

When dictators escape justice

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THERE is something deeply ironic about the fact that, as one brutal African dictator breathed his last in exile in Saudi Arabia, another brutal African dictator headed off to asylum in Nigeria.

There is also something deeply disturbing about the fact that both Idi Amin of Uganda and Charles Taylor of Liberia have escaped justice.

For years, Idi Amin's name was synonymous with brutality and massacres (even cannibalism, according to some reports). In the eight years between seizing power and being forced into exile, Amin presided over an escalating reign of terror. Tens of thousands of people were killed, often in the most horrific manner. No one knows the exact toll of 'Big Daddy's' victims. Many more were forced to flee their homes — among them Uganda's minority Asian community. They were booted out penniless after Amin claimed God had ordered him to turn Uganda into 'a black man's country'.

Idi Amin never had to answer for his crimes. In 1979, following his ouster by Tanzanian troops and Ugandan exiles, he started a life of exile in Libya and then Saudi Arabia. He lived there undisturbed until his death last week. During those twenty-four years, no serious effort was made to bring him back and try him for his actions. With his death has gone any remote hope that he could be held answerable. As Amnesty International put it: 'Amin's death is a sad comment on the international community's inability to hold leaders accountable for gross human rights abuses.'

That history of evading justice is now being repeated in Liberia. Charles Taylor, the guerilla leader-turned-politician who presided over fourteen years of conflict in Liberia and its neighbours, has finally been 'persuaded' to leave the country. Within Liberia, Taylor's disastrous rule claimed some 200,000 lives, with

region's 'great and powerful'. South African president Thabo Mbeki was among those who stood by as Taylor denounced those who were forcing him to leave, and promised to return. The former Liberian president is now safely ensconced in Nigeria, with seemingly no intention whatsoever of appearing before the special court in Sierra Leone to answer the charges against him. Like Idi Amin before him, Charles Taylor has evaded justice.

How can people as bloodied as Charles Taylor be allowed to walk away from their crimes? The argument in Taylor's case (less so in Idi Amin's) was that securing his removal from power was vital to prevent more civilian deaths and atrocities. Since Charles Taylor made asylum abroad a condition for his resignation, there was no choice but to agree to it. Had asylum not been offered, Taylor would never have resigned and the fighting and bloodshed would still be going on. In short, peace had to take priority over justice.

This is a deceptive argument. Yes, in the short term some lives probably have been saved. But in the long term many more people will be killed, abused and made homeless because of the decision to let Charles Taylor walk free. For the clear signal it sends is that mass murderers can get away with their crimes: they will not have to face punishment or retribution. What then is the deterrent for tomorrow's Idi Amins and Charles Taylors? The blunt answer, when one looks at Amin's two-decades plus spent in comfortable exile and Taylor being red-carpeted to Nigeria, is none. There is nothing to stop them and therefore they too will inflict the same mass suffering.

Those who support the 'peace-before-justice' approach point to the many peace processes that have achieved success by adopting it. South Africa and Northern Ireland are the most obvious examples. In both cases past atrocities and abuses were assigned to history (though in South Africa they were acknowl-

many thousands more forced to flee their homes. In neighbouring Guinea, Ivory Coast and Sierra Leone, Taylor's vigorous support of rebel groups fuelled conflict and death on a similar scale.

An understanding of the full nature of Taylor's crimes — for there can be no other word to describe his actions — can be gauged from Sierra Leone's brutal conflict. It has been characterized by forced recruitment of child soldiers, young girls abducted to serve as sex slaves, and horrific abuses against the civilian population (including amputation of body parts from young babies). Taylor was one of the main sponsors of the rebels who carried out these atrocities. In June a special court in Sierra Leone indicted him for war crimes. That indictment spurred Liberian rebel groups to make a push on the capital Monrovia and, after weeks of fierce fighting and many deaths, Charles Taylor's decision to step down from the presidency.

Taylor was ushered into asylum in Nigeria with a face-saving ceremony attended by the

edged through the Truth and Reconciliation Commission). The general argument is that in conflict situations, warring groups will often only agree to participate in peace processes if they are promised amnesty for their actions. Investigating past abuses stops peace moving forward.

The first counter-argument to this is that it is not universally applicable. Every conflict situation has to be considered individually. In many post-conflict situations, the sense of injustice felt by parties whose grievances have not been addressed (notably human rights grievances) will cause conflict to break out again years, even months, after 'peace' is supposedly secured. Ignoring justice is a quick-fix solution that brings temporary peace at best.

The second point is that, even where this argument has merit, it can only apply to 'small fish' guilty of localized abuse. It should never apply to 'big fish' guilty of orchestrating mass murder. High-profile abusers at the top of the ladder like Slobodan Milosevic, Saddam Hussein, Narendra Modi, Idi Amin and Charles Taylor cannot be let off the hook. They have to be punished — not just for the sake of deterrence, but for the sake of their many thousands of victims. The suffering of those victims can never be reversed or compensated for, but at least they can have the satisfaction of seeing their chief abusers punished.

Primary responsibility for letting Charles Taylor off the hook rests with the African (as well as American) mediators who negotiated his 'retirement' in Nigeria. But wider responsibility rests with the international community. It has failed to prioritize getting justice in such conflicts (compare the effort put into dealing with human rights abuses with that put into combating terrorism). Nor has it established an effective mechanism to investigate, try and punish mass crimes against humanity. The International criminal court represents an opportunity to establish such a mechanism, but it has been held back by national interests.

Africa's bloody history has already proved that justice is not an alternative to peace: quite the opposite, justice is the only way to achieve sustainable peace. The failure 24 years ago to bring Idi Amin to justice fuelled conflict and human rights abuse on the continent that continues today. Unless Charles Taylor is brought to justice, Africa can expect more of the same — more conflict, more abuse, and many more victims.

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