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War Crimes Prosecution  
Watch

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*A Global Pro Bono Law Firm*

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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 [warcrimewatch@pilpg.org](mailto:warcrimewatch@pilpg.org) and type "subscribe" in the subject line.

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## **Libya**

**Libya's migrants and refugees with tuberculosis 'left to die' in detention centres (UN News)**

June 7, 2019

**Amid ongoing conflict in and around the capital, OHCHR spokesperson Rupert Colville expressed deep concern about the "ghastly conditions" in which migrants and refugees are being detained in the capital Tripoli and elsewhere.**

He explained that at the Zintan facility south of Tripoli, 22 people had died of tuberculosis - which is preventable - and other illnesses since last September.

"Tuberculosis need not be a killer disease, but in these circumstances, clearly it is killing people and there must be a risk that

more will die”, Mr. Colville said. “There’s another report that people are being sent to a different place near the front line effectively to die there, because they are Christians, and there are no burial facilities near Zintan.”

The development follows clashes in and around the outskirts of Tripoli, instigated by the self-styled Libyan National Army forces of General Khalifa Haftar, who leads a parallel administration in the eastern city of Benghazi.

Insisting that conditions at Zintan may amount to “inhuman and degrading treatment or punishment” and possibly torture, the OHCHR spokesperson expressed concern that other migrants have been sold into forced labour or to smugglers offering transit to Europe.

“We are also extremely concerned about ongoing reports of disappearances and human trafficking after people were intercepted at sea by the Libyan Coast Guard and taken back to Libya,” he said, in an appeal to the Government of National Accord to launch an investigation to locate those missing.

“The Libyan Coast Guard and the DCIM (Department for Combatting Illegal Migration) must ensure that they are accountable for every person held in detention, and that their human rights are respected”, Mr. Colville said. “We remind the Government that when a person dies in custody, there is a presumption of State responsibility...TB is clearly really a menacing threat in Zintan and it needs proper attention...proper medical care; and this is really a crisis.”

More than 2,300 people have been picked up in the Mediterranean Sea since 30 April and put in detention facilities, Mr. Colville noted, adding that the Libyan Coast Guard reported that it had delivered “hundreds” to a facility in Al-Khoms, which is under the oversight of the UN-recognized Government’s Department for Combatting Illegal Migration, or DCIM.

Of this number, more than 200 were delivered there on 23 May, but the Al-Khoms facility reported that it now has “only 30 migrants present, despite 203 been taken there just a couple of weeks ago”, he said.

In addition, Mr. Colville highlighted reports that some women have been sold for sexual exploitation – the latest in a long list of “horrific abuses to which migrants and refugees are subjected” in the troubled North African State.

Today, some 3,400 migrants and refugees are detained in Tripoli, according to OHCHR. “Libya has a heightened duty of care to protect the lives of individuals deprived of their liberty, including providing them with the necessary medical care,” Mr. Colville said.

## **Second Benghazi militant convicted in U.S. court in 2012 attacks that killed ambassador (The Washington Post)** By Spencer S. Hsu

June 13, 2019

### **A federal jury on Thursday convicted a second Libyan militant of conspiracy in the deadly 2012 attacks on U.S. facilities in Benghazi, Libya, that killed U.S. Ambassador J. Christopher Stevens and three other Americans.**

The jury in Washington delivered a partial verdict, finding Mustafa al-Imam, 47, guilty on one count each of conspiracy to provide material support to terrorists and maliciously destroying government property but deadlocking on 15 of 17 other counts, including the most serious charges of murder and attempted murder in the overnight attacks that began Sept. 11, 2012, on a U.S. diplomatic mission and nearby CIA post.

U.S. District Judge Christopher R. “Casey” Cooper directed jurors to continue deliberating when they return Monday, said a spokesman for Jessie K. Liu, the U.S. attorney for the District.

The verdict, on the fifth day of jury deliberations that followed a four-week trial, echoed the finding of a separate jury in November 2017 that found accused ringleader and Libyan militia leader Ahmed Abu Khattala, 47, guilty of four of 18 counts but not directly responsible for the deaths of Stevens, State Department communications aide Sean Smith and CIA security contractors Glen Doherty and Tyrone Woods.

Abu Khattala is serving a 22-year prison sentence handed down by Cooper, who presided over both trials.

Stevens was the first U.S. ambassador killed while in the performance of his duties in nearly 40 years.

Imam’s capture was ordered by President Trump, and his trial in civilian court marked the first of a foreign terrorism suspect captured abroad during his administration.

Imam faces maximum penalties of up to 15 years for conspiracy and 20 years for destruction of property.

After getting the split verdict in the initial Benghazi trial, the government switched out prosecution teams and delivered a

more streamlined case against Imam in which they sought to fix accountability not only for the assault on the diplomatic mission but also for a second round of attacks hours later on a secret nearby CIA annex in which Woods and Doherty were killed in a rooftop mortar strike.

As they had done at Abu Khattala's trial, prosecutors drew out testimony by Libyan witnesses paid millions for their assistance who said they saw or heard Abu Khattala take steps to plan, execute and claim responsibility for the attacks on what he called an illegal U.S. spy base in his home city.

They relied on records of calls to and from Abu Khattala's cellphone, stolen from the Libyana mobile phone company, and surveillance video of Abu Khattala's men among scores who overran the diplomatic mission.

Imam was captured by U.S. Special Operations forces in Misurata, Libya, on Oct. 29, 2017, one day before FBI agent Michael M. Clarke testified during Abu Khattala's trial that Abu Khattala had implicated Imam — in questioning by U.S. investigators — as a person with whom Abu Khattala rode to and from the diplomatic compound the night of the attacks, and as the person shown in security videos carrying a looted map from the compound headquarters.

At Imam's trial, a joint FBI terrorism task force officer testified that Imam gave three interviews after he had received his Miranda rights warning and before he invoked his right to an attorney. The statements came after Imam was shackled, gagged and blindfolded after being grabbed off a street, taken to a U.S. warship, and held in a 6-by-7-foot detention "pod," testimony showed.

"I know why I'm here . . . because of Khattala," Imam allegedly told agents, according to statements at trial, adding he traveled with him to the compound and took a phone at his order and a map on his own initiative. "The defendant put himself on the scene of the U.S. Mission during the time that that battle was being waged," prosecutor Karen Seifert said in closing arguments.

Defense attorney Matthew Peed called Imam a "simple man" who worked as a grocery clerk, who militia members believed was mentally disabled because he was terrified of sleeping in the dark, and who was friends with Abu Khattala because they had met in prison before the attacks.

"There is no evidence whatsoever that Mr. Al-Imam knew about this attack or agreed with it," Peed said, arguing the defendant went home to bed before the dawn attacks at the CIA annex.

At least a dozen others are known to have been charged in sealed U.S. criminal complaints in connection with the Benghazi attacks, although none before Abu Khattala and Imam are known to have been apprehended.

Several State Department and CIA contractor security guards testified at trial, including those who suffered grievous injuries.

The attacks had generated partisan political venom toward then secretary of state and later 2016 Democratic presidential nominee Hillary Clinton.

**Libyan Strongman Haftar Says Offensive on Tripoli Will Go On (Bloomberg)** By Samer Al-Atrush  
June 19, 2019

**Libya's eastern commander, Khalifa Haftar, vowed to press ahead with an offensive on the capital until militias there are disbanded, despite mounting international pressure to end the conflict that threatens to rip apart the OPEC member.**

Haftar, who has secured control over much of the rest of the country, including vital oil fields and installations, also said in overnight interviews with Libyan media that he intends to dissolve the UN-backed government currently headed by Prime Minister Fayez Al-Sarraj.

Al-Sarraj proposed a peace plan earlier this week, but it effectively excluded Haftar, leaving little hope that the eastern strongman would sign on. The snub appears to have only stiffened his resolve. Haftar said that a unity government would be formed if he takes Tripoli, setting the stage for fresh elections and the drafting of a new constitution.

The Libyan National Army's "military situation in Tripoli is excellent," Haftar said. The operation "will not stop until all its objectives are accomplished."

The LNA -- the country's strongest and most organized military force -- has stalled at Tripoli's outskirts since launching its campaign in April.

From the start, Haftar cast his fight as one against terrorists. The military commander now also argues that the powerful militias in the capital, which serve as the main force for Al-Sarraj, are increasingly in control of key state institutions such as

the central bank.

In the interviews, Haftar said the new unity government would also “re-balance” oil revenues. The comments were a reference to claims that the oil-rich eastern region doesn’t get its fair share of the proceeds from crude sales.

In addition, he said other entities born of a 2015 political agreement, like the presidential council that governs the nation, would be disbanded. The council’s mandate has expired.

“We will have a transitional phase that will be managed by a national unity government that will immediately start working upon liberating Tripoli,” he said.

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## CENTRAL AFRICA

### Central African Republic

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

#### **Central African Republic - Rebels Complete Disarmament (All Africa)**

June 11, 2019

**In spite of the difficult security situation in the Central African Republic, CAR, which last month saw the massacre in Paoua of 30 civilians by 3R rebels, progress is being made in restoring peace. Some 14 armed groups on February 5, 2019 in the Sudanese capital, Khartoum, reached a peace deal with the government of President Faustin-Archange Touadéra. Agency reports say the RévolutionJustice, RJ rebel movement of Armel Ningatouloum Sayo, which operated in the far north-west and west of the country, last week completed the disarmament of its combatants.**

"There are no more RJ fighters in the localities we visited," noted Captain Guy-Sylvain Goné, head of the disarmament and demobilization mission that visited the area. He added that the last fighter to hand in his weapon was Luther Bétoumbam, Chief of Staff of the defunct RJ rebel movement. Révolution-Justice leader, Armel Ningatouloum Sayo, was one of the representatives of 14 armed groups who signed the peace agreement with the government last February. He was later appointed High Commissioner in charge of National Pioneer Youth, with rank of a cabinet minister.

All disarmed combatants have two choices - join the military or learn a trade and be reintegrated into society. Meanwhile, Mankeur Ndiaye, the Special Representative and head of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic, MINUSCA, will on June 15, 2019 brief the United Nations Security Council on the SecretaryGeneral's MINUSCA report. The Chair of the Peace-building Commission's Central African Republic configuration, Ambassador Omar Hilale of Morocco, may also brief the Council. MINUSCA's mandate expires on November 15, 2019.

#### **Two AFP journalists beaten, detained in C. Africa (Yahoo) By Sonia Bakaric and Camille Malplat**

June 16, 2019

**Security forces in Central African Republic beat and detained two journalists working for French news wire Agence France-Presse (AFP) covering a banned opposition protest in the capital Bangui, the reporters said Sunday.**

Charles Bouessel, 28, and Florent Vergnes, 30, said they were held for more than six hours and questioned three times on Saturday after having been manhandled by members of the Central Office for the Suppression of Banditry (OCRB).

The pair also had their equipment confiscated and a camera smashed up.



AFP condemned the incident as "unjustifiable police violence".

"The protest was going well, the (police) let us film and clearly saw that we were not part of the rally," Bouessel said Sunday.

"Then the protesters were quickly dispersed. Trucks carrying OCRB members arrived and we heard live bullets being fired", he added.

The reporters said they were prevented from leaving the area despite telling the security forces that they were accredited journalists allowed to work in CAR.

The OCRB "seemed furious that we were filming the scene and charged at us," Bouessel said.

"One of them grabbed my camera and smashed it on the ground. I put my hands up in the air but received a first slap to the head. My backpack was snatched from me and thrown to the ground. When I asked to get them back... I received more punches."

- 'Grabbed by the throat' –

Vergnes, meanwhile, said he was "grabbed by the throat", slapped and "pistol-whipped in the back with a Kalashnikov".

Security forces also seized his bag, camera and mobile phone during the arrest.

"I had a nosebleed and my back and jaw hurt," he said, adding he saw a doctor in Bangui on Sunday.

AFP Director for Africa Boris Bachorz said the reporters had done nothing wrong.

"Charles Bouessel and Florent Vergnes did nothing but their work, for which they were duly accredited by the Central African Republic authorities, when they were arrested and beaten by members of the police before being detained for hours," Bachorz said in a statement.

"We ask the CAR authorities for assurances that these two journalists, like all their colleagues in Central African Republic, can continue to carry out their work without having to fear for their physical wellbeing."

Bachorz added that AFP would formally seek those assurances from CAR authorities on Monday.

Justice Minister Flavien Mbata said the two journalists had been arrested because they were present at a protest banned by the police.

"We demanded yesterday that they be released, which has happened," Mbata told AFP, adding further steps would be determined "once we have all the details".

Paris-based media rights campaigners Reporters Without Borders (RSF) denounced the treatment of the journalists.

"This bad treatment must not go unpunished," it said on its Twitter account.

The CAR is ranked 145th out of 180 countries in RSF's 2019 World Press Freedom Index, after dropping 33 places.

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## **Sudan & South Sudan**

**Official Website of the International Criminal Court  
ICC Public Documents - Situation in Darfur, Sudan**

**Amnesty warns war crimes continuing in Sudan's Darfur** By Bassam Hatoum and Samy Magdy  
June 11, 2019

**Sudanese security forces have continued to commit "war crimes and other serious human rights violations" in the Darfur region, Amnesty International said Tuesday,**

**as the African country has been rocked by political turmoil following the military's ouster of autocrat Omar al-Bashir in April.**

The rights organization said the abuses in Darfur at the hands of Sudanese paramilitary units, the Rapid Support Forces, include the destruction of entire villages, as well as “unlawful killings and sexual violence.”

The RSF grew out of the notorious Janjaweed militias mobilized by al-Bashir during the Darfur conflict in the early 2000s. The militias were widely accused of crimes against humanity, and al-Bashir — now jailed in Khartoum — was indicted on charges of genocide.

RSF commander Gen. Mohammed Hamdan Dagalo, better known as Hemedti, now serves as deputy head of the ruling military council. The coup leaders are locked in a growingly violent confrontation with a protest movement that is demanding they hand power over to a civilian leadership, now that al-Bashir is gone.

A spokesman for the military council did not immediately answer calls or return messages seeking comment.

“In Darfur, as in Khartoum, we’ve witnessed the Rapid Support Forces’ despicable brutality against Sudanese civilians - the only difference being, in Darfur they have committed atrocities with impunity for years,” said Kumi Naidoo, secretary general of Amnesty International.

He urged that the U.N. and the AU “not turn their backs on people in Darfur who rely on peacekeepers for protection.”

He warned that if the joint force, known as UNAMID, is dismantled and the peacekeepers pull out of Darfur, this “would recklessly and needlessly place tens of thousands of lives at risk by removing their only safeguard against the government’s scorched earth campaign.”

The U.N. said Monday that Sudan’s military rulers issued a decree demanding the mission in Darfur hand over its premises as part of its withdrawal plan next year.

The U.N. is to vote at the end of the month about the future of the already reduced force. The target for ending the mission is June 30, 2020.

The Human Rights Watch said Tuesday that, based on the peacekeeping mission’s own reports, the Rapid Support Forces now occupy nine of 10 sites vacated by the U.N. force within the past eight months.

The Security Council “should halt all handovers, re-assess downsizing plans, and refocus its attention on UNAMID’s core mandate to protect civilians,” said Jehanne Henry, associate Africa director at HRW.

The New York-based group said the RSF violently broke up the protesters’ main sit-in camp outside the military’s headquarters in Khartoum on June 3.

Over 100 people were killed in the deadly crackdown on the pro-reform movement in Khartoum and elsewhere across Sudan, according to protest organizers. In response, the opposition started a general strike on Sunday, the first day of the workweek in Sudan, in a renewed bid to pressure the military council to hand over power to civilians.

The Forces for Declaration of Freedom and Change, which represents the protesters, said Tuesday they decided to suspend their general strike and campaign for civil disobedience until further notice. They called on Sudanese to resume their work on Wednesday.

The military-run government did not appear to be softening its position. The strike was successful in the first day, according to protest leaders, but on Tuesday many shops and businesses reopened and there was visibly more traffic in the streets of Khartoum and its sister city of Omdurman.

Meanwhile, an Ethiopian envoy said negotiations between the military council and the protest leaders would resume “soon.”

Mahmoud Dirir told a news conference in Khartoum on Tuesday that all previous deals between both sides have been restored and that the new talks would focus on the make-up of the disputed sovereign council.

Ethiopian Prime Minister Abiy Ahmed has been trying to revive negotiations between the generals and the protest leaders and has visited Khartoum.

The internet monitoring group NetBlocks said that Sudan’s remaining internet connectivity was disconnected late Monday. Internet had largely been cut off in the capital already.

The new disruption has downed Sudan Telecom's Sudani service, along with Canar Telecom and Mobiltel Zain. Mobile internet connectivity has been largely offline since June 3, the group said.

Also on Tuesday, the Sudan Doctors Central Committee said that RSF forces attacked a market the previous day in the town of Deleig in central Darfur.

The medical group said it documented 11 deaths, including nine which it blamed on the paramilitary force members.

It said the attack wounded at least 20 people.

The committee is the medical arm of the Sudanese Professionals Association, which spearheaded protests against al-Bashir and is now leading a campaign of civil disobedience against the military rulers.

The U.N. humanitarian agency said customs offices at Port Sudan, the country's main port, were open on Monday and resumed their functions with limited capacities.

Also the U.N. humanitarian air services operated as normal Monday, the U.N. Office for the Coordination of Humanitarian Affairs said.

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## **Democratic Republic of the Congo**

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

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## **WEST AFRICA**

### **Côte d'Ivoire (Ivory Coast)**

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

**Boko Haram kills 17 soldiers, 9 civilians in Cameroon (dailysabah)**

June 11, 2019

**Terrorists belonging to the Boko Haram group active in Nigeria killed at least 26 people in an attack in neighboring Cameroon that was one of the bloodiest in recent months, according to a security official.**

"Seventeen soldiers and nine civilians" were killed in the attack early Monday on Darak, a Cameroonian island located near Lake Chad, the regional security official told AFP.

A preliminary count, given on Monday, had three Cameroonian soldiers killed along with an unspecified number of civilians in an attack on a military post in the area.

The official told AFP on Tuesday that the Boko Haram attack sparked fierce combat with Cameroonian troops. He said 40 of the terrorists were captured and seven soldiers remained missing.

Before being repelled, the terrorists managed to hoist their flag over Darak, several security sources said.

Boko Haram's decade-long uprising in Nigeria's northeast, which has killed more than 27,000 people and left 1.8 million homeless, has spilled into neighboring Niger, Chad and Cameroon.

An anti-Boko Haram force combining soldiers from Chad, Cameroon, Niger, and Nigeria has been set up but has failed to rout the group from the restive Lake Chad region.

**Cameroon Says 88 People Killed in Suspected Boko Haram Attack (Bloomberg)** By Pius Lukong  
June 13, 2019

**More than 80 people were killed, including 16 Cameroonian soldiers, during an attack by suspected Boko Haram Islamists in the north of the country, the defense ministry said.**

Eight civilians and 64 fighters also died in the pitched battle in the Darak locality of Cameroon's Far North Region on June 9, while another eight fighters were taken prisoner, Defence Minister Joseph Beti Assomo said in statement handed to reporters in the capital, Yaounde.

Based in Nigeria, Boko Haram has been waging a violent campaign since 2009 to impose its version of Islamic law in Africa's most populous country. Its attacks have left tens of thousands of people dead and the violence has spilled into Niger, Chad, and Cameroon.

**Chad rebel chief arrested in France on war crimes charges (France24)** June 17, 2019

**One of Chad's main rebel leaders was detained at his Paris home on Monday over alleged crimes against humanity committed in Sudan, his rebel group and French legal sources said.**

General Mahamat Nouri, the exiled leader of the Union of Forces for Democracy and Development (UFDD), was detained at his home in western Paris in connection with "his activities in Sudan between 2005 and 2010," a group spokesman told AFP.

Paris prosecutors confirmed his arrest along with that of two other Chadian rebels as part of an investigation opened last month into crimes against humanity and similar charges.

Founded by Nouri, the UFDD is one of the main groups opposing President Idriss Deby Itno. Some of its forces are based in southern Libya.

In 2008, the UFDD joined with other rebel groups in a bid to overthrow the regime, with the rebels reaching the gates of the presidential palace in N'Djamena before being repelled by the army with the backing of French troops.

Two years later, Nouri and two other rebel chiefs were expelled from Sudan, where they had based their operations for many years.

Their expulsion came just months after Khartoum and N'Djamena normalised relations following years of tension marked by mutual accusations that each side was supporting the other's rebels.

Nouri has previously had a base in Qatar.

**Nigeria: 'Children used' as suicide bombers in Borno attack (BBC)** By Mayeni Jones  
June 18, 2019

**Children were used as suicide bombers in a triple attack in Nigeria on Monday, Unicef has said.**

Two girls and a boy carried out the bombing outside a video hall in Konduga village in north-eastern Borno State, the UN children's charity said. Their ages are not yet known.

Officials say at least 30 people were killed and 40 injured in the attack.

The bombing is believed to have been carried out by the Boko Haram jihadist group. It has not yet commented.

According to Unicef, five children have been used in suicide attacks since the beginning of the year.

In 2018, 48 children were used as human bombs in Nigeria, including 38 girls.

"Unicef appeals to all those involved in this terrible conflict to protect children at all times and to keep them out of harm's way," the organisation said.

Formed in Borno State, Boko Haram has waged a brutal insurgency across the north-east for a decade.

As part of the ongoing armed conflict, thousands of children have been recruited and used by armed groups as combatants and non-combatants.

Unicef said girls are raped and forced to marry, with some becoming pregnant in captivity and giving birth without medical care.

What happened in the attack?

The blast took place outside a hall as a group of people gathered to watch television.

Ali Hassan, leader of a self-defence group in Konduga, told AFP news agency that the owner of the hall had prevented one bomber from entering.

"There was a heated argument between the operator and the bomber who blew himself up," he said.

Two other attackers who were nearby then set off their devices.

The number of casualties was high because emergency services arrived late at the site of the blast. They were not adequately equipped to deal with such a large number of wounded people, Usman Kachalla, head of operations at the State Emergency Management Agency (Sema) told AFP.

Video halls are common across northern Nigeria. They are usually rudimentary buildings where people pay a small fee to watch football matches or films.

Boko Haram has targeted them on several occasions, saying they are un-Islamic.

Konduga has been targeted before. In July 2018, eight people were killed after a suicide bomber detonated explosives in a mosque.

President Muhammadu Buhari has commiserated with the families of the victims and promised to bring the perpetrators to justice.

At least 27,000 lives have been lost and about two million people forced to flee their homes in the conflict with Boko Haram.

This latest attack came at the end of a bloody weekend in northern Nigeria. There is rising concern of insecurity in other parts of the country.

On Friday night an armed gang killed at least 34 people in the north-western state of Zamfara, which has been at the centre of a wave of attacks by bandits since the beginning of the year.

The Boko Haram insurgency has been terrorising people in the north-east for the past decade, and has been the main area of focus for Nigeria's armed forces.

But the triple suicide bombings in Borno on Sunday reflect just how complex the security challenges are.

The government has said that Boko Haram and the rival Islamic State of West Africa Province (Is wap) group are on their last legs. But both the military and population of the north-east continue to suffer regular attacks.

Although Boko Haram has lost a lot of the territory it held in the north-east in the last four years, it is still attacking soft

targets in mosques, markets and public gatherings.

Combine this with the ongoing banditry attacks in the north-west, and kidnappings across the country's highways, and the scale of the security challenge is daunting.

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## Mali

### **Massacre in Mali Leaves at Least 95 Dead, Government Says (The New York Times)**

June 10, 2019

**At least 95 people in an ethnic Dogon village were killed on Monday in the latest massacre to destabilize the West African nation of Mali, a government official said on Monday.**

There was no immediate claim of responsibility for the attack, though it appeared that it could have been an act of retaliation.

Tensions have been high since a militia from the Dogon ethnic group was accused of carrying out a larger massacre in an ethnic Fulani village in March.

Youssouf Toloba, who leads the Dogon militia known as Dan Na Ambassagou, has denied that his fighters carried out the bloodshed in March that left at least 157 people dead. Some Fulani leaders, however, have vowed to carry out reprisal attacks.

Amadou Sangho, spokesman for Mali's interior security ministry, said another 19 people were missing after the Dogon village of Sobane was attacked around 3 a.m. on Monday. The village is in the regional subdivision of Sangha, a stronghold of the Dogon militia blamed for the March attack.

The latest attackers are suspected "terrorists," Mali's government said in a statement on Monday. "This carnage" also left homes burned and animals killed, the statement said. Security reinforcements were deployed to track the perpetrators.

Ethnic violence has risen steadily in central Mali over the last several years, exacerbated by the presence of Islamic extremists who have moved south from their strongholds in the arid north.

The Fulani are accused of working alongside extremists who claim to be part of the Islamic State of Greater Sahara. They have attacked Dogon villages and prevented residents from cultivating their land.

The Fulani in turn have alleged that the Dogons are collaborating with Mali's military, though there is no firm sign of state support.

Human Rights Watch has said the Dan Na Ambassagou militia has been implicated in scores of deadly attacks over the past year. Mali's president has vowed to eliminate it.

António Guterres, secretary general of the United Nations, said in his latest report on Mali late last month that the government must address the arming of ethnic self-defense groups and the proliferation of arms in central Mali or "there is a high risk of further escalation that could lead to the commission of atrocity crimes."

The unrest in central Mali has displaced some 60,000 people, the secretary general wrote, adding that he was "appalled" by the surge in violence and its effect on civilians.

**Joint Mali-France commando operation kills 20 'terrorists' in Menaka (The Defense Post)** By Fergus Kelly

June 17, 2019

**More than 20 "terrorists" were killed in joint operation against Islamic State in the Greater Sahara conducted by French and Malian forces in coordination with Niger's military, the French armed forces ministry said on Monday.**

French soldiers deployed to Operation Barkhane, the counter-terrorism mission in the Sahel, late on Thursday, June 13 “conducted an airborne operation against an armed terrorist group in southern Mali’s Liptako, near Niger,” the ministry said.

“This action, carried out in conjunction with the Armed Forces of Mali (FAMA), was initiated in coordination with the Nigerien army operating south of the border, and through its intelligence.”

Supported by a Tigre helicopter patrol and a Reaper drone, the helicopter commandos “entered a wooded area in the Azabara area to directly confront the terrorist group that had been spotted there.”

The engagement continued through the following day.

Three crew members were injured when a Gazelle helicopter deployed in support of ground troops was “forced into an emergency landing” on June 14. They were evacuated to Gao and then to France but they “are not in danger,” the release said.

The Gazelle crash was first reported by local journalist Walid Le Berbère on Friday.

A Mirage 2000 jet carried out a series of strikes on enemy positions, and an armored detachment and FAMA personnel deployed in support of the commandoes.

“More than 20 terrorists have been put out of action as a result of this operation,” the release said, appearing to confirm a June 15 FAMA release, which said that around 20 “terrorists” were “neutralized” in a joint FAMA-Barkhane operation in the Akabar area of Ménaka.

A large quantity of resources including more than 20 motorcycles, armaments and “means of observation and communication” were seized, the French release said.

Two gendarmes, soldier killed in Mali

Two Malian gendarmes were killed by a mine explosion outside a military base and a soldier died in an ambush in the north of the country, the armed forces said.

The two gendarmes were killed on Sunday when an improvised explosive device exploded as they walked near the entrance of a military post in Sokolo in the central Segou region, Mali’s armed forces said.

In a separate incident in the north, an army patrol escorting civilians was ambushed between Niafounke and Tonka, around 100 km (62 miles) south of Timbuktu.

FAMA said one soldier was killed and another wounded in the exchange.

In 2012 a Tuareg separatist uprising against the state was exploited by Islamist extremists linked to al-Qaeda who took key cities in the desert north of Mali.

France began its Operation Serval military intervention in its former colony early the next year, driving the jihadists from the towns, and the MINUSMA peacekeeping force was then established.

But the militant groups morphed into more nimble formations operating in rural areas, and the insurgency has gradually spread to central and southern regions of Mali and across the borders into neighboring Burkina Faso and Niger. Large swathes of Mali remain outside government control.

The French mission evolved in August 2014 into the current 4,500-strong Operation Barkhane, which has a mandate for counter-terrorism operations across the Sahel, including 2,700 soldiers in Mali to support poorly-equipped local military forces.

Troops deployed to Barkhane work alongside other international operations, including MINUSMA and the regional G5 Sahel joint counter-terrorism force that aims to train and deploy up to 5,000 personnel.

Along with militant attacks and militia violence, Mali also struggles with intercommunal and ethnic clashes.

Earlier this month, an attack on Sobane Da village in the center of Mali killed at least 35 people in an ethnic Dogon enclave in the diverse Mopti region.

President Ibrahim Boubacar Keita appealed for calm after the attack sparked fears of a tit-for-tat cycle of ethnic killing.

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# **Liberia**

## **Victims Group: Liberia collaborated with Foreign Government in War Crime Case for First Time (Front Page Africa)**

June 12, 2019

**Monrovia – Security personnel here collaborated with French authorities in an investigation in Lofa County earlier this year in war crime case against a former general of the Liberation Movement for Democracy in Liberia (ULIMO), according to the group representing the victims who filed the case in France: Civitas Maxima.**

Kunti Kamara was arrested in September last year and charged with torture, murder, enslavement, the use of child soldiers, and cannibalism between 1993 and 1997.

“That investigation was the first time Liberian authorities have taken part in a crime-scene reconstruction following the end of the civil war in 2003, Civitas Maxima said in new release on Wednesday, adding the “mission required significant logistical resources”.

“These reconstructions took place in the presence of the French prosecuting authorities, investigating judge, defense lawyers, and the civil parties. Throughout this one-week mission, the contribution of the Liberian authorities was exemplary,” the news release added.

Liberian authorities collaborating with foreign investigators over a case involving war crimes and crimes against humanity is huge news for the international justice system. Four other Liberians—Moses Thomas and Thomas Woewiyu (awaiting sentencing) in the United States, Agnes Reeves Taylor in United Kingdom, Alieu Kosiah in Switzerland—are on trial in connection to the civil war. Such collaboration was lacking prior to Kosiah’s indictment in March, which the Office of the Attorney General of Switzerland said was “particularly complex”.

The Lofa investigation is also a turnaround by the George Weah administration, which, sources say, had ignored requests—like former President Ellen Johnson Sirleaf—from European investigators to gather evidence inside Liberia for the cases of Kamara, Kosiah, Reeves Taylor and Johnson.

