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War Crimes Prosecution Watch is a bi-weekly e-newsletter that compiles official documents and articles from major news sources detailing and analyzing salient issues pertaining to the investigation and prosecution of war crimes throughout the world. To subscribe, please email warcrimesswatch@pilpg.org and type "subscribe" in the subject line.

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AFRICA

NORTH AFRICA

Libya

Migrant deaths in Libyan desert 'wake-up call' for stronger protections (UN News)

July 1, 2022

The UN migration agency on Friday deplored the deaths of at least 20 migrants in the Libyan desert and renewed its call for stronger migrant protection along the Chad-Libya border.

“The death of twenty people in the Libyan desert yesterday is yet another wake-up call for the whole international community and a reminder that we are very far from achieving the goal of ‘leaving no one behind’, the mantra of the 2030 Agenda,” said Federico Soda, Chief of the International Organization for Migration’s (IOM) Mission in Libya.

‘Unacceptable and avoidable’

On 28 June, the bodies of 18 people believed to be Chadian, and two Libyans, were reportedly recovered near the border area between the two countries.

According to the Libyan Ambulance and Emergency Services, it’s believed they all died of dehydration.

“The loss of lives we are witnessing both in the Mediterranean Sea and in the deserts of southern Libya are both unacceptable and avoidable,” said Mr. Soda.

Lethal travel

The Sahara Desert is among the world’s most perilous and deadliest migration routes.

According to IOM’s Missing Migrants Project, more than 2,000 migrant deaths have been documented since 2014 in the Sahara Desert alone, but experts believe the numbers are higher.

“These tragedies must be a call to action to provide minimal standards of protection to migrants, enable search and rescue operations, reinforce humanitarian border management, and provide urgently required assistance in this extremely remote area,” said Anne Kathrin Schaefer, IOM Chad Chief of Mission

Gold mining-related fatalities

Since the intensification of gold mining in northern Chad in 2012, the Chad-Libya border area has seen an increase of incidents related to migrants being abandoned by traffickers and smugglers, or transporters getting lost.

And last month, clashes between gold miners in the town of Kouri Bougoudi, close to the border with Libya, left hundreds dead and displaced an estimated 10,000 mine workers in northern Chad.

“In the absence of safe migration pathways, migrants take risky roads, fall into the hands of traffickers, or get lost in the desert – with often devastating consequences,” Ms. Schaefer said. Call for protection

Between January and March, more than 45,000 migrants were recorded at the Faya, Zouarké and Ounianga Kébir “Flow Monitoring Points” in Northern Chad.

Among the migrants surveyed by IOM during that period, 32 per cent were headed towards Libya – despite the lack of basic preconditions to ensure their safety and protection.

IOM reiterated its call to protect migrants and their rights through dedicated search and rescue efforts, and the investigation and prosecution of smugglers and traffickers who take advantage of people's despair and vulnerability.

UN rights mission finds 'probable' mass graves in Libya (Reuters)

By Emma Farge and Angus McDowall

July 4, 2022

A U.N.-appointed mission to Libya said on Monday there are "probable mass graves" yet to be investigated, possibly as many as 100, in a town where hundreds of bodies have already been found, and it urged Tripoli to keep searching.

The report to be submitted to the U.N. Human Rights Council this week details how a militia run by seven brothers executed and imprisoned hundreds of people between 2016-2020, sometimes keeping them in tiny oven-like structures called "the boxes" which were set alight during interrogations.

The evidence of kidnappings, murder and torture in Tarhouna, uncovered by the independent Fact-Finding Mission, represents one of the most egregious examples of rights abuses in the turbulent period since Muammar Gaddafi's ousting in 2011.

Among the victims were the disabled as well as women and children, the 51-page report said.

Based on the testimonies of residents and two site visits, the mission found "reasonable grounds" that the Kaniyat militia committed crimes against humanity. It identified four commanders who participated directly in them.

Already, Libyan authorities have recovered 247 bodies in mass and individual grave sites in the Tarhouna area in Western Libya. Many were still handcuffed and blindfolded.

The mission used satellite imagery showing signs of soil disturbances among other evidence to identify three new likely sites. But there could be many more, it said, citing an existing grave known as "The Landfill" where just a tiny fraction of the site has been investigated.

"According to insider knowledge, there might still be up to 100 as of yet undiscovered mass graves," the report said.

It is not immediately clear how the findings will reflect on Libyan authorities. Libya's diplomatic mission in Geneva did not respond for a request for comment.

At one stage, the Kaniyat was aligned with the Tripoli-based Government of National Accord but later with the eastern Libyan National Army led by commander Khalifa Haftar that tried, unsuccessfully, to overthrow the National Accord administration. The militia no longer holds authority in Tarhouna.

The surviving leaders of the Kaniyat are mostly believed to have fled to areas of eastern Libya under Haftar's control.

In its conclusions, the Fact-Finding Mission (FFM) calls on Libyan authorities to continue searching for the graves. It also urges them to establish a special tribunal to prosecute international crimes.

Tracy Robinson, one of the three heads in charge of the 18-person team, said it did not have the resources or authority to investigate the Tarhouna graves alone. "It's the state's duty to act," she told journalists in Geneva.

The report refers to difficulties with cooperation with Libyan authorities in the past. Diplomats and U.N. sources also told Reuters that Libya had previously expressed reservations about continuing the mission, which expires this month.

A resolution is currently before the Geneva-based council to keep investigations going for another nine months, which is less than some had hoped for.

A decision is expected this week and, if successful, FFM members said they intend to submit further evidence, a final report and a confidential list of individual suspects to the council next year.

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CENTRAL AFRICA

Central African Republic

**Official Website of the International Criminal Court
ICC Public Documents - Cases: Central African Republic**

French prosecutors open war crime probe linked to Groupe Castel unit in Central African Republic (Reuters)

By Sarah Morland and Tassilo Hummel
July 1, 2022

French anti-terrorism prosecutors have opened an investigation into allegations of potential complicity in war crimes made against Groupe Castel in the Central African Republic (CAR), a source close to the matter told Reuters on Friday.

A local unit of the French drinks conglomerate is suspected of having made payments to local militia, the source said.

A spokesman for Groupe Castel said the company was fully cooperating with French authorities on the matter and that an internal investigation following the first accusations had shown no evidence of wrongdoing.

The investigation follows a report published by The Sentry last year which said the group's subsidiaries had deals to provide armed militia UPC with cash and vehicle support in order to secure regional market position.

The United Nations says the UPC has killed, tortured, raped, and displaced civilians, and engaged in arms trafficking, illegal taxation and warfare.

The source said the probe that opened in Paris did not formally target the group or executives, but had been opened "against X", which allows prosecutors to investigate in all directions. Advertisement · Scroll to continue Report an ad

Groupe Castel, headquartered in the Bordeaux region, is one the world's biggest wine and beverages conglomerates, selling some of Africa's most popular beers. French business magazine Challenges estimates the Castel family's fortune at around 14 billion euros (\$15 billion).

CORPORATE CRIME

French authorities, supported by human rights groups, are stepping up action against corporate wrongdoing linked to conflicts abroad.

In May, a Paris appeals court rejected a request by French cement maker Lafarge (HOLN.S) to dismiss charges of complicity in crimes against humanity and endangering lives for keeping a factory running in Syria after conflict broke out in 2011. [read more](#)

The case is considered a landmark ruling for holding Western companies accountable for acts committed when operating abroad.

With the launch of the investigation linked to Castel, The Sentry's lawyers Clemence Witt and Anaïs Sarron told Reuters the prosecutor's office would now be able to hear witnesses and order searches and seizures.

"The prosecutor's office will now launch its investigations in order to establish the truth," they said.

"War profiteering has fueled long-term and devastating armed conflicts throughout the world, too often without legal and financial consequences for the perpetrators," said John Prendergast, who co-founded The Sentry alongside actor George Clooney.

Prendergast said the move should show multinational companies that they can be held to account for criminal operations - even in countries with deficient judicial systems.

(\$1 = 0.9587 euros)

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Sudan & South Sudan

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Democratic Republic of the Congo

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ICC Public Documents - Situation in the Democratic Republic of the Congo**

Human rights under threat in DR Congo, UN Security Council told (Peoples Gazette)

June 30, 2022

UN special representative to Democratic Republic of the Congo (DRC) Bintou Keita says the resurgence of the M23 armed group has “broad repercussions” for the security, human rights and humanitarian situation in the country.

Ms Keita, who also heads the UN’s Stabilisation Mission in DRC (MONUSCO), told the Security Council on Wednesday that the peacekeepers under her command were “determined to protect civilians and help tackle drivers of conflict and violence.”

However, she added that “unity of purpose within the council and among troop and police contributing countries, remains essential for the Mission to deliver on its core mandated responsibilities.”

As MONUSCO along with the national security forces, known as the Armed Forces of the DRC (FARDC), have redeployed military to the ‘Petit Nord’ to respond to M23 threats, armed groups have sought to take advantage of the resulting security vacuum.

The M23 militia began as a renegade force of army mutineers in 2012, committing atrocities and war crimes. The current offensive against government forces is reportedly the biggest in a decade.

Increased assaults by Allied Democratic Forces (ADF) militants in North Kivu and Ituri provinces, as well as attacks and reprisals by the Cooperative for Development of the Congo (CODECO) and other militia, have taken a heavy toll on the civilian population.

The UN official said the attack took a heavy toll on the civilian population, noting that between May 28 and June 17, no fewer than 150 civilians had been killed.

“The humanitarian situation across the eastern provinces has deteriorated, and the overall number of people displaced this year has risen to some 700,000,” she stated.

Meanwhile, the rising regional tensions had coincided with a deeply worrying increase in hate speech and incitement to violence.

Ms Keita highlighted that at least eight cases of hate speech between May and June that specifically targeted Rwandophones.

She said while each met the Rabat threshold – a six-part test to assess if a particular statement reaches the level of incitement to discrimination, hostility or violence – at least three came from Congolese military and police authorities.

“The United Nations has been clear in its condemnation of these reprehensible attempts to fuel inter-communal tensions,” she noted.

Ms Keita added that it was incumbent upon the Security Council to fully support regional efforts to defuse the current

diplomatic and security tensions between neighbouring states and “put an end to the scourge of armed groups.”

“Should the M23 continue its well-coordinated attacks against FARDC and MONUSCO with increasing conventional capabilities, the mission may find itself confronted by a threat that goes beyond its current capabilities,” Ms Keita warned.

She also cautioned that the ongoing militia activities in eastern DRC threatened to reverse hard-won progress in security throughout the country and the region. The special representative updated the ambassadors on a \$35 million dollars response plan for the M23-crisis, which was developed by the Humanitarian Country Team.

The humanitarian coordinator has allocated \$5 million from the DRC Humanitarian Fund for the plan, to begin the response.

Moreover, the current crisis has triggered a request for the development of a Central Emergency Response Fund (CERF) Rapid Response, to meet civilian needs in Ituri and North Kivu.

New Armed Conflict in DR Congo: A Renewed Call for Civilian Protection (Just Security)

By Daniel Levine-Spound and Niku Jafarnia

June 30, 2022

On the morning of June 17, a Congolese soldier entered Rwanda with an AK-47 and began shooting at Rwandan security personnel and civilians at the border. After injuring two Rwandan police officers, the soldier was shot and killed by Rwandan law enforcement.

The border shooting is one of the latest events in an escalating series of incidents between the Democratic Republic of the Congo (DRC)[1] and Rwanda. Recent tensions stem from an ongoing conflict between DRC and the March 23 Movement (M23), a DRC-based armed group with historical links to the Rwandan government. Large-scale fighting broke out between M23 and the Congolese military (FARDC) in the DRC’s North Kivu province in March 2022. Though M23 had once been one of the most powerful armed groups in eastern DRC, notably taking over the provincial capital of Goma in 2012, the group has been far less active in recent years. Until the latest flare up, international media predominantly focused on armed conflicts involving other armed groups in eastern DRC, a number of which have led to widespread civilian harm.

The re-emergence of conflict between M23 and FARDC has already had devastating consequences for civilians, including the displacement of over 150,000 people, at least 23 civilians killed, and the separation of hundreds of children from their families. Continued conflict has led to major demonstrations in DRC as well as a rise in violent rhetoric towards Kinyarwanda speakers in eastern Congo. On June 17, U.N. High Commissioner for Human Rights Michelle Bachelet and U.N. Special Adviser on the Prevention of Genocide Alice Nderitu called attention to the “hate speech that is fueling violence against civilians” in DRC. Tensions between DRC and Rwanda are not new. But following several years of improved relations between the two countries, recent developments raise new questions of international law, including whether an armed conflict exists between the two countries or between the DRC and M23 and the legal frameworks applicable to different conflict scenarios.

Escalating Rhetoric

Since the resumption of conflict between the FARDC and M23—which began in late 2021 but escalated first in March and then again in May—M23 has proven effective in their operations. In June, the armed group notably took control of the strategic border town of Bunagana and continues to expand its operations. The Congolese army has also accused M23 of attacking MONUSCO, the U.N. peacekeeping mission operating in DRC, including downing a U.N. helicopter in March in an attack that killed eight peacekeepers.

As actions have escalated, so too have the Congolese and Rwandan governments’ accusations against one another.

In the past, M23 received significant and widely publicized support from the Rwandan government. In 2012, the U.N. Group of Experts on DRC found that Rwanda had provided “recruitment, troop reinforcement, ammunition deliveries and fire support.” In recent months, the Congolese government accused Rwanda of once again supporting M23. Congolese President Felix Tshisekedi claimed on June 5 that there is “no doubt” that “Rwanda has supported the M23 to come and attack the DRC.” Other international actors, including the Foreign Relations Committee of the U.S. Senate, have also called on Rwanda to cease supporting the armed group.

As the fighting has worsened, the Congolese government has heightened its accusations, including accusing Rwandan Defense Forces (RDF) of illegally crossing into the DRC and directly participating alongside M23 in battles against the FARDC. On June 13, following M23’s occupation of Bunagana, the FARDC accused Rwandan forces of committing “no less than an invasion of the Democratic Republic of Congo.”

The Rwandan government has denied providing support to M23. Instead, it has ratcheted up its own rhetoric, accusing the

Congolese military of firing rockets into Rwanda, attacking Rwanda, and kidnapping two Rwandan soldiers. Rwandan government accusations have focused in part on the Forces démocratiques de libération du Rwanda (FDLR) armed group, some leaders of which participated in the 1994 Rwandan genocide and fled into eastern DRC following their government's defeat in 1994.

Though the FDLR was once one of the most powerful armed groups operating in the DRC, with the capacity to launch cross-border attacks against Rwanda, the group has been significantly weakened in recent years. Nonetheless, Rwandan President Paul Kagame evoked the threats posed by the FDLR, as well as other armed groups in eastern DRC, in a Feb. 8 speech, in which he stated, “[A]ll our eyes are on Congo. We are focused there because of the armed groups based there that threaten us.” The president highlighted his willingness to wage war “with or without the consent of others.”

These incidents, including worsening violence between the FARDC and M23 and increasingly bellicose rhetoric from the Rwandan and Congolese governments, may indicate the beginning of new armed conflicts in eastern DRC.

Does an Armed Conflict Exist?

Though certain aspects of recent events are contested, it is clear that international law related to the conduct of hostilities—including international humanitarian law (IHL) and international human rights law (IHRL)—is applicable to the unfolding situation.

Based on the events that have taken place over the last several months between Rwanda and the DRC, it is likely that an armed conflict has already begun between the two states, despite the lack of a declaration of war by either government. It is even clearer that an armed conflict exists between M23 and the DRC. What is less certain, however, is whether these are two separate conflicts, or whether Rwanda has “overall control” over M23 such that M23 and Rwanda are acting together against the DRC in an international armed conflict (IAC).

Rocket attacks between the two countries, or the deployment of Rwandan troops to assist in the takeover of the Congolese town of Bunagana, would almost certainly meet the interstate use of force requirements necessary to trigger an IAC. A Congolese soldier entering Rwanda and firing at security personnel and civilians lends further credence to the existence of an IAC, though its relevance could depend, in part, on whether the soldier acted independently or under a commander's orders.

Separately, the outbreak of violence between the FARDC and M23 meets the threshold requirements to constitute a non-international armed conflict (NIAC), which could exist in parallel to an IAC between Rwanda and the DRC. There have been significant battles between the belligerents over the past several months causing the displacement of tens of thousands of IDPs, a strong indication that the intensity of fighting has reached a level of “protracted armed violence.” The alleged use of artillery and rockets, as well as direct attacks on U.N. peacekeepers, are further evidence of adequate intensity. Additionally, M23 has demonstrated that it has capacity to conduct effective operations, has successfully taken over parts of Congolese territory, and continues to issue official statements, all of which indicate that M23 is sufficiently organized to be a party to a NIAC.

If, however, Rwanda has “effective control” or “overall control” over M23, then the group's actions can potentially be attributed to the state: armed conflict between the M23 and FARDC on the DRC's territory would thus signify the existence of an IAC between Rwanda and DRC, rather than a NIAC between the FARDC and M23. Under the overall control test—which the ICRC, as well as recent legal jurisprudence, supports—M23's actions could be attributable to Rwanda if the state is financing, training, equipping, and contributing to the planning of M23's operations. In mid-June, the Congolese government accused Rwanda of “supporting, financing and arming” M23.

If an IAC does exist, such a conflict would be governed principally by the four Geneva Conventions and the First Additional Protocol (AP I), in addition to customary IHL and IHRL. If a NIAC exists between M23 and the DRC, Common Article 3 (CA3) to the four Geneva Conventions, as well as customary IHL, would apply. The Second Additional Protocol to the Geneva Conventions (AP II) also likely applies, as M23 controls substantial territory in the DRC and continues to conduct armed attacks against the Congolese military and MONUSCO. Regardless of whether the conflict is a NIAC, IAC, or both, IHL and IHRL unambiguously prohibit belligerents from targeting civilians, and further require that belligerents take measures to protect civilians in situations of armed violence. But since the 1990s, these basic international legal principles have been regularly violated in eastern DRC. As Amnesty International explained, “Congolese and foreign armies, as well as non-state armed groups, have committed countless crimes under international law, including war crimes and crimes against humanity, and grave human rights abuses.” In a deteriorating context, it is critical that all armed actors, including DRC, Rwanda, and M23, fully comply with their legal obligations and take proactive steps to protect civilians.

The Cost of Conflict for Civilians

Contemporary history is clear: whether between states, or between states and non-state armed groups, armed conflict in

eastern DRC has devastating humanitarian consequences for Congolese civilians, including massive displacement, sexual violence, extrajudicial killings, and the recruitment of child soldiers.

Particularly since the First and Second Congo Wars in the late 1990s, state and non-state armed actors alike have committed egregious violations of international law on Congolese soil, often directly targeting civilians. The UN Mapping Report documented hundreds of the most serious incidents committed between 1993 and 2003, and found that the majority of them would qualify as war crimes or crimes against humanity. But almost two decades later, little has been done to hold perpetrators accountable.

In a reigning climate of impunity, the pattern of attacks against civilians has continued. The history of M23 offers an important example. The group was created by former officers from Congrès National pour la Défense du Peuple (CNDP)—an armed group led by Congolese Tutsi commanders and supported by the Rwandan government—who claimed that the Congolese government had failed to abide by the terms of an earlier agreement, which notably mandated the integration of CNDP fighters into Congolese security forces. Soon after its creation in 2012, M23 launched a large-scale military campaign against the FARDC, shocking the international community by briefly taking over the provincial capital of Goma.

During their operations, M23 soldiers committed scores of violations of international law, including summary executions, rapes, and forced recruitment of children. Human Rights Watch found that during the group's short occupation of Goma, "M23 spread terror through deliberate attacks on civilians and threats against those who spoke out against them." Navi Pillay, former U.N. High Commissioner for Human Rights, notably referred to the leaders of M23 as "among the worst perpetrators of human rights violations in the DRC, or in the world for that matter."

M23 was not alone in deliberate violence against civilians. Driven out of Goma following M23's offensive, FARDC soldiers committed dozens of rapes, including against girls as young as 13. In the town Minova, for instance, Congolese military and police officials fleeing M23 raped over 1,000 individuals over a ten day rampage in 2012. In the decade since, little has been achieved in terms of security sector reform. Congolese government forces remain regularly responsible for over 40 percent of human rights violations recorded in the DRC each month.

The recent outbreak of violence between M23 and DRC takes place in parallel to a series of other NIACs in DRC, all of which involve the Congolese government, various non-state armed groups and, in certain cases, MONUSCO as well as the Ugandan government. While the NIACs differ from one another in certain ways, intentional attacks against civilians are a critical common feature. Over the past few months, for instance, armed groups such as the Allied Democratic Forces (ADF) and the Cooperative for Development of the Congo (CODECO) have been regularly responsible for massacres of dozens of civilians. Continued attacks have led to one of the world's largest displacement crises: DRC is home to over 5 million internally displaced persons, many of whom have been displaced due to ongoing conflict.

Mitigating Civilian Harm

As fighting has escalated between M23 and the FARDC, over 150,000 additional civilians have already been displaced and at least 23 killed. A wider conflict between Rwanda and DRC would likely lead to even greater civilian harm and exacerbate an already disastrous humanitarian situation in eastern Congo. It is urgent that Congolese and Rwandan governments, as well as M23, take meaningful steps to de-escalate and negotiate a peaceful resolution to the ongoing crisis. Leaders of all parties to the conflict(s), and in particular military commanders, must effectively implement their protection obligations under IHL and IHRL, including refraining from targeting civilians and holding their soldiers accountable for violations.

The international community can also play an important role, including by pressuring neighboring countries to do more to ensure respect for IHL and to cease providing support to non-state armed groups that have consistently displayed blatant disregard for the protection of the civilians in DRC. International actors can also support Congolese calls for transitional justice and accountability. As Congolese Doctor Denis Mukwege, winner of the Nobel Peace Prize, stated plainly, "Decades of impunity for serious crimes continue to fuel conflicts and abuses in Congo."

Both in DRC and across the world, civilians continue to bear the brunt of the impacts of armed conflict. It is imperative that if violence continues to escalate, all parties to the conflict(s) scrupulously adhere to their obligations under international law, particularly with respect to the protection of civilians. And it is urgent that the international community hold all parties to the conflict(s), including governments, responsible for violations of international law.

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Lake Chad Region – Chad, Nigeria, Niger, and Cameroon

Boko Haram, ISWAP Threaten To Kill Military Officers Who Captured Escaped Terrorists After Kuje Prison Attack (Sahara Reporters)

July 7, 2022

The lives of some military officers who masterminded the arrest of several Boko Haram terrorists who were among inmates that escaped after an attack on the Kuje Prison may be in 'grave' danger.

SaharaReporters had on Tuesday reported that the facility was under attack by gunmen.

According to one of the sources, the terrorists invaded the facility around 9:05 pm and operated till 1:30 am on Wednesday morning. He added that over 800 inmates including terrorists escaped during the attack by gunmen. According to PRNigeria, the terrorists who fled and were later nabbed after fighters of the Islamic State of West African Province (ISWAP) bombed the facility have vowed to 'eliminate' the military commanders behind their arrest and detention. Most of the terrorists who had spent years at the prison facility were said to have been arrested by some military officers who 'involuntarily' retired from service in 2016. Some of the officers, who were unjustly retired but won court judgements for their reinstatement included Col. Danladi Ribbah Hassan, Col. Auwal Suleiman and Lt. Col. Mohammed Abdulfatai, who had led several missions that neutralised hundreds of Boko Haram and ISWAP terrorists, prior to their 'sudden' removal from the Nigerian Army. Hassan, Abdulfatai and Suleiman, also got many insurgents arrested and eventually detained, while also preventing bloody attacks on civilian populations and public infrastructural facilities in Northeast Nigeria and Abuja, before they were arbitrarily retired, six years ago.

In 2009, Suleiman led the arrest/killing of more than 370 insurgents and later helped to scuttle a Boko Haram plan to attack the Presidential Villa, Daily Post reports.

In 2014, Mohammed led the Konduga operation that eliminated over 200 terrorists. Both received official commendations for their feat, it was also learnt.

A legal representative of one of the 'illegally' retired army officers, told PRNigeria that his client and some other military commanders that led combat operations in the North East a few years back, which resulted in the killing and arrest of terrorists, have received threat messages from Boko Haram and ISWAP. "My client's life and that of his colleagues are in serious danger. We don't know what the terrorists are planning to do to them. The military and other relevant security agencies must act fast," he said. The counsel, while declining to give his name, expressed dismay over the refusal of the present military hierarchy to facilitate the reinstatement of his clients, and others in line with several court rulings in their favour. He, however, said he would continue to write appeal letters to relevant authorities to intervene and get justice for the forcefully retired officers.

"It is gratifying to note that the present Service Chiefs do not have an objection to the court ruling.

"Moreover, they were not behind the travails of my client and his colleagues. "But our concern is the Minister of Defence. He has refused to act and do the needful. "Nevertheless, we shall not relent in writing and exploring every possible avenue that will get justice for the retired senior army officers," he noted. According to the counsel, his client (whose name was not mentioned), and some of his colleagues are still committed to serving the Nigerian military and have even pledged to tackle criminal bandits terrorising states in the North Central and West, together with the Federal Capital, if they are reinstated.

ISWAP Terrorists Hijack UN Food Trucks Meant for Internally Displaced Persons In Borno (Sahara Reporters)

July 9, 2022

Terrorists of the Islamic State in West Africa Province (ISWAP) faction of the Boko Haram have attacked a convoy of four food trucks meant for Internally Displaced Persons (IDPs) and resettled communities in Borno and intercepted four of them.

According to Daily Trust, the attack, which occurred Thursday night around Layi village in Mobbar Local Government Area of the state, came barely 48 hours after terrorists launched a heavy attack on Kuje Medium Security Prison in the Federal Capital Territory (FCT) freeing at least 69 Boko Haram suspects and hundreds of others.

The ISWAP on Wednesday claimed responsibility for the attack. Top security sources who were briefed about the Borno attack told Daily Trust that the food and nutritional products consignment belonged to the United Nations' agency, World Food Programme (WFP) and was on its way to Damasak.

