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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 and type "subscribe" in the subject line.

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AFRICA

NORTH AFRICA

Libya

Statement by the Humanitarian Coordinator for Libya, Maria Ribeiro, on the Humanitarian Situation and Protection of Civilians in Libya (ReliefWeb) April 8, 2019

The escalation of violence in and around Tripoli has caused the displacement of more than 2,800 persons fleeing from fighting, blocked emergency services from reaching casualties and civilians, and damaged electricity lines. The upsurge in violence is further increasing the misery of refugees and migrants arbitrarily detained in detention centres in areas of active conflict.

The Humanitarian Coordinator, Maria Valle Ribeiro, reminds all parties of their obligations under International Humanitarian Law and International Human Rights Law to ensure the safety of all civilians and civilian infrastructure, including schools, hospitals, and public utilities, and to allow unimpeded and sustained humanitarian access to all affected areas.

The United Nations continues to call for a temporary humanitarian truce to allow for the provision of emergency services and the voluntary passage of civilians, including those wounded, from areas of conflict.

The Humanitarian community in Libya is following developments closely and has already activated the emergency humanitarian response to assist civilians where needed.

Amid Libya clashes, UNHCR relocates detained refugees to safety (The UN Refugee Agency) April 9, 2019

In light of current insecurity in Libya's capital, UNHCR, the UN Refugee Agency, today relocated more than 150 refugees from the Ain Zara detention centre in south Tripoli to UNHCR's Gathering and Departure Facility in a nearby safe zone.

The Ain Zara detention centre had been impacted by heavy clashes for the past few days. Refugees told UNHCR that they were frightened and worried about their safety, given ongoing fighting in the vicinity, and that they were left with minimal supplies.

UNHCR has received reports of similar situations at other detention centres and is currently looking into these claims.

Today's relocation of detained refugees and migrants is the first by UNHCR since the recent escalation.

UNHCR is working closely with the authorities and partners to secure additional relocations of vulnerable people from detention centres.

"Many refugees and migrants in Libya endure terrible deprivations. They are now at grave additional risk, and must not be overlooked in the effort to get all civilians out of harm's way and to places where they are safer," said UNHCR's Deputy Chief of Mission in Libya, Matthew Brook.

Since the clashes erupted in Libya's capital, more than 3,400 Libyans have been displaced by the fighting with many others trapped in the crossfire, unable to flee for safety.

UNHCR joins the humanitarian community in urging respect for international legal obligations to ensure the safety of all civilians and civilian infrastructure, and to allow full, safe, unimpeded and sustained humanitarian access to affected areas.

As part of its emergency response to the current violence, UNHCR has also pre-positioned aid in key locations in Tripoli and Misrata, strengthening its hotline services and ensuring the continuity of its assistance programs for refugees and displaced Libyans in urban settings.

UNHCR reiterates its view that conditions in Libya are not safe for rescued or intercepted refugees and migrants, and that these people must not be returned there.

Half a million children at risk as Libya violence continues: UNICEF (CNN) By Euan McKirdy
April 10, 2019

More than half a million children are at "direct risk" in Libya as renegade general Khalifa Haftar's forces advance on the United Nations-recognized government in the capital of Tripoli, according to UNICEF.

In a statement Tuesday, the UN agency called on all parties to refrain from "committing grave violations against children" -- including the recruitment of children as soldiers. The agency said it would remain on the ground during the conflict to provide support to children and their families.

Years of fighting among various militias in the war-torn country reached an apparent crescendo Thursday when Haftar ordered the Libyan National Army (LNA) to march on Tripoli in a bid to take the capital from the government.

The World Health Organization (WHO) said Tuesday that at least 47 people were killed and 181 wounded in the first three days of fighting in the beleaguered North African country.

Nine of the dead are civilians, including two doctors working to provide critical healthcare in Tripoli, the WHO said. About 3,400 people have been displaced, according to UN estimates.

Militias from the coastal towns of Misrata and Zawia -- which are not under the UN-recognized government's direct control -- have deployed troops to the capital as part of the counter-offensive against the LNA.

In the eight years since former Libyan leader Moammar Gadhafi was deposed and killed in 2011 -- following a military intervention led by France and the UK -- Haftar has been one of a handful of strongmen to take advantage of the nation's descent into disarray.

Based in the city of Benghazi, the general wields control over much of eastern Libya, and has his sights set on Tripoli.

Earlier this week, Tripoli's only working airport, Mitiga, was shuttered after it was targeted in an airstrike that ignored international calls for a truce. The GNA quickly condemned the aerial bombardment, calling it a war crime.

There has also been fighting around Tripoli's international airport, 15 miles (24 km) south of the city center, which has not been operational for years. The GNA admitted Monday that it temporarily lost control of the site to Haftar's fighters.

Armed clashes have been concentrated in areas close to Tripoli, with both sides using "artillery shelling, airstrikes, anti-aircraft missiles and heavy shooting in residential areas," according to a Health Sector Working Group situation report seen by CNN.

Militants, believed to be from the terrorist group ISIS, carried out an attack on the town of Al-Fuqaha, about 370 miles (600 km) southeast of Tripoli Tuesday, killing two people including the head of the city council, according to Libya's Al-Ahrar News.

The attackers also kidnapped another person, Al-Ahrar said. The militant group said in a statement it took control of the town for several hours, but did not provide evidence for this claim.

The UN had planned to hold a conference between April 14 and 16 in the southwestern Libyan town of Ghadames to broker a solution to the crisis.

Amid the escalation of fighting, the UN Special Envoy to Libya Ghassan Salame called for the conference to be held "as soon as possible" -- but it was unclear when that would be, given recent developments.

UN Secretary General Antonio Guterres visited Benghazi last week for talks with Haftar to push for an international peace deal, but left empty handed.

Following their meeting, Guterres said he was leaving Libya "with a heavy heart and deeply concerned. I still hope it is possible to avoid a bloody confrontation in and around Tripoli."

CENTRAL AFRICA

Central African Republic

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

UN tells C. Africa to reintegrate rebels (France 24) April 8, 2019

The UN Security Council on Tuesday told the Central African Republic that it must make progress in reintegrating rebels into the security forces as a condition to review an arms embargo.

In a unanimous statement, the council said it would review the ban on arms sales if progress is made in disarming the rebel groups following a peace deal signed in February. The United Nations arms embargo was imposed in 2013 when the country descended into bloodletting after President Francois Bozize, a Christian, was overthrown by mainly Muslim Seleka rebels. The government has repeatedly asked that the embargo be lifted to allow its poorly-equipped forces to be armed and assert state authority across the country. The French-drafted council statement calls for progress by the government in pushing through a national program that will allow for the disarming and "reintegration of former members of armed groups... into all uniformed personnel." The measure also called on the government to improve storage and tracking of weapons and ammunition and to enact measures to tighten control over light arms. The Bangui government is to report to the council in June on progress achieved in disarmament, reintegration and arms control, which will be followed a month later by a UN report to assess the changes. The council will then carry out a review of the arms embargo by September if CAR meets the series of benchmarks. CAR has been struggling to recover from the 2013 bloodletting despite elections that brought President Faustin-Archange Touadera to power. The conflict has left thousands dead and forced a quarter of the population of 4.5 million from their homes. The peace deal -- the eighth since 2012 in the conflict-wracked, impoverished state -- brought together the CAR government and 14 armed groups who control most of the country.

UN, militia group in deadly C. Africa clashes (Yahoo) April, 9, 2019

United Nations forces have clashed with a local militia in western Central African Republic (CAR), little more than two months after a deal aimed at restoring peace to the troubled country, the UN said.

Five members of the Democratic Front of the Central African People (FDPC) were killed after the UN peacekeeping force MINUSCA launched an operation against the group on Friday, according to an internal note seen by AFP.

The FDPC said it had lost three of its members.

MINUSCA "has launched discussions (with the FDPC), which are ongoing," the force's spokesman, Vladimir Monteiro, told AFP on Tuesday.

A UN peacekeeper was wounded in the fighting but left hospital on Tuesday, Monteiro said. The UN accused the FDPC of setting up roadblocks at Zoukombo on Highway 1, the only road linking the capital Bangui to Cameroon, and of stealing a dozen pickup trucks.

The FDPC is one of 14 armed groups that signed a deal with the government on February 6 -- the eighth attempt to bring peace to one of Africa's most troubled and poorest countries.

CAR has been struggling to recover from the bloodletting that erupted when former president Francois Bozize, a Christian, was overthrown in 2013 by mainly-Muslim Seleka rebels.

Armed groups, typically claiming to defend an ethnic or religious group, control about 80 percent of the CAR, often fighting

over access to the country's mineral wealth.

Thousands have lost their lives, nearly 650,000 have fled their homes and another 575,000 have left the country, according to UN figures as of December last year.

Under the peace deal, armed groups were offered seats in an "inclusive" government -- a process that proved long and turbulent as militia chiefs demanded high-status positions.

The new government took office on March 22, but without FDPC leader Abdoulaye Miskine, who declined the ministerial post that was offered him.

However, one of his aides was named "special advisor" to the prime minister, and another was appointed prefect to the Nana-Mambere region in the west of the country

Security Council Announces Benchmarks to Guide Decision on Potential Lifting of Arms Embargo against Central African Republic (Relief Web_ April 9, 2019

Presidential Statement Expresses Readiness to Review Ban, Sets Terms for Removal
The Security Council expressed today its readiness to review the arms embargo it imposed on the Central African Republic, announcing a set of benchmarks to guide its decision as to whether it will suspend or progressively lift that restriction later this year.

Issuing presidential statement S/PRST/2019/3, Christoph Heusgen (Germany), President for April, recalled the Council's intention to establish, by 30 April, "clear and well-identified key benchmarks" to measure progress in reforming the security sector, on advancing the disarmament, demobilization, reintegration and rehabilitation process, and on managing weapons and ammunition.

More specifically, the benchmarks would require the Government of the Central African Republic to implement the National Programme for Disarmament, Demobilization, Reintegration and Repatriation, in particular the socioeconomic reintegration of former members of armed groups and the integration of vetted former members into all uniformed services; and to draft a planning document detailing its needs in terms of weapons and facilities for the storage of ammunition.

Other benchmarks would require the Government to finalize a protocol on the registration and management of armaments intended for the national defence and security forces, covering small arms, light weapons and ammunition; to operationalize a national commission to combat the proliferation of small arms and light weapons; and to establish a protocol on the collection and destruction — or transfer to the armed forces and internal security forces — of unregistered or illicitly held weapons and ammunition seized by the authorities.

The presidential statement reiterated the Council's request that the Secretary-General conduct an assessment, no later than 31 July, of progress made on the benchmarks, in close consultation with the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), United Nations Mine Action Service and the Panel of Experts on the Central African Republic. The Council further recalled its intention to review, by 30 September, the arms embargo in light of that assessment.

It also reiterated the Council's request that the Central African Republic authorities report to the Committee established pursuant to resolution 2127 (2013), by 30 June, on progress relating to security sector reform; on the disarmament, demobilization, reintegration and rehabilitation process; and on the management of weapons and ammunition. Meanwhile, the Council acknowledged the urgent need of the Central African Republic authorities to train and equip their national defence and security forces.

The Council welcomed the consensus reached by the signatories to the Political Agreement for Peace and Reconciliation, signed in Bangui on 6 February between the Government of the Central African Republic and 14 non-State armed groups. It welcomed also the engagement of the African Union, Economic Community of Central African States (ECCAS) and the United Nations. Urging stakeholders to implement the peace agreement "in good faith and without delay", the Council called upon neighbouring countries, regional organizations and all international partners to support its implementation and coordinate their actions with the aim of bringing lasting peace and stability to the country.

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Sudan & South Sudan

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

Is oil money fuelling war in South Sudan? (Aljazeera) April 6, 2019

Oil minister Ezekiel Lol Gatkuoth discusses allegations of corruption and the role of oil in South Sudan's future.

Hundreds of thousands of people have been killed since South Sudan's civil war began in December 2013, and millions more have been forced to flee their homes.

On one side of the conflict are troops and militias backing President Salva Kiir. On the other, those supporting former Vice President Riek Machar.

A peace deal was signed in 2018 to end the war, but the situation is far from settled, with atrocities having been committed by both sides, and continued fighting between the government and armed groups.

In February 2019, the United Nations Human Rights Council released a report describing what it believes is funding the war: the country's rich oil industry.

It says that the state-owned Nilepet oil company "has diverted oil revenues which should be shared with states into the coffers of elites in the government," and that its operations "have been characterised by a total lack of transparency and independent oversight."

According to the report, "oil revenues and income from other natural resources have continued to fund the war, enabling its continuation and the resulting human rights violations."

The country's oil sector is supervised by the minister of petroleum, Ezekiel Lol Gatkuoth, who denies the UN's allegations and others.

"I have been in the Ministry of Petroleum since 2016 and I can assure you there is no single dollar that has been used to buy arms in the ministry and even in the country," he told Al Jazeera. "The focus is peace, peace, peace. We are not investing in war and we will not at all invest in war ... Nilepet has not been financing any activities that is related to violence in the country."

He says that expanding the country's oil production - oil makes up 60 percent of the country's gross domestic product (GDP) and almost all of its exports - and attracting foreign investors, will increase the money available for development projects.

"Now myself and my colleagues in the government, we are also working to make sure that the production is increased, and we resume the oil blocks that has been dormant for the last five years, this is also going to be translated into money, so that we can have more money and then we will provide services to the people of South Sudan," he said.

But with a lack of transparency - one organisation obtained secret documents suggesting that Nilepet paid \$80m to war-related officials and activities over a 15-month period beginning in March 2014 - the concern is that these expansions would simply deepen corruption.

South Sudan ranks 178 out of 180 countries on Transparency International's corruption index. But Gatkuoth says South Sudan's president has initiatives to address these issues.

"Corruption is everywhere in the world but the most important thing is how you deal with it," he said.

"People are being dismissed, people are being held accountable ... We have been actually really targeting people who have been actually involved in corruption and they are in jail and they are prosecuted. To me, the president is doing exactly the right thing and we are open book. In the Ministry of Petroleum or Finance or the whole government, we are open book."

