

AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI index: AMR 51/128/2008
31 October 2008

United States of America: Chuckie Taylor, son of former Liberian leader, convicted of torture

Amnesty International welcomed yesterday's conviction by a US court of Chuckie Taylor, son of former Liberian president Charles Taylor, for torture and related crimes that he committed in Liberia, including the use of electric shocks on the genitals, burning victims with cigarettes and hot irons and melting plastic and rubbing salt into wounds. This marks the first conviction under the US Torture Victim Protection Act since that law was enacted in 1994. Chuckie Taylor is also the first person to be tried and convicted for crimes under international law committed during Liberia's decade-long conflict, which ended in 2003. Chuckie Taylor could face between 20 years to life imprisonment for these crimes.

"It is a landmark case" said Tania Bernath, Amnesty International's researcher on Liberia. It suggests that the USA is now finally willing to investigate and prosecute persons found in that country for torture and other crimes under international law. It sends an important message that the number of safe havens for torture and other crimes under international law is continuing to diminish."

The USA has not prosecuted a single other person under the Torture Victim Protection Act in the past 14 years, despite numerous allegations that there were hundreds of persons in the USA suspected of committing torture. Amnesty International hopes that this conviction indicates that the USA will now begin to fulfill its obligations under the UN Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. Namely, to exercise universal jurisdiction over all persons found in its territory subject to its jurisdiction suspected of any act of torture, attempt to commit torture or complicity or participation in torture. Therefore, the organization welcomed the statement yesterday by US Attorney Alexander Acosta that although this case was "the first of its kind", that "doesn't mean that it's the last of its kind".

In addition, the organization hopes that Liberia will enact effective legislation and that Liberian prosecutors will now begin to investigate and, where there is sufficient admissible evidence prosecute the many other persons suspected of committing torture and other crimes under international law in Liberia over the past decade.

Background

The US Federal Grand Jury indictment on 6 December 2006 of Roy Belfast, Jr. (also known as Charles or Chuckie Taylor, Charles Taylor II and Charles MacArthur Emmanuel) a US citizen, for torture and conspiracy to torture, allegedly committed while he served as the head of the former Liberian President Charles Taylor's Anti Terrorist Unit (ATU). The trial started on 28 September 2008 in Miami, where he was originally arrested for passport fraud, before the US District Court for the Southern District of Florida.

The federal anti-torture statute authorizes US Federal courts to exercise universal jurisdiction over persons found in the US who are suspected of torture committed anywhere in the world. The statute applies to US citizens and to those present in the United States, regardless of nationality and regardless where the crimes occurred.

Chuckie Taylor's trial took place at the same time that his father, Charles Taylor, was on trial the Special Court for Sierra Leone in The Hague. The former president, being tried for crimes he is alleged to have committed in Sierra Leone, faces 11 counts of war crimes and crimes against humanity.

Liberia was embroiled in conflict characterized by war crimes and crimes against humanity between 1989 and 2003. In 2006 a new government came to power. To date, however, no one in Liberia has been investigated and prosecuted for torture or any other crime under international law. In addition, the Liberian government has failed to enact the necessary legislation defining torture as a crime under national law consistently with the definition in the Convention against Torture. Amnesty International believes that just as prosecutors in the USA have now started to fulfill their responsibilities under the Convention against Torture to investigate and prosecute those alleged to have committed crimes against Liberians, the Liberian government, should without delay, enact the necessary legislation and implement it.

END