Civitas Maxima, which works in collaboration with Global Justice and Research Project (GJRP) based here, commended Liberia and France for the collaboration.

“This, Civitas Maxima and GJRP believe, is an important development in the fight against impunity for crimes that were committed in Liberia during the two Liberian Civil Wars,” the news release said.

Kamara is the third ex-ULIMO general to be charged in connection with crimes allegedly committed during the civil war. Mohammed Jabbateh, alias “Jungle Jabbah”, who is serving a 30-year sentence in the United States and Kosiah in Switzerland were the first and second, respectively.

All the European cases are being held under the legal doctrine of Universal Jurisdiction, which allows countries try foreigners for crimes committed in other countries. Both Jabbateh and Woewiyu cases are immigration cases; while Thomas case is a civil lawsuit.

The news release did not say exactly where the investigation in Lofa took place, but the Foya District towards the Sierra Leone and Guinea border is one of the places that witnesses most of ULIMO crimes.

ULIMO committed more crimes in Foya than any other warring faction, according to survivors. The TRC report did not say much of ULIMO’s alleged Foya killings, except once that “large number of people from the Kissi ethnic group” was killed in October 1993. The group committed 11,500 crimes or the fifth most atrocities during the Liberia Civil War, according to the Liberian Truth and Reconciliation Commission (TRC) report in 2009.

**We’ve not violated Human rights law (The New Dawn)** By Ethel A Tweh

June 13, 2019



**During discussion of Human Rights pledge at the Liberian Senate, Ex-rebel leader Senator Prince Y. Johnson of Nimba County says there has been no record of any one of them in the Senate violating the International Human Rights law, for which they are asked to reaffirm or recommit the Human Rights pledge.**

“I have been in this Senate for 18 years and no one had violated the Human Rights law; that human rights law that we put our signatures to as the International Declaration of Human Rights has not been violated by any senator”, argues the Nimba Senator who led a vicious rebel group( INPFL) in the 90s prior to entering politics.

He continues that there should be something wrong first before they would be asked to reaffirm or recommit to the Human Rights law.

According to PYJ, who opposes calls for the establishment of War and Economic Crimes Court for Liberia, threatening to return to the bush to mobilize men with single-barrel guns, if there were attempts to arrest him for suspected war crimes and crimes against humanity, because of their belief in International Human Rights, they (Senate) invited President George M. Weah, and based on that, the recent 07 June protest was allowed and the police moved accordingly, noting that the Police gave water to protesters that their organizers failed to provide.

Senator PYJ is one of the key former rebel leaders in Liberia indicted by the Truth and Reconciliation Commission for heinous crimes during the Liberian Civil War.

But Senator Varney Sherman of Grand Cape Mount County, who is the crafter of the Human Rights pledge counters that reaffirming the Human Rights pledge doesn't mean one has violated it. “If I pledged my allegiance to the Flag of Liberia, [it] didn't mean that I've violated the flag of the country”, Sen. Sherman notes.

Sen. Sherman along with nine other senators further counter that they see no reason why some of their colleagues, including PYJ are refusing to reaffirm or recommit themselves to the Human Rights pledge.

In disagreement to reaffirmation of the Human Rights pledge, Senators Saah Joseph of Montserrado County and Daniel Nateehn of Gbarpolu County agree with PYJ that the pledge should be rejected and trashed out of the Liberian Senate because according to them, it makes no sense to reaffirm or recommit themselves to a pledge, but rather demonstrate patriotism as Liberians.

**Liberia: Former NPFL Fighters Warn Senator Prince Y. Johnson to Desist from Falsehood; Say He's Dividing Natives of Nimba County (Front Page Africa)** By Franklin Doloquee

June 17, 2019

**Ganta, Nimba County– At least three of 30 ex-rebel generals of the National Patriotic Front of Liberia (NPFL) and the Independent National Patriotic Front of Liberia (INPFL) who Senator Prince Y. Johnson accused of trying to make trouble have taken issues with him.**

All of these former rebel fighters and Sen. Johnson hail from Nimba County.

According to the Senator, who prides himself as the ‘godfather’ of Nimba, two of the current lawmakers —Representatives Samuel G. Kogar and Larry Younquoi — allegedly transported these men from Nimba to Monrovia so that they could join the June 7 #SavetheState protest.

The senator further said these men were not only brought in to beef up the number of the protesters, but to also cause some trouble intended to make the peaceful protest “bloody” against the government of Liberia so that the international community will paint a bad picture for the government.

He alleged that the men, who had allegedly been transported to Monrovia by the Nimba County District #s 5 and 8, were well taken care-of days leading to the protest in the Soul Clinic Community, outside Monrovia.

According to Sen. Johnson, some of those former rebels, who himself helped train to fight the civil war, had phoned him to inform him about the plans when they (‘generals’) arrived in Monrovia.

The two lawmakers are not in the country at moment and the Senator acknowledged that. However, maintained that they had brought in these men to do their biddings before they left for the United States of America on national duties.

Speaking further, the Senator admit not having any evidence to prove his accusation but maintained that he had been phoned and told about the plan of his two legislative colleagues from the county.

When contacted by our Nimba County correspondent, Reps. Samuel G. Kogar of district 5 and Younquoi of 8 both denied and distanced themselves from said allegation. They counter-accused Sen. Johnson of trying to cause trouble not only for himself, but them as well.

Rep. Kogar specifically told FrontPageAfrica that upon his return, he is not going to just allow this accusation to slide as they have allowed others to just die without taking any legal actions against PYJ.

“This is the senator’s fourth time to accuse us, the two of us lawmakers,” Kogar told our correspondent.

The accusation of the two lawmakers by Sen. Johnson brings to eight times that he has accused his kinsmen subversive activities against the State.

Few weeks ago, Sen. Johnson, who is the political leader of the Movement for Democracy and Reconstruction (MDR), an opposition political party, which heavily backs the ruling party, accused several of his kinsmen of planning to bring war in the country.

He had even accused some years ago of planning to kill former President Ellen Johnson Sirleaf.

Those he had accused of such plan against the former President are Mr. Roland Duo, who was security advisor to her, Sen. Thomas S. Grupee and others.

However, the three former rebel generals, who Sen. Johnson accused of being about among the 30, have taken issues with him for falsely accusing them.

The three are Dopoe Menkazon, Mark Guan and Vannie Williams.

According to the three aggrieved men, Sen. Johnson’s statement based on a long-standing disagreement he has had against them. They, too, alleged that during the civil war, which ended 15 years ago, General Johnson had secretly told them to assassinate for President Charles Taylor and they refused to do so.

They told FrontPageAfrica that it was the Senator, who had trained them to be rebel fighters and on how to use guns.

These ex-rebel generals said the years of war are over and they are now involved into meaningful ventures that are aimed at benefiting their families and are not thinking about any subversive acts against the State.

According to them, since they refused to do what Johnson had wanted them do, he continually tries to make trouble for them.

They told FPA that most of them don’t reside in Nimba as PYJ had said but that they are residing in different parts of Monrovia along with their families. Menkazon, Williams and Guanh disclosed that the Senator’s accusation, made the government send some of its security operatives to search their homes and no weapons were found with them.

“We made this George Weah-led government on grounds that all of us came from the National Patriotic Party (NPP) to join with the Congress for Democratic Change (CDC), which is the party President Weah is from. So, we made him President; we cannot allow any bad thing to come against this government,” they said.

They used the occasion to call on the elders and tribal leaders of Nimba to advice Senator Johnson to stop what he is doing against his fellow Nimbaians. “A leader should be able to unite people and promote peace and not to bring problem among the citizens,” they added.

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## **EAST AFRICA**

### **Uganda**

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## Kenya

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

**Al Shabaab kill 16 in Kenya and Somalia blasts (Reuters)** By Humphrey Malalo

June 15, 2019

**Somali militants killed eight Kenyan police with a roadside bomb near the border between the two countries on Saturday, officials said, while another eight died in a bombing the same group carried out in the Somali capital.**

Both attacks were claimed by Somali Islamist insurgents, who also kidnapped three Kenyan police reservists on Friday from the same area, in Wajir district in northeast Kenya.

Kenyan military forces have occupied part of southern Somalia along the border since 2011. The Kenyans, along with allied Somali militia, wrested control of the territory from al Shabaab jihadists after a spate of kidnappings on Kenyan soil.

Al Shabaab is fighting the weak, U.N.-backed Somali government and its international allies in a quest to impose strict Islamic law.

The vehicle that was hit by the roadside bomb was carrying 11 policemen, police spokesman Charles Owino told Reuters. A local official said eight were killed.

“Eight bodies were found and taken to Wajir. Two were rescued, but they are in critical condition,” said Muhumed Ali Gedi, a member of the local community security team from Wajir who witnessed the rescue mission.

In Mogadishu, al Shabaab detonated two bombs. Police said the first blast, at a busy junction known as K4, was a car bomb intercepted by security services that caused no casualties.

The other blast killed eight people and injured 16, said Abdikadir Abdirahman, the director of Aamin ambulance service.

Abdiasis Abu Musab, al Shabaab’s spokesman for military operations, said the group was responsible for the blast in Kenya and the two in Mogadishu.

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## Rwanda (International Criminal Tribunal for Rwanda)

**Official Website of the ICTR**

**Survivor on 25th Anniversary of Rwandan Genocide: A ‘Past That Is Ever Present’ (Breitbart)** By

Penny Starr

June 15, 2019

**Jacqueline Murekatete did not expect to find her life’s work as a nine-year-old in Rwanda in 1994, when as many as one million people — including her entire family — were murdered in the span of about 100 days.**

But her participation in a discussion about the genocide at the Rwandan Embassy in Washington, DC, on Friday continues her

lifelong work to educate people about the atrocity and to help survivors.

“While it’s important to commemorate and remember the victims ... we must actually remember the victims of past genocides in an effort to prevent future genocides,” Murekatete said.

Murekatete recounted that she was nine years old when the genocide began.

“I went from being a happy child with parents, six siblings, with a large extended family and friends, to being a traumatized orphan who lost not only her innocence because of the horrors I witnessed but also lost my entire immediate family and most of my extended family,” Murekatete said.

“I learned during the genocide my Hutu neighbors — the same neighbors whose children I grew up playing with, the same group of neighbors who used to come to my family home for food and drink, the same group of neighbors who used to attend the same churches ... These same people had taken my parents and all my six siblings to a nearby river where they proceeded to murder them one by one and throw their bodies in the river,” Murekatete said. “Our families had been murdered not because they were criminals, not because they were soldiers in the war, but simply because they were ... Tutsis.” “The Tutsi ethnicity was a crime deserving of death,” Murekatete said.

Murekatete spoke at length about how genocide is preventable because of the conditions that lead up to it, which can serve as signals and warnings and afford people the opportunity to take action before the genocide takes place.

“People don’t get up one day and want to attack their neighbors and butcher their neighbors,” Murekatete said.

Instead, the Rwandan genocide came after “years of discrimination against Tutsis” and “a dehumanization campaign which portrayed Tutsis not as human beings but as snakes and cockroaches that needed to be exterminated.”

The genocide also unfolded because the international community, including the United States and the United Nations, failed to intervene.

“It was simply a lack of political will to stop the genocide,” Murekatete said.

And on the 25th anniversary, she said, people have to not only remember and commemorate but to do the work required to prevent other genocides that have very real and long-lasting consequences.

“That over a million number is not just a faceless statistic,” Murekatete said. “That number represents our fathers, our mothers, our brothers, our sisters, grandparents, uncles, cousins, friends, teachers, neighbors — people who meant the world to us and whose lives were really cut short by the genocide.”

“Even though it’s been 25 years, for those of us who lived through the genocide, the horrors we witnessed are still very vivid and the loss that we suffered remains an indelible part of our lives,” Murekatete said, quoting another on the effects of this kind of atrocity.

Zachary Kaufman, law lecturer and fellow at Stanford Law School and editor of *After Genocide: Transitional Justice, Post-Conflict Reconstruction, and Reconciliation in Rwanda and Beyond*, also spoke at the event and listed ten lessons that should be learned:

Hate speech is dangerous. Atrocity prevention is possible. Employ transitional justice, including criminal prosecutions, truth commissions, reparations programs, and various kinds of institutional reforms. Women’s rights are critical to protecting them from war crimes such as sexual assault. Women’s participation in government and in developing strategies will help to prevent genocides and help survivors of past genocides. Genocide education is needed. The political will of the international community prevents future genocides. Support survivors. ‘Never again’ should be more than a slogan but a road map on incorporating all of the other lessons learned going forward to prevent future genocides.

Kaufman noted President Donald Trump signed bipartisan genocide prevention legislation into law earlier this year, which was named in the honor of Holocaust survivor and Nobel Prize laureate Elie Wiesel.

Jewish News reported:

The Elie Wiesel Genocide and Atrocities Prevention Act, introduced by Congressman Joe Crowley (D-N.Y.) and Ann Wagner (R-Mo.), and Sens. Ben Cardin (D-Md.) and Todd Young (R-Ind.) makes the prevention of genocide and other crimes a matter of national security, and aims to improve and increase the U.S. response to potential and emerging genocides.

It establishes a Mass Atrocities Task Force to provide training to U.S. Foreign Service officers on detecting early signs of atrocities and will mandate the director of national intelligence to report on atrocities in an annual crime report to Congress.

Murekatete's work as a survivor and advocate includes founding the Genocide Survivors Foundation.

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## Somalia

**11 Killed, 25 Injured as Explosions Rock Somalia's Capital (Time)** By Abdi Guled  
June 15, 2019

**MOGADISHU, Somalia — A pair of explosions rocked Somalia's capital and left 11 people dead, the country's police chief said Saturday, as the al-Qaida-linked extremist group al-Shabab claimed responsibility.**

Another 25 people were wounded, Gen. Bashir Abdi Mohamed told reporters in Mogadishu. He said the first car bomb went off near a security checkpoint for the presidential palace and was responsible for nine deaths.

The second car bomb killed the driver and his accomplice near a checkpoint on the road to the heavily fortified airport, he said.

Al-Shabab, which often targets the capital, said the blasts were meant to strike the first line of security checkpoints for the airport and palace. The airport is home to a number of diplomatic offices. The palace is a frequent al-Shabab target.

"I was at a short distance from the blast and I saw several people dead including two women, a passenger and two men, some of whom were elderly," witness Hussein Mohamed told the AP. "This is really very terrible."

Al-Shabab was responsible for the horrific truck bombing in Mogadishu in October 2017 that killed more than 500 people in one of the world's deadliest extremist attacks since 9/11 .

The United States military has dramatically increased the number of airstrikes against al-Shabab in the past couple of years, seeking to limit the territory the group controls in central and southern Somalia and make it more difficult for fighters to circulate.

In a report to the United Nations Security Council circulated last month, U.N. chief Antonio Guterres noted an increase in security operations "and a large number of airstrikes targeting al-Shabab training bases and assembly points" that were deemed to have degraded its operating capability and freedom of movement.

"They have also led, however, to increased al-Shabab movement into urban centers, in particular Mogadishu, where their forces are less likely to be targeted from the air," he said.

Guterres added that Somalia is making progress toward building a functioning state after three decades of civil war, extremist attacks and famine but that insecurity, political instability and corruption remain major challenges.

The multinational African Union force in Somalia continues to gradually withdraw personnel in preparation for Somali government forces to assume responsibility for the country's security. Those forces, however, have been described by U.S. military officials and others as not yet ready for the job.

**The U.S. is pouring millions into Somalia despite concerns over dependency on aid (The Washington Post)** By Max Bearak  
June 17, 2019

**The U.S. government's top official in charge of foreign aid traveled to Somalia's capital on Monday to announce a large humanitarian assistance package, but noting that humanitarian aid is a "necessary evil" for the drought- and conflict-plagued country where the American military has engaged in counterterrorism offensives for almost 30 years.**

Administrator Mark Green also reopened a bureau for the U.S. Agency for International Development, or USAID, that has

been closed since a civil war began here in 1991.

In a meeting where he echoed the skepticism the Trump administration has voiced about the effectiveness of foreign aid, Green urged aid agency leaders to work toward weaning Somalia off donor money. The package he announced Monday was \$185 million, only part of this year's total. Last year, USAID gave Somalia \$441 million.

"The purpose of USAID's existence is to end our need to exist," Green said, using a refrain that has become common among high-ranking American humanitarian officials since Trump's election.

The United States has been Somalia's largest donor for decades, propping up a succession of weak governments while Islamist militants have managed, at times, to take over much of the country's interior.

The East African country is mired in climate-driven and man-made calamity. Persistent drought and the brutal tactics of al-Shabab have left 1 in 5 Somalis homeless. About the same number live in daily need of food aid. Less than a third of the population is literate, and even fewer have access to clean water. Two-thirds of people under 30 are unemployed.

In a testament to the country's debilitating problems, the USAID announcement and a meeting with some of its local beneficiaries was held within the heavily fortified international airport — a compound most foreign aid workers in Somalia never leave for fear of attack.

Many Somalis share the hope that foreign aid can one day be phased out but see little evidence of a long-term plan to make that happen.

"We need a Marshall Plan, not just money and food and weapons," said Abdiwahab Sheikh Abdisamad, who runs a political consultancy. "Invest big now and you will save in the future. Focus on training our army, building our institutions. America can still be Somalia's hero, its big brother. But the current strategy is not making our problems go away."

A mile from the airport, ashen debris from yet another suicide attack in Mogadishu littered a busy intersection, where local police officials say al-Shabab carried out twin suicide attacks that killed 11 on Saturday. The same day, al-Shabab militants across the border in Kenya killed at least eight police officers with an improvised explosive device.

Since the beginning of this year, al-Shabab has carried out 593 attacks of various kinds, killing 1,155 people, according to the Armed Conflict Location and Event Data Project, which monitors global conflict. The U.S. military's unmanned drones are the main lethal force operating against al-Shabab, as years of investment in the Somali National Army has foundered, producing just one special forces unit seen as being capable of facing al-Shabab in battle.

The U.S. government expends massively on military ordnance in Somalia in addition to its humanitarian assistance. Since President Trump relaxed rules of engagement in Somalia in March 2017, when he declared the southern part of the country an "area of active hostilities," the pace of airstrikes has been on a constant uptick.

Last year, a record 47 strikes were carried out. In the first six months of this year, there have been 44 airstrikes, killing 298 militants according to U.S. Africa Command. U.S. drones fly from bases within Somalia as well as from a much larger base in neighboring Djibouti.

Recent reporting from American news outlets and Amnesty International have pushed the military to acknowledge the airstrikes have resulted in a small number of civilian deaths, but human rights groups say the true civilian toll is likely much higher, contributing to the radicalization of rural youths.

The United States also has around 500 troops based in the country that often accompany the Somali army and special operations forces on ground raids. An African Union-sponsored coalition has more than 20,000 troops in Somalia, some of which engage in combat, while most are tasked with peacekeeping.

At the meeting of aid agency heads, George Conway, a top U.N. official in Somalia, thanked Green for the aid commitment and said that U.S. aid money had saved "tens if not hundreds of thousands" from starvation. Green acknowledged the need for the money but asked why more wasn't being done to make people less vulnerable to drought, and why other donor countries weren't contributing as much as they should.

"The way I see it, food security isn't a humanitarian issue. What are we doing about improving technology, for instance?" Green asked. "I'm not pushing for us to do less — I'm arguing for others to do more."

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# EUROPE

## The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

### **Bosnian Prosecution Urges Higher Sentence for Serb Ex-Soldier** By Haris Rovcanin

June 6, 2019

**The Bosnian prosecution on Thursday called on the state court in Sarajevo to increase the six-year sentence handed down last year to former Bosnian Serb soldier Zdravko Lubarda for crimes against humanity against Bosniaks.**

Lubarda was found guilty in December 2018 of having participated in the persecution and detention of Bosniaks in the Rogatica area from late May 1992 until the end of 1993 as a member of the Bosnian Serb Army.

The prosecution also urged the court to quash the part of last year's verdict under which Lubarda and Serb ex-policeman Ozren Planojevic were acquitted of other charges, and order a new trial.

Lubarda was acquitted last year of having been responsible for the forced disappearance of several Bosniaks, while Planojevic, a former reservist policeman, was acquitted of the physical mistreatment of detainees held at a secondary school in Rogatica and of being responsible for the disappearance of several people.

The defence called for the appeal to be rejected.

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### **Bosnian Army Ex-Troops Appeal Convictions for Crimes Against Croats** By Haris Rovcanin

June 6, 2019

**Defence lawyers for Bosniak ex-soldiers Minet Akeljic, Saban Haskic, Senad Bilal and Hazim Petkovic appealed at the Bosnian state court on Thursday to have the verdict convicting them overturned, or a retrial held.**

In October 2018, the state court in Sarajevo sentenced Akeljic and Haskic to seven years each, Bilal to eight years and Petkovic to five years in prison for the physical, mental and sexual abuse of Croat civilians in 1993 at a detention facility in the village of Krusica known as Crna Kuca, or the Black House.

The prosecution meanwhile appealed for the Bosnian Army ex-soldiers' sentences to be increased.

The court will deliver its ruling at a later date.

### **Bosnian Army Ex-Commander Proclaims Innocence, Urges Acquittal** By Haris Rovcanin

June 7, 2019

**Ahmet Sejdic told the Bosnian state court in Sarajevo on Friday that he was innocent, as his defence called for his acquittal on all charges in the indictment accusing him of the inhumane treatment of Serb civilians and prisoners of war in the period between July 1992 and February 1993.**

Sejdic, the former commander of the First Visegrad Brigade of the Bosnian Army, said he was on trial for acts he did not commit himself, and insisted that he did not know who was responsible.

"I never ordered, committed or carried out what I have been charged with. But I did fight with honour," Sejdic said.

He added that he sympathised with all victims and expected a fair verdict, and had faith in justice and truth.

The indictment alleges that Sejdic ordered and participated in the unlawful detention, resettlement and torture of several dozen Serb civilians and prisoners of war, members of the Bosnian Serb Army.

But in her closing statement, his lawyer Jesenka Residovic said it was apparent from the evidence that the defendant was not the one who ordered captured Bosnian Serb Army soldiers to demine the Gradina tunnel in eastern Bosnia with their bare hands. According to the indictment, several of the prisoners were also beaten by soldiers under Sejdic's control.

Residovic said that Sejdic had already left for another location at the time when the crime was committed, adding that witnesses could not say with certainty who issued the order to demine the tunnel.

"This was confirmed by both subjective and material evidence. Later on, the defendant returned to the tunnel, which had been demined," Residovic said.

Residovic also recalled witnesses' testimonies saying that the defendant treated them in a humane manner when he approached them and asked if they were injured.

The defence further noted that Zaim Imamovic, deputy commander of the Eastern Bosnia Operation Group and commander of the First Drina Brigade, was also present during military operations in Strmica and Strgacina in January 1993, when the Serb prisoners of war were captured.

Residovic said that Imamovic's rank was superior to that of Sejdic, and that other brigades, as well as the First Visegrad Brigade, also participated in the operations.

"The Eastern Bosnia Operations Group Command was the one that planned, approved and conducted the operations in Strmica and Strgacina," Residovic said, insisting that witnesses confused Imamovic with Sejdic.

The prosecution has already called for a conviction in its closing statement.

The verdict will be handed down on July 16.

**Bosnian Serb Ex-Policeman Retried for Wartime Rape** By Albina Sorguc  
June 10, 2019

**The retrial of Dragan Janjic began on Monday at the appeals chamber of the Bosnian state court in Sarajevo after part of the first-instance verdict, under which he was sentenced to seven years for rape in the Foca area in August 1992, was quashed.**

The hearing opened with the restatement of testimonies given by the woman who was raped and a defence witness.

The appeals chamber also confirmed part of the original verdict, under which he was acquitted of the unlawful arrest of several Bosniaks in 1992.

Under the first-instance verdict handed down in October last year, Janjic was found guilty of hitting and then raping a woman at the Miljevina police station near Foca in August 1992.

He was ordered to pay the victim 15,000 Bosnian marks (about 7,675 euros) in compensation.

But the defence claimed that there had been substantial violations during the criminal proceedings and that the facts of the case had been incorrectly and incompletely determined.

Janjic insisted that he was innocent and had been "unjustly accused".

The trial continues on June 27.

**Bosnian Serb Ex-Official Blames Army Officer for Massacre** By Milica Stojanovic  
June 12, 2019

**Tomislav Kovac, who was deputy interior minister in the Serb-dominated Republika Srpska entity in July 1995, when the Kravica massacre happened, told Belgrade Higher Court on Tuesday that Ljubisa Beara, who at the time was the security chief of the Main Headquarters of the Bosnian Serb Army, was to blame for the killings.**



“He [Beara] was the trigger... [for] this process of killing prisoners of war to start. The person who should have prevented that ordered it,” Kovac said.

According to the indictment, Bosnian Serb forces killed 1,313 Bosniaks from Srebrenica in a hangar at a farm in Kravica on July 13 and 14.

The killings in Kravica were among several massacres after the fall of Srebrenica in July 1995 that left more than 7,000 Bosniak men and boys dead.

Serb ex-policemen Nedeljko Milidragovic, Aleksa Golijanin, Milivoje Batinica, Aleksandar Dacevic, Bora Miletic, Jovan Petrovic, Dragomir Parovic and Vidosav Vasic are on trial in Belgrade for organising and participating in the shootings.

Kovac said that the Bosniak prisoners attacked one of their guards, a member of Bosnian Serb police special forces, took his gun and shot him dead because they had already come under attack themselves from a member of the Serb forces, Milan Lukic, who was under Beara’s command.

“That is why those Muslims attacked them, because they were shot at by the other side, that has been established,” Kovac told the court.

“He [Lukic] shot at them and then one of them came to that special policeman and killed him,” he added. The killing of the special policeman sparked the massacre, Kovac testified.

“When the prisoners killed that soldier, they [other Serb troops] responded so brutally that many of them were tried for that, some in The Hague, others in Sarajevo,” he said.

Kovac described the massacre as “an incident” because “it happened without premeditation”, and repeated during his testimony that the Bosniaks were prisoners of war, rather than civilian detainees.

He also insisted that the defendants in the trial, who he described as “deserters”, were not at the hangar in Kravica at the time of the killings.

Kovac himself was indicted for genocide in Bosnia in January 2018.

Beara was sentenced to life in prison in 2015 by the Hague Tribunal for the genocide of Bosniaks from Srebrenica. He died while serving his sentence in Germany in February 2017.

Aleksandar and Vladimir Seselj, two sons of convicted war criminal and Serbian MP Vojislav Seselj, attended Tuesday’s hearing as spectators. Aleksandar Seselj is also an MP.

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

**Official Website of the ICTY**

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## **Domestic Prosecutions In The Former Yugoslavia**

## **Montenegro Convicts Ex-Soldier of Kosovo War Crime** By Samir Kajosevic

June 5, 2019

### **The High Court in Podgorica on Wednesday sentenced Vlado Zmajevic to 14 years in prison for war crimes against the civilian population.**

Zmajevic, who was part of Yugoslav Army forces fighting in Kosovo, was found guilty of the murder of four Albanian civilians in the village of Zegra near Gnjilane in Kosovo during the war in 1999.

Explaining the verdict, presiding judge Dragoje Jovovic said that the evidence presented by witnesses proved without doubt that war crimes were committed.

He said that Zmajevic himself acknowledged this during the investigation, although he later went on to deny it.

Zmajevic's lawyer Ljiljana Koldzic said she was "shocked" by the verdict because she believes her client was convicted without any evidence.

Ljoro Markic, a lawyer for the victims' families, said he thought the prison sentence was inadequate.

This was a first-instance verdict and it can be appealed.

Zmajevic was arrested by Montenegrin police in 2016 in the town of Niksic.

This was the first war crime trial in Montenegro in several years; the country's judiciary has tried only six cases so far, which all concluded by 2013, the majority ending in acquittals.

## **Bosnian Prosecution 'Failing on Complex War Crime Cases': OSCE (Balkan Insight)** By Emina

Dizdarevic

June 17, 2019

### **Final convictions have been significantly lower in the past two years, and the Bosnian prosecution has not been investing time and resources in investigating the most complex cases, said an OSCE report.**

The head of the OSCE Mission to Bosnia and Herzegovina, Bruce Berton, told the launch in Sarajevo on Monday of a new report entitled 'War Crimes Management at the Prosecutor's Office in Bosnia and Herzegovina' that the conviction rate in war crime cases has been falling at an alarming speed and the most complex cases are not being adequately probed.

"The report indicates that the Bosnian state prosecutor's office does not focus its time and resources solely on investigation and criminal prosecution of the most complex war crime cases," Berton said.

"The report demonstrates that the prosecutor's office of Bosnia and Herzegovina prosecutes war crime cases at a very low pace, despite the resources at its disposal. If it continues solving cases at such speed, the Bosnian prosecutor's office will need ten years to complete all its ongoing war crime cases," he added.

Berton said the OSCE mission had identified the four key contributing factors – the internal structure of the prosecution's Special War Crimes Section, the management of prosecutors dealing with the cases, cooperation between relevant institutions and the quality of indictments.

Lars-Gunnar Wigemark, the chief of the European Union delegation to Bosnia and Herzegovina, pointed out that the EU has invested significant sums in strengthening human resources in order to speed up the completion of the most complex cases at the state prosecutor's office.

Wigemark said that despite this, the pace of solving war crime cases has slowed down.

"I call upon the Council of Ministers to adopt the revised [national] strategy for processing war crime cases, whose adoption has been awaited for a year," he urged.

The revised strategy was approved in February last year by the country's judicial overseer, the High Judicial and Prosecutorial Council, but it has not even made it onto the agenda of the Council of Ministers, the executive branch of the state government.

The strategy says that more than 550 unsolved war crimes cases are currently with the state prosecution, in which more than 4,500 known perpetrators are named – and as many cases again against unidentified perpetrators.

Wigemark said that the EU is planning to continue financing the Bosnian judiciary, conditional on the timely and efficient transfer of less complex cases to lower judicial levels, as the revised strategy envisages. Otherwise, he said, funding might be blocked.

Lilian Langford of the OSCE mission pointed out meanwhile that the large number of acquittals was a result of witnesses' inconsistent statements during investigations and at trials.

Bosnian chief prosecutor Gordana Tadic questioned why the prosecution had not received the report, even though parts of it had appeared on news websites on Sunday night.

Tadic said she had held a series of meetings with the OSCE at which it was said that the prosecutor's office could not transfer 150 less complex cases to lower judicial levels because the revised strategy has not been adopted yet.