It was part of the palliative by the WFP' intervention for IDPs from Abadam and victims of the Boko Haram violence returning to their homes in Mobbar. "The attackers were in four gun trucks. After heavy attacks on the convoy, they succeeded in intercepting four of the vehicles and emptied nearly everything from the vehicles," the source said.

It was also gathered that the terrorists are now firming up their control of major roads and strategic areas in the southern and northern parts of Borno.

Intelligence sources in the area have reported that ISWAP members in four trucks have been deployed to Kareto village in Mobbar Local Government Area.

As part of their expansionist activities, the terror groups are said to have concluded plans to conduct eid prayers in some of the areas under their control, today (Saturday).

Credible sources said like what obtained in the past years, Boko Haram members loyal to late Abubakar Shekau, and those loyal to ISWAP led by late Abu Musab Albarnawi, the son of late Boko Haram founder Mohammed Yusuf, have, among others, cleared grounds around the shores of the Lake Chad and Sambisa forest and would observe the Eid-el-Kabir prayer there.

They, therefore, called on security agencies to checkmate the effrontery of the terrorists saying they use such festivities for massive recruitments of innocent people into their fold.

One of the sources said even though, Nigerian security forces have uprooted Boko Haram fighters from many villages and forested areas in Borno and neighbouring Yobe State, they are still lurking around in many communities. "The terrorists are fully mobilised for celebrations at many Tunbus (islands) on the Lake Chad and their enclaves in Sambisa Forest," he said.

Another source said the excesses of the terrorists cast Nigeria in bad light at the international level.

"It is unthinkable the way they release videos of their atrocities. Such videos show that once the terrorists go out for their operations, they would do it with ease because nobody can stop them.

"The videos they released recently after the attack on Kuje prison is one bad example that showed our weak links. And unless something is done, they would also release videos of their eid prayers.

"They would release their propaganda videos slaughtering their sacrificial animals to the chagrin of those in authority...I am calling on our security forces to act by decimating them," he said. Another source said with the commencement of the rainy season, Nigerian troops are constrained by environmental factors which is affecting their performance.

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Mali

Mali vows to defy U.N. call to allow peacekeepers to investigate abuses (Reuters)

By Michelle Nichols

June 30, 2022

Mali vowed on Wednesday to defy a United Nations Security Council call for the West African country to allow freedom of movement for peacekeepers to investigate human rights abuses.

The council extended a nine-year-old U.N. peacekeeping operation - known as MINUSMA - for another 12 months on Wednesday with 13 votes in favor, while Russia and China also objected to the rights mandate of the mission and abstained.

Mali's military took power in a 2020 coup and has cut ties with former colonial power France as a Russian private military contractor, Wagner Group, steps in to help with a decade long battle against militants.

MINUSMA says it has documented 320 rights violations by Mali's military between January and March.

"Mali is not in a position to guarantee the freedom of movement for MINUSMA's inquiries without prior agreement of the government," Mali's U.N. Ambassador Issa Konfourou told the council. "Mali does not intend to comply with these provisions despite them being adopted by the Security Council."

He said Mali was responsible for investigating any human rights violations.

"MINUSMA must be able to get access to the areas affected in order to carry out its mandate and to publish quarterly reports on human rights. The perpetrators of violations must be brought to justice," said French U.N. Ambassador Nicolas de Riviere.

The most notable case being investigated by MINUSMA is in the town of Moura, where witnesses and rights groups say the Malian army accompanied by white fighters killed scores of civilians they suspected of being militants. [read more](#)

Russia's Deputy U.N. Ambassador Anna Evstigneeva described the human rights language in the resolution adopted on Wednesday as "intrusive," adding that it "will not help to ensure that the Malians enjoy their sovereign right to protect their own citizens and to investigate any incidents."

Explosive kills at least two U.N. peacekeepers in north Mali (Reuters)

By Bate Felix, Sofia Christensen, and Angus MacSwan
July 5, 2022

At least two United Nations peacekeepers were killed and five severely wounded in northern Mali when a logistics convoy hit an improvised explosive device on Tuesday, the U.N. peacekeeping mission MINUSMA said.

The incident took place on Tuesday morning on the road between the village of Tessalit and the city of Gao, MINUSMA said in a statement.

"According to an initial report, two peacekeepers died from their injuries and five others were seriously injured," it said.

Insecurity has grown in the West African country since Islamist insurgents who took root in its arid north a decade ago escalated attacks and seized territory.

The militants, some with links to al Qaeda and Islamic State, have gained momentum despite the presence of foreign troops and U.N. peacekeepers.

The conflict has killed thousands and displaced millions across the Sahel region south of the Sahara.

MINUSMA - the United Nations Multidimensional Integrated Stabilization Mission in Mali - currently has around 12,200 military personnel deployed in the country.

At least 174 peacekeepers have been killed in hostile acts and more than 420 wounded since August 2013, according to MINUSMA.

'Children were hunted by armed men': Malians seek safety in Mauritania (The Guardian)

July 8, 2022

Thousands have exchanged fighting between government forces, jihadists and mercenaries linked to Russia, for the meagre security of border camps

Leaving the village had become dangerous. Children sent on chores around Timbuktu, to collect firewood or lead animals to pasture, "were being hunted down by armed men".

“When they attack a child who goes to look for wood ... we women were afraid the men will come [into town] to attack us,” says a woman from M’bera refugee camp, who spoke anonymously for fear of reprisals.

Three months ago, she joined a wave of people leaving Mali after a rise in violence in the country’s long-running war against jihadist groups aligned with al-Qaida and Islamic State.

The woman isn’t sure which armed group turned up in her village, but the men who appeared at the market were threatening. Afraid of both staying and leaving, the woman and her family took the first car they could out of the country.

At least 8,000 people and 800,000 head of livestock have arrived in M’bera camp, in the south-east of Mauritania, since December. About 7,000 new arrivals were registered in March and April alone – three times more than during the same period last year. More Malians live in villages outside the camp.

The camp has been taking in refugees since fighting broke out between the government and armed groups in 2012. It was home to more than 75,000 people in 2013. While that number declined to a low of 41,000 in 2016, the population has steadily been increasing since 2018 and now stands at more than 78,000.

“It’s not finished,” Mohamed Fall, a Mauritanian government camp registration official says of M’bera’s growing population. “If there’s instability, they come here.”

Mohamed Abdellahil Dah, an officer overseeing distribution of cash and food earlier this month, says camp staff are still working 4am to 6pm shifts to get aid to the growing population.

The rise in new arrivals is due in part to increased instability after the deployment in Mali of mercenaries from the Wagner Group, a private military company linked to Russia. The mercenaries allegedly arrived last year to support the Malian military as relations soured between Mali and France, which had deployed troops to assist the government since 2013. Paris is in the process of drawing down its troops in Mali.

After a decade of failures to quell the violence – and amid accusations of human rights violations against Malian military leaders and France – some Malians have welcomed the support from Russia. However, some refugees at M’bera say they fled because the security situation had deteriorated since Wagner’s arrival.

“Before, the Malian army was afraid to go too far [into the countryside],” says one man from the Timbuktu region, who arrived in the camp a month ago. “But since Wagner has started coming with them, they have the courage to go further – reaching our villages.” He fled the country after a series of raids and attacks on markets in nearby towns, which he said were carried out by the Malian military and Wagner mercenaries.

Other new arrivals spoke of increased violence and extrajudicial killings since Wagner arrived. Rights researchers and conflict analysts say this tallies with the scale of brutality they have documented as being meted out by the military and mercenaries.

Malian authorities have denied the presence of Wagner in the country, as well as any potential war crimes committed by the group and the army. Russian authorities have denied the existence of Wagner.

The woman from Timbuktu said she has found peace at the camp, but at the cost of leaving her homeland, perhaps for ever.

“I don’t have any intention of returning,” she says. In M’bera, she has found security, and for the first time in a long time has had a peaceful night’s sleep. “I don’t have Mali in my head.”

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Liberia

Liberia: House Reviews Bill to Outlaw FGM (Daily Observer)

By Leroy M. Sonpon, III

July 1, 2022

The bill is titled an ‘Act Prohibiting Female Genital Mutilation of 2022 and is sponsored by Deputy Speaker Cllr. J. Fonati Koffa.

“The data is abundant and clear, that FGM has enormous psychosocial, social, and political implications far beyond the painful procedure usually practiced by non-medical personnel,” said Deputy Speaker J. Fonati Koffa

The House of Representatives is reviewing a bill to put an end to Female Genital Mutilation (FGM) in the country.

The bill is titled an ‘Act Prohibiting Female Genital Mutilation of 2022’. If it becomes law, it could fulfill the wishes of activists who have long campaigned for FGM to be outlawed in Liberia, a country of about 4.6 million people. Supporters of FGM argued that the ritual, involving the partial or total removal of the external genitalia, is a key rite of passage. According to the WHO, it often causes health problems and can be fatal.

But for Deputy Speaker, Cllr. J. Fonati Koffa, who is sponsoring the bill, it is now time for Liberian democracy to protect the weak by tackling the painful debate of the harmful traditional practice of ‘FGM.’

“The data is abundant and clear, that FGM has enormous psychosocial, social, and political implications far beyond the painful procedure usually practiced by non-medical personnel,” Koffa said.

“It is within the spirit of a right to privacy enshrined in the Liberian Constitution and the global recognition that harmful traditional practices must be abolished, that we lay this piece of legislation before plenary for debate and hopeful passage so no longer will a Liberian woman or girl live through the trauma of the violation of her privacy or the mutilation of her body.”

He argued that in the country, the evidence is overwhelming that the costs of the traditional practices outweigh the benefits, and invidious discrimination is meted out to one section of our society, “We must act.” FGM affects more than 140 million girls and women across a swathe of Africa and parts of the Middle East and Asia and is seen as a gateway to marriage and a way of preserving a girl’s purity. It causes numerous health problems that can be fatal, according to WHO. Half of Liberian women have been subjected to FGM, and four in 10 support the practice in a country where it is carried out by all but a few tribes, and by both Muslim and Christian communities, according to the U.N. children’s agency (UNICEF).

But the practice has never been outlawed in Liberia. Just before she left office in January 2018, the President of Liberia at the time, Ellen Johnson Sirleaf, signed an executive order on the Domestic Violence bill to ban FGM on girls under 18 years old for one year. The punishments at the time included rehabilitation and fines, which are determined on a case-by-case basis by traditional leaders.

Other than the temporary ban on FGM, various iterations of the bill seeking to make the practice a criminal offense have in the past suffered significant setbacks, with lawmakers dismissing the issue as a cultural matter. In 2019, for example, Gender Minister Piso Saydee Tarr backed the removal of FGM from the Domestic Violence Bill, which President George Manneh Weah signed into law that same year.

“I should not always be the one speaking on this issue as to why FGM was removed from the Domestic Violence Bill because we have been living with culture and tradition for many years in Liberia and something that has been done for centuries cannot be changed overnight,” Tarr argued then.

So it is yet to be seen if, this time around, the bill submitted by Deputy Speaker Koffa will be passed.

In fact, the few cases that have gone through the justice system have been covered under Section 242 of the Penal Code which speaks to malicious and unlawful injuries towards another person by cutting off or otherwise depriving him or her of any of the members of his body, finding a person guilty of a felony. This is punishable by up to five years in prison.

FGM is practiced in the West African nation during traditional initiation ceremonies in bush schools, overseen by an immensely powerful women’s secret society called the Sande. While FGM contravenes human rights treaties to which Liberia is a party, campaigners say the government has been reluctant to take a stand because of Sande’s political clout.

Liberia remains one of the few African countries that do not have a law criminalizing FGM despite having signed and ratified regional and international human rights instruments condemning the practice as a human rights violation, including the Maputo Protocol.

The FGM bill, which the House been forwarded to Committees on Internal Affairs, Judiciary, and Gender Equity, Child Development, and Social Services is being sponsored by Koffa, and co-sponsored by Representatives Thomas Goshua, Isaac Roland, Ceebee C.D. Barshell, Richard Koon, and Rustonlyn Suacoco Dennis.

A copy of the bill is expected to be given to each lawmaker to engage constituents in the counties during their July recess (break) and the constituency engagement is expected to be facilitated (funded) by the House of Representatives. Also, the report from the Committees will be made in January 2023.

Koffa added that nearly three years ago when the Legislature formed a bipartisan coalition to pass the Domestic Violence Bill, he promised the women and children of Liberia that he will champion an anti-FGM bill.

Meanwhile, the House of Representatives is also reviewing a proposed amendment of Rules and Procedures written by the Deputy Speaker.

Koffa is requesting the cancellation of 'Yea and Nay' voting, to be replaced with 'Showing of Hands' or 'standing'.

"The amendment being offered with this letter allows for official recording of votes of the members on all bills, budget, concession agreements, and similar Instruments," he said. "Recording our votes for the permanent record will signal to Liberia and the world that we are prepared to be judged by the current and historic record of our position on our principal functions of lawmaking."

He added: "This amendment will also allow vigorous monitoring by our constituents and will serve the rebranding and reform agenda to which we are committed."

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EAST AFRICA

Uganda

**Official Website of the International Criminal Court
ICC Public Documents - Situation in Uganda**

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Kenya

**Official Website of the International Criminal Court
ICC Public Documents - Situation in the Republic of Kenya**

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

'Stakes are high' amid renewed Rwanda-DR Congo tensions over rebel fighters (France 24)

By Mariamne Everett

July 7, 2022

Fresh clashes broke out Thursday between the Democratic Republic of Congo's (DR Congo) army and the M23 rebel group, one day after DR Congo's President Felix Tshisekedi and his Rwandan counterpart Paul Kagame met in Angola and agreed to

**de-escalate tensions amid renewed fighting, which risks “inadvertent escalation”.
FRANCE 24 spoke to Chatham House’s Ben Shepherd to get an understanding of the
origins of these tensions, which can be traced back to the 1994 Rwandan genocide.**

Renewed fighting over the past month between the DR Congo army and M23 in North Kivu (eastern DR Congo) has led to increased tensions between DR Congo and Rwanda. M23 is a rebel military group that is based in eastern DR Congo and mainly operates in the North Kivu province. The rebels are named after a peace agreement they signed with the Congolese government on March 23, 2009, form part of the minority Tutsi ethnic group and are closely linked to the Tutsi in Rwanda. DR Congo has accused Rwanda of using the rebel group, which captured the key border town of Bunagana last month, as a proxy. Rwanda has denied these accusations.

Following weeks of rising tensions, DRC and Rwanda agreed Wednesday to a “de-escalation process” after mediated talks. The mediator, Angolan President Joao Lourenco, went further, stating that the agreement was a “ceasefire”. This agreement however was short-lived, as fresh clashes broke out Thursday between the DR Congo’s army and M23 rebel group, which have stated that they are not bound by the ceasefire deal.

Ben Shepherd: A significant force of génocidaires [Rwandans who were responsible for and carried out mass killings during the 1994 Rwandan genocide] crossed into what was then Zaire mingled with hundreds of thousands of refugees. They were able to reorganise and resupply with the complicity of President Mobutu and mount attacks back into a fragile post-genocide Rwanda, as well as pose a severe threat to marginalised Zairean Tutsi communities. This led to Rwanda’s new RPF government invading Zaire two years later, forcing most of the refugees back to Rwanda, pursuing the génocidaires across Zaire’s vast forests – amid widespread allegations of war crimes – and overthrowing Mobutu in 1997, alongside Ugandan forces and Congolese proxies.

Rwanda was the power behind the throne of the newly minted DR Congo’s President Laurent Desire Kabila. However, he did not tolerate external patronage for long – he rejected Rwandan control in 1998, turning as he did so against Congolese Tutsi communities perceived as close to the Rwandan government, and allying with the remnants of the génocidaires, now organised into an armed group that became known as the FDLR. The result was the second Congo war (1998-2002), which at its height drew African armies from Angola to Zimbabwe into a ferociously complex conflict that ended in stalemate – and the final negotiated withdrawal of Rwandan forces.

However, Rwanda never completely let go. They left behind them a politico-military group, the RCD-G, that still controlled a third of DR Congo – with significant Rwandan help. The RCD-G fared extremely badly in the landmark 2006 post-conflict elections, but was followed almost immediately by another rebel group, this time called the CNDP, which controlled a smaller area but was made up of many of the units that had fought for the RCD-G, again with Rwandan backing. The CNDP dissolved in 2009, but a core of former CNDP fighters were then central to the creation of the M23 in 2012, which took major Congolese cities before it was defeated a year later. Tensions have persisted because the interlocking crises of the post-genocide period were never fully resolved.

How much is the M23 rebel group to blame for the tensions brewing once more between DR Congo and Rwanda? There are at least 122 rebel groups active in eastern DR Congo, why is this one in particular making headlines and being blamed for escalating tensions ?

The return of the M23 after nearly a decade of inactivity is qualitatively different to the vast number of other armed groups active in eastern DR Congo. For many Congolese it resurrects memories of the abuse they suffered under successive armed groups they see as proxies for Rwanda – there is a direct line of continuity between the M23 of today and the RCD-G which was founded back in 1998 – and raises the spectre of a return to decades of regional conflict. Tensions are as much a product of the fraught history of the Great Lakes region and the perception of the M23 as a vehicle for Rwandan interests as they are of the military capacity or political weight of the group itself.

The Norwegian Refugee Council has stated that DR Congo is home to the world’s most neglected refugee crisis, how has this conflict affected DR Congo/Rwandan citizens?

It is always the ordinary citizens of the region who suffer the most. Congolese communities in the east of the country have been displaced multiple times over decades – UNHCR estimated that DR Congo was home to more than 5 million IDPs at the end of 2021, though there may well be more now. Provision of humanitarian assistance has always been challenging in eastern DR Congo, with mountainous terrain, degraded infrastructure and threats from violence and crime – this new crisis has reawakened inter-community tensions, closed important border crossings, and can only make that urgent work even harder.

Why has Rwanda been blamed for these rebel groups’ actions (in particular M23)? What does it stand to gain from supporting them?

The M23 stands as the latest in a long line of armed groups in DR Congo. There have been convincing allegations of significant Rwandan backing for each iteration, many subsequently corroborated. Obviously, this does not mean that the current incarnation of the M23 is indeed receiving help from Rwanda – something that Kigali vehemently denies – but it does explain why allegations have been made. And the M23's ability to reconstitute itself so swiftly, sufficiently armed and organised to take Congolese territory and face down the Congolese army and UN, does suggest that it is receiving external assistance from somewhere.

It is far harder to answer what Rwanda might stand to gain from supporting them, having suffered from aid suspensions and damage to its international reputation from previous association with violence in DR Congo. Rwandan leaders have highlighted the continued marginalisation of Congolese Tutsi communities, and demanded action by the Congolese government against the FDLR. But though the FDLR still persists in DR Congo after nearly three decades, it is vastly reduced in capacity. And though there is anti-Tutsi sentiment in DR Congo, this will only be made worse by a further iteration of armed community mobilisation – and the majority of Congolese Tutsi are in any case tired of being instrumentalised in cross-border geo-political struggles that have little to do with them. Rwanda's current role and motivation are both hard to determine with certainty.

Is it possible that these tensions will result in outright war? Given that DR Congo asked for US support in dealing with Rwanda and the M23 rebels two weeks ago?

It is unlikely that the crisis will result in open warfare between Rwanda and DR Congo, at least in the short term. But the stakes are high. Beyond the tragic consequences for the people of eastern DR Congo, which should never be underestimated, there are real possibilities for inadvertent escalation. The last round of violence between the M23 and DR Congo was ended by a SADC [Southern African Development Community]-led intervention; this time round, the EAC [East African Community] is proposing an intervention force, despite Rwanda itself being an EAC member state, and southern Africa's heavyweights, notably Angola and South Africa, still having significant stakes in the game. It is imperative that DR Congo does not become once again a battleground for competing geo-political aspirations, but this will take careful diplomacy.

Genocide survivors welcome Rwandan's conviction in France (abc News)

By Ignatius Ssuuna
July 13, 2022

Genocide survivors in Rwanda welcomed the conviction of Laurent Bucyibaruta, the highest-ranking Rwandan to have been convicted in France on charges related to the 1994 genocide.

Many in this East African country support President Paul Kagame's efforts to get France and other countries to arrest and try all suspects still at large in Europe.

Bucyibaruta, 78, was sentenced to 20 years in Tuesday's decision following his trial on genocide charges. The Paris court convicted him of complicity to commit genocide and crimes against humanity, but acquitted him of charges of war crimes and genocide, saying there was no proof that he was the main perpetrator.

Bucyibaruta, who has lived in France since 1997, was not in custody during the trial but was detained by gendarmes as soon as the verdict was read. He can appeal the ruling within 10 days.

The Bucyibaruta verdict is an important one to survivors of the killings in Rwanda's Gikongoro province, where he was the governor during the genocide and a known hardliner within the ruling party. Gikongoro, with its substantial Tutsi population, was a genocide hotspot.

Genocide survivors who spoke to The Associated Press Wednesday said the decision showed justice can never come too late.

"Because of his groundwork, many Tutsi were killed," said Joseph Ntwali, who lived in Gikorongo during the genocide, urging French authorities to try more genocide suspects still living in that country.

He recalled Bucyibaruta as a man with influence who in speeches sowed the seeds of ethnic hatred.

Naphtal Ahishakiye, the executive secretary of a genocide survivors' group known as Ibuka, commended France's political will in trying genocide perpetrators, saying the verdict has come as a result of improved bilateral ties between Rwanda and France.

"We know very well that no punishment can equal the crime of genocide, but it's better when perpetrators are tried and punished in the end," Ahishakiye said.

The mass killing of Rwanda's Tutsi population was ignited on April 6, 1994, when a plane carrying then-President Juvénal Habyarimana was shot down and crashed in Kigali, the capital, killing the leader who, like most Rwandans, was an ethnic

Hutu.

The Tutsi were blamed for downing the plane, and although they denied it, bands of Hutu extremists began killing them, including children, with support from the army, police and militias.

Over 100 days, more than 800,000 Tutsi and the moderate Hutu who tried to protect them were killed.

In the case of Bucyibaruta, he was accused of luring people out of their hiding places in the bush into schools or churches, promising protection. But they were not safe in those places and many were killed.

The presence in France of fugitives such as Bucyibaruta for years was a source of aggravation for Rwandan authorities, who urged European nations to arrest suspects.

But ties between Rwanda and France under President Emmanuel Macron have improved recently as some suspects have been arrested.

Macron said in a speech last year that France bears a heavy responsibility for the genocide but insisted his country was “not an accomplice.”

Felicien Kabuga, one of the most wanted genocide fugitives, was arrested outside Paris in 2020. Kabuga, who is accused of equipping militias in the genocide with machetes and propaganda, is yet to stand trial.

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Ethiopia

Ethiopia's Other Conflict (Human Rights Watch)

By Laetitia Bader

July 4, 2022

In November 2020, global attention turned to the outbreak of conflict in Ethiopia's northern Tigray region between Ethiopian government forces and its allies against Tigrayan forces. The fighting followed a year of growing political tensions between the Ethiopian federal government and Tigray's regional authorities, the Tigray People's Liberation Front (TPLF).

By July 2021, the conflict had spread to Tigray's neighboring regions of Afar and Amhara. Original research by Human Rights Watch found serious violations of international humanitarian law by warring parties, including summary executions, widespread sexual violence, and the pillage of property. Tigrayan civilians have also faced a brutal ethnic cleansing campaign. Despite the declaration of a humanitarian truce in late March 2022, abuses are still ongoing.

Yet, well before the conflict in northern Ethiopia, there has been widespread impunity for ongoing rights abuses in Ethiopia's Oromia region, including in areas already suffering from conflict. Many of these abuses still persist and require urgent international attention.

This week marked the two-year anniversary of the assassination of the popular singer, Hachalu Hundessa, who was gunned down in the nation's capital, Addis Ababa.

THE KILLING OF AN ICON

The killing of an icon of the country's Oromo protest movement triggered widespread unrest and violence — particularly in the Oromia region — that left at least 178 people dead. These events marked a turning point in the deteriorating rights environment in the country.

At the time, in 2020, protesters mourning Hachalu's death took the streets across Oromia and in Ethiopia's capital. Security forces cracked down on the mourners, killing or injuring dozens. Hachalu's uncle was among several mourners that security forces killed in front of the Hachalu' family home in Ambo town before the burial. One witness told us, “It was Hachalu's uncle that was shot first in the neck, he couldn't survive and immediately passed away. Then heavy firing erupted. The shooting killed many others.”

Ethnic and religious minorities, primarily ethnic Amharas, were also killed in brutal attacks that erupted in several towns in Oromia, with government forces failing to intervene in some areas. These communities also suffered massive property destruction and widespread displacement. For example, an Amhara woman described how her father, a hotel owner in Arsi Negelle town, and uncle were killed when a group of unidentified attackers descended on their hotel and demanded that Amharas leave. Her father's body was later hung from a tree. A relative who collected the body explained months later: "I can't get it out of my mind. I'm still living it."

Affected communities across the board repeatedly called for credible investigations and redress. Instead, the government arbitrarily arrested thousands of Oromos and left many languish in overcrowded detention sites such as warehouses, police stations, and schools for months without ever facing trial. In May 2021, Ethiopia's national human rights commission documented widespread arbitrary detentions that lacked any judicial oversight.

Authorities also arbitrarily arrested dozens of politicians from across the political spectrum, reportedly denying many basic due process rights in connection with the unrest. While most were released in early 2022, opposition politicians from the Oromo Liberation Front remain in detention despite multiple judicial orders instructing they be released on bail. In addition, some have become ill, reportedly due to a lack of adequate medical care.

WIDESPREAD ABUSES IN OROMIA

In western Oromia, an abusive government counter-insurgency campaign against an armed group, the Oromo Liberation Army, was already underway, with civilians caught in between suffering numerous abuses. By early 2019, the government had established a federal command post, which coordinates federal and regional security forces in western Oromia. In addition, the authorities have sporadically cut communications in western Oromia, including imposing a three-month shutdown in early 2020. Aid agencies, the media, and rights groups have also had limited access to the region.

Despite these restrictions, human rights groups and the media have been able to report on serious abuses by government forces, including summary executions and arbitrary detentions. Armed groups have also abducted or killed minority community members and government officials.

