Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office as at:

Thursday, 13 November 2008
### Local News

- Death By Child: Calling Recruiters of Child Soldiers to Account / *Awoko*  
  - Pages 3-4
- Special Court Launches Glossary of Legal Terms… / *Independent Observer*  
  - Page 5

### International News

- Witness TF1-045 Augustine Sama Mallah Continues His Testimony / *Taylortrial.org*  
  - Page 6
- Report from The Hague / *BBC World Service Trust*  
  - Pages 7-8
- UNMIL Public Information Office Complete Media Summaries / *UNMIL*  
  - Pages 9-10
- Alhaji Kromah and Armah Youlo Lied To TRC / *The Inquirer*  
  - Page 11
- Death By Child: Calling Recruiters of Child Soldiers to Account / *The Jurist*  
  - Pages 12-13
- Rape as Genocide in Darfur / *Los Angeles*  
  - Pages 14-15
Death By Child: Calling Recruiters of Child Soldiers to Account

JURIST Contributing Editor David Crane of Syracuse University College of Law, former Chief Prosecutor for the UN Special Court for Sierra Leone, says that US officials need to move forward to establish the rules and regulations necessary under the new Child Soldiers Accountability Act and set an example for other nations so that those who have destroyed children’s lives in conflicts in Africa and elsewhere around the world are dealt with....

Of all the combatants during the horror that was the civil war in Sierra Leone in the 1990s, none were feared the most than that of a child, the infamous child soldiers that literally raped, murdered and plundered their way across that hapless backwater of a country. Torr from families, forced to kill their parents, hopped up on drugs, they tore into their fellow citizens without mercy in a senseless orgy of pain and suffering. These children were dragged off into the bush to fight wars for drug lords, terrorists, gun runners, diamond dealers, and cynical politicians, and in some instances corporations.

I recall one witness telling me that they were terrified of the child soldiers that made up most of the various combatant groups fighting in Sierra Leone, because they could not plead for mercy prior to death as the children didn’t know what that meant, they could not tell the difference between right or wrong, good from evil. For ten years these small boy units made Sierra Leone a living hell. Since the late 1980’s, there have been millions of children recruited into combat around the world. A United Nations report in the mid-1990s found that over 2 million have died since 1988 alone. The report shamed the world and slowly the international community began to respond.

In 2003, I indicted those who bore the greatest responsibility for those crimes in Sierra Leone, to include, for the first time in history, the unlawful recruitment of children into an armed force under the age of 15. It was upheld as a new international crime by our appellate chamber at the Special Court for Sierra Leone and most of the 13 indicted were convicted of that unlawful recruitment. The Chief Prosecutor of the International Criminal Court, Luis Moreno-Ocampo, has also charged warlords in Africa for similar crimes. On October 3, 2008, under the leadership of Senator Richard Durban of Illinois, the Child Soldiers Accountability Act was signed by President Bush into law.
Leadership by the United States in this area is vital. We have the law now to lead the rest of the world in ensuring something is done. Hopefully, action by other states in revising their domestic laws similar to the Child Soldier Accountability Act will be a way for progress to be made. Continued international recognition of this international crime and its elimination must continue with all dispatch.

In the 21st Century how can mankind look itself in the mirror with any sense of hope for a brighter future when most of the fighters in various international and internal armed conflicts are kids, many under the age of 15? Those lost generations will come back to haunt us from the graves of the victims of death by child
Special Court Launches Glossary of Legal Terms in Local Languages

Special Court Registrar Herman von Hebel has launched the "Integrated Glossary of Legal Terminology: Krio, Limba, Mende, Themne" at a ceremony presided over by Sierra Leone's Acting Chief Justice, Hon. Umu Hawa Tejan-Jalloh.

The glossary, which was compiled by the Special Court's Language Unit and which draws upon the experience of the Court's interpreters, for the first time makes available to Sierra Leone's national judiciary legal terminology in the country's four major local languages.

"The creation of this glossary by the Special Court, aimed at strengthening of the Sierra Leone's judicial system, is part of the legacy that we want to leave behind," von Hebel said. "When people are charged before a court, they have the right to hear the case against them in a language they understand. This glossary will contribute significantly in making this possible."

"We believe that the ability for a court to communicate legal terminology to those who come before it in terms they understand is crucial the accessibility of justice and the right to a fair trial."