The Second April 6th Revolution is definitely on the Way despite the Bullets of the Assassins!! (Sudan Tribune) By Mahmoud A. Suleiman

April 5, 2019

The Glorious April 6 Second Sudanese Revolution is a true revolution and not the

April fool's Day as rumored by the allies of the current National Congress Party regime media. This Revolution is also not stirred up by agents of foreign forces as rumored in the corridors of the ruling regime of the National Congress Party (NCP) led by the genocidal criminal, the fugitive from the International Justice Omer Hassan Ahmed al-Bashir and his hateful criminal corrupt entourage.

This article comes against the backdrop of the ongoing uprising of the disenfranchised Sudanese people which entered its one hundred and six days in a row and coinciding with the thirty-fourth anniversary of the popular April 6, 1985 revolution, which was launched by the disenfranchised Sudanese people and overthrew the arbitrary May 25th regime of the military dictator Marshall Ja'far Muhammad Nimeiri.

The arbitrary Nimeiri era has wasted nine valuable years of the life of the Sudanese people under oppression and the imposition of the infamous laws known as the Shariya laws of September, which allowed extrajudicial killings and amputation of the limbs of the legs and hands for the alleged incrimination of drinking alcohol. Those Shariya Laws were masterminded by the then the National Islamic Front (NIF), a pseudonym for the International Muslim Brotherhood Movement (MBM), its branch in Sudan that cooperated with the ruling regime of the so-called May 25 Revolution led by Jaafar al-Nimeiri. However, the same National Islamic Front, which was part of the democratic system in Sudan, had plotted to overthrow a democratically elected government headed by Mr Sadiq al-Mahdi on June 30, 1989, imposed arbitrary laws and continued to rule with an iron fist in the name of Islam. But their behaviour and their actions of financial corruption, hypocrisy, lying, arbitrary repression, perpetrating crimes against humanity, war crimes, and genocide against defenceless Sudanese civilian citizens in the region of Darfur and elsewhere in the vast country, were against the religion of mercy Islam, which means peace and justice. Thus, the people who are continuing uprising and demonstrating since the 19th December 2018 had suffered from the crimes committed by Omer Hassan Ahmed al-Bashir and his Islamism regime entourage over the past lean three decades in the form of injustice, corruption, lack of freedom have been chanting: "Freedom, Peace, Justice and revolution is the people's choice" with the aim of ousting the regime leading to its demise and to remain buried in the dustbin of stinking history with its ilk and likes.

In the face of this victorious popular revolution, the ruling regime of the National Congress Party (NCP) has been floundering to find a way out of its own impasse. Omar al-Bashir began talking about the need to pay attention to the needs of youth sector in addition to his talk about the so-called "National Dialogue", which the people of Sudan rejected outright and labelled it the 'Jump dialogue' mockingly!

Moreover, the mass media outlets surfaced that Marshall Omer al-Bashir has prepared his boring series of talks on Friday 5th of April 2019 addressing it to the uprising people of Sudan at the Republican Palace in Khartoum, the Capital of Sudan at 7:00 pm. However, the Revolution of the disadvantaged and the marginalized majority of the population of the rest of Sudan who are remaining in the country after the (NCP) regime forced one third of the people of Sudan in the south of the country to opt for Secession and forming their own separate Republic of South Sudan, distancing themselves from the racism they suffered at the hands of the racist bigots. Nevertheless, on Saturday the 6th of April 2019, we the Sudanese will say with all pride that the revolution is victorious despite the militias of the ruling regime; despite the mercenaries of Omer al-Bashir, the people will continue to demonstrate and protest and would not stop fighting until they defeat Omer al-Bashir and his criminal entourage and salute the Sudanese people everywhere. At this juncture, we pay tribute to the Sudanese opposition components, both civil and Armed, represented by the Gathering of Professionals and the Forces of Freedom and Change which carries with it only One National Goal, but no second, which is the toppling of the criminal ruling regime of the National Congress Party (NCP), the one continued over the past three decades claiming of being the protector of the Islamic religion through the infamous terrorist political Islam, that gave birth to the notorious murderous entity what is termed the Islamic State in Iraq and Syria aka (ISIS) or the Islamic State of Iraq and the Levant (ISIL). As the World knows the National Islamic Front (NIF) was a Sudanese political party founded in 1985 by the Sudanese Muslim Brotherhood Movement (MBM) in collaboration with Jafar al-Numayri.

Unfortunate for the peaceful Sudanese people, their country Sudan was haunted by the fateful coming of the International Muslim Brotherhood Movement (MBM) and has been very soon considered and labeled as state sponsor of terrorism by the United States of America (US) government since 1993, and was targeted by United Nations (UN) sanctions in 1996 for its role in sheltering suspects of an attempted assassination of Hosni Mubarak, president of Egypt. Sudan has been suspected of harboring members of the terrorist organizations including Al-Qaeda of Osama Ben Laden, Hezbollah which is a group of Lebanese Shiite clerics formed Hezbollah with the goal of driving Israel from Lebanon and establishing an Islamic state there, The Islamic Resistance Movement Hamas, the Palestinian Islamic Jihad, the Abu Nidal Organization, Jamaat al-Islamiyya the radical group that seeks to install an Islamic regime in place of the secular Egyptian government., and the Egyptian Islamic Jihad, as well as supporting insurgencies in Uganda such as Lord's Resistance Army led by Joseph Kony, The Al-Nahda ("renaissance" or "revival") movement in Tunisia, Kenya, Ethiopia, and Eritrea.

In 1991, the National Islamic Front (NIF) led by Hassan Abdalla al-Turabi founded the Popular Arab and Islamic Congress

(PAIC), an annual event that grouped together militant Islamist leaders from around the world, as referred to in the foregoing paragraph. Thus, Sudan became host to the leader of Al-Qaeda, which was based in Sudan in the period 1990-1996.

Thus, the Muslim Brotherhood Movement (MBM) has exploited the state of Sudan as a focal point for all international Islamist terrorist groups as well as other wanted International terrorists such as Ilich Ramírez Sánchez also known as Carlos the Jackal.

The Islamic Movement, aka, the Muslim Brotherhood Movement (MBM) in Sudan has brought all types of woes to the Sudanese people during their autocratic rein over the past three decades. Now time is ripe for the people of this fractured country Sudan to work hard together and faithfully united against one common enemy to get rid of it once for all. The revolutionaries believe that this goal can be achieved through the Popular Second Sixth April Revolution on Saturday, April the 6th 2019 when all the citizens from all parts of Sudan will be uprising and peacefully chanting the nationwide ongoing slogans of the Revolution in all demonstrations: "Freedom, peace and justice: Revolution is the choice of the people"! The world's attention goes on towards Saturday the 6th April 2019, as the most important Sudanese event inside Sudan and abroad, the historic processions will be organized by the Sudanese people inside the Sudanese in the Diaspora abroad to support the struggles of the Sudanese people and aiming as well mobilizing foreign diplomatic missions, International Community decision makers and gaming Mass Media Support for the Sudanese revolution. The fall of the gang of the ruling National Congress Party (NCP) led by genocidal criminal Omer al-Bashir is just around the corner with a bit of united harsh knockout, where it will be no further Chance for recovery.

The Contemporary Turkish playwright, novelist and thinker Mehmet Murat ildan has been quoted as saying: "No dictator has a healthy mind because only a sick mind can be a dictator!" "If I could I would!" is the maxim of tyrants."

"The people of Sudan want to overthrow the regime» and "Just Down with it" remains the icon of the Sudanese revolution slogan: Tasgot Bas!! And Lick Your Elbow!! Moreover, we repeat the slogan: "Tasgot Bass" because the regime has given up a dear part of the Sudanese homeland in the Halayeb area in Eastern Sudan to Egypt as a price for the assassination attempt on former Egyptian President Hosni Mubarak and abandoned the region of Fashaga to Ethiopia for fear of preserving the throne of Omer al-Bashir. All of those lands are a genuine part of the land of our motherland of Greater Sudan, which is characterized by multiculturalism and ethnicity.

The Sudanese people's proverb says to the person who despises his family but in reality he is a cowardly in the face of the enemies: The Proverb goes: " He is a lion against us, but during the wars he is as cowardly as an ostrich! Thus, we find such behaviour has been repeated by Omer al-Bashir and his Army of militias and mercenaries. Homeland is a sacrosanct and a true citizen should stand steadfast in the defence of one's Homeland.

John Fitzgerald "Jack" Kennedy commonly referred to by his initials JFK, the American politician and journalist who served as the 35th President of the United States of America from January 1961 until his assassination in November 1963, has been quoted as saying: "Ask not what your country can do for you but ask what you can do for your country".

Last and not the least; the regime must come to its Downfall whether like it or not; because many of our people have lost their lives for the sake of the popular Revolution of December 2018, which continues so far. There have been fifty-two martyrs as the victims of the National Congress Party (NCP) regime which still clings to the throne of power on the bodies of those honourable martyrs.

Sudan: Protesters converge on army headquarters in Khartoum (BBC) April 7, 2019

Thousands of demonstrators across Sudan have taken part in what appears to be the biggest series of rallies against President Omar al-Bashir since protests began in December.

In Khartoum, demonstrators reached the army headquarters for the first time. The presidential compound is nearby.

Security forces used tear gas and made several arrests.

The rallies mark the 34th anniversary of the coup that overthrew the regime of former President Jaafar Nimeiri.

So far, the army has not intervened in the protests.

Demonstrators remained outside the compound in the evening after authorities pulled back, as organisers reportedly called on protesters to hold a sit-in to keep up the pressure.

Some reportedly vowed to stay until President Bashir resigned.

Sudan's information minister meanwhile reaffirmed the government's plan to resolve the crisis through talks and praised the security forces.

Police told the state news service Suna that one civilian - who protest organisers reportedly said was a medic - had died in Khartoum's sister city Omdurman.

Civilians and officers were also reportedly wounded.

Journalist Mohamed Ali Fazari, who was at the scene in Khartoum, said protesters were urging the army to side with the people against the government.

The crowd chanted "freedom, freedom, justice - one people one army", he told BBC Focus on Africa radio.

The protests were originally sparked by a hike in the cost of living but are now calling for the president, who has been in power for nearly 30 years, to step down.

Sudan's economy has long been strained since the US imposed sanctions more than 20 years ago, accusing Khartoum of sponsoring terror groups.

In December last year, the Sudanese government announced the price of fuel and bread would rise.

In the year leading up to this, inflation had risen while the Sudanese pound fell rapidly in value.

The announcement of the price rises triggered protests, which evolved into calls for President Bashir to step down.

His rule has been blighted with accusations of human rights abuses. In 2009 and 2010, the International Criminal Court (ICC) charged him with counts of genocide, war crimes and crimes against humanity. A warrant for his arrest has been issued.

The Sudanese Professionals Association (SPA) - a collaboration of health workers and lawyers - has been organising the protests.

Doctors have emerged as a leading force and as a result are being targeted by the authorities.

It is estimated that up two thirds of the protesters are women, who say they are demonstrating against Sudan's sexist and patriarchal society.

In February, it looked like he might give in to protests and step down, but instead Mr Bashir declared a state of national emergency.

On the streets, security has been heavy, with tear gas used indiscriminately and reports of violence commonplace.

Sudanese authorities have been accused of arresting prominent activists and targeting medics, which the National Intelligence Security Service has denied.

Authorities say 31 people have died in protest-related violence so far, but Human Rights Watch says the figure is more like 51.

The pressure group Physicians for Human Rights says it has evidence of killing, persecution and torture of peaceful protesters and the medics caring for them.

Intimidation and Persecution: Sudan's Attacks on Peaceful Protesters and Physicians, April 2019 **[EN/AR] (Reliefweb)** April 5, 2019

Since Sudanese protesters took to the streets in December 2018 to demonstrate against government corruption, economic mismanagement, and brutal repression, forces loyal to the government of President Omar al-Bashir have carried out massive violations of human rights. Peaceful protesters have been attacked by government security forces using disproportionate, unnecessary, and sometimes lethal force. They have been arrested and detained without charges and denied access to their families or medical care. Government security forces and police have prevented medical personnel from attending to the wounded and, in many cases, have arrested and detained these personnel, conducted incursions and attacks inside medical facilities, and targeted, injured, and even killed health workers while they have been carrying out their medical duties or participating in the protest movement.

To date, police and National Intelligence and Security Services forces have entered and conducted attacks on at least seven medical facilities, arrested at least 136 health personnel, fired teargas and other weapons into hospital wards, and closed access to medical care for patients. At the time of publication, 60 protesters had been killed by government forces (one was a practicing doctor and two were medical students). Virtually all of these violations are explicitly prohibited by international law and by Sudanese national law. These incidents also have long-lasting impacts on health[6]: tear gas and rubber bullets have significant medical impacts and can cause permanent disability and even death; live ammunition utilized on this massive scale against crowds causes many injuries in addition to the deaths already reported, and the severe reduction in health care capacity from attacking hospitals and detaining and torturing doctors undermines the already strained Sudanese health care system.

By reviewing and confirming reliable on-the-ground reporting from contacts in Sudan and employing open-source investigation methodologies for verification, this report details these attacks. Based on the available information, Physicians for Human Rights (PHR) finds that the government of Sudan has used unnecessary and disproportionate force against its citizens, illegally attacked medical responders and facilities, and tortured detainees. This campaign of intimidation and persecution violates both national and international laws and interferes with basic norms of medical ethics and care for the wounded and sick. PHR calls on the government of Sudan to immediately cease attacks on medical personnel, release detainees being held without charge or trial for exercising their fundamental rights and ethical obligations, ensure basic protections for medical facilities, seek accountability for members of the government and security forces who have perpetrated these crimes, and demand justice for the victims. Additionally, PHR calls on UN member states, regional bodies, and the international medical community to press the government of Sudan to stop the violent suppression of dissent, to respect the ethical obligations of doctors and the sanctity of health facilities, and to hold the government of Sudan accountable for its human rights violations.

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Democratic Republic of the Congo

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

Congolese warlord convicted of war crimes with the help of ABA ROLI (ABA Journal) By Mireille Kahatwa Amani and Anna Khalfaoui
March 28, 2019

Last month, after years of efforts, the warlord Marcel Habarugira Rangira, lieutenant colonel of the Congolese armed forces, was convicted of war crimes before a military tribunal in Goma, eastern Democratic Republic of the Congo. Mireille Kahatwa Amani was one of the chief attorneys from the American Bar Association Rule of Law Initiative who worked to convict him.