Security forces have targeted young Oromos, accusing them of support for or affiliation with the armed group. In May 2021, government security forces summarily executed a 17-year-old Oromo boy in broad daylight. Government officials callously filmed the execution and later posted segments put on a government Facebook page. Instead of immediately investigating this horrific incident, government officials intimidated and arrested the boy's family members and friends.

A culture of impunity for security abuses has only emboldened unaccountable security forces and done nothing to prevent further harm.

Most recently, on Jun. 18, 2022, armed attackers brazenly attacked Amharas, and killed dozens if not hundreds, including many women, children, and older people in Gimbi district in western Oromia, forcing at least 4,800 people to flee. Survivors speaking to the media accused the Oromo Liberation Army of the attacks, though it has denied responsibility. While communications have hampered real-time reporting on the events, according to the UN, the attack followed fighting between armed groups and security forces in the area.

Such large-scale attacks on minority communities in the area are not new. For example, dozens of Amharas were killed in an attack in Guliso district in early November 2020, and over a dozen more Amharas were killed in a March 2021 attack in Babo Gembel district.

Ethiopia's government and its partners should no longer ignore the mounting tragedies affecting families throughout Oromia. There is a deep need for structural reforms of the abusive security apparatus and for social repair.

The government can start by facilitating credible independent investigations into the serious abuses by its own forces and by armed groups, as communities demanded. This would help demonstrate that it is serious about ending the abuses that have wreaked havoc on Oromia residents.

Watchdog reports 'extreme brutality' in Ethiopia conflicts (Arab News)

July 10, 2022

Ethiopians have been subjected to "extreme brutality and cruelty" by government forces and rebel groups active in violent conflicts across the country, a state-affiliated independent human rights watchdog said.

The Ethiopian Human Rights Commission said its latest report documented violations including widespread murder and ethnic and sexual violence in the 12 months to June across Africa's second-most populous nation.

“The report details a number of grave human rights violations committed both by state and non-state actors ... carried out in extreme brutality and cruelty,” said Chief Commissioner Daniel Bekele, a former adviser with Amnesty International.

In the first annual summary of abuses in Ethiopia since Bekele’s appointment by parliament in 2019, the commission reported that women, children, the elderly and people with disability were not spared.

In addition to abuses by government forces, he said nonstate actors in conflict zones were also responsible for serious atrocities, including ethnic and religiously motivated killings, looting, the destruction of property and forced displacement.

Ethiopia faces instability in several regions, notably Tigray where government forces and their allies have been mired in bloody conflict with the Tigray People’s Liberation Front rebel group since November 2020.

A violent rebellion also simmers in Oromia, the country’s largest and most populous region, where hundreds of mainly Amhara civilians were massacred by gunmen in recent weeks.

All parties to the conflict in Tigray were responsible for “serious international human rights and humanitarian law violations” including cruel, inhumane and degrading treatment against civilians and prisoners, Bekele said.

The commission also detailed instances of detainees being subject to unlawful treatment including extended pre-trial detention and beatings, some in police stations and unofficial holding centres.

Some continued to be detained in violation of court orders for their release on bail or innocence of charges.

Bekele said a state of emergency imposed across Ethiopia between November and February was marked by a significant spike in arbitrary arrests and illegal detentions.

He said the authorities had taken some “encouraging” steps towards accountability for the over-reach during this period.

“But it is probably not happening at the speed and transparency and efficiency we would like to see it happening,” he said.

The detention of reporters and other press workers for violations of the country’s media law was also very concerning, said EHRC deputy chief commissioner Rakeb Messele.

There had been “positive developments” undertaken by government authorities toward improving rights but without political solutions to conflict the fear was abuses would continue, she said.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosnian Serb General’s Plea for Release Denied Again by Hague Court

By Lamija Grebo
June 30, 2022

The Mechanism for International Criminal Tribunals in The Hague has rejected a request for early release from Radivoje Miletic, the wartime head of the operations and training of the Bosnian Serb Army’s Main Headquarters, who is currently in jail in Finland.

Miletic was convicted in 2015 of murder, persecution, and forcible transfer as crimes against humanity. The court found that

he played a pivotal role in a plan to kill or expel all the Bosniaks from the Srebrenica and Zepa areas in 1995 and used his position to ensure the plan was implemented.

In his application for early release, Miletic admitted that his crimes were “grave” and that this should be taken into account but said it should not be the only reason for rejecting his request.

Arguing that he has been rehabilitated, Miletic’s application said that he “fully comprehends the gravity of the crimes for which he was sentenced, and his behaviour demonstrates full rehabilitation and reintegration into society”.

The application also said that Miletic expresses “regret and compassion for the victims and their families”.

But the outgoing head of the UN court, judge Carmel Agius, said in his decision, which was made on June 24, that he was not convinced by Miletic’s arguments.

“Although Miletic is eligible to be considered for early release, there continue to be significant factors strongly militating against early release, including the high gravity of his crimes. In addition, I find that Miletic has failed to demonstrate sufficient signs of rehabilitation,” Agius said.

“Finally, there is no evidence before me that demonstrates the existence of compelling humanitarian grounds which would warrant overriding this negative assessment,” he added.

Miletic served two-thirds of his sentence in May 2018 and is therefore eligible to be considered for early release

He has been denied early release on three previous occasions, most recently in May 2021, when judge Theodor Meron said turned down the request because of “significant factors strongly militating against his early release, including the high gravity of his crimes and his failure to demonstrate sufficient signs of rehabilitation”.

Bosnian Court Orders Arrest Warrant Over Killings near Gorazde (Balkan Transitional Justice)

By Haris Rovcanin

July 8, 2022

Bosnia's State Court has ordered an international arrest warrant for Brane Petkovic, now in Serbia, for the killings of several Bosniak civilians in a village near Gorazde in May 1992.

The court decision comes after Petkovic, who is now in Serbia, was due to enter his plea on June 16, but failed to appear in court. The State Court said that he had also failed to attend an earlier hearing on March 10 this year.

“The court has brought a decision ordering custody for the defendant, which, according to the said decision, may last up to three years from the date and hour of his deprivation of liberty,” the court said.

It said that the Justice Ministry sought international legal assistance from competent bodies in the neighbouring country.

The indictment, confirmed in November 2020, said that Petkovic – as superior officer to the commander of the District Headquarters of the Territorial Defense, TO, of Gorazde Serb Municipality, and commanders and members of the TO Municipal Headquarters’ Company – failed to prevent his subordinates from committing crimes or punish crime perpetrators – although he knew or could have known that his subordinates were either getting ready to commit or had committed crimes.

“Within an armed infantry attack against the Bosniak civilian population of Lozje-Kokino Selo in the municipality of Gorazde, many of whom were women and children, on May 22, 1992 at least 16 Bosniaks were killed,” the prosecution said previously.

During that attack, it said, seven Bosniak men were captured and taken in unknown direction and killed. Their remains were discovered in a mass grave in the village of Siseta, in Gorazde municipality, on March 17, 1993.

In a report to the State Prosecution, British judge Joanna Korner wrote that the potential benefit of indicting unavailable persons is often “outweighed by the costs in time and resources”.

Despite that, such practices have been followed by other prosecutors’ offices in Bosnia and Herzegovina either, as BIRN reported before.

The trial of Branislav Lasic, former commander of Podkamen TO Company, and Miroslav Milovic, former commander of the District TO Headquarters of Gorazde Serb Municipality, who have been accused of crimes committed in Lozje in May 1992, started recently before the Bosnian State Court.

International Criminal Tribunal for the Former Yugoslavia **(ICTY)**

Official Website of the ICTY

Radovan Karadzic and Ratko Mladic, masterminds of Bosnian genocide (Anadolu Agency)

By Talha Ozturk, Faruk Zorlu

July 11, 2022

Masterminds of the Bosnian genocide Radovan Karadzic, and Ratko Mladic executed the most well-documented and widely known genocide and crimes against humanity in Europe after World War II.

Both were brought to justice for their role in the 1992-1995 Bosnian War.

Radovan Karadzic

Radovan Karadzic was president of the self-styled Bosnian Serb Republic and supreme commander of its armed forces between 1992 and 1995 when around 100,000 Bosnians died as the former Yugoslavia descended into ethnic bloodshed.

Karadzic was first indicted in July 1995 for the shooting of unarmed civilians in Sarajevo and taking UN peacekeepers hostage. Four months later, he was accused of orchestrating the slaughter of 8,000 Muslim men and boys after Serb forces seized the UN's Srebrenica "safe area" in eastern Bosnia.

He went on the run after the war and was finally arrested in Belgrade in 2008.

During his trials at a UN tribunal in The Hague, more than 580 witnesses gave testimony of crimes such as murder of Muslims and Croats, and destruction of private property and mosques across Bosnia.

He was charged with 11 counts of genocide, crimes against humanity and war crimes, including the siege of Sarajevo and the Srebrenica genocide, Europe's worst atrocity since World War II.

In 2016, Karadzic was sentenced to 40 years in prison by the International Criminal Tribunal for the former Yugoslavia, on charges of genocide and crimes against humanity relating to the 1992-1995 Bosnian War.

He filed an appeal seeking an acquittal or retrial. Following the closure of the former Yugoslav tribunal in 2017, the Council of Appeal of the International Criminal Courts Mechanism took over the ongoing cases.

The council in 2019 sentenced Karadzic, 73, to life in prison for genocide, crimes against humanity, and violating the laws and customs of war. The appeal of his 40-year prison sentence was also rejected.

While the court convicted Karadzic over his role in the 1995 Srebrenica massacre, he was found not guilty of genocide in seven other Bosnian towns.

Apart from his single genocide conviction, he was also found guilty on five counts of crimes against humanity and four war crimes charges, including taking UN soldiers hostage, exterminating civilians, murders, and attacking soldiers.

'Butcher of Bosnia' Ratko Mladic

Ratko Mladic – dubbed the "Butcher of Bosnia" – was once Europe's most-wanted man after his role in the 1992-1995 Bosnian War.

Mladic was commander of the Army of Republika Srpska, which was established in Bosnia-Herzegovina at the beginning of the country's civil war amid the breakup of Yugoslavia.

He and the forces under his command were linked to the genocide committed in Bosnia, particularly in Srebrenica after Serb forces overran an enclave supposed to be under the protection of UN peacekeepers.

However, Mladic is also known for his forces' bloody 1,425-day siege of Sarajevo, the longest of a capital city in the history of modern warfare.

After the end of the war with the Dayton Accords of Nov. 21, 1995, Mladic became a fugitive for over a decade.

A 15-year manhunt ended in 2011 when Mladic was found and handed over to The Hague tribunal for trial.

Mladic's trial began on May 16, 2012 and ended with summations in Dec. 2016.

The more-than-500-day trial called 591 witnesses and saw nearly 10,000 pieces of evidence accepted by the court.

The International Criminal Tribunal for the former Yugoslavia in The Hague in 2017, unanimously found Mladic guilty of culpability in the Srebrenica murders, which took place towards the end of the country's brutal three-year civil war.

Mladic was found guilty of 10 of the 11 items in the indictment.

He faced two counts of genocide, among other crimes, but although the court found him guilty over his role in Srebrenica, he was found not guilty of genocide in six other Bosnian municipalities.

He was also convicted of a string of crimes against humanity, including persecution, extermination, murder, murder as a violation of the laws of war, and forced deportations.

The 78-year-old appealed his conviction for genocide and crimes against humanity at a court in The Hague, which was rejected.

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Domestic Prosecutions In The Former Yugoslavia

Wartime Bosniak Leader Pleads Innocent to Attack on Yugoslav Troops (Balkan Transitional Justice)

By Marija Tausan
July 12, 2022

Ten defendants including Ejup Ganic, a member of Bosnia's wartime presidency, pleaded not guilty to involvement in the killings of retreating Yugoslav People's Army soldiers in Sarajevo in 1992.

Ten people including Ejup Ganic, a Bosniak former political leader who was a member of Bosnia's presidency during the war, pleaded not guilty at the Bosnian state court on Tuesday to committing war crimes against prisoners of war and civilians in the controversial Dobrovoljacka Street case.

The ten defendants are charged with planning and carrying out an attack on May 3, 1992, in Dobrovoljacka Street in Sarajevo on an undefended convoy of Yugoslav People's Army soldiers and civilians employed with them. The convoy was being escorted by UN peacekeeping troops as it retreated from Sarajevo at the time of the attack.

Apart from Ganic, the defendants are Zaim Backovic, Hamid Bahto, Hasan Efendic, Fikret Muslimovic, Jusuf Pusina, Bakir Alispahic, Enes Bezdob, Ismet Dahic and Mahir Zisko.

Alispahic was the chief of police in Sarajevo at the time of the incident.

The prosecution alleges that they failed to prevent the killing and wounding of soldiers and civilians. They are also accused of failing to punish the perpetrators and helping them after the crime.

When the defendants were asked by the court if they understood the charges, Bakir Alispahic said that he did not.

“I read it five times, but I did not understand the indictment,” he said.

The trial is due to begin within the next 60 days.

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Turkey

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Azerbaijan

DEVELOPING: US House Demands Investigation into Azerbaijani War Crimes (Asbarez)

July 13, 2022

After the U.S. House Rules Committee cleared the path for full House consideration of four amendments to the National Defense Authorization Act, the House of Representatives on Wednesday passed one of the amendments calling for an investigation into Azerbaijani war crimes against Armenians in Artsakh, the Armenian National Committee of America reported.

The U.S. House adopted on Wednesday an ANCA-backed amendment spearheaded by representatives Tony Cárdenas (D-CA) and Congressman Brad Sherman (D-CA), calling for a report by the State Department and Defense Department that would detail the use of U.S. parts in Turkish drones used by Azerbaijan against Armenia and Artsakh. The amendment also calls for an investigation into Azerbaijan’s use of white phosphorous, cluster bombs and other prohibited munitions deployed against Artsakh; Turkey’s and Azerbaijan’s recruitment of foreign terrorist fighters during the 2020 Artsakh war. The amendment (#121) was adopted as part of “en bloc 1” – a larger grouping of amendments to the Fiscal Year 2023 National Defense Authorization Act (H.R.7900)

Joining Representatives Cardenas and Sherman as Congressional cosponsors of the bipartisan amendment include Representatives Gus Bilirakis (R-FL), Judy Chu (D-CA), David Cicilline (D-RI), Anna Eshoo (D-CA), Raja Krishnamoorthi (D-IL), James Langevin (D-RI), Brenda Lawrence (D-MI), Andy Levin (D-MI), Ted Lieu (D-CA), Zoe Lofgren (D-CA), Frank Pallone (D-NJ), Linda Sanchez (D-CA), Adam Schiff (D-CA), Elissa Slotkin (D-MI), Jackie Speier (D-CA), Dina Titus (D-NV), Rashida Tlaib (D-MI), and David Valadao (R-CA).

Asbarez will provide complete coverage of the House vote on the various pro-Artsakh/Armenia amendments.

On Tuesday, the House Rules Committee approved House consideration of other amendments, including one that will prohibit the sale of F-16 fighter jets and relevant parts to Turkey.

“We would like to thank Chairman McGovern for his leadership of the Rules Committee and to express our appreciation to the authors, cosponsors, and all those – in our community and among our coalition partners – who helped bring these ANCA-backed amendments to the U.S. House floor,” said ANCA Executive Director Aram Hamparian on Tuesday. “We will, in the coming days, strongly back each of these amendments holding Azerbaijan and Turkey accountable – rallying bipartisan support for their passage and ultimate enactment into law.”

The four pro-Artsakh/Armenia amendments are provided below (amendment numbers may change during final House votes on the measures):

Amendment #698: Introduced by Rep. Adam Schiff (D-CA), the amendment expresses the sense of Congress that the government of Azerbaijan should immediately return all Armenian prisoners of war and captured civilians. Joining Rep. Schiff as Congressional cosponsors of the bipartisan amendment include Representatives Don Beyer (D-VA), Gus Bilirakis (R-FL),

Tony Cardenas (D-CA), Judy Chu (D-CA), Katherine Clark (D-MA), Jim Costa (D-CA), Debbie Dingell (D-MI), Anna Eshoo (D-CA), Young Kim (R-CA), Raja Krishnamoorthi (D-IL), James Langevin (D-RI), Brenda Lawrence (D-MI), Debbie Lesko (R-AZ), Andy Levin (D-MI), Ted Lieu (D-CA), Zoe Lofgren (D-CA), Tom Malinowski (D-NJ), Frank Pallone (D-NJ), Linda Sanchez (D-CA), Janice Schakowsky (D-IL), Elissa Slotkin (D-MI), Abigail Spanberger (D-VA), Jackie Speier (D-CA), Dina Titus (D-NV), Rashida Tlaib (D-MI), and David Valadao (R-CA).

Amendment #837: Spearheaded by Representatives Tony Cardenas (D-CA) and Brad Sherman (D-CA), the amendment calls for a report by the State Department and Defense Department which would detail the use of U.S. parts in Turkish drones used by Azerbaijan against Armenia and Artsakh; Azerbaijan's use of white phosphorous, cluster bombs and other prohibited munitions deployed against Artsakh; Turkey's and Azerbaijan's recruitment of foreign terrorist fighters during the 2020 Artsakh war. Joining Representatives Tony Cardenas (D-CA) and Brad Sherman (D-CA) as Congressional cosponsors of the bipartisan amendment include Representatives Gus Bilirakis (R-FL), Judy Chu (D-CA), David Cicilline (D-RI), Anna Eshoo (D-CA), Raja Krishnamoorthi (D-IL), James Langevin (D-RI), Brenda Lawrence (D-MI), Andy Levin (D-MI), Ted Lieu (D-CA), Zoe Lofgren (D-CA), Frank Pallone (D-NJ), Linda Sanchez (D-CA), Adam Schiff (D-CA), Elissa Slotkin (D-MI), Jackie Speier (D-CA), Dina Titus (D-NV), Rashida Tlaib (D-MI), and David Valadao (R-CA).

Amendment #992: Introduced by Rep. Jackie Speier (D-CA), the amendment directs the Secretary of Defense, in coordination with the Secretary of State, to document details of the waiver requirements to Section 907 of the Freedom Support Act and report on whether security assistance to the government of Azerbaijan undermines efforts toward a peaceful settlement between Armenia and Azerbaijan. Joining Rep. Speier as congressional cosponsors of the bi-partisan measure include Representatives Judy Chu (D-CA), Anna Eshoo (D-CA), Raja Krishnamoorthi (D-IL), James Langevin (D-RI), Brenda Lawrence (D-MI), Ted Lieu (D-CA), Zoe Lofgren (D-CA), Frank Pallone (D-NJ), Linda Sanchez (D-CA), Adam Schiff (D-CA), Elissa Slotkin (D-MI), Dina Titus (D-NV), Rashida Tlaib (D-MI), and David Valadao (R-CA).

Amendment #478: Led by Representatives Chris Pappas (D-NH) and Gus Bilirakis (R-FL), the amendment would place conditions upon the sale or transfer of F-16s or F-16 modernization kits to Turkey. Joining Representatives Pappas and Bilirakis as co-sponsors of the bipartisan measure are Representatives David Cicilline (D-RI), Anna Eshoo (D-CA), Josh Gottheimer (D-NJ), Raja Krishnamoorthi (D-IL), James Langevin (D-RI), Andy Levin (D-MI), Ted Lieu (D-CA), Zoe Lofgren (D-CA), Nicole Malliotakis (R-NY), Carolyn Maloney (D-NY), Grace Meng (D-NY), Frank Pallone (D-NJ), John Sarbanes (D-MD), Brad Schneider (D-IL), Brad Sherman (D-CA), Jackie Speier (D-CA), Dina Titus (D-NV). A similar amendment, #208, was withdrawn prior to consideration by the Rules Committee.

Over the past weeks, in addition to nationwide grassroots call and twitter campaigns, the ANCA Leo Sarkisian, Maral Melkonian Avetisyan, and Hovig Apo Saghdejian Capital Gateway Program summer interns and fellows have joined Hamparian and ANCA Government Affairs Director Tereza Yerimyan in advocating for these pro-Artsakh/Armenia priorities in legislative briefings for over one hundred Congressional offices, in addition to a broader office-by-office outreach campaign. The efforts will continue through full U.S. House consideration of the measures.

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Russia

Mariupol theater airstrike was 'a clear war crime' by Russian military, Amnesty International says (ABC News)

By Morgan Winsor

June 30, 2022

The Russian military committed "a clear war crime" when its forces bombed a packed drama theater in the Ukrainian city of Mariupol in March, Amnesty International said Thursday.

The London-based international human rights group published a new report documenting how the deadly blitz on the Donetsk Academic Regional Drama Theater unfolded, citing interviews with numerous survivors and witnesses as well as "extensive digital evidence," which included photographs, videos, radio intercepts, satellite imagery and radar data. The report concluded that the evidence indicates the attack "was almost certainly an airstrike carried out by the Russian military," with the theater as "the intended target."

"After months of rigorous investigation, analysis of satellite imagery and interviews with dozens of witnesses, we concluded that the strike was a clear war crime committed by Russian forces," Amnesty International Secretary-General Agnes Callamard said in a statement Thursday.

As many as 1,500 civilians had been taking refuge in the grand, columned Donetsk Academic Regional Drama Theater in central Mariupol when it was struck on March 16, according to the Ukrainian government. Russian forces had been relentlessly bombarding the strategic port city in southeastern Ukraine since launching an invasion on Feb. 24. Satellite images taken prior to the attack showed huge, white Cyrillic letters written on the pavement in front of and behind the building, spelling out the Russian word for "children" -- "dети" -- to alert warplanes to those inside.

According to Amnesty International's report, Russian fighter aircraft most likely attacked the theater-turned-shelter using two 500-kilogram bombs that struck close to each other and detonated simultaneously. The strike took place on a clear morning and landed inside the main structure of the theater, which the report noted was a cultural landmark and the only big building in the middle of a large park in Mariupol. The theater's civilian character and the presence of numerous civilians "were evident," according to the report.

About a week after the attack, the Mariupol City Council said the death toll was around 300, citing eyewitnesses. A subsequent investigation by The Associated Press found evidence that the strike was far deadlier than initially estimated, killing closer to 600 people inside and outside the building. The AP called it "the single deadliest known attack against civilians to date" in Russia's war on Ukraine.

It remains unclear exactly how many people were killed, but Amnesty International said the death toll is likely much smaller than previously reported. Based on a review of witness accounts and other sources, the organization believes "at least a dozen people died in the attack, but also that it is likely that many additional fatalities remain unreported," according to the report.

"Many people were injured and killed in this merciless attack. Their deaths were likely caused by Russian forces deliberately targeting Ukrainian civilians," Callamard said. "The International Criminal Court, and all others with jurisdiction over crimes committed during this conflict, must investigate this attack as a war crime. All those responsible must be held accountable for causing such death and destruction."

The Russian military claimed to have fully captured Mariupol in late May, after a nearly three month siege that reduced the city of 430,000 people to smoldering ruin. The victory secured a coastal corridor between Russia and the Crimean Peninsula, which Moscow forcibly annexed from Ukraine in 2014.

"Through the air and on the ground, Russian forces have been on a well-documented and deliberate killing spree of civilians in Ukraine," Callamard added. "Thorough investigations are urgently needed in order to hold perpetrators accountable for the serious injury and loss of civilian life they caused, as well as for the extensive damage to civilian infrastructure."

A growing movement against illegal war (Washington Post)

By Claire Parker
July 5, 2022

The war in Ukraine has given the relatively unsexy field of international law a moment in the spotlight. An unprecedented global effort to probe and prosecute war crimes is underway, with local and international investigators fanning out across the war-ravaged country to gather evidence of Russian atrocities — even as the fighting grinds on.

The focus on war crimes has also renewed interest in questions about the strengths and limitations of international law in constraining aggression and imposing accountability.

Three Russian soldiers have already been convicted in Ukrainian courts. Money and resources have poured in to help Ukrainian Prosecutor General Iryna Venediktova investigate the nearly 20,000 alleged breaches of the laws of war her team has registered. The International Criminal Court, which opened its own probe in March, sent its largest-ever field deployment to Ukraine. An infusion of funding followed. And the United States dispatched Attorney General Merrick Garland to Ukraine, where he announced the creation of the Justice Department's War Crimes Accountability Team, to be helmed by U.S. "Nazi hunter" Eli Rosenbaum.

The outpouring of international attention reflects, in part, the brazenness of Russia's violations of the laws of war. Searing images of mass graves, bombed hospitals and children missing limbs, combined with harrowing accounts of rape, torture and forced deportation, have stirred widespread moral outrage. Some charge that racism and geopolitics play a role, too, with Western countries all too willing to ignore abuses inflicted on Black and Brown populations in other parts of the world, particularly in conflicts where the West is complicit.

The Russian invasion has breathed new life into an international justice system widely seen as toothless and ineffectual. At its center is the ICC, which celebrated its 20th birthday on Friday. The court was established to prosecute the most egregious international crimes, including genocide. In two decades, the ICC has drawn criticism for netting just three war crimes convictions and five for interfering with justice. It has proved challenging to get suspects to the court's seat in The Hague.

Leaders in Africa have for years accused the court of bias.

The refusal of Russia, China and the United States to accept the court's jurisdiction hasn't helped — effectively creating an international legal system that lets the most powerful countries off the hook.

The George W. Bush administration effectively withdrew the United States' signature from the court's founding treaty, citing fears that U.S. officials or troops could be tried. "The International Criminal Court is troubling to the United States," Bush told reporters in July 2002, when his war in Afghanistan was almost a year old and he was laying the groundwork for an invasion of Iraq since widely condemned — including, accidentally, by Bush himself — as unjustified and illegal.

The United States stymied an ICC attempt in 2003 to investigate crimes committed in Afghanistan. Years later, the Trump administration sanctioned former ICC prosecutor Fatou Bensouda over her effort to probe possible U.S. war crimes in that conflict. Though the Biden administration lifted the sanctions, current prosecutor Karim Khan opted last year not to focus on possible crimes by U.S. troops there.

On Russia's invasion, however, the United States has warmed up to the ICC — without going so far as to become party to it. Some experts see the war as a chance for the court to prove its worth. "This is the ICC's moment," David Crane, founding chief prosecutor of a special international tribunal for Sierra Leone, told the Associated Press. "They have to get this right."