The Court's Language Unit, part of the Court Management Section, was the first in West Africa to train court interpreters. Many of these interpreters are expected to return to the national judiciary.
Witness TF1-045 Augustine Sama Mallah Continues His Testimony

Court resumed after lunch break and the examination of Witness TF1-045, Augustine Sama Mallah continued in open session. The witness testified about several issues including his return to Sierra Leone from Ivory Coast via Liberia, the AFRC coup and the AFRC/RUF mining activities in Tongo.

Witness’s Trip From Ivory Coast to Sierra Leone

The witness testified that when Sankoh was arrested in Nigeria, he left Ivory Coast and went to Liberia. He said that Mike Lamin with whom he had travelled to Ivory Coast had been arrested there but he was later released and he joined him in Liberia. The witness said that on entering Liberia, Jungle met him together with other people and told them he was on his way to get them out of Ivory Coast. The witness said that together with Jungle, they went to Gbarnga, where they remained until the AFRC coup took place in Sierra Leone. He said that while Jungle was making efforts to get them back to Sierra Leone, he became impatient and travelled to Monrovia. He said he went to the Freeport in Monrovia, where the Sierra Leonean contingent of ECOMOG was based. The witness said that Mike Lamin met him there and asked to talk to Sam Bockarie. He said that at that time, Bockarie was already in Freetown with the AFRC soldiers. He said that Mike Lamin spoke with Bockarie and he heard their conversation. According to the witness, Bockarie told Mike Lamin that he should travel to Sierra Leone as he wanted him to head a delegation that would move to review the peace agreement signed in Ivory Coast. The witness said that they immediately left for Sierra Leone and met Bockarie in Kenema. The witness said that Bockarie and Mike Lamin travelled to Freetown while he stayed in Kenema.

AFRC/RUF Mining Activities in Tongo

The witness said that after a few days in Kenema, he travelled to Tongo where he met AFRC and RUF soldiers involved in mining activities. Among the soldiers in Tongo were Capt. Yamao Kati, Sgt. Junior, Capt. Eagle, etc.

The witness said that while in Tongo, he saw civilians used for mining purposes by the AFRC/RUF soldiers. When asked about the treatment meted out to civilians, the witness said that they were treated very badly. He said that some civilians were severely beaten and some were even executed. The witness said that he was also involved in private mining while in Tongo.

He testified that all diamonds over 5 carats were handed over to the PLO 2 based in Tongo, who took them to the Residence Minister East in Kenema, Eddie Kanneh, who in turn took them to Johnny Paul Koroma in Freetown. The witness said that when he travelled to Kenema to sell his own diamonds, he would visit Sam Bockkarie who was based in the town. He said that on those visits to Bockarie in Kenema, he saw Jungle who had travelled from Liberia to see Bockarie in Sierra Leone. He said that Bockarie told him that Jungle was sent by Taylor to collect parcels of diamonds. The witness said that mining activities were also taking place in Kono and that Gullit was in charge there.

Supply of Arms and Ammunition to the AFRC

The witness said that he stayed in Tongo for two months and then travelled to Freetown where he served as senior bodyguard to Mike Lamin. The witness spoke of a meeting in Freetown where the AFRC Chief of Army Staff informed them that they would receive the first consignment of arms, ammunition and medicines at the Magburaka airstrip. He said that Major Dumbuya was sent to receive the arms, ammunition and medicines at the Magburaka airstrip.

The witness said that Mike Lamin sent him back to Tongo to go and mine diamonds for him there. The witness said that when he returned to Tongo, the mining policy had changed and that the soldiers and rebels were more harsh with civilians.

Court adjourned for the day.
After a two-day break caused by the withdrawal of Charles Taylor’s lawyer, Terry Munyard, the Special Court for Sierra Leone is hearing the testimonies of an insider witness, allegedly captured and trained by Liberian English-speaking armed men in 1991 in Pujehun District. The RUF former Strike Force commander also testified to the killing of civilians to stop them voting in a Sierra Leone government planned election, and the RUF attack on a Sierra Leone Company named Sierra Rutile. The BBC World Service Trust Mariama Khai Fornah reports from The Hague.

FORNAH: An insider witness, a former Strike Force commander of the RUF, has testified that he and over 500 civilians captured by the rebels were trained by commanders from Charles Taylor’s rebel group, the NPFL.

Mr. Augustine Mallah told Judges that the Liberian commanders trained them in the use of anti-aircraft, AK-47, RPG, GMG and BZT, among others. Mallah named his Liberian trainers as “One-Man-One”, C.O. Baday and “Monamie”. The witness said One-Man-One and C.O. Baday were from Nimba County in Liberia and C.O. Monamie was a Gambian with the NPFL.

