

Liberia: Bill for War Crimes Court Hits Legislature

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Former warlord, turned senator, Prince Y. Johnson.

Grand Bassa County District #4 Representative, Byron Jeh Browne, on Tuesday, June 26, 2012 submitted a bill to the House of Representatives, calling for the establishment of a War Crimes Court in Liberia.

Rep. Browne indicated that the establishment of a War Crimes Court in Liberia is the ultimate means to sustaining peace, genuine reconciliation and development in a post conflict country like Liberia.

The Grand Bassa lawmaker pointed out that peace, security, national reconciliation will be hindered if people accused of aiding and abetting war atrocities in the country are not held accountable. In a formal communication dated June 23, 2012 and addressed to House Speaker Alex Tyler, Rep. Brown said establishing a War Crimes Court in the country has become the most prudent thing to do.

Hear Rep. Brown: "Distinguished colleagues, it is said that giving aggressors an inch of the way does trigger in him/her a false sense of greatness, thereby propelling such aggressors to an unending series of aggression against the vulnerable society. The Liberian civil conflict, as you may all know, produced many of such aggressors, both within and out of our nation's frontiers, who committed heinous crimes against humanity. They must be brought to book."

The Grand Bassa lawmaker furthered that some of the aggressors of the Liberian civil conflict "planned, financed, supervised and executed wanton destruction of the country and its human resources". Although he did not call the names of the "aggressors", but said they (aggressors) seem to be hanging to the mistaken belief that their actions against the country are justified.

Against this backdrop, he contended that a War Crimes Court for Liberia is imperative, averring that the erstwhile Truth and Reconciliation Commission (TRC) had been trampled upon. He emphasized: "Even the Truth and Reconciliation that was suggested, as a bridge to the future, had been trampled upon, as its recommendations had been thrown into the dust bin. Where then do we go for justice?"

The Grand Bassa Rep. asserted that ordinary Liberians are being kept impoverished, while their "aggressors" mellow in abundance state resources. He added that the need for the establishment of a war crimes court in the country cannot be overemphasized.

Meanwhile, Rep. Browne's bill was overwhelmingly accepted by his colleagues in plenary and turned over to the appropriate committee for critique and subsequent approval or disapproval. Plenary is the highest decision making body of the House of Representatives.

It can be recalled that on Saturday, June 9, 2012, the Special Court for Sierra Leone Chief Prosecutor, Brenda Hollis, disclosed in Monrovia that the United Nations Security Council may consider the establishment of a Special Court for Liberia.

Brenda Hollis, a national of the United States was appointed by the United Nations Secretary-General Ban Ki-moon as Prosecutor of the Special Court for Sierra Leone from February 16, 2010 up to present. She replaced Stephen Rapp; Hollis is a Senior Trial Attorney at the Special Court.

Previously Hollis has worked in the Office of the Prosecutor at the International Criminal Tribunal for the Former Yugoslavia and in the Office of the Prosecutor at the International Criminal Tribunal for Rwanda on organization and the preparation of its first cases.

She made the disclosure when she met with local civil society organizations, including pro democracy and human rights groups to adequately brief them on the trial and conviction of former President Charles G. Taylor in The Hague, as well as the inner working of the Sierra Leone Special Court

She furthered that the UN may consider the establishment of a special court for Liberia provided Liberians petition the Government of Liberia (GOL) and the government on the other hand submits such petition to the world body.

If the UN sees the need for the establishment of war crimes court in the country, the Special Court for Sierra Leone Chief Prosecutor added, it will work closely with the Government of Liberia to have the court established here for the prosecution of those bearing greater responsibility for heinous crimes committed against humanity during the Liberian civil war.

Former president Taylor, a once-powerful warlord, was sentenced on May 30, 2012 to 50 years in prison for his role in atrocities committed in Sierra Leone during that West African country's decade-long civil war.

In what was viewed as a watershed case for modern human rights law, Mr. Taylor was the first former head of state convicted by an international tribunal since the Nuremberg trials in Germany after World War II.

"Mr. Taylor was found guilty of aiding and abetting, as well as planning, some of the most heinous and brutal crimes recorded in human history," said Richard Lussick, the judge who presided over the sentencing in an international criminal court near The Hague. He said the lengthy prison term underscored Mr. Taylor's position as a government's leader during the time the crimes were committed.

"Leadership must be carried out by example, by the prosecution of crimes, not the commission of crimes," the judge said in a statement read before the court.

If carried out, the sentence is likely to mean that Mr. Taylor, 64, will spend the rest of his life in prison. He looked at the floor after he was asked to stand as the sentence was read.

The chief prosecutor told a news conference that could be viewed in West Africa: “The sentence today does not replace amputated limbs; it does not bring back those who were murdered,” she said. “It does not heal the wounds of those who were raped or forced to become sexual slaves.”

Mr. Taylor’s legal team said it would file an appeal. “The sentence is clearly excessive, clearly disproportionate to his circumstances, his age and his health, and does not take into account the fact that he stepped down from office voluntarily,” said Morris Anya, one of Mr. Taylor’s lawyers.

The prosecution, which had sought an even longer sentence of 80 years, said it was considering its own appeal, to raise the level of responsibility attributed to Mr. Taylor for crimes committed under his leadership.

By previous agreement, Mr. Taylor will serve his sentence in a British prison, but since the appeals process is expected to last at least a year, he will remain in the relative comfort of the United Nations’ detention center at The Hague.

After more than a year of deliberations, the Special Court for Sierra Leone found Taylor guilty on April 26, 2012 of crimes against humanity and war crimes for his part in fomenting widespread brutality that included murder, rape, the use of child soldiers, the mutilation of thousands of civilians and the mining of diamonds to pay for guns and ammunition. Prosecutors have said that Mr. Taylor was motivated in these gruesome actions not by any ideology but rather by “pure avarice” and a thirst for power.

In Liberia, Taylor’s home country, there has not been the political will or the resources to set up a tribunal. The mandate of the Special Court for Sierra Leone covers only crimes between 1996 and 2002, and because the tribunal is to be shut down, critics say that a number of people close to Taylor have escaped prosecution.

There are mixed reactions regarding the establishment of a war crimes court in the country; with others welcoming such move, while others opting for reconciliatory approach.