"We want to work on most complex cases, because we want to work in the interest of our citizens and victims. We have good cooperation with representatives of victims. That work should have been recognised. I do not understand the reasons for such a report," she said.

"Prosecutors cannot be blamed if witnesses decide to change their statements. There is no way we can know whether witnesses will change their statements," she added.

Tadic also said that indictments were not the only benchmark for assessing the work of prosecutors.

"Unfortunately, you have not highlighted the good things the Bosnian prosecutor's office has done," she said.

**Serbian Security Chiefs Begin Defence at Hague Trial (Balkan Insight)** By Milica Stojanovic  
June 18, 2019

**In the defence's opening statement at the retrial of former Serbian state security officials Jovica Stanisic and Franko Simatovic, Stanisic's lawyer told the court his client was not involved in commanding units deployed to Bosnia or Croatia.**

Lawyer Wayne Jordash told the Mechanism for International Criminal Tribunals as the trial resumed on Tuesday that the defence will call witnesses who will confirm that Jovica Stanisic, the former chief of the Serbian state security service, was not in command of Serbian paramilitary or police units in Bosnia or Croatia during the war, as the indictment claims.

Jordash argued that police and paramilitary units from Serbia that were in Bosnia in 1995 – which he described as "ad hoc groups" – were under the command of the Public Security Service of the Serbian Interior Ministry and its chief at the time, Radovan Stojicic, alias Badza.

"Badza, not Stanisic, was in charge of the MUP [Interior Ministry] involvement. Obrad Stevanovic was the direct commander, answerable to Badza, Badza answered to [Zoran] Sokolovic, the interior minister of Serbia," Jordash said.

Stojicic was shot dead in a restaurant in Belgrade in 1996.

Stanisic is being retried for war crimes against non-Serbs in Croatia and Bosnia and Herzegovina from 1991 to 1995, along with his former assistant Franko Simatovic, alias Frenki, who was the head of the state security service's Special Operations Unit.

They are charged with four counts of crimes against humanity and one count of violating the laws and customs of war.

The prosecutors allege that the crimes were committed during the execution of a joint criminal enterprise aimed at permanently and forcibly removing Croats and Bosniaks from large parts of Croatia and Bosnia for the sake of achieving Serb domination.

According to the prosecutors, the joint criminal enterprise was led by Serbian President Slobodan Milosevic.

Jordash told the court that Stanisic's defence will argue that the state security service was designed to provide security in Serbia, not wage war in other Yugoslav republics.

He said the defence will also argue that the outbreak of armed conflict in the Krajina and Golubic areas of Croatia in 1991 was a defensive endeavour.

Both defendants pleaded not guilty in December 2015 after the appeals chamber of the International Criminal Tribunal for the Former Yugoslavia overturned their acquittal in their first trial.

The appeals chamber ruled that there were serious legal and factual errors when Stanistic and Simatovic were initially acquitted of war crimes in 2013, and ordered the case to be retried and all the evidence and witnesses reheard in full by new judges.

Stanistic has been on provisional release in Belgrade since July 2017 due to illness.

The trial continues on June 25.

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## Turkey

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## MIDDLE-EAST

### Iraq

#### **Grotian Moment: The International War Crimes Trial Blog**

**ISIS sleeper cells burn, blow up and slaughter hundreds in uptick of attacks across Iraq and Syria (Fox News)** By Hollie McKay

June 11, 2019

It has been months since the Islamic State was expelled from its territorial control in Iraq and Syria, but the brutal terrorist outfit continues to wreak havoc in the lands it once deemed its “caliphate.”

Between May 5 and June 3, the U.S-led Combined Joint Taskforce’s Operation Inherent Resolve – the name given to the mission to defeat ISIS – conducted 11 strikes consisting of 34 engagements against ISIS targets in Iraq. More than 20 caves, two vehicles and a one-bedroom infrastructure were decimated. At least three ISIS terrorists were killed in tunnels 40 miles west of Ramadi, Iraqi defense officials reported.

And across the war-ravaged nation, the ISIS bloodletting goes on.

The Iraqi Civil Defense Directorate affirmed last week that more than 6,100 acres of agricultural crops were incinerated in less than two weeks in 136 separate incidents, with the at-risk area spanning almost 120,000 acres of Iraqi land. ISIS has claimed responsibility for numerous blazes in recent weeks, justifying their targeting of wheat crops as retaliation against those refusing to pay them taxes.

Iraq’s security forces last week also opened fire on two alleged ISIS suicide bombers that were preparing to detonate at security forces positioned in the Abar area near Fallujah. That same day, ISIS operatives executed a large-scale onslaught against the Shiite Population Mobilization Forces (PMF) between Baghdad and further south to Babylon province.

And the night before, ISIS snipers were reported to have killed at least three soldiers and wounded another 17 in Tarmiya city, just north of Baghdad.

That’s just a small snapshot over a small time window amid the ongoing effort to root out ISIS operatives from Iraq once and for all.

“Depriving ISIS of its territorial control in Iraq and Syria is a positive step, but ISIS as a terrorist organization and ideology is by no means defeated,” Bradley Bowman, Senior Director of the Center on Military and Political Power (CMPP) for the Foundation for Defense of Democracies, told Fox News. “The sustainable defeat of ISIS will require a comprehensive strategy—working with our allies—to kill irreconcilable terrorists, address the underlying ideology, and promote inclusive governments in Damascus and Baghdad.”

And while the whereabouts of the elusive ISIS leader Abu Bakr al-Baghdadi – the most wanted man in the world – remains unknown, Iraqi intelligence believes he continues to bark orders to the various cells disseminated across remote regions.

Over the border in Syria, ISIS too maintains a shadowy presence. Data from the Rojava Information Center recorded that, for the month of May alone, at least 78 deaths occurred as a result of 139 ISIS sleeper cell attacks across the Northeastern swath of the country.

“Attacks and deaths are increasing month-on-month, with deaths up 42 percent since April and attacks up 61 percent,” the report stated.

The report also underscored that there were 42 armed attacks or ambushes – a 62 percent jump on the previous month – there were 69 bombings, a 73 percent rise, 22 assassinations and 6 executions after capture, up 33 percent. Attacks in the previously secure Jazirah region also ascended some 163 percent to 21, as ISIS spawned from its epicenter of Deir ez-Zor, which experienced 87 attacks in May, a leap of 28 percent over the previous month.

The U.S.-supported Syrian Democratic Forces (SDF) were documented to have arrested more than 100 sleeper cell members in intense raids, focused mostly on the Deir ez-Zor area. In Bowman’s view, premature withdrawal from Syria would almost guarantee that the U.S. will have to return later at a higher cost.

“It would also empower Russia, Iran, and Hezbollah while putting our ally Israel at greater risk,” he said. “As long as Assad remains in power, it will be difficult to address Sunni grievances that have created the fertile recruiting ground for ISIS.”

Globally, ISIS remains a potent force as well. Aside from the devastating Sri Lanka Easter attacks that killed hundreds – of which ISIS claimed responsibility – the group also cemented a new milestone on Thursday claiming an attack in Mozambique for the first time. In its subsequent statement, according to the Jihad and Terrorism Threat Monitor issued by the Middle East Media Research Institute (MEMRI), ISIS boasted that their “Caliphate soldiers” clashed with local Army forces, “using various weapons, killing and wounding several (after which) the mujahedeen seized weapons, ammunition, and rockets.”

In April, ISIS also aggrandized its first-ever assault in the Democratic Republic of Congo, which killed eight Congolese soldiers. The barbaric insurgency has also endeavored to expand its footprint of terror across other prominent parts of West Africa, Libya, Sinai, Yemen, Algeria, and Southeast Asia. Notably, it is believed to be doubling down in the lawless regions of Afghanistan, under its umbrella “Khorasan” affiliate.

Moreover, ISIS hasn’t slowed on its plethora of taunts and teases in the West, either. As just one example last week, the pro-ISIS Muntasir Media released a new poster featuring France’s famed Eiffel tower, a bloody knife and a French police insignia in cross-hairs and was shared on Telegram channels with the caption “Kill all National Police.”

In light of ISIS’s losses on the battlefields of Iraq and Syria and the fall of the so-called caliphate, ISIS regional affiliates around the world in places like North Africa, the Sahel, and the Philippines,” added Raphael Marcus, a visiting research fellow in the Department of War Studies, King’ College London. “It will likely attempt to carry out attacks in order to bolster ISIS’s global standing.”

**France denies Iraq has yet asked for money to try jihadist fighters (Reuters)** By John Irish  
June 13, 2019

**France’s foreign ministry denied on Thursday a report that it had been asked by Iraqi authorities to pay up to \$2 million per fighter for Baghdad to deal with French jihadists transferred from Syria to Iraq.**

The ministry added that it respected Baghdad’s sovereignty in judging foreign fighters. Citing several unidentified sources, French daily newspaper Le Figaro reported on June 7 that Iraq had asked Paris for \$1 million for each foreign jihadist sentenced to death and \$2 million for those given long-term sentences.

The article echoed other media reports that Baghdad has been seeking some \$2 billion in compensation for dealing with hundreds of suspected Islamic State fighters held by Kurds in northeastern Syria, where there is no legal framework to deal with them.

"We have not received any request to this effect," French foreign ministry spokeswoman Agnes von der Muhll said when asked about the Figaro report.

"We respect the sovereignty of the Iraqi state, including its judicial institutions that have declared themselves competent to try French Islamic State fighters."

While the ministry denied the report, a French official briefing reporters after a visit by Iraq's prime minister in May said Paris expected Baghdad to make an official request, including financially, on what it needed to handle large number of Islamist fighters.

Iraq is conducting trials of thousands of suspected Islamic State fighters, including hundreds of foreigners, with many arrested as the group's strongholds crumbled throughout Iraq.

France, which has ruled out repatriating its Islamist fighters, is facing criticism at home from some lawmakers and human rights groups after 11 French nationals were sentenced to death in Iraq over the last two weeks. Paris opposes the death penalty and has asked Baghdad not to carry out the executions.

"The Iraqi authorities know that we oppose it (the death penalty) in all places and in all circumstances," said Von der Muhll.

There are some 450 French nationals still held in Kurdish camps, including about 200 adults.

### **Iraq: Displaced People Unable to Return Home Years After Battles (Human Rights Watch)**

June 14, 2019

**An estimated 1.8 million people remain displaced by the conflict between Iraqi forces and the Islamic State (also known as ISIS) two years after the heaviest fighting ended. A new Human Rights Watch web feature highlights the experiences of families who are struggling to find a safe home in post-ISIS Iraq.**

"Iraqi authorities have put in place a system that has allowed communities, security forces, and government agencies to collectively punish families whose relatives were allegedly linked to ISIS," said Belkis Wille, senior Iraq researcher at Human Rights Watch. "This system has put these families in a purgatory that prevents them from returning home, imprisons them in camps, and forces them to endure dire conditions that portend bleak futures for their children.

### **Years of conflict in Iraq hit health services in Basra (aljazeera)** By Charles Stratford

June 15, 2019

**Iraq's vast oil wealth once paid for some of the best health services in the Middle East. But decades of conflict and political unrest have led to, as the government admits, a crisis in hospitals.**

Things are particularly bad in Basra province where people have long complained of government neglect.

Around 70 children are being treated for cancer in Basra Children's Hospital. Experts say pollution from surrounding oilfields is one of the reasons why Basra has the highest rate of cancer in Iraq. Al Jazeera's Charles Stratford reports.

### **EU pledges additional €2 million for displacement camps in Iraq's Nineveh (Kurdistan 24)**

June 15, 2019

**ERBIL (Kurdistan 24) – The United Nations announced on Friday that the European Union (EU) has pledged an additional €2 million (\$2.24 million) to make "critical infrastructure improvements" to three camps that house roughly 35,000 internally displaced persons (IDPs) in Iraq's embattled province of Nineveh.**

"While many displaced families have been able to return, we cannot forget about those who remain in camps," said Christos Stylianides, the European Commissioner for Humanitarian Aid and Crisis Management. "Ensuring that those displaced by fighting have access to humanitarian assistance remains a priority for the EU in Iraq."

The funds will be administered at the Jad'ah camps, located outside Qayyara, by the International Organization for Migration (IOM). They bring the total EU humanitarian contribution that IOM's mission in Iraq has received in 2019 to €5 million (\$5.6 million).

Five years after the onset of the ISIL crisis and the subsequent massive internal displacement, over 1.5 million Iraqis continue to live in camps.

Earlier on Friday, Human Rights Watch (HRW) highlighted the experiences of Iraqi families struggling to find a safe home in a report that describes a government system that often puts its vulnerable citizens in danger.

"This system has put these families in a purgatory that prevents them from returning home, imprisons them in camps, and forces them to endure dire conditions that portend bleak futures for their children," it read.

Since early 2018, authorities have aggressively pushed for returns of most displaced people, often by closing camps whether or not residents' areas of origin are safe or even inhabitable. Some who can't return home are being moved to other camps that remain, while others are being denied return or being held against their will.

"With this additional allocation, in coordination with the Government of Iraq and local authorities, IOM will be able to improve the living conditions of camp residents," the UN statement read, adding that the work will focus on improving deteriorating road and drainage networks.

According to the UN, the Jad'ah camps currently host over 8,600 households, the majority from the districts of Hatra, Mosul, al-Ba'aj and Tal Afar, all areas where "return to their areas of origin is not feasible in the near future for a variety of reasons, including damage to their houses, continued insecurity, limited access to employment opportunities, and limited basic services in their hometowns."

"The conditions in many camps in Iraq have worsened over the last year due to natural wear-and-tear and limited investments," said IOM Iraq Chief of Mission Gerard Waite. "Camps have remained in service for longer than initially expected and now need upkeep and improvement."

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## Syria

### **Several civilians, dozens of fighters killed in Syria's Idlib (Al Jazeera)**

June 15, 2019

#### **At least seven civilians have been killed by Syrian government air raids on the northwest province of Idlib, the White Helmets civil defence group has said.**

Three people have been killed in an air raid on the town of Maaret al-Numan, while in al-Bara, three children and their father were killed after an air attack on the town centre on Saturday.

A total of 15 others were wounded, the White Helmets said.

According to the UK-based Syrian Observatory for Human Rights, fighting between government forces and armed opposition fighters left 34 dead.

Twenty-six troops and pro-government fighters were killed, as well as eight fighters from the opposition, the war monitor said.

Last September, Turkey and Russia signed an agreement to turn Idlib, which has a population of three million people, into a de-escalation zone in which acts of aggression would be expressly prohibited.

But the deal was never fully implemented, as armed fighters refused to withdraw from a planned demilitarised zone.

The last territory held by the opposition - mostly under the banner of former al-Qaeda affiliate Hay'et Tahrir al-Sham (HTS) - Idlib has been under bombardment by the Syrian government and its ally Russia since April.

Turkey said Friday that it did not accept Russia's "excuse" that it was unable to stop the Syrian government's continued bombardments.

"In Syria, who are the regime's guarantors? Russia and Iran," Foreign Minister Mevlut Cavusoglu told state news agency Anadolu in a televised interview.

"Thus we do not accept the excuse that 'We cannot make the regime listen to us,'" he said.

His comments came after Moscow this week said a new ceasefire had been secured in the province following weeks of government bombardments - a claim that was denied by Ankara.

At least 300,000 people have been driven from their homes due to the violence, while more than 300 civilians have been killed since fighting broke out.

Separately, an explosion hit a Syrian army ammunition depot on the outskirts of the capital Damascus, Syria's state news agency SANA reported.

The blast in a military area in Dummar, a northwest suburb of Damascus, was caused by a fire that started in some nearby dry vegetation and extended to the depot, the agency added, citing a military source.

The sound of the explosion was heard in most parts of Damascus, SANA said.

There were no immediate reports of potential casualties.

Syria's war has killed more than 370,000 people and displaced millions since it started in 2011 with the repression of anti-government protests.

**Who is bombing hospitals in Syria? (Al Jazeera)** By Rashed al-Ahmad  
June 17, 2019

**My name is Rashed al-Ahmad. I'm a pharmacist originally from Kurnaz, a small village in the countryside of Syria's Hama province. I fled my home years ago to avoid being detained or killed by the regime for providing medicine and drugs to the injured protesters.**

In 2014, I moved with my family to a nearby village outside the regime's control called Kafr Nabouda and got a job at a primary health centre. I was working there until a month and a half ago when the regime, backed by Russia, bombarded the village and destroyed the clinic, forcing us to flee again.

I used to spend long hours at work, doing all I could to serve my new community. I never thought that Russia and the regime would target us. The clinic was small and most of our patients were children and the elderly.

Ten days after the attack, in a briefing to the United Nations Security Council about the assault on northwest Syria, the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, mentioned Kafr Nabouda, as he was listing health facilities in northwest Syria that had been attacked. I hoped he would name and shame the perpetrators, but he didn't. Since that speech, he still hasn't condemned either the Syrian regime or its backer, Russia, who are responsible for destroying the clinic.

About three years ago, doctors at my health centre had to decide whether to share the building's coordinates with the UN. As part of its deconfliction mechanism, the UN shares the coordinates of humanitarian facilities with parties involved in the Syrian conflict, including the regime and Russia. The hope was that the two allies, the only ones with aerial capabilities in the conflict, would then avoid targeting these buildings.

People here tell a joke about the deconfliction mechanism. A hospital protected under the mechanism was bombed; the UN asked the Russians if they did it; the Russians said that they didn't mean to bomb the hospital but the bakery near it.

It's dark humour but this is the reality in Syria where bombing hospitals seems no longer to be a crime and naming the perpetrators seems no longer to be the UN's duty. All crimes are attributed to unknown perpetrators in spite of all the available information, photos, and testimonies which provide clear evidence for who is to blame.

Since the conflict began in 2011, there have been at least 516 attacks on health facilities perpetrated by the regime and Russia, killing 890 medical workers.

Three-quarters of the hospitals in northern Syria were built after the uprising began. We built them and have rebuilt them many times, as the Syrian regime has continuously bombed them. We struggle to do this every time due to limited resources, but we have to do it, otherwise, we cannot provide healthcare and we leave people with the treatable illness to die.

Despite knowing the risk, our doctors trusted the UN and believed that sharing the coordinates of the centre would best guarantee our safety. After a great deal of deliberation, last year they contacted the UN and provided the needed information.

In his briefing, Lowcock said that 18 health facilities had been targeted in two weeks. The UN had the coordinates of nine of



them (including our centre) and had passed them on to Russia and the regime. Lowcock and his team know very well who was responsible for the attacks, but have chosen neither to name them nor to publicly question the effectiveness of the deconfliction mechanism and investigate the possible use of shared data to deliberately target humanitarian facilities.

Since 26 April, when Russia and the regime began their bombing campaign in Idlib and northern Hama provinces, 29 health centres have been targeted and 49 have suspended their services. The continuous air strikes have triggered another wave of collective displacement, with 300,000 people forced to flee across the northwest. At least 352 civilians have been killed.

My wife, our three children and I now live in a camp for the internally displaced near the Turkish border. I worry about the sick people of my village: where are they now and how are they managing their illnesses? What will happen to these patients whose prescriptions I know by heart?

Today, I live with the heavy conscience that one year ago we probably made a mistake giving the UN the coordinates of our centre. It is clear by now that the very institutions that are supposed to protect us, civilians, have failed us. And what adds insult to injury is that they won't even name those who bomb us, kill us and destroy our homes, hospitals and schools on a daily basis.

But we know who they are and we are not afraid to name them: the Syrian regime and Russia.

The views expressed in this article are the author's own and do not necessarily reflect Al Jazeera's editorial stance.

**Syrian civilians seek refuge as bombings hit hospitals inside Idlib (CBS)** By Holly Williams  
June 17, 2019

**Syria's government has begun a new bombing campaign in one of the last remaining areas it does not control after more than eight years of civil war. In Idlib, the terror rains down from the sky.**

Civilians have no defense against the Syrian regime and Russian airstrikes. A ceasefire was declared just a few days ago, but it was broken almost immediately and there have been airstrikes and shelling of civilian areas in the last 24 hours.

As CBS News drove deep into Idlib, warnings came of regime jets overhead. Guide Hadi Al Abdullah, a journalist and activist, has documented how pro-regime forces have repeatedly hit hospitals, despite condemnation from the United Nations. He showed CBS News a medical clinic in the town of Hass that he said was attacked just hours earlier.

Hundreds of thousands have fled the bombing and taken shelter in a sprawling refugee camp. On its edge CBS News found Marwa Ahmad and her eight children, who left their home with nothing.

Marwa is pregnant and said she plans to give birth here on the dirt. She said she has nobody and there's no going back. There are approximately one million children in Idlib.

**UN aid chief: Syria, Russia attacks on civilians 'deliberate' (Al Jazeera)**  
June 19, 2019

**United Nations officials alleged that Syria's and Russia's forces may be deliberately targeting hospitals and schools in the rebel-held northwest of Syria as a tactic aimed at "terrorising" civilians.**

Both Syria and Russia denied the accusations on Tuesday.

UN aid chief Mark Lowcock told the UN Security Council since late April the World Health Organization had confirmed 26 incidents affecting healthcare facilities in the Idlib region.

Civilian facilities often provide their exact coordinates to military officials involved in conflict zones to help protect them from inadvertent artillery or air strikes.

Lowcock said some hospitals in northwestern Syria were now not sharing their locations with warring parties because it "paints a target on their back".

"Hitting a facility whose coordinates were shared as part of the UN's deconfliction system is simply intolerable," said Lowcock. "A number of partners ... have drawn the conclusion that hospital bombings are a deliberate tactic aimed at terrorising people."

He said the United Nations was reconsidering its de-confliction system and would inform the UN Security Council next week

of its conclusions.

Lowcock told the Security Council since Syrian troops began pushing into Idlib on April 30 an estimated 330,000 people have been forced to flee their homes and more than 230 civilians have died.

Russia and Syria questioned the sources of the UN information on the attacks on civilian infrastructure.

"We decisively reject any accusation of indiscriminate strikes. We're not carrying out attacks on civilians," Russian UN Ambassador Vasily Nebenzia said.

Syrian UN Ambassador Bashar al-Jaafari added: "Syrians and allies do not target schools or hospitals."

But other ambassadors suggested the practice was indeed taking place.

"Many of those in the civilian infrastructure have stopped giving coordinates because they are concerned giving the coordinate means maybe those people who shouldn't get the coordinates receive them and use them," said the German Ambassador to the UN Christoph Heusgen.

Marc Pecsteen, Belgian's ambassador to the UN, also supported the accusations.

"There is no justification whatsoever [for attacks on civilian facilities]. Even in the fight against terrorism, there is no reason to target a school or a hospital," said Pecsteen.

Idlib is the last remaining bastion of anti-government rebels after eight bloody years of civil war.

Russia, which supports Syrian President Bashar al-Assad's forces, and Turkey, long a backer of rebel groups, cosponsored the de-escalation pact for the area that has been in place since last year.

But the deal has faltered in recent months, forcing hundreds of thousands of civilians to flee.

"I am deeply concerned about the escalation of the fighting in Idlib, and the situation is especially dangerous given the involvement of an increased number of actors," UN Secretary-General Antonio Guterres told reporters, appealing to Russia and Turkey "to stabilise the situation without delay".

"Let me underscore, even in the fight against terrorism, there needs to be full compliance with international human rights and international law," he added.

UN political chief Rosemary DiCarlo told the council for Syria's close ally Russia, the presence in Idlib of the former al-Qaeda affiliate Hay'et Tahrir al-Sham (HTS) "is not tolerable", and "for Turkey, time is required to effectively isolate and address HTS' most hardline fighters".

Nebenzia said the de-escalation deal with Turkey "was being fully implemented" telling Security Council members it "doesn't ban but rather encourages the fight against terrorism".

He added all military activities were in response "to provocations from terrorists" saying HTS controls 99 percent of the Idlib de-escalation zone.

"We think that the issue is not that it's a humanitarian catastrophe," Nebenzia said.

"It's clear that the issue is the desire to keep the territories that are not under Damascus' control for as long as possible regardless of who prevails in them."

Syria's war has killed hundreds of thousands of people and displaced millions since it started in 2011 with the repression of anti-government protests.

The conflict has become a geopolitical battleground with Russia, the United States, Iran, Turkey and several Gulf nations all involved and backing various forces.

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# Yemen

## **Yemeni officials say UAE-backed force storms mosque, kills 5 (The Washington Post) By Ahmed Al-Haj**

June 8, 2019

### **Yemeni security officials say gunmen from a security force backed by the United Arab Emirates have stormed a mosque in the southern Dhale province, killing at least five people.**

The officials say Saturday the attack took place a day earlier, when people were holding prayers in a mosque in the district of Azrak.

They say the attackers, who belong to a group called the Security Belt, kidnapped three others. The officials spoke on condition of anonymity because they were not authorized to brief the media.

Tribal leaders in the district condemned that attack and called for those responsible to be held accountable.

The Security Belt force says in a statement the dead were Houthi rebels who refused to surrender.

The UAE is part of a Saudi-led coalition fighting the Houthi rebels since 2015.

## **Yemen war: Houthi missile attack on Saudi airport 'injures 26' (BBC)**

June 12, 2019

### **At least 26 civilians have been injured in a missile attack by Yemen's rebel Houthi movement on an airport in south-west Saudi Arabia, the military says.**

Three women and two children were among those hurt when the arrivals hall at Abha airport was hit early on Wednesday, according to a statement.

The rebels said they had launched a cruise missile at the facility.

Saudi Arabia leads a coalition of Arab states backing Yemen's government in its four-year war with the Houthis.

Yemen has been devastated by a conflict that escalated in March 2015, when the rebels seized control of much of the west of the country and forced President Abdrabbuh Mansour Hadi to flee abroad.

Alarmed by the rise of a group they believed to be backed militarily by regional Shia power Iran, Saudi Arabia and eight other mostly Sunni Arab states began an air campaign aimed at restoring Mr Hadi's government.

Coalition military spokesman Col Turki al-Maliki said a projectile fired by the Houthis hit Abha International Airport at 02:21 on Wednesday (23:21 GMT on Tuesday), according to a statement carried by the official Saudi Press Agency.

Col Maliki said the attack on a civilian airport, which is about 110km (70 miles) from the border with Yemen, was a violation of international humanitarian law and that it might constitute a war crime.

The coalition would "take urgent and timely measures to deter this terrorist militia, and to ensure the protection of civilians and civilian objects", he added.

Col Maliki said work was under way to identify the type of projectile involved, but Houthi-run Al-Masirah TV cited rebel military spokesman Brig-Gen Yahia Sari as saying it was a cruise missile.

"The latest US systems could not intercept the missile. This strike spread panic and fear among enemies and caused a great confusion in their side," he added.

Al-Masirah said it was the second time the Houthis had fired a cruise missile. The first reportedly targeted a nuclear power plant under construction in Abu Dhabi in 2017. There were no reports of a missile reaching the emirate at the time.

The rebels have carried out numerous cross-border missile and drone attacks in the past. But it is rare for them to cause so many civilian casualties.

Last month, the Houthis carried simultaneous drone attacks on two oil pumping stations in Saudi Arabia, which put a key pipeline out of action for a day.

Saudi Deputy Defence Minister Prince Khaled bin Salman said this attack and others were "ordered by the regime in Tehran". Iran denied it was involved, as did the Houthis.

In response, the coalition launched air strikes on the rebel-held Yemeni capital, Sanaa, which reportedly killed at least six people, including four children.

The UN says the fighting in Yemen has left at least 7,000 civilians dead and 11,000 injured. About 65% of the deaths have been attributed to coalition air strikes.

Thousands more civilians have died from preventable causes, including malnutrition, disease and poor health.

In December, both sides agreed to a local ceasefire and withdrawal of forces around the key Red Sea port city of Hudaydah, through which most of Yemen's aid is delivered. But elsewhere the violence has continued unabated.

### **Yemen war: Second assault on Saudi Abha airport in two days (BBC)**

June 14, 2019

#### **Yemen's rebel Houthi movement has launched drones at a Saudi airport, the second such attack in two days.**

Five drones targeted Abha airport and the nearby city of Khamis Mushait, Saudi officials said in a statement.

No casualties were reported and Abha airport was said to be running normally without any disruption to flights. An attack on Abha on Wednesday injured 26 people.

Yemen has faced consistent bombing by coalition forces since March 2015.

The country has been devastated by the conflict, which escalated when the rebels seized control of much of the west of the country and forced President Abdrabbuh Mansour Hadi to flee abroad.

Alarmed by the rise of a group they believed to be backed militarily by regional Shia power Iran, Saudi Arabia and eight other mostly Sunni Arab states began an air campaign aimed at restoring Mr Hadi's government.

In a statement, the Saudi-led coalition said: "The royal Saudi air defence force and air force successfully intercepted and destroyed five unmanned drone aircraft launched by Houthi militia towards Abha international airport and Khamis Mushait."

The Houthi-run channel Al Masirah TV confirmed the group had carried out a drone attack on the airport.

After Wednesday's assault, Al Masirah TV reported that the rebels had launched a cruise missile at the airport - a claim that Saudi officials said they were investigating.

Saudi Deputy Defence Minister Prince Khaled bin Salman later said that attack and others were "ordered by the regime in Tehran". Iran denied it was involved, as did the Houthis.

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### **Yemen: Attack on Saudi Airport Apparent War Crime (Human Rights Watch)**

June 14, 2019

#### **(Beirut) – Houthi forces in Yemen attacked a Saudi civilian airport on June 12, 2019, in violation of the laws of war, Human Rights Watch said today. Commanders who order deliberate or indiscriminate attacks on civilian objects are responsible for war crimes.**

Houthi-aligned media reported that a "winged cruise missile" struck Abha Regional Airport in southern Saudi Arabia at 2:21

a.m. The Saudi-led coalition announced in the official Saudi Press Agency on June 12 that an unidentified weapon had struck the Abha airport arrivals hall and injured 26 people. Eight were taken to the hospital with “medium” injuries and 18 others were treated at the scene. The Saudi Press Agency statement also carried photos showing damage to the airport.

“The Houthis should immediately stop all attacks on civilian infrastructure in Saudi Arabia,” said Michael Page, deputy Middle East director at Human Rights Watch. “Unlawful Saudi-led coalition airstrikes in Yemen never justify Houthi attacks on Saudi civilians.” Houthi-aligned media stated that the Houthis launched a cruise missile at the airport control tower, suggesting the attack was deliberate. A Houthi spokesperson added that the Abha airport strike followed other recent strikes on nearby King Khalid Airbase and Jizan airport. Saudi sources have not confirmed these attacks. Abha Regional Airport is a civilian airport 110 kilometers from the Saudi border with Yemen and 15 kilometers west of King Khalid Air Base, one of Saudi Arabia’s largest military airbases. Airport authorities announced on Twitter at 1:06 p.m. that airport operations had resumed as normal.