Mr. Mallah, the insider witness, described the treatment of civilians in Sierra Leone by the Liberian fighters from the NPFL as bad.

MALLAH: If you had said you came to liberate somebody but you forcefully captured that person and took that person along for training, you took that person’s wife and converted that wife into your own wife, take that person’s property and convert it into your own property, and kill people amongst them, so it was bad.

PROSECUTING ATTORNEY: And who was it who was doing these things in Pujehun District?

MALLAH: It was the Liberians who entered, who brought the war there – the NPFL soldiers.

FORNAH: The former RUF Strike Force Commander told the court, the then Leader of the RUF, Foday Sankoh, resided in the Liberian Provincial city of Gbarnga in Bong County. He said Mr. Sankoh took arms, ammunition and medicine from Charles Taylor in Gbarnga to the Sierra Leonean town of Zimmi for the RUF Forces. Mr. Mallah testified to an alleged instruction from Charles Taylor, which ordered Foday Sankoh to attack a Sierra Leone company named Sierra Rutile.

MALLAH: And entered Mokanji, which was one of the company’s bases. But there was the SIEROMOCO company there. We captured four of the white employees there. We slept there, and the next day we entered Sierra Rutile. We captured three of their employees; four at Mokanji, seven of them. We sent the white employees whom we had captured to Foday Sankoh at Zogoda. Most of the villages were burnt. The civilians who came away whom we saw, we killed them, we burnt down there and destroyed the company equipment that were there.

FORNAH: Mr. Mallah also told the Court that when the Sierra Leone Government attempted to conduct an election, Mr. Sankoh instructed an RUF commander, Morris Kallon, to stop the election of 1996, and force the civilians to take their hands off.

MALLAH: They said any civilian who we see on the streets who were going for that election whilst we were firing, if we saw that civilian, we should take his or her hands off the election. That means to chop off his or her hand, but he said to take off his hands from the election.
Under direct examination, The former Strike Force commander said the RUF rebel group was divided into Special Forces consisting of Charles Taylor and Foday Sankoh, the Vanguards, those trained by the Special Forces and the Junior Commandos, those trained by the Vanguards. The former rebel fighter said in his presence Foday Sankoh and Charles Taylor communicated regularly on a satellite phone about their health and the rebel war.

Meanwhile, Charles Taylor’s lawyer who withdrew from the case last Friday is in court today dressed in his legal robe. Mr. Terry Munyard sat at the back of the Defence team. A source told the BBC World Service Trust Mr. Munyard was allowed to sit in the court, but he would not participate in the deliberations until he’s cleared of an alleged accusation against him.

For the BBC World Service Trust, this is Mariama Khai Fornah reporting from the Hague.
Newspaper Summary

‘Acting’ Senate Pro-tempore joins Liberty Party
(The News, New Democrat, The Inquirer)

- The Acting President Pro Tempore of the Senate has officially joined the opposition Liberty Party of Counsellor Charles Brumskine.
- Senator Lahai Lassana joined the Liberty Party after he tendered in his resignation as a member of the National Democratic Party of Liberia.
- Senator Lassana said the decision was taken out of the desire to foster his political life and that he has no regret of leaving the former ruling party.
- Liberty Party Political leader Cllr. Charles Brumskine said the move by Senator Lassana to join the party was unusual given his status as a Senator.
- Senator Lassana and the NDPL along with embattled Senate Pro Temp Isaac Nyenabo have been rocked by a dispute.
- The NDPL supported suspended Pro Temp Nyenabo to take to court the Senate led by Acting President Pro-Tempore Lassana.
- Meanwhile, the Chairman of the Liberty Party Israel Akinsanya says the Party recognizes Senator Lassana as Acting Pro Temp of the Senate.
- Mr. Akinsanya said the Liberty Party will defend Acting Pro Temp Lassana to the fullest as long he lives in the confines of the law.