The conflict has also revived debate about possibilities for the use of international law to punish a crime for which the ICC lacks jurisdiction: the crime of war itself.

One of the 19th century's most famous pacifists was a Russian. The writer and peace activist Leo Tolstoy serves as the antiwar hero of Yale historian Samuel Moyn's book "Humane: How the United States Abandoned Peace and Reinvented War." The politics of pacifism that gained prominence in Tolstoy's era gave way to a global preoccupation with making war more humane, Moyn writes, arguing that the emphasis on waging "clean" war — fought by the book, with fewer casualties — has served ultimately to perpetuate conflict.

The Nuremberg trials of top Nazi officials after World War II focused on the newly established, fundamental crime of aggression itself, more than the war's particular atrocities. But in the decades afterward, a war crimes paradigm focused on aberrant acts committed during the conduct of war, as defined in international agreements, took precedence in international accountability efforts — a shift Moyn warned has undermined efforts to prevent war in the first place.

The brutal conventional battles unfolding in Ukraine appear to have reawakened the West, at least, to war's inherent horrors. Much of the shelling and airstrikes that killed soldiers and civilians and displaced more than 12 million Ukrainians is entirely legal under the laws of war. But in a chorus of condemnation, world leaders, including President Biden, have decried the invasion itself as unjust and illegal. Calls are growing to prosecute Russian President Vladimir Putin for aggression.

Tolstoy "would celebrate that the Ukraine war has returned a lot of people to thinking about aggression, illegal war, in ways they might not have in the past since Vietnam," Moyn told me. Legal experts on both sides of the Atlantic see this overarching crime — the crime of illegal war — as the best chance for someday putting Putin on trial.

"Aggression is relatively provable," James Goldston, director of the Open Society Justice Initiative, told me. "Unlike some war crimes and crimes against humanity, aggression is by definition a leadership crime." Goldston's team has put together a model indictment for building a case against Putin and other senior Russian officials.

Ukraine could bring charges domestically, and Venediktova's office has compiled a list of 623 suspects for the crime of aggression. But a more powerful international court may be needed for the uphill battle of accountability, legal experts say.

European lawmakers are leading the charge to establish a special tribunal to prosecute top Russian officials for the crime of aggression. "The worst crime of all is the war itself, the groundless and brutal aggression against a peaceful neighbor," a Parliamentary Assembly of the Council of Europe delegation said after a June visit to Kyiv.

Still, the proposal has plenty of skeptics. During a visit to The Post's newsroom last month, European Commissioner for Justice Didier Reynders said his office had "many legal concerns" about a special tribunal.

It's too early to say whether this moment will revive the long-dormant global pacifist movement. Calls to prosecute Putin for aggression have come in tandem with a remarkable embrace by the West of militarism in support of Ukraine, marking a pivot from the isolationist tendencies of recent years.

Germany broke with its decades-old reticence to send weapons into conflicts. NATO is scaling up its European footprint. The United States has approved tens of billions of dollars in military and humanitarian aid in Ukraine, with support for major arms shipments spanning the political spectrum. (And while the conflict's negative economic ramifications have dominated

global headlines, plenty of people profit off war, as historian Jackson Lears points out in a review of Moyn's book.)

Some war fatigue appears to be setting in. But U.S. and European leaders have doubled down on their resolve to help Ukraine secure military victory — not only for its sovereignty, they say, but to shore up the “rules-based international order” under threat.

That justification for backing war has drawn accusations of hypocrisy. “I have certainly never seen anyone from the ‘global south’ respond to that phrase with anything approaching a straight face,” Sam Greene, a politics professor at King's College London, wrote in a tweet thread. “We have much for which to atone.”

When the alternative is a global reality in which wars of conquest can be waged with impunity, though, supporting Ukraine's fight may offer the best chance of securing a more lasting global peace, Greene suggests. But that will also require a more even application of justice.

As Moyn put it: “I think a lot of people are wondering, what steps can we take to make the concern with aggression applicable to more states more of the time, rather than once in a lifetime?”

Ukraine war: 21,000 alleged war crimes being investigated, prosecutor says (BBC)

By Yaroslav Lukov

July 7, 2022

Ukraine says it is investigating more than 21,000 war crimes and crimes of aggression allegedly committed by Russia since the start of its invasion.

Prosecutor General Iryna Venediktova told the BBC she was receiving reports of between 200 to 300 war crimes a day.

She admitted that many trials would be held in absentia, but stressed that it was “a question of justice” to continue with the prosecutions.

Russia invaded Ukraine on 24 February. It denies all war crimes allegations.

Speaking to the BBC's World Service Outside Source programme, Ms Venediktova warned that Russian soldiers who killed, tortured or raped civilians “should understand that it's only a question of time when they all will be in court”.

She said that although her team was working in regions across Ukraine, it was unable to investigate all cases “properly and effectively” because of a lack of access to some people and areas. This was an apparent reference to Ukraine's territories occupied by Russian troops.

In May, Ms Venediktova said that about 600 suspects had already been identified and 80 prosecutions had begun.

The first Russian soldier to be put on trial in Ukraine, Sgt Vadim Shishimarin, was sentenced to life in prison for killing a civilian in May.

Ukraine says it has uncovered multiple mass graves in Bucha, Borodyanka and other towns near the capital Kyiv that were briefly seized by Russian troops.

The International Criminal Court has described Ukraine as a “crime scene”, dispatching its largest team of detectives ever to the country to assist in multiple investigations.

Moscow has repeatedly denied targeting civilians.

On the ground, Ukraine's military said Russian troops were preparing for an offensive in the eastern Donetsk region, shelling several towns.

Russia captured nearly all of the neighbouring Luhansk region over the weekend, part of its attempts to seize the wider Donbas area.

In its update, Ukraine's military said its forces were under intense pressure but had so far held off Russian forces.

Residents of Slovyansk, a key city in Ukrainian hands, were earlier urged to evacuate further west - a day after a deadly Russian attack on a local market.

Ukrainian President Volodymyr Zelensky, meanwhile, said “artillery from our Western partners had started working very powerfully, so the losses of the occupiers will only increase”.

Russia opens criminal case against opposition figure Ilya Yashin (Al Jazeera)

July 13, 2022

Russian authorities have launched a criminal case against Ilya Yashin, a critic of Russia's war in Ukraine and one of the last opposition figures remaining in the country, for allegedly spreading false information about the army, his lawyer said.

"I got a call from an investigator – they are beginning to search his home," lawyer Vadim Prokhorov said on Facebook.

Prokhorov was later quoted by Russian news agencies as saying the investigation was launched because his client spoke of "the murder of civilians in Bucha" on his YouTube channel on April 7.

Russian forces have been accused of committing war crimes in Bucha, a suburb of Ukraine's capital Kyiv, after civilian bodies were discovered there following their withdrawal.

Another of Yashin's lawyers, Mikhail Biriukov, said a search had been carried out at his home and that Yashin was taken out of prison to attend.

Yashin was due to be released after spending 15 days in jail on charges of failing to obey the police. Instead, the 38-year-old was charged under a new law making it a crime to spread false information about the military, said Prokhorov. It carries a potential sentence of up to 15 years in prison.

Yashin was arrested in late June in a Moscow park. Police said he grabbed one officer by the uniform and insulted them. Yashin said the police approached him while he was sitting on a bench with a friend and demanded he go with them without explanation.

Yashin has been a prominent opposition figure in Russia since the mass protests against President Vladimir Putin in 2011-12. He has denounced Russia's offensive in Ukraine.

Russia has cracked down on those who criticise what it calls the "special military operation" in Ukraine, introducing legislation imposing prison sentences of up to 15 years for spreading information deemed false by the Russian government.

Vladimir Kara-Muza, a well-known opposition figure, was arrested in April and charged under the same law.

In a statement on Wednesday, Amnesty International called on Russian authorities to drop the case against Yashin.

"The ugly repression of rights in Russia continues. Since the invasion of Ukraine, the Russian authorities have become even more brazen in their attempts to silence the political opposition, activists and all those who disagree with the government," said Marie Struthers, Amnesty's director for Eastern Europe and Central Asia.

"Ilya Yashin is one of the few opposition figures who until recently remained in the country and not behind bars. Now, he is also in arbitrary detention and facing prison for criticizing the conduct of the Russian military in Ukraine. He should be released immediately and unconditionally, and the shameful criminalization of freedom of expression must stop."

Ukraine News: U.S. Accuses Russia of Hundreds of Thousands of Deportations (New York Times)

July 13, 2022

Russian authorities have "interrogated, detained, and forcibly deported" between 900,000 and 1.6 million Ukrainian citizens, including 260,000 children, from their homes into Russian territory, often to isolated regions in the far east, U.S. Secretary of State Antony J. Blinken said on Wednesday.

Mr. Blinken described the transfers as "a grave breach of the Fourth Geneva Convention on the protection of civilians" and "a war crime."

Russia has acknowledged that 1.5 million Ukrainians are now in Russia, but asserted that they were evacuated for their own safety.

Ukrainian officials have long sounded the alarm on Russia's deportations, with President Volodymyr Zelensky last month describing them as "one of Russia's most heinous war crimes." Since the beginning of Russia's invasion of Ukraine, he said, the deportations have included more than 200,000 children.

Testimonies given to The New York Times and other news outlets by deportees who escaped Russia have included descriptions of so-called filtration sites and accounts of interrogations, of beatings and torture of those deemed to have ties to Ukraine's armed forces, and of disappearances.

European officials have described the filtration sites as being set up in as schools, sports centers and cultural institutions in parts of Ukraine recently seized by Russian forces.

From those sites, many Ukrainians have been transported to destinations across Russia — often to regions far from Ukraine, near China or Japan, according to the testimonies.

Some U.S. officials have previously raised concerns about deportations, but only gave vague assessments of the scale.

Michael Carpenter, the United States ambassador to the Organization for Security and Cooperation in Europe, said during a speech in Vienna in May that many witnesses had given detailed accounts of Russia's "brutal interrogations" in filtration camps that at least several thousand Ukrainians had been forced into, and deportations on the order of at least tens of thousands.

Mr. Blinken's statement on Wednesday also cited reports that Russian forces were "deliberately" separating Ukrainian children from their parents and abducting others from orphanages. Witnesses and survivors, the statement said, described "frequent threats, harassment, and incidents of torture by Russian security forces."

In some instances, the statement said, Ukrainians' passports were confiscated, and they were issued with Russian passports instead, "in an apparent effort to change the demographic makeup of parts of Ukraine."

Mr. Blinken said that the United States was calling for an immediate halt to the deportations and for Russian authorities to release those detained and to allow them to return home. Independent observers, the statement said, should be permitted to access alleged filtration sites and places that Ukrainians have been deported to.

His statement came on the eve of the Ukraine Accountability Conference, which is being held on Thursday in The Hague. The conference, hosted by the Dutch government, the Office of the Prosecutor of the International Criminal Court and the European Commission, aims to ensure that war crimes in Ukraine do not go unpunished.

"President Putin and his government will not be able to engage in these systematic abuses with impunity," Mr. Blinken said. "Accountability is imperative."

Nations discuss coordinating Ukraine war crimes probes (Associated Press)

By Mike Corder

July 13, 2022

The International Criminal Court's chief prosecutor called Thursday for an "overarching strategy" to bring perpetrators of war crimes in Ukraine to justice, and representatives from dozens of countries pledged to cooperate in their investigations.

Since Russian President Vladimir Putin ordered the invasion of Ukraine on Feb. 24, his military forces have been accused of abuses ranging from killings in the Kyiv suburb of Bucha to deadly attacks on civilian facilities, including the March 16 bombing of a theater in Mariupol that an Associated Press investigation established likely killed close to 600 people.

"The simple truth is that, as we speak, children, women and men, the young and the old, are living in terror," ICC Prosecutor Karim Khan said as he opened the Ukraine Accountability Conference in The Hague.

Khan said Thursday's ministerial meeting addressed "a need of coordination, of coherence" and "the need of an overarching strategy" as different nations and courts work to investigate and prosecute crimes.

The AP and Frontline, which are tracking incidents in Ukraine, have so far tallied 338 potential war crimes.

As the meeting got underway in The Hague, Russian missiles struck the central Ukrainian city of Vinnytsia in what Ukraine's president called "an open act of terrorism" on the country's civilian population.

Speaking to reporters after the conference, Ukraine's prosecutor general, Iryna Venediktova, held up a photograph that appeared to show a child's body as she discussed Thursday's airstrike.

"Today, 20 people killed by Russian missiles, including three children, 52 injured by Russian missiles, including children. And this information we have every day from morning to night, night to morning," she said.

U.S. State Department human rights envoy Uzra Zeya accused Russian forces of atrocities as she delivered a message to the conference from Secretary of State Antony Blinken.

“With each day, the war crimes mount. Rape, torture, extrajudicial executions, disappearances, forced deportations. Attacks on schools, hospitals, playgrounds, apartment buildings, grain silos, water and gas facilities,” Zeya said. “These are not the acts of rogue units — they fit a clear pattern across every part of Ukraine touched by Russia’s forces.”

About 40 nations from the European Union and around the world sent representatives to The Hague for the conference hosted by Khan, Dutch Minister of Foreign Affairs Wopke Hoekstra and the European Union’s justice commissioner, Didier Reynders.

Investigations of military crimes committed during the nearly 5-month war in Ukraine are underway around Europe; more than 23,000 war crimes cases have been registered in Ukraine alone, Venediktova said. The ICC and 14 EU member nations also have launched investigations.

“Words are cheap. Too much has been promised for too long. And I think today, from many vantage points, represents a realization that we, as lawyers and investigators, need to take the law off the page and put it into action,” ICC prosecutor Khan said as the meeting wrapped up.

Delegates agreed to set up a dialogue group to link and streamline the various investigations.

“We need to translate our shared and strong conviction for justice into a unified answer against impunity and use the results of this conference as a blueprint to respond to cruelties and crimes committed in Ukraine and in the rest of the world,” Hoekstra said.

In a video message to the meeting, Ukrainian Foreign Minister Dmytro Kuleba called for the creation of an international tribunal to prosecute Russian leaders for the crime of aggression — when one state launches an unjustified attack on another.

The ICC doesn’t have jurisdiction to prosecute the crime of aggression in Ukraine because neither Russia nor Ukraine is among the court’s 123 member states.

Kyiv has, however, accepted the court’s jurisdiction and that cleared the way for Khan to open an investigation in Ukraine in early March after dozens of the global court’s member nations asked him to intervene. He has visited Ukraine to see firsthand the horrors inflicted on the country and sent the court’s largest-ever team of investigators to gather evidence.

So far, the court hasn’t announced any arrest warrants for suspects in the probe that could reach to the very top of Russia’s military chain of command, as well as to the Kremlin.

The ICC is a court of last resort that opens cases when other countries are unwilling or unable to launch prosecutions. The Hague-based court has no police force to make arrests and relies on assistance from other countries to detain suspects.

The EU’s judicial cooperation agency, Eurojust, helped establish a Joint Investigation Team made up of Ukraine and five other European nations. The team is meant to help facilitate evidence sharing.

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MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

Failure of states to prevent the Yazidi genocide – how the UK can uphold rule of law (The Justice Gap)

By Jacqueline Jahnel

July 11, 2022

What can be done if a State not only fails to prevent a genocide which it is obliged to do under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Convention) but even worse, is complicit in its perpetration? This is an inevitable question in the context of the Yazidi genocide.

In its recent report the Yazidi Justice Committee (YJC), an ad hoc body formed of leading human rights NGOs, identified that Syria, Iraq and Turkey bear legal responsibility for the failure to prevent and punish perpetrators of an ongoing Yazidi genocide and in respect of Turkey a finding of complicity with genocide was made; a genocide which YJC found was at risk of being perpetrated at least since 2013 at the hands of the Islamic State of Iraq and Syria (ISIS).

And yet, there has been a collective failure to heed warnings and early evidence, effectively allowing ISIS to continue its systematic campaign to destroy the Yazidis.

States, however, can be held to account if they fail to comply with their obligations owed under the Convention – it's called state responsibility. These include prohibition and non-complicity in genocide, prevention, and punishment of perpetrators. The obligation to prevent requires States to take measures (political, economic, and legal) to prevent genocide, the moment they learn, or should have learned, that there is a serious risk of genocide.

Turkey, for instance, failed in its responsibility to take measures to curtail the sale, transfer, trafficking and enslavement of Yazidi women and girls taken by ISIS on its territory. Turkey was also identified to have been complicit in the commission of the genocide by failing to stop ISIS fighters to freely cross its border, smuggle oil, materiel and resources at a time when it knew that genocidal acts were occurring. There is a high probability that if States had fulfilled their obligations to prevent genocide, let alone, not to be complicit in genocidal acts, ISIS could not have perpetrated these atrocities.

What now? There are domestic and international avenues for accountability.

In 2016, the House of Commons urged the UK government to refer the situation of the Yazidis to the UN Security Council (UNSC) with a view to conferring jurisdiction upon the International Criminal Court (ICC) to bring individual perpetrators to justice stating that: 'Yazidis, and other ethnic and religious minorities in Iraq and Syria are suffering genocide at the hands of Daesh [ISIS].' The government, however, not necessarily denying that the atrocities amount to genocide, to date maintains its position that it is for a 'competent court' and not Government to make such a determination. The problem here is that there is no mandatory mechanism yet to refer evidence of genocide to a competent court (and the UK government will not refer on its own initiative) which leads to morally indefensible inaction, undermines the integrity of the international legal order, and erodes the meaning of the rule of law.

Universal jurisdiction allows for prosecution of individual perpetrators of genocide before domestic courts of certain States – this is true of the UK. After 8 years of ongoing genocide, only Germany has made use of it internationally, setting a historic precedent in 2021 by recognising the egregious conduct committed by an individual ISIS fighter as genocide. This judgment ought to have entirely undermined the UK government's stance, which conveniently noted that the decision was appealable, and it would await to see the final outcome. The response though consistently remains merely reactionary, and not preventative.

The international legal framework also has its flaws: there are no international courts or tribunals before which ISIS, a non-State actor, may be brought. The ICC has no jurisdiction over Iraq or Syria, where most genocidal acts and crimes against humanity committed by ISIS against the Yazidis occurred, as they have not ratified the ICC Statute. A UNSC referral of Syria to the ICC was attempted in 2014, supported by the UK, but was vetoed by Russia and China.

That does not mean the endgame, however, because fortunately, there are mechanisms in place – in the form of available competent courts – but the government lacks the political will to use them.

In 2019, The Gambia set an important example when it took Myanmar to the International Court of Justice (ICJ) alleging violations of the Convention. This represents an unprecedented and pivotal pathway for international justice and an opportunity to clarify and reinforce the obligations under the Convention. It is a stark reminder that by signing up, States have arguably agreed that the conduct set out in the Convention strikes at the core of our values to such an extent that there is a clear basis for coercive (lawful) measures.

If the UK government is serious about justice, accountability, and atrocity prevention, it could, and arguably should, start by recognising the genocide, commencing domestic proceedings against possible perpetrators on its soil (as has Germany), and consider using the YJC's analysis and expertise to launch proceedings asserting breach of the obligations under the Convention by one or more of the three States before the ICJ.

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Syria

'Faceless killer': Syria land mines keep sowing death (Arab News)

July 11, 2022

Family members from three generations were huddled on the back of a pickup truck for what started as a joyful ride through the Syrian countryside for Abdulaziz Al-Oqab and his relatives. They were planning to sample the long-forgotten peacetime pleasure of a simple family picnic when a land mine brought a bloody end to their outing, and to the lives of 21 family members.

Oqab walked away with relatively light wounds that day in February 2019, but the blast killed his wife, two of his sons, four of his siblings, an uncle and other family members, and left others maimed.

"It was a day of joy that turned into tragedy," Oqab, 41, told AFP. "I've come to hate going out since then. People live in fear of this faceless killer that could be anywhere."

The airstrikes and shelling responsible for many of the Syrian war's half million deaths have decreased in recent years.

But remnants of explosives laid by all sides in the 11-year-old conflict are now claiming more lives in Syria than anywhere else in the world, says the United Nations.

Since 2015, land mines and other explosive remnants have on average killed or injured five people every day, according to UN data.

"An entire family was destroyed," Oqab said about the fateful day more than three years ago, sitting outside his traditional beehive-style mud hut in his village in Hama province.

"Death awaited us from inside the earth," he said, surrounded by his orphaned nephews.

"This was our destiny."

The UN Mine Action Service said 15,000 people have been killed or injured by explosive devices in Syria since 2015.

This is a "huge number," said Habibulhaq Javed, who heads Syria's UNMAS team. "Currently, Syria is reporting the highest number of victims caused by explosive ordnance globally."

Syria's war is estimated to have killed almost 500,000 people and displaced millions since it began in 2011.

About 10.2 million people, or roughly half of all Syrians, live in areas contaminated with explosive devices, the UN says.

"Mines have a long lifespan," said a Syrian army officer, who asked not to be named over security concerns.

They stay lethal even longer if they are kept inside casings, he told AFP during a de-mining training exercise organized by the military near Damascus.

Syrian authorities detonate ammunition and explosive remnants of war on a near-daily basis, especially in areas formerly held by rebel forces near the capital.

In Syria's rebel-held north, it is rescue workers who take on the daunting task of sweeping for land mines and detonating them, in the absence of state support.

The White Helmets rescue group has even set up training and workshops to raise awareness on the dangers land mines pose.

Raed Hassoun of the White Helmets heads a de-mining center in Syria's northwest that has neutralized about 24,000 explosive devices since 2016. "We deal with unexploded ordnance according to one principle," he told AFP. "Your first mistake is your last."

A lack of resources is depriving most of Syria's towns and villages of vital mine clearance work.

Last year, UNMAS carried out its first mine-clearing operation in government-held parts of Daraya, an area on the outskirts of Damascus that was once a rebel bastion and saw fierce fighting.

UNMAS also carried out sweeps in the Yarmuk Palestinian refugee camp outside Damascus, which was held by rebels and then jihadists before its recapture by government forces in 2018.

Explosive remnants were found in about 200 out of 6,000 surveyed buildings, the UN said.

The world body is struggling with limited funding for its de-mining programs, Javed said.

As a result, civilians have paid the price.

They include the family of Zakia Al-Boushi who, on a fateful day in 2017, went out with eight relatives in Aleppo province searching for the precious white truffles that grow in the desert sands in winter.

Only three of them returned alive.

The land mine that killed her relatives was the second one they came across that day.

Her brother was avoiding a device he had spotted when a second one went off and blew up their vehicle.

Boushi's brother and mother were killed, while her daughter was left so shell-shocked she has not uttered a word in five years.

"The mine tore us apart," Boushi said.

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Yemen

US looking at new international body to record rights abuses in Yemen (The Guardian)

By Stephanie Kirchgaessner

July 12, 2022

The Biden administration is exploring the creation of a new international committee to document and report on human rights violations in Yemen, months after a Saudi lobbying campaign quashed an independent United Nations investigation into possible war crimes.

The revelation comes on the eve of a tour of the Middle East by Joe Biden that will include a visit to Israel and – controversially – Saudi Arabia, where the US president has said his aim is to strengthen the “strategic partnership” while also “holding true to fundamental American values”.

Abdulrasheed al-Faqih, a prominent Yemeni human rights defender who is visiting the US, told the Guardian in an interview that he had discussed Washington's plan to create a new “international mechanism” to investigate war crimes at a recent meeting at the US state department.

Faqih said the administration's proposed plan to “replace” the independent UN body that had been investigating possible war crimes was deeply flawed. The state department, he said, was considering including representatives from Yemen's presidential leadership council, which has close ties to Riyadh, as a “partner” in the new international mechanism.

“They are working on a very, very bad mechanism that can replace the [UN body],” he said. “First of all, the starting point is that the mandate is weak, and second, it is not independent at all.”

Faqih said if the administration pursues the proposal it would be akin to asking Vladimir Putin to investigate Russian war crimes in Ukraine. Two others familiar with the preliminary discussions, who asked not to be named because of the sensitivity of the issue, said they were also aware of efforts by the administration to reach out to NGOs to discuss the plans.

Al-Faqih is co-founder and executive director of Mwatana for Human Rights, a group that monitors and documents war

crimes, arbitrary detentions, enforced disappearances and restrictions on the press. The group's field researchers have compiled extensive evidence of Saudi's previous bombing campaigns in Yemen, and contributed to a 288-page report in 2019 by the Global Legal Action Network (GLAN), which found that the Saudi attacks appeared to violate international humanitarian law by "targeting civilians and civilian infrastructure".

A spokesperson for the US state department declined to answer specific questions about Faqih's concerns. In a statement, a the spokesperson said it had been "deeply disappointed" by the "termination" of the UN Group of Eminent Experts (GEE) at the UN's Human Rights Council in Geneva last October. The work of the GEE – a group of three independent experts who were appointed by the Office of the UN high commission for human rights in 2017 to investigate human rights abuses committed in the Yemen war – came to an abrupt halt last October, after the members of the Human Rights Council voted to end the investigation following a campaign by Saudi Arabia.

The US was not a member of the Human Rights Council in 2021, when the GEE lost its mandate in a close vote, but the US is currently a member of the council.

"We remain committed to working with our partners, including governments and civil society, to establish a new international mechanism for documenting and reporting on human rights violations and abuses in Yemen," the state department spokesperson said.

The current truce in Yemen has created the "best opportunity for peace in years", the spokesperson added. "Justice, accountability, and redress for human rights abuses and violations are essential for an enduring peace in Yemen, and the United States has long supported Yemeni civil society toward these ends," the spokesperson said.

Faqih said he had also raised at a recent meeting with the state department what he called a "double-standard" in which the US had quickly moved to "document and investigate" war crimes by Russia, while leaving Yemen in the lurch.

"We all saw how quickly the international community reacted in Ukraine. In Yemen, we've been waiting eight years," he said. The state department's proposal so far, he added, was a "slap in the face" to civilian victims of the war.

One senior official in a Geneva-based human rights group said discussions about how to replace the GEE had been "simmering" for a while, and that there was a chance the issue could be raised before the Human Rights Council in September. While they said they believed the discussions so far represented a good faith effort to act, there were also concerns a new mechanism might be "more deferential to the Saudis".