The attack on the Abha airport is the latest indiscriminate Houthi attack on Saudi Arabia since the beginning of the war between the Saudi-led coalition and the Houthis in Yemen. Houthi forces have repeatedly launched rockets and missiles toward populated areas in Saudi Arabia. Most of these attacks involved ballistic missiles that were intercepted by Saudi air defenses. Previous attacks resulted in deaths and injuries from falling debris, including the death of an Egyptian man and injuries to two other men in Riyadh on March 25, 2018, the death of a Saudi man in Saudi Arabia’s southern Jizan Province on April 28, 2018, and the death of a Saudi man and injuries to 11 others in Jizan Province on August 8, 2018. Houthi authorities have repeatedly indicated that they consider civilian airports to be valid targets and have announced airport attacks to the media. Houthi-aligned media previously reported that Houthi forces attacked Abu Dhabi International Airport in July 2018 and Dubai International Airport in August and September 2018 using drones, but United Arab Emirates authorities denied these claims.

On June 9, a Houthi spokesperson tweeted that coalition airports would be targeted in response to the continued coalition closure of Sanaa’s international airport. Following the June 12 attack, a Houthi spokesperson warned “civilians and companies” in the UAE and Saudi Arabia to stay away from all airports, in addition to military locations. In November 2017, the coalition blocked all Yemeni land, air, and sea ports in response to a Houthi ballistic missile attack on Riyadh’s international airport. The coalition eased some restrictions in late 2017 but has continued to impede aid and commercial imports from reaching Houthi-controlled ports. It has kept Sanaa International Airport, Yemen’s main airport, closed since August 2016, worsening the country’s humanitarian catastrophe.

Since March 2015, the coalition has conducted scores of indiscriminate and disproportionate airstrikes, killing thousands of civilians and hitting civilian objects in violation of the laws of war. Houthi forces have used banned antipersonnel landmines, recruited children, and fired artillery indiscriminately into cities such as Taizz and Aden, killing and wounding civilians. Under the laws of war, attacks against civilians or attacks that cannot distinguish between civilians and military objectives are prohibited. Individuals who commit serious violations of the laws of war with criminal intent – that is, intentionally or recklessly – may be prosecuted for war crimes. Individuals may also be held criminally liable for assisting in, facilitating, aiding, or abetting a war crime. “The deaths and suffering of Yemeni civilians at the hands of the Saudi and UAE-led coalition provide absolutely no excuse for Houthi forces to commit unlawful attacks on Saudi civilians,” Page said.

**UK arms sales to Saudi Arabia unlawful, court of appeal declares (The Guardian)** By Dan Sabbagh and Bethan McKernan

June 20, 2019

**British arms sales to Saudi Arabia have been ruled unlawful by the court of appeal in a critical judgment that also accused ministers of ignoring whether airstrikes that killed civilians in Yemen broke humanitarian law.**

Three judges said that a decision made in secret in 2016 had led them to decide that Boris Johnson, Jeremy Hunt and Liam Fox and other key ministers had illegally signed off on arms exports without properly assessing the risk to civilians.

Sir Terence Etherton, the master of the rolls, said on Tuesday that ministers had “made no concluded assessments of whether the Saudi-led coalition had committed violations of international humanitarian law in the past, during the Yemen conflict, and made no attempt to do so”.

As a result, the court said that the UK export licensing process was “wrong in law in one significant respect” and ordered Fox, the international trade secretary, to hold an immediate review of at least £4.7bn worth of arms deals with Saudi Arabia.

Campaign Against Arms Trade (CAAT), which brought the case against Fox, welcomed the verdict that continuing to license military equipment for export to the Gulf state was unlawful.

Thousands of civilians have been killed since the civil war in Yemen began in March 2015 with indiscriminate bombing by a

Saudi-led coalition that is supplied by the west and accused of being responsible for about two-thirds of the 11,700 killed in direct attacks.

A critical passage in the ruling added that “a close reading” of evidence supplied in secret suggested that in “early 2016” – probably when David Cameron was prime minister – that there had been a covert change of UK policy towards Saudi Arabia.

“There was a decision, or a change of position, so that there would be no assessment of past violation of IHL [international humanitarian law]” by Saudi Arabia in Yemen, Etherton, Lord Justice Irwin and Lord Justice Singh concluded.

Dr Anna Stavrianakis, a senior lecturer in international relations at the University of Sussex, said the verdict demonstrated that ministers had “turned a blind eye” to events in Yemen. “This finally bring some accountability to the UK’s role in the war,” she added.

Fox responded by suspending new arms sales to Saudi Arabia while promising to appeal against the verdict. Labour called for an full inquiry and the permanent end of all arms sales to Riyadh.

The international trade secretary made an emergency statement to MPs in which he argued that the court had not determined whether it was ethical to sell arms to Saudi Arabia, but “concerns the rationality of the process used to reach decisions”.

Fox added: “While we do this, we will not grant any new licences for export to Saudi Arabia and its coalition partners which might be used in the conflict in Yemen.”

Later, Fox was understood to have privately told at least one MP that he expected that the review process called for by the court would take about 10 weeks – and would not lead to any of the previous licensing decisions being overturned.

Arms trade campaigners say that Paveway, Brimstone and Storm Shadow bombs of the type used by the Saudi air force in Yemen are covered by separate “open licences”, which have not been suspended by Fox, and are only under review. “The bombs will continue,” one source added.

Arms export licensing decisions of the type held to be unlawful are made by Fox, as international trade secretary, on the advice of the foreign secretary, an office currently held by Hunt and previously by Johnson.

Earlier this month it emerged that Johnson had recommended that the UK allow Saudi Arabia to buy bomb parts expected to be deployed in Yemen, days after an airstrike on a potato factory in the country had killed 14 people in 2016.

Labour called for a full parliamentary or public inquiry into arms sales to the Gulf kingdom. The party’s leader, Jeremy Corbyn, said: “UK advice, assistance and arms supplies to Saudi’s war in Yemen is a moral stain on our country. Arms sales to Saudi must stop now.”

Lloyd Russell-Moyle, a Labour backbench MP who was in court for the ruling, blamed past and present British foreign secretaries and other ministers for ignoring the evidence of civilian casualties. Focusing on Johnson, the Tory leadership frontrunner, Russell-Moyle added: “This goes right to the top of the Tory party.”

The UK has licensed the sale of at least £4.7bn worth of arms to Saudi Arabia since the start of the civil war in Yemen, with most of the recorded sales taking place before 2018.

Both Johnson and Hunt have defended the UK’s arms relationship with Riyadh, although other European countries have halted sales. Germany said it would no longer supply arms following the murder of the journalist Jamal Khashoggi by Saudi agents in Istanbul last autumn.

Andrew Smith of CAAT called on ministers to halt the arms sales immediately: “It should never have taken a court case brought by campaigners to force the government to follow its own rules.”

The verdict was welcomed by Yemenis in Sana’a, the Houthi-controlled capital of the country, where heavy bombing by the coalition over the last four years has hit hundreds of civilian targets.

“I will be very glad if this ruling makes a difference. Selling weapons to Saudi Arabia is a contribution to killing Yemeni people so we feel grateful to the British judges who considered this,” said Ahmed al-Hatami, a student at Sana’a University.

The Saudi foreign minister, Adel al-Jubeir, on a trip to London, argued ahead of a bilateral meeting with Hunt that arms sales must continue: “The only people that will benefit from the ending of arms sales to Saudi Arabia will be ‘the death to America’ crowd.”

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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

**'Settler Spokesman': Palestinians and Israel's Left Slam Friedman for Annexation Remarks (Haaretz)** By Jack Khoury and Noa Landau  
June 8, 2019

### **Palestinians accuse the U.S. ambassador of encouraging Israel to commit war crimes after the envoy said that Jerusalem 'has the right' to annex parts of the West Bank**

Palestinian factions as well as Israeli left-wingers lashed at the U.S. ambassador to Israel on Saturday after the New York Times published an interview with him in which David Friedman said that Israel has a right to annex parts of the West Bank.

Palestinian President Mahmoud Abbas's Fatah group released a statement in which it asked whether "this is the stance of the U.S. administration or the stance of the most radical of settlers."

A State Department official asked late Saturday to clarify that "The administration position on settlements has not changed. No plan for unilateral annexation by Israel of any portion of the West Bank has been presented by Israel to the U.S. nor is it under discussion."

Fatah added that the U.S. always perceived the West Bank as an occupied territory, and noted that any deviation from that stance would effectively destroy the two-state solution.

"Under certain circumstances, I think Israel has the right to retain some, but unlikely all, of the West Bank," Friedman told the New York Times.

The Palestine Liberation Organization's Secretary General Saeb Erekat tweeted that Friedman's comments make it clear that the vision he shares with U.S. President Donald Trump is "annexation of occupied territory, which is a war crime according to international law." According to Erekat, Friedman's words serve as further incentive to boycott the peace workshop in Bahrain which is slated to take place later this month.

Mustafa Barghouti, another senior Fatah member, said Friedman's remarks were rude but noted that they were not surprising because "Friedman has been identified a long time ago as the spokesman of the settlers."

Islamic Jihad spokesman Daoud Shihab also responded to the American envoy's comments, saying that "the Palestinian people will not disappear, and like an olive tree they are planted in their ground. The age of colonialism is over."

On the Israeli left, Meretz Chairwoman Tamar Zandberg said in response to the report: "As long as Friedman is the U.S. ambassador in Israel and not in a settler state, he must know that annexation would be a disaster for the State of Israel. The ambassador is not here to assist Christian settlements that work to thwart the possibility of peace and security without occupation."

Israeli Arab political party Hadash-Ta'al echoed the criticism sounded by the Palestinian entities. Party chairman Ayman Odeh made a sharply-worded statement in which he went after Trump, saying that he "would like to convey a message to the

orange man in the oval office."

"The only solution that would guarantee security and dignity to Israelis and Palestinians is the end of the occupation and the establishment of an independent Palestinian country alongside Israel. Unilateral annexation is a war crime," he stated.

Ofer Cassif, also of Hadash-Ta'al, expressed outrage at Friedman's remarks. "Neither the government of Israel nor the U.S. administration can hide the truth – the West Bank, the Gaza Strip and East Jerusalem are occupied Palestinian territories that will be released and lawfully returned to their owners as part of a just peace deal."

On the right, Public Security Minister Gilad Erdan backed Friedman's comments, tweeting that "The Trump administration's view, which was expressed by Ambassador Friedman, is the only one that might bring about change and make the Palestinians understand that boycotting Israel and the United States and supporting terror and incitement won't achieve anything and they will be those losing the most by rejecting peace.

"For years the Palestinians were told that time is in their favor and therefore (in addition to many other reasons) they refused...," Erdan tweeted.

Meanwhile, Israeli left-wing NGO Peace Now called on Trump to fire Friedman. "Ambassador Friedman is a Trojan horse sent by the settler right, which sabotages Israel's interests and the chance for peace. The price will be paid by the residents of the area, not by Friedman or Trump. The U.S. president, if he means to serve as a fair mediator, ought to send Friedman packing this evening."

Friedman also told the Times that the Palestinian side only has itself to blame for Trump's approach, a statement similar to comments made by Senior White House adviser Jared Kushner on Monday in which he said that massive cuts to PA aid were "a result of decisions taken by the Palestinian leadership."

**Gaza Medic Shot in the Head During Border Protests Succumbs to Wounds (Haaretz)** By Jack Houry  
June 10, 2019

**A Palestinian paramedic shot one month ago during the Gaza border protests died Monday in a Hebron hospital, the Palestinian Health Ministry reported. Sobhi Al-Jdeily, 36, was wounded in serious condition after being shot by a rubber bullet while working with the Red Crescent in the northern Strip. His body will be returned to Gaza for a funeral.**

Al-Jdeily is the 306th Palestinian to die in Gaza border protests since they began in at the end of 2018.

Last week, officials in Hamas and other Gaza-based organizations warned of escalation in this week's planned demonstration along the border fence with Israel, over what they describe as foot-dragging in implementing agreements reached with Israel.

A senior official in the organizing committee of the weekly March of Return demonstrations told Haaretz that Palestinian factions, including Hamas, are demanding the transfer of additional funds from Qatar, a further easing on the import of dual-purpose goods from Israel, meaning goods which can be used for civilian or military purposes, and progressing with humanitarian projects.

Some in Gaza say that although the security situation is calm, their conditions, other than added hours of electricity and expansion of the fishing zone in the Mediterranean, have not improved since the last round of clashes ended in early May.

In June 2018, medic Razan Najjar, 21, was killed by live Israeli fire while attempting to evacuate wounded protesters. In February, a UN probe found that at least three clearly-marked paramedics have been fatally shot in Gaza border protests. The report also found that Israeli snipers intentionally [sic.] targeted children and journalists. Her death is among at least 11 in the protests that Israel has made the subject of criminal probes.

**Gaza: Unlawful Attacks in May Fighting (Human Rights Watch)**  
June 12, 2019

**Fighting between Israel and Palestinian armed groups in Gaza in early May 2019 involved unlawful attacks by both sides, Human Rights Watch said today. Fifteen Palestinian civilians and four Israeli civilians died during the fighting.**

Four Israeli airstrikes struck targets that appeared to contain no military objective or may have caused disproportionate civilian loss in violation of the laws of war. Civilians killed included a pregnant Palestinian woman, an infant, and a 11-year-old boy. Unguided rockets launched by Palestinian armed groups toward Israeli population centers were unlawfully



indiscriminate.

“Nearly every new round of fighting in Gaza leaves civilians dead and wounded,” said Tom Porteous, deputy program director at Human Rights Watch. “Both Israel and Palestinian armed groups are carrying out attacks with disturbing disregard for the protection of civilians.”

Human Rights Watch interviewed 20 Palestinians and Israelis who were survivors or witnesses to attacks, relatives of those killed, or residents of targeted areas. Human Rights Watch also visited the sites of strikes, inspected remnants of munitions, and reviewed statements by Israeli officials and Palestinian armed groups.

In a separate investigation, the Israeli rights group B’Tselem also documented the civilian consequences of the May Israeli airstrikes in Gaza.

Hostilities broke out on May 3 when Israeli security forces fired on largely unarmed Palestinian demonstrators gathered near the fences between Gaza and Israel as part of the “Great March of Return,” killing two people. Palestinian armed groups retaliated with gunfire, wounding two Israeli soldiers. Israeli forces then struck a Hamas post, killing two fighters. This triggered barrages of rockets into Israel by armed Palestinian group; in turn, the Israel Defense Forces carried out a three-day aerial bombardment campaign.

The Israeli military said it struck “350 Hamas and PIJ [Palestinian Islamic Jihad] terror targets” between May 4-6, including “rocket launch sites, terror squads, terror operatives, command centers, weapon storage facilities, observation posts, and military compounds,” as well as rocket or weapon manufacturing sites and Hamas facilities, including a cyber headquarters. It also acknowledged targeting as many as 30 homes of people it said were “terrorist activists,” claiming that some of the targets “had been intentionally embedded and concealed in densely populated civilian areas.”

The Israeli strikes killed 25 Palestinians and injured 153 more. Human Rights Watch investigated four May 5 airstrikes that killed 13 civilians, including 2 people sitting in a café, a teacher at a tutoring center, and 10 people at their homes. The Israeli military also killed 12 Palestinian fighters, including the two Hamas fighters killed on May 3, eight of whom Islamic Jihad identified as members of its armed wing, one whom Hamas’s armed wing identified as a “field commander” and another belonging to a Hamas-affiliated armed group, which said he was killed while firing mortar shells into Israel. A group of international humanitarian organizations also documented 33 residential units destroyed in Gaza, 327 people left homeless, and 700 housing units partially damaged.

Palestinian armed groups launched 690 unguided rockets toward Israeli population centers, according to the Israeli military. These strikes killed three Israelis—all citizens, including a father of four at his mother-in-law’s house, a Palestinian Bedouin working in an Ashkelon factory, and a 21-year-old man in Ashdod—and injured 123. An anti-tank guided missile killed a fourth. In addition, a Palestinian rocket that landed inside of Gaza was most likely responsible for the deaths of a pregnant Palestinian mother of nine and a 14-month-old toddler.

In two of the four Israeli attacks investigated, Human Rights Watch found no evidence of a military objective – such as enemy fighters or weapons or other military material – needed for an attack to be lawful under the laws of war.

In the two other attacks, there were apparently legitimate military targets. In one of these attacks an Islamic Jihad fighter died; in another attack on a large residential building, an Islamic Jihad commander appeared to be present. These attacks would be unlawfully disproportionate if the expected civilian loss from the attack was excessive compared to the anticipated military gain. At the same time, parties to a conflict should avoid deploying among civilians.

Rockets used by Palestinian armed groups cannot target a specific military objective, making their use in areas containing civilians inherently indiscriminate in violation of the laws of war.

In a statement on behalf of the “Joint Operations Room of Resistance Factions,” Islamic Jihad said that it launched rockets in response to Israeli killings of Palestinians, “assassinations” of fighters, and targeting of military sites and residential buildings. It said it fired an anti-tank missile at an armored personnel carrier, but furnished no information showing that it fired at a military target.

The Israeli military on May 4 blocked access to Gaza’s territorial waters, including for fishermen, and halted the movement of people and goods at its Gaza crossings, except for a few critical medical patients and fuel for Gaza’s power plant. It maintained the restrictions at sea until May 10 and crossings remained closed until May 12. These measures, which the military said it took in response to the rocket attacks, amount to collective punishment in violation of international humanitarian law.

These restrictions come amid Israel’s near-total closure of Gaza since 2007. Instead of specifically monitoring or restricting the flow of arms and material, Israel imposes sweeping restrictions on the movement of people and goods, including a generalized travel ban for residents of Gaza outside of “exceptional humanitarian cases.”

The May hostilities follow several smaller-scale flareups in July, August, October, and November 2018, and March 2019, some of which resulted in civilian casualties.

Israel and Hamas, as the de facto authority in Gaza, have a duty to investigate allegations of serious violations of the laws of war. Israeli authorities have taken inadequate steps and Palestinian authorities no steps to investigate alleged war crimes and to hold members of their forces accountable. These failings highlight the importance of the International Criminal Court (ICC) prosecutor opening a formal investigation into the situation in Palestine.

“There is little hope for reining in attacks that violate the laws of war so long as both Israeli and Palestinian forces can commit them with impunity,” Porteous said. “The continued unlawful killing of civilians underlines the need for a formal ICC probe in Palestine to help bring a measure of justice for the victims and their families.”

#### Zoroub Strike, Rafah (May 5)

Three Israeli munitions hit the lower floors of a six-floor commercial building in Rafah in south Gaza known as the Zoroub Building after its owner, Ibrahim Zoroub. The attack, about 5:40 p.m. on May 5, killed three apparent civilians: Mousa Moamer, 35; Hani Abu Shaer, 37; and Ali Abdul Jawad, 50.

Ahmad Zoroub, a 19-year-old relative of the building owner, said that he and his friends – Abu Shaer, a digital advertiser, and Moamer, owner of al-Fakher café in the Zoroub Building’s basement – were sitting at the café when the first munition struck. Zoroub did not recall that anyone else was in the café at the time. The owner of a stationery store in the building said that no warning of the attack had been given.

Two more munitions struck several seconds later, witnesses said. Hassan Shiqaqi said he heard the explosions as he was teaching English to eighth-grade students in a building directly facing the Zoroub Building. Hundreds immediately streamed out of the buildings in the area.

Ahmed Zoroub said the blast threw him five meters. He dug himself out from under chairs and rubble and crawled, amid small blazes, smoke, and dust, in search of Abu Shaer and Moamer, following their voices. He found both badly injured: Moamer with “flesh and bones” coming out of his abdomen and upper legs and Abu Shaer’s left leg nearly severed from his body. Zoroub said he crawled toward the door and called out for help, but he lost consciousness. He awoke to find himself in a hospital with Abu Shaer and Moamer, who later died.

Ibrahim Zoroub, the building owner, found the body of the third victim, Ali Abdul Jawad, an English teacher, in the tutoring center Abdul Jawad operated on the ground floor. Zoroub believes that Abdul Jawad had cancelled classes for the day and was alone at the time of the strike.

Human Rights Watch visited the damaged building 11 days after the attack. Weapons remnants examined were found to be from a GBU-39 series guided bomb. The first strike appeared to hit the first floor, where there had been the tutoring center, a construction company, and a clothing store, but exploding on the ground floor and causing damage in the basement. Subsequent strikes hit the second floor, which had two engineering offices and an accounting office, but also damaged floors below. The building also included two other tutoring centers and apartments, the building owner said.

At 5:36 p.m. and again at 6:39 p.m., the Israeli military said on Twitter that it attacked “terrorist operatives” in south Gaza, but did not say what or where the targets may have been. Three local residents said that Islamic Jihad had a media office on the second floor, but one noted that the office had moved to a different location months before. Ibrahim al-Zoroub said there had been no Islamic Jihad office in the building during the three years he had owned the building.

Human Rights Watch uncovered no evidence of a current military objective.

#### Container Strike, Beit Lahiya (May 4)

On May 4 at about 8 p.m., an Israeli airstrike struck a metal shipping container outside a businessman’s villa in Beit Lahiya in north Gaza, killing an apparent civilian, Khaled Abu Qleeq, 24. Atallah al-Attar, 30, a friend of Qleeq who worked as a security guard at a wedding hall next door, said that Abu Qleeq approached him at the wedding hall, where he came to make tea, and invited al-Attar to join him in the container, where he worked. They sat together and as Qleeq began to eat some food, a missile struck the shack.

The two men ran toward a villa about 10 to 15 meters away seeking medical care for injuries they sustained in the strike, al-Attar said. Near the villa doors, another missile struck, he said. Al-Attar, who had been wounded by fragments in his eye and leg, said Abu Qleeq was struck in the head. He sat beside Abu Qleeq awaiting an ambulance, but, before it arrived, Abu Qleeq stopped responding and died and he lost consciousness. The Israeli military has not reported on the attack. Human Rights

Watch found no information that would indicate that Abu Qleeq, al-Attar, or anyone living in the villa had any connections to armed Palestinian groups.

#### Sheikh Zayed Strike, Beit Lahiya (May 5)

An Israeli airstrike struck the top floor of a five-story residential building, No. 12 in the Sheikh Zayed residential complex in Beit Lahiya in northern Gaza about 8:00 p.m. on May 5. The attack appeared to target an Islamic Jihad commander who was in the building at the time, but killed six civilians: Eman Asraf, 29, and Ahmad al-Ghazali, 30, and their 3-month-old daughter, Maria; and Talal Abu al-Jedyan, 48, Raghda Abu al-Jedyan, 46, and their 11-year-old son, Abdulrahman.

Ahmad al-Ghazali's sister, who lives on the first floor, said that she spent the early evening in her brother's apartment on the fifth floor watching the news with him and his wife, Eman. She said Ahmad worked at a juice factory, while Eman served as a legal adviser for the Interior Ministry in Gaza. She advised them to spend the night in her apartment, maintaining that lower floors would be safer during the fighting, and shortly before 7:30 p.m. she left their apartment to prepare hers for them. Minutes later, without warning, she said, she "heard a heavy explosion" and "saw a light."

Ahmad's brother, Mahmoud al-Ghazali said that shortly thereafter he arrived at Ahmad's apartment to find a scene of devastation. The apartment lay in ruins and had collapsed into the floor below. Al-Ghazali accidentally stepped on his brother's corpse: his leg and pelvis had been severed from the rest of his body and Mahmoud said he mistook it for a mattress. He did not recognize his niece Maria, whose skull and backbone had been broken.

The strike also killed three members of the Abu al-Jedyan family, who lived in the adjacent fifth-floor apartment. Mohammad Abu al-Jedyan, one of Talal and Raghda's four children, said he had just returned to the building from visiting his sister and was walking up the stairs when the airstrike hit. He said the strikes dismembered his relatives' bodies. A neighbor who lives directly across from the Abu al-Jedyan family said that the next day, he found pieces of flesh in his damaged home. He said his son had played football with Abdulrahman, a sixth grade student.

The Israeli military has not reported the reason for attacking the residential building. On a visit to the area 10 days after the strike, Human Rights Watch saw a site with an observation tower belonging to the armed wing of Hamas about 20 meters from the targeted building, but two rows of residential buildings were closer to the tower. A local journalist told Human Rights Watch that a senior commander from Islamic Jihad said to him that he had just entered the residential building and was walking up the stairs when the strike took place. The commander was not injured, the journalist said. The owner of a recreational site near the al-Qassam observation site said that two strikes hit his establishment four hours later.

Even if the Israeli forces were targeting the Islamic Jihad commander, a valid military target, this attack on a large residential building raises concerns that it was indiscriminate or disproportionate.

#### Al-Madhoun Strike, Beit Lahiya (May 5)

An Israel Defense Forces missile strike hit a three-unit home in Beit Lahiya in northwest Gaza, killing a member of Islamic Jihad's armed wing along with three civilians and wounding others. The strike, on May 5 at about 5:30 p.m., killed Abdullah al-Madhoun, 21; his 60-year-old father, Abdul Rahim; his 36-year-old pregnant sister-in-law, Amani al-Madhoun; and his unemployed brother-in-law and neighbor, Fadi Badran, 33.

Ahmad al-Madhoun, Abdullah's brother, told Human Rights Watch that the house included three small residential units – one belonging to him, one to his brother Mohammad, and one to their father. That afternoon, 15 family members, including several relatives who do not live in the house and a neighbor had gathered there before going to a funeral, he said. The missile struck the eastern side of the house as Abdullah prayed in his father's unit and his father worked in his small grocery store in front of his house.

The strike leveled the house. Amani, a mother of three, was killed when the asbestos ceiling in southeast side of the house collapsed on her. Several relatives who were on the western side of the house were wounded; fragments gashed Ahmad's 2-year-old daughter in the neck.

Fragments also penetrated the walls of a nearby three-unit residential building belonging to a neighbor, Fadi al-Badran. Fadi's brother Ahmad al-Badran, who lives in the building, said that shortly after the strike Fadi emerged from his house injured, carrying his daughter. A local resident said that when he arrived he saw men rushing Fadi, who was bleeding from the mouth from a fragmentation wound to the abdomen, to a hospital.

Human Rights Watch examined weapon remnants from the destroyed compound 10 days after the strike and determined they were of a GBU-39 series guided bomb, also known as a "small-diameter bomb," which the Israeli military has in its arsenal.

At 5:03 p.m., the Israeli military tweeted that "IDF aircraft attacked a short time ago terrorist operatives in the northern Gaza

Strip.” It has not said whom it targeted. Islamic Jihad, however, identified Abdullah al-Madhoun as a member of its armed wing, but otherwise did not describe his position. Al-Madhoun had a walkie-talkie-type device often used by Islamic Jihad fighters to communicate with each other, though his brother Ahmad said Abdullah only used the device to listen to the news.

As a member of the Islamic Jihad’s armed wing, Abdullah al-Madhoun would have been a valid military target. However, the nature of the attack, on a home containing many civilians, raises concerns that it was disproportionate.

#### Rocket Attacks Launched Toward Israel

In early May, Palestinian armed groups launched unguided rockets against Israeli population centers that killed three Israeli civilians: Moshe Agadi, 58; Zaid al-Hamamda, 49; and Pinchas Menachem Prezuazman, 21. Agadi, a father of four, died when a rocket hit his mother-in-law’s house. A rocket launched on May 4 killed al-Hamamda, a Palestinian Bedouin civilian as he was working in a factory in Ashkelon in Israel. A neighbor said that the loss of al-Hamamda, a father of eight, had devastated his extended family, whom he provided for, and his community, where he was a leader. Agadi’s brother-in-law said that residents of southern Israel “live in consistent fear... that a rocket might fall on our heads at any moment.” A rocket that struck in Ashdod killed Prezuazman.

These rocket attacks were inherently indiscriminate – not able to distinguish between civilians and military targets – in violation of the laws of war.

In addition, an anti-tank guided missile fired from Gaza killed 68-year-old Moshe Feder on May 5 in southern Israel just north of Gaza. Feder had no apparent affiliation to the Israeli armed forces.

#### Rocket Strike Landing in Gaza

On May 4, a munition struck the al-Zaytoun neighborhood in eastern Gaza, killing Falastin Abu Arar, a 38-year-old mother of nine, and her 14-month-old niece, Siba Abu Arar. The Gaza Health Ministry included both on a list of people killed by Israeli airstrikes, but the Israeli military said that it did not conduct the lethal strike.

Human Rights Watch was unable to investigate the strike for security reasons and Israel’s repeated denial of permits to Gaza for foreign researchers. A field worker with a Palestinian organization who visited the site said that unlike at other sites, Palestinian authorities quickly removed remnants of munitions and described damage that make it more likely that the strike came from an errant Palestinian rocket.

#### **Maintaining a Jewish majority: Jerusalem Municipality to demolish entire Palestinian neighborhood, leaving 550 people without a roof over their head (B’TSelem)**

June 13, 2019

**Wadi Yasul is a Palestinian neighborhood in East Jerusalem. It is located between the neighborhoods of Abu Tur and Silwan and is adjacent to the Peace Forest. According to OCHA figures, close to 500 people live in the neighborhood. The Jerusalem Municipality issued demolition orders for all the neighborhood homes so all the families there are facing the threat of expulsion. In late April, the city already demolished two of the houses and displaced two of the families.**

The residents of Wadi Yasul built it adjacent to a forest, also located on privately owned land that was expropriated from its Palestinian owners in 1970. In 1977, the Jerusalem Municipality zoned the forest and the area where Wadi Yasul was later established as a green space, where construction is prohibited.

In 2004, the neighborhood’s residents submitted a detailed plan to the District Planning and Building Committee for retroactive authorization of their homes. The committee rejected the plan in 2008, citing incompatibility with the Jerusalem 2000 Outline Plan, which states that the area where the neighborhood was built must remain a green space.

At the same time, the municipality and the JNF (Jewish National Fund) – the body in charge of managing the forest – gave their approval to settler organization El-Ad to move forward with plans for group campgrounds, including building the longest recreational zipline in Israel. Some of the facilities have already been built in the forest, without building permits. While the city did issue demolition orders against them, it has refrained from following through.

