

AFP

Trials of collaborators are not linked to trials of war criminals, although the two are not unrelated either. If there is persuasive evidence that a person is guilty of criminal deeds, is involved or complicit in war crimes or crimes against humanity, he may certainly be subjected to the due process of law.

In July this year, Luis Moreno-Ocampo, prosecutor of the International Criminal Court, applied for an international arrest warrant against the president of Sudan (top) on charges of crimes against humanity, war crimes and genocide in Darfur.

The pre-trial chamber of the ICC will consider the application. This is the first time such a warrant has been sought against an incumbent head of state. The responsibility of sitting in judgment is heavy, especially so in trials with political undertones. There can be huge complexities to contend with. The process of justice has to be credible and transparent, justice must be done and seen to have been done, and there should be allowance for the common weal. The UN secretary general has aptly stressed, in respect of the situation in Sudan, the need for a balance between the pursuit of peace and the duty of justice.

A character in a Somerset Maugham short story made a very telling comment on the burden and dilemma of sitting in judgment.

After recounting a particularly convoluted tale of human perversity, involving a very personable and companionable couple, he said wearily, somewhat cynically and even impiously: "I'll tell you what, there's one job I shouldn't like … God's at the Judgment Day … no sir."

Megasthenes *is an eminent Bangladeshi columnist.*

This year, Luis Moreno-Ocampo, prosecutor of the International Criminal Court, applied for an international arrest warrant against the president of Sudan on charges of crimes against humanity, war crimes and genocide in Darfur … the first time such a warrant has been sought against an incumbent head of state.