The official said while it was not necessarily an initiative that was being led by Americans, the US had nevertheless "stepped into the vacuum" created when the GEE lost a mandate to continue its investigations in the vote last year.

Faqih's concerns about the US approach "seem legitimate", the official said. "We've seen the parties to the conflict have no interest in investigating themselves," they added.

The Biden administration's own record of examining human rights abuses in Yemen has come under scrutiny. A congressional watchdog said in a report released last month that the US government had not fully investigated its own role in perpetuating human rights abuses in Yemen. It also raised serious doubts about Biden's commitment to ending US support for Saudi offensive operations in Yemen.

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Special Tribunal for Lebanon

**Official Website of the Special Tribunal for Lebanon
In Focus: Special Tribunal for Lebanon (UN)**

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Israel and Palestine

Palestine: Impunity for Arbitrary Arrests, Torture (Human Rights Watch)

June 30, 2022

Palestinian authorities are systematically mistreating and torturing Palestinians in detention, including critics and opponents, Human Rights Watch said today in a parallel report submitted jointly to the United Nations Committee Against Torture with the Palestinian rights group Lawyers for Justice. Torture, both by the Fatah-led Palestinian Authority (PA) in the West Bank and Hamas authorities in Gaza, may amount to crimes against humanity, given its systematic nature over many years.

More than a year after the PA beat to death prominent activist and critic Nizar Banat while he was in custody and violently dispersed people demanding justice for his death, including rounding up scores for peaceful protesting, no one has been held to account. Prosecutors brought charges against 14 accused security officers, but critics say the authorities are moving too slowly and are biased, including in a June 21 decision by military prosecutors to release the accused for 12 days.

“More than a year after beating to death Nizar Banat, the Palestinian Authority continues to arrest and torture critics and opponents,” said Omar Shakir, Israel and Palestine director at Human Rights Watch. “Systematic abuse by the PA and Hamas forms a critical part of the repression of the Palestinian people.”

In light of this pattern of abuse, other countries should cut assistance to abusive Palestinian security forces, including the PA police who played a central part in recent repression. The International Criminal Court’s Office of the Prosecutor should investigate and prosecute people credibly implicated in these grave abuses.

In the early morning on June 24, 2021, more than a dozen PA Preventive Security forces, which monitor political activities and threats to the authorities domestically, arrested and violently assaulted Banat. He was a well-known critic whom the PA had previously detained for his activism and who planned to run on an independent slate during Palestinian Legislative elections in 2021 before they were postponed.

He died in custody, suffocating when his lungs filled with blood and secretions, an autopsy concluded. A March 2022 joint report by the Palestinian statutory watchdog, the Independent Commission Human Rights (ICHR), and the Palestinian human rights group al-Haq, found that the excessive use of force by PA security forces caused Banat’s death.

Palestinian Prime Minister Mohammad Shtayyeh formed an official committee to investigate the death, but its report, submitted five days later in June 2021, has not been made public. The trial against those accused of participating in Banat’s death is ongoing. The Banat family announced a boycott of proceedings in May, citing concerns including granting privileges to the defendants, such as allowing them out of prison to visit family without a court order.

In the months that followed Banat’s death, PA police forces violently dispersed popular protests demanding justice and rounded up scores of people for peacefully protesting. Jihad Abdo, 54, told Human Rights Watch that PA police officers in civilian clothes detained him in August 2021 while he was on his way to a protest. Prosecutors charged him with insulting “higher authorities” and “unlawful assembly,” charges that effectively criminalize peaceful expression and assembly, and released him four days later with charges outstanding.

Hamza Zbeidat, 38, told Human Rights Watch that PA police forces also arrested him as he arrived at a planned August 2021 protest about Banat’s case. Prosecutors later charged Zbeidat with insulting “higher authorities,” “unlawful assembly,” and inciting “sectarian strife.” He said he spent three nights in an overcrowded, tiny cell without proper ventilation and tested positive for Covid-19 several days after his release with charges outstanding.

Fakhri Jaradat, 53, said that PA police forces arrested him at his home on two separate occasions in July 2021 after he participated in Banat-related demonstrations and questioned him about his Facebook posts, one of which called on PA President Mahmoud Abbas to “leave, leave.” Prosecutors also charged him with insulting “higher authorities,” “unlawful assembly,” and inciting “sectarian strife,” detaining him for about a week total between the two arrests before releasing him with charges outstanding.

Fadi Quran, 34, said that PA police forces detained him in August 2021 as he walked in central Ramallah near the site of a planned protest he intended to participate in, but which security forces had blocked from taking place. He said that the police questioned him about Palestinian flags he carried and about Facebook posts, including one criticizing the delay of PA elections

and President Abbas' rule, and released him after two days of detention without charge.

The death in custody of Banat and rounding up of demonstrators in the weeks that followed reflects the Palestinian authorities' systematic practice of arbitrary arrest and torture with impunity, Human Rights Watch said. PA and Hamas security forces routinely taunt and threaten detainees, use solitary confinement and beatings, including whipping their feet, and force detainees into painful stress positions for prolonged periods, including hoisting their arms behind their backs with cables or rope, to punish and intimidate critics and opponents and elicit confessions, as Human Rights Watch and Lawyers for Justice lay out in their parallel report.

The PA and Hamas have said that abuses amount to no more than isolated cases that are investigated and for which wrongdoers are held to account, but years of research by Human Rights Watch, including its 147-page 2018 report, "Two Authorities, One Way, Zero Dissent," contradict these claims. Palestinian authorities have consistently failed to hold security forces accountable, as documented in the parallel report.

In 2021, the ICHR received 252 complaints of torture and ill-treatment and 279 of arbitrary arrest against PA authorities in the West Bank and 193 complaints of torture and ill-treatment and 97 of arbitrary arrest against Hamas authorities in Gaza. Hamas authorities have also executed 28 people in Gaza since seizing political control in June 2007, in a context in which due process violations, coercion, and torture are prevalent, and have summarily executed scores of other people without any judicial process, often on accusations of collaboration with Israel.

Palestinian authorities should abide by the international human rights treaties they have acceded to and end grave abuses and endemic impunity by holding those responsible to account. Five years after Palestine acceded to the Optional Protocol of the Convention Against Torture, which requires establishing a "national preventative mechanism" to independently monitor detention centers including with surprise visits, President Abbas in May issued a decree establishing the National Commission Against Torture.

However, the decree sets out that the PA president will appoint commission members, who will be government employees, and that the commission will operate as a government body. That will strip the commission of much actual independence, as ICHR and a joint statement of 26 Palestinian civil society groups have noted. President Abbas should rescind the decree and put forward a new regulation that creates a fully independent body.

The parallel Human Rights Watch and Lawyers for Justice report also covers mistreatment and torture by Israeli authorities in the Occupied Palestinian Territory and impunity for these abuses. Despite more than 1,300 complaints of torture filed with Israel's Justice Ministry since 2001 stemming from acts allegedly carried out by Israeli authorities in Israel or the West Bank, including painful shackling, sleep deprivation, and exposure to extreme temperatures, these complaints have only resulted in two criminal investigations and no indictments over the past 20 years, according to the Israeli rights group Public Committee Against Torture in Israel.

As part of its duties under the Convention Against Torture to "prevent acts of torture in any territory under its jurisdiction," the State of Palestine should cease all security coordination with the Israeli army that contributes to facilitating torture and other grave abuses, and stop handing over Palestinians, as long as there remains a real risk of torture and other prohibited ill-treatment for those handed over, Human Rights Watch said.

"Many governments say they want to support the rule of law in Palestine and yet year after year continue to fund police forces that actively undermine it," Shakir said. "Purported concerns over the fragility of Palestinian institutions and other tired excuses should no longer stand in the way. Donor governments should cut ties to abusive Palestinian police and security forces and center their Palestine and Israel policies on human rights."

Palestinians accuse Israel prison of medical neglect after death of elderly detainee (Middle East Eye)

July 2, 2022

A 68-year-old Palestinian woman died in an Israeli prison on Saturday, six months after she was beaten and detained by Israeli forces near a military checkpoint in Hebron, the Palestinian Prisoners Club reported.

The Prisoners Club accused Damon prison authorities of medical neglect as Saadia Farajallah's health had recently been in decline due to multiple chronic illnesses, including high blood pressure and diabetes.

It said Israeli forces brutally assaulted Farajallah as they detained her in Hebron's old city on 18 December 2021 for allegedly attempting a stabbing attack, and this had aggravated her already weak health.

The head of the Prisoners and Former Prisoners Committee, Ibrahim Najajra, rejected the Israeli claims regarding the

incident, saying that Farajallah's condition would have prevented her from exerting any efforts, let alone attempting an attack.

"The cause of death is not immediately clear, but initial information indicates that she suffered a heart attack and died inside the Damon prison," Najajra told Middle East Eye.

"Saadia's death is a result of medical neglect, [the Israeli authorities'] failure to provide her with the necessary treatment, and her continued detention in unhealthy conditions."

The death of Farajallah, who was the oldest Palestinian female detainee, brings the total of Palestinians who have died in Israeli prisons since 1967 to 230.

Najajra said the Israeli court had repeatedly denied lawyers' requests to release Farajallah, who had not been allowed any family visits for the duration of her detention.

The Palestinian Prisoners Club said Farajallah lost consciousness after performing her ablutions for morning prayers. Fellow detainees had immediately transferred her to the prison's clinic, where she died.

Farajallah attended a court hearing in a wheelchair on 28 June, when the prosecution sought a five-year prison sentence and 15,000 shekel (\$4,200) fine, the Prisoners Club said. Her lawyer had requested that the prison authorities present her to a specialised doctor following medical tests that showed her health was in decline.

Najajra said the prisoners committee will seek to open an investigation to uncover the cause of Farajallah's death and the circumstances surrounding it.

There are 4,700 Palestinians held in Israeli prisons, including 32 women and 170 children, according to Palestinian prisoners' rights group Addameer.

Of those, around 640 are held under "administrative detention," a controversial policy that Israel uses to hold detainees without charge or trial for renewable periods of three to six months.

In a most dangerous precedent, Israeli Supreme Court OKs sweeping immunity for the state, denies all civil remedies to Gaza victims of war crimes (Adalah and Al Mezan)

July 7, 2022

Ruling means that all Gaza residents are banned from any redress and remedy in Israel, regardless of the circumstances, during "acts of war" or otherwise, and the severity of the injury or damages claimed Appeal of Palestinian teenager, severely injured by Israeli military dismissed; Adalah and Al Mezan: The decision justifies an immediate ICC investigation

On 5 July 2022, a three-justice panel of the Israeli Supreme Court, comprised of Neal Hendel, Noam Solhberg and Ofer Grosskopf, rejected an appeal demanding that the State of Israel pay tort compensation damages for the Israeli military's shooting and serious injury of 15-year-old Palestinian Attiya Nabaheen in November 2014. Nabaheen was shot on his family's property near Al-Bureij, 500 meters from the fence between Israel and Gaza, and as a result of the shooting, Nabaheen was left a quadriplegic confined to a wheelchair.

Adalah and Al Mezan Center for Human Rights, on behalf of the boy and his family, appealed the 2018 judgment of the Be'er Sheva District Court finding that the State of Israel is not liable for damages. The Supreme Court appeal was filed by Adalah Attorneys Sawsan Zaher, Dr. Hassan Jabareen, and Al Mezan Attorney Mohammad Jabareen.

At issue in the case was the constitutionality of Amendment No. 8 of Israel's Civil Wrongs Law (State Responsibility) of 1952, which was enacted in 2012. This law prescribes that the residents of a territory declared by the Israeli government as "enemy territory" - as Gaza was declared in 2007 - are not eligible for compensation from Israel. In the appeal, Adalah and Al Mezan argued that the lower court's decision and the law violate both Israeli and international law, which require that protected civilians be entitled to effective legal remedies, especially when the injury resulted from actions not related to "acts to war".

The Supreme Court ruled that the law is not contrary to international law, and even if it is, "the Knesset [Israeli Parliament] has the power to override the rules of international law." The Court acknowledged that the law infringes on Palestinian victims' fundamental rights, namely the right to life, bodily integrity, dignity, liberty, property and the right of effective legal remedy. However, it ruled that the level of protection of fundamental rights afforded to Nabaheen is limited due to his residence in Gaza - an "enemy territory". The Court further determined that the law serves an appropriate purpose: "the prevention of economic or moral assistance to the enemy". According to the Court, this rationale justifies the sweeping infringement of the fundamental rights of Palestinian civilians injured by Israel's armed forces.

Adalah and Al-Mezan responded to the ruling:

"The Israeli Supreme Court's decision violates international humanitarian law, and justifies the immediate initiation of an ICC investigation, as it deprives Palestinian civilian victims of war crimes committed by Israel of any legal remedy, even remedies under civil law. The Court's justification for the denial of compensation to an innocent boy, confined to a wheelchair for life because of Israel's unlawful assault, is the "prevention of economic and moral assistance to the enemy" is an unprecedented, moral low for the Court. This decision not only grants sweeping immunity to the Israeli military to injure Palestinians wherever they are, but also determines, in a radical move, that the deliberate denial of compensation is an appropriate tool for harming the enemy. There is no clearer evidence of the fact that the Israeli legal system is committed to the legitimization of war crimes and to assisting the military in its efforts, by denying all legal remedies to victims, especially when, at the same time, the Court refuses to intervene in the state's closure of criminal investigations into alleged war crimes and thus also providing impunity for criminal actions committed by the Israeli military."

International bodies have recognized the importance of this case. In its report of March 2019, the independent UN International Commission of Inquiry into the 2018 protests in the Occupied Palestinian Territory concluded in regard to this case that:

"The [District] Court ruling and the law on which it is based, excludes Gazan residents from eligibility for compensation under the law, without examining the harm itself. In doing so, Gazan victims of violations are denied the main avenue to fulfil their right to 'effective legal remedy' from Israel that is guaranteed to them under international law (...) The importance of this ruling is thus difficult to overstate."

The Supreme Court's ruling in Nabaheen also contradicts established legal precedent of the Court. Following a petition by Adalah, the Supreme Court decided in a unanimous ruling delivered by nine justices in 2006, that the State of Israel cannot exempt itself from paying compensation to Palestinians in the West Bank who have been harmed by the Israeli military, invalidating a provision of a recent amendment to the Civil Wrongs (Liability of the State) Law. (See HCJ 8276/05, Adalah, et. al. v. The Minister of Defense, et. al.) Adalah and Al Mezan will file a request for a second hearing to the Supreme Court.

Israel journalist reveals 20 Egyptian soldiers burnt alive in 1967 war (Middle East Monitor)
July 8, 2022

A prominent Israeli journalist specialising in security affairs, on Friday, revealed that at least 20 Egyptian soldiers were burnt alive by the Israeli army during the 1967 war, Anadolu News Agency reports.

In a series of tweets, journalist Yossi Melman wrote: "After 55 years of heavy censorship, I can reveal that at least 20 Egyptian soldiers were burnt alive and buried by IDF (Israeli Defence Forces) in a mass grave, which wasn't marked and without being identified contrary to war laws, in Latrun. It happened during the Six-Day War."

The website of the Israeli daily, Yedioth Ahronoth, has published similar details narrated by Melman.

Melman stressed that late Egyptian President, Gamal Abdel Nasser, days before the outbreak of the war, had signed a joint defence agreement with the late King of Jordan, Hussein bin Talal, who was in control of the West Bank at the time.

"Egypt deployed 2 commando battalions in the West Bank near Latrun, which was no man's land. Their mission was to raid inside Israel and take over Lod and a nearby military airfield," Melman said.

Latrun is located on the road between Jerusalem and Jaffa, about 25 kilometres (some 16 miles) west of Jerusalem. After the 1948 war, an agreement was reached between Israel and Jordan to make it a no-man's land.

In the 1967 war, Israel occupied and annexed Latrun, which is today a suburb of West Jerusalem.

"Fire exchanges took place with the IDF troops and members of Kibbutz Nahshon. Some Egyptian troops fled, some were taken prisoners, and some bravely fought. At a certain point, IDF fired mortar shells and thousands of uncultivated dunams of wild bush in the dry summer were set on fire," said Melman.

At least 20 Egyptian soldiers died in the bushfire that spread quickly and they had no chance to escape, Melman quoted Zeen Bloch (now 90 years old), who was the military commander of Nahshon, a left-wing Kibbutz – agricultural community – as telling him.

"The next day IDF soldiers equipped with a bulldozer came to the scene, dug a pit, pushed the Egyptian corpses and covered them with soil. Bloch and some Nahshon members watched with horror as soldiers looted personal belongings and left the mass grave unmarked," the journalist said.

Melman noted: "The veil of silence suited everybody. The few who knew didn't want to talk about it. We were ashamed. But above all, it was IDF's decision in the heat of the war."

The Israeli military did not immediately comment on Melman's statement.

In the 1967 war, IDF defeated the Arab armies and occupied the West Bank, including East Jerusalem (which was under Jordanian control), Gaza Strip (which was under Egyptian control), Sinai Peninsula and Syrian Golan Heights.

Classified document reveals IDF 'firing zones' built to give land to settlers (+972 Magazine)

By Yuval Abraham

July 11, 2022

A never-before-seen document reveals that Israel created "military firing zones" in the occupied West Bank as a mechanism for transferring land to settlements. Those firing zones, which on their face were established for the purpose of military training, were built as part of a larger strategy to create an "ethnic border" between Jews and Palestinians.

According to the minutes of a "top secret" 1979 meeting by the World Zionist Organization's Settlement Division, which works in tandem with the Israeli government, then-Agricultural Minister Ariel Sharon explained that he created firing zones across the West Bank for the sole purpose of eventually handing the land over to Israeli settlers.

"As the person who initiated the military fire zones in 1967, they were all intended for one purpose: to provide an opportunity for Jewish settlement in the area," Sharon said at the meeting. "As soon as the Six-Day War ended, I was still sitting with my division in Sinai. I was in Sinai when I drew up these zones. The firing zones were created for one purpose: land reserves for settlements."

Sharon's remarks have far-reaching effects 40 years later, as thousands of Palestinians in Masafer Yatta, the greater South Hebron Hills, and the Jordan Valley are currently under direct threat of expulsion after their land had been declared military firing zones.

The Settlement Division had convened to discuss the establishment of settlements in areas delineated firing zones in the Jordan Valley, which were thus closed off to Palestinians. Sharon explained that he had set the boundaries of the firing zones from the onset, and ordered the transfer of military bases to the West Bank so that the land would be seized for settlement purposes.

Sharon would become even more explicit about his plans for the firing zones. Just two years later, during another meeting of the Settlement Division, the minister said that Firing Zone 918 was declared on top of Masafer Yatta in order to stop the "spread of the Arab villagers on the mountainside toward the desert." In May, the Israeli High Court green lit the expulsion of over 1,000 Palestinians from eight villages in Masafer Yatta to allow the army to train in the area.

At the High Court hearing, the state claimed that the destruction of these communities — which residents say have been there since at least the end of the 19th century — is necessary for training. Last week, the army began sending tanks, using live fire, and placing mines near the village homes.

Protecting the Jewish suburbs Two additional documents unearthed by +972 shed light on the political motivation behind the establishment of settlements and firing zones in the South Hebron Hills. According to Sharon, he sought to create a "buffer zone" between the Bedouin citizens of Israel in the Negev/Naqab and the Palestinian residents of the southern West Bank, where Masafer Yatta is located.

"There is a phenomenon, which has been going on for several years, of physical contiguity between the Arab Negev population and the Arabs of Mount Hebron. A situation has arisen in which the border [of Arab-owned land] has deepened into our territory," Sharon told the committee in January 1981. "We must quickly create a settlement buffer zone that will separate between Mount Hebron and the Jewish community in the Negev." Sharon even went so far as to label this buffer zone an "ethnic border" that will prevent the Palestinians of the West Bank from reaching the "suburbs of Be'er Sheva."

Protocols from a 1980 meeting reveal Sharon returning to the same issue: "In Hura [a Bedouin township in the Negev/Naqab], there is a growing Arab community of thousands of people. This community has contact with the Arab population of the South Hebron Hills. Thus, the border will practically pass in the vicinity of Be'er Sheva, near Omer [an affluent town in the Negev-Naqab]. Let's assume that I add tens of thousands more Jews to Dimona or Arad [two working-class cities in southern Israel], and I want them there. How will I close this gap? How will I drive a wedge between the Bedouin in the Negev and the Arabs of the South Hebron Hills?"

Sharon would soon get an answer to his question. That year, Israel declared 30,000 dunam [7,500 acres] of land in the southern tip of the West Bank military firing zones. As Sharon had clear, these zones were created as ethnic borders: to the south of the military zones were dozens of unrecognized Bedouin villages inside Israel, while to the north and the west were the Palestinian cities and towns of the South Hebron Hills. Inside the military zone remained the thousands of Palestinians who now face population transfer.

During these discussions, Sharon even ordered the establishment of new Jewish settlements in the Negev-Naqab, such as Meitar, as well as in the occupied South Hebron Hills, such as Maon and Susiya, which would form part of the same buffer.

For Sharon, like many other Israeli leaders, the very notion of contiguous Arab territory was a direct threat to the state's ambitions for controlling as much land as possible on both sides of the Green Line. Even today, Jewish settlement in the West Bank and the Negev/Naqab remain a crucial part of Israel's strategy of control.

An open secret

According to a report by Kerem Navot, an organization that tracks settlements in the occupied West Bank, as of 2015, approximately 17 percent of the West Bank has been designate parts of various military firing zones — most prominently in the Jordan Valley, the South Hebron Hills, and along the eastern border with Jordan. Most of these designations were made immediately following the occupation of the West Bank in 1967 and in the early 1970s. According to the report, the army only uses around 20 percent of these zones for training.

Some recent examples show that Israel is going even further than Sharon's ethnic buffers between Jews and Palestinians. Today, Palestinians across the West Bank are being expelled from firing zones, while settlers are slowly taking their place.

Over the last decade, for example, settlers have established 66 so-called farm outposts, which take up huge swaths of land in the West Bank, despite having few residents. Approximately a third of that territory, 83,000 dunam [205,000 acres], which settlers have taken over through grazing, are located inside military firing zones. These areas — at least on paper — are supposed to be off limits to Jews and Palestinians alike. Israeli soldiers in the Jordan Valley have even openly admitted that they allow settlers to use firing zones while prohibiting Palestinians from doing the same.

Dror Etkes, who heads Kerem Navot, told +972 that there has been a significant increase in settler takeovers of firing zones over the past few years. "This is the logical extension of the things Ariel Sharon did 55 years ago. The farm outposts were planned in such a way that will allow them to take over large grazing areas, which were declared military firing zones back in August 1967," Etkes said.

This mechanism is working overtime in the South Hebron Hills. Last year, the Settlement Division allocated land in Firing Zone 918 to one of the settlers living nearby. Aerial photos show that new structures belonging to three outposts — Mitzpe Yair, Avigayil, and Havat Ma'on — which were established in the area in 2000, have been built in the firing zone. Last year, settlers even tried to establish a brand new outpost directly inside the firing zone.

That firing zones are used to bolster the settlement project and the dispossession of the native population of the occupied territories is, by now, an open secret, and everyone is in on it — except the Palestinians.

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ASIA

Afghanistan

Afghanistan: Taliban Execute, ‘Disappear’ Alleged Militants (Relief Web)

July 7, 2022

Taliban security forces have summarily executed and forcibly disappeared alleged members and supporters of an Islamic State offshoot in eastern Afghanistan, Human Rights Watch said today. Since the Taliban took power in August 2021, residents of Nangarhar and Kunar provinces east of Kabul have discovered the bodies of more than 100 men dumped in canals and other locations.

Taliban forces have carried out abusive search operations, including night raids, against residents they accuse of sheltering or supporting members of the Islamic State of Khorasan Province (ISKP) armed group, the Afghan affiliate of the Islamic State (ISIS). During these raids, Taliban forces have beaten residents and have detained men they accuse of being ISKP members without legal process or revealing their whereabouts to their families. An unknown number have been summarily executed – shot, hanged, or beheaded – or forcibly disappeared.

“We investigated an emptied canal in Nangarhar in which over 100 bodies have been dumped between August 2021 and April 2022,” said Patricia Gossman, associate Asia director at Human Rights Watch. “Taliban authorities appear to have given their forces free rein to detain, ‘disappear,’ and kill alleged militants.”

Between October 2021 and June 2022, Human Rights Watch, working with a local organization that cannot be identified for security reasons, interviewed 63 people, including 42 in person in Nangarhar and Kunar provinces, and 21 by phone.

In November, a team from both groups counted 54 bodies of men, many in an advanced state of decomposition, along a 15 to 20 kilometer stretch of the emptied canal. The bodies showed evidence of torture and brutal executions: some had missing limbs, ropes around their necks, or had been beheaded or had slit throats. Healthcare workers in Nangarhar said that they had registered 118 bodies that had been found across the province between August and December. A media report cited one Taliban fighter who said, “We conduct night raids and whenever we find a Daesh [ISIS] member, we just kill them.” The United Nations has reported that Taliban operations against ISKP “rely heavily on extra-judicial detentions and killings.”

Over a number of years ISKP has carried out bombings particularly targeting Hazara, Shia, and other religious minority communities, as well as against Taliban and former government forces. The armed group springs from a minority violent stream of Salafism, a movement that looks back to the earliest years of Islam for moral guidance.

Human Rights Watch has previously documented Taliban forces summarily executing or forcibly disappearing former Afghan government officials and security forces. The cases from eastern Afghanistan demonstrate that Taliban forces have extended such atrocities to those they accuse of links to ISKP, Human Rights Watch said.

International humanitarian law, or the laws of war, which applies to the armed conflict between the Taliban and ISKP, obligates all parties to treat everyone in custody humanely. Arbitrary detentions, summary executions, and other forms of mistreatment are prohibited, and those responsible are subject to prosecution for war crimes. Also prohibited are enforced disappearances, which international law defines as the detention of anyone by state forces or their agents followed by a refusal to acknowledge the detention or whereabouts of the person. Suspected ISKP members taken into custody for criminal offenses should be promptly brought before a judge, appropriately charged, provided access to relatives and legal counsel, and prosecuted in accordance with international fair trial standards.