In contrast, over the last decade, the city has filed indictments with the Court of Local Affairs against all Wadi Yasul homeowners. The court then issued demolition orders for all of the homes and imposed heavy fines, fining each family tens of thousands of shekels. Three of the families appealed these decisions with the District Court. The appeals were dismissed in April on the grounds that “there are no clear and near planning prospects” for the approval of a plan that would see the appellants’ homes, or other homes in the neighborhood, approved. An appeal the families filed with the Supreme Court was

also rejected. In late April, 47 other families filed a motion with the District Court seeking an interim injunction staying execution of the demolition orders. The court's decision is still pending. Consequently, all of the homes in the neighborhood are still under immediate threat of demolition.

Ever since 1967, planning policy in Jerusalem has been geared toward establishing and maintaining a Jewish demographic majority in the city. Under this policy, it is nearly impossible to obtain a building permit in Palestinian neighborhoods. The outline plans the city has prepared for these neighborhoods are largely aimed at restricting and limiting building opportunities in Palestinian neighborhoods. One way the plans do so is by designating vast areas as open green spaces, thereby barring Palestinians from building there. The resulting housing shortage forces Palestinian residents to build without permits. At the turn of the millennium, the city estimated that about 20,000 housing units had been built without a permit in East Jerusalem. This estimate was made before the Separation Barrier cut off Kafr Aqab and Shu'fat Refugee Camp from the city. Since that time, many high-rises have been built in those areas.

The justices who heard the appeals that residents filed against the demolition orders issued for their homes chose to follow in the footsteps of all previous Israeli courts. They chose to ignore this policy which has been applied openly for more than fifty years. Instead, they focused solely on the question of whether or not the residents had building permits. District Court Judge Chana Miriam Lomp held that, "the residents have no one to blame but themselves," as they had chosen to build without a permit and did not wait for planning conditions to change. Supreme Court Justice Yosef Elron refused to consider the residents' arguments regarding planning discrimination and the fact that the Jerusalem Municipality deliberately avoids promoting a plan that would regulate construction in the area, saying they were not pertinent "to a criminal proceeding hearing."

On 30 April 2019, the city demolished two homes and two storehouses in Wadi Yasul, leaving 11 people, 7 of them minors, homeless.

The home of Anas Burqan, one of the neighborhood's first residents, was demolished by the city on 30 April 2019. During the demolition, police officers fired a sponge-tipped round at him – which did not penetrate his body – beat him and arrested him. Burqan, 31, a construction worker, is married and has four children, aged one to nine. He spoke about the demolition in a testimony he gave B'Tselem field researcher 'Amer 'Aruri on 8 May 2019:

My family is originally from the Old City. My father built the house in Wadi Yasul in 1992. It had two rooms, a bathroom and a kitchen, and a corrugated metal roof. He built it on a plot of about 2.5 dunams [1 dunam = 1,000 square meters] he had bought. My father kept bees as a hobby, so he wanted to move to Wadi Yasul, where he could get fresh air and get away from the overcrowding in the city, enjoy the scenery and hear the birds chirp. In 1996, my brother Qusai built another home, next to the one my father built.

In the 1990s, there weren't any other houses nearby, and people made fun of us for choosing to live in an isolated area that had no running water or electricity. But my father, who worked for the city as a street cleaner, managed to hook up the house to water and electricity, thanks to his contacts there. City officials told him he shouldn't be concerned because the homes there were not causing any damage or compromising city projects.

After 1997, more people started moving into the neighborhood. As early as 1998, we tried promoting an outline plan for the neighborhood, so we could hook all the homes up to water, electricity and phone lines. The municipality refused to cooperate with us and rejected all our proposals, claiming the area was supposed to be a green zone.

When I got married in 2009, I stayed in this house with my wife and my parents. My siblings moved to Abu Tur.

In 2013, demolition orders were served to all the homeowners in the neighborhood, including me and Qusai. A city official called my brother and me in for a meeting where he said: "Any security-related incident connected to a neighborhood resident will speed the demolition of neighborhood homes." We hired a lawyer who managed to delay the execution of the demolition orders for two years. In 2015, we got fines – I was fined 50,000 shekels and my brother 55,000. We're still paying off the fines in installments of 500 shekels a month.

In late 2018, our lawyer told us proceedings with the city had reached a dead end. In March 2019, the District Court dismissed the appeal my brother and I had filed against the demolition orders, and on 17 April 2019, the city demolished storage houses and huts belonging to our neighbors, but not the homes themselves. My brother and I realized that the moment of truth had come and that our houses would soon be demolished. Our families then lived in a state of fear and anxiety. We couldn't enjoy anything we ate. We couldn't sleep. We were in a state of despair and hopelessness.

The day before Passover, a police car arrived and the officers gave my wife and my brother's wife the demolition orders. Our lawyer said the demolition wouldn't be carried out during Passover, nor – God willing – during the month of Ramadan that came just after it. My brother and I took turns keeping watch at night, because the bulldozers could come at any time of the

day or night.

In the meantime, my wife and I packed our clothes and other items in plastic bags, preparing for the bulldozers. We started looking for rentals and were shocked by prices outside of Silwan and Abu Tur. Places that could suit my family – large enough, with reasonable infrastructure and safe for the children, not on a major road – were available only in Beit Hanina, Shu'fat or Beit Safafa. Rent in these neighborhoods is easily 1,000 dollars a month. Silwan and Abu Tur don't have large apartments that are safe and suitable for children. Even if I did find a suitable place in Silwan, the landlord would likely not want to rent to us because we have four children and people don't want noise.

Once Passover was over, we got very tense. On 30 April 2019, I kept watch until 4:00 A.M., and then went to bed. Two hours later, my brother Mahdi woke me up and said [Israeli] police forces were on the move around the neighborhood and that he could hear a bulldozer. I woke up my wife and children right away. Everyone was in shock. They started crying when I told them our house was about to be demolished.

My brothers and I started moving things out of the two houses and called friends and relatives to come help us take out the furniture. I was in the bedroom, disassembling furniture with a screwdriver, when a special police force commander came in and said: "Good morning. We've come to demolish the house." I answered: "It's a shitty morning," and went back to work with my back to him. Just then, I heard a something that sounded like a shot and felt a hard object hit me in the waist on my left side. I think that the commander, or the police officer who was with him shot me (with a sponge-tipped round).

I fell to the floor, writhing in pain. While I was lying there, armed police forces attacked me. They dragged me outside the house and beat me all over with the butts of their guns. They did in full view of my wife and children and all my relatives and friends. I felt a heavy blow above my right eye. The beating lasted about five minutes. They stepped on my head, hard, and also kicked my backside hard.

I heard members of the police forces arguing among themselves and saying: "Should we take him to the patrol car or leave him here to watch his house getting demolished?" In the end, they took me to the Oz Police Station in Jabal al-Mukabber with my hands tied in front with cable ties. I thought about my wife and children. I knew the demolition was coming, but the beating and the humiliation in front of my whole family was not something I anticipated. I tried to keep calm so they would release me and I could go back to my family. The interrogator accused me of attempting to assault a police officer with a sharp object, a screwdriver. I said: "I was using a screwdriver to take apart the bedroom furniture. The officer is the one who invaded my house and shot me with a sponge-tipped round." After the interrogation, I was transferred to the detention facility at the Russian Compound police station.

I was taken to someone who was a nurse or a doctor, I don't know which. He took pictures of the bruises on my body and gave me paracetamol [over-the-counter pain reliever]. Then, they took me to a detention cell. I was preoccupied with the pain and with thoughts about my wife and children: Where are they now? Where are they going to spend their first night away from home? I was deeply depressed, so I wouldn't eat and I just drank water.

Very early the next morning, I was taken from the detention cell to the Magistrates Court. The District Attorney's Office asked to remand me for five days, but the judge decided to remand me only until Friday. I went back to the Russian Compound feeling sad and miserable. I demanded to see a doctor, and they took me back to the room with the man who I don't know whether he was a nurse or a doctor. He gave me paracetamol and then I fainted and collapsed on the floor because I hadn't eaten anything since I was arrested. I woke up in the same room, hooked up to an IV drip. The next day, at 7:15 P.M., they took me to court. I saw my daughter Butul there. She ran to me, and the judge yelled: "How can you let the child come in and see her father with his hands and feet in restraints?" I said to the judge: "She saw me being beaten, and our house demolished. Seeing me like this is not what's going to scar and traumatize her."

On 2 May 2019, Magistrates Court Judge Elazar Bialin dismissed the motion made by the police to remand Anas Burqan to custody for five more days and remove him to Anata for two weeks. The judge ordered his release on bail and sent him to house arrest at the home of his brother Mahdi in Abu Tur until 6 May 2019. During the demolition of Anas Burqan's home, all the furniture owned by the family was destroyed. Anas's family and his brother Qusai's family rented apartments in the Abu Tur neighborhood.

Suhayb Burqan, 20, Anas Burqan's brother, was at the home during the assault. He spoke about it in a testimony he gave B'Tselem field researcher 'Amer 'Aruri on 8 May 2019:

On the night of the demolition, I was also at Anas's home and I started moving things outside. While Anas was taking apart furniture in the bedroom with a screwdriver, two police officers in black uniforms came in. One of them said good morning to us, and then said the house was going to be demolished today. Anas answered: "It's a shitty morning". Then Anas turned around and continued taking the furniture apart, with his back to the two officers. Then, while I was carrying things out of the house, I saw one of the special forces men fire a single sponge-tipped round at Anas from close range - without Anas even

going near him. I heard Anas screaming, saying: "I've been shot!".

Then dozens of special forces stormed the house. They assaulted Anas. They beat him and kicked his arms and legs. They beat him with the butts of their guns too. Then they took him out of the house. They had everyone leave the house and go out into the yard. Anyone who wouldn't leave was beaten. I tried to shield my head with my left arm, and then they hit it with the butt of a gun.

I saw Anas getting beaten and two other guys who were bleeding. They got everyone away from the house to make way for the bulldozer to come in and demolish it. At that point, an ambulance came and took me to al-Maqassed Hospital. They treated my arm and bandaged it. Then we went back to the neighborhood. The bulldozers had gone.

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## **Gulf Region**

### **Saudi-UAE coalition vows action after Houthi missile attack (Al Jazeera)**

June 12, 2019

**The Saudi-led coalition said it would "take stern action" to deter the Houthi rebels after the Yemeni rebels carried out a missile attack on Abha airport in Saudi Arabia that left at least 26 injured.**

Turki al-Malki, the coalition spokesman, said the missile hit "proves this terrorist militia's acquisition of new advanced weapons and the continuation of the Iranian regime's support and waging of cross-border terrorism".

Houthi rebels, who have faced persistent coalition bombing since March 2015 that has exacted a heavy civilian death toll, have stepped up missile and drone attacks across the border in recent weeks.

In a statement on Wednesday, the coalition said a projectile hit the arrivals hall at Abha airport, causing material damage. Three women and two children were among the wounded, and were of Saudi, Yemeni and Indian nationalities, it said.

Eight people were taken to hospital while most were treated on site.

The attack could amount to a war crime and proved that the Houthis have acquired "advanced weapons from Iran", the coalition said, vowing to take "urgent and timely" measures in response.

There was no immediate response from Iran, which has denied arming the Houthis.

The European Union said "such provocative attacks pose a threat to regional security and undermine the UN-led political process in Yemen".

Houthi-affiliated Almasirah TV reported that the Houthi forces launched a cruise missile attack on Abha airport, which is about 200km north of the border with Yemen and serves domestic and regional routes.

The alliance led by Saudi Arabia and the United Arab Emirates (UAE) intervened in Yemen in 2015 to try to restore the internationally-recognised government of President Abd-Rabbu Mansour Hadi that had been forced out of power by the Houthis.

The rebels on Wednesday insisted they had the right to defend themselves in the face of five years of Saudi-led bombing and an air and sea blockade.

"The continuation of the aggression and siege on Yemen for the fifth year, the closure of Sanaa airport and the rejection of a political solution make it inevitable for our people to defend themselves," Houthi spokesman Mohammed Abdulsalam said in a statement reported by Almasirah.

The Abha attack comes as the Saudi-UAE-led coalition intensified air raids on Houthi positions in the northern Yemeni

province of Hajjah.

The rebels have also stepped up drone and missile attacks on the kingdom amid tensions between Iran and the United States, Riyadh's main ally. On Tuesday, the official Saudi Press Agency (SPA) said Saudi air defence forces intercepted two Houthi drones that targeted Khamis Mushait in the kingdom's south on Monday. The attack did not cause damage or casualties, the agency reported.

The rebels said they had targeted the King Khalid airbase near Khamis Mushait.

Last month, the Saudi air force also shot down a bomb-laden drone deployed by Houthi rebels that targeted Jizan airport, close to the southern border with Yemen, the coalition said.

Two oil pumping stations in Saudi Arabia were hit by Houthi drones causing minor supply disruptions highlighting an apparent significant leap in the drone capabilities of the Houthis.

Commenting on Wednesday's missile attack on Abha airport, Al Jazeera's Mohammed Al-Attab said the incident proved the coalition's goal of destroying Houthi's missile capabilities had failed, allowing the rebels to hit back.

"The Houthis ... are saying these kind of attacks are revenge for Saudi Arabia's escalation and their attacks on civilian areas over the past four years," Al-Attab said from the Yemeni capital, Sanaa.

"They have killed so many civilians; this brutal war has even targeted weddings, funerals, markets and hospitals," he added.

Hussain Bukhati, a pro-Houthi journalist, told Al Jazeera the missile attack was part of a move by the group to target the coalition with "eye-for-an-eye" attacks, adding Houthi forces in Sanaa still had "many surprise" attacks planned.

Bukhati said it was the second time the Houthis had used a cruise missile, the first after the group deployed one last year to hit a nuclear power station being constructed in the UAE.

The uptick in violence comes as a United Nations-led peace push falters despite the rebels' unilateral withdrawal from the lifeline Red Sea port of Hodeidah last month.

The Yemeni government has accused UN envoy Martin Griffiths of bias towards the rebels despite the Security Council's expression of renewed support in him on Monday.

The conflict in Yemen has killed tens of thousands of people, many of them civilians, aid agencies say.

It has triggered what the UN describes as the world's worst humanitarian crisis, with 24.1 million - more than two-thirds of the population - in need of aid.

**For Saudi Military Vehicle Deal, Canada Weighs Jobs And Human Rights (NPR)** By Jackie Northam  
June 18, 2019

**Last year, the Royal Canadian Regiment Museum in London, Ontario, installed a monument for the country's armed forces who have served in the Afghanistan war. It's a 25-ton, light armored vehicle, complete with a turret on top.**

But these days, LAVs have taken on another sort of symbolism for Canada.

About a mile from the museum, workers with the Canadian division of U.S. defense company General Dynamics Corp. are building the eight-wheeled, amphibious vehicles for Saudi Arabia's National Guard.

Now the 15 billion Canadian dollar (\$11.2 billion) deal is the focal point of a debate in Canada about balancing the country's respect for human rights with hundreds of well-paying jobs.

In 2014, then-Prime Minister Stephen Harper agreed to have Canada produce the armored vehicles for the Saudis. Prime Minister Justin Trudeau has so far kept the deal.

Kevin George, the rector at St. Aidan's Anglican Church in London, had already been a vocal opponent of the deal when it was signed, because of Saudi Arabia's poor human rights record. Then came the Saudi-led intervention in Yemen in 2015, which has sharply increased the civilian death toll in the impoverished nation.

George says Canadians have looked on with increasing alarm at the conflict, particularly reports of Saudi planes striking schools and medical facilities, killing thousands of civilians, including children.



"We know what's happening in Yemen," he says. "And I think that we're selling arms to a regime which is doing what it's doing in Yemen, which is really paramount to war crimes."

George says it was the death of Saudi journalist Jamal Khashoggi last October that brought the issue of the armored vehicles to a boil in Canada. U.S. intelligence agencies have assessed that Saudi Crown Prince Mohammed bin Salman was involved in the killing of Khashoggi at the Saudi Consulate in Istanbul, Turkey. His death prompted calls across Canada to break the contract with Saudi Arabia.

"It is the type of issue that really speaks to ... a matter of principle for Canadians," says Shachi Kurl, the executive director of Angus Reid Institute, a public opinion research foundation. "Is this the right thing to do or the wrong thing to do?"

In October 2018, an Angus Reid poll found just 10% of Canadians wanted to maintain the vehicles deal and allow future weapons sales to Saudi Arabia. "The vast overwhelming majority of Canadians said that we should no longer be selling arms to Saudi Arabia," Kurl says, but respondents disagreed about whether to honor or cancel the current deal.

In December, Prime Minister Trudeau hinted he may try to kill the deal.

When NPR asked Canada's foreign affairs department this month whether the government will continue to honor the agreement, the department said officials were "reviewing export permits to Saudi Arabia and no final decision has been made."

General Dynamics Land Systems declined an interview, but said in a statement to NPR that the light armored vehicles "contract remains in effect."

"Were Canada to unilaterally terminate the contract, Canada would incur billions of dollars of liability to General Dynamics Land Systems-Canada," the company said in a statement in December. "In addition, terminating the contract would have a significant negative impact" on Canada's workers and defense sector.

The government awarded the contract to General Dynamics Land Systems-Canada after negotiating the deal with the Saudi government five years ago. The company says the terms of the deal are confidential. In September 2018, Canadian broadcaster CBC reported that internal documents about the deal showed the country agreed to deliver 742 light armored vehicles to Saudi Arabia.

Gerry Macartney, the CEO of the London Chamber of Commerce, calls it the "largest export contract in Canadian history." He says London's economy would be devastated if it was pulled.

"General Dynamics is one of our larger employers and manufacturers not only in London, but in the region," he says. "So these are very valued jobs in our community and across the country."

Over the years, Macartney notes, the London area has seen major companies such as Caterpillar, Ford and Kellogg's shut their production facilities. London was also hit hard during the recession in 2008.

"A lot of manufacturing jobs left and never came back. It's taken us this long to get back on our feet, to have a reasonably good economy going forward," he says. "The last thing we need is another hit like that."

The company says it directly employs 1,700 highly skilled people in London, and indirectly provides work to more than 12,000 additional people across Canada through more than 500 suppliers. Macartney says there are more than 240 suppliers in London alone for the armored vehicle contract.

One of those is the Rho-Can Machine & Tool Co. Co-owner DJ DeJesus says the company employs about 100 people and counts on General Dynamics for 35% of its business.

"So if the contract goes away, 35% of the people lose their job," he says. "That would be just horrific."

DeJesus says it would be misguided to think that Saudi Arabia's behavior would change if it didn't have the light armored vehicles manufactured in Canada. "The bottom line is we have countries all over the world lined up to take on this contract the minute we decide we don't want to do it," he says.

Royce de Melo, a Middle East security consultant based in the London region, says the contract is to deliver the vehicles to Saudi Arabia.

"They can go to law enforcement, can go to military, can go to border security," de Melo says. "You can't control how it's used at the end of the day."

De Melo says it would send a bad signal if Canada is seen as not honoring its contract commitments.

But the Rev. George views the issue differently.

"If Canada can't stand up for what's right in this case, can they ever be trusted to stand up for what's right in the next deal?" says the church rector.

In December, protesters gathered at a port in Saint John, New Brunswick, to demonstrate against the armored vehicles being loaded for shipment to Saudi Arabia.

Bryan Smith, with the Oxford Coalition for Social Justice in Woodstock, Ontario, says there could be another option that would satisfy both sides in this debate. He says the Canadian government should find other customers for the armored vehicles, such as the United Nations.

"People here would continue to have good jobs and they would be put to good purposes, such as with peacekeeping troops in Yemen," he says.

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## ASIA

### Afghanistan

**Afghanistan war crimes victims appeal to ICC (Jurist)** By Tim Zubizarreta

June 13, 2019

**Victims of war crimes in Afghanistan filed an appeal Monday with the International Criminal Court (ICC) challenging the lower court's recent decision not to pursue a war crimes investigation in Afghanistan.**

The Appeal was filed by the Center for Constitutional Rights in New York and the Global Justice Clinic at the New York University School of Law, among others, on behalf of the victims. The victims claim that significant war crimes have taken place in Afghanistan that and not investigating further will deny the victims justice while allowing the perpetrators to escape. The victims further claim that the perpetrators will be free to continue committing war crimes and that the mandate of the ICC will be severely damaged if justice is not served.

The victims specifically highlighted that top officials in the US government have failed to comply with the court's requests and, as such, have interfered with the effectiveness of the investigation and the ICC as a whole. It is not specifically alleged who exactly war crimes, but it is likely related to several alleged war criminals for whom President Donald Trump was reportedly considering pardons. The Trump administration has refused to cooperate with any ICC investigation of the War on Terror and has threatened consequences if the ICC does pursue an investigation.

**'The Situation in Afghanistan' A Test of Dignity for the I.C.C. (Afghan Pulse)** By Andishe Salim

June 18, 2019

**On Friday, 7 June, Fatou Bensouda, Chief Prosecutor of the International Criminal Court filed an appeal to the Court regarding the rejection of her request to investigate into war crimes in Afghanistan.**

Judge Antoine Kesia-Mbe Mindua, Judge Tomoko Akane and Judge Rosario formed the Panel of three judges of the 'Pre-Trial Chamber II' to decide for the commencement of an investigation into the 'Situation in The Islamic Republic of Afghanistan'.

On Friday, 12 April, the I.C.C. rejected Chief Prosecutor's request for authorization of opening of an investigation on 'the Situation in Afghanistan'. The Prosecutor requested the Court to grant permission to investigate war crimes committed in Afghanistan by the Taliban, Afghan security forces, and the United States Armed Forces and Central Intelligence Agency (CIA).

The members of the United States armed forces and the CIA "committed acts including torture, cruel treatment, outrages upon personal dignity, rape and sexual violence against detainees of the conflict in Afghanistan and other related locations mainly in the period of 2003-2004."

The Pre-Trial Chamber (PTC) has rejected the Prosecutor's request on the basis that the investigation on 'the Situation in Afghanistan' "would not serve the interests of justice".

Does The I.C.C. Have Jurisdiction? The PTC did, in fact, note that it verified the information submitted by the Prosecutor carefully and considered that the request establishes a reasonable basis for the Court to believe that "crimes within the jurisdiction of the I.C.C. have been committed in Afghanistan."

The PTC also noted that "Upon consideration of the inherent qualities as well as the authoritativeness of the information, the Chamber is satisfied – at this stage – that there is a reasonable basis to believe that the incidents underlying the Request have occurred." Why Did The Court Reject The Request To Start An Investigation In Afghanistan?

Despite that has been discussed, the Court rejected the Chief Prosecutor's request for two reasons:

- "the time elapsed since the opening of the preliminary examination in 2006 and the political changing scene in Afghanistan since then," and;
- "the lack of cooperation that the Prosecutor has received and which is likely to go scarcer should an investigation be authorized hampering the chances of successful investigation and prosecution, as well as the need for the Court to use its resources prioritizing activities that would have better chances to succeed."

The Office of the Prosecutor (OTP) stated in a filing that "This is the first time that any Pre-Trial Chamber has held that there is a reasonable basis to believe that the "most serious crimes" within the jurisdiction of the Court have been committed and that potential cases concerning those crimes would be admissible, but not proceeded to authorize the opening of an investigation under article 15(4)."

The Prosecutor raised three issues addressing the Decision of the Court;

First, "the assessment of the interest of justice" through the interpretation of article 15(4) and 53(1) (1) on part of the Pre-Trial Chamber

Second, Pre-Trial Chamber's exercise of its will under the mentioned provisions;

And third, the understanding of the Pre-Trial Chamber of the scope of any possible investigation it may authorize, both in light of article 15 of the Rome Statute or any other provisions of it. In the published document of the appeal presented by the Office of the Prosecutor to the Pre-Trial Chamber, the Prosecution stressed on its point of view that illuminating the important issues raised by the PTC, will "benefit the Court in its work as a whole, and that the appropriate forum for that clarification is the Appeals Chamber."

"By this means, the Court will further avail itself of a judicial process dedicated to the important issues which have arisen, and which may take further account of representations from participating victims, whose interests are directly affected by the Decision." The OTP added.

According to CommonDreams, a group of victims of the torture by the U.S. forces in Afghanistan appealed against the Court's surprise Decision.

After seventeen years, Afghan victims of war crimes were optimistic that the ones who made them suffer will face judgment as war criminals. But the I.C.C. cave into the United States threats by making an unusual Decision of not authorizing the investigation process on the situation in Afghanistan. And now they appealed against the Decision that some say taints the credibility of the Court if not made up for it.

Many critics of the I.C.C.'s Decision have proposed that the Court was influenced by the U.S. pressure. Logically, the United States' aggressive attitude towards the prosecutors and the I.C.C. itself did, in fact, become part of the cause of the result of I.C.C.'s Decision.

The I.C.C. lacks courage in following its principles since at times the Court runs thin on its resources in the process of investigation and is left alone by the governments while investigating a situation in a country. But the dangerous message this

Decision sends is that if countries tend to threaten the International Criminal Court or revoke the visas of the Prosecutors they would get exactly what they are intending to achieve.

The U.S. threats against an International Court like the I.C.C. should not be awarded in any way. But the judges apparently had the consideration that the U.S. would do more than just revoking visas of the Prosecutors but this does not legally justify an odd Decision of referring the issue to whether it serves the interest of justice.

Another colossally wrong message this Decision sends out to the world is that the States involved in war crimes are able to avoid being investigated by the prosecutors simply by refusing to provide a cooperative environment with the I.C.C.

The example the I.C.C sets regarding the Situation in Afghanistan, is that the Pre-Trial Chamber believes none of the States involved in the Situation in Afghanistan would cooperate with the Prosecutors, therefore, refuses to grant permission to start investigations.

The decision raises many questions. Is the I.C.C planning on sacrificing its functionality based on lack of cooperation? Does the world have to wait to witness wars with no rules? Will the victims of war ever see war criminals face justice? How would the Court be able to investigate other States while the U.S. gets away with its war crimes?

These are the question only legal experts would be able to properly answer but by the looks of the Court needs to choose between being praised by a warmonger State or serving the interest of justice and honoring what the victims of war crimes have suffered.

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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**

**Khmer Rouge Tribunal Appeal Hearing Starts (Khmer Times) By Ben Sokhean**

June 20, 2019

### **The pre-trial chamber of the UN-backed Khmer Rouge Tribunal yesterday began its three-day appeal hearing of case 004/02 against former senior cadre Ao An.**

Ao An, known as “Ta An”, is a former Khmer Rouge deputy secretary of the regime’s Central Zone.

Neth Pheaktra, the tribunal’s spokesman, yesterday said the hearings, scheduled to take place until Friday, include a public report on the case by the bench and arguments of the parties in a closed session.

He said around 400 students and teachers from Prey Veng province attended the open session hearing yesterday.

“The Chamber is expected to issue its considerations on the appeals within the fourth quarter of 2019,” Mr Pheaktra said.

In a statement released after yesterday’s session, the Extraordinary Chambers in the Courts of Cambodia said it had heard opening statements on the case following an introduction from the chamber.

“The hearing began with a public introduction by the President of the Chamber, followed by the public reading of a case report, which set out the relevant facts and procedural history of Case 004/2, as well as the details of the Appeals currently before the Chamber.” it said. “The remainder of the session took place in camera, during which the National and International Co Prosecutors presented their arguments on appeal.”

The hearing will continue today and tomorrow in accordance with the scheduling order issued on June 3, the statement added.

A report of the case released yesterday said Mr An was born in 1933 in Taing Svay village in Kampong Chhnang province.

It noted that his birth name is recorded as Oam Yoeung or Ao Yorungan and he currently resides in Battambang province.

Mr An has provided the pre-trial chamber with medical report stating that for health reasons he is unfit to travel the long distance to attend the hearing in the capital.

He is being represented by co-defense lawyers Mom Luch, Richard Rogers and Goran Sluiter.

Mr An was charged in 2015 with premeditated homicide and crimes against humanity and in 2016, he was charged with additional crimes, including genocide.

In August last year, the co-investigating judges issued separate closing orders against him. The national co-investigating judge issued a dismissal of the case, finding that Mr An did not fall within the personal jurisdiction of the court.

The international co-investigating judge indicted him for genocide, crimes against humanity and violations of the 1956 Cambodian Penal Code.

The deferring closing orders prompted an appeal for the case to be re-heard.

So far three of the regime's leaders have been sentenced to life imprisonment by the court; they are Kaing Guek Eav, alias Duch who commanded the S-21, former head of state Khieu Samphan and Nuon Chea, former deputy secretary of the Communist Party of Kampuchea.

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## **Bangladesh International Crimes Tribunal**

**Supreme Court starts hearing Azhar's appeal against war crimes verdict (Bdnews24) June 18, 2019**

**A four-member bench led by Chief Justice Syed Mahmud Hossain conducted the longstanding hearing on Tuesday.**

This is the 10th appeal to the top court against the verdict of International Crimes Tribunal.

Lawyer Zainul Abedin Tuhin who defended Azhar pleaded more time for the hearing. Turning down the request for more time, Justice Hossain said, "I've approved enough time. Why didn't you prepare? You must start hearing today." Tuhin then started reading out from the paperbook. The state was represented by Attorney General Mahbubey Alam and Additional Attorney General Murad Reza. The former Jamaat-e-Islami leader was sentenced to death for murders, rapes and genocide during the Liberation War in 1971 by the International Crimes Tribunal in 2014.

He filed an appeal seeking acquittal in the case within a month of the verdict. The Appellate Division subsequently ordered him to submit summary of his appeal on Aug 13, 2017. The appeal hearing was scheduled for Oct 10, 2017 but the lawyer of the convicted leader pleaded for more time. But the case appeared on the apex court's hearing list on Apr 10 after one and a half years. On the day, the chief justice scheduled the next hearing for Jun 18.

**Bangladesh war crimes suspect from Khulna dies in Dhaka hospital (Bdnews24) June 19, 2019**

**Doctors declared the 73-year-old Mojahar Ali Sheikh dead around 11:15am on Wednesday, Inspector Bachchu Mia at the hospital's police camp told bdnews24.com.**

Mojahar was hospitalised on June 13 from Dhaka Central Jail in Keraniganj after he fell sick with complaints of chest pain, jailer Mahbubul Islam said. He was suffering from old-age complications, Mahbubul said.

Mojahar, who had been in prison since mid-2017, hails from Baroriya village under Dakop Police Station in Khulna.

A supporter of the Convention Muslim League in 1971, he is accused of being involved in serious crimes like kidnapping,

robbery, arson attack, and murder during the Liberation War.

The International Crimes Tribunal is hearing a case against Mojahar and seven others from the area.

