

Taylor Trial Opens Amid Venue Controversy

Author: [Lisa Clifford](#)

Critics say staging trial in The Hague denies Africans the right to see justice being done. The trial of Charles Taylor on war crimes charges begins in The Hague on Monday, June 4, thousands of miles from Sierra Leone where he is alleged to have supported an 11-year campaign of terror against civilians that claimed thousands of lives and displaced one million people.

Prosecutors call the case historic while Taylor's lawyer questions the fairness of the proceedings against the former president of Liberia. The International Criminal Court, ICC, is hosting the case, which comes under the jurisdiction of the Freetown-based Special Court for Sierra Leone.

Taylor faces 11 counts of war crimes and crimes against humanity including murder, rape and conscripting child soldiers. Prosecutors say he supported Revolutionary United Front, RUF, rebels in Sierra Leone who committed brutal acts against civilians, including amputations and sexual slavery.

Special Court prosecutor Stephen Rapp told a Hague press conference this week that the case had historic significance, in that it bolstered the principle, established with the trial of the former Yugoslav leader Slobodan Milosevic, that "no one – not even a leader – is above the law".

Taylor was elected president of Liberia in 1997 and ruled for six years before going into exile in Nigeria. He was first indicted by the Special Court in 2003 and was returned to Liberia in March 2006 where he was taken into custody by the court.

The trial begins with an opening statement from prosecutors. Rapp will present 139 witnesses for the prosecution - 62 of whom he alleges will connect Taylor to crimes committed in Sierra Leone.

He hopes the trial will be over in a relatively speedy 18 months, saying lessons have been learned from previous international war crimes cases – most notably the trial of Milosevic. His case dragged on for four years, sitting for only 36 days in 2004, and ended with the death of the ex-Yugoslav leader in custody.

After Monday's opening address, the case will then adjourn until June 25 to give the defence team more time to prepare.

Lawyers for Taylor wanted the trial postponed until September, arguing that preparation time was lost as the result of a video surveillance camera in the room where they met with their client. Taylor's lawyer, Karim Khan, described the camera as having a chilling effect on meetings with the accused and in protest temporarily suspended consultations in early March.

And there have been other problems for the defence. Khan points out that the prosecution team comprises nine lawyers while his application for a co-counsel has yet to be approved by the court. The defence team were given an international investigator only in March 2007 and a local investigator in Liberia just last month.

“The court administration works at a snail’s pace except when it comes to starting the trial when everything goes into top gear,” said Khan.

With the trial set to begin, Khan says he still has mountains of prosecution-disclosed documents to work through. “I worked out that if I had three minutes to read each page being disclosed it would take me until the end of the year to read them once,” he told IWPR.

Fears that trying Taylor in Freetown would spark unrest there led to the case being transferred to The Hague. But the move to The Netherlands has been controversial. Some, including Liberia’s president Ellen Johnson-Sirleaf, have backed holding a trial outside Africa, saying Taylor is a destabilising force and a threat to peace and security.

Others, however, argue that by removing Taylor from the scene of his alleged crimes, prosecutors are denying Africans the right to see justice being done. Khan told IWPR that he believes moving Taylor from Africa to Europe to be judged sends out the wrong message about the Special Court.

“To transfer the most important indictee – the only former head of state – it does give the impression that Africa is good enough for unknown accused, but the high-profile accused has to come to Europe because only we can be trusted,” said Khan.

Rapp, the former chief of prosecutions at the International Criminal Tribunal for Rwanda based in Arusha, Tanzania, points out it was regional leaders and not prosecutors who moved for a change of venue.

“Our position from the Office of the Prosecutor is that we wanted Charles Taylor tried and that we’d be happy to be trying him here and that we’d be happy to be trying him in Freetown,” said Rapp. “I think he’s going to get as fair a trial here as in a setting where people view him as responsible for the crimes.”

However, Rapp admitted he would have liked the case to be heard in Africa, “I’d have preferred that we could have done this in Arusha or somewhere else. It [moving the case] gives an appearance that concerns people in Africa. If it were possible to have a venue with all the facilities [we have] here [in The Hague] in Africa, I think that would be preferable. I think it would be preferable if the ICC could try some of its cases closer to the scene of the crime.”

But with the world press expected to descend on the ICC’s Courtroom One, Rapp also believes the Hague venue also presents an opportunity. “More people will have knowledge about the great suffering experienced by the people of Sierra Leone,” said Rapp. “So there are disadvantages and there are advantages to the trial occurring here.”

Lisa Clifford in an IWPR reporter in The Hague.

Location: [Africa](#)

Focus: [ICC - International Criminal Court](#)

Source URL: <https://iwpr.net/global-voices/taylor-trial-opens-amid-venue-controversy>