“The ISKP’s numerous atrocities do not justify the Taliban’s horrific response,” Gossman said. “Taliban forces have repeatedly carried out summary executions and other war crimes against people in their custody and have yet to hold those responsible to account.”

Human Rights Watch and the local organization found substantial evidence of summary executions and enforced disappearances by the Taliban of people accused of supporting the ISKP. There was extensive evidence from the Darunta Canal, near Jalalabad, which the groups visited and where they documented scores of killings by inspecting corpses discovered there in late 2021. The interviews revealed that many of those killed were people whom the Taliban had earlier taken into custody.

Taliban-ISKP Conflict in Nangarhar and Kunar

Taliban forces took control of Nangarhar's capital, Jalalabad, on August 15, 2021, the same day they took power in Kabul. In the ensuing months, Taliban security forces carried out search operations to apprehend and detain former members of the Afghan National Security Forces and ISKP members.

When ISKP attacks on Taliban forces continued after August, particularly in Nangarhar's eastern districts of Dehbala, Shinwar Mohmand Dara, Achin, and Kama, the Taliban intensified their campaign against ISKP. In November the Taliban deployed hundreds of fighters against ISKP forces. Taliban officials in statements to the media have claimed that their forces have "eliminated" ISKP "98 percent," and that the group is "no longer considered a serious threat in Afghanistan." However, the alleged brutality with which the Taliban has conducted operations may spark increased recruitment to ISKP in the province.

On several occasions, Taliban officials claimed to have seriously degraded or destroyed ISKP. However, ISKP forces have continued to attack Taliban units, typically by means of magnetic improvised explosive devices (IEDs), roadside bombs, and hit-and-run assaults on Taliban checkpoints. They have also continued their unlawful bombings of Hazara and Shia communities, killing and maiming numerous civilians.

Taliban Night Raids and Collective Punishment

Since taking power, Taliban forces have conducted night raids in residential areas, a tactic that has long been a feature of counterinsurgency operations by all parties in the Afghanistan conflict. These raids have frequently included abuses.

The Taliban have targeted many neighborhoods known for being home to Salafists, a community that follows a form of Islam modeled on the beliefs and practices of the earliest Muslims of the 7th century. These raids appear aimed not only against ISKP fighters, but also to punish residents who may have no involvement with ISKP because of their adherence to Salafism.

From September through November, Nangarhar and Kunar residents reported a wave of Taliban operations and the enforced disappearance and killing of Salafis. In some cases, relatives alleged that the Taliban took away their family members, and afterward denied that the men were in their custody. In other cases, residents said they found the bodies of relatives who had been taken away. Some were reportedly found beheaded.

Residents from Kunar province, a province that has long seen conflict between the Taliban and the former government, ISKP, or other armed groups, said they were being targeted. They said Taliban fighters stopped and questioned men on the streets, sometimes beating or humiliating them in public if the Taliban discovered or suspected the men were Salafists.

One man said: "Kunaris cannot say anything [about this treatment]. If you do, they say you are Daesh [ISIS]." A man from Marawara district, Kunar province, who had been stopped by the Taliban in Jalalabad said: "When they found out that I am Salafi, they shaved my beard and head in front hundreds of people and made me sit there for hours."

Salafi elders said that because of the continued raids, Salafi community elders in a number of districts felt pressure to pledge their support to the Taliban authorities. The Taliban have also registered members of Salafi communities, which, among other things, facilitates Taliban monitoring of community members.

While there are no verified numbers of those killed and forcibly disappeared since August 2021, bodies of some victims have been displayed in various parts of Jalalabad and the surrounding area. Between August and December in the Farm Adda park, south of Jalalabad, local residents and relatives said that while looking for missing family members they found bodies of people whom the Taliban had taken hanging from trees. Taliban officials have acknowledged that they have displayed bodies along main roads and intersections as a warning to others that "this is what happens" if you join the ISKP. Family members have found the bodies of their relatives in the neighborhood known as Khalis Baba in Khogyani. Others have discovered bodies in canals and rivers.

Disentangling the killings of former Afghan government security force members from those accused of being linked to ISKP is difficult, although they follow somewhat different patterns. When the Taliban have targeted former security force members, they appear to single people out based on the position they previously held, or because they were known to Taliban fighters and commanders in the area. Community elders, family members of victims, and analysts who have studied ISKP said that the Taliban frequently carried out mass arrests based on guilt by association rather than any determination of ISKP links. Many of the Salafists detained appear to have been picked up because they lived in certain neighborhoods or Salafist villages. Community elders and family members said that bodies found often had distinctive clothing, long beards, and other typically Salafist characteristics.

A health worker at a local hospital said that by late December, hospital staff had registered 118 dead bodies that had been found across Nangarhar, and that most people who came to inquire about the bodies were from Kunar, Jalalabad city, and districts surrounding Jalalabad. It is likely that not all bodies found would be registered or taken to a hospital.

Darunta Canal

The Darunta Canal flows from a hydroelectric power plant seven kilometers west of Jalalabad in Nangarhar province. In the early morning of November 7, local officials stopped the flow of water through the dam in response to a request from residents living along the canal who wanted to retrieve the body of a boy who had drowned a day earlier. Once the flow through the dam stopped, the entire canal dried up.

A team from Human Rights Watch and the Afghan organization carried out an investigation along the canal on the morning of November 7, covering about 15 to 20 kilometers of the canal by car over 2 hours and 30 minutes. The team counted 54 bodies – all male – in the emptied canal. While it was difficult to determine ages, none appeared to be older than about 50. Fifteen bodies were considered to be in a very advanced state of decomposition. Seven had been beheaded and others had their throats slit but had not been decapitated. Two had ropes around their necks, suggesting that they had been hanged before being thrown into the canal. Some bodies had limbs missing. Only a few had visible bullet wounds, although this could not be determined with accuracy since some were badly decomposed.

The team interviewed residents living along the canal, one of whom directed them to a location called Muqam Khan, close to the Sarhadi Lewa, a Taliban military installation. In this area, bodies were visible in the dried canal bed. Some were scattered and others grouped together. Some appeared to have been in the water for some time, based on their advanced state of decomposition.

The residents said that since August 2021, the canal had become well-known as a place to dispose of bodies. Five families living along the canal confirmed that they had seen bodies when the water was drained. “Most were thrown into the canal between August and November, when the Taliban were detaining and disappearing men accused of being ISKP,” one resident said. Another resident said that there had been at least five IED attacks against the Taliban in the Muqam Khan area after August, and the Taliban might have dumped the bodies there to send a message.

“Habib,” a pseudonym, who is a resident of Surkhorod district, said: When the canal dried up, 10 bodies were found near Kabul Adda [the station for Kabul-bound buses]. This area of the canal, called “barong,” has a net that prevents trash or other material from entering and blocking the canal; the bodies were stuck in the net. Word got out and the Taliban came and would not allow people to come near. An hour later, an ambulance came and took the bodies away. Some of the bodies were headless; some were rotten, and discolored. Most of the bodies were unidentifiable. I think these people were thrown into the canal at this place. While many bodies were recovered on November 7, people continued to find bodies afterward. Later in November, Habib was bathing in the canal after working as a day laborer. He said, “Something soft touched me. It was wrapped up like a parcel, a body was inside. My colleague and I took it to the hospital.”

“Zekirya”, a resident of Nazrabad Kalay, Surkhorud district, also recovered bodies from the canal. He saw four bodies “stuck in the net in the canal on November 7, 2021.” “Sadullah,” a day laborer from Tatang Kala, Surkhorud district, found bodies in the canal in late November. He said:

We were cleaning the canal when my friends found two wrapped objects. The bodies were inside. They were attached with stones before being thrown in the water. The bodies smelled and appeared to have been in the water for days. Some people had gathered around who took the bodies to the hospital [morgue].

The body of a man named Wahabudden, from Fatehabad village, Surkhorod district, was among those found in the canal. Taliban forces had taken him and his brother Gulapudden into custody in mid-October. A Fatehabad resident said:

On November 20, 2021, we found Wahabudden's dead body in the [Darunta] canal, and Gulapudden is still missing. Wahabudden was shot twice in the shoulder, and also his throat was cut. There was also a stone attached to Wahabudden's chest, so his body didn't rise to the surface. Wahabudden's body was found 13 days after the discovery of most of the other bodies in the canal bed.

“Ahmad,” searched in vain for the body of his brother Nazeerullah, who had been detained by the Taliban on October 7. When he learned from a relative that the water into the Darunta canal would be stopped on November 7, family members came to search. Ahmad said that his relatives had warned him that the bodies would be hard to recognize, but said “our heart could not stop [hoping] so we went.” He described the scene at the canal:

[One] could not recognize most of the bodies. ... They were not all at the same place but spread across the bed of the canal. It is possible they [the Taliban] threw one body here, another somewhere else. The distance between the bodies varied: between some bodies 10 meters, some 100 meters, some even more distant. ... We looked at [almost] the entire canal by car. ... our guy [Nazeerullah] had a scar on one hand, and we were checking the dead bodies for the scar ... I do not remember an exact number, but I am sure close to 100 people were there [in the canal]. I heard some were already taken away by their relatives and other people. Because Nazeerullah had a scar on his arm, we thought we might recognize him. We were there from 9:30

a.m. until 4:30 p.m. ... Seeing all those dead bodies, it had a huge impact on me, mentally. He did not find Nazeerullah.

Additional Summary Executions and Enforced Disappearances

“Doctor” Mubariz

According to his patients and others in the community, Mubariz, between 40 and 45 years old, was respected for his knowledge of health care although he did not have a medical degree. He operated private clinics across the east and southeast Afghanistan, including many small clinics in Nangarhar, for which he hired medical staff. The last clinic he opened with one of his colleagues was in the Smarkhail area of Jalalabad city. After August 2021, he continued to run the clinic, as he did the others. Taliban forces took Mubariz and his partner into custody from this clinic in early September. About 10 days later, his body was discovered in Jalalabad with a gunshot wound.

A witness to Mubariz’s arrest told the family that “[t]he [Taliban] came in a vehicle that had the markings of the previous government’s intelligence agency, the National Directorate of Security (NDS), wearing NDS uniforms. They were members of the Taliban’s intelligence forces, the General Directorate of Intelligence.” The family said that they received a call the evening of the arrest informing them that Mubariz had been taken to Amniat-e Milli, the national security district headquarters. The family went to the headquarters and were told Mubariz was there: “We were not allowed to see him, though the Taliban said, ‘He is here with us.’”

Family members said that the next day they returned to the headquarters accompanied by community elders: “We sat next to the door of Amniat-e Milli until our turn came to talk to the officials. But we could not see Dr. Mubariz.” An official at the gate told the family “You go back home. His case is still [under investigation] but there is nothing in the file [on him].”

About nine days after the arrest, Mubariz called his oldest son at around 10 p.m. He told him: “Son, my heart is suffocated here. No one has beaten me, no one said a bad thing to me. They have been telling me I will be released tomorrow but you should try to release me sooner. Come for me, bring elders to secure my release. They [the Taliban] should punish me if I am guilty of having ties with ISKP.” The family did not know how Mubariz got access to a phone. A Taliban official told us that “Dr. Mubariz did not call from his number but from a new number, which could have been provided by Taliban inside the facility.”

The next day at 9 a.m. the family received a call from neighbors that Mubariz’s body had been found along with two other bodies in the Farm Ada area of Jalalabad. A man who found the bodies said they appeared to have been killed during the night. Mubariz’s body had a letter attached to it that said: “Dr. Mubariz, Daesh surgical doctor,” suggesting he was working for or providing health care to ISKP. A tribal elder said: “This is a lie that he was a Daesh doctor.” Mubariz’s partner was released but said they had been separated in detention and he did not know what had happened.

International humanitarian law protects all personnel from mistreatment, including those who provide medical care for opposing armed forces or armed groups. Muhammad Baz

Muhammad Baz was from Badel Valley, Narang district, in Kunar province. His family and community members said he was a Salafist, yet had also fought with the Taliban. One relative said that on September 20, Baz left his home in Narang district to go on a business-related trip to Spin Boldak, in Kandahar province. The Taliban stopped him at a checkpoint in the Darunta area of Jalalabad city.

He was allowed to call his family and told them that when the Taliban had checked his phone, they found some Salafist material on it. He also told his family that he had contacted Saleh, the district head of intelligence for Narang district and that Saleh had told the Taliban that Baz was a “mujahid,” a member of the Taliban, and not ISKP. But the Taliban who detained Baz said he could not leave.

Baz’s family and friends said that when they tried to call the phone later it was turned off. A cousin went to the Darunta area where Baz was detained. He asked local residents what they had seen. One witness, a merchant, said, “The Taliban detained someone [who matched Baz’s description], put him in a Ranger [truck], and went toward the city [Jalalabad].”

The next day, Baz’s family received a call from a clinic to come to collect the body, which had been found by a driver in the hilly desert areas of Memla in Khogyani district. Baz’s throat had been slit; his name was on a piece of paper attached to the body. His family and others believe that the Taliban killed Baz because he was a Salafist, wore a long beard, and had Salafist material on his phone.

Nazeerullah

Taliban security forces in Kama district, Nangarhar, detained Nazeerullah, on October 7. His brother “Jawad” said:

At around 10:30 a.m., Taliban forces raided our house. They were in two vehicles: a Ranger and a silver Toyota Fielder. Four of them entered the house forcibly and arrested my brother, who is around 43 years old and is a laborer and finds food for his family through hard work. He was taken to the car in front of several witnesses. ... [T]en minutes later the Taliban took two of my sons [Ibrahim and Subhanullah] who were working in the fields near the mosque.

A villager who saw the arrest said that he had asked the Taliban, "Where are you taking these boys?" and they said, "We are taking them to the district [center]."

Jawad said he went immediately to the district center but was not allowed to see any Taliban officials. The next day he tried again, without success. The third day, more family members from Kunar went to the district center and with a guarantee provided by Bakhtiar Rahman, a local influential figure, the Taliban released Ibrahim and Subhanullah.

Jawad said that Qari Yasir, the Taliban's Kama district police chief, and the head of the General Directorate of Intelligence, Shaheen, told him that the district governor, Hekmat Adil, had ordered the arrest. Jawad said that he went to see Adil, who told him that a battalion from Kabul had come and taken Nazeerullah with them.

Jawad said he then filed petitions first with the Nangarhar provincial governor, Mohammad Daud Muzamil, and then with the deputy governor asking them to order Kama district officials to produce Nazeerullah. He received no response. He then petitioned Interior Ministry officials to produce Nazeerullah, but also received no response. Finally, he wrote to the appellate court of Nangarhar, which referred the case to the primary military court of the eastern zone. The family has learned nothing about Nazeerullah's whereabouts.

Other cases of enforced disappearance were similar. A woman whose son was taken by the Taliban in September said that no one would tell her where he was detained: "They do not allow me to go to the district [district governor or police] ... I spent hours and hours in front of the governor's house, no one allowed me in or even asked me. I do not know what to do."

Taliban officials have also threatened family members who have sought information about their detained relatives. One resident of Chapahar district, Nangahar, who accompanied "Jaffar" to the Taliban's General Directorate of Intelligence Facility No. 90 in Kabul to inquire about the whereabouts of Jaffar's brother, whom the Taliban had detained in September, said that the guard at the gate told him: "They will arrest you too, do not inquire about these people." Jaffar said "I was afraid but what can I do? I want to know, [he's] my brother."

In another case, a man said that his brother and nephew went to the Nangarhar chief of police to ask the whereabouts of a relative. The Taliban commander who met them threatened them, saying: "Shut up, you have come here to release Daesh people." Another man said, "You want to ask [about your relative], but you do not dare ask."

Even if they are not threatened, family members seeking information about detained relatives have said that Taliban authorities refuse to acknowledge the detention or provide any information. A neighbor of a man who was the victim of an enforced disappearance by the Taliban for alleged connections to ISKP said: "When you go to see the Nangarhar [provincial] governor [looking for a relative], they won't let you in. At the gates they tell you go ask elsewhere [referring to other government departments]. Just to deter you."

Nasir

Nasir, an alleged ISKP member, had been arrested by the former Afghan government some time before the Taliban takeover. He was serving time in Bagram jail, and when the Taliban took over, he broke out. He started a fruit cart business in Charahi Butkhak in Kabul in late August. Local workers said that on September 20 "vehicles full of Taliban [came] and took Nasir with them." His brother went first to the District 12 police station, and then he and other family members went to the Bagrami district governor's office in Parwan province, but they were repeatedly told that the Taliban had not detained anyone by his name. A family member said that we "just want to know he is alive ... if he had done anything [wrong], put him on trial." Not all cases reported in Nangarhar and Kunar provinces involved people accused of affiliation with ISKP. Ahmadullah

Ahmadullah, 25, served in the military in the previous government. His relatives said that in September, Taliban forces surrounded the Surkhab Pul area of Jalalabad city and went directly to Ahmadullah's house. The Taliban authorities used loudspeakers to pressure the family to hand him over and threatened to enter the house if they did not. In front of a gathering of villagers, the family handed Ahmadullah over to the Taliban forces. Three days later, Ahmadullah's father received a call telling him that his son's body was lying in the Khalis Baba area. The father said that when he saw his son's body, Ahmadullah's name and village were written on a paper attached to it. The bodies of about seven or eight others were also found in the area.

SAS Faces War Crimes Probe Over Claims Its Troops Executed Scores of Taliban Suspects While in Custody in Afghanistan (Daily Mail)

July 13, 2022

The SAS is facing a war crimes probe over claims its troops executed Taliban suspects while in custody.

Soldiers revealed they were aware of the practice which was allegedly 'covered up' by commanders.

Last night there were growing concerns the shoot-to-kill tactics could no longer be denied, which remains the Ministry of Defence's official position.

One SAS soldier said the truth will 'rock everything'. Another admitted illegal killings were 'part of our job'.

A BBC documentary due to be broadcast this evening will also claim the SAS repeatedly shot dead detainees and unarmed men in suspicious circumstances. Panorama will further claim a former SAS commander, who later became a general, failed to disclose crucial evidence to a murder inquiry.

An ongoing court case is also forcing defence officials to release previously unseen documents. SAS members said they were effectively crippled by the Afghan legal system. Ordinarily in 2010-2011 they were required to observe an Afghan brandishing a weapon before they could open fire.

One soldier, speaking on condition of anonymity, explained: 'Illegal killings were part of our job and yes, the tactics were gruesome. But arresting them [Taliban suspects] was pretty pointless because they would only be held for a few days before being released. So for me, the end justified the means.'

But other troops said they struggle to justify deliberate shootings of unnamed Afghans, which was routinely followed by the placing of a weapon next to their corpse.

The 'drop weapons' tactic was used to suggest these individuals posed a threat at the time of their death.

Another said: 'It came down to one or two loose cannons [in the unit].'

SAS sources also suggested residual guilt over these practices is causing Post-Traumatic Stress Disorder and alcoholism among those who took part.

In March, a high court judge censured the Ministry of Defence for its repeated delays in disclosing documents. Mr Justice Swift blasted government officials for disrespecting timetables and suggested that the MOD had a 'devil may care' attitude to cooperating with the legal system.

Last night the Ministry of Defence said it was open to considering 'any new evidence' without obstruction despite officials insisting previous independent investigations into allegations had found 'insufficient evidence to prosecute'.

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Extraordinary Chambers in the Courts of Cambodia (ECCC)

Official Website of the Extraordinary Chambers [English]

Official Website of the United Nations Assistance to the Khmer Rouge Trials (UNAKRT)

Cambodia Tribunal Monitor

ECCC closing final case by year's end (The Phnom Penh Post)

By Voun Dara

July 7, 2022

Deputy Prime Minister Bin Chhin has informed foreign diplomats representing 10 donor countries that the Extraordinary Chambers in the Courts of Cambodia (ECCC), commonly known as the Khmer Rouge Tribunal, will finish its last case by the end of this year and will focus on archiving thereafter.

The ECCC was established to bring all surviving high-ranking members of the Khmer Rouge to justice for the crimes they

committed either directly or indirectly as the top leaders of the genocidal regime who are most responsible for the atrocities that took place between 1975 and 1979.

Chhin, who heads up the Council of Ministers, met with representatives and diplomats from the 10 donor countries that have contributed to the ECCC – including the US, UK, Australia, France, Japan and Sweden – with their delegation led by Alexandra Hutchison of Australia and Hanna Dreifeldt, a senior legal official from the UN, on July 6.

Chhin said the ECCC had successfully fulfilled its mandate and therefore its last case will come to a close by the end of this year.

“The ECCC has successfully tried the cases that were sent to its courtroom and can now close down its operations once the legal procedures for the final case are completed in the last trimester of this year,” he told the delegation.

However, Chhin said the ECCC will still have two other important tasks to fulfill as previously determined in an agreement signed between the Cambodian government and the UN.

The first task, he said, is the management of the archives of information on the events of the Khmer Rouge period which were gathered together as part of the investigations or for use as evidence in the cases.

The manner of preservation of these archives must follow international standards as well as provide the public with a means to access these documents freely and easily, according to Chhin.

He said the second task is to spread the word about the achievements of the ECCC in bringing about some measure of justice and a more complete understanding of the darkest era in the Kingdom’s history by educating the younger generations about it in order to prevent the recurrence of genocide, both in Cambodia and around the world.

He also said that the government will continue to provide funding to the ECCC so that it may fulfill these remaining functions and he urged all ECCC donors to continue to provide their support to the tribunal.

“The continuous cooperation from the international community in providing financial support will help the ECCC’s transition process to its next phase go smoothly, successfully and with dignity,” he said.

He also thanked the international community, all donor countries and the UN for their support, without which the ECCC’s achievements would never have been possible.

He also noted the important precedent set by the ECCC, which can be viewed as a model for future international tribunals to reference when faced with the difficult task of trying heinous crimes against humanity should the need arise in the future, he said.

The diplomats’ meeting with Chhin were all in agreement regarding the importance and value of the ECCC’s achievements, including the trust and good working relationship the tribunal enjoyed with the Cambodian government.

“The donor countries have all committed to continue to support the remaining work of the tribunal, both in archive management and also through outreach efforts and education, which will help with the protection of the tribunal’s legacy in a way that will allow the ECCC to successfully finish their mission by the end of this year with well-earned pride for their accomplishments,” said Alexandra Hutchison.

Youk Chhang, director of the Documentation Centre of Cambodia (DC-Cam) which maintains the world’s largest repository of the Khmer Rouge documents, said the ECCC’s legacy as part of Cambodia’s historic reconciliation process and its reckoning with its brutal past was undeniable, but the focus should now shift to assisting those Cambodians living in rural areas that have never really recovered from the depredations of the civil war and the destruction incurred during the Khmer Rouge reign of terror.

“Legacies must also be about what comes next and the future. We should give every Cambodian an equal chance at a new beginning. To ensure that happens, I would focus on community development in the rural areas – which would also directly benefit some of the greatest victims of that period – and these initiatives should be led by survivors of the Khmer Rouge genocide,” he said.

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Bangladesh International Crimes Tribunal

War crimes: One to hang, three get jail until death (Dhaka Tribune)

June 30, 2022

The International Crimes Tribunal on Thursday sentenced Maulana Shafi Uddin of Habiganj to death, three others to imprisonment till death and acquitted another accused Sabbir Ahmed for committing war crimes in 1971.

The three convicts sentenced to jail until death are Md Tajul Islam, Md Jahed Mia, and Chalek Mia. Shafi Uddin and Sabbir Ahmed were tried in absentia.

A three-member International Crimes Tribunal headed by Chairman Justice Shahinur Islam pronounced the verdict.

On March 21, 2018, the tribunal released its final investigation report on the accused. The investigation in the case started on March 22, 2016 and ended on March 21, 2018.

The four convicts were found guilty of several crimes during the Liberation War, including looting, arson, kidnapping, detention, torture and murder.

War crimes fugitive Aminul Haque took several trips to Pakistan, RAB says (Bdnews24)

July 3, 2022

The last trip he made to the country was in 2000, RAB said at a news conference on Sunday after they took him into custody from Dhanmondi on Saturday night.

Aminul was living in the Dhanmondi area from 2014 after moving houses, said Commander Khondker Al Moin, a RAB spokesman.

He and his wife lived at the house. The couple's two daughters, now living in Singapore and Australia, were paying for their parents' home.

Aminul was known as Rajab Ali in Dhanmondi and Kalabagan neighbourhoods.

He made several friends in Pakistan during the 1971 Liberation War and went to visit them on occasion, he said during the initial interrogation, RAB said.

In 2014, the International Crimes Tribunal filed a case against Aminul on charges of murder, genocide, kidnapping, detention, torture and looting during the Liberation War. He was indicted in 2015 and sentenced to death in 2018.

During the trial, the prosecution said Aminul received arms training at the Pakistan Army camp in Kishoreganj's Bhairab in 1971 and later formed the local unit of Al-Badr militia to assist the Pakistani forces upon his return to his area, Alinagar village in Kishoreganj's Austagram.

Freedom fighters reportedly caught him after independence and he was jailed for life in three cases filed under the Collaborators Act 1972.

Freed in 1981, Aminul authored a book "Al-Badr Bolchhi".

The prosecution mentioned that his statements in the book proved the war crime charges against him.

The International Crimes Tribunal sentenced Aminul and another fugitive, Md Liakat Ali from Habiganj, to death in 2018 for wartime crimes against humanity, including murder and genocide.

According to the probe report, both of them committed several crimes in Lakhai Upazila in Habiganj, Nasirnagar Upazila in Brahmanbaria and Austagram Upazila in Kishoreganj during the war.

According to the prosecution, Liakat was an activist of the Muslim League prior to the war, while Rajab was a member of its student organisation. Aminul became the president of the Bhairab Haji Asmat Ali College unit of the Islami Chhatra Sangha in 1970.

Liakat and Aminul, supported by Pakistani soldiers, committed mass killings and looting in Krishnapur village under Lakhai Upazila in Habiganj on Sept 18, 1971.

Forty-three people, all from the Hindu community, were shot dead during their raid, according to charges pressed by the prosecutors.