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## **War Crimes Investigation in Myanmar**

**Myanmar Military Officials' Presence at Israeli Arms Expo Raises Eyebrows (The Irrawaddy) June 7, 2019**

**The appearance of several Myanmar military officials at an Israeli military arms expo in Tel Aviv has international human rights groups alarmed, and raises questions about the Israeli military's denial of selling weapons to the Myanmar military, a pariah in the international community.**

The Israeli newspaper Haaretz exposed the attendance of a Myanmar military major and two captains at the Israel Defense and Homeland Security Expo, also known as ISDEF, on June 4.

Office of the Commander-in-Chief spokesperson Brigadier General Zaw Min Tun said he had no idea about the military officials attending the expo, but that some officers would probably join such an exhibition if invited by the host country.

"Whenever there is an exhibition in China or Russia, our officials join the event, but I am not sure about the Israeli expo. Attending arms expos is nothing serious, I think," he said.

A UN Fact Finding Mission has accused the military, also known as the Tatmadaw, of committing "ethnic cleansing" with "genocidal intent" on the Rohingya community in 2017, an atrocity that forced more than 700,000 Rohingya across the Bangladesh border, creating the largest refugee camp in modern history.

When the international community called on Myanmar military officials, including commander-in-chief Senior General Min Aung Hlaing, to be prosecuted at the International Criminal Court—where a preliminary probe has since begun—for their role in the crisis, Israel's High Court of Justice ruled against arms sales to Myanmar. The Israeli government has "steadfastly" claimed to have halted selling arms here since, Haaretz writes.

According to coverage of the arms expo by both the American news magazine Newsweek and the Israeli commentary magazine +972, Israeli-Myanmar military cooperation has not been canceled. The Jewish state has been on good terms with the Myanmar military for decades.

Last month, the human rights group Amnesty International slammed the Israeli government for its record of arms sales, urging it to stop arming countries that violate human rights, including Myanmar, on which it is supposed to be enforcing an ongoing embargo.

"Israeli companies continue to export weapons to countries that systematically violate human rights," the Amnesty International report reads. "Often these weapons reach their destination after a series of transactions, thereby skirting international monitoring and the rules of Israel itself."

Brig-Gen. Zaw Min Tun said recently that renewed European Union sanctions would "not have any serious impact on [the Myanmar's military] as most of its arsenal is of Russian and Chinese origin."

During an interview Thursday, Brig-Gen. Zaw Min Tun declined to say whether or not the Israeli military ranks with Russia and China in the top three biggest arms suppliers for the Tatmadaw. He said that Myanmar, as a sovereign state, has a right to purchase weapons and military-related technologies from arms manufacturers, so long as they're not from restricted countries.

In a recent military press conference in Naypyiaw, military spokespeople told reporters that Myanmar is considering an advanced submarine for maritime security in its territorial waters. The comment came after a visit from Min Aung Hlaing to Russia in April, where he observed submarine construction at the Admiralteyskie Verfy Shipyard.

According to Myawaddy News, the army chief had discussed with the deputy chief of the Russian navy cooperation on military technology and training between the two nations' armies and navies, including an exchange of warship visits.

Since April, Moscow has been assembling SU-30SM multi-role fighter jets for Myanmar under a contract with a net worth of about US\$205 million (313 billion kyats) the two signed in 2018.

**Myanmar Authorizes Helicopter Use by Military in Rakhine (Radio Free Asia)** By Thiha Tun and Wai Mar Tun  
June 7, 2019

**The government of Myanmar on Friday authorized the use of helicopters in combat by the country's military in war-torn Rakhine state, at the same time cautioning the army to conduct its operations "with great care" to avoid civilian deaths.**

Speaking at a press conference held in the capital Naypyidaw, Zaw Htay, director general of the Office of the President, said that the country's leaders have directed the military to "conduct effective counterinsurgency operations" against the ethnic Arakan Army in Rakhine.

"The president's office has instructed the office of the military chief to use all necessary force, including the use of helicopters," Zaw Htay said.

Instructions given previously with regard to military operations in Rakhine still apply, though, Zaw Htay said.

"First, these must be conducted in accordance with the law. Secondly, the military must avoid human rights violations. And thirdly, the operations must be carried out with great care," he said.

On April 3, Myanmar's military used helicopters to prevent armed Arakan separatists from launching an offensive, killing six Rohingya Muslim civilians who the army later claimed had been working with the Arakan Army (AA).

Hostilities between the government army and the AA, which is battling Myanmar forces in several Rakhine townships for greater autonomy in the state, reignited in December 2018 and exploded in early January after AA soldiers carried out deadly attacks on police outposts in northern Rakhine.

In response to the attacks, the Myanmar government branded the AA a terrorist organization and instructed its forces to crush it.

Myanmar's ruling National League for Democracy (NLD) government is now trying to secure a bilateral cease-fire agreement with the AA and allied armed groups in order to halt the fighting and achieve peace through dialogue, Zaw Htay said.

A meeting has been agreed in principle, but a location for the talks remains unsettled, and the government is pushing to make the meeting happen this month, he said.

Rakhine political leaders and civil society organizations meanwhile voiced concern over a lack of public interest and support in Rakhine for a political solution to the conflict.

Speaking to RFA's Myanmar Service on Friday, Tun Aung Kyaw—a member of the Arakan National Party's Leading Policy Committee—said that many in Rakhine now feel they can work effectively for the people in their state only as members of armed groups.

"Rakhine people think that they can't do anything for their state or in the interests of its people by working in political parties, and this makes us very worried and sad," he said. "Extremism is not good for the ethnic people of Rakhine."

"But the destruction of our villages and homes, and the terrible experiences we have had in this region, have affected our people's thinking, especially the thinking of the young," he said.

Also speaking to RFA, Arakan League for Democracy general secretary Myo Kyaw said that because of limited job opportunities in Rakhine, the men in Rakhine would often work for the government army in the past.

"But nowadays the government army's image has gotten bad, and the Arakan Army has been formed. And there still aren't many opportunities for work in Rakhine, so many of the men have now joined the AA," he said.

"The AA is now more powerful than any political party in Rakhine," agreed Tun Kyi, head of the Kyaukpyu Rural Development Organization. "This wave is not easy to control, and will not be calmed any time soon."

Myanmar authorities must hold a peace conference as soon as possible, including everyone in its talks, he said.

Since December 2018, more than 50 civilians have been killed, with over 100 injured and more than 40,000 displaced, because of fighting between the AA and government forces.

**New Evidence Uncovers War Crimes Committed By Myanmar Military (World Peace Organization)** By Rachel Cowcher  
June 9, 2019

**Military operations in the Rakhine State of Myanmar, have been declared as war crimes after recent investigations. Amnesty International's report "No one can protect us": War Crimes and abuses in Myanmar's Rakhine State' released on May 29, found that since January 2019, Myanmar military has been conducting acts of violence with complete disregard for civilian lives, resulting in innocent people being injured or killed. The report details military activity including "extrajudicial executions, arbitrary arrests, torture and other ill-treatment, as well as enforced disappearances".**

These increasingly violent military operations are in response to attacks on Myanmar police in January, carried out by the Arakan Army, a Rakhine ethnic group. Soldiers have since been acting on instructions from the government to "crush" Arakan rebels. Through conducting interviews, analyzing photos, videos and satellite footage, Amnesty International has documented at least seven unlawful military attacks which resulted in over 40 civilian casualties. Furthermore, there were also seven cases of arbitrary arrests and subsequent torture of Rakhine men with the intention of extracting information about the Arakan Army. In addition, details of the enforced disappearance of six men in February by Myanmar authorities have been uncovered during the investigation.

The Human Rights Council has condemned the situation, as authorities have cut off civilian access to medicinal supplies, food and other humanitarian relief. It is estimated that over 30,000 people have been displaced by these most recent displays of violence—this is in addition to the 70,000 Rohingya Muslim people who have also fled Myanmar since 2017. UNICEF, have also expressed their concern for Rakhine children following these civilian attacks. They have called for the immediate end to the danger being imposed upon civilians, occurring both through direct targeting and indirect actions such as landmines and improvised explosive devices. Children are also being mistreated by being held in detention, and not being able to access education, with schools being overtaken and used for military purposes over the past several months.

The Advisory Commission on Rakhine State was commissioned by the UN in 2017, to address the structural issues impairing peace in the Rakhine State; "unless concerted action—led by the government—is taken soon, we risk the return of another cycle of violence and radicalization, which will further deepen the chronic poverty that afflicts Rakhine", stated by Kofi Annan, UN Secretary-General, after the release of the Commission's Final Report. Despite the UN and many other international humanitarian organizations condemning the actions of Myanmar authorities, none of these recommendations has been upheld—in fact, since the report's release, the UN Special Rapporteur on the situation of human rights in Myanmar has been banned from entering the country.

In February, the United Nations Security Council expressed their growing concern about the rising number of refugees fleeing Myanmar, predicting that the generosity of Bangladesh and other surrounding states in their humanitarian intake could soon be exhausted, as this migration influx puts an added demand on their resources. This is particularly alarming with tensions rising ahead of the 2020 general election in Myanmar. In light of this, the UN has also called for increased funding for the United Nations Joint Response Plan (UNJRP), developed this year. The UNJRP is hoping to raise \$920 million USD to meet the needs of both refugees and hosting communities in the face of this humanitarian crisis.

Amnesty International's report has suggested serious violations of human rights occurring at the hands of Myanmar authorities, and calls on the UN Security Council to refer the situation to the International Criminal Court, to invoke an arms embargo and impose sanctions against senior officials, Aljazeera reports. Nicholas Bequelin, Regional Director of Amnesty International East Asia, says that it is crucial that international pressure on Myanmar intensifies—"again and again, the international community has failed to stop the Myanmar military's crimes and protect the civilian population", he says, stressing the need for this responsibility to be taken seriously to end these atrocities, and to protect the lives of innocent people in Myanmar.

**Myanmar Soldiers Surround Monastery in Rakhine, Demanding Entry to Search for Rebel (Radio Free Asia)**  
By Thet Su Aung  
June 10, 2019

**Myanmar government soldiers on Monday surrounded a Buddhist monastery in Rakhine state, demanding entry to search for members of ethnic armies they say are**



## hiding among the thousands of displaced civilians sheltering there, sources say.

The soldiers, identified by insignia on their uniforms carrying the number 22, arrived at about 9:00 a.m. outside the Pauktawbyin monastery in Ponnagyun township, resident monk Ashin Thabarwa Nadi told RFA's Myanmar Service.

"They asked for permission to inspect the IDP [internally displaced persons] camp inside the monastery, but I replied that only persons wearing civilian clothing would be allowed to come in to inspect," the monk, who leads the monastery, said.

Already frightened by recent fighting in Rakhine, civilians living at the monastery would likely panic at the sight of armed soldiers entering the monastery grounds, Ashin Thabarwa Nadi said.

"These refugees ran away from their homes after government soldiers came into their villages, so the sight of uniformed soldiers among them will cause them to panic," the monk said, adding that the approximately 200 troops requesting entry are now waiting outside the gate for reinforcements to arrive.

Ashin Thabarwa Nadi's phone was later switched off, and attempts to contact him again at about 5:00 p.m. local time for updates on the situation at the camp were unsuccessful.

Also speaking to RFA, military spokesperson Brigadier General Zaw Min Tun confirmed that government troops had asked to be allowed to search the monastery compound and are waiting for permission to enter.

"These inspections are required," Zaw Min Tun said. "Now, they are still waiting to go inside."

"I can tell you that the military hasn't forced an entry, though," he said.

Frightened by the presence of government soldiers stationed in their villages or mobilizing nearby, more than 3,000 refugees have now taken shelter in Pauktawbyin camp, with the majority of them women, children, and the elderly coming from nine villages in the township, including Yahat Taung, Gan Gar, Poe Shwe Pyin, Kyat Sar Thalae, and Kha Naung Gyi, Zaw Min Tun said.

Since December 2018, more than 50 civilians have been killed, with over 100 injured and more than 40,000 displaced, because of clashes between government forces and the ethnic Arakan Army, which is fighting in several Rakhine townships for greater autonomy in the state.

**Refugees Flee Monastery Compound in Rakhine as Myanmar Soldiers Enter (Radio Free Asia)** By Wai Mar Tun and Kyaw Thu  
June 11, 2019

### **More than 1,000 civilians displaced by clashes in Myanmar's Rakhine state slipped away from a Buddhist monastery giving them shelter on Tuesday before government soldiers could enter the compound to search for hidden rebel troops, sources said today.**

The soldiers entered the camp at the Pauktawbyin monastery on Tuesday afternoon after being refused entry for more than a day by monks who feared that the presence of uniformed troops inside the compound would cause the refugees to panic, senior monk Ashin Thabarwa Nadi told RFA's Myanmar Service.

"They came in at around 1:00 p.m. together with police and immigration authorities in uniforms, and they went around taking photos," Ashin Thabarwa Nadi said, adding that he had been instructed by senior monks from the Ponnagyun township Buddhist Monks Council to let the soldiers in.

"For myself, I am uncomfortable that uniformed soldiers carrying guns have come into the monastery," the monk who leads the monastery said.

"Troops are still standing guard in front of the monastery now," he said.

Though over 1,000 refugees from 200 families who were sheltering at the monastery were able to leave the compound yesterday and on Tuesday morning before the soldiers came in, another 1,000 or so were left behind, the monk said.

"They are in low spirits now, and have not been able to sleep all night," he said.

Also speaking to RFA, military spokesperson Brigadier General Zaw Min Tun said that Myanmar troops had waited for permission before coming in to search for members of ethnic armies they believed were hiding there.

“We didn’t force our way in, and we carried out some checks once we got approval for entry,” he said.

Myanmar’s National Human Rights Commission has meanwhile submitted a report to the Office of the President of its findings on the deaths of civilians during military operations in Kyauktan village in Rakhine’s Rathedaung state, commission member Yu Lwin Aung said on Tuesday.

The May 2 incident in Kyauktan left six people dead and eight wounded, one of whom died on May 14.

They were among 275 people rounded up and held in army custody in a school compound for interrogation about possible connections to the Arakan Army (AA), an ethnic armed group fighting national forces for greater autonomy in Rakhine state.

Soldiers and eyewitnesses presented different accounts of what happened in the school compound, with the military saying its troops first fired warning shots into the air to disperse the detainees as they staged an attack during which they tried to grab soldiers’ guns, but then had to fire into the crowd as a last resort.

However, eyewitnesses told RFA that the soldiers had opened fire on the sleeping detainees after a mentally ill man held with them began shouting and ran off.

No word was immediately available as to whether the findings of the commission's report will be released to the public.

Since December 2018, more than 50 civilians have been killed, with over 100 injured and more than 40,000 displaced, because of clashes between government forces and the Arakan Army.

**Rights Panel Submits Report on Deaths of 7 N. Rakhine Villagers in Army Custody (The Irrawaddy) June 11, 2019**

**The Myanmar National Human Rights Commission (MNHRC) on Monday submitted to the President the findings of its investigation into the deaths of seven residents of Kyauktan village in Rakhine State’s Rathedaung Township while in the custody of the Myanmar military on May 2.**

Over a period of three days the commission met with over 30 individuals, including eight villagers who are currently being prosecuted by the Tatmadaw as well as their families and relatives; the victims’ families and relatives; those injured in the shooting incident that claimed the seven lives; seven Tatmadaw soldiers—including a battalion commander—assigned to provide security in the area; and doctors who carried out autopsies on the victims’ bodies.

“Based on our findings, we submitted recommendations to the President on what armed groups could do to avoid the deaths, injuries and displacement of innocent civilians in such areas in the future,” U Phone Kywe, a member of the commission, told The Irrawaddy.

The commission declined to provide details of its recommendations to the President. As it is national-level classified information, the commission must hold a meeting about how to inform the public before any information is released, said another commission member, U Yu Lwin Aung.

Lawmakers were present during the commission’s interviews, except for the interrogation of the Tatmadaw soldiers, said U Tin Maung, a Rakhine State lawmaker representing Rathedaung Township, who declined to elaborate on the findings due to their sensitivity.

“It is the people who confer power on the President. The government has responsibility. We feel like the government has evaded this responsibility. We are lawmakers, but we have little authority,” U Tin Maung Win said.

The incident in Kyauktan has left local residents in a state of panic, and the first thought that comes to the mind of villagers in Rakhine State when they see government troops is to flee, said Lower House lawmaker Daw Khin Saw Wai of Rathedaung Township.

“We are demanding that similar incidents do not happen in the future. We demanded that an investigation be conducted and that the necessary action be taken against the Tatmadaw,” she said.

Tatmadaw troops arrived in the village on April 30. They summoned all male residents above the age of 15, then interrogated 275 people at a local school on suspicion of having ties to the Arakan Army (AA). At around 2 a.m. on May 2, six of them were shot dead.

The military says the shootings occurred after the detainees attempted to snatch guns from the soldiers. Eight others were wounded and four went missing, according to a press release from the military.

Ko Aung Lin Kyaw, one of the eight wounded, died in a hospital on May 14, bringing the death toll to seven.

Injured detainees say one man, frightened by the detention, jumped over a fence and escaped. When soldiers fired at the escapee, more than 200 detainees stood up to see what was happening; the soldiers then surrounded the standing crowd from both sides, they say, and began firing at them.

In the aftermath of the incident, the Tatmadaw refused Rakhine State lawmakers entry into the village to investigate.

Locals said Buddhist funeral rites were also denied for the victims. Brigadier-General Zaw Min Tun of the Tatmadaw True News Information Team denied this, however, at a press conference on May 3.

The Tatmadaw later released the remaining detainees and has opened charges against six villagers who it says admitted to being members of the AA.

In its initial statement on May 3, the MNHRC largely repeated the military's statement, though it urged both sides to exercise extra caution to avoid civilian casualties.

Twenty-four civil society organizations then released a joint statement denouncing the MNHRC's statement, saying the commission issued it without conducting any inquiries on the ground.

### **Bipartisan House bill seeks to punish Burma for genocide (The Hill) June 12, 2019**

#### **A pair of powerful House lawmakers introduced legislation Wednesday intended to punish the Burmese government for its brutal campaign targeting ethnic minority groups across the country.**

Sponsored by Reps. Eliot Engel (D-N.Y.) and Steve Chabot (R-Ohio), the proposal aims to hold Burma's military junta accountable for a long-running campaign of violence against the Rohingya, a Muslim group occupying western regions of the state, as well as more recent campaigns targeting other minority groups within the Buddhist-majority country.

Among the penalties, the bill would bar any new military assistance to Burma until the regime enacts reforms; slap new trade sanctions on the government; and impose new visa and financial limits on the military leaders behind the atrocities.

"Since August of 2017, the Burmese military has inflicted horrific violence against the Rohingya in Burma's Rakhine State, and today is using the same tactics against the Kachin and other ethnic minorities," Engel, the chairman of the Foreign Affairs Committee, said in a statement.

"We will not rest until there is justice."

The idea of imposing new restrictions on Burma's military regime is hardly new. In the last Congress, the House passed similar sanctions legislation as an amendment to the National Defense Authorization Act (NDAA). The measure won overwhelming bipartisan support in the lower chamber but hit a roadblock in the Senate, where Majority Leader Mitch McConnell (R-Ky.) has opposed the proposal.

The most recent campaign of violence against the Rohingya began in the summer of 2017, when Burmese military forces swept into the region and killed thousands of members of the group, while forcing more than 700,000 others into neighboring Bangladesh, where they've languished in some of the largest refugee camps in the world.

A United Nations report released last year found evidence that Burmese forces were responsible for mass killings, gang rapes and other "violations [that] undoubtedly amount to the gravest crimes under international law." The U.N. labeled the purge a "genocide," and recommended the perpetrators be tried before the International Criminal Court in the Hague.

The Trump administration, to the consternation of the Rohingya champions on Capitol Hill, has not gone so far.

While the State Department last year released its own report on the Burmese atrocities — finding that the Burmese military "targeted civilians indiscriminately and often with extreme brutality" — the agency stopped short of labeling the tragedy a genocide.

That's omission has angered lawmakers in both parties, who are warning that a failure to confront Burmese leaders more aggressively threatens the reputation of the United States as a champion of human rights.

Aside from the sanctions provisions, the Engel-Chabot bill would require new reporting on crimes against humanity in Burma; provide U.S. assistance with investigations that could lead to the prosecution of war criminals; and promote efforts to spread

Burma's vast mineral wealth, largely controlled by the military elite, more broadly throughout the country.

"Chairman Engel and I introduced the BURMA Act in the last Congress because we believe there must be consequences for the Burmese military's barbaric atrocities," Chabot said. "Today we continue the effort to hold the perpetrators accountable."

**Five Villagers Injured, 25 Detained in New Fighting in Myanmar's Rakhine (Free Radio Asia)** By Thet Su Aung and Khin Khin Ei  
June 14, 2019

**Five villagers were injured in fighting between ethnic Arakan Army soldiers and government troops in Rakhine state on Thursday, with a military spokesperson later saying government forces had detained 25 villagers for suspected links to the AA.**

The fighting near Yward Haung Daw village in Mrauk-U township flared up at around 4:00 p.m., local sources said. Each side meanwhile denied responsibility for the shooting.

Speaking to RFA on Friday, Myanmar military spokesperson Brigadier General Zaw Min Tun said that Arakan Army soldiers had attacked a military convoy with explosives on Thursday.

"Our troops fired back in response, but we fired in the opposite direction from the village," he said, adding that government soldiers were not to blame for injuries sustained by villagers during the battle.

Khine Thukha, a spokesperson for the Arakan Army, meanwhile said that AA soldiers had not engaged with government troops at all on Thursday.

"There was no fighting with us in the area yesterday. As far as we have learned from the villagers, the Myanmar military intentionally fired into the village. It's possible that they just created a fake battle, as they have done before," he said.

Also speaking to RFA, a Buddhist monk at Mrauk-U's Myo Oo Gaung monastery, said that government troops had begun shooting after claiming they heard gunfire nearby.

"A couple of military vehicles from the Myanmar army came our way," he said. "A soldier jumped off near the shop where we were sitting and told others that he had heard gunfire, and the soldiers began shooting toward where they said the gunfire was heard. We had to hide nearby for our safety."

"The shooting lasted about 20 minutes, and I don't know if it was actually a fight between two sides," he said.

Among those wounded in the shooting was a nine-year-old boy who was taken with the others to the Mrauk-U township hospital, sources said. None had injuries that were described as life-threatening.

Twenty-five villagers aged between 20 and 30 were detained by government troops outside Mrauk-U's Kyauk Saebyin village on Thursday evening, Zaw Min Tun said, adding that none had come from villages in the area.

"Based on our initial questioning, they are most likely members of the AA, and legal proceedings against them are now under way," he said.

Meanwhile, villagers and other sources said that ongoing fighting in Rakhine is causing hardship to the local population, with fields going untilled and many residents fleeing their homes for fear of being killed or injured in the clashes.

"The people of Rakhine are being displaced, and are now living in fear because of the fighting," Maung Sein Hla, a Mrauk-U township resident said, adding that he has now taken in a family frightened away by fighting in a nearby village.

"They are taking shelter with me because they are too scared to live in their own home," he said. "Now the rainy season has started, and they are missing all their regular work on the farm."

Reinforcements for government forces are meanwhile arriving in the area every day, Buddhist monk Ashin Thabarwa Nadi said.

"Today, as I returned from the Aung Myat Lay village refugee camp to the Pauktawbyin refugee camp, I saw military troops camping in every village along the way. Some troops are even stationed in the monasteries."

"They are occupying religious buildings, which I think must be a violation of international agreements with regard to wartime. I think that the Burmese military is doing this on purpose to hurt the Rakhine people," he said.

## AMERICAS

### North & Central America

**Can El Salvador face its future without confronting its past? (America Magazine)** By Melissa Vida  
June 12, 2019

**On June 1, Nayib Bukele, a young and social-media-savvy business entrepreneur, was sworn in as president of El Salvador. Mr. Bukele's election marked a significant turn in El Salvador's postwar era, putting an end to three decades of bipartisan rule. Since 1989 political leadership has been shared by the right-wing Nationalist Republican Alliance (Arena) and the left-wing Farabundo Martí National Liberation Front (F.M.L.N.).**

While Mr. Bukele wants to direct his administration toward the future of El Salvador, the archbishop of San Salvador, the Most Rev. José Luis Escobar Alas, and Catholic and human rights groups remain concerned about historical memory and want justice for war crimes to be addressed in a country that in many ways is still divided by its civil war.

Salvadorans have high hopes for Mr. Bukele's leadership. El Salvador suffers one of the world's highest murder rates, and a third of its population lives below the poverty line—part of the reason thousands of Salvadorans seek asylum in the United States each year.

Almost 75 percent of the Salvadoran people believe that the new administration is “very capable, or somewhat capable” of improving El Salvador's security, according to a recent poll conducted by the Jesuit-run José Simeón Cañas Central American University. At his inauguration, young people, farmers, war veterans and former members of F.M.L.N. guerrilla forces pledged allegiance to the new president.

El Salvador suffers one of the world's highest murder rates, and a third of its population lives below the poverty line—part of the reason thousands of Salvadorans seek asylum in the United States each year.

Mr. Bukele, though considered politically conservative, had been a member of the F.M.L.N. before being expelled from the party in 2017. After his popular movement “Nuevas Ideas” was barred from fielding a candidate, he joined the Grand Alliance for National Unity party to mount his presidential campaign, beating challengers from the nation's two dominant parties in February.

During his inauguration speech, Mr. Bukele said, “We only have five years, and they're not going to be about turning the page of the war nor to get over [the two-party political monopoly] because [through the election] we already did these things.”

But Archbishop Escobar, who had given a speech to bless the president moments before, was not so eager to forget the past. Harkening back to the Spanish conquest in 1554, he traced centuries that had been marked with “ethnocide,” “land dispossessions” and “violent fratricides that continue until today.” Throughout this time, the archbishop said, the Salvadoran people never lost faith. He noted those who died for human rights in El Salvador, like St. Óscar Romero and other martyrs.

Then Archbishop Escobar prayed that Salvadorans “could overcome the very serious scourge of fratricidal violence that is literally annihilating us little by little.

“May we eradicate social violence in all its forms,” he said, “overcoming its causes: the great inequity that exists, social inclusion, impunity.”

Twelve years of civil war ravaged the country between 1980 and 1992. During the armed conflict, 80,000 people were killed, a

majority of them civilians, and the bodies of 30,000 people have never been found, according to local press. Despite that carnage only a handful of cases for war crimes have been brought to justice since El Salvador's Supreme Court in 2016 canceled an amnesty law that made it impossible to investigate crimes committed during the civil war.

The investigation of St. Oscar Romero's assassination; a trial for the killing of six Jesuits, their cook and her daughter; and the trial for the massacre at El Mozote, in which the Salvadoran State recognized more than a thousand of adults and children victims, are among the rare emblematic cases that have been reopened before the court because of that decision.

Now El Salvador's legislative assembly is debating whether to pass a "Special Law on Transitional and Restorative Justice for National Reconciliation." It has been deplored by the new president, the Salvadoran media and human rights organizations as yet another amnesty law. Details of the legislation were kept secret and only revealed after a leak to the press. The proposals would stymie new war crimes investigations and essentially let those sentenced for war crimes off the hook. Instead of serving out their convictions in prison, their sentences would be commuted to community service. The Inter-American Court of Human Rights pressured Salvadoran lawmakers to halt further progress on the legislation while it formulates recommendations.

Sofía Hernández is willing to forgive those convicted of war crimes, but she asks: "How are we going to forgive, if they have never asked for forgiveness?"

The law's supporters are legislators from the two parties—the F.M.L.N. and Arena—that emerged out of the civil war and that still control the National Assembly. The leadership of these parties, which include two former presidents, also now face serious corruption charges.

"The [proposed] amnesty law is a slap in the face of the people," Santos Henriquez, a former F.M.L.N. fighter, told America during the inauguration ceremony. "The two parties have married each other to protect themselves, and we are forgetting the 90,000 people who died during the war." Mr. Henriquez believes that Mr. Bukele will be a different kind of political leader in El Salvador because "he does not come from the upper echelons of these parties."

Mr. Bukele, the former mayor of San Salvador, gained support from human rights' groups as he frequently tweeted against the preliminary amnesty draft law, charging that "amnesty laws go against the international legal order, against the dignity of the victims."

Even though the new president opposes the amnesty Law, "lawmakers still represent a threat for us," said Father Fredy Sandoval, a founding member of Concertación Romero, the human rights organization inspired by St. Óscar Romero. "The legislators want a law that turns a blind eye on the military and the rich involved in crimes against humanity," he said.

"They should be punished by prison sentence, and [the government] should give appropriate reparations to the victims," he added.

Earlier this year, Archbishop Escobar said that such a law would "re-victimize the victims."

Concertación Romero, along with other human rights groups, have countered amnesty plans with their own draft law meant to deliver justice and reparations to the victims of the war and their families.

Sofía Hernández, a civil war survivor, has been outspoken against the so-called amnesty Law. Her daughter, husband, two brothers and nephew were killed or "disappeared" during the conflict. Although the prosecution of the crimes' perpetrators is important for her, her priority is to receive help in finding the bodies of her loved ones.

She has been looking for nearly 40 years. "We don't win anything with [the perpetrators] in prison," she told America. She is willing to forgive those convicted of war crimes, but she asks: "How are we going to forgive, if they have never asked for forgiveness?"

She is among a collective of 2,000 mothers who are pressuring the Salvadoran armed forces to open its archives to shed light on where people are buried and also pressuring the government to provide survivors with psychological and medical care. Mrs. Hernández said she still wakes up crying at night; her knees have been permanently damaged because of the torture she endured at the hands of death squads during the civil war.

"Bukele said during his campaign that the postwar era has passed," Father Sandoval said. But for him that era cannot pass until El Salvador faces up to the consequences of that time—to provide reparations to the war's victims and to fight impunity for war crimes. "We cannot talk about a pacification, reconciliation and rule of law if there is no justice," he said. For Mrs. Hernández, restorative justice is a necessary step to rebuild the country.

A few hours after Mr. Bukele was sworn in as president, he sent a positive signal to human rights groups, ordering via Twitter

that the Salvadoran military remove the name of Domingo Monterrosa from a military barracks. Mr. Monterrosa had been the commander allegedly responsible for the El Mozote massacre. Two days later, Mr. Bukele ordered that Jorge Antonio Meléndez, the director general of the Civil Protection Agency, be fired for his alleged role in the assassination of the revolutionary poet Roque Dalton.

