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Opportunity to Bring Former Liberian Warlord to Justice in Jeopardy

Nigeria and West African Countries Must Act Immediately to Ensure Taylor Does Not Escape Accountability

NEW YORK, March 28, 2006—In allowing former warlord and Liberian president Charles Taylor to escape from his villa in Nigeria, the Nigerian government has failed to fulfill its obligations to both peace and justice in the region, the International Center for Transitional Justice (ICTJ) said today. Nigeria should have instead responded immediately to Liberia’s request to transfer Taylor to the Special Court for Sierra Leone (SCSL), pursuant to the warrant for his arrest.

Nearly three years ago, in November 2003, the Nigerian government received a warrant from the SCSL—registered with INTERPOL—for Taylor’s arrest, detailing 17 counts of war crimes and crimes against humanity. Last week, Nigeria announced that Liberian authorities were “free to take custody” of Taylor, stopping short of preventing his flight by taking concrete action to arrest him themselves and transfer him to the Court in Freetown.

Liberian President Ellen Johnson-Sirleaf’s bold request for the Nigerian authorities to transfer the former President and warlord directly to the Special Court, was a critical first step in finally bringing him to justice. However, Nigeria’s failure to carry out what should have been a relatively straightforward request for arrest and transfer now opens the potential for broad and devastating consequences. Taylor’s flight is a setback not only in terms of justice for victims, but in posing a potential threat to regional stability and Liberia’s fragile peace—all of which Nigeria has claimed it was assisting.

The ICTJ urges that the Nigerian government make every effort to immediately locate and arrest Taylor, if he is still in Nigeria. If he has already left Nigeria, he is an international fugitive and African leaders must categorically deny him refuge and work together to ensure that he be held accountable for the brutal crimes he is alleged to have committed. US President Bush should continue to exert great pressure on Nigerian President Olusegun Obasanjo, as well as on African leaders, to prevent Taylor from escaping justice.

“Nigeria’s credibility and in a broader sense, justice and stability in West Africa, are at stake here,” said Graeme Simpson, Director of the ICTJ’s Country Programs Unit. “The speedy transfer of Taylor to the Special Court could have finally set the wheels of justice and accountability into motion in that region. Should Nigeria not deliver on this promise, a historic opportunity to set a precedent by delivering a strong message that impunity for heads of state will not be tolerated, will have been squandered.”

Today, Taylor’s spiritual advisor announced that Taylor would be willing to hand himself over to the International Criminal Court (ICC) in The Hague or to domestic courts in Liberia. However, the crimes committed in Sierra Leone fall outside the temporal jurisdiction of the ICC and the ICC has not to date indicted Taylor for crimes committed in Liberia after July 1, 2002. By putting forward these options, Taylor is seemingly trying to evade, rather than face, justice. A legitimate and credible international court already has jurisdiction in this case and is ready to try him. It is not up to Taylor to dictate where he should be tried.

The Special Court for Sierra Leone remains the most appropriate venue at which to try Taylor. Claims by his supporters that he would not receive a fair trial at the Special Court are without foundation, given that the Court has closely complied with international standards in the conduct of its trials.

“Charles Taylor should be brought to justice for the atrocities he is alleged to have committed against hundreds of thousands of victims, not only in Sierra Leone, but across the region,” said Simpson. “With every passing day that the former warlord is allowed to roam free, the hopes of combating impunity and preserving a fragile peace in West Africa diminish significantly. Nigerian and African leaders simply cannot afford to allow this to happen on their watch.”

The ICTJ in Liberia and Sierra Leone

The ICTJ has been active in Liberia since January 2004, when it started working with local partners to lay the groundwork for the Truth and Reconciliation Commission (TRC) inaugurated in February 2006. It has also worked in close partnership with the UN Department of Peacekeeping Operations (DPKO) on security sector reform, focusing particularly on vetting and reforming the country’s police force.

Since late 2001, the Center has been involved in Sierra Leone in both the country’s TRC process—which officially ended in 2004—and in assisting and monitoring the activities of the SCSL. It has endeavored to address the unique relationship between the TRC and the SCSL, focusing on stimulating civil society participation and assisting a court monitoring program run by local activists.

About the ICTJ

The International Center for Transitional Justice (ICTJ) assists countries pursuing accountability for past mass atrocity or human rights abuse. The Center works in societies

emerging from repressive rule or armed conflict, as well as in established democracies where historical injustices or systemic abuse remain unresolved.

In order to promote justice, peace, and reconciliation, government officials and nongovernmental advocates are likely to consider a variety of transitional justice approaches including both judicial and nonjudicial responses to human rights crimes. The ICTJ assists in the development of integrated, comprehensive, and localized approaches to transitional justice comprising five key elements: prosecuting perpetrators, documenting and acknowledging violations through non-judicial means such as truth commissions, reforming abusive institutions, providing reparations to victims, and facilitating reconciliation processes.