hearing the crux of the court’s work, embodied in the Taylor trial, I realized how important it was for me to have seen the judgment with my own eyes. It reaffirmed that everything an institution does, even the day-to-day tasks and logistics, are necessary to bring about the goal of justice.”

Carly Lenhoff ‘13, another Brandeis student, is interning in the office of the legal counsel for Taylor.

Working for the Defense Office of the Special Court for Sierra Leone “reinforced my belief that a robust and comprehensive defense is a necessity to any legal system that wishes to hold any modicum of legitimacy today,” said Lenhoff, a philosophy major. “The Taylor case provides a great example; so many people I have spoken to are quick to condemn Taylor for the crimes he was indicted for without first looking at the evidence -- much of which, in fact, greatly challenges that assumption of guilt.

“Without people willing to represent Taylor, and other individuals like him, in order to ensure a fair and balanced trial, the international justice system would be at even greater risk to becoming a system of ‘victor’s justice’ and kangaroo courts,” she said. “Everyone deserves a defense. Working with people who really believe in that idea and are dedicated to making it a reality truly inspires me.”

Brandeis in The Hague opens up unique options for study of legal theory and practice. Building on a strong academic base in human rights, conflict resolution and international law, students receive internships in Hague courts, human rights organizations or applied research teams.

In addition to Ayoun and Lenhoff’s internships, Brandeis interns currently are monitoring the fairness of trials at the court; planning peace initiatives in high-conflict areas including Kashmir, the Balkans and the Middle East; assisting war crimes courts for Lebanon; researching the testimony of forensic

anthropologists in genocide trials and exploring how African countries are changing their human rights laws. Future Hague placements may deal with documenting gender violence in armed conflict, protecting children's rights and promoting legal reform in national courts.

Developed at Brandeis by the programs in International and Global studies and Legal Studies, the Spring Semester Program in The Hague is open to students in all disciplines. It offers 16 units of academic credit.

The program is led and taught by Professor Richard Gaskins, director of the Legal Studies Program and the Joseph M. Proskauer Professor of Law and Social Welfare, in cooperation with faculty from Leiden University. Students live in Leiden and are fully integrated into the life of a major European university and cultural center.

Korea Times

Monday, 7 May 2012

Opinion

Taylor's war crimes conviction overdue

By Arthur I. Cyr

"Without justice, courage is weak," Ben Franklin wrote, and around the world today dangerous disciples of war are being brought to justice.

In late April, Liberia's former president, Charles Taylor, was formally convicted of war crimes and crimes against humanity by an international special court established in The Hague, Holland. Taylor aided Sierra Leone rebel forces in carrying out bloody, brutal atrocities.

Liberia under Taylor was rightly regarded as having a ruling regime that was corrupt and dangerous, both domestically and toward other countries. Liberia's current president, Ellen Johnson Sirleaf, earlier spent more than a year in prison during Taylor's dictatorship. He'd once threatened to kill her. Her legendary determination and courage inspired the nickname "The Iron Lady."

Around the world, other war criminals are slowly but steadily being brought to justice through due process.

Last November, a New York jury convicted Viktor Bout for trying to sell arms to the Revolutionary Armed Forces of Colombia, or FARC, in order to kill Americans. His nickname is "The Merchant of Death."

Former Soviet army officer Bout became rich and feared dealing in weapons and drugs on a vast scale. The book "Merchant of Death" documents his extraordinary career. Authors Douglas Farah and Stephen Braun provide details regarding a global trail marked in blood. Wholesale death literally was his occupation.

Initially based in Russia, Bout moved his operations to Belgium, then the United Arab Emirates. For years, he kept just barely ahead of a comprehensive worldwide law-enforcement effort to take him down. Bout was seized in Thailand in a sting operation orchestrated by the U.S. Drug Enforcement Administration. The Thai government initially vetoed extradition, in response to strong pressures from Russian interests. The turnabout reflected intense, continuous effort by the U.S. government. Bout's arrest in a luxury hotel was a victory for basic morality and decency as well as law enforcement.