Father Sandoval and Mrs. Hernández see these moves as steps in the right direction in supporting efforts to heal El Salvador's historical memory. They hope to meet the new president themselves. They want to keep the victims of war high on the agenda of a government that hopes to move El Salvador past the war. "For him, maybe it's over, but not for us," Mrs. Hernández said. "The victims of the war will always keep on fighting."

**Trial of Navy SEAL charged with war crimes set to begin (PBS)** By Julie Watson  
June 17, 2019

**The trial of a decorated Navy SEAL charged with killing an Islamic State prisoner in his care is set to begin Monday following months of turmoil in one of the Navy's most prominent war crimes cases.**

The court-martial of Special Operations Chief Edward Gallagher, which begins with jury selection, has included the removal of the lead prosecutor for tracking the defense team's emails and suggestions by President Donald Trump that he may pardon the defendant.

Gallagher has pleaded not guilty to premeditated murder in the killing of the prisoner in his care and attempted murder in the shootings of two civilians in Iraq in 2017 in separate incidents. Gallagher says disgruntled platoon mates fabricated the allegations because they didn't like his tough leadership.

His lawyers asked the Navy judge to dismiss the case because they say investigators and prosecutors withheld evidence that could help the defense and violated his rights to a fair trial by embedding tracking software in emails sent to them.

The judge, Capt. Aaron Rugh, earlier this month ruled the prosecution's effort to track defense emails to find a news leak cast doubt on Gallagher's ability to get a fair trial and violated his constitutional rights against illegal searches and the right to counsel by interfering with attorney-client privilege.

Rugh, however, refused to dismiss the case. Instead, he said he was taking steps to remedy the interference. He released Gallagher from custody, removed the lead prosecutor and lessened the maximum penalty he faces if convicted of premeditated murder to life imprisonment with parole — instead of no parole.

The judge also is allowing the defense to reject two more potential jurors without cause than usual during jury selection.

Evidence at hearings last month showed an intelligence specialist from Naval Criminal Investigative Service conducted criminal background checks on three of Gallagher's civilian lawyers and a Navy Times journalist who has broken several stories based on documents that are only to be shared among lawyers in the case.

Prosecutors downplayed the effort, saying it only gathered data, such as internet protocol addresses, and did not snoop on the content of emails. The government said the investigation did not find the source of leaks.

Gallagher's family maintains he cannot get a fair trial.

"The court's ruling, recognizing a direct violation of Chief Gallagher's constitutional rights but not dismissing the case, sends a chilling message to every man and woman in uniform," his family said in a statement.

The prosecution also tracked emails of the lawyers of Gallagher's commanding officer, Lt. Jacob Portier, who faces charges of conduct unbecoming an officer after being accused of conducting Gallagher's re-enlistment ceremony next to the Islamic State militant's corpse.

The defense discovered the tracking code hidden in a suspicious logo of an American flag with a bald eagle perched on the scales of justice beneath the signature of lead prosecutor Cmdr. Christopher Czaplak.

Rugh removed Czaplak from the case because he said the potential for an investigation into his actions could present a conflict. He said it was not within his power to determine whether Czaplak engaged in misconduct.

The judge said the effort also harmed the public's perception of the military justice system, which has been criticized for being ineffective and has gained few war crime convictions.

Republicans in Congress have lobbied for Gallagher, claiming he's an innocent war hero being unfairly prosecuted. Trump,

who intervened to move Gallagher to less restrictive confinement in March, said last month he is considering a pardon for several American military members accused of war crimes.

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## **South America**

**‘At least 10 dead in clashes between Colombian illegal armed groups in Venezuela’ (Colombia Reports)** By

Adriaan Alsema

June 18, 2019

**At least 10 people were allegedly killed just across the border with Venezuela in a gun fight between two Colombian illegal armed groups that vie for control in the border region.**

The fighting took place in the village of Boca Grita, just five minutes from the Colombian border municipality of Cucuta, Norte de Santander, according to Cucuta police commander Colonel Jose Luis Palomino.

Venezuelan authorities did not confirm the alleged massacre.

Palomino’s forces found out about the violence after they discovered a boat crossing the river between the two countries and arrested two alleged members of the illegal armed groups wearing Colombian army uniforms.

One of the men was injured.

Local media reported that the violence broke out between paramilitary group AGC and drug trafficking organization Los Rastrojos that both have criminal interests in the area.

The identity of the allegedly fatal victims is yet unknown.

According to Venezuelan deputy Franklyn Duarte, 12 people died in the violence. “There are more than 20 people injured by bullets and we don’t see the security forces responding with force... to combat these criminal groups that operate in the border regionm” said Duarte on Twitter.

“There’s terror among the authorities themselves,” the politician told French news agency AFP.

The lawless border region between the two neighbors has made it a strategic location for illegal armed groups, including Colombian guerrillas and Venezuelan “colectivos” that engage in contraband smuggling and drug trafficking.

Most recently, the groups have also engaged in the extortion of Venezuelan refugees trying to make their way to Colombia.

While criminal organization take advantage of the weak security situation to traffic all kinds of things, ELN and EPL guerrillas use the border to evade authorities.

The border municipalities have long had high homicide rates because of the large number of illegal armed groups that are active in the area.

**N.J. man shot and killed in Colombia. Authorities say it may have been a targeted hit. (NJ Advance Media)**

By Amanda Hoover

June 17, 2019

**A 29-year-old man from Atlantic County was shot and killed in a possible targeted hit in Colombia last week.**

Joshua Oliver was killed Thursday in western Medellin, according to a local newspaper El Colombiano. His wallet and cell phone, among other belongings, were found near him on the ground, leading authorities to rule out robbery as a motive in



the slaying.

Police said a suspect approached Oliver without speaking and fired several shots before running away. They're examining security cameras and have contacted authorities in the U.S. regarding his death.

Musician Ed Cota, who had known Oliver for 10 years, told NJ Advance Media Oliver was a loyal friend who helped local kids, and had also served as Cota's road manager, helping him to score tour slots and collaborations with other artists.

"He was always there for me as my professional representation with my music career and last but not least a damn great friend/brother," Cota said.

Oliver worked at Scores nightclub in Atlantic City, Cota said. He was from Galloway, but had last been living in Absecon and had two dogs, a father and a brother.

Colombian authorities said Oliver had come to Colombia three times in the last two years, although the reason for his travels was not clear. He had arrived for this trip on June 3.

Cota said Oliver told him he was dating a woman that was either from the area or lived there, and that was the reason for his regular visits.

A GoFundMe seeking money to bring Oliver's body back to the U.S. was launched Sunday night by Desiree Mecwan.

"We can not let them block us from laying him to peace restfully back home where he belongs," she wrote.

**Argentinian ex-army officer accused of murder found on holiday in Sicily (The Guardian)** By Lorenzo Tondo  
June 13, 2019

**Human rights groups have expressed outrage after a former Argentinian army officer accused of committing murder and forced disappearances during the 1976-83 military dictatorship was found enjoying a beach holiday in Sicily.**

Reporters from la Repubblica discovered Lt Colonel Carlos Luis Malatto in a tourist village in the province of Messina, even though he is currently on trial in Rome for crimes committed in Argentina, which is also seeking his extradition.

A video posted on the newspaper's website shows Malatto refusing to answer questions when he was confronted by reporters.

Prosecutors in Argentina have offered a 500,000 peso (£10,000) reward for the capture of Malatto, who is accused of five counts of crimes against humanity.

Writing to the court of appeal in the Argentinian state of Mendoza, prosecutors alleged that Malatto "actively participated in various detention procedures and is one of the most infamous perpetrators" of the dictatorship "for his participation in interrogations under torture".

Malatto fled Argentina and arrived in Italy in 2011, but in 2014 Rome refused Argentina's request to extradite him. The following year, Italy's justice ministry approved his trial in Rome for the murders of Marie Anne Erize, a French-Argentinian model; Juan Carlos Cámpora, the rector of the University of San Juan; Angel José Alberto Carvajal, a communist party official, and Jorge Bonil, a soldier.

However Italian judges refused to put him under house arrest, leaving him free to travel – and take beach holidays.

"We asked the Italian judiciary to at least monitor Malatto's movements, said Jorge Ithurburu, attorney for the Rome-based non-governmental organisation 24 Marzo. "We fear that Malatto may escape justice. It is sad that Italy is still today a refuge for torturers."

After the 1976 coup, Argentina's military set about systematically crushing any potential opposition, and eventually murdered some 30,000 people – almost all of them unarmed non-combatants. Pregnant prisoners were kept alive just until they gave birth; some 500 babies are believed to have been given to childless military couples to raise as their own.

In 1985, barely two years after the country returned to democracy, coup leader Jorge Videla was convicted of human rights abuses and crimes against humanity.

Since then, more than 1,000 other former officers have been sentenced for the torture and extrajudicial murder of activists and political opponents and their families.

But many former officers continue to live in hiding in Europe, especially in Italy where many Argentinians have family ties. Malatto's family originally hailed from Abruzzo and he holds an Italian passport.

Meanwhile, relatives of the military junta's victims are still fighting for justice: on Thursday the human rights organisation Grandmothers of Plaza de Mayo announced that they had identified the 130th victim who was taken from his mother during the dictatorship.

The group said that Javier Matías Darroux Mijalchukis was a four-month old baby when he was kidnapped with his mother Elena Mijalchuk, days after his father Juan Manuel Darroux vanished. Both parents were forcibly disappeared.

Next month, a court in Rome is due to give the final verdict in the trial of 24 men for their involvement in Operation Condor, a secret programme in which the dictatorships of Argentina, Brazil, Paraguay, Uruguay, Chile, Bolivia, Peru and Ecuador conspired to kidnap and assassinate opponents in each other's territories.

The trial focused on the disappearance of 23 Italian nationals during the 70s and 80s.

But activists warn that many of the perpetrators are growing old and may never be brought to justice. "We must act quickly," said Ithurburu, "because the more time passes the more the witnesses of those atrocious crimes age or die".

**Bogota journalist receives death threat after chronicling crime in Colombia's capital (Colombia Reports)** By Mathew Di Salvo  
June 7, 2019

**he recently graduated journalist had also highlighted corruption in the Bogota police force.**

But on Tuesday armed men reportedly arrived at the house of one of her sources and threatened to kill them and Salamanca, the journalist told Colombia Reports.

"They arrived at their house, armed, and told the family of one of my sources that they are going to kill me," she said.

Salamanca told this website that she believes the man who threatened her and her sources with death was a well-known leader of the gang she had named and shamed in her story.

She added that she believed the police may be involved in the threats.

The Foundation for Press Freedom (FLIP) and Reporters Without Borders urged the country's National Protection Unit to step in.

Salamanca's colorful and internationally acclaimed story focused on the neighborhood and chronicled her experiences after seeing police officers turn a blind eye to drug dealing and general crime.

Colombia is one of the most dangerous places in the world to be a journalist, where 51 have been killed – 39 with impunity – since 1992, according to the Committee to Protect Journalists.

Death threats against journalists hit record levels last year, the FLIP said in its annual report.

**Violence climbs in Colombia as president chips away at landmark peace deal with FARC guerrillas (The Conversation)** By Fabio Andres Diaz  
June 4, 2019

**Thousands of Colombian militants and soldiers will have their day in court.**

A panel of judges ruled on May 29 that a special peace tribunal established in Colombia's landmark 2016 peace deal with the FARC guerrillas must proceed under the agreed-upon terms. It cannot be altered to narrow its scope or make sentencing harsher, as Colombia's new president, Ivan Duque, had requested.

Colombia's transitional justice system, which resembles processes used in nations like South Africa and Guatemala, will judge FARC militants and members of the armed forces for crimes perpetrated during Colombia's 52-year conflict. But the emphasis is on making amends for harm caused to civilians – not on punishing combat-related offenses, such as a guerrilla killing a soldier in combat.

Nearly all of the 6,804 FARC guerrillas who disarmed in 2016 and settled in government-run "reintegration camps" must now surrender themselves to the peace tribunal, swear to testify honestly and be interviewed by Colombia's new truth commission.

Fighters who are determined not to have committed human rights violations during the conflict, and to have obeyed the law since the peace deal, may leave the reintegration camps to rejoin society. All others will be sentenced to jail or to community service in the areas they once terrorized.

This will happen despite the attitude of Duque, who thinks the transitional justice system is too lenient. It is one of many provisions of the landmark Colombian peace deal he has moved to weaken, or even abandon, since taking office in August 2018.

#### Colombia's best chance at peace

Colombia's painstakingly negotiated peace agreement with the FARC – which won former Colombian President Juan Manuel Santos the 2016 Nobel Peace Prize – ended the longest-running armed conflict in the Western Hemisphere. Fighting killed 200,000 people and displaced 7 million between 1964 and 2016.

But the deal was rejected at referendum before being passed by Congress in November 2016, and it remains controversial.

Its goals include exposing and documenting the atrocities of the Colombian conflict, offering reparations to war victims and revitalizing the long-neglected rural areas terrorized by different armed groups. It also aims to turn a Marxist insurgency into a political party and to reconcile Colombians by reintegrating rebel fighters back into society.

Conflict researchers like myself have found that this comprehensive truth and justice process stands a good chance of bringing lasting peace and reconciliation.

At first, it seemed to be working.

Violence dropped markedly in 2017, Colombia's safest year since 1975. Social movements – long repressed by a state that labeled all dissent as the seeds of insurgent rebellion – blossomed. And a robust public debate began around corruption and public services, both concerns long buried by militant violence.

#### A directionless peace process

Then Duque took office promising to “correct” Colombia's peace agreement. As a senator, he helped lead the “Vote No” initiative that narrowly derailed the accord at referendum.

Under Duque's leadership, the government's progress on fulfilling its commitments to peace has slowed to nearly a standstill.

Duque has appointed “No” campaign loyalists to lead the agencies that must implement the agreement and left their budgets underfunded. He has voiced opposition to a Santos administration commitment to help farmers who grow illegal coca leaf transition to legal crops like coffee and ignored promises to boost economic investment in rural areas.

And Duque's conservative Democratic Center party played a central role in vetoing a peace accord agreement that would have given more seats in Congress to remote rural areas of Colombia – places so long neglected by the government that militant groups like the FARC controlled the territory.

The president's foot-dragging comes after legislative delays and last year's election had already substantially slowed the peace process. One-third of the peace deal's 578 provisions have not even begun to be implemented, according to Notre Dame University's Kroc Institute for International Peace Studies.

Few provisions in Colombia's peace deal have official deadlines or progress markers. That's common in peace agreements, which after tense negotiations between warring sides tend to capture promises – not establish work plans.

Duque also appears to be considering a demand from the United States to extradite FARC guerrillas accused of involvement in international drug trafficking.

Currently, Colombian law only allows for the extradition of former guerrillas who committed drug crimes after the peace agreement was signed. Those who did so during the conflict, as a means to finance the FARC's insurgency, will be dealt with through the transitional justice system.

#### The risks of a derailed peace

Members of the peace delegation that reached the FARC agreement say the government's actions compromise peace itself.

According to a recent Gallup poll, 55% of Colombians believe the government will not fulfill its commitments to the peace process. Sixty-two percent believe the FARC will not hold up its end of the deal.

As trust between the two sides deteriorate, violence in Colombia is climbing.

Murders rose 3% in 2018, from 12,066 to 12,458. That figure includes a wave of attacks against activists, peasant organizers and Afro-Colombian community leaders who have vocally defended the peace deal, 226 of whom were killed last year.

An estimated 1,700 former guerrillas have returned to armed struggle, joining one of Colombia's many other militant groups, according to the think tank Fundacion Ideas Para la Paz. Several high-profile leaders – including Ivan Marquez, who lead the FARC's peace negotiations – have gone into hiding.

In February, a bombing by the ELN guerrillas in Bogotá killed 21 police personnel, confirming that domestic terrorism remains a threat in Colombia.

In response to climbing violence, Colombia's armed forces have gotten more violent, too.

In early 2019, Major Gen. Nicacio Martínez Espinel ordered soldiers to “double the number of criminals they kill, capture or force to surrender,” The New York Times has reported.

The reporting raised fear that Colombia would revert to the era of “false positives,” when members of Colombia's armed forces in the early 2000s killed unarmed civilians, dressing their dead bodies in militant fatigues to meet their kill quota.

According to some estimates, soldiers murdered 10,000 innocent Colombians to earn bonuses, holidays and promotions.

A long path to peace

Countries commonly suffer violence as they transition out of armed conflict, making strong political leadership crucial for a peace process to succeed.

In post-apartheid South Africa, Nelson Mandela brought legitimacy to the country's return to democracy. As its first black president, Mandela curbed political forces that opposed racial integration in South Africa and supported the truth and reconciliation process.

In doing so, Mandela made the prospect of peace seem real. He virtually willed it into being.

Colombia's acrimonious post-accord government is leading the country in a different direction, empowering longtime opponents of the FARC accords and eroding the political capital of FARC leaders committed to peace. That increases the risk of relapsing violence that takes dangerous new forms.

War may not be imminent in Colombia. But neither, it now seems, is peace.

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## Venezuela

**Venezuelan prosecutor: Opposition leader linked to crimes (ABC News)** By Scott Smith

June 18, 2019

**Venezuela's chief prosecutor on Tuesday accused opposition leader Juan Guaidó of being the author of an alleged public corruption scheme stemming from a call for security forces to abandon President Nicolás Maduro.**

Attorney General Tarek William Saab said his office is investigating two diplomatic representatives of Guaidó accused of stealing money and falsifying hotel bills in February while helping Venezuelan soldiers desert into Colombia under Guaidó's leadership.

Guaidó, the leader of the opposition-controlled National Assembly, launched a campaign in January to remove Maduro from power. Backed by the U.S. and dozens of other nations, Guaidó contends he is the rightful leader of Venezuela following a

sham election that kept the socialist Maduro to office.

On Monday, Guaidó ordered a probe into the allegations, asking for assistance from authorities in Colombia, where the alleged crimes took place.

Saab, an ally of Maduro, said the case is proof that Guaidó is leading a "mafia of corruption" and can't be trusted to exercise real power.

"Guaidó with the support of the U.S. and foreign governments has not only usurped the office of president of the republic, but appears as head of these thugs who have stolen the money of all Venezuelans," Saab said on state TV.

The alleged crimes happened when hundreds of Venezuelan soldiers heeded an opposition call to leave their posts around the time that Guaidó tried to deliver U.S.-provided aid from Colombia and Brazil into neighboring Venezuela. The attempt collapsed when Venezuelan forces loyal to Maduro blocked aid trucks and clashes broke out.

Venezuela's socialist government has previously accused Guaidó of criminal activity linked to the campaign against Maduro, but stopped short of jailing the opposition leader.

This latest action comes as U.N. High Commissioner for Human Rights Michelle Bachelet is expected to visit Venezuela this week, meeting with Maduro and Guaidó as well as "victims of human rights violations" and their relatives.

The Trump administration has recognized Guaidó as Venezuela's interim president and imposed sanctions on the country's already deteriorating oil industry. Maduro maintains backing from Cuba, Russia and other nations.

Guaidó's ambassador to Colombia, Humberto Calderon, said that he and Guaidó won't allow government corruption to continue under their watch, saying there has been two decades of failed leadership in Venezuela.

"Our message to the country is that we are different," Calderon said in a statement after meeting with a local prosecutor. "We will act with absolute transparency on behalf of the Venezuelan people."

### **Venezuela frees opposition politician before UN rights chief visit (The National)**

June 18, 2019

#### **Venezuela on Monday freed an opposition legislator who spent almost two months behind bars, parliament announced, ahead of a visit by UN High Commissioner for Human Rights Michelle Bachelet.**

Gilber Caro, 45, had been in custody since his arrest by intelligence agents on April 26 for unclear reasons.

"The deputy Gilber Caro never should have been imprisoned. Today he is out from behind bars but like all Venezuelans still has no freedom," the National Assembly said on Twitter.

Venezuela is caught in an economic crisis and a political standoff between President Nicolas Maduro's government and National Assembly leader Juan Guaido.

The opposition leader, Mr Guaido, declared himself interim president earlier this year, and has been recognized by the United States and more than 50 other countries.

Mr Guaido's opposition-controlled assembly has effectively been sidelined by a separate body, the pro-Maduro Constituent Assembly.

Ms Bachelet's office said she will meet both Mr Maduro and Mr Guaido during her trip lasting from Wednesday to Friday.

She will also hold talks with civil society leaders and "victims of human rights violations and abuses," the UN rights office said.

Ms Bachelet, a former president of Chile, has been critical of Mr Maduro's crackdown on opponents, particularly of the excessive force used by the security services in response to legitimate protests.

She has also criticised US sanctions against Mr Maduro's government, cautioning that they were exacerbating the crisis and possibly hurting "people's basic rights and well-being."

The oil-rich country is suffering from hyperinflation and shortages of basic goods from food to medicine, a crisis that has forced millions to flee.

Mr Caro was arrested just before a failed April 30 uprising when Guaido appeared surrounded by about 30 military personnel.

Clashes between protesters and security forces left several people dead and the Supreme Court has charged at least 14 National Assembly deputies with involvement and branded them as traitors.

One of them is Mr Guaido's deputy Edgar Zambrano, who is in custody.

Mr Caro was previously arrested in January 2017 on accusations of plotting an armed revolt against Maduro but was freed 17 months later without being convicted.

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## TOPICS

### Truth and Reconciliation Commission

**UN Human Rights Office calls for examination of MMIWG inquiry's genocide claim (CBC)** By Olivia Stefanovich  
June 16, 2019

**The United Nations Human Rights Office is urging the federal government to probe the national inquiry's conclusion that violence against Indigenous women and girls amounts to genocide, CBC News has learned.**

"The national inquiry found reasons to believe that Canada's past and present policies, omissions and actions amount to genocide, under international law," UN spokesperson Ravina Shamdasani wrote in an email statement on Sunday.

"Given these findings by the inquiry, we call on the government to take steps for competent national authorities to assess these serious claims."

The UN's call comes just as its High Commissioner for Human Rights, Michelle Bachelet, arrives in Ottawa for a series of meetings this week with the prime minister and senior government officials.

The focus of Bachelet's visit is supposed to be about promoting human rights and gender equality around the world, but Canada's own record on those issues is expected to be scrutinized.

"The very first thing I'm sure the commissioner's going to want to see is what is the plan on the part of Prime Minister Trudeau and his government to address the conditions of genocide that he's admitted," said Mary Ellen Turpel-Lafond, a law professor at the University of British Columbia.

"The fact that the prime minister said 'genocide' triggers an international process."

UN wants Canada to implement inquiry's recommendations

The federal government has accepted the findings of the National Inquiry into Missing and Murdered Indigenous Women and Girls, including that of genocide, but has referred to the term in the past tense.

"Our government is committed to ending the ongoing national tragedy of missing and murdered Indigenous women, girls and LGBTQ and two-spirit people," wrote a spokesperson for the Office of Crown-Indigenous Relations and Northern Affairs in an email statement.

"The National Inquiry has presented their final report and recommendations including a conclusion that the tragic violence that Indigenous women and girls have experienced amounts to genocide. We have accepted their report and respect their

conclusions. We will take the time to review the report."

If the federal government were to admit genocide against Indigenous Peoples is ongoing, it would open the doors to international prosecution since Canada is part of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide, according to Turpel-Lafond.

"Part of me is concerned that they're using words in a loose way that have massive implications," Turpel-Lafond said. "They should be much more disciplined and focused about it."

The UN is encouraging Canada to effectively implement the inquiry's recommendations, including the development of a national action plan to ensure equitable access to jobs, housing, education, safety and health care.

The UN Human Rights Office is ready to offer technical assistance to Canada, according to Shamdasani.

Meanwhile, activists in Canada are ready to hold the government to account.

"I think that it is deplorable that grassroots activists had to advocate for decades for this inquiry," said Jacqueline Hansen, gender rights campaigner with Amnesty International Canada.

"This is a problem that has long been known ... This is a stain on Canada's human rights record, and so we want to see what this inquiry leads to is change."

The UN is not the first international body to urge Canada to dig deeper into the claim of genocide against Indigenous peoples.

The Organization of American States is also awaiting a response from the federal government to launch an investigation.

Setback to UN Security Council seat bid?

"This will have a very detrimental impact, I would suggest, on Canada's hopes for joining the security council at the United Nations," said Peter MacKay, former Conservative justice, defence and foreign affairs minister who attempted to secure a UN Security Council seat for Canada.

"Being a country that has recently acknowledged a genocide separates us in a negative way from some of the other countries we're competing with."

MacKay, who is now a partner at Baker & McKenzie LLP in Toronto, called the situation a "setback" for Canada's reputation, as a country devoted to human rights.

"There's an element of hypocrisy when we start to lecture and hector in a sanctimonious way, cast aspersions on the histories of other countries," MacKay said.

"I think we are now in a different place, and under a different lens when it comes how countries view our country."

Payam Akhavan, an international law professor at McGill University and former UN prosecutor at the Hague, agrees it may become more challenging for Canada to preach human rights to other countries given the inquiry's findings.

"What I fear now is that countries like Myanmar, which are in fact committing genocide in the strict legal sense, will use this genocide finding to discredit and undermine Canada's standing in a way which is neither reasonable or fair," Akhavan said.

"We have in Canada a democratic space. We have a government that has committed itself to addressing the historical injustice against Indigenous peoples so I would hope in the case of Canada we wouldn't need to rely on international pressure to do what we need to do."

In his view, Akhavan said discussions over the use of the term genocide are a distraction from the steps that need to be taken to address the causes of violence against Indigenous women and girls.

Akhavan said Canada should seize this opportunity to show other countries that it can admit its wrongs and lead the way for change.

"We live in a world where unless there is some highly provocative label, like genocide, we generally are indifferent to human suffering," Akhavan said.

"It's unfortunate that that's what it takes for us to notice."

**Victims of apartheid atrocities demand R1m each in reparations (The Citizen)]**

June 18, 2019

**'Our government has unfinished business of the TRC,' activist Nomarussia Bonase said, and victims are now demanding 'an urgent proper reparation'. A crowd of victims of apartheid gathered at the Union Buildings in Pretoria on Tuesday, demanding an urgent meeting with President Cyril Ramaphosa.**

The group of aged people, with many using crutches to help them walk, was led by activist Nomarussia Bonase of the Khulumani Support Group – an organisation which supports apartheid-era victims and activists.

“We are from Gauteng but what we have brought here is a mandate and the demands of the Khulumani Support Group nationally. It’s now 25 years and we’re still on this journey, trying to bring our government to talk about our demands. We are a wounded society. We were wounded by apartheid. After 1994, the Truth and Reconciliation Commission (TRC) was formed, and that commission was meant to bring peace, rebuild and restore the dignity of humans violated by apartheid,” Bonase told African News Agency.

“During the TRC people who had been victims of apartheid said they needed reparation. The TRC came up with a recommendation that victims and their families should be given individual reparations. They recommended a package for each individual, which was financial and would be not less than R120,000 at that time. That was in 1998. They also said they would give the victims proper housing, help the victims with proper medication, and also help them with education.”

Bonase said communities were also promised communal reparations.

“The other was symbolic reparations which would be a symbol for not forgetting what transpired [during apartheid]. For us, it was about having our stories being written, being in books and also have monuments and tombstones. This democracy we talk about today came as a result of blood which was shed. We have people who disappeared, their families are here,” she said.

“There are also people who are wounded here. They need help. All these things are part of what we are demanding. The government has since taken only about 22,000 stories and only only 15,000 people have been repaired. Those people are also here, they were thrown a R30,000. Our government has unfinished business of the TRC.”

Bonase said the victims are now demanding “an urgent proper reparation” which would help heal their wounds.

“There will be no reconciliation without reparation. These people are wounded. We have previously submitted memorandums. We need this reparation urgently. In February, we met the President Cyril Ramaphosa and his deputy David Mabuza in Vosloorus and we gave them another memorandum. We’ve gone to different government departments and they keep referring us to the Presidency,” said Bonase.

“These victims now are saying they don’t want anything less than R1 million [per individual]. Our government is corrupt, they are wasting money. The money we are talking about is there, in the President’s Fund.”

By the end of the day on Tuesday, Bonase told African News Agency that the activists had returned home after being told that Ramaphosa was in Cape Town and could not address them.

“We’ve been assured that our demands will be taken to him, and he will find time to address us,” she said.

**Reopen all unresolved apartheid martyr cases, foundation asks justice minister (News 24)** By Riaan Grobler  
June 12, 2019

**The Imam Haron Foundation (IHF) has appealed to Justice Minister Ronald Lamola and related structures that "they open upon all the previous apartheid managed inquests and all unresolved cases".**

This follows the unanimous historic ruling that was handed down in the Gauteng High Court in Johannesburg earlier in June in which the court dismissed apartheid-era cop Joao "Jan" Roderigues' application for a permanent stay of his prosecution.

Roderigues is accused of involvement in anti-apartheid activist Ahmed Timol's murder in 1971, News24 reported. At the time of his death, Timol was in custody.

Officers who interrogated him, including Roderigues, claimed that he threw himself out of a window from the 10th floor of John Vorster Square, now the Johannesburg Central Police station.

A 1972 inquest found that Timol had committed suicide, however, after the family disputed this, it was reopened in 2017 and it was found that he was murdered.



Security branch cruelly tortured and brutally murdered activists

"The IHF wishes to state that it always maintained the firm opinion that all those individuals who were detained and who died while in custody during the apartheid era, were cruelly tortured and brutally murdered at the hands of the apartheid regime's Security Branch (SB) members. And IHF is also of the view that this is a position that should have been recorded in the Truth and Reconciliation Commission [TRC] Report that was eventually made public; this sadly was, however, not to be," the foundation said in a statement.

"Taking this position into account and as soon we heard the court's ruling in "the interest of justice and society's need for accountability..." regarding the Ahmed Timol case...and that tangibly forced our democratic government's justice system to bring this particular case back into the public eye as one of the TRC's unfinished tasks. As IHF members, we were and are extremely elated on, at least, three accounts.

"Firstly, we were very glad that Imtiaz Cajee's persistent perseverance and his sincere efforts paid off to overturn the (apartheid-appointed) magistrate's court's questionable decisions of the 1972 Timol inquest; one that ruled in favour of the Security Branch members – of whom Joao Rodrigues formed a part in his capacity as an administrative clerk – who were basically responsible for having physically thrown Ahmed Timol out of – then known as – John Vorster Square police station's 10th-storey window (room 1026) on October 27, 1971."

The IHF said it was "exceedingly pleased" that the court unanimously decided to reject and waive Rodrigues' request for stay of prosecution.