Study Class Teacher in Court for Rape
(The Inquirer, The Informer, Heritage, National Chronicle)

- Hell broke real loose at the Temple of Justice Tuesday when Liberian women who have been in the vanguard of advocating against the injustices of women and children represented different fronts during the onset of the hearing into the alleged rape case involving a two year old girl and a 39 year old study class teacher.
- The group of women who had earlier converged at the Temple of Justice under the directive of the Minister of Gender and Development, Varbah Gayflor with placards registering their quest for justice as the wife of the alleged rapist, Victoria Wilson, arrived when the case was just about to begin with another troop of community women who too bear posters which read, “not guilty unless proven.”
- At 10:44am, defendant Nathaniel Wilson was brought to the court and the case was called at 11:05. Already, in the jammed-pack courtroom, women were seated wearing their caps and carrying placards with various inscriptions but surprisingly, the community women of Tusa Field, Gardnesville, entered the courtroom with their poster.
- Before going into the case, Magistrate Cheney registered that it was against the court proceedings that posters be placed as banners.
• [sic]The newly accredited United States Ambassador to Liberia, Linda Thomas-Greenfield, has assured Liberians of her government’s unflinching support in her reconstruction efforts.
• Speaking over the weekend in Cestos City, Rivercess Country where she with some staff of the United States Aid for International Development (USAID), and Liberia Community Infrastructure Program (LCIP) were honoured by citizens of Rivercess County, Ambassador Greenfield said the US government will continue its assistance to Liberia in the coming years.
• Recounting her government’s past assistance to Liberia, Ambassador Thomas-Greenfield said the US government through USAID has provided a grant of over US$5million to the Ministry of Public Works for the two-year project spanning the three counties and more than 40 communities.

Radio Summary

Star Radio (News monitored today at 9:00 am)

Another Liberian Senator is dead

• River Gee County’s Junior Senator Isaac Johnson is dead.
• Senator Johnson died early Wednesday morning at the John F. Kennedy Medical Center following a surgical operation. He was 48.
• The Senator’s son, Patrick Johnson told Star Radio the family has not received a formal medical report to establish the cause of death.
• Senator Johnson came to the Upper House on the ticket of the Liberia Action Party.
(Also reported on ELBC, Sky FM, and Radio Veritas)

Lahai Lassana joins Liberty Party
(Also reported on ELBC, Sky FM, and Radio Veritas)

Human Rights Activist takes on Bong Legislative Caucus

• The Independent Civil and Human Rights Center says it has got credible information to indict the Bong County Legislative Caucus with corruption.
• The Executive Director of the center said the caucus should be made to account for the 147-thousand U.S. dollars allegedly misapplied in the county. Mr. Melvin Page told Star Radio the money was withdrawn from the county’s escrow account with the consent and approval of the caucus.
• According to Mr. Page, suspended Superintendent Renny Jackson simply carried out the mandate of the caucus and could not be held for any wrongdoing.
• He called on Senator Jewel Howard Taylor, then Chairman of the Bong Legislative Caucus to provide an explanation of the transaction.
• The office of Senator Taylor however, argued that although the caucus approved the withdrawal, Superintendent Jackson erred in the management of the funds.
• The Chief of Office Staff in Senator Taylor’s office clarified that the money should have been paid out to the company in installments and not in bulk.
• Mr. Darius Dillon said Senator Taylor is prepared to provide the clarification if invited by the Internal Affairs Ministry to do so.

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Alhaji Kromah and Armah Youlo Lied To TRC

...... ULIMO Commander Isaac Kamara Tells TRC; Provides Intelligence on Arms at Kromah’s House

Speaking at the TRC hearing yesterday, a ‘senior commander’ of the defunct ULIMO faction said he provided intelligence to West African peacekeepers in 1997 leading to the discovery of huge cache of arms and ammunition in the home of Alhaji Kromah, then leader of the faction.

Self style General Isaac Kamara said the information was first provided to him by a female relative of Mr. Kromah’s before he hinted ECOMOG peacekeepers. He said Mr. Kromah had stock piled the weapons to attack NPFL leader Charles Taylor if he was elected President.

He said the weapons were concealed in the basement of Kromah’s Congo Town residence before a pre-dawn cordon and search operations by the peacekeepers who recovered the arms.

He said following the discovery, Mr. Kromah was whisked off to the Bushrod Island base of ECOMOG where he was briefly held before his released later that day. Kamara told commissioners that the three truck loads of new weapons included three BZT anti-aircraft artilleries.

Though he did not give any detail account of how the ‘coup’ occurred, the witness also said that the death of former ULIMO leader Albert Karpeh was masterminded by the faction’s then chief of staff Armah Youlo following a conspiracy with Mr. Kromah. “General Karpeh’s death was a coup that popularized Alhaji Kromah and led to him being the Chairman of ULIMO,” he said.

He claimed that both Youlo and Kromah lied under oath when they appeared at the ongoing Institutional and Thematic Inquiry Public Hearings of the TRC. When Kromah took over the leadership of ULIMO following Karpeh’s death, he said, mass atrocities were committed by Guinean mercenaries hired to beef up the faction’s forces.

