



Special Court for Sierra Leone
Outreach and Public Affairs Office

PRESS RELEASE

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Prosecution, Defence Present Oral Arguments at Taylor Sentencing Hearing

Convicted former Liberian President Charles Taylor expressed his “sadness and deepest sympathy for the atrocities and crimes that were suffered by individuals and families in Sierra Leone,” today, but told the Judges at his sentencing hearing that he was not responsible for the crimes committed by rebel forces and that his prosecution for war crimes and crimes against humanity was motivated by politics. He asked that “reconciliation and healing and not retribution should be the guiding principles in your honours’ task” in determining his sentence.

Mr. Taylor was given the opportunity to address the Court following oral submissions from Prosecutor Brenda Hollis and Lead Defence Counsel Courtenay Griffiths, QC on sentencing briefs they filed before the Court earlier this month.

Mr. Taylor was found guilty last month of planning and aiding and abetting the crimes set forth in all 11 counts of an indictment alleging his responsibility for crimes committed by rebel forces in Sierra Leone during the country’s civil war. These included acts of terrorism, murder, rape and sexual slavery, other inhumane acts, outrages on personal dignity, physical violence, enslavement, pillage, and the conscription and enlistment of child soldiers.

In their April 26 judgement, the Judges of Trial Chamber II found that Mr. Taylor had participated in planning the rebel attacks on Kono, Makeni and Freetown between December 1998 and February 1999, and that he had instructed the rebels to “make the operation fearful.” The Judges also convicted him on all counts for aiding and abetting the rebels in the commission of crimes during the war in Sierra Leone by providing arms and ammunition, military personnel, operational support and moral support. The Judges did not find that Mr. Taylor had superior responsibility over members of the rebel groups, or that he was criminally responsible by virtue of having participated in a joint criminal enterprise. These “Modes of Liability,” together with claims of aggravating and mitigating circumstances, were considered in the sentencing arguments.

Prosecutor Hollis, who has recommended an 80-year sentence for Mr. Taylor, told the Judges that “the gravity of the crimes is the litmus test” in how they should determine the length of his sentence. Ms. Hollis argued in her brief that the length of time over which the crimes were committed, Mr. Taylor’s “willing and enthusiastic participation” in the crimes, and his “leadership positions and betrayal of positions of trust” were sufficient to justify a long sentence which would “reflect the essential role that Mr. Taylor played in crimes of such extreme scope and gravity.”

“Mr. Taylor was the root which fed and maintained the RUF and AFRC/RUF alliance alive; without him the rebel movement, with its attendant crimes, would have suffered an earlier death...His own involvement...was more pervasive than the other senior leaders of the AFRC and RUF whose sentences

are now final,” Ms. Hollis told the Judges today. She argued that the mitigating factors proposed by the Defence, which could justify a lower sentence for Mr. Taylor, had not been established by a balance of probabilities.

“The Prosecution recommendations would truly promote an end to impunity and would bring true reconciliation by giving a measure of justice and accountability to the victims of the multitude of crimes committed against them,” she told the Judges.

Mr. Griffiths argued that last month’s judgement suggested a more limited role for Mr. Taylor in the Sierra Leone conflict than the Prosecution had claimed, and that his conviction on aiding and abetting should not be expanded to cover all of the crimes committed by the rebels. Mr. Griffiths argued that Mr. Taylor was unfairly singled out for Prosecution – an argument rejected by the Chamber in its Summary Judgement – and that many other leaders had committed similar offences for which they had not been held accountable.

Mr. Griffith’s told the Court that the 80 years sought by the Prosecution is in effect a life sentence. “To sentence a 64-year old man to 80 years is a guarantee that he will die in prison, He said. “What is proposed is a life sentence, a sentence which cannot be imposed by this court. “

Mr. Griffiths said that a long sentence could endanger the peace which the Special Court was established to maintain.

“Retribution should never be the sole criterion in sentencing, neither deterrent,” he said. “Every accused, in our submission, must be left with some hope, must be able to see the light at the end of the tunnel, however long that tunnel must be. And we submit that should be a guiding consideration in this sentencing exercise.”

The sentencing judgement will be delivered on Wednesday, 30 May 2012 at 11:00 a.m. local time (9:00 a.m. GMT).

#END

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.

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Outreach and Public Affairs Office
Special Court for Sierra Leone
Mobile: 232 76 655732
Email: SCSL-pressoffice@un.org

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