"Secondly, as IHF entered the 50th year memorialising Imam Haron's martyrdom while he was kept incommunicado for 123 days for his dogged pursuit of social justice against the inhumane apartheid system, we honestly hope that the newly appointed members of the National Prosecuting Authority (NPA) will not only bring Rodrigues to book, but that the NPA will also seek to prosecute the abductors and killers – despite the TRC amnesty that was granted – of Nokuthula Simelane."

On June 6, the Gauteng High Court in Pretoria officially declared Simelane deceased, though her body has never been found; the finding was, however, based on the belief that those who had applied for amnesty were directly responsible for her disappearance and her subsequent murder.

"Thirdly, we plea to our newly appointed Minister of Justice Ronald Lamola and related structures that they open upon all the previous apartheid-managed inquests and all unresolved cases expeditiously without families having to knock on the doors of the ministry.

"We would want the minister and associated newly appointed government officials to act proactively in the interest of all of these families that have encountered decades of trauma, and rule fairly in their as well as the nation's interest for they have severely suffered in different ways; all of these was as a result of their cases not having been given any serious attention despite the extant evidence that had been around during these many years.

"All of these families only desire closure regarding their loved ones and this can only be done if the minister and others in the South African government acts on the promises that were made at the end of the TRC process where it was agreed that many incomplete tasks and unfinished business matters still needed to be addressed.

"All of those who were killed in the apartheid prisons across the country belong to these categories and their cases should be given immediate attention.

"If this is done, then it will indeed assist in restoring the dignity of each of those individuals who had sacrificed their lives for the sake of social justice and particularly for the current and future generations that continue to experience inequalities at different levels in our democratic South African society," the IHF asserted.

Imam Abdullah Haron was a South African Muslim cleric and anti-apartheid activist who was detained and subsequently killed by security police in 1969.

**Slim chance of Supreme Court reviewing its 2015 ruling on transitional justice, a top court official says (The Kathmandu Post)**

June 15, 2019

**The Supreme Court is unlikely to review a petition filed by the government against its 2015 landmark verdict which pointed out several flaws in the existing transitional justice Act.**

Victims of the decade-long Maoist insurgency are in a dilemma as the court has delayed a hearing on the review petition filed

four years ago.

Top officials at the court say since the 2015 verdict was issued by a bench led by then chief justice Kalyan Shrestha after a rigorous study of international practices and the principle of transitional justice, there is “no room” for a revision to the ruling.

“The apex court sees no room for a review as demanded by the government,” a senior official at the court told the Post on condition of anonymity because he was not allowed to discuss the sub judice case with media.

In February 2015, the apex court issued a landmark ruling ordering the government to revise the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act-2014. The court had ruled that the law failed to adhere to the principles of transitional justice and international practices. The five-member special bench led by Shrestha had issued the verdict in response to a writ filed by a group of 234 conflict victims.

It struck down almost a dozen provisions in the Act and directed the government to ensure that no amnesty is awarded in cases of serious human rights violations committed during the decade-long insurgency.

But in April that year, the government led by Sushil Koirala filed a review petition, challenging the ruling. Then chief secretary Leela Mani Paudyal had filed the petition through the Office of the Attorney General arguing that the government deemed a revision to the ruling necessary.

The court’s date for the petition has been postponed 22 times so far with the apex court still not taking any decision whether or not to start a hearing on the matter.

“I believe it won’t be delayed further,” said the official, adding that the next date would be fixed soon.

As it is a review petition against a verdict passed by a special bench, only a five-member bench can take a decision on the matter.

The official said chances of even a hearing on the petition are slim.

The conflict victims say the apex court should stop deferring the hearing and take a decision without further delay.

“We are worried due to the continuous postponements. It must be decided soon,” Gopal Shah, vice-chairperson of the Conflict Victims National Network, told the Post.

The victims’ communities have been demanding that the government withdraw the petition and amend the Act as per the court’s ruling. They have been pressuring the government and major parties to take the amendment together with the appointment of new leadership in the two transitional justice bodies.

The Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons have been vacant since mid-April.

The parties are negotiating seat-sharing in the two commissions but are yet to start serious homework on legal amendments.

The differences over who should take leadership of the truth commission are delaying the appointments, as both the ruling and opposition parties want their people to lead it.

A meeting of the recommendation committee led by former chief justice Om Prakash Mishra slated for June 23 can take a decision on the appointments provided that the political parties reach an agreement beforehand.

Negotiations over the portfolio-sharing will intensify once Prime Minister KP Sharma Oli returns from his Europe trip on Sunday.

**UN Human Rights Office calls for examination of MMIWG inquiry's genocide claim (CBC)** By Olivia Stefanovich

June 16, 2019

**The United Nations Human Rights Office is urging the federal government to probe the national inquiry's conclusion that violence against Indigenous women and girls amounts to genocide, CBC News has learned.**

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The UN's call comes just as its High Commissioner for Human Rights, Michelle Bachelet, arrives in Ottawa for a series of meetings this week with the prime minister and senior government officials.

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"This is a problem that has long been known ... This is a stain on Canada's human rights record, and so we want to see what this inquiry leads to is change."

The UN is not the first international body to urge Canada to dig deeper into the claim of genocide against Indigenous peoples.

The Organization of American States is also awaiting a response from the federal government to launch an investigation.

Setback to UN Security Council seat bid?

"This will have a very detrimental impact, I would suggest, on Canada's hopes for joining the security council at the United Nations," said Peter MacKay, former Conservative justice, defence and foreign affairs minister who attempted to secure a UN Security Council seat for Canada.

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Akhavan said Canada should seize this opportunity to show other countries that it can admit its wrongs and lead the way for change.

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## **Terrorism**

### **Facebook Turned Off Search Features Used To Catch War Criminals, Child Predators, And Other Bad Actors (Buzzfeed News) By Craig Silverman**

June 10, 2019

**When Alexa Koenig learned of Facebook's abrupt decision to turn off a set of advanced search features last week, she thought of a Libyan military commander named Mahmoud Mustafa Busayf al-Werfalli.**

In August 2017, the International Criminal Court issued a warrant for Werfalli for allegedly participating in or ordering the execution of 33 people in Benghazi, Libya. At the core of the evidence against him are seven videos, some of which were found on Facebook, that allegedly show Werfalli committing crimes. His case marked the first time the ICC issued a warrant based largely on material gathered from social media.

Now that kind of work is being put in jeopardy, according to Koenig, executive director of the Human Rights Center at the University of California, Berkeley. She said Facebook's recent decision to turn off the features in its graph search product could be a "disaster" for human rights research.

"To make it even more difficult for human rights actors and war crimes investigators to search that site—right as they're realizing the utility of the rich trove of information being shared online for documenting abuses—is a potential disaster for the human rights and war crimes community," she said. "We need Facebook to be working with us and making access to such information easier, not more difficult."

Simply put, Facebook graph search is a way to receive an answer to a specific query on Facebook, such as "people in Nebraska who like Metallica." Using graph search, it's possible to find public — and only public — content that's not easily accessed via keyword searches.

Late last week, Facebook turned off several features that have long been accessible via graph search, such as the ability to find public videos that a specific Facebook user was tagged in. This set off a wave of concern among human rights researchers, journalists, law enforcement, and other advanced users. In tweets and comments to BuzzFeed News, they said the decision,

which was not announced publicly, shows how Facebook's response to data scandals and its resulting push to emphasize privacy is making it more difficult to investigate what happens on the platform.

Last year, for example, as it was facing criticism in the wake of the Cambridge Analytica revelations, Facebook turned off features that investigators use to find people on the platform.

A Facebook spokesperson emailed BuzzFeed News a statement that said the company has "paused" some graph search features.

"The vast majority of people on Facebook search using keywords, a factor which led us to pause some aspects of graph search and focus more on improving keyword search. We are working closely with researchers to make sure they have the tools they need to use our platform."

When Mark Zuckerberg personally introduced graph search in early 2013, he billed it as equal in importance to Facebook's News Feed and profile timeline. On launch day, the company also published a post offering journalists tips on how to use graph search.

Over the years, graph search became a valuable tool for investigators, police officers, and journalists. At the same time, social media became a key source for uncovering war crimes, disinformation campaigns, child exploitation, and other crimes and abuses.

Eliot Higgins, a pioneer of open source investigations and the founder of Bellingcat, an investigative journalism nonprofit, said the changes by Facebook are already hampering this important work.

"Simply put, these changes have made it more difficult to investigate potential war crimes. This impacts many investigators working on a wide range of topics, and the fact the changes were made with no apparent announcement adds insult to injury," he said.

Sam Dubberley of Amnesty International's crisis response team told BuzzFeed News that graph search and Facebook as a whole are essential to the organization's work.

"There are many countries in the world that Amnesty International has to cover through monitoring posts on social media — including Facebook — because we are unable to get there," he said.

Dubberley called Facebook's decision to remove graph search functionality without any notice or consultation "a deeply concerning move."

The move raised even more concern in the human rights and investigative journalism communities because Facebook appeared to thwart attempts to find workarounds. Henk van Ess, an investigator and trainer who works with Bellingcat, operates a tool that uses graph search to enable powerful searches of public content. After Facebook turned off some searches, he was able to find workarounds — until the company blocked them.

"I patched my tools 5 times and each time, after 2 hrs, the tools were crippled by FB," he wrote in a Twitter direct message. "Other toolmakers experienced the same."

Inti De Ceukelaire, the creator of StalkScan, another tool that enabled searches of public content on the platform, announced that he was forced to change it to allow people to search only for content related to their own profile.

As of today, <http://StalkScan.com> will only work for your own profile as a privacy checkup tool. It was used by 8M+ people. Facebook did NOT remove the Graph Search, they only made it less transparent and harder to use. That's what I call privacy by obscurity.

Van Ess now requires people to request permission from him to use his tool; he says he's been flooded with requests from people pursuing investigations "involving human rights abuses, war crimes, terrorism, extremism, white collar crime ... corruption, disinformation campaigns, environmental crimes, cybercrime — the list just keeps on going."

"This is impacting some of the most important institutions in society," he said.

**Tom Lantos Commission: Enhancing U.S. Ability to Pursue Accountability for Atrocities (Just Security)** Tom Lantos Commission: Enhancing U.S. Ability to Pursue Accountability for Atrocities (Just Security)  
June 17, 2019

**I had the honor of testifying last week before the Tom Lantos Human Rights Commission at a hearing devoted to "Pursuing Accountability for Atrocities." My**

**written testimony is here and the video is here. The Commission, which is an official bipartisan body in the U.S. House of Representatives, convened the hearing to explore both the challenges of pursuing accountability for perpetrators of grave human rights crimes and concrete proposals for strengthening U.S. government capacities in this regard. Joining me were David Rybicki, Deputy Assistant Attorney General, Criminal Division, U.S. Department of Justice; Louis A. Rodi III, Acting Assistant Director, HSI National Security Investigations, U.S. Department of Homeland Security; and C. Dixon Osburn, the Executive Director of the Center for Justice & Accountability. Their written testimony can be found here. I covered an earlier hearing on “Prospects for Justice in Iraq and Syria” in a previous Just Security piece.**

In my remarks, I identified a “wish list” of 10 concrete proposals that Congress might take up. Some of these are relatively discrete and technical. Others are more far-reaching. All would significantly enhance the United States’ ability to respond to atrocity crimes and, in particular, to more effectively prosecute perpetrators in our midst and prevent the United States from serving as a safe haven for human rights abusers.

The most glaring gap in our prosecutorial authorities is the lack of a crimes against humanity statute. U.S. courts can prosecute a range of international offenses: war crimes, torture, terrorism, trafficking, the use and recruitment of child soldiers, female genital mutilation, piracy, and genocide. However, a massacre of civilians outside of a state of armed conflict, an act of enforced disappearance where there is no proof that the victim was tortured, or an ethnic cleansing campaign without evidence that the perpetrators intend to destroy a protected group in whole or in part cannot be easily prosecuted under these existing authorities. In 2010, Senator Dick Durbin (D-IL) produced a solid bill that would close this gap in Title 18, but it has so far not advanced. (See my discussion of this bill and other proposals here).

Turning to the jurisdictional framework: All but one of these existing human rights statutes allow U.S. authorities to prosecute offenders who are found, brought or “present in” the United States, regardless of the citizenship of the perpetrator, the citizenship of the victim, or the place of commission of the alleged crime. The one exception is the War Crimes Act, which allows for the prosecution of war crimes only if the victim or perpetrator is a U.S. national or member of the U.S. armed forces. So, for example, war criminals hailing from Syria who committed crimes against their compatriots will escape prosecution for war crimes if they eventually make their way here. Law enforcement would have to utilize immigration authorities instead, which offer an expedient solution but are no substitute for full accountability for the underlying offenses. (Discussion here with respect to a Liberian perpetrator, and here with respects to a Salvadoran perpetrator). The 1949 Geneva Conventions oblige member states to prosecute all individuals who commit grave breaches of those treaties, regardless of nationality. In that respect, the United States is not in full compliance with these treaties, which now enjoy universal ratification across the globe. Extending “present-in jurisdiction” to war crimes would bring greater coherence to the U.S. penal code, and eliminate the current patchwork approach, while at the same time signaling a U.S. commitment to enable its courts to prosecute all atrocity crimes in equal measure.

The United States can appropriately prosecute human rights abusers under a range of theories of responsibility, including conspiracy, complicity, and attempt. However, the United States has no superior responsibility statute that would empower federal authorities to prosecute superiors who allow their subordinates to commit crimes with impunity (earlier coverage here). Superior responsibility finds expression in other areas of US law—including a very good formulation within the Military Commission Act (sec. 950q)—and can serve as the basis for removal in the immigration context. Extending the doctrine to our ordinary criminal courts should be an easy fix. This would ensure that those who might be most responsible for a campaign of violence can be held responsible in U.S. courts if they are within our jurisdiction, particularly since it is superiors who are likely to have the resources to come to the United States. In these three respects—the lack of a crimes against humanity statute, a truncated war crimes statute, and the lack of a superior responsibility statute—the United States is out of step with, and indeed lags behind, many of our allies and coalition partners around the world.

The United States’ statute criminalizing the commission of female genital mutilation was declared unconstitutional by a federal court in Michigan. There are discrete amendments that could be made to ensure that the statute complies with the limitations set by the U.S. Constitution’s commerce clause for federal penal legislation. In particular, this deficiency can be cured by requiring a showing that the defendant or victim traveled in, or used, a channel or instrumentality of interstate or foreign commerce in furtherance of FGM—including through communications or payment—or that the act of FGM otherwise occurred in, or affected, interstate or foreign commerce. Indeed, the victims in that first tragic case had been transported across state lines in order to be subjected to genital mutilation and so that case could have come out differently had this statute contained such a jurisdictional basis.

The genocide statute as originally drafted had a very limited reach. Thanks to amendments made in 2007 and 2009, law enforcement can now prosecute any génocidaire so long as he or she is “present in” the United States. These amendments

came too late to address one of the worst genocides of our era: the 1994 genocide in Rwanda. As a result, DOJ and DHS have had to use immigration remedies against Rwandan perpetrators found in the United States. These jurisdictional provisions could be made retroactive without running afoul of the ex post facto clause in the U.S. Constitution.

Turning to immigration remedies. U.S. law contains highly specific grounds that render individuals inadmissible and removable, including the commission of genocide or of torture by state actors. There is, as yet, no bar to individuals who commit more generalized acts of persecution or for individuals who are involved in the commission of FGM. Without such a bar, individuals who participate in religious persecution are admissible and can adjust their status, obtain visas, and remain in the United States. A broad bar was contemplated in the 1970s, but was replaced by a more specific statute focused on Nazi persecutors amidst objections. Although this hearing was mostly focused on the federal government's authorities and criminal accountability, civil redress remains an important accountability tool, in part because it can be pursued directly by victims. Congress has enabled the victims of a whole range of terrorism, human trafficking offenses, and other modern forms of slavery to bring civil claims against those who are deemed responsible. By contrast, there are more limited grounds on which victims of other human rights violations can bring suit. The Torture Victim Protection Act (TVPA) allows for the assertion of federal jurisdiction over acts of torture and extrajudicial killing, but only when the perpetrator acts under color of law of a foreign nation. Congress could expand the reach of the TVPA by allowing civil parties to assert claims for war crimes, as defined in U.S. law, and crimes against humanity, and could remove the color of law requirement. In addition, Congress could effectively overturn the Supreme Court's ruling in *Kiobel v. Royal Dutch Petroleum* by rendering the Alien Tort Statute expressly extraterritorial.

Turning to institutional issues, Congress should work to ensure that the FBI's war crimes unit is not disbanded, as I have discussed elsewhere on these pages. There are apparently proposals afoot to disperse this war crimes expertise elsewhere in the Bureau and move this portfolio into the Civil Rights Division. The Civil Rights Division's core mandate is dedicated to enforcing domestic civil rights authorities on behalf of vulnerable individuals and groups within the United States. It has little experience with international investigations, trying to understand complex foreign conflict situations, the execution of requests for mutual legal assistance, or the unique elements and evidentiary bases of international crimes. Removing or dispersing this concentrated war crimes expertise within the Bureau will undermine operations in the field when it comes to this most specialized of cases.

While these proposals are all important and needed, there are existing human rights authorities that are underutilized. There have been only two cases invoking the torture statute: one resulted in a landmark verdict ("Chuckie" Taylor) and the other a very favorable extradition to the locus delicti (Sulejman Mujagic). The rest of this suite of statutes remain moribund; by contrast, there are dozens of terrorism and trafficking prosecutions successfully going forward that present many of the same evidentiary and other challenges as human rights prosecutions. Congress should continue to exercise its oversight functions to better understand where the obstacles are to charges being brought under our human rights statutes by convening working sessions to enable DOJ to speak candidly about why more cases have not proceeded and to educate civil society groups about the kinds of evidence needed to sustain an indictment. Congress could also invite DOJ to report more regularly on efforts to invoke these statutes and why particular investigations have not borne fruit.

There are actions that Congress can take to promote accountability abroad, through multilateral and bilateral channels. Although the international community has not replicated the original ad hoc international tribunals, there are a range of new and innovative accountability measures that deserve U.S. support. These include hybrid tribunals and specialized chambers, such as the Special Criminal Chamber in the Central African Republic; new investigative mechanisms such as the IIIM for Syria and UNITAD for Iraq; and impactful civil society organizations, such as the Commission on International Justice and Accountability, which is creating targeted dossiers with linkage evidence on key potential defendants in Syria and elsewhere. Additionally, the United States has long played a role in capacity building around international justice issues and should continue to do so in areas around the world where justice is being pursued. The United States should also be in a position to lend its expertise, share evidence and leads, second personnel, and otherwise support human rights cases that are proceeding in foreign courts, particularly on the part of our allies which are prosecuting dozens of war crimes cases emerging from the conflicts in Syria and Iraq. Importantly, Just Security earlier reported on the support the United States has offered for these cases diplomatically. The Syria War Crimes Accountability Act provides a great example of what can be done.

Putting these new authorities in place now will ensure that the United States has the tools it needs to address the next cohort of persecutors who attempt to find safe haven in the United States after committing international crimes in today's conflicts and repressive states. I am hopeful that these these proposals will find favor and inspire Congress to strengthen the U.S. legal framework around atrocity crimes from all possible perspectives: criminal law, immigration law, civil law, and diplomacy.

In the Question & Answer sessions, we touched on a whole range of issues, including:

1. What factors guide which cases to investigate and prosecute?

DOJ/DHS Answer: whether there is the evidence available to sustain a conviction under the criminal law's burden of proof.

2. Whether DOJ/DHS would pursue someone from a regime that had received assistance from the United States in the past or someone who had been shepherded here from the intelligence community?

DOJ/DHS Answer: Yes, our job is to prosecute criminals regardless of their origins; no other agency has a veto power.

3. Whether the FBI's War Crimes Center should be folded.

DOJ Answer: We will continued to pursue these cases regardless of how the Bureau reorganizes. DHS Answer: No, the loss of the unit would be detrimental to the mission.

4. Does law enforcement coordinate with the State Department's Office of Global Criminal Justice?

DOJ/DHS Answer: Yes, all the time. (See Just Security's coverage here and here when GCJ was on the block.

5. Does law enforcement coordinate with their counterparts abroad in war crimes investigations?

DOJ/DHS Answer: Yes, all the time.

6. Does the United States have the authorities it needs to prosecute U.S. citizens who commit atrocities abroad, such as former Sri Lankan Defense Minister Gotabaya Rajapaksa and Libyan warlord Khalifa Haftar and would they be entitled to diplomatic immunity?

DOJ/DHS Answer: Yes, we have the authorities to prosecute U.S. nationals who commit war crimes abroad, but we can't talk about specific investigations. The immunity issue depends on the type of visa they enter in on; an A visa would potentially grant immunity whereas a B visa would not.

7. Does the United States coordinate with the destination state's government when we remove someone for their commission of human rights abuses?

DHS Answer: We do; sometimes the state is willing to prosecute the individual, sometimes not (e.g., there may be a general amnesty in place which is out of our hands).

8. Is the statute of limitations for visa fraud too short?

DHS Answer: Yes, it is 5 years for ordinary fraud and 10 years for other types of fraud involving passports. These start to run from the date of the offense, not the date of discovery. A longer statute of limitations for individuals who conceal their involvement in the persecution of others would be helpful since people can live discretely for years after entering the United States before they are discovered.

### **Germany: Syrian faces Islamic State-linked terrorism charges (Fox News)**

June 18, 2019

#### **Prosecutors in Germany say a 31-year-old Syrian citizen faces terrorism charges for joining the Islamic State group in Syria.**

Fares A.B., whose last name wasn't released for privacy reasons, is also charged with war crimes and violations against the war weapons control act, prosecutors said Wednesday.

They said in 2012 he first joined a local branch of the Free Syria Army and shot two prisoners.

In 2014, he joined the Islamic State and participated in the mistreatment of three prisoners in Syria. He also took several people prisoner and abused the driver of a pickup during a vehicle inspection by beating his machine gun against the man's head. Later in 2014, he participated in the execution of a prisoner.

Prosecutors didn't say when the Syrian arrived in Germany, but said he is already imprisoned for another crime.

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## **Piracy**



**Piracy, collisions, missiles: tankers in troubled waters (Yahoo! News)** By: Juliette Michel  
June 13, 2019

**Tankers like those apparently attacked Thursday in the Gulf of Oman operate through increasingly treacherous waters, facing mounting dangers from piracy and collision as well as geopolitical hazards.**

Around 60 million barrels of petroleum product move each day on the seas globally, according to the US Energy Information Administration.

And around a third of this volume passes through the Straits of Hormuz, a critical shipping passage.

This waterway is a principal route for crude exports from Saudi Arabia, Iran, the United Arab Emirates, Kuwait and Iraq. It is also a key route for natural gas exports from Qatar. Other highly strategic waterways include the Strait of Malacca between Singapore and Indonesia, the Suez Canal in Egypt and the Bab-el-Mandeb strait, which connects the Red Sea to the Gulf of Aden.

"Blocking a chokepoint, even temporarily, can lead to substantial increases in total energy costs and world energy prices," said EIA in a 2017 report.

"Chokepoints also leave oil tankers vulnerable to theft from pirates, terrorist attacks, political unrest in the form of wars or hostilities and shipping accidents that can lead to disastrous oil spills."

Alexander Booth, head of market analysis at Kpler, said tankers are accustomed to traveling with pirates in their midst, especially in areas like the Strait of Malacca and the Gulf of Aden near Somalia.

"Historically, the biggest military or terrorist threat is piracy," Booth said. "Off the coasts of Somalia for instance, whilst they are going through certain areas, they would often broadcast the fact they have guards on board."

Booth said attacks such as those suspected on Thursday are "very rare."

Thursday's incidents come about a month after attacks on four ships, including three oil tankers, anchored off the United Arab Emirates port of Fujairah. As with Thursday's incidents, the May attacks inflamed tensions between the United States and Iran.

Anthony Cordesman, a national security analyst at the Center for Strategic and International Studies, said Iran could do damage.

Iran "does not have to launch a major war," Cordesman wrote in an commentary on CSIS's website. "It can conduct sporadic, low-level attacks that do not necessarily provoke a major US or Arab reaction but create sudden risk premiums in petroleum prices and the equivalent of a war of attrition."

Still another risk has been Iran's move to shut off automatic identification systems to help tankers evade US sanctions on Iranian crude, said Matt Smith of ClipperData.

AIS is used by vessel traffic services and permits ships to know if other vessels are nearby. "One new danger is the increased risk of collisions due to vessels switching off their AIS," Smith said.

In January 2018, the Iranian-owned Sanchi tanker carrying 136,000 ton of light crude oil caught fire after colliding with a bulk freighter in a deadly crash.

Shipping companies are aware of this and can change course as a result, according to Booth, who said routes can be shifted not just to shorten distances but also due to refinery activity, product specifications and economic factors.

"A cargo of products could turn around in the middle of the Atlantic half a dozen times before it actually ends up into its final destination," he said.

In all, some 94,000 freighters are navigating across the globe, according to the UN Conference on Trade and Development.

Ships carrying solid primary materials like coal or grains represent the largest share of global maritime merchandise by tonnage, at 42.5 percent. Those moving crude oil or processed product account for 30 percent.

Another 5.6 percent of maritime traffic is made up of tankers containing liquefied natural gas and chemical products. .

## **Piracy in West Africa: The world's most dangerous seas? (BBC)**

June 19, 2019

### **The seas off West Africa's oil-rich coastlines are now the most dangerous in the world for shipping, according to a new report.**

One Earth Future, which produces an annual State of Maritime Piracy, says that while attacks have been falling substantially in some regions of the world, in West Africa they've been on the rise and are now more frequent than anywhere else.

So why the increase in West Africa, and what shipping is being targeted?

What is piracy? A strict definition of maritime piracy only includes attacks on shipping on the high seas - that is, more than 12 nautical miles off the coastline and not under the jurisdiction of any state.

Inside a country's territorial waters and within port facilities, these attacks are defined as armed robberies at sea.

However, the data we've used from this latest report combines these two sets of data to give an overall picture of incidents at sea both inshore and offshore.

In 2018, there were 112 such incidents in West African waters.

It's not just the huge tankers exporting oil and gas from Nigeria and Ghana that are targeted.

Commercial ships from smaller countries are also in the sights of the pirates.

At a recent event in London, President Faure Gnassingbé of Togo - a country sandwiched between these two regional giants - highlighted his own concerns at the rise in attacks on regional shipping.

"Our region is distinguished by the resurgence of transnational criminality on the high seas in the Gulf of Guinea," said Mr Gnassingbé.

Why are attacks rising? Most of the attacks have been against ships involved in oil and gas transportation, such as tankers, bulk carriers and tugs. Fishing vessels have also been targeted.

The coastline off Nigeria saw the most attacks in 2018. This is partly because of "petro-piracy", targeting tankers from Nigeria's rich oil and gas fields.

There were also incidents reported at the loading and anchorage facilities in the Nigerian port of Lagos.

Piracy in the form of hijacking and kidnapping for ransom payments was also common off the coasts of Benin, Ghana, Nigeria, Congo-Brazzaville and Cameroon.

Rich pickings at sea, political instability, the lack of law enforcement and poverty on land are all factors which have contributed to the increase in piracy.

Most of the seafarers affected are not from the region. Around half are from the Philippines, followed by India, Ukraine and Nigeria.

One of the reasons West Africa is now the number one spot for piracy is because of the downward trends recorded elsewhere.

The East African shipping routes along the Somali coastline have been notorious for hijackings and robberies.

But since peaking in 2011, rates of piracy there have fallen off dramatically in recent years.

This is in large measure as a result of a successful multi-national effort to patrol these waters and take firm action against acts of piracy.

Local efforts on land in Somalia to change attitudes towards permitting piracy and building legal capacity to prosecute criminals have also helped improve the situation.

In Asia, the Malacca Strait, a busy, commercially important stretch of water between Malaysia and Indonesia, experienced a high number of attacks in 2015.

Concerted action by regional naval forces has reduced the problem there, but piracy still persists.

Attacks against shipping in the Caribbean and off the coast of Latin American have, however, risen.

Venezuela in particular has become a hotspot for piracy.

"Political and economic instability is a big factor there," says Lydelle Joubert, an expert on piracy at One Earth Future.

### **Navy arrests Batam pirates in Malaysian waters (The Jakarta Post)**

June 20, 2019

#### **A Navy quick response team arrested on Sunday two people for suspected piracy in Malaysian waters.**

The Navy base's spokesperson, Maj. Saul, confirmed the arrests on Tuesday, saying that the two suspects were arrested in Tanjung Uma subdistrict, Lubuk Baja district, Batam, Riau Islands.

"It's true. The arrests were conducted by the quick response team," Saul said.

The two were identified as Jefri bin Ali Amin and Tono bin Mulyono. Both were detained at the Navy base. Two others remain at large.

The arrests were made based on a report by Malaysian authorities regarding a piracy attempt against MT Pioneer using two wooden pompon ships in East Out Port Limit waters, East Johor, Malaysia.

Malaysian authorities arrested two people, while another two escaped using the pompon ships. Two others escaped by jumping into the sea.

The arrests of Jefri and Tono were based on information from the two arrested by Malaysian authorities, who were identified as M. Aripin bin Nurdin and Ian Syah. They said the other perpetrators had returned to their homes in Tanjung Uma.

The quick response team is trying to locate the other two alleged perpetrators, having coordinated with the local neighborhood unit head.

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## **Gender-Based Violence**

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## **WORTH READING**

### **War Crimes and Just War Theory**

Tom Dannenbaum

Kimberly Kessler Ferzan and Larry Alexander (eds.) *The Palgrave Handbook of Applied Ethics and the*

**Revisionist just war theory has gained considerable traction in recent years, debunking longstanding principles in the morality of war. This development cannot be ignored by war crimes lawyers. Philosophers on both sides of these debates, as well as many lawyers, understand the attacked principles to provide the moral underpinning of the contemporary war crimes regime. This perceived tension is erroneous. A panoramic view of the applicable law reveals it to be more revisionist in its moral posture than is ordinarily recognized. First, increasing recognition of the applicability of international human rights law in armed conflict reflects growing skepticism of the normative exceptionalism of war. Second, the criminalization of aggression reflects the moral inequality of combatants. Third, the legal distinction between civilians and combatants is understood best through a combination of individual liability and necessity – principles that can be accommodated in more nuanced ways as human rights law gains traction. Gaps remain, but there is more common ground between international law and revisionist theory than either lawyers or theorists tend to recognize.**

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