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War Crimes Investigation in Myanmar

Myanmar Military's Culture of Atrocities (The Irrawaddy)

By Ye Myo Hein

July 12, 2022

Myanmar's military, known locally as the Sit-Tat or military, has embarked upon a massive campaign of violence since last year's coup and, over the past 17 months, has intensified and expanded its use of terror. The Sit-Tat has a notorious history of committing atrocities, so much so that its opponents often label it as "fascist." Since its founding under the patronage of Imperial Japan in late 1941, the casual and systematic employment of atrocities in warfare has become deeply internalized within the institutional culture of the Sit-Tat.

The military's most recent atrocities are thus not an aberration but rather a historical pattern emanating from its institutional culture. This culture of atrocities is the product of a complex interplay of its guardianship ideology, internal brutalization, longstanding legal impunity, and 'situational logic'. The military's atrocities do not appear all at once, but emerge over time as a result of an escalatory process. Thus, it is highly likely that the current war will see further escalation in the Sit-Tat's employment of mass violence as it continues.

Despite the recurrent nature of this violence across many decades, the international community largely chooses not to act. The global community has seemingly not realized the true nature of the Sit-Tat's deep-seated culture of atrocities, as well as its inability to change or reform. Some international actors are thus unrealistically hopeful regarding the Sit-Tat's vague promises of reinstalling civilian rule, while others believe the Sit-Tat's narrative about its supposed role as a stabilizing force in Myanmar.

Yet history exposes the flaw in these two views, a history that Myanmar's people know all too well. With the ongoing revolution, the majority of Myanmar's people are endeavoring to end the Sit-Tat's culture of atrocities and bring the country back to a democratic and stable future. The responsible international community should therefore find all possible ways to aid and abet the Myanmar people in their struggle against the monstrous Sit-Tat and bring an end to its use of mass violence.

An Endless Cycle of Atrocities

Radio Free Asia (RFA) recently published images and video depicting junta soldiers bragging about how they murdered civilians in cold blood. The photos and video, retrieved from a cache of files in a soldier's cell phone obtained by a villager in Sagaing Region's Ayadaw Township, are evidence of a series of atrocities committed by the Sit-Tat since it launched its massive offensive against the People's Defense Forces. The report revealed images recording the mass arrest and execution of civilians, as well as the cruel torture of a detained villager, and a selfie video that shows soldiers chatting in crude terms about how many people they have killed and by what means, what they did with the bodies, what their commander ordered them to do, and admitting that they looted villagers' properties.

In the video a soldier asked another, "You said you killed 26 people. How did you kill them? Just shooting them with a gun?" He then boasted that he killed five by slitting their throats. The third claimed that he had killed eight people. One soldier said his superior ordered him to cut a body in three pieces before burial, while another added exuberantly, "I had to cut off the head. I had to chop it five and six times...Pieces of flesh came out, like pork. But human flesh is yellowish." The soldiers show no sign of remorse and appear to speak proudly about committing unspeakable crimes and atrocities. The images and video in the report are the clearest evidence that the Sit-Tat regularly commits abhorrent war crimes and crimes against humanity.

The RFA report exposes just one incident from one of the many operations launched by the Sit-Tat nationwide. Data for Myanmar, an independent group monitoring the junta's atrocities, has estimated that 18,886 houses in 435 locations, of which

the village in the report is just one of them, have been burned down in the Sit-Tat's operations from February 1st, 2021 to the end of May this year. In fact, the actual extent of damage is wider, as data from some conflict areas is unavailable. As the Sit-Tat has done for decades, wherever it operates, it has committed arson attacks, mass arrests, torture, looting, wanton destruction and summary executions – including burning villagers alive and killing children.

The Sit-Tat's Institutional Culture of Atrocities

The Sit-Tat's brutality is a core element of its institutional culture as practiced throughout the modern history of Myanmar. In the country's long-running and bloody civil war, the Sit-Tat has persistently and extensively executed its signature indiscriminate violence against not only its opponents but also non-combatant civilians, particularly in ethnic minority areas.

This is best reflected in its "Four Cuts" strategy, meaning the cutting off of food, money, intelligence, and potential recruits. This doctrine was developed by the Sit-Tat in the 1960s and used extensively and repeatedly over decades in its many counter-insurgency campaigns. The original aim of the "Four Cuts" was to cut off insurgent groups from essential support within the local population, and it predominantly targeted civilians instead of armed combatants.

Over seven decades of internal conflict, campaign after campaign has transformed Myanmar's military into a battle-hardened institution shaped by its institutional culture of systematic atrocity infliction. The brutal clearance operations against the Rohingya, which the United States ruled a "genocide," are the most internationally notorious example of how deeply entrenched the atrocity culture is within the institution.

As some analysts argue, ideology plays a crucial role in shaping the patterns of violence perpetrated by armed groups in civil war. In this case, the Sit-Tat's atrocity culture is intertwined with its long-established 'guardianship ideology' that justifies its violence, including the "Four Cuts" strategy. Successive military leaders have long claimed that the military is the "guardian of the State and defender of the religious faith". This 'guardianship ideology' is entrenched within the institution via constant indoctrination and propaganda campaigns amongst both the officers and enlisted men. Military personnel are indoctrinated to believe that they are indispensable to Myanmar because the country will disintegrate and Buddhism will be destroyed without their active protection. Any action by the guardians – even extreme atrocities – is justified as being for the sake of the country.

Soldiers are taught that they stand above all civilians, who are incapable of preserving the country and religion by themselves. As an institution guided by this ideology, the Sit-Tat rejects the notion of 'civilian control', which it regards as incompetent civilians unnecessarily attempting to restrict Its actions, and it is thus feels justified in undermining any constraints on its prerogatives.

Another key driver of this culture is the Sit-Tat's legal impunity. The Sit-Tat has historically enjoyed decades-long legal impunity, as reflected in the 2008 constitution that reserved substantial powers, including 25 per cent of parliamentary seats and key ministerial positions, for the military even under civilian rule. Such a privilege of impunity impeded the coup-leader Senior General Min Aung Hlaing to boldly claim that "there is nothing I dare not do" before the coup and military personnel to believe that they can get away with any sort of fiendish crimes. As the United Nations Deputy High Commissioner for Human Rights said, the current crisis "was born of impunity".

Furthermore, the Sit-Tat's atrocity culture is sustained by a system of harsh discipline. Historian Bret Devereaux observes in his Foreign Policy article that brutal discipline, such as harsh treatment between superiors and subordinates and brutal training, are enabling factors for the military's atrocities. In the military's repressive hierarchy subordinates, who have "found themselves on the receiving end" of harsh treatment by their own superiors, "replicate the pattern to atrocious effect" while in a position of power over unarmed civilians. Likewise, soldiers mistreated by brutalizing military training stand ready to "apply what they have learned in basic training" to others, particularly defenseless civilians.

The interplay of harsh discipline and war crimes is not unique to Myanmar. Studies on the brutality of the Imperial Japanese Army (IJA) concur with this statement. Japanese historian Saburo Ienaga wrote that the IJA practiced "a cruelty towards subordinates...snowballed as it rolled down the ranks, till all the tensions and abuse landed on the recruits...the lowest of the low." Professor Yang Daqing related this practice inside the army with atrocities towards outsiders in his study of the Nanjing massacre in 1937. Moreover, Ienaga also observed that the brutal military training in the IJA installed "a penchant for brutality among its soldiers against enemy prisoners and civilian noncombatants".

Within the Sit-Tat's climate of fear, individuals at the lower end of the military hierarchy are as ill-treated as slaves. Major Hein Thaw Oo, a military officer who broke ranks after the coup, told Myanmar Now that "in the military, for whatever reason, you're always scared of anyone who has a higher rank than you." Moreover, as one analyst observed, "training for military infantry troops is invariably rigorous and often brutal" and "a level of brutalization is par for the course in the training process". It therefore comes as no surprise that soldiers brutalized by internal military hierarchies are predisposed to unleashing their frustrations and grievances on civilians.

Finally, the institutional culture of atrocity, long-established, inculcated, and embedded within the Sit-Tat, often erupts as a direct result of the ‘situational logic’ of the battlefield. Commanders, frustrated due to severe backlash, massive losses and abject failures in achieving their operational objectives, often push their troops to increase their level of violence, which therefore readily spirals into wartime atrocities. The Sit-Tat, which has suffered its heaviest losses in recent memory during the current fighting, has scaled up its brutality with the aim of creating a reign of terror by indiscriminately shelling and bombing civilian areas, extensively launching arson attacks and scorched earth campaigns, and committing mass murder in the name of reprisals. In the foreseeable future, it is safe to say that the increasingly overstretched and overburdened Sit-Tat will only escalate and intensify its atrocities, particularly under the pressures of a metastasizing rebellion.

In the Sit-Tat, a culture of atrocities has become so deeply entrenched that there is little hope of resurrecting the institution. During the democratic transition period, international actors attempted to engage the military in an attempt to reform it and ensure civilian rule. Yet, as demonstrated in its continued violence against ethnic minorities, the genocide of the Rohingya, and the February 2021 coup, the Sit-Tat’s institutional culture is fundamentally rotten to the core due to its potent mix of ideology, impunity, internal brutalization, and eagerness to resort to mass violence. The military’s atrocities did not “appear all at once,” but are only the latest incidences in a long string of tragedies.

The World Should Not Stand By

While the crisis in Myanmar, and the Sit-Tat’s future, will likely be decided on the battlefield, inaction by the international community to stop it will only contribute to the unfolding humanitarian cataclysm. Yet many in the international community look the other way as Myanmar’s military commits atrocious crimes against its fellow countrymen. This wilful ignorance stands in stark contrast to the international community’s response to the Russian military’s atrocities in Ukraine.

The global community has yet to fully realize that the Sit-Tat as an institution is unsalvageable and must be replaced, a fact that Myanmar’s people know all too well. Many in the international community still argue that the Sit-Tat will reinstall civilian rule through negotiated settlement and restore stability. But this is not realistic, as “successive generals of the military have always presumed that negotiation comes from a position of weakness, and that compromise is about losing”. Even if they enter into negotiations, it is not for genuine reasons but rather to buy time. As history shows, the military with its profoundly internalized culture of atrocities is, as one analyst observed, an army of darkness. It will not concern itself with democracy, stability and the country’s future, but only with maintaining its grip on power by whatever means it deems necessary. And, considering its guardianship ideology and culture of atrocities, this includes escalating the mass violence.

Expecting the military with a deep-seated institutional culture of atrocities to bring the country back to a democratic and stable future is pure fantasy. Without radically reforming the institution, the Sit-Tat will always be a poison pill for the future of the country. The Myanmar people are experientially well aware of this fact, so they sacrificially set themselves towards the Herculean task of taking on the Sit-Tat to bring the country back to a stable democratic state. As Myanmar’s people embark on this struggle, the international community must do more to support and stand together with the people against the monstrous Sit-Tat.

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AMERICAS

North & Central America

How the top U.S. Nazi hunter intends to bring Russian war criminals to justice (Jewish Insider)

By Gabby Deutch

June 30, 2022

Eli Rosenbaum's long career has brought him face-to-face with the "inconceivable" — twice.

Four decades ago, fresh out of Harvard Law School, he joined the Department of Justice's famed Nazi-hunting unit, the Office of Special Investigations, which he would later go on to lead.

Now, the longtime prosecutor of atrocity crimes has been tapped by Attorney General Merrick Garland to lead Washington's efforts to investigate Russian war crimes in Ukraine.

"The inconceivable has happened," Rosenbaum said Tuesday at a U.S. Institute of Peace event about pursuing accountability for Russian war crimes. Russians and Ukrainians were both victims of the Nazis, Rosenbaum said in an emotional appeal. Russians and Ukrainians languished together in Nazi concentration camps.

"Two countries that were invaded by the Nazis, one is now attacking the other - and honestly, when I hear the president of the Russian Federation refer to Ukraine as Nazis, it's like fingers on the chalkboard for me, only a lot worse," he continued, speaking alongside Ukrainian ambassador to the U.S. Oksana Markarova and State Department's ambassador-at-large for global criminal justice Beth Van Schaack. "Everybody knows who's channeling the Nazis in waging an aggressive war and committing atrocities."

Rosenbaum achieved global celebrity in the world of international criminal justice for his inventive legal approaches to investigating and, later, prosecuting those who had committed crimes against humanity during World War II. He will bring that experience to his new role, former colleagues of Rosenbaum tell Jewish Insider.

"Americans are sending a signal. It's a very, very important step, and he's a highly qualified professional. His dedication is really legendary," said Efraim Zuroff, chief Nazi hunter at the Simon Wiesenthal Center.

But Rosenbaum also brings a historical - and personal - understanding of this conflict and of war crimes.

His father served in the U.S. Army during World War II, and some of the detainees he questioned during the war were later tried at Nuremberg. "I don't know whether it led me to this work or not," Rosenbaum told *JI* in 2020. "It probably played a role." The two only once briefly discussed his father's experience in World War II, when Rosenbaum was 14: "We never did speak about that, actually. He lived for many, many, many more decades - and we certainly talked about my work - but that was just too close to home."

Rosenbaum, 67, first joined the Justice Department in 1980, in the brand-new OSI, an experimental Nazi-hunting unit. He has been at the department ever since, with the exception of four years in the 1980s, which he spent at a law firm and then at the World Jewish Congress. Most recently, he oversaw the department's human rights enforcement strategy and policy on other atrocity crimes in places like the former Yugoslavia.

"I did, of course, cut my teeth, so to speak, on the Nazi cases, but I and my colleagues have been working on cases involving post-war conflicts also now for decades," he said Tuesday.

At OSI, Rosenbaum devised unique approaches to finding evidence of Nazi war crimes, especially when much of the documentation was hidden behind the Iron Curtain.

"Most of the crimes of the Holocaust, almost all of the murders, were committed in Eastern Europe, which had come under Soviet control after the war," said Elizabeth White, now a historian at the U.S. Holocaust Memorial Museum who worked with Rosenbaum for more than two decades at OSI. "Much of the documentation that had survived had been seized by the Red Army and was inaccessible in Soviet archives."

Historians and prosecutors working for the U.S. government created lines of communication with the Soviets, but the Communist government did not cooperate in the way Washington hoped.

"There was no free access to witnesses. They would produce the witnesses. And they chose people, of course, that fit their political interests," said Zuroff. Meanwhile, judges in the U.S. were "very loath to credit evidence and witnesses who came from Communist-controlled countries," said White, so investigators had to find corroborating evidence in Western archives. It was a roundabout and often frustrating process, but many of the prosecutions of Nazi war criminals who had escaped to the U.S. would not have been possible without Soviet cooperation.

Now, as counselor for war crimes accountability, Rosenbaum faces a potentially more difficult task: getting anyone in Russia to help the U.S. and its European allies as they investigate the country.

In his remarks on Tuesday, Rosenbaum urged Russians to consider their proud history of assisting the U.S. in its investigation of Nazi war criminals. (A DOJ spokesperson declined to make Rosenbaum available for an interview.)

"For anyone who might be watching in Russia, read the history. My colleagues and I were constantly criticized for

collaborating with Moscow in these cases, but it was the right thing to do. We followed the evidentiary trail where it led," Rosenbaum said, resulting in justice for both Ukrainian and Russian victims of the Nazis.

The road ahead for Rosenbaum and Ukraine's allies in Europe will be long; investigations happen quietly, over months or years or even decades, as in the case of the Nazi prosecutions. Just last year, a Tennessee man was extradited from the U.S. to Germany after Rosenbaum and his team discovered evidence that the naturalized U.S. citizen had worked during the war as an armed guard in a Neuengamme subcamp.

"This is not something that's going to happen in the short term. This is a long-term project," said White. She noted, for example, the recent conviction of a former Syrian regime intelligence officer in Germany for crimes he committed in Damascus in 2006.

"People travel. So for example, you're having some trials of Syrian regime perpetrators in Germany, because they're there, and then their victims are there, and so they've been able to bring prosecutions against them," said White. Rosenbaum will likely work to guarantee that when the people identified as Russian war criminals travel outside of Russia - which they will do, eventually - they face criminal consequences.

The German prosecution happened as a result of an unlikely coincidence: the victim of the Syrian officer recognized him at a refugee center in Berlin. With Russia, Rosenbaum will have to devote resources to talking to victims, but also to trying to figure out who within the Kremlin bears responsibility for the war crimes.

"You want to be able to prosecute the people most responsible for the worst damage. But sometimes that's not as easy as it looks. It may not be the commander on the ground. It may be someone in Moscow, sitting in Moscow, who gave an order to carry out an attack in such a way that the collateral damage, even if he didn't mean to kill civilians, many civilians were killed," said Zuroff. "That person in Moscow bears the responsibility." Well, there's not going to be any cooperation from the Russians. So that's one of the difficulties he's going to face."

Rosenbaum acknowledged that the work will happen slowly, and under the radar - even if some of the recent actions of the U.S. and its partners have achieved worldwide attention.

"The recent seizures of superyachts through the work of the DOJ-led interagency Task Force KleptoCapture, work that we do alongside our global partners, understandably garners headlines," he said at the USIP event. "But there is much more, much more, going on behind the scenes as we continue to use all available resources and employ cutting-edge investigative techniques to hold accountable individuals whose criminal actions are enabling Russia's unjust and cruel war against Ukraine."

Ukraine has already begun to try Russian soldiers with war crimes. The first case landed a guilty verdict for a Russian soldier charged with killing a civilian, resulting in a life sentence.

Charging Russians with war crimes in the American justice system is legally challenging because of jurisdictional issues, although Rosenbaum's team will surely assist Ukrainian prosecutors, too. But the U.S. can only prosecute a person for war crimes if the victim is an American citizen.

The cases that Rosenbaum brought against Nazis did not charge them with war crimes - instead, he worked to remove Nazis who moved to the U.S. after the war, or he assisted other countries on similar extradition matters.

"Eli Rosenbaum's experience is legend by now. I worked with him in the 1990s when I was ambassador-at-large for war crimes issues and helped him occasionally to bring Nazi perpetrators of atrocity crimes to justice, including one who had fled to Argentina and needed to be brought to justice in Croatia," said David Scheffer, a senior fellow at the Council on Foreign Relations. "He is the consummate professional and his decades of experience hunting Nazi war criminals and ensuring they no longer live freely in the United States prepare him well for the challenge ahead."

The legal logistics and questions of process, investigation and documentation will be figured out in the months and years ahead. But Rosenbaum's goal, he said, is straightforward.

"We have a clear and simple message for anyone who would even consider participating in the commission of war crimes and other grave offenses in Ukraine," Rosenbaum said. "One word: Don't."

Forensic Architecture: how the original OSINT detectives harness the data to solve war crimes (the i)

By Kieron Monks
July 5, 2022

Kyiv's TV Tower was struck by an air-launched cruise missile at 5.08pm on 1 March. A second missile missed the tower and

landed close to a building intended for use as a Holocaust museum. The raid came days after Russia's ministry of defence announced its intention to strike the sources of "informational attacks" against Russia. At least 10 Ukrainian TV and radio stations were bombed during the first month of the war.

The facts of the attack were established by researchers at Forensic Architecture and Ukraine's Centre for Spatial Technology (CST). But they also revealed the history of a site where more than 33,000 Jews were massacred during the Second World War. Using topographical maps, historic photography, and digital modelling, investigators pinpointed the locations of mass executions, and also detailed the cover-up by Soviet authorities who filled the site with liquid mud. Their report noted the continuity between that "erasure" and latter-day attempts to blast Ukrainian information sources off the airwaves.

"Where we can break new ground is to think about the historic conditions for this invasion," says Bob Trafford, research coordinator at Forensic Architecture. "We can connect open-source work - our understanding of events day by day - with that historic context."

Open-source intelligence (OSINT) has become a vital tool for understanding the horrors of the war in Ukraine. An army of analysts thousands of miles from the frontlines are providing weapons trackers, geolocating airstrikes, and debunking claims by both sides. The Ukrainian government has complained this research is being used to target their forces. If the "Arab Spring" uprisings were the first social media revolutions, this could be considered the first OSINT war.

Forensic Architecture is among the longest-serving veterans of the field. The research agency, headquartered at Goldsmiths University in London, has been exposing state and corporate crimes for more than a decade from the torture centres of Myanmar to chemical warfare in Gaza and drone strikes in Pakistan. The group's current projects include collaborations with Ukraine's CST, an investigation into German colonial crimes in Namibia and assigning responsibility for the deaths of migrants in the Mediterranean Sea.

The group has a mandate to "develop new technologies and methodologies for investigation," which means choosing cases that require innovation. In 2014, researchers broke ground by using machine learning to identify Russian army tanks in the Donbas, proving an invasion that the Kremlin denied. Analysis of sound frequencies was used to demonstrate that an Israeli soldier used live ammunition in the killing of a Palestinian civilian. Coders with backgrounds in gaming produce virtual reality reconstructions of crime scenes.

Forensic Architecture tends to favour long-term projects, leaving rapid rebuttals to more specialised outfits such as Bellingcat, such as a recent debunking of Russian claims of a military target at Kremenchuk Mall. There is also an emphasis on accountability that informs which cases are taken. An investigation into the murder of Greek rapper Pavlov Fyssas was used in the trial that convicted leaders of the neo-Nazi Golden Dawn party and resulted in proscription of the group. An exhibition at the Whitney Museum of American Art exposed the role of vice-chairman Warren B. Kanders in the sale of tear gas grenades used against migrants at the US-Mexico border and prompted his resignation.

The group often works closely with the people affected by the crimes being investigated. "It's not just about fact-finding," says Trafford. "We are there to work alongside victims and struggle with them."

Accountability is often elusive, Trafford acknowledges, while dealing with the crimes of states with little regard for the Geneva Conventions and international mechanisms that are ill-equipped to enforce them. But the group is seeking to strengthen those mechanisms through collaboration with human rights groups and UN agencies, while director Eyal Weizmann sits on the technology advisory board of the International Criminal Court (ICC).

There is an element of personal risk in making such powerful enemies. Weizmann has been blacklisted from travel to the US without explanation. Several of the team have been targeted with Israel's Pegasus phone-hacking spyware. Research trips are sometimes cancelled due to security concerns.

But Forensic Architecture is still expanding its scope and presence. New tools are under development and satellite offices are being established in locations such as Ukraine, Brazil, Mexico and the Palestinian territories to bring them closer to the frontlines where they are most needed.

Trafford is encouraged by the growth of the OSINT field, which has allowed hobbyists across the world to develop the skills and techno-literacy to challenge propaganda and expose war crimes. Bellingcat founder Elliot Higgins started his journey as an amateur enthusiast, he notes, before creating the award-winning agency.

Regimes are adapting to the challenge presented by OSINT, creating their own open-source style propaganda and appropriating the terminology. But the nature of the form "creates new battlegrounds and fields to explore," says Trafford. More nimble operators working within a network can have the advantage over state agencies. "We can still beat them to the punch," he says. "And that's exciting."

Ukraine News: U.S. Accuses Russia of Hundreds of Thousands of Deportations (NYT)

By Livia Albeck-Ripka

July 13, 2022

Russian authorities have "interrogated, detained, and forcibly deported" between 900,000 and 1.6 million Ukrainian citizens, including 260,000 children, from their homes into Russian territory, often to isolated regions in the far east, U.S. Secretary of State Antony J. Blinken said on Wednesday.

Mr. Blinken described the transfers as "a grave breach of the Fourth Geneva Convention on the protection of civilians" and "a war crime."

Russia has acknowledged that 1.5 million Ukrainians are now in Russia, but asserted that they were evacuated for their own safety.

Ukrainian officials have long sounded the alarm on Russia's deportations, with President Volodymyr Zelensky last month describing them as "one of Russia's most heinous war crimes." Since the beginning of Russia's invasion of Ukraine, he said, the deportations have included more than 200,000 children.

Testimonies given to The New York Times and other news outlets by deportees who escaped Russia have included descriptions of so-called filtration sites and accounts of interrogations, of beatings and torture of those deemed to have ties to Ukraine's armed forces, and of disappearances.

European officials have described the filtration sites as being set up in schools, sports centers and cultural institutions in parts of Ukraine recently seized by Russian forces.

From those sites, many Ukrainians have been transported to destinations across Russia - often to regions far from Ukraine, near China or Japan, according to the testimonies.

Some U.S. officials have previously raised concerns about deportations, but only gave vague assessments of the scale.

Michael Carpenter, the United States ambassador to the Organization for Security and Cooperation in Europe, said during a speech in Vienna in May that many witnesses had given detailed accounts of Russia's "brutal interrogations" in filtration camps that at least several thousand Ukrainians had been forced into, and deportations on the order of at least tens of thousands.

Mr. Blinken's statement on Wednesday also cited reports that Russian forces were "deliberately" separating Ukrainian children from their parents and abducting others from orphanages. Witnesses and survivors, the statement said, described "frequent threats, harassment, and incidents of torture by Russian security forces."

In some instances, the statement said, Ukrainians' passports were confiscated, and they were issued with Russian passports instead, "in an apparent effort to change the demographic makeup of parts of Ukraine."

Mr. Blinken said that the United States was calling for an immediate halt to the deportations and for Russian authorities to release those detained and to allow them to return home. Independent observers, the statement said, should be permitted to access alleged filtration sites and places that Ukrainians have been deported to.

His statement came on the eve of the Ukraine Accountability Conference, which is being held on Thursday in The Hague. The conference, hosted by the Dutch government, the Office of the Prosecutor of the International Criminal Court and the European Commission, aims to ensure that war crimes in Ukraine do not go unpunished.

"President Putin and his government will not be able to engage in these systematic abuses with impunity," Mr. Blinken said. "Accountability is imperative."

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Commentary and Perspectives

For Sudan, Hope Isn't a Strategy (Human Rights Watch)

By Nicole Widdersheim

July 5, 2022

Policy wonks like to have a theory of change. If X and Y happen, then Z will be achieved.

For Sudan, the U.S. government's theory of change seems to go like this: If we support a deal among the Sudanese military who took power back by force and political elites, we will see civilian-led democracy come to Sudan.

That's magical thinking. U.S. officials believe that the same military actors who staged a coup to stop democracy will now give up power with no deterrents or financial costs. One thing I've learned over 20 years working on Sudan is that its leaders play the long game. They're already finding ways to deflect pressure from the international community. The United States welcomes small cosmetic actions, while real change remains elusive.

