Jonathan F. Fanton  
Opening Comments*  
February 14, 2005  
Abuja, Nigeria

Your Honor, Chairman of the Occasion, the Honorable Justice E. O. Ayoola, President of the United Nations Special Court for Sierra Leone,

The Chief Justice of Nigeria, Honorable Justice Mohammed Uwais,

Justices of the Supreme Court and other Justices here present,

The Attorney General of the Federation and Minister of Justice, Chief Akinlolu Olujimi,

The Distinguished Speaker, the Honorable Justice Richard Goldstone, former Justice of the Constitutional Court of South Africa,

Members of the Diplomatic Corps,

The Executive Secretary of the National Human Rights Commission, Mr. Buhari Bello,

Other distinguished personalities present today and members of the press,

Ladies and Gentlemen:

It is a privilege for the MacArthur Foundation to join with the Federal Ministry of Justice and the National Human Rights Commission in sponsoring this reflection on the responsibility and opportunity of great nations to create new international norms for respecting and protecting human rights.

MacArthur has worked in Nigeria since 1989, making 400 grants to individuals and institutions working in the fields of human rights, population, and higher education. We have a long-term commitment to Nigeria fueled by a basic optimism that the democratic transition underway will take root and that a just, fair and prosperous society will follow.

Our partnership with the Ministry and the Commission is far deeper than co-sponsoring this occasion. In response to a request from the late Minister Chief Bola Ige, MacArthur helped fund a review of the laws of the Federation and their publication. At the request of the current

Attorney General, we are proud to be supporting a review of the criminal procedure. And we have been pleased to assist the Commission’s development of a national human rights action plan. Our optimism about Nigeria’s future comes through working with government officials dedicated to reform, and with organizations of civil society determined to hold their country true to its highest aspirations like the Legal Defense and Assistance Project and the Center for Research and Documentation.

MacArthur gives money in 80 countries around the world – in population, environment, arms control, higher education, and human rights. But no country is more important than Nigeria. What happens here is closely watched by people everywhere yearning to overcome authoritarian pasts, communal conflicts, disease, and poverty.

The commitment of the government to high standards of international law, the Justice Ministry’s reform agenda, the effort to curb corruption through transparency, the recognition that the national police force must hold itself accountable to the law and to best practices – are all promising signs. And yet few would argue that path to full realization of these ideals is easy or claim that current conditions match our high aspirations. But the direction is clear, and together we can complete the unfinished bridge to a secure and sustainable democracy.

While much remains to be done at home, Nigeria has an historic opportunity to lead in the creation of an effective system of international justice. The African Court of Human Rights, the new International Criminal Court, and the recognition that powerful nations have the responsibility to protect ordinary people when states are unwilling or unable to protect their own citizens are pillars of this emerging system. Nigeria has demonstrated its potential for leadership in Liberia, in Sierra Leone, in the Congo, and in Sudan.

The MacArthur Foundation has helped support the formation of the International Criminal Court, and we have assisted many of the NGOs documenting the abuses that are central to early cases in Uganda and the Congo. MacArthur also responded to the Canadian government’s leadership in providing funds to the International Commission on State Sovereignty and Humanitarian Intervention. The Commission’s report, The Responsibility to Protect, articulates the standards and the means for the international community to step in to prevent massive loss of civilian life.

While a foundation like ours can assist in framing the core principles, strengthening the capacity of NGOs, and nurturing new international institutions, only powerful and principled states with political will can turn abstract ideals into justice on the ground. And so, the discussion we are about to have is in exactly the right place – by its example and through its will, Nigeria can advance the system of international justice in Africa and beyond.

And Justice Richard Goldstone is the right person to stimulate our reflections. He has a long view of the philosophical principles that shape the emerging system of international justice, he appreciates how it reinforces and draws strength from national systems, and he has the practical experience with tribunals in Yugoslavia and Rwanda that are shaping the norms and procedures for how the world holds accountable those who commit crimes against humanity.
His personal courage, intellectual leadership, and practical wisdom make him the symbol of a new world where justice will prevail and become permanent.