Habarugira had created an armed group, the “Nyatura Intégré,” in the territory of Masisi in the eastern DRC. For several years, the Nyatura caused desolation and destruction in a large part of Masisi in their confrontation against another armed group, the “Raiya Mutomboki,” created by another tribe. Child conscription, rape, sexual slavery, looting—these are some of the sufferings that the Nyatura rebels inflicted on the children, women and men of this territory.

The arrest of Habarugira on Aug. 7, 2014, by the Congolese armed forces was a trigger of hope for these populations to finally being able to share their story and find justice.

We secured a historic decision. It is the first time that a court in the DRC convicted an individual for conscripting and using child soldiers.

From March to December 2015, investigations took place across Masisi, with the support of the ABA ROLI, the United Nations peacekeeping forces in the DRC (known as MONUSCO) and Lawyers Without Borders. We heard over 130 victims of child recruitment, forcible conscription, rape and sexual slavery. ABA ROLI funding ensured the smooth operation of the investigations and the gathering of evidence, through a grant from the U.S. State Department.

Even after Habarugira’s arrest, members of his armed group continued to operate in Masisi. It was, therefore, crucial to

guarantee the protection of the victims. Otherwise, they would have been unwilling to participate in the investigations necessary to build a case against Habarugira.

We thus devised a victims' protection and interview plan. The protection plan included having the interviews take place in a removed safe location, relocating the victims to the interview locations in unmarked vehicles and codifying the victims' names to protect their identity. The interviews took place in the city of Mubambiro, within the compound of the MONUSCO, several kilometers away from the localities in which the atrocities took place. The protection plan allowed the victims to feel both physically and psychologically secure and thus participate in the investigations. Amani developed and implemented the interview plan to enable the victims to better testify before the investigators. This dual approach ensured the success of investigations.

The trial took place from December 2018 to February. For four years after Habarugira's arrest, his victims continued to live in fear. This long delay was a curb on the access to justice. Victims need to know the fate of the perpetrator of the very grave exactions that had been done against them. The perpetrator also has to know what justice means.

It is difficult, if not impossible, for the victims to understand and follow the legal proceedings on their own. They need advice and representation. Amani, together with three other ABA ROLI lawyers and one ABA ROLI psychologist, supported the victims directly by assisting them during the investigations and their appearances before the court. Another generous grant from the DRC Social Fund enabled ABA ROLI to provide victim support services throughout the trial, including transportation to and from Goma, accommodation and catering.

The beginning of the trial was a relief for the victims, who learned that their voices and stories would be heard by the judges, and the defendant, who was given the possibility to defend himself. It was also a relief for the judicial system, given the prosecution's sense of fatigue and its desire to finally put an end to this long, ongoing case, if not to say "expedite" it.

The trial was fraught with irregularities. Habarugira used all imaginable means to intimidate the victims and discourage them from testifying through his men still operating in Masisi. No victims of sexual slavery were willing to come to the trial to support the depositions they had made during the investigations. The defendant also pressured a number of victims to turn from victims into defense witnesses by going back on the declarations they had made to the investigators. This constituted witness tampering.

The Operational Military Court of Goma handed down its decision, which cannot be appealed, on Feb. 1. It sentenced Habarugira to 15 years in prison under international law for the war crimes of rape and conscription or use of child soldiers under the age of 15. It also sentenced him under Congolese military law for violating orders and participating in an insurrectionary movement. The court further awarded damages to the victims participating in the trial as civil parties.

The judges and lawyers showed the flexibility of two different systems of law: the Congolese military judicial code and the Rome Statute of the International Criminal Court for international crimes. The defendant's lawyers were working on a trial for international crimes for the first time.

Habarugira's conviction for the recruitment and use of child soldiers is an important jurisprudence when it comes to the ongoing trial of another warlord, Ntabo Ntaberi, better known by his war name of "Sheka." Sheka is being prosecuted for war crimes and crimes against humanity, including using child soldiers. ROLI lawyers are also assisting the victims in this case.

Still, there are a number of weaknesses with the decision. The court acquitted Habarugira of the charge of sexual slavery. Yet several women and girls were kidnapped and repeatedly raped by the Nyatura rebels. Some women became pregnant as a result. The defendant's strategy was to force the parents of the children who had been raped to adhere to the group's ideology and to have as many children from this tribe as possible to join his armed group. We can also doubt whether Habarugira's light sentence of 15 years is proportionate to his crimes. Having already served four, there are only 11 years left on his sentence.

A remaining obstacle is the question of reparations. For a justice problem to be resolved, the victims, whose plight has been recognized by a court, must be able to recover their rights; the judgment must be executed. Yet civil compensation is a huge challenge in the DRC. To execute a judgment and hence recover their damages, victims must first pay a proportion of the reparation awarded to them. This proportion is set at 3 percent of the allocated amount. For many victims, and particularly victims of looting, this is unattainable. Reparations should not be theoretical; there are a vital element of delivering justice to the victims.

The Habarugira trial is a lesson and a model for future decisions; yet it continues to highlight the difficulties of giving justice in the DRC. The essential question remains and our struggle continues: How can we ensure that victims of serious human rights violations obtain justice?

A Congolese rebel leader accused of orchestrating mass rapes and other atrocities has been caught, Democratic Republic of Congo's (DRC) army said.

Masudi Alimasi Kokodiko, leader of the widely feared Raia Mutomboki armed group, was captured on Tuesday in the Shabunda territory of the eastern South Kivu province after being wounded in a firefight, army spokesman Dieudonne Kasereka said on Thursday.

Raia Mutomboki was formed in 2005 to fight armed Rwandan Hutu groups active in eastern DRC and became one of the most powerful of the dozens of armed groups active in the mineral-rich area bordering Rwanda, Uganda and Burundi.

A report by a United Nations Security Council panel of experts last year said Kokodiko's forces had gang raped at least 17 women in the central town of Lubila last September. The panel also accused the group of using child soldiers.

In 2012, a UN-led investigation found that Raia Mutomboki and two other militias were responsible for the deaths of more than 260 civilians in a wave of tit-for-tat ethnic massacres in restive North Kivu province.

The DRC's new president, Felix Tshisekedi, who took office in January, has pledged to address the militia violence that plagues the east, where millions died in a civil war from 1998-2003.

Tshisekedi succeeded Joseph Kabila, who governed the largely impoverished central African country for 18 years.

Election observers reported a number of irregularities during the vote and there were widespread opposition allegations that it was marred by fraud.

Christoph Vogel, a researcher who previously advised the UN, told Reuters news agency that Kokodiko's arrest "coincides with the new government announcing a more deliberate agenda to disarm militias, yet it remains to be seen if it comes as part of broader change".

Last month, Tshisekedi pardoned some 700 political prisoners jailed under Kabila and in February urged tens of thousands of political exiles to return home, saying everyone would be needed to move Congo forward.

Another of the DRC's most infamous rebel leaders, Ntabo Ntaberi Sheka, went on trial last year for rapes and other atrocities. Victim testimony in that trial began last month.

According to the UN, Sheka's forces and two other armed groups raped at least 387 civilians between July 30 and August 2, 2010, as punishment for alleged collaboration with Congolese government forces.

His soldiers are also accused of razing almost 1,000 homes and businesses and taking about 100 people into forced labour.

Prosecute the Profiteers: Following the Money to War Crimes Accountability (Relief Web) April 4, 2019

War crimes pay. In East and Central Africa, where armed conflict has created some of the fastest-growing refugee flows in the world, control over lucrative resources is often the raison d'être of perpetrators. Economic crimes and grave violence often occur in tandem and generate profits for a range of people and entities involved. They entrench the conditions that made exploitation possible, inevitably leading to more.

To improve accountability for atrocities, governments, the private sector, and the courts must take aim at the financial infrastructure enabling violence. Authorities in national and international courts should improve their approaches to investigating the financing of atrocities, greed motives, and profits derived by war criminals. They can do this using tools already at their disposal, including statutes prohibiting theft, sanctions violations, and atrocity crimes; diverse theories of liability; financial investigation strategies; and the seizure of ill-gotten wealth.

If these powers are not brought to bear, key perpetrators, facilitators, and beneficiaries of some of the world's worst crimes will continue to operate with impunity, and extreme violence will continue.

Recognizing that international financial pressure can play an intervening role in limiting violence and human rights abuses, policymakers in North America and Europe have recently increased their attention to international financing and kleptocracy. This trend suggests growing recognition that civil lawsuits and asset seizures can help combat illicit finance on an individual and corporate level, complementing broader network sanctions and anti-money laundering (AML) measures and, together, helping curb the flow of money from war zones to profiteers.

The Sentry's newest report, "Prosecute the Profiteers: Following the Money to War Crimes Accountability" proposes a shift in our approach to justice for serious international crimes, targeting the perpetrators of atrocities where they are often most vulnerable: their money. The report describes new approaches that can be integrated throughout the phases of investigation and trial: using financial investigations to more effectively prosecute atrocity crimes, prosecuting the financial crimes that enable or motivate atrocity crimes, and seizing criminally-derived assets as a measure of accountability and to fund reparations. The analysis and recommendations focus on one of the deadliest and most lucrative parts of the world, East and Central Africa, and highlight important contemporary cases from elsewhere in the world.

The Eight Key Recommendations

The following should guide policymakers, prosecutors, and investigators:

1. Follow the money in war crimes investigations. Domestic and international prosecutors and investigators should investigate financial evidence and networks in serious international crimes cases they accept, adopting an integrated strategy from the outset.
2. Bring finance experts in from the beginning. Domestic and international prosecutors charged with prosecuting serious international crimes should prioritize financial crimes expertise as essential to their work. International and domestic authorities should invest in heightened protective measures for whistleblowers and environmental activists, given their unique ability to contribute financial evidence and the unique threats to their security.
3. Collaborate across borders and use open-source intelligence. Domestic officials investigating transnational financial and atrocity crimes should more proactively cooperate with other domestic and international courts, especially through informal information exchange and making better use of open-source intelligence. All relevant state actors should proactively engage with the International Anti-Corruption Coordination Centre in the United Kingdom, which can facilitate information and analysis exchange between a number of countries and international organizations.
4. Prosecute economic crimes where atrocities occur. The Special Criminal Court in the Central African Republic (CAR), hybrid court in South Sudan, and economic crimes units in the Democratic Republic of Congo should develop strategies for investigating the financial networks, widespread theft, and greed-based motives that have fueled atrocity crimes. The U.S. Department of State's Office of Global Criminal Justice (GCJ) should encourage authorities at these courts, including the African Union and lead prosecutors, to make economic crimes a priority.
5. Pass and amend key legislation. U.N. member states should support the proposed treaty prohibiting Crimes Against Humanity to improve ease of legal action against financial enablers of atrocities in domestic courts. The U.S. Congress should amend the United States war crimes statute to make pillage a predicate offense, and should reintroduce and pass legislation prohibiting crimes against humanity to give U.S. federal prosecutors broader power to prosecute perpetrators and facilitators of atrocities abroad, especially those availing themselves of the benefits of U.S. financial institutions and networks.
6. Seize the proceeds of crimes. Authorities in domestic justice systems with the power to seize criminally-derived assets should look to East and Central Africa for relevant actors linked to corruption and atrocities that may park assets in their jurisdictions
7. Pay affected communities back. ICC authorities should conduct earlier and more frequent parallel financial investigations and use their authority to seize assets. Relevant domestic authorities, including the U.S. Department of Justice's MLARS, in cooperation with the U.S. State Department and others, as well as hybrid courts in CAR and South Sudan should prioritize the investigation of criminally-derived assets linked to corrupt actors in East and Central Africa and build networks with affected communities to design asset return strategies.
8. Finally, Support crucial government agencies. The U.S. State Department should maintain support for the GCJ and re-appoint a high-level official to head the office. GCJ should develop a stronger focus on targeting the financial facilitators of atrocities to support new avenues for atrocity crimes cases, especially in East and Central Africa.

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

Nigeria: Troops kill 16 'Boko Haram terrorists' in Lake Chad area, MNJTF says (The Defense Post)

By Fergus Kelly
April 1, 2019

Troops from the regional Multinational Joint Task Force killed 16 Boko Haram fighters including a commander, in the Lake Chad area of Nigeria's Borno state, the MNJTF said in a release.

Over the weekend, troops deployed with Operation Yancin Tafki were conducting clearance operation in the Kerenowa – likely meaning Kirenowa – area when “contact was made with Boko Haram Terrorists at Andakar Camp,” Colonel Timothy Antigha, the MNJTF's Chief of Military Public Information, said in the Sunday, March 31 release that included graphic images of dead bodies.

A firefight followed and 16 militants including Malloum Moussa, who Antigha described as “a high ranking Boko Haram Commander,” were “neutralized,” a term commonly used to mean killed by security forces. Five technicals were destroyed and one woman “whose relationship with the terrorists is yet to be determined” was detained.

Antigha said Moussa had “jurisdiction” over the southern Lake Chad area including around Daban Masara, Kirta Wulgo and Koleram, and that he was “notorious for imposing hefty levies on farmers, fishermen and cattle herders.”

The MNJTF, which comprises troops from Chad, Cameroon, Niger and Nigeria, launched Operation Yancin Tafki on February 21. Antigha said it is aimed at “making islands and other settlements in Lake Chad untenable for Boko Haram Terrorists.”

Actions have been conducted in Nigeria and Niger as part of the operation.

On March 9, seven Nigerien police and 38 militants were killed near Gueskerou in the Diffa region, according to Niger's defense ministry. The MNJTF said in a statement that “27 terrorists” were killed.

Across the border in Nigeria on March 12, aircraft from Nigeria, Niger and Cameroon supported by MNJTF ground troops killed 33 ISWA militants around Tumbun Rego and Arege, the regional force said. Aircraft from Nigeria, Niger and Cameroon were involved in those actions.

It is unclear which Boko Haram faction was targeted in the actions around Kirenowa, but Islamic State West Africa province is the dominant insurgent force in the Lake Chad area.

The jihadist group known as Boko Haram split into two factions in mid-2016. One led by long-time leader Abubakar Shekau is notorious for suicide bombings and indiscriminate killings of civilians. Shekau pledged allegiance to ISIS leader Abu Bakr Al-Baghdadi in March 2015, but ISIS central only gives formal backing to the other faction, which it calls Islamic State West Africa province.

The ISWA faction, which largely focuses on attacking military and government targets, was led by Abu Mus'ab Al-Barnawi, but last month, audio recordings revealed that ISIS appointed Abu Abdullah Idris bin Umar, also known as Ibn Umar al-Barnawi, as leader. ISIS has not yet made a public statement confirming the change.

