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HISTORIC FIRST INTERNATIONAL DEFENSE COUNSEL CONFERENCE CONVENES AT THE HAGUE: *“The International Criminal Tribunal for Rwanda and Its Legacy”*

THE HAGUE – 16 Nov. -- For the first time in history, defense lawyers before international criminal courts convened a self-organized conference to discuss, and publicize, the obstacles that prevent accused persons from receiving fair trials, particularly at the International Criminal Tribunal for Rwanda (ICTR). The co-sponsors included 20 law-schools, lawyers and human-rights groups from Europe, Africa and N. America.

The keynote speaker, former U.S. Attorney General Ramsey Clark, questioned the legality of UN criminal tribunals that are not authorized under the UN Charter, stated that, “Fairness at the ICTR is a fiction that we agree upon with the most devastating damages...the ICTR has only prosecuted the side that lost the war in Rwanda, while the victors have been granted total impunity....”

More than 120 international criminal defense lawyers, criminal law scholars, historians, philosophers, human rights activists, and experts in Rwandan culture presented some 40 papers and answered audience questions about fair trial issues, in light of former ICTR Chief Prosecutor Carla Del Ponte having recently documented the manipulation of ICTR prosecutions by the US and UK to create impunity for their ally, the current government of Rwanda.

80 supporters of the former Rwandan government have been prosecuted, and no prosecutions have been brought the victors of the four-year Rwanda civil war and genocide, even though ICTR Chief Prosecutor Carla Del Ponte publicly announced in 2003 that she had evidence to prosecute members of the current government. France and Italy have indicted more than 40 members of the current Rwandan government for war crimes and genocide, including current President Paul Kagame.

“Ad hoc criminal courts should not be created by the UN Security Council...which is inherently a political body,” observed Austrian political philosopher Dr. Hans Koechler. Prof. John Laughland of the Centre for the History of Central Europe at the Sorbonne noted examples of political interference with UN tribunals for both Rwanda and Yugoslavia.

Since the Rwanda tribunal is soon going out of existence, the speakers noted that the UN has a continuing duty to provide on-going protection of detainees’ rights, proper jail conditions, and meaningful procedures for revision of convictions. UN protection of the ICTR archives in a neutral site, like other international tribunals will be necessary to guarantee an accurate and accessible historical record.