He also claimed that ULIMO received support from the Interim Government of National Unity (IGNU) and ECOMOG peacekeepers to prosecute the war. He recalled that the peacekeepers provided the faction with arms and ammunition while the Interim Government on one occasion donated seven new pick-up trucks for use by commanders.

Under the theme: “Understanding the Conflict Through its Principal Events and Actors,” the ongoing hearings are addressing the root causes of the conflict, including its military and political dimensions. The hearings are focused on events between 1979 and 2003 and the national and external actors that helped to shape those events.

The TRC was agreed upon in the August 2003 peace agreement and was created by the TRC Act of 2005. The TRC was established to “promote national peace, security, unity and reconciliation,” and at the same time make it possible to hold perpetrators accountable for gross human rights violations and violations of international humanitarian law that occurred in Liberia between January 1979 and October 2003.
Death By Child: Calling Recruiters of Child Soldiers to Account

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I recall one witness telling me that they were terrified of the child soldiers that made up most of the various combatant groups fighting in Sierra Leone, because they could not plead for mercy prior to death as the children didn’t know what that meant, they could not tell the difference between right or wrong, good from evil. For ten years these small boy units made Sierra Leone a living hell.

Since the late 1980s, there have been millions of children recruited into combat around the world. A United Nations report in the mid-1990s found that over 2 million have died since 1988 alone. The report shamed the world and slowly the international community began to respond.

In 2003, I indicted those who bore the greatest responsibility for those crimes in Sierra Leone, to include, for the first time in history, the unlawful recruitment of children into an armed force under the age of 15. It was upheld as a new international crime by our appellate chamber at the Special Court for Sierra Leone and most of the 13 indictees were convicted of that unlawful recruitment. The Chief Prosecutor of the International Criminal Court, Luis Moreno-Ocampo, has also charged warlords in Africa for similar crimes.

On October 3, 2008, under the leadership of Senator Richard Durban of Illinois, the Child Soldiers Accountability Act was signed by President Bush into law. Designed to identify potential perpetrators and to prosecute them under US domestic law and/or to prevent entry or deport them from the US, this
important law is another example of nations leading the way in stamping out this scourge. It certainly gives notice to dozens of countries that may be in violation of this act. Senator Durban stated: "The power to prosecute and punish those who violate the law will send a clear signal that the U.S. will in no way tolerate this abhorrent practice."

Currently the implementation of the law is being worked by the Departments of Justice, State, and Homeland Security and will make the passage of the Child Soldier Accountability Act a reality. Those officials need to continue to move forward to establish the rules and regulations necessary to ensure that those who have destroyed children's lives are dealt with under this new law.

Leadership by the United States in this area is vital. We have the law now to lead the rest of the world in ensuring something is done. Hopefully, action by other states in revising their domestic laws similar to the Child Soldier Accountability Act will be a way for progress to be made. Continued international recognition of this international crime and its elimination must continue with all dispatch.

In the 21st Century how can mankind look itself in the mirror with any sense of hope for a brighter future when most of the fighters in various international and internal armed conflicts are kids, many under the age of 15? Those lost generations will come back to haunt us from the graves of the victims of death by child.

*David M. Crane is a professor at Syracuse University College of Law, and former founding Chief Prosecutor for the UN Special Court for Sierra Leone (2002-2005).*
Rape as genocide in Darfur

Opinion

Sudan's president may face additional charges.

By David Scheffer

People hear the word "genocide" and think of 6 million Jews killed by the Nazis during the Holocaust or the estimated 800,000 mostly Tutsis slaughtered in Rwanda. They do not imagine that rape can be so well planned and done on such a mass scale as to wipe out much of an ethnic group just as thoroughly, if more slowly, than large-scale murder.

Sudan's president, Omar Hassan Ahmed Bashir, stands accused of -- among other horrible crimes -- masterminding the use of rape as a form of genocide against several ethnic groups in Darfur. In the coming weeks, three judges of the International Criminal Court in The Hague will decide whether that controversial charge will be included in the likely arrest warrant against him. Hanging in the balance is whether the heinous modern warfare strategy of mass rape will be condemned and prosecuted for what it truly is: genocide.

The court's prosecutor, Luis Moreno-Ocampo, has filed other charges as well, including war crimes, crimes against humanity and "mass murder as genocide." But the groundbreaking charge is rape as genocide, which relies on two lesser-known ways of destroying a people: "causing serious bodily or mental harm to members of the group" or "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."