Boko Haram's bloody insurgency began in northeastern Nigeria in 2009 but has since spread into neighboring Niger, Chad and Cameroon, prompting a regional military response. Some 27,000 people have been killed and two million others displaced, sparking a dire humanitarian crisis in the region.

Nigerian Air Force targets Islamic State base at Magari near Lake Chad (The Defense Post) By

Fergus Kelly

April 2, 2019

Airstrikes "significantly degraded" an Islamic State West Africa province base at Magari in the Lake Chad area of Borno state, the Nigerian Air Force said in a Tuesday, April 2 release.

Acting on "credible" intelligence reports that indicated some senior ISWA leaders and fighters arrived at Magari in northern Borno state on Friday, the Air Force conducted Intelligence Surveillance and Reconnaissance missions which "confirmed increased level of human activities in the settlement with a prominent ISWAP flag observed near 2 compounds in the settlement indicating the presence of high level leaders," Air Commodore Ibikunle Daramola, Nigerian Air Force Director of Public Relations and Information said in the release.

An air interdiction mission was conducted on Monday, when two Alpha Jet aircraft supported by an ISR platform attacked "identified compounds within the settlement," Daramola said.

"The bombs from the 2 Alpha Jets recorded direct hits on the target compounds resulting in destruction of several structures, which were seen engulfed in flames. Several of the terrorists were also neutralized in the process."

The Sunday strikes come as the regional Multinational Joint Task Force said troops deployed to Operation Yancin Tafki had killed 16 'Boko Haram terrorists' including a high-ranking commander near Kirenowa in the Lake Chad area of Nigeria's Borno state.

The MNJTF, which comprises troops from Chad, Cameroon, Niger and Nigeria, launched Operation Yancin Tafki on February 21. The operation is aimed at "making islands and other settlements in Lake Chad untenable for Boko Haram Terrorists," the MNJTF has said.

Actions have been conducted in Nigeria and Niger as part of the operation.

On Monday, ISIS claimed ISWA fighters targeted a Nigerian military position in Malam Fatori in northern Borno state with six mortar shells. The same day it released a video via its Amaq propaganda agency showing the execution in Borno state of five people it said were members of the Nigerian army.

ISIS on Tuesday claimed ISWA fighters on Monday killed a spy from the "African Crusader alliance," its term for the regional MNJTF, in Diffa in Niger, and that a "Crusader" was killed in the "Lake Chad area." It further claimed a well belonging to a "mukhtar," or village leader, was destroyed in Damasak in Borno state, claiming that he is a spy for the Nigerian Army.

The jihadist group known as Boko Haram split into two factions in mid-2016. One led by long-time leader Abubakar Shekau is notorious for suicide bombings and indiscriminate killings of civilians. Shekau pledged allegiance to ISIS leader Abu Bakr Al-Baghdadi in March 2015, but ISIS central only gives formal backing to the other faction, which it calls Islamic State West Africa province.

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Mali

Atrocity Alert No. 148 (27 March 2019) : Mali, Yemen and Myanmar (Burma) (reliefweb)

March 27, 2019

Ethnic militias, arms proliferation and the massacre in Mali At least 150 civilians, including 50 children, were massacred in Ogossagou village in the Mopti region of Mali on Saturday, 23 March. Ogossagou is mainly populated by people from the Fulani community (also known as Peuhls), who were targeted in the attack. Traditional hunters called "Dozos" – who come mainly from the ethnic Dogon community – allegedly carried out the attack. The UN Security Council was visiting Mali on the day of the attack and condemned the violence.

According to the UN Office of the High Commissioner for Human Rights (OHCHR) at least 600 people have been killed in inter-communal violence in Mali since March 2018. Many attacks on Fulani villagers in the Mopti region have been attributed to the Dan Na Amassagou militia, an association of armed Dozos self-defense groups, which the government dissolved following Saturday's massacre. Some Dogon villagers have also been targeted in attacks, including a reprisal attack on the village of Ouadau that killed four people.

While there is a history of inter-communal violence between Fulani and Dogon communities over access to land, water and grazing rights, the recent proliferation of armed self-defense groups has also been linked to the increased activity of armed Islamist groups throughout the Sahel region since 2012. These groups have contributed to the increased flow of weapons across porous borders and have often recruited fighters from the Fulani/Peuhl community, exacerbating inter-communal tensions. According to OHCHR, traditional disputes have become particularly deadly with "entire Fulani communities" being "painted as violent extremists simply because they are Muslim."

While the dissolution of Dan Na Amassagou is a positive step, the government and UN must immediately investigate the recent massacre and ensure all perpetrators responsible for inciting, directing and committing the attack are held accountable. Mali's government, with the support of the UN peacekeeping mission in Mali, must increase its security presence in central Mali and strengthen its capacity to protect civilians. The government should also take steps to build trust between Fulani and Dogon communities and prioritize disarmament, demobilization and reintegration efforts in areas where there is an ongoing risk of potential mass atrocity crimes.

UN deploys team of human rights experts to investigate massacre of 157 Malian villagers (South China Morning Post)

March 28, 2019

The United Nations has dispatched human rights experts to central Mali to investigate a weekend massacre of at least 157 villagers seen as one of the worst acts of bloodshed in a country beset by ethnic violence.

The attack, in which women and children were burned in their homes by gunmen, escalated a conflict between Dogon hunters and Fulani herders that killed hundreds of civilians in 2018 and is spreading across the Sahel, the arid region between the Sahara Desert to the north and Africa's savannahs to the south.

"A team of 10 human rights specialists, a child protection agent and two MINUSMA investigators have been deployed to the Mopti region to conduct a special investigation into Saturday's terrible events," UN mission spokesman Olivier Salgado tweeted on Wednesday. MINUSMA refers to the UN mission in Mali.

International Criminal Court chief prosecutor Fatou Bensouda said this week that the crimes could fall under ICC jurisdiction and that a delegation would be sent to Mali. A UN Security Council mission was already visiting the West African state to seek solutions to ethnic violence when the massacre occurred.

An official from a nearby town said on Saturday that armed men dressed as Dogon hunters assaulted villages populated by Fulani herders. The Dogon suspect the Fulani of harbouring Islamist militants, charges the Fulani deny. The attack came less than a week after an Islamist assault on an army post that killed at least 23 soldiers, also in Mali's central region. That attack was claimed by an al-Qaeda affiliate.

In a statement on Tuesday, MINUSMA said a Dogon village in the region was also attacked on the night of the Fulani massacre, leaving at least four people dead.

Tacit outsourcing of the fight against jihadists to vigilante groups with scores to settle has unleashed ethnic strife across the Sahel. In neighbouring Burkina Faso at the end of December, ethnic Mossi militia killed dozens of Fulani in revenge for the killing of a village chief by jihadists.

UN human rights spokeswoman Ravina Shamdasani said on Tuesday that 219 people had been killed by anti-jihadist vigilante groups in Mali since the start of this year.

Malian President Ibrahim Boubacar Keita responded to the attack on the Fulanis by disbanding an anti-jihadist vigilante group called Dan Na Amassagou, whose Dogon fighters are suspected of being behind the massacre. The group has denied its members were involved and rejected the government's dissolution.

More than 130 people were killed in an attack on three Fulani villages in central Mali, the United Nations said, as a delegation visited the country.

Survivors accused traditional Dogon hunters of carrying out the deadly raid in Ogossagou, the main focus of the attack, according to Boubacar Kane, the governor of Bankass district which covers the village.

A security source said the victims, including pregnant women, children and elderly people, were shot or hacked to death with machetes.

"The Secretary-General is shocked and outraged by reports that at least 134 civilians, including women and children, have been killed," Antonio Guterres's spokesman said in a statement, adding he called on Malian authorities "to swiftly investigate it and bring the perpetrators to justice".

The attack was launched at dawn on Saturday in the village near the border with Burkina Faso, said several sources. The district has been the scene of frequent inter-communal violence.

Two witnesses said hunters had burned down nearly all the huts in the village.

Guterres's spokesman said the UN mission in Mali, MINUSMA, provided air support to deter further attacks and assisted with the evacuation of the injured.

The massacre took place as a delegation from the United Nations Security Council visited the Sahel region to assess the jihadist threat there.

Earlier the UN said the visiting ambassadors from the Security Council countries met on Saturday with Mali's Prime Minister Soumeylou Boubeye Maiga and discussed with him the volatile situation in the centre of the country. While local attacks are fuelled by accusations of grazing cattle on Dogon land and disputes over access to land and water, the area is also troubled by jihadist influence.

In the past four years, jihadist fighters have emerged as a threat in central Mali. A group led by radical Islamist preacher Amadou Koufa has recruited mainly from the Muslim Fulani community.

Since then, there have been repeated clashes between the nomadic Fulani herders and the Dogon ethnic group. Last year that violence cost the lives of 500 civilians, according to UN figures.

In January, Dogon hunters were blamed for the killing of 37 people in another Fulani village, Koulogon, in the same region.

The Fulani have repeatedly called for more protection from the authorities. The government in Bamako has denied their accusations it turns a blind eye to - or even encourages - Dogon attacks on the Fulani.

Once considered a beacon of democracy and stability in Africa, Mali in recent years has been dogged by a coup, civil war and Islamist terrorism.

Extremists linked to al-Qaeda took control of the desert north in early 2012, but were largely driven out in a French-led military operation launched in January 2013.

In June 2015, Mali's government signed a peace agreement with some armed groups, but the jihadists remain active, and large tracts of the country remain lawless.

Despite the presence of UN peacekeepers, a strong French military contingent and the creation of a five-nation military force in the region, jihadist violence has not abated.

Gender-Based War Crimes: Al Hassan at the ICC (Harvard Political Review) By Barbara Oedayrajsingh
April 6, 2019

Since the 2002 Rome Statute, which oversaw the creation of the International Criminal Court, a mere handful of convictions after lengthy and costly trials have taken place at the court. Given the manifesto upon which the ICC was founded — "to put an end to impunity for the perpetrators of [war] crimes and thus to contribute to the prevention of such crimes" — the court has not yet lived up to its full

expectations. Although the ICC's mission has been to prosecute those who have committed war crimes and whose home countries are unable to convict them, it has only seen a small number of successful trials.

One recent development has been met with renewed optimism: for the first time in the ICC's history, someone is being prosecuted for war crimes on gender-based grounds. However, the context of this case raises questions about whether the ICC is merely concerned with improving its own track record, or whether it is truly aiming to use its influence to bring justice to women who have suffered gender-based war crimes around the world.

Sexual Violence as Weapon of War

The defendant is Al Hassan Ag Abdoul Aziz, Chief of the Timbuktu Islamic Police during the Malian Al-Qaeda occupation from 2012 to 2013. He is facing charges that include torture, sexual violence, rape and sexual slavery. In a time where gender inequality and violence against women are finally receiving significant scrutiny, this trial has been hailed by some as a landmark case. Just last year, Dr. Denis Mukwege and Nadia Murad were awarded the Nobel Peace Prize for "their efforts to end the use of sexual violence as a weapon of war."

A conviction of Al Hassan could have the potential to bring long-awaited justice to women whose human rights have been violated in war and could set a precedent for future prosecutions. Perhaps this case will be the next watershed moment in women's rights?

Mali and the ICC

Al Hassan is not the first Malian to be prosecuted by the ICC. Ahmad Al Faqi Al Mahdi, the former head of the Hisbah, a Malian brigade that enforced public morals, and associate of the Timbuktu Islamic Court until 2012, was convicted by the ICC in 2016 and sentenced to nine years of imprisonment. This was the first ICC case where the defendant pled guilty, but the charges against Al Mahdi put a damper on his conviction — although there was reasonable evidence to believe that Al Mahdi, like Al Hassan, perpetrated gender-based war crimes, he was prosecuted solely for his destruction of religious sites. He was found guilty of damaging mausoleums and a mosque in Mali, yet his alleged crimes against women were not addressed in court.

Al Mahdi and the ICC made a plea deal — though its contents are classified, the deal most likely included dropping charges of human rights violations against Al Mahdi in return for a guilty plea on site destruction charges. Such a deal does not seem aligned with the mission of the ICC, but multiple factors might have played into the decision to offer it. Striking a deal with Al Mahdi would ensure a certain conviction, albeit for lesser charges. For the ICC, any conviction would be critical, due to its meager conviction track record. Second, trials involving witnesses are more complex, costly, and time-consuming. If victims of sexual violence were to be involved, significant resources and effort would need to be invested to ensure that witnesses would not suffer from the trial.

Despite these possible justifications, the failure of the ICC to prosecute Al Mahdi for his alleged involvement in sexual violence received international criticism. The court's subsequent choice to now persecute Al Hassan, who has not made a plea deal, for gender-based violence could be seen as an attempt by the ICC to restore its credibility and show that it does not systematically prioritize attacks on buildings over attacks on women.

Is This Justice?

However, it is not clear that the Al Hassan case should be the vehicle through which the ICC can achieve this long-awaited recognition of female victims of war crimes. While Al-Qaeda's Mali branch was active, Al Hassan did not hold a top leadership position. As the de facto chief of Islamic police in Timbuktu, he was responsible for the men who allegedly committed crimes against women, though no charges were leveled against him for directly perpetrating crimes. Al Hassan was initially accused of having committed human rights violations in a local Malian court, together with 15 others, some of whom have successfully been convicted in Mali and some of whom still walk free today. The decision to prosecute Al Hassan thus seems relatively arbitrary and may have been influenced, in part, by a desire to redeem past mistakes.

None of this, however, is to say that Al Hassan should not be convicted. Rather, it poses difficult questions concerning what factors should be considered when deciding who to try and what to try them for at the ICC. Since the ICC cannot prosecute every war criminal, the institution must think pragmatically about the effects a certain conviction can have. Although doing anything that deters further gender-based violence is undoubtedly worth it, there is no evidence that convicting someone of a certain war crime acts as a deterrent or reduces the likelihood another will commit said crime.

A more realistic strategy may involve a focus on the direct impact of convictions on victims. In the Al Hassan trial, Malian victims will most likely be asked to come to The Hague to testify. Although seeing someone punished for the crimes they suffered is often valuable to victims, in the case of sexual violence, the ICC must consider the impact that testifying at such a

high-level trial may have on the survivors. Perhaps the potential stress outweighs the potential benefits of a conviction for victims. There has been disappointingly little research on the psychological effects of testifying in a high-profile international trial, especially for victims of sexual violence from disadvantaged backgrounds. This complexity might be a reason why the ICC chose to charge Al Mahdi with the destruction of religious and cultural sites, which is a war crime under the Roma Statute — but one without direct human victims.