On May 29, Sudan's military leaders announced the end of a 7-month state of emergency and the release of political detainees. U.S. officials welcomed the announcement. But since then, more people have been killed or injured and dozens of peaceful protesters arrested. Washington issued no condemnations except a joint statement with other countries noting the killing of the 100th civilian since the coup.

U.S. officials need to take the blinders off. Sudanese military leaders will not change without pressure. The United States should urgently wield smart, individually targeted sanctions, including travel restrictions and other consequences for any violence.

The people's revolution of 2018-2019 was a formidable challenge to the corrosive power structure that repressed Sudanese for decades. A joint civilian-military transition led the country for a little over 2 years until a military coup last October. Among the Sudanese autocrats now back in power are those with a violent and corrupt track record, including those from former President Omar al-Bashir's rule.

These autocrats and military actors committed crimes against humanity, ethnic cleansing in Darfur-which the United States declared a genocide-while maintaining their economic stranglehold over the country. Over time, new actors began to lead the abuses, some of whom are now sitting in Khartoum making decisions about Sudan's future.

Resistance committees, civilian groups created out of the revolution in 2018, insist on a civilian-only transition and call for abusers to be held to account. These priorities should guide a more strategic theory of change for U.S.-Sudan policy.

Here are some lines of effort for U.S. policymakers to consider that put human rights and the Sudanese people at the center:

-Engage with pro-democracy civilian actors, including the Sudanese Protest Movement. The U.S. government should prioritize the demands of the protest movement in U.S. engagement with military leadership.

-Stop using rhetoric that accepts violence. The U.S. Embassy recently called for Sudanese forces not to use "excessive violence" on civilians marking the anniversary of the June 2019 massacre. U.S. officials should set a higher bar of "no violence," and lay out tangible consequences for any civilians killed, seriously injured or ill-treated, including sexually assaulted, by military forces.

-Sanction bad actors. U.S. officials have made it known that they don't want to sanction the Sudanese leadership-needlessly throwing away one of the better levers in the U.S. tool kit. A steady stream of targeted sanctions including travel restrictions would be smarter. A strategy I coordinated for the Democratic Republic of the Congo from the National Security Council as its Africa director in 2017-2018 used financial sanctions and visa restrictions that were ratcheted up over time. That's a possibility for Sudan too, since current military leaders have been linked to gold mining, state-owned enterprises, and other businesses sanctionable under U.S. law.

-Use Global Magnitsky to Cut Off Military Resources. The U.S. issued a business advisory at the end of May that warned U.S. entities operating in Sudan about corruption. But since the military owns nearly everything, one key action to stop abuses is to disrupt their resource stream. That's why military leaders pushed back against civilian oversight over their enterprises before their coup. Strategic use of the Global Magnitsky Sanctions regime's corruption provisions could help erode one source of ongoing violence against civilians.

-Don't ignore justice and accountability. Letting accountability slide perpetuates impunity and violence. The United States should strengthen its support of local activists and lawyers and help collect and analyze evidence of violence. It should press military actors to stop unlawful detention and arrests, and facilitate investigations into violence during the transition, like the massacre of at least 120 people during protests on June 3, 2019. And, as part of the U.S. government's recently observed support for international justice through the International Criminal Court (ICC), it should push Sudanese leaders to hand over

the three suspects in their custody who face ICC charges for atrocities in Darfur, including former President al-Bashir. Supporting independent efforts to strengthen domestic accountability prospects would also help stop the cycles of impunity.

I don't doubt that the United States wants to see a democratic Sudan. But it needs to course correct. Tangible deterrents and consequences for abuses-in addition to support for justice and accountability-would show that the United States truly understands what it means to be an ally to one of the most inspiring civilian struggles for freedom and democracy in the last decade.

How to fix China's Population Crisis: Say Sorry to Women (Human Rights Watch)

By Mei Fong and Yaqui Wang

July 5, 2022

We have been writing and warning for years about the Chinese government's one-child policy and its disastrous long-term effects on the country's population and society.

It feels like we have been documenting the melting of glaciers; a calamity, but a slow-moving one. For the past six years China moved swiftly from a one- to two- to three-child policy only to be met with plummeting birth rates. Every marker of demographic decline is a reminder of why regulating family size by force is a human rights disaster.

In January the Chinese government announced that last year the country only added 480,000 people and the birth rate dropped to 7.5 per 1,000 people, the lowest in decades. Meanwhile, the percentage of older people has steadily risen, with people aged 60 or above accounting for nearly one-fifth of the population. For the first time since the great famine of the Great Leap Forward in 1961, China's population could contract this year, with fewer births than deaths, all of which is causing labor shortages, pension shortfalls, and a host of social problems.

How should the Communist Party address this crisis?

China isn't the only country trying to raise sagging birth rates but it is by far the only country to have shed so much of its population without war or pestilence. It did so through the introduction of the one-child policy, a radical, long-running social experiment that was vicious, inhumane, violated everyone's reproductive rights, and resulted in a wildly uneven distribution by sex. It has led to an estimated 30-million male surplus - roughly an Australia-size population of bachelors - and an age distribution within the population at odds with the country's economic health. As a result, the Chinese Communist Party is now turning to women and exhorting - some say hounding - them to have more children.

In an astonishing about-face, the one-child policy has turned into a "have one more child" policy and then one more but so far women aren't buying it. The 2016 introduction of the two-child policy did lead to an initial spike in birth rates but, since then, births have dropped every year. Many have cited the high cost of child-rearing as a disincentive, but women - the main focus, target, and victims of the country's whipsawing population planning policies - have also revolted against these latest attempts to restrict their reproductive choices.

Jonathan Swift once wrote a satire on how the Irish famine could be solved by eating children. For the country that has figuratively devoured its young, here is our Swiftian proposal on how the Chinese Communist Party should start to solve its population problem: with a sincere, massive apology to China's women. Say sorry for blaming them for the country's negative population growth. Say sorry for stigmatising unmarried women in their late 20s by calling them "leftover women." Say sorry for violating their rights to make their own choices on marriage, work, and reproduction and, in general, not doing enough to take down patriarchal systems that put the burden for having more children and caregiving squarely on women's shoulders.

In March, for example, the Jiangsu provincial authorities partly attributed their negative population growth - occurring for the first time since the founding of the People's Republic in 1949 - to "the significant increase in women's educational level." The tone of the announcement - as if women's education is to blame for China's population problems - riled many. "So, no more foot-binding, but brain-binding now?" a netizen commented on social media platform Weibo.

While Chinese women are more educated than ever, workplace gender discrimination keeps holding them back from achieving their full potential. In China, differences in mandated parental leave - mothers can get up to six months of maternity leave, while paternity leave is at most 30 days - have encouraged discriminatory practices by employers and reinforced harmful gender norms. With China's weak workplace protection laws, many companies are openly expressing a preference to hire men or women who've already had their children, as Human Rights Watch research shows.

Since the 2016 lifting of the one-child policy, numerous women have described being asked about their childbearing status during job interviews, being forced to sign contracts pledging not to get pregnant or being demoted or fired for being pregnant. A recent college graduate said all five companies that she interviewed with asked about her marriage and childbearing plans, and three of them told her that they would not offer her the job if she wanted to have a child. A mother of one child was asked to sign a contract promising that she would not have a second for at least three years as a condition for a

job offer. A woman was fired days after she informed her employer that she was pregnant. The list goes on and on. While Chinese law bans such discriminatory practices, it provides few effective enforcement mechanisms, leaving victims with inadequate avenues for redress.

While the goal of the two- and three-child policy is to encourage, not discourage births, it's still the same story as the one-child policy in the sense that women end up being punished for their fertility, one way or the other.

You might ask how could the CCP saying sorry help China's population crisis?

Well, it might not do a lot to spur births. But the government's long history of restricting women's right to reproductive choice and bodily autonomy through abusive, and sometimes violent means has instilled a deep fear and suspicion among many women in China that genuine attempts at reparation - however unlikely this might be to happen - would help alleviate.

One cannot begin to build happy families in a miasma of fear, suspicion and rage.

Above all, the Chinese women are owed profound apologies for the extensive and inhumane acts committed against them during the one-child policy years, when the authorities subjected countless women to forced contraception, forced sterilization, and forced abortion, particularly in the 1980s and 1990s. The steps needed to implement an apology

Genuine contrition doesn't stop at words. The state should also urgently take practical steps to end gender inequality in all areas of society, including the workplace and home. In addition to meaningful measures to prevent employment discrimination, the government should end discriminatory parental leave policies, expand parental leave and protections for those who take it, ensure availability and affordability of childcare and other forms of professional caregiving, and provide equitable access to health care for pregnant women and their children. The stick has failed; this is what a carrot might look like.

Another easy solution to increase the birth rate is to allow people who are not traditionally parents to become parents, but this isn't something the Chinese government has demonstrated a willingness to do. Children born outside of marriage still face fines and denial of access to public services, and same-sex unions are not recognized. Single women are denied access to egg freezing procedures and in vitro fertilization, with the justification that these technologies could "instill unrealistic hope in women who might mistakenly postpone childbearing plans."

A quick recap: Shortly after the CCP took power in China in 1949, Chairman Mao Zedong encouraged population growth to create manpower. As a result, China's population nearly doubled in 30 years. Then in 1979, to curb population growth and ease environmental and natural resource challenges, the Chinese government introduced the "one-child policy," limiting most couples in the country to just one child. The policy was crafted by military scientists, men of course, who believed any regrettable side effects - see those listed above - could be swiftly mitigated, and women's fertility rates easily adjusted. This resulted in horrors including no-birth periods, such as from May to August 1991 in Guan and Shen counties in Shandong province, where all pregnancies were forcibly aborted, during the "Childless Hundred Days" campaign.

For 30 years, parents across the country who resisted complying with the one-child policy were harassed, detained, and had their property confiscated or houses demolished. Authorities often levied enormous fines on families who violated the policy, forcing them into destitution. Children who were born outside of the one-child policy were denied legal documentation. As a result, until the hefty fine was paid, these children were unable to obtain an education, health care, or other forms of public services.

One of us, Yaqiu, was born as the third child of her family. Her mother hid in relatives' homes, dodging government officers who tried to take her away for a forced abortion. But Yaqiu's family was still impoverished by the huge fine imposed on her life. As her mother often joked to Yaqiu growing up, "We even had to sell the broom in order to afford you!"

The Chinese Communist Party also owes a fervent apology - and full reparations - to the women who have been trafficked to fill the female shortage caused by the one-child policy. Coupled with China's traditional preference for boys, the one-child policy created an estimated 30 to 40 million "missing women" and fueled a demand for trafficked women and girls, spurring a business in selling humans in countries across Asia and within China.

One of the most pernicious examples of this is Xiahuimei, a mother of eight who had been found thinly clad and chained in a shed. Many in China were shocked to see such medieval conditions on the eve of the Beijing 2022 Winter Olympics, at a time when authorities could employ high-tech means to make snow, survey crowds and censor dissent. Authorities initially tried to cover up the issue, but in the face of public outrage, arrested several people, including her husband, for trafficking. Authorities said Xiahuimei had been bought and sold several times since 1998, but she is just one of many. Human Rights Watch has documented survivors who were sold for between US\$3,000-13,000, repeatedly raped, and often forced to leave behind children fathered by their buyers, a source of great pain.

It is not only lower-income women who bear the brunt of the country's reproductive policies.

In its bid to raise birth rates, the Chinese Communist Party has been placing curbs on divorces and abortions, narrowing women's choices - another thing to say sorry about.

Since 2020, the Chinese Communist Party has been making divorce harder with a law establishing a mandatory "cooling-off period" of 30 days for couples who apply for divorce-through-agreement. Women's rights activists warned that the law could disproportionately harm women, including endangering women experiencing domestic violence, as women initiate three-quarters of divorces. The forced "cooling off" appeared to have worked, as government statistics showed a steep drop in divorce filings in 2021. But some experts said the drop might also be due to pandemic restrictions that made scheduling divorce appointments more difficult.

The government is also stepping up efforts to reduce abortions. In September 2021, the State Council, China's cabinet, in its "Chinese Women's Development Guidelines" for 2021-2030, identified "reducing non-medically necessary abortions" as a step toward women's development, one more example of its continued attacks on women's reproductive rights. In April, the state-controlled newspaper People's Consultative Conference said in an article, quoting expert opinion, that "parties responsible for unsuitable abortions" should be "severely punished."

A disaster that could have been avoided

The sad truth is, there was no real justification for the one-child policy's painful measures. The Chinese Communist Party sought to rationalize it as a crucial step to revitalize its economy and defuse a population time bomb. But a full decade before the one-child policy, China already had the "Later, Longer, Fewer" family planning policy that had halved family sizes successfully, using less coercive tactics. Many demographers believe China could have slowed population growth and turbocharged its economy without resorting to the one-child policy's extreme methods. After all, in roughly the same period China's one-child policy was in place, birthrates in South Korea, Taiwan, Singapore and Thailand also plunged. Now, these countries are also trying to raise birth rates. - But they don't have to deal with problems on the scale of what China faces, with human trafficking, a demographic tsunami, and legions of lonely men and traumatized women. To have inflicted all this suffering unnecessarily is truly something to be sorry for.

A World Cup of Shame: FIFA Fails LGBT Rights Test in Qatar (Human Rights Watch)

By Rasha Younes

July 7, 2022

In November the 2022 FIFA Men's World Cup opens in Qatar, a country that represses the rights of lesbian, gay, bisexual, and transgender people and punishes same-sex relations with up to seven years in prison.

The soccer governing body, FIFA, knew this in 2010, when it awarded Qatar the football tournament, one of the world's most widely viewed sporting events. FIFA's own governing statutes, in force at the time, ban LGBT discrimination of the kind Qatar enshrines in its national laws, and FIFA's due diligence to enforce its own policies around the world has been ineffective.

In 2016, FIFA adopted the United Nations Guiding Principles on Business and Human Rights, which require it to "avoid infringing on the human rights of others and address adverse human rights impacts." It requires FIFA to take adequate measures for the "prevention, mitigation, and remediation" of human rights impacts.

To meet this responsibility for the Qatar World Cup, FIFA should have introduced concrete policies and a human rights due diligence process with regular reporting. But less than five months ahead of the football tournament, and despite FIFA's recent celebration of Pride month, it is clear that it is failing to live up to its promises.

In March, an international coalition of groups noted FIFA's and Qatar's lack of progress in implementing civil society recommendations on LGBT rights made to the country's Supreme Committee, including legal reform and free expression guarantees.

But despite Qatar's dismal human rights record, including around the rights of migrant workers, severe restrictions on free expression and peaceful assembly, state policies that discriminate and facilitate violence against women, and a repressive environment against LGBT residents and visitors, Qatar remains the tournament host and has not changed its ways.

In 2020, Qatar assured prospective visitors that the kingdom will welcome LGBT visitors and that fans will be free to fly the rainbow flag at the games. But it begged the question: what about the rights of LGBT residents of Qatar?

Suggestions that Qatar should make an exception for outsiders are implicit reminders that Qatari authorities do not believe that its LGBT residents deserve basic rights. It risks erasing the lived repressive reality of LGBT residents of Qatar.

On May 20, at a news conference in Berlin, the Emir of Qatar, Sheikh Tamim bin Hamad al-Thani, responded to a question about the rights of LGBT visitors by repeating that, "We [Qatar] welcome everybody, but we also expect and want people to respect our culture."

Qatar's steady reference to "culture" to deny LGBT people's rights deflects responsibility away from abusive state systems. "Culture" should not be used as a cover for discourse, practices, and legislation that have effectively excluded content related to sexual orientation and gender identity from the public sphere.

Qatari authorities censor mainstream media related to sexual orientation and gender identity. And people who have experienced government repression have told us that the government surveils and arrests LGBT people based on their online activity.

In April, Major General Abdulaziz Abdullah Al Ansari, a senior Interior Ministry official overseeing security for the football tournament, said that rainbow flags may be confiscated from prospective visitors "for their protection." Al Ansari added: "Reserve the room together, sleep together - this is something that's not in our concern."

It certainly should be a concern. A recent survey by a Scandinavian media group showed that 3 of the 69 hotels on FIFA's official list of recommended accommodations would deny entry to same-sex couples. It found that only 33 did not object to booking same-sex couples, while 20 others said that "they would accommodate same-sex couples as long as they did not publicly show that they were gay." FIFA responded, warning that it will terminate any contracts with hotels that discriminated against same-sex couples.

Qatar's hardening position may be connected to its improving geopolitical standing in light of Russia's invasion of Ukraine, especially in Europe where Qatar's liquefied natural gas is viewed as an alternative to Russian energy.

Journalists, human rights organizations, and football associations have widely criticized allowing Qatar to host the World Cup in the first place. FIFA has a responsibility to hold host authorities accountable to an international rights-respecting standard, including on LGBT rights.

Long-term legal reform should prioritize the realities of LGBT residents of Qatar, including by introducing legislation that protects against discrimination on the basis of sexual orientation and gender identity, online and offline. The Qatari government should repeal all laws that criminalize consensual sexual relations outside of marriage-before the World Cup begins this fall.

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Aiding and Abetting

Macron's Failed Promises on Lebanon (Human Rights Watch)

By Aya Majzoub and Bénédicte Jeannerod

July 4, 2022

On June 3, the survivors and victims of the catastrophic explosion in Beirut's port held their latest news conference decrying the lack of accountability for one of the biggest non-nuclear explosions in modern history, which ravaged their city, their homes, their bodies, and their families.

One by one, those who had lost loved ones or who were maimed in the explosion on August 4, 2020, expressed incredulity that almost two years on, the accused politicians have managed to indefinitely suspend the investigation. Some of the politicians charged in the case were recently re-elected to parliament, and the government has provided the survivors with little to no support to rebuild their lives.

Many of the families of the victims anticipated that justice would be hard to come by in a country plagued by a culture of impunity that for decades has allowed high-level officials to escape accountability for grave crimes and human rights abuses. They appealed to the international community to establish an independent investigation under the United Nation's Human Rights Council, hoping that an impartial inquiry would give them the answers that the Lebanese authorities have denied them.

Over the past two years, Human Rights Watch has worked with the families of the victims to drum up support for such an

investigation. We have written letters to the members of the Council, organized news conferences urging the international community to act, and met with diplomats in Beirut, Geneva, and various capitals around the world. But the victims' pleas were met with silence, apathy, or obfuscation.

France's position has been particularly troubling. President Emmanuel Macron arrived in Lebanon only two days after the blast, parading around the shattered streets promising the population that "I'm not here to help them, I'm here to help you." He told reporters that "an international, open and transparent probe is needed to prevent things from remaining hidden and doubt from creeping in."

Despite the neo-colonial overtones of his visit, many hoped that it signaled a shift from the traditional French policy toward Lebanon of unconditionally propping up an increasingly corrupt and incompetent political class through diplomatic overtures and multi-billion dollar donor conferences.

However, in the two years since, Macron has not only backtracked on his promises. He has also given the embattled Lebanese political class a lifeline through his ambitious but unfulfilled "roadmap" toward reform. His government's inaction at the Human Rights Council stands in stark contrast to the commitments Macron made to the victims.

In our many meetings seeking an independent investigation, we have had to counter many excuses for inaction: "It's not the right time." "This is not a human rights issue." "Give the domestic investigation a chance."

And each time, we have produced evidence to rebut those excuses. Human Rights Watch analyzed hundreds of pages of official documentation that provides evidence that the explosion was not merely an unfortunate accident and strongly suggests that high-level military, security, and government officials - including the president and prime minister - foresaw the significant threat to life from the stockpile of ammonium nitrate at the port and tacitly accepted the risk. Under international human rights law, this amounts to a violation of the right to life.

We also documented a range of procedural and systemic flaws in the domestic investigation, including flagrant political interference, immunity for high-level political officials, lack of respect for fair trial standards, and due process violations. Fifteen people languish in pre-charge detention in connection with the blast while the domestic investigation is indefinitely suspended. Most diplomats we've spoken to recently now share our assessment of the domestic investigation. In all our conversations, we come back to one main sticking point: the need for France's "green light." Other countries appear to defer to France because of a perception of its "special relationship" with Lebanon - i.e. its colonial history.

While such an approach is deeply problematic in entrenching unequal and colonial power structures, it is baffling that France is not living up to Macron's promises to the Lebanese people. Moreover, France's failure to act should not be a reason for other states to sit back and do nothing at the Human Rights Council.

Macron's "roadmap" is not working. Anyone in Lebanon could have told Macron that there was no chance that the same political elite who benefit financially from the status quo would carry out reforms that weakened their stranglehold -- at least not without tremendous domestic and international pressure.

Macron needs to send a clear message to Lebanon's political class that violating international human rights law with impunity is a thing of the past.

France should lead a group of like-minded states at the ongoing Human Rights Council session calling out Lebanon's culture of impunity as a building block toward a resolution at the September session establishing an international investigation into the explosion.

The Lebanese public and the families of the victims deserve answers. Macron should support their aspirations for truth, justice, and accountability for the Beirut explosion and beyond.

Palestinians say Biden 'helping sustain apartheid' before visit (Aljazeera)

By Zena Al Tahhan

July 13, 2022

Interchanging United States and Israeli flags fly high on lampposts in Jerusalem in advance of US President Joe Biden's visit.

Biden is expected to arrive in Israel and the occupied Palestinian territories on Wednesday, in his first tour of the region since taking office in early 2021. He will be joined by US Secretary of State Anthony Blinken during the four-day visit, which will end with a stop in Saudi Arabia.

For Palestinians, however, the US flag is not a welcome symbol.

They say Biden's policies as president - like his predecessors - represent the US's longstanding allegiance to Israel at the expense of Palestinian freedom and dignity.

"He's [Biden] not coming here for Palestinians, he doesn't care about Palestinians," Diana Buttu, analyst and former legal adviser to Palestinian negotiating teams, told Al Jazeera.

"He has done nothing to stop Israeli settlements, while home demolitions have gone up since he's been office, and he hasn't stopped the killings [of Palestinians] that are happening on an almost-daily basis," she added.

"It has been a feature of US policy - pre-dating [former US President Donald] Trump and Biden - to do whatever it is that Israel wants," said Buttu. "Nothing new"

Biden will begin his visit from Israel, where he will meet Israeli leaders including Prime Minister Yair Lapid and opposition leader Benjamin Netanyahu, among others.

On Friday, the 79-year-old president will visit occupied East Jerusalem and the occupied West Bank city of Bethlehem where he will hold talks with Palestinian Authority (PA) President Mahmoud Abbas, before flying to Saudi Arabia.

A June 14 statement by the White House said the president was coming to "reinforce the United States" iron-clad commitment to Israel's security and prosperity".

In the West Bank, the statement said, Biden would "consult with the Palestinian Authority and to reiterate his strong support for a two-state solution, with equal measures of security, freedom, and opportunity for the Palestinian people".

Such statements, Palestinians say, are not representative of the real US agenda.

"I don't think Biden's visit is bringing anything new," 34-year-old Jerusalem resident Omar Jamal told Al Jazeera.

"As a Palestinian, I would expect more from the US government in terms of defending human rights of Palestinians since it claims it's a democracy that caters for human rights," he added.

Further angering Palestinians - particularly Palestinian Americans - is the apparent US decision to overlook the killing of Al Jazeera journalist Shireen Abu Akleh by Israeli forces on May 11.

While Abu Akleh's family sent a letter to Biden earlier this week demanding a meeting with the president during his visit, there has been no expression of intent by US officials of doing so, or any real steps to push for Israeli accountability.

A United Nations investigation has concluded that the bullet that killed the veteran journalist was fired by Israeli forces. The Biden administration, however, angered Palestinian rights and press freedom advocates when it said earlier this month that State Department investigators had found Israeli military gunfire was "likely responsible" for Abu Akleh's death, but that forensic analysis showed no reason to believe that the shooting was intentional.

"Helping sustain apartheid"

Biden last visited Israel as vice president in 2016, prior to the many US foreign policy changes enforced by Trump that drastically disadvantaged Palestinians. Under Trump, the US government recognised the whole of Jerusalem - including the occupied eastern half - as Israel's capital and moved its embassy from Tel Aviv to Jerusalem.

Trump also recognised Israeli sovereignty over the 1967-occupied Syrian Golan Heights, closed down the Palestinian representative office in Washington, DC and shut the US consulate to Palestinians in Jerusalem. He also cut financial support to the PA and funding to the UN's refugee agency (UNRWA), among other things.

Analyst Buttu said Biden was not much different from Trump. While he partially restored financial aid, he has done nothing to reverse the major changes that Trump implemented, she added.

"The difference is that Biden is doing the same by effectively turning a blind eye, rather than the Trump policy of embracing Israeli illegality," she said. "People have this false sense that the US is an honest broker or a dishonest broker," continued Buttu, adding that such descriptions were unfit.

"The US is not only an enabler, it is Israel's partner in all of this."

Fadi Quran, a Ramallah-based political and social activist, agreed.

"President Biden is not pushing for any real change, he is helping sustain the apartheid status quo," said Quran.

Pointing to Biden's visit to Saudi Arabia and his expression of efforts to push for normalisation between Israel and the Arab world in a Washington Post opinion piece, Quraan told Al Jazeera he believed the US president was merely "buying time for authoritarian leaders and war criminals across the region".

"Pushing for change would mean helping hold Israeli war criminals accountable at the International Criminal Court, ending weapons sales used to commit war crimes, and forcing Israel to stop its theft of Palestinian land.

"President Biden is doing none of the above."

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WORTH READING

Potential War Crime And Violation Of International Humanitarian Law In Afghanistan

Mohammad Rasikh Wasiq

July 9, 2022

War crimes are identified with violations of the law of war at the time of arm conflict. It is an extensive conception and if any harm is caused to mankind during peacetime, it is regarded as a war crime. Any kind of infringement of human rights falls under war crimes. The suffering of Afghans was ignored by the world for a couple of decades but what is not acceptable is Afghanistan's government is doing the same. Afghanistan does not have any substantial law on genocide. War crimes in Afghanistan included acts such as abuse of civilians or prisoners of war. It is important to deal with the problem of genocide and related violence. Hence, war crimes in Afghanistan are violations of international humanitarian laws incurring individual criminal responsibility and must be adequately investigated.

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