Prosecuting the crime of rape under these particular formulations is unprecedented for the International Criminal Court. There were mass rapes in Rwanda in 1994, for instance, but many of the victims were quickly killed as part of the overall genocide. In Darfur, many rape victims survive, but they suffer grievous harm to their bodies, minds and ethnic identities that can lead to a genocidal result.

Despite rulings from earlier Rwanda and Bosnia war crimes tribunals that offer guidance, the relative novelty and complexity of rape-as-genocide cases may impel the judges to stick to more familiar war crimes terrain. But the judges only have to find reasonable grounds to include the rape-as-genocide charges on the Bashir warrant. They need not establish proof beyond a reasonable doubt, the standard applied at trial.

The evidence presented by Moreno-Ocampo appears compelling. The prosecutor's investigation reveals that, since 2003, Bashir's forces and agents have driven about 2.5 million Sudanese, including substantial numbers of the Fur, Massalit and Zaghawa ethnic groups, into camps of internally displaced persons. They then raped and inflicted other forms of severe sexual violence on thousands, and continue to do so. A common tactic is for the janjaweed militia and Sudan's armed forces and security agents to lie in wait outside the camps to rape -- or often gang-rape -- the women and girls who come out to collect firewood, grass or water in order to survive.

"Maybe around 20 men rape one woman," said one victim in a report cited by the prosecutor. "These things are normal for us here in Darfur. ... They rape women in front of their mothers and fathers."
"Janjaweed babies" born of the rapes rarely have a future in the mother's ethnic group. Infanticide and abandonment are common. Another victim explained: "They kill our males and dilute our blood with rape. [They] ... want to finish us as a people, end our history."

Imagine the collective horror if men and boys in these ethnic groups were raped and then castrated. Would anyone doubt that genocidal impulses were at work by depriving men of their ability to father children? In Darfur, raped women and girls are similarly crippled.

In the 1990s, when I was the U.S. ambassador at large for war crimes issues, I met scores of women who had been raped during the atrocities in the Balkans, Sierra Leone, Uganda and the eastern Congo. In most cases, the experience was devastating to their character, their ethnic bonds and often to their physical health. Even if they were still physically able to bear children, these women typically were ostracized from their communities and could not marry their ethnic men. Confronted with these stories, I recognized that mass rape can destroy a substantial part of a group and thus constitute genocide.

Prosecuting the rapes in Darfur as a crime against humanity would get at the crime's seriousness. But genocide is another order of destruction altogether. Elevating the mass-rape charges to that level indicates that Bashir intended not only to terrorize women or force a population out of a particular region but to end -- or substantially imperil -- the very existence of the three ethnic groups that dared to challenge his power.

Between September 2003 and January 2005, Sudanese military and janjaweed militia slaughtered an estimated 35,000 civilians in Darfur. Since the onset of the violence, an additional 265,000 civilians have suffered slow deaths caused by injury, starvation, lack of water or other conditions of deprivation in the camps. The evidence shows a highly sophisticated strategy at work: scorched-earth assaults on ethnic villages followed by isolation in displacement camps where starvation, illness and rape take a gruesome toll.

Indeed, it would be easier for the court to focus on these almost undeniable crimes against humanity. But here the judges confront a harder task: to find reasonable grounds that Bashir had the "specific criminal intent" to use rape as a genocidal tool.

Genocide cases prosecuted before other war crimes tribunals have found that specific intent can be inferred from the factual circumstances of the crime. In Darfur, clearly, there is no shortage of actions, including repeated mass rapes, that point to Bashir's aim to destroy substantial parts of the Fur, Massalit and Zaghawa ethnic groups.

The wild card remains the U.N. Security Council. Under the treaty that governs the International Criminal Court, the council can suspend any prosecution for a year. China, Russia and even the African Union are pressuring the council to invoke that right. They claim that Bashir will unleash hell on U.N. peacekeepers in Darfur if he is charged and destroy hope for any peace settlement in Sudan. So far, the United States has signaled it will oppose any such efforts to stall the case -- as well it should.

The judges of the International Criminal Court must be afforded the opportunity to continue reviewing the evidence without interference by the Security Council. If they find reasonable grounds to charge Bashir with rape as genocide, thousands of women and girls attacked by rapists as a means of destroying their ethnic groups will share a small measure of justice and peace.

David Scheffer, the U.S. ambassador at large for war crimes issues from 1997 to 2001, is a law professor and director of the Center for International Human Rights at Northwestern University School of Law.