In July 2011, Goran Hadzic was arrested in Serbia. He was the last remaining accused Balkans war criminal not yet taken into custody following the brutal fighting in that region during the 1990s.

United Nations officials joined with representatives of the international judicial tribunal overseeing these trials in welcoming this benchmark event. Slow and inefficient, international legal institutions nonetheless steadily are making progress.

If this brief, brutal list indicates such practices are removed from the United States, think again. Edwin P. Wilson, a retired U.S. intelligence pro, went to work for terrorist state Libya in the 1970s. Wilson recruited expert military veterans, including U.S. Army Green Berets, for Col. Moammar Gadhafi's regime.



Killings in Colorado as well as Germany were blamed on Wilson's efficient lethal crew. Alleged deals, backed by substantial evidence, included shipping 20 tons of C-4 plastic explosives to Libya in chartered planes. Wilson became a U.S. law enforcement priority. Libya refused to extradite him, but imaginative American operatives set up an attractive bogus deal and lured him to the Caribbean, where he was arrested.

Wilson spent almost three decades in prison, but then was released. A federal judge declared the CIA and Justice Department had acted improperly regarding the trial, and overturned his conviction on procedural grounds.

By definition, the rule of law puts the same obligations on all parties, innocent and guilty. Franklin and fellow Founders understood the goal is great but the process often painful.

Arthur I. Cyr is Clausen Distinguished Professor at Carthage College in Kenosha, Wis., and author of "After the Cold War." Email acyr(@)carthage.edu.

The Australian
Monday, 7 May 2012
Opinion

Destiny of Sudan's Bashir lies with ICC

By: LUSE KINIVUWAI

LAST month, a special panel of judges in The Hague found former Liberian president Charles Taylor guilty of war crimes and crimes against humanity in Sierra Leone. It was the first time a former head of state had been convicted by an international court since the Nuremberg trials after World War II.

It puts on notice all those on the long list of individuals indicted by the International Criminal Court.

One person on this list who rightly deserves his day in court is the sitting President of Sudan, Omar Hassan Ahmad al-Bashir.

Under Bashir's dictatorship and bloody reign, more than 400,000 people have died since 1989 as a result of direct attacks and conflict-related malnutrition and disease.

A further 2.7 million displaced Darfur residents living in camps are dependent on limited international humanitarian assistance in what the UN says is the world's worst humanitarian crisis.

From 2007 to last year, four top officials in Sudan's current government, including Mr Bashir, have been indicted and warrants issued for their arrest by the International Criminal Court.

Rec Coverage 28 Day pass

All four continue to serve in the government in North Sudan, they continue to commit crimes against the people of Darfur and other parts of Sudan, and continue to travel in and out of countries which have ratified the founding Rome Statute of the ICC. Meanwhile, the humanitarian and economic situation of the people in Darfur and the rest of Sudan continues to deteriorate.

About 3000 Darfuris live in Australia under the refugee program. Many of them encountered horrific violence and fled to bordering countries before being accepted in Australia.

The recent visit to Australia by ICC deputy prosecutor Fatou Bensouda gave the Darfur community an opportunity to give her an Action for Darfur petition.

The petition urged the ICC to work swiftly to bring the men to justice, among other actions. Painfully obvious, though, is the limitation of the ICC to enforce its warrants -- state parties are responsible for making arrests.

The Australian government welcomed the Taylor conviction, having helped fund the Special Court for Sierra Leone.

This is now an opportune time for Australia to use its increasing diplomatic ties with the African Union and African states to encourage them to stop enabling Bashir to evade accountability at the ICC for his crimes.

In her address in Melbourne, Ms Bensouda said, with grim determination: "I believe that al-Bashir's destiny is the ICC."

Charles Taylor's conviction will indeed bring hope to Australia's Darfur community.

Luse Kinivuwai is the director of the Darfur Australia Network