The Value of a Conviction

It may seem clinical to base a decision to prosecute an alleged war criminal on a cost-benefit analysis. After all, many people hold the belief that the international community has a moral obligation to punish those who infringe upon the human rights of others. And indeed, it seems imperative to see justice served in cases involving atrocious crimes. Those are legitimate feelings. But the distribution of benefits from each conviction of the ICC needs to be examined more closely.

Whether or not Al Hassan's trial becomes a landmark conviction, its value will be primarily symbolic. A conviction of Al Hassan is unlikely to have a direct impact on women in Mali. Hopefully, though, it can at least bring international attention to the importance of supporting those, like Mukwege and Murad, who are making a tangible difference for women who have suffered gender-based war crimes.

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Liberia

LNBA Gets Tough On TRC Report (The New Republic) By R. Joyclyn Wea

April 1, 2019

The Liberian National Bar Association (LNBA) has finally endorsed the full implementation of the Truth and Reconciliation Commission (TRC) Report and the establishment of War and Economic Crimes Court in the Country.

The TRC Report has been before the National Legislature for over a decade since its completion in 2009 for implementation.

This decision was reached through a resolution following tense debate among ninety-four delegates at the end of the Liberia National Bar Association General Assembly held over the weekend in Kakata, Margibi County.

During the event, eighty-six out of the ninety-four voted for the implementation of the document while four were against and four abstained from the process.

Interestingly, the former rebel leader of the Liberia Peace Council (LPC) and Grand Gedeh County Representative George Boley was part of the event when the Liberian legal practitioners unanimously voted for the implementation of the TRC Reports.

George Boley is one of those persons earmarked in the TRC Report and alleged notorious perpetrators of heinous crimes and atrocities in the country as the result of the fourteen years of Liberian civil unrest.

The TRC Report among other things called for the prosecution of those who committed heinous crimes during the country's 14 years of civil conflict. It further called for the debarment of several individuals for their involvement in the war.

The TRC was established on Monday, May 12, 2005, by the Liberian Transitional Legislative Assembly through an Act, in May 2005, the TRC Act was passed to implement the terms of the Accra agreement.

The Establishment of a War and Economic Crimes Court for Liberia Has Become an Exigency (Liberian Daily Observer)

April 3, 2019

The attention of the Daily Observer is drawn to a story carried in its April 2, 2019, edition written by reporter Abednego Davis under the headline, "Do Not Fear Threats If War Crimes Courts Are Established". The exhortation, according to reporter Abednego Davis, was made by Melron Nicol-Wilson, a human rights lawyer and

Solicitor of the High Court of Sierra Leone during a three-day (March 28-30, 2019) Assembly of the Liberia National Bar Association (LNBA).

According to Davis, who covered the program, Mr. Meron Nicol-Wilson, speaking on the topic “Accountability or Impunity, Putting a Closure to the 14 Years”, told the assembly of lawyers that they have no reason to fear since those chiefly responsible for the commission of atrocities have all become weakened since the end of the conflict and therefore lack the ability to create a climate of sustained instability in the country.

Mr. Nicol-Wilson expressed the belief that people who committed crimes against humanity should be punished (held to account) in order to put an end to impunity. He noted that in his dear country, Sierra Leone, the chapter for the bitter past has been closed, and respect for the rule of law has since been restored because individuals accused of committing atrocities were tried and sentenced accordingly.

This newspaper fully concurs with suggestions calling for the implementation of the TRC report which recommended prosecution for perpetrators of gross human rights abuse and economic crimes. The Daily Observer further welcomes the vote and resolution from the Liberia National Bar Association (LNBA) endorsing the TRC report and calling for full implementation of its recommendations.

The Daily Observer newspaper remains cognizant of the fact that the greatest challenge posed to sustained peace and stability in Liberia today is the rising trend of general lawlessness and disrespect for the rule of law. And this is directly linked to the culture of fear and impunity that create public perceptions of a weak and dysfunctional Police force and criminal justice system, as well as a corrupt judiciary incapable of safeguarding and protecting the rights of the ordinary citizen.

This newspaper notes that since the folding up of the UN military mission, the nation has witnessed a steady rise in the frequency and incidences of violent mob action which in some instances, public infrastructure such as police stations have been set ablaze by angry mobs. Police stations appear to be particularly targeted largely because of negative public perceptions that depict the Liberia National Police (LNP) as corrupt, unreliable and biased in their approach to law enforcement.

Over the past month for example the Daily Observer has unfailingly reported incidences of mob violence occurring around the country. The Daily Observer also notes that growing public fears about displayed police reluctance to respond to incidents of political violence could serve to trigger off even more retaliatory violence.

A recent but disturbing development, according to some human rights groups, is alleged official support to a group of ex-generals and ex fighters of the various defunct warring factions as well as reports of nocturnal military maneuvers on the beaches of Monrovia for purposes which remain unclear to most except those under whose sponsorship they appear to be operating. In any case the public, given past experience, remains wary and apprehensive about these developments.

Local human rights groups note for example the public mention of Prince Toe, a one-time leader of the National Democratic Party of Liberia (NDPL) youth wing, which was a group of street thugs armed and supported by military dictator Samuel K. Doe purposely organize to intimidate and violently disrupt public gatherings considered hostile to the regime’s interests. Some of its most notorious acts included the burning down of the home and library of former Secretary of State, J. Rudolph Grimes on 10th Street and the public display of decapitated bodies on the streets of Monrovia.

Today, the notorious group or at least its remnants have resurfaced and have become active, this time under the command of a different set of actors. The public has since borne witness to their violent actions. On Saturday, November 17, 2018, a group of street thugs, led by Monrovia City Mayor Jefferson Kojjee, attacked a political gathering in New Georgia where candidate Cornelia Krua Togba was holding a political rally. Several persons sustained injuries as a result. Grand Bassa Senator, Nyonblee Karnga, who was in attendance had to flee the area for fear of her life.

The Police have since taken no action to bring the perpetrators to justice even after Senator Karnga had filed an official report on the situation. In another instance, the home of Representative Yekeh Kolubah was attacked by a group of armed thugs led by some individuals identified as officials of this government. A children’s party which was being held by Representative Yekeh Kolubah to entertain kids in his district was violently disrupted. Later that night gunshots were fired at his home.

Since then no arrests have been made and nothing has since become of the case even though it was officially reported to the Police. In yet another instance, armed street thugs led by the leader of the Liberia National Students Union (LINSU) violently disrupted the Movement for Justice in Africa’s (MOJA) 46th anniversary program. The Police help was sought to bring the situation under control but the Police was, at best, non-responsive.

From all indications, impunity is alive and thriving in Liberia owing mainly to the fact that accountability for the commission of war and economic crimes was given zero recognition during the reign of President Sirleaf. It was hoped by many that George Weah, given his stance, would have been the “accountability” candidate, so to speak. This view has otherwise proved unfounded as President Weah has so far, shown little or no indications that he is prepared to pursue the course of justice and

accountability in Liberia. In view of this, the establishment of a war and economic crimes court for Liberia has become an exigency.

Weah Fails to Make Quarterly Reports on TRC's Palava Hut Recommendation (Liberian Daily Observer) By Abednego Davis

April 4, 2019

Despite a wave of calls for the implementation of the Truth and Reconciliation Commission (TRC) recommendation calling for the establishment of War and Economic Crimes Court in the Country, the chairman of the Transitional Justice Working Group (TJWG), says President George Weah's administration has made no progress on the implementation of the National Reconciliation Road-Map or the Palaver Hut component of the recommendations.

James M. Yarsiah said the National Reconciliation Road-Map was formulated with the view to implement the Palaver Hut component of the recommendations. According to him, although required to make quarterly progress reports to the Legislature on the implementation of the recommendations, former President Ellen Johnson Sirleaf however, made only four reports to the Legislature. Yarsiah urged government's adherence to these requirements without the least delay.

The TJWG is a coalition of over 20 peace-building, pro-democracy and human rights organizations that were involved with the TRC process up to the submission of its report to the Legislature in 2009.

Article 9, Section 46 of the TRC's Act states: "the Independent National Human Rights Commission (INHRC) shall be clothed with the responsibility to ensure that all the recommendations contained in the report of the TRC are implemented. That same Act also provides, "the Head of States shall report to the Legislature within three months of receiving the TRC report, and on a quarterly basis thereafter, as to the implementation of the Commission's recommendations."

The TRC was agreed upon at the August 2003 Comprehensive Peace Agreement in Accra, Ghana and created by the TRC Act of 2005.

The Commission was established to promote national peace, security, unity and reconciliation and, at the same time, hold perpetrators accountable for gross human rights violations, and violations of international humanitarian law that occurred in Liberia between January, 1979 and October, 2003.

The report contains major findings on the root causes of the conflict, the impact of the conflict on women, children and the generality of the Liberian society; responsibility for the massive commission of Gross Human Rights Violations (GHRV), and violations of International Humanitarian Law (IHL), International Human Rights Law (IHRL) as well as Egregious Domestic Law Violations (EDLV).

The report also determined and recommended that Criminal Prosecution for these violations, Reparations and a "Palaver Hut" Forum is necessary and desirable to address impunity, promote peace, justice, security, unity and genuine national reconciliation.

However, addressing a news conference on Monday, April 1, 2019, Yarsiah observed that to their knowledge, regular progress reports on the implementation of the TRC's recommendation, particularly on the Palaver Hut has so far been halted by the Weah administration.

Though the office of the President is yet to respond to this claim, Yarsiah emphasized that there has been little or no progress on the implementation of the National Reconciliation Road-Map or the Palaver Hut program, "and we are expressing grave concern on the lapses experienced thus far in the implementation of these components of the TRC's recommendations."

As the government is about to complete its first quarter of the New Year (2019), Yarsiah said his entity was strongly recommending that all stakeholders immediately recommence the stalled implementation of the TRC's report.

"And toward this end," TJWG recommends, "that the Executive should immediately resume the implementation of the TRC's report, and make quarterly reports to the legislature as outlined in the Act of the Commission; that the INCHR should ensure that all recommendations of the TRC's reports are implemented; and that national and international stakeholders support the resumption of a national dialogue on transitional justice at national, sub-regional and county levels, and used these dialogue forums to popularize the TRC's recommendations."

Yarsiah added, "Other actors, including victim associations or organization pressure groups, and campaigners for justice to close ranks with the TJWG by coordinating efforts to ensure that Liberia achieves justice, national reconciliation, peace, and non recurrence of gross human rights violations."

He said that it was emphatically clear that lasting peace and reconciliation cannot be achieved in the absence of justice.

“Therefore, there must be justice for the rich and the poor, the powerful and for those without power; for women and children, justice for all is the solid foundation for a strong democracy, lasting peace and sustainable development,” Yarsiah reminded the government.

On the issue of a war and economic crimes court, Yarsiah believes that when the court is established, it would set a firm basis for ending impunity and discouraging the recurrence of the gross human rights violations; and economic crimes committed during the civil war.

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EAST AFRICA

Uganda

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

A Former Militia Member Says Government Forces Were Overwhelmed During LRA Attack on Abok (Journalists for Justice) April 5, 2019

A former long-serving member of a Ugandan government-supported militia group described to the International Criminal Court (ICC) how government forces were overwhelmed when the Lord’s Resistance Army (LRA) attacked the Abok camp for internally displaced people (IDP) about 15 years ago.

Bosco Ogwang told the court on Monday the Ugandan military officer commanding them fled when the LRA attack began, leaving those who fought the LRA perplexed. Ogwang said he and others who fought the LRA ran out of ammunition and retreated. Ogwang said he was a member of the Local Defense Unit (LDU), a militia group that was under the command of the Ugandan military.

Ogwang testified in the trial of Dominic Ongwen, a former LRA commander who has been charged with 13 counts of war crimes and crimes against humanity for his alleged role in the June 8, 2004 attack on Abok. Ongwen has also been charged for his alleged role in attacks on three other IDP camps; sexual and gender-based crimes; and conscripting child soldiers. In total, he is facing 70 counts of war crimes and crimes against humanity. He has pleaded not guilty to all charges.

On Monday, Ogwang told the court he joined the LDU in 1991 and was trained by the Uganda People’s Defense Force (UPDF) for six months. He said there were as many as 10,000 people the UPDF trained, and at the end of their training they were divided into units and deployed to different places. Ogwang said between 1991 and 2012 when he left the LDU he was deployed to different parts of northern Uganda.

“And why did you decide to join the LDU?” asked Gordon Kifudde, one of Ongwen’s lawyers.

“Because the LRA was disturbing the communities. They were abducting the children forcefully and also sleeping with them forcefully. Even my sister was abducted and taken to the bush from St. Mary’s. She’s not been found up to now,” replied Ogwang.

He said he was deployed to Abok on June 1, 2004. He said the LDU members at Abok were under the command of a UPDF officer called Mugabe. Ongwen’s lead lawyer, Krispus Ayena Odongo, also questioned Ogwang and asked him about the camp because Ogwang was from the area.

“Can you tell court how the camp was established? How it became necessary for it to be established? Did the civilians move voluntarily to the camp?” asked Odongo.

“Let me respond to that. It was not the interest of the civilians to go to the camp. The government ordered [it], but since

people were already spending their nights in the bush, and you would be hunted down for using a torch in the bush ... Some of the girls would be abducted and raped and taken to the bush,” replied Ogwang.

He said Abok was attacked on June 8, 2004. He said on that day he spotted some LRA fighters eating mangoes near the camp, and he cycled to the Ugandan army at Barrio to alert them of the LRA presence in the area. He said the LRA attacked Abok after sunset.

Ogwang said he and other LDU members fought the LRA in three firefights before the LDU ran out of bullets. Ogwang said when they ran out of bullets they retreated towards Barrio. He said at Abok there were usually LDU members and UPDF soldiers guarding the camp, but on that night there were only LDU members. He also said their commanding officer, Mugabe, fled. Ogwang said hours later a UPDF armored vehicle, commonly referred to as Mamba, arrived in Abok.

“When the Mamba came at about 11 pm it started shooting on some trees, and it shot twice and then there was silence. We told them [soldiers] we need to withdraw because when a Mamba comes it starts shooting without caring whether you are a government soldier or the LRA. Some people and goats had been burnt in the fire. Others we found ... had been hit on the head and died,” said Ogwang.

Kifudde asked him whether he knew which LRA commander attacked Abok.

“The group that came I cannot actually guess who the commander was. I did not see who was the commander. We were wondering who was leading them,” answered Ogwang.

Later Odongo asked Ogwang whether he and LDU members reviewed what happened in Abok.

“We came back and sat, and we tried to analyze our weakness. The problem was from the OC [officer commanding], he split. Why did he flee with the chicken? That’s what we were talking about. He [Mugabe] wanted us to die alone,” replied Ogwang.

When Kifudde and Odongo finished questioning Ogwang, Sanyu Ndagire cross-examined him for a few minutes in private session. Ogwang concluded his testimony on Monday. No Hearing Last Friday for “Medical Reasons”

Ogwang was supposed to have testified on Friday last, but that hearing was postponed to Monday. On Friday, the court session began 50 minutes late with Ongwen absent. Thomas Obhof, one of Ongwen’s lawyers, stated Ongwen was absent and “counsel is speaking to our client” when each legal team put on record who was present in court at the start of Friday’s proceeding.

Presiding Judge Bertram Schmitt then said the court would go into private session to discuss the reason for the delay. A few minutes later the court resumed in open session, and Judge Schmitt made a brief comment.

“This is not satisfying for the public, but we have to postpone the hearing out of medical reasons until Monday and then we start with [Witness] D-65 [Ogwang],” said Judge Schmitt. He did not offer any details of what medical reasons led to the postponement.

This is not the first time this year a hearing in the trial of Ongwen has been postponed for medical reasons. This year’s first hearing was scheduled to start on January 14, but Trial Chamber IX postponed it at the request of the defense so that Ongwen could “receive any necessary medical treatment.” This year’s first hearing was eventually held on January 31.

In their January application the defense had asked the judges to order defense mental health experts to examine Ongwen and assess whether he is mentally fit to continue trial. Trial Chamber IX denied that part of their application.

It is also for medical reasons that the schedule of hearings has changed since the defense phase of the trial began last September. Currently, whenever hearings are scheduled there is a day’s break, usually on Wednesday. During the prosecution phase of the trial hearings were held Monday through Friday with no break.

This change in the hearings schedule followed a defense application in which Ongwen’s lawyers argued he could not sit in court for five consecutive days. Trial Chamber IX’s Single Judge, Bertram Schmitt, acceded to the request with some conditions. The details of the medical reasons the defense requested a change in the schedule were redacted in the public version of their filing.

American Kidnapped on Ugandan Safari, \$500,000 Ransom Demanded (The Epoch Times) By Elias Biryabarema
April 3, 2019

An American woman and her driver have been kidnapped at Uganda’s most popular wildlife park by gunmen demanding a ransom of \$500,000, police said on April 3.

Kimberley Sue Endecott, 35, and Ugandan driver Jean Paul were on a game drive in Queen

Elizabeth National Park when four gunmen ambushed their vehicle late on April 2, a police statement said.

Various illegal groups from Somali Islamists to Congolese-based rebels sometimes operate in Uganda, but the kidnappers' identity was not known.

An elderly couple also at the scene were not taken and raised the alarm.

"I suspect the kidnappers left them because they were elderly. They took all their possessions," said Ugandan government spokesman Ofwono Opondo.

California-based Endecott and the couple, whose relationship was unclear, entered Uganda on March 29 and flew the next day to the park in the country's southwest, the spokesman added.

The U.S. embassy in Kampala had no extra information to offer. "We take seriously any threats against U.S. citizens abroad. Security forces are responding to the incident," it said in a statement.

The Somali Islamist terrorist group al Shabaab has carried out attacks in Uganda in the past, but has never been known to kidnap anyone for ransom there.

The park, Uganda's most visited, is located about 400 km (250 miles) southwest of the capital Kampala, near the border with the Democratic Republic of Congo (DRC), which is home to many fragmented rebel groups.

Police said the kidnapping appeared financially motivated, since the group quickly made a demand using Endecott's mobile.

"The joint security teams have cut off all exit areas on the border between Uganda and the DRC in search of the victims," the police statement added, warning the group may still be in the park.

In 1999, an American couple, four Britons and two New Zealanders were killed along with four Ugandan guides when their group was ambushed by gunmen in the Bwindi Impenetrable National Park. Survivors said the killers appeared to be Congo-based Hutu rebels. Bwindi begins about 20 km (12 miles) south of Queen Elizabeth National Park, where tourists flock to see lions, hippos, crocodiles, chimpanzees, and other African wildlife in an area of lakes, savannah, forests, and swamps.

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Kenya

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

Kenya Plans End of 210, 000 Strong Refugee Camp Near Somalia (Bloomberg) By David Herbling
March 28, 2019

Kenya is again considering closing the Dadaab refugee camp, once the world's largest, two years after the nation's High Court blocked the proposed shutdown that drew criticism from human rights groups.

The United Nations refugee agency "is aware of the renewed call by the government of Kenya to close the camp," Dana Hughes, a UNHCR spokeswoman, said Thursday in emailed responses to questions. "Any refugee returns must be done on a voluntary and fully informed basis, in conditions of safety and dignity."

The camp that opened almost three decades ago is home to mostly ethnic Somalis who crossed into Kenya first to flee a civil war that ousted then President Mohamed Siad Barre in 1991. More refugees arrived from Somalia to escape a drought and famine a decade later.

The number of people living in the camp has reduced to 210,000 now from a peak of about half a million in 2011, according to

UNHCR.

Voluntary Repatriations In 2016, the government announced plans to close the camp after it said that Somalia-based militants were using it as a base to plan attacks on Kenya. While a high court in 2017 blocked the move, a voluntary repatriation program continued under which 81,000 refugees have returned to Somalia since 2014, according to Hughes.

A spokeswoman at the Interior Ministry didn't comment immediately when called.

Human rights groups have opposed Kenya's renewed push to shutter the camp because it infringes on the rights of refugees.

"These plans must be shelved," Amnesty International Kenya Executive Director Irungu Houghton said in an emailed statement. A decision to close the camp would violate the 2017 court ruling. The government should instead find durable solutions for the refugees including integrating them into Kenyan society, Houghton said.

"Many Somali refugees are themselves victims of violence, from which they fled to seek protection," New York-based Human Rights Watch said in a statement on its website. "Forcing them to go back to face violence or persecution would be inhumane and a violation of Kenya's legal obligations."

Kenya orders closure of Dadaab refugee camp this year, according to leaked UN document (Thomson Reuters) By Nita Bhalla

March 29, 2019

Kenya has ordered the closure of the Dadaab refugee camp by the middle of this year with the race now on to find homes for more than 210,000 people, according to a leaked internal United Nations document obtained by the Thomson Reuters Foundation.

Citing "national security concerns", the Kenyan government wrote to the United Nations refugee agency (UNHCR) on Feb. 12 about plans to close Dadaab within six months and asking the agency "to expedite relocation of the refugees and asylum-seekers residing therein".

Officials from Kenya's interior ministry did not immediately respond to requests for comment, but the UNHCR confirmed the plan.

"UNHCR is aware of the renewed call by the Government of Kenya to close Dadaab and is working with the government to continue to implement long-term and sustainable solutions for over 210,000 refugees living in the camp," said the UNHCR in a statement emailed to the Thomson Reuters Foundation.

"These include voluntary returns, third country solutions such as resettlement, sponsorships, family reunifications and labour migration, as well as relocations in Kenya, including at Kakuma refugee camp and Kalobeyei Settlement."

Located in eastern Kenya, Dadaab was established almost 30 years ago and was once the world's largest refugee camp, at its peak providing shelter to about half a million people who were fleeing violence and drought in neighbouring Somalia.

Kenyan authorities announced plans in 2016 to shut Dadaab, citing concerns that Somalia-based al Shabaab militants were using it as a base to plan attacks in Kenya.

But the High Court blocked the move in 2017, saying it was unconstitutional and violated Kenya's international obligations.

Human rights groups criticised the renewed push to close Dadaab, saying it threatened the rights and safety of the mostly Somali refugees, who could be forced to return home.

"The authorities should ensure that any refugee returns are voluntary, humane, and based on reliable information about the security situation in Somalia," said Otsieno Namwaya, Africa researcher at Human Rights Watch (HRW).

"Forcing them to go back to face violence or persecution would be inhumane and a violation of Kenya's legal obligations."

HRW said although the specific reasons for the renewed demand to close Dadaab were not clear, Somali refugees were often blamed by Kenyan government officials for terrorist attacks in the country, although no evidence has been provided.

According to the U.N. document, UNHCR has helped almost 83,000 people return to Somalia voluntarily since 2015.

But the number of returnees dropped last year to about 7,500 compared to about 35,500 in 2017 and 34,000 in 2016.

As Somalia descended into civil war, Dadaab was established by the United Nations in 1991, and has since mushroomed, with more refugees streaming in, uprooted by drought and famine as well as on-going insecurity. Many have lived there for years.

The settlement, spread over 30 square km (7,415 acres) of semi-arid desert land, has schools, hospitals, markets, police stations, graveyards and a bus station.

Kenyan government restrictions mean refugees cannot leave the camp to seek work so people have few ways to earn a living other than rearing goats, manual labour and running kiosks and rely on food rations, much of these sent by foreign donors.

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

Rwanda organises vigil for victims of 1994 Genocide (News Ghana) April 9, 2019

Rwandan people on Sunday night gathered at Amahoro National Stadium in capital city Kigali for a night vigil to remember and honor some 1 million lives lost during the 1994 genocide against the Tutsi.

The Rwandan government on Sunday morning started commemoration marking the 25th anniversary of the genocide, raising the curtain of a three-month remembrance period. Rwandan President Paul Kagame and First Lady Jeannette Kagame, and other dignitaries including current and former heads of state and government took part in the event.

The night vigil started with young people reciting names of the victims of the 1994 genocide and reading messages of hope before lighting candles as a symbol of light from the darkness. Kagame, the first lady and other dignitaries walked down to the field from the stand, and joined the youth to light candles. At the same time, candlelight started diffusing on the audience stand until the full stadium was lit. The stadium was a refuge for the Tutsi during the genocide.

“Commemoration night vigil is part of Rwandan culture where people would keep closer to the grieving family in case of the death of a loved one. What we are remembering today is special,” said Johnston Busingye, Rwandan Minister of Justice, at the event.

The Rwandan government has focused on building a bright future for Rwandans based on love and humanity instead of hatred and destruction, said Busingye. “As genocide survivors, the support from Rwandans and friends of Rwanda during the commemoration period reassures us once again that we have a country that cares for us and does everything to help us heal from the wounds left by the genocide,” said Jean Pierre Dusingizemungu, President of the umbrella of Genocide survivor organizations IBUKA.

Dusingizemungu also said the genocide survivors have been hurt by the early release of genocide fugitives and the short sentences that have been handed on to them. “We hope the incoming President of the International Residual Mechanism for Criminal Tribunals, Judge Carmel Agius, will exercise restraint and consider the seriousness of crimes of the 1994 genocide against the Tutsi while making final decision on early release and handing down sentences,” said Dusingizemungu.

“The night vigil signifies unity with the stand against genocide and a chance to remember innocent people who lost their lives in the atrocities,” genocide survivor Samuel Dusengiyumva told Xinhua during the night vigil.

Dusengiyumva, who lost all of his family members during the genocide, said he is looking forward to a bright future for his new family based on unity and reconciliation and he has forgiven the genocide perpetrators who committed atrocities to his family. “Despite all the tragedy that befell our country 25 years ago, we do not forget the horrors of the genocide against the Tutsi in 1994. I lost my family members in the genocide but I have decided to move forward for a bright future,” another genocide survivor Francine Uwera told Xinhua.

Unity and reconciliation has helped to heal the wounds of the genocide survivors, Uwera said, adding that she looks forward to taking part in the social economic development of Rwanda that is full of love, unity and patriotism among citizens. Before the night vigil start, dignitaries, thousands of Rwandan people and other guests walked from the Rwandan parliament to Amahoro

National Stadium to remember the victims of the genocide.

Rwanda genocide: Five alleged war criminals living in UK set to be investigated by police (Express) By Clive Hammond

April 9, 2019

The five men are accused of carrying out atrocities during the genocide, which saw more than one million citizens killed in 1994. The suspects live across England, having moved here individually following the devastating horror in the African country, according to the Daily Mirror. This week marks the 25th anniversary of the bloody scene, which last 100 days.

In that time many believe that around 250,000 women and girls were raped while a further 800,000 people were killed.

Scotland Yard said it was starting a full investigation into the men.

Celestin Mutabaruka, 63, is suspected of organising killings in the town of Gatara.

The pastor, who runs the Fountain Church in Ashford, Kent told the Daily Mirror when approached: "To be clear the investigation is welcome. I'm very happy about it and I have been waiting for it."

North London doctor Vincent Bajinya, 59, allegedly participated in killing while also helped plan the attacks.

He said: "I am not a criminal and I never did those things. I am not hiding."

Others accused are Celestin Ugirashebuja, 66, from Walton-on-the-Naze, Essex, Bedford resident Charles Munyaneza, 61 and Manchester's Emmanuel Nteziryayo, who was born in 1963.

Mr Munyaneza's lawyer told the Daily Mirror that his client had "lived with the stigma of the allegation."

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Somalia

Humanitarian funds release US\$45.7 million for life-saving assistance in Somalia [EN/SO] (reliefweb) By Office for the Coordination of Humanitarian Affairs

April 1, 2019

The United Nations Central Emergency Response Fund (CERF) and the Somalia Humanitarian Fund (SHF) released a combined US\$45.7 million today to scale up life-saving assistance in Somalia, where over 4.2 million people need urgent humanitarian assistance this year, including 900,000 acutely malnourished children.

"These allocations will enable humanitarian agencies in Somalia to deliver urgently needed food, clean water, health care and education support in the shortest possible time in areas where needs are the highest," said Mark Lowcock, Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs. "We will prioritise delivery to children, women, the elderly, and people living with disabilities, who have suffered terribly as drought and conflict continue to drive the crisis in Somalia." The \$12-million CERF allocation will boost the response in the worst affected parts of northern Somalia, where 823,000 people are facing severe food insecurity. The funds will be used for food assistance in Awdal and Woqooyi Galbeed regions, and nutrition, health, and water and sanitation and hygiene programmes in Sool, Sanaag and Bari regions.

The \$33.7 million SHF allocation will scale up protection, education and shelter support in northern Somalia, and other life-saving activities in central and southern Somalia. Most of the funding will go to national and international non-governmental organizations, while \$700,000 will go to the UN Humanitarian Air Service, which helps move essential humanitarian goods and personnel.

"Support from CERF and the SHF will enable aid organizations to scale up and sustain life-saving assistance in the worst-affected areas in the country as the Jilaal (dry season) persists," said George Conway, the acting Humanitarian Coordinator for

Somalia. "This allocation is critical, but further generous donor funding will be needed to sustain aid operations and support recovery across Somalia." The SHF allocation is the largest since 2012 and would not have been possible without early donor support. Germany has been the top donor to the Fund since 2017; other top donors are Australia, Canada, Denmark, Ireland, the Republic of Korea, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom.

Despite improvements in the humanitarian situation in 2018, the food security situation in Somalia has deteriorated, particularly in the north, and in some central parts of the country due to poor Deyr seasonal rains, the lingering effects of the 2016/2017 drought, conflict, displacement and evictions. The number of people facing acute food insecurity or worse has remained at 1.5 million since last year, but with a geographical shift in needs towards northern Somalia. Overall, 4.9 million Somalis are estimated to be food insecure.

The 2019 Somalia Humanitarian Response Plan, seeking \$1.08 billion, is only 12 per cent funded to date. With conflict, displacement and climatic shocks persistently causing high levels of humanitarian and protection concerns, life-saving assistance must be sustained alongside livelihood support.

US resumes air raids in Somalia after brief pause (Aljazeera) April 10, 2019

The US Africa Command (AFRICOM) says it has resumed air raids against the al-Shabab group in Somalia after a brief pause that followed a critical report condemning the "shroud of secrecy around civilian deaths" caused by the US military.

The latest operation was carried out on Tuesday near Jilib, a town in Somalia's Middle Juba region, southwest of the capital, Mogadishu, and killed one fighter, Africom said in a press release on Wednesday.

"Currently, we assess no civilians were injured or killed as a result of this air strike," it added.

The aerial bombardment is believed to be the first since Amnesty International said in March 18 report that 14 civilians had been killed and seven wounded in the course of five air raids between April 2017 and December 2018, all attributed to the US military.

"The civilian death toll we've uncovered in just a handful of strikes suggests the shroud of secrecy surrounding the US role in Somalia's war is actually a smokescreen for impunity," said Brian Castner, Amnesty's senior crisis adviser on arms and military operations.

Initially, AFRICOM denied that its operations had resulted in any civilian deaths, but on Friday the command acknowledged that a woman and child had been killed in an April 2018 raid.

AFRICOM made the admission after receiving information that it said had not been passed on previously.

The Amnesty report came as the US military was stepping up its operations in Somalia, carrying out 28 air raids since the beginning of 2019, compared with 47 in the whole of 2018 and 35 in 2017.

The United States is backing the Somali government's military campaign and the African Union (AU) mission against al-Shabab.

The al-Qaeda affiliate was forced out of Mogadishu in 2011 and then progressively from other major cities by AU troops, but it still controls large swaths of rural territory, from which they launch frequent attacks against government and security targets, including in the capital.

Civilians pay with their lives in USA's secret war in Somalia (Amnesty International) By Abdullahi Hassan and Ella Knight
April 8, 2019

The USA doesn't like to admit it's at war in Somalia.

"I wouldn't characterize that we're at war," General Thomas David Waldhauser, the commander of US Africa Command, told Congress in March 2018. "It's specifically designed for us not to own that."

But the USA is in denial. It launched at least 81 air strikes in Somalia between 2017 and 2018 and is on track for at least 140 more in 2019 if it continues at its current pace, yet it claims to have killed zero civilians.

Amnesty International investigated five alleged US air strikes across the Lower Shabelle region that took place between April 2017 and December 2018. We found credible evidence that 14 civilians, including children, were killed. The USA carried out at

least 76 more air strikes in other regions in Somalia within this period, which suggests that the real number of casualties is significantly higher.

The US Africa Command has repeatedly classified these casualties as “militants” “combatants” and “terrorists”, insisting “no civilians were killed or injured”.

Alongside the Somali government, the USA is fighting Al-Shabaab, an armed group which controls large swaths of the country, regularly and deliberately attacking civilians.

In March 2017, US President Trump approved the designation of parts of southern Somalia as an “area of active hostilities”, making it easier, under US policy, for its forces to carry out air strikes on a broader range of people and with less certainty of, and concern for, the consequences for civilians.

Despite a tripling of US air strikes, Al-Shabaab continues to brazenly attack civilians in Somalia and beyond. On 28 February 2019, the group killed at least 25 people and injured 131 when it attacked hotels and restaurants along Makka Al-Mukarama road, one of Mogadishu’s busiest streets. On 15 January 2019, the group claimed responsibility for the DusitD2 hotel attack in Nairobi, Kenya, where at least 21 people were killed.

General Waldhauser can call it what he likes, but it is the Somali people who are living under the double threat of Al-Shabaab’s severe repression and US-supported government air and ground attacks, bearing the brunt of the violence.

In hundreds of hours of interviews, during a research mission to Mogadishu in October 2018, and dozens of phone calls since, we’ve heard devastating stories of lives shattered by Al-Shabaab attacks and US air strikes.

A young mother described losing her husband in a US drone strike on a tiny settlement between two Al-Shabaab strongholds, days after they had fled clashes near Mogadishu. The relative of a well-digger killed in a strike on a vehicle he was travelling in, choked up as he told us of his struggle to take care of the deceased’s wife and children alongside his own large family. And we heard of a three-year-old girl who lost her father and sister in an explosion in her village and can no longer walk properly because she was injured by debris from the blast.

Each of the people we spoke to said that the Somali and US governments never enquired about their losses, offered an apology or any compensation. They all live in Al-Shabaab controlled areas where smart phones are banned, and permission must be sought just to leave their villages. Anyone spotted talking to a foreigner is labelled a spy and accused of colluding with the USA to direct planes to attack the Al-Shabaab.

Clearly, the USA is not conducting on-the-ground investigations following its air strikes in Somalia. And neither have the US or Somali governments put in place any mechanism to enable people to safely report deaths and injuries.

If the USA were to investigate the impact of its strikes, it would find that the suspected Al-Shabaab fighters travelling in a vehicle one October afternoon in 2017, along the road connecting the towns of Awdheegle and Barire, were not the only casualties. Eight-year-old Mohamed and six-year-old Khalif were also injured, and their civilian relatives killed after the first US strike missed the targeted vehicle and landed near their makeshift homes in the Farah Waeys settlement.

The USA would also discover that three young men targeted and killed in their farm in Darusalaam in November 2017 were not Al-Shabaab fighters, but farmers who worked all night irrigating their fields, taking breaks to drink tea and watch Bollywood movies.

“We lost these boys, and no one is talking about it,” a relative told Amnesty International. “It seared into our flesh... We are farmers... weak people and trust no side. We will tell the truth and ask God to save us.”

By denying civilian deaths, and failing to investigate properly, the US and Somali governments are exacerbating the suffering of survivors and families of victims.

The USA and Somalia must investigate all credible allegations of civilian casualties resulting from their operations and provide justice for the families of victims of violations. All these families deserve to know the truth. US resumes air raids in Somalia after brief pause (Aljazeera) April 10, 2019 <https://www.aljazeera.com/news/2019/04/resumes-air-raids-somalia-pause-190410173649729.html>

The US Africa Command (AFRICOM) says it has resumed air raids against the al-Shabab group in Somalia after a brief pause that followed a critical report condemning the “shroud of secrecy around civilian deaths” caused by the US military.

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The al-Qaeda affiliate was forced out of Mogadishu in 2011 and then progressively from other major cities by AU troops, but it still controls large swaths of rural territory, from which they launch frequent attacks against government and security targets, including in the capital.

Text of a Notice on the Continuation of the National Emergency with Respect to Somalia (White House) By Donald J. Trump, Executive Order
April 10, 2019

On April 12, 2010, by Executive Order 13536, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the deterioration of the security situation and the persistence of violence in Somalia, and acts of piracy and armed robbery at sea off the coast of Somalia, which have been the subject of the United Nations Security Council resolutions, and violations of the arms embargo imposed by the United Nations Security Council.

On July 20, 2012, the President issued Executive Order 13620 to take additional steps to deal with the national emergency declared in Executive Order 13536 in view of United Nations Security Council Resolution 2036 of February 22, 2012, and Resolution 2002 of July 29, 2011, and to address: exports of charcoal from Somalia, which generate significant revenue for al-Shabaab; the misappropriation of Somali public assets; and certain acts of violence committed against civilians in Somalia, all of which contribute to the deterioration of the security situation and the persistence of violence in Somalia.

The situation with respect to Somalia continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on April 12, 2010, and the measures adopted on that date and on July 20, 2012, to deal with that emergency, must continue in effect beyond April 12, 2019. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13536.

This notice shall be published in the Federal Register and transmitted to the Congress.

US conducts airstrike in Somalia as its prime minister visits Washington (CNN) By Ryan Browne
April 10, 2019

The US military conducted an airstrike in Somalia Tuesday that killed one Al-Shabaab militant, according to US Africa Command, which oversees military operations on the continent.

The strike occurred in the vicinity of Jilib, Middle Juba Region, an area that has in the past been a hotbed of Al-Shabaab activity.

News of the strike comes on the same day that Somalia's Prime Minister Hassan Khayre met with President Donald Trump's

national security adviser John Bolton at the White House on Wednesday.

Khayre is seen as a key ally in the fight against the al Qaeda affiliated Al-Shabaab

"Pleased to have hosted Somali PM Khayre today. I congratulated him on Somalia's economic reforms and urged sustained engagement on this front. We discussed ways to deepen the strong US-Somalia partnership on critical issues, including counterterrorism and regional stability," Bolton wrote on Twitter Wednesday following their meeting.

American diplomats, military officers, and USAID officials tell CNN that they see progress in Somalia, with many of them citing increased security in major cities and reform efforts as examples of success, which has been bolstered by recent reform efforts made by the government.

There has been a significant increase in US airstrikes in Somalia since Trump authorized the military to carry out precision strikes targeting Al-Shabaab in March 2017. Prior to that, the US military was authorized to conduct airstrikes only in defense of advisers on the ground.

At least 253 fighters from the al Qaeda-affiliated group have been killed in 29 airstrikes so far in 2019, according to figures released by US Africa Command. In 2018, the US conducted 47 airstrikes targeting Al-Shabaab, killing about 337 militants. In 2017, the US carried out 35 airstrikes, and in 2016 it conducted 15.

The US military estimates that Al-Shabaab commands somewhere between 5,000 to 7,000 fighters and controls about 20% of Somalia's territory.

As part of an effort to bolster Somalia's government, the US has about 500 troops in Somalia where they primarily advise the Somali National Army as it carries out its counter-insurgency campaign against Al-Shabaab.

That effort includes a Navy SEAL-led unit comprised of US Army, Navy, Air Force and Marine Corps personnel that is currently in Somalia working to advise Danab, a light infantry force tasked with clearing Al-Shabaab from towns and villages from the insurgency's strongholds in Somalia, thereby denying its ability to conscript recruits and tax the local population.

The US military took on responsibility for training and advising Danab in May of 2017.

Since October 2013, the US military has also operated a Military Coordination Cell in Somalia's capital Mogadishu, which is tasked with providing planning and advisory support to Somali security forces and the Africa Union mission in Somalia, AMISOM.

But despite the gains made by US-backed forces, Al-Shabaab has still been able to strike at the nation's capital, carrying out an attack last month that killed dozens.

The terror group has also carried out attacks on US allies in the region, including a January attack on a hotel complex in Nairobi, Kenya.

The increase in airstrikes against Al-Shabaab have been criticized by some members of Congress and outside groups like Amnesty International, which has accused the US of killing civilians in Somalia.

While the US military has rejected Amnesty's allegations, Africa Command did recently announce that it had determined that one of its drone strikes had killed two civilians, the first ever such acknowledgment by the US military in Somalia.

"I think we need to rethink our Somalia strategy," Sen. Elizabeth Warren, a Massachusetts Democrat and member of the Senate Armed Services Committee, said recently during confirmation hearings for Trump's nominee to become the next commander of Africa Command, Gen. Stephen Townsend.

"As best I can tell the strategy in Somalia, as it is in so many of the countries that the US is bombing, is to keep killing terrorists and militants and hope that one day there are magically no more terrorists or militants to kill," Warren said.

But US military officers and diplomats stress that the airstrikes are only one component of the US military's overall campaign in Somalia which is aimed at bolstering the local government so that it can tackle Al-Shabaab on its own.

"In coordination with the Federal Government of Somalia's continued efforts to weaken al-Shabaab, U.S. forces conducted an airstrike in the vicinity of Jilib, Middle Juba Region, Somalia, on April 9, 2019... Continued pressure on the al-Shabaab network is critical to progress," US Marine Corps Maj. Gen. Gregg Olson, Africa Command's director of operations, said in a statement.

"Our assistance complements the Federal Government of Somalia's efforts to create stability and a better future for the Somali

people," he added.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Sarajevo to Pay €358,000 for War Crime Suspects' Defence (Balkan Insight) By: Albina Sorguc
April 10, 2019

The government of the Sarajevo Canton allocated 358,000 euros in its 2019 budget to provide legal assistance to ex-soldiers and police officers - almost all of them Bosniaks - who have been charged with war crimes, BIRN has learned.

In its budget for this year, the Ministry of Veterans' Affairs of Sarajevo Canton has allocated 450,000 Bosnian marks (230,000 euros) to assist in paying war crimes defendants' lawyers, while 250,000 Bosnian marks (128,000 euros) has been set aside for financing non-governmental organisations involved in projects providing legal assistance to accused ex-soldiers of the Army of Bosnia and Herzegovina and former officers of the Ministry of Internal Affairs of Bosnia and Herzegovina.

The Ministry of Veterans' Affairs told BIRN that the allocation of a total of around 358,000 euros to assist defendants did not mean that Sarajevo Canton justified crimes committed by members of the armed forces.

"We consider that everyone should be tried for their actions, but we want to help the accused and their families to defend themselves from accusations in a dignified manner and prevent revisions and distortion of historical facts about the aggression against Bosnia and Herzegovina, which was also established by the Hague Tribunal," the ministry said.

Lawyers dealing with war crime cases before the Bosnian state court said that the money was needed and welcomed the decision by the authorities in Sarajevo Canton, which is one of 10 cantons that make up the country's Bosniak- and Croat-dominated Federation entity.

Vasvija Vidovic, a lawyer who has represented former Bosnian Army soldiers at the International Criminal Tribunal for the Former Yugoslavia and the Bosnian state court, argued that defendants find themselves difficult financial situations because trials are long-running and very expensive.

"Hardly anyone, even if they are in a good financial situation, would have enough money to pay for the defence," Vidovic said.

She also argued that Croatia, Serbia and Bosnia's Serb-dominated Republika Srpska entity had been allocating resources for the defence of their citizens at war crimes trials for years. "Of course the state should help as it can," Vidovic said.

During the trials of former Bosnian Serb political and military leaders Radovan Karadzic and Ratko Mladic, the government of Republika Srpska allocated around 5,100 euros per year for their defence, while Serbia and Croatia also partially financed the defence of some of their war crimes suspects.

Former judge Vehid Sehic, of the Forum of Tuzla Citizens, said that he also sees nothing wrong with Sarajevo Canton's decision to assist war crime defendants, given that Croatia, Serbia and Republika Srpska have done the same.

"Helping them is a humane act. Now, the amounts and cases to which it should be applied should be regulated under certain decisions by both legislative and executive powers, because we can see that proceedings last a very long time," Sehic said.

But Aleksandra Letic of the Helsinki Committee for Human Rights in Republika Srpska entity argued that decision is disputable because the financial aid is only intended for former soldiers of the Bosniak-led Army of Bosnia and Herzegovina. She also said that the money could be better spent on more socially-necessary projects.

“It should definitely be reconsidered. There are a series of other activities which governments should support financially. At this moment, citizens need those activities much more than the defence or legal representation of people who were members of certain military formations,” Letic said.

The Ministry for Veterans’ Affairs said that around 289,000 euros was also allocated in the 2018 budget and spent on 41 individuals who were on trial for war crimes.

In 2017 and 2018, further financial assistance was offered through foundations registered for the purpose of offering legal aid and other types of assistance to former soldiers of the Armed Forces of Bosnia and Herzegovina suspected or accused in war crime cases and their family members. In 2017, 138,000 euros was allocated for this purpose, and around 128,000 euros in 2018.

The Ministry that said that the number of beneficiaries and the level of the financial assistance depended on the number of requests received, as well as the scope of the indictment, and whether the specific case referred to command or personal responsibility for crimes, as well as the defendant’s financial status.

Proceedings against more than 50 former soldiers of the Army of Bosnia and Herzegovina and former officers of the Ministry of Internal Affairs of Bosnia and Herzegovina, including former generals and commanders like Atif Dudakovic, Ramiz Drekovic, Ahmet Sejdic, Sakib Mahmuljin, Himzo Selimovic and Dragan Vikic, are currently underway at the state court in Sarajevo.

The Ministry said that the allocation of financial aid was important due to “the increasing number of indictments” against former Bosnian Army troops and Bosniak police officers. It claimed that judicial officials were making an “obvious effort to make a balance” between the number of charges filed against Bosniaks and Serbs by indicting Bosniaks for smaller-scale crimes.

As an example, the Ministry said that an indictment against former general Ramiz Drekovic was filed last year for a shelling that resulted in one death, but no indictments have ever been filed to the Bosnian state court for the long-term shelling of Sarajevo by Bosnian Serb forces.

Last year 24 indictments were confirmed by the state court, charging 92 individuals with wartime crimes. More than 50 of them were ex-soldiers of the Army of Bosnia and Herzegovina or former officers of the Ministry of Internal Affairs of Bosnia and Herzegovina.

Serbia Marks Kosovo Battle Anniversary with War Film Premiere (Balkan Insight) By Filip Rudic
April 10, 2019

Serbia marked the 20th anniversary of the start of the Battle of Kosare during the 1999 Kosovo war by premiering a state-funded movie honouring its own troops.

The Serbian Defence Ministry and public broadcaster RTS on Tuesday evening premiered a documentary film about the 1999 Battle of Kosare, which tells of what its creators said was the “courage, sacrifice and dedication” of Yugoslav Army soldiers who fought against the Kosovo Liberation Army “in defence of the fatherland”.

“For 20 years we haven’t said ‘thank you’, and I think it’s about time to... thank those people for what they did,” said Sladjana Zaric, the director of the film, entitled ‘War Stories from Kosare’. The premiere was attended by Defence Minister Aleksandar Vulin, Serbian Army chief Milan Mojsilovic and other senior state and military officials.

The Battle of Kosare started on April 9, 1999, with the Kosovo Liberation Army’s attack on a border post between Serbia and Albania, and was fought until June 10, when an agreement was reached to end the war, with Belgrade’s forces pulling out of Kosovo.

The Serbian Defence Ministry said in a press release that 108 members of what was then the Yugoslav Army perished in the battle.

The Kosovo Liberation Army, whose guerrillas were supported by NATO air strikes, also suffered scores of losses.

‘War Stories from Kosare’ deals with military clashes on the Yugoslavia-Albania frontier during 1998 and 1999, and includes the testimonies of Serbian soldiers and military commanders, the Defence Ministry press release said.

The film was first announced in January 2018, when it was revealed that some military officers who have denied accusations of war crimes in Kosovo would serve as consultants on the project.

They were to include retired general Dragan Zivanovic, who was under investigation for war crimes from August 2014. The Serbian war crimes prosecution confirmed in 2017 that it had ended the probe.

Another was Dusko Sljivancanin, who was named in a criminal complaint filed in 2013 by the Humanitarian Law Centre NGO as allegedly being responsible for the murder of 21 Albanian civilians in the villages of Goden and Zulfaj/Zylfaj on March 25, 1999.

The Serbian war crimes prosecutor's office rejected the HLC's criminal complaint, however.

Another Serbian film about wartime military clashes between Belgrade's forces and the Kosovo Liberation Army on Mount Patrik 20 years ago is reportedly scheduled to premiere in May 2019.

Bosnian Croat War Criminal Says British Jail 'Not Safe' (Balkan Insight) By Denis Dzidic
April 10, 2019

Jadranko Prlic, former prime minister of the unrecognised Croat-led Herzeg-Bosnia statelet, asked not to be sent to serve his sentence for crimes against humanity in a British jail because violent criminals and sex offenders are incarcerated there.

Jadranko Prlic said in a letter to the Mechanism for International Criminal Tribunals in The Hague that he does not want to serve his 25-year sentence in a prison on Britain's Isle of Wight because it is intended for offenders convicted of violent or sexual crimes.

"A 2015 report on an inspection of this prison indicates that, although the incidence of violence has been reduced, 18 per cent of inmates do not feel safe, while 36 per cent reported violence by other convicts and 34 per cent reported violence by guards," Prlic said in his letter, which BIRN has seen.

He said the prison does not provide convicts with the possibility of using computers, which would complicate his work on a request for a review of the UN court's second-instance verdict which found him guilty of participating in a joint criminal enterprise aimed at persecuting Bosniaks during the war in Bosnia and Herzegovina in the 1990s.

Prlic also said that not having access to his laptop will prevent him from writing books. His letter says he has already published 11 books.

He argued that he should be allowed to serve his sentence in Bosnia and Herzegovina, as the country's new state prison is due to soon. He said the new prison was built using resources from the international community in accordance with the highest standards.

He also sent his letter with an additional appeal to Bosnian Justice Minister Josip Grubesa, seeking his help.

"As it is impossible for me to serve my sentence in my country, which would be logical, I want to be transferred to a prison which has the same conditions as the state prison, where individuals sentenced for similar crimes will serve their sentences," Prlic said.

In November 2017, the Hague Tribunal's appeals chamber sentenced Prlic to 25 years in prison along with five other senior officials of the unrecognised wartime Croatian Republic of Herzeg-Bosnia.

Prlic, Slobodan Praljak, Bruno Stojic, Milivoj Petkovic, Valentin Coric and Berislav Pusic were all found guilty of crimes against humanity and other crimes against Bosniaks while they were senior political and military officials of the Herzeg-Bosnia statelet.

Praljak, the chief of the main headquarters of the Croatian Defence Council, which was the Bosnian Croat military force, and Petkovic, who was the Croatian Defence Council's deputy commander, were both given 20 years in jail.

Stojic, the defence minister of the Croatian Republic of Herzeg-Bosnia, was also jailed for 20 years.

Coric, the former commander of the Croatian Defence Council's military police, was sentenced to 16 years, while Pusic, the president of Herzeg-Bosnia's Commission for the Exchange of Prisoners, was given ten years.

As the judgment was being read out, Praljak drank poison in the courtroom and died later that day.

Bosnia top courts upholds ban of Serb holiday(AP News)

March 29, 2019

Bosnia's top court on Friday upheld a ban on a controversial Serb holiday that is seen as discriminatory to the country's Muslims and Croats. Bosnian Serbs criticized the ruling as political.

The dispute reflects ongoing ethnic divisions in Bosnia long after the end of the 1992-95 war.

The Constitutional Court said Friday that Jan. 9 can't be celebrated as the national holiday of the Serb entity in Bosnia, Republika Srpska.

The holiday marks the date in 1992 when Bosnian Serbs declared the creation of their own state in Bosnia, igniting a war that killed more than 100,000 people and left millions homeless.

Bosnia's Serbs have celebrated the holiday despite protests from other ethnic groups and a 2015 court decision that it was unconstitutional.

On Friday, top Bosnian Serb officials described the new court ruling as political and directed against the Serb entity in Bosnia.

"This is a serious attack on Republika Srpska," Prime Minister Radovan Viskovic said.

Milorad Dodik, the Serb member of Bosnia's multi-ethnic presidency, insisted that Serbs will continue to celebrate Jan. 9.

A U.S.-brokered peace agreement that ended the war created two highly autonomous parts, the Serb one and another shared by Muslim Bosniaks and Croats. Each part has its own parliament, presidency and police force. But the two are linked by joint state-level institutions including a parliament and a tripartite presidency, which must reach consensus before decisions can be made.

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International Criminal Tribunal for the Former Yugoslavia (ICTY)

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Turkey

Sultan Erdogan's Turkey Should be Tossed from NATO (The American Conservative) By Doug Bandow
April 4, 2019

A couple weeks ago I visited Turkey's largest city, cosmopolitan Istanbul. Pictures of President Recep Tayyip Erdogan promoting his party's candidate for mayor, former prime minister Binali Yildirim, dominated the cityscape and vastly outnumbered those for Ekrem Imamoglu, the opposition Republican People's Party's standard-bearer. Few observers thought the latter had much of a chance. Yet after the polls closed on Sunday, Imamoglu had narrowly triumphed.

Assuming the ruling Justice and Development Party (AKP) does not steal the election—it's contesting the result and controls most levers of power—the opposition will have won mayoralties in five of the country's six most populous cities, including the capital of Ankara. The AKP and related parties have ruled Istanbul and Ankara since 1994, making the losses doubly painful. The opposition also made significant gains at the provincial level. The AKP still picked up a plurality of votes and along with its nationalist coalition partner secured a bare national majority of 51.6 percent. However, Erdogan, seemingly on his way to being a modern sultan, no longer seems invincible.

His greatest weakness today was once his strongest advantage: the economy. Turkey has fallen into a recession; per capita GDP has dropped to the level of a dozen years ago. Unemployment has surged to the highest level in nine years. Inflation hit 20 percent, while last year the Turkish lira's value fell 28 percent.

The opposition's revival is good for the people of Turkey, who are suffering under Erdogan's increasingly authoritarian rule, as well as for Western governments, which should no longer view Ankara as a friend and ally. In fact, the transatlantic alliance should suspend or terminate Turkey's membership in NATO.

The Republic of Turkey grew out of World War I and the collapse of the Ottoman Empire. Mustafa Kemal Ataturk was an Ottoman military officer turned revolutionary leader who was instrumental in founding the new Turkish government. He created an authoritarian, secular state that allied with the West during the Cold War. Behind its democratic façade was a military-nationalist deep state. The armed forces occasionally ousted elected leaders, most recently in a "postmodern" coup in 1997, which forced the resignation of an Islamist prime minister.

The following year, Recep Tayyip Erdogan, then mayor of Istanbul, was ousted from office and jailed for reciting an Islamist poem. In 2001, he cofounded the AKP, which won the 2002 election with support from liberals seeking to end the repressive Kemalist regime. Once in office, he adeptly forced the military out of politics.

However, within a decade, Erdogan was moving in an authoritarian and Islamist direction, targeting businessmen backing the opposition, seizing control of independent media, and punishing critics, including journalists, academics, and even schoolchildren. This gave life to the report that as mayor he had declared: "Democracy is like a streetcar. When you come to your stop, you get off." The attempted coup in 2016 became his Reichstag fire—in fact, some suspected, without proof, that he engineered the operation. It gave him an excuse to purge anyone with the slightest (and often imagined) connection to the aged Muslim cleric Fethullah Gulen, who he improbably blamed for the attempted putsch.

Some 80,000 people, including opposition politicians and journalists, have been jailed; the government actually paroled criminals to make room for political prisoners. Torture and other abuse continue, though Amnesty International reports that it is no longer as common as in the immediate aftermath of the coup. In excess of 160,000 Turks have been forced from their jobs, public and private.

The government removed 95 municipal, provincial, and district officials of the Kurdish People's Democratic Party, replacing them with appointive "trustees." Human Rights Watch notes, "Turkey remained the world leader in jailing journalists. An estimated 175 journalists and media workers are in pretrial detention or serving sentences for terrorism offenses at time of writing. Hundreds more are on trial but at liberty."

Turkish agents kidnapped alleged enemies abroad. The regime imprisoned foreigners, such as the American pastor Andrew Brunson, who was later released under U.S. pressure, and NASA scientist Serkan Golge, on dubious evidence. Ankara shut down thousands of schools and foundations, and scores of media enterprises, publishing houses, universities, and trade unions. The regime displayed its brutal character in 2017 when during a state visit to Washington, Erdogan's bodyguards beat up peaceful American protesters.

Erdogan has engineered a shift from a parliamentary system to a strong presidency, filled by him. Freedom House rates Turkey as "not free," near the bottom in civil liberties. Explains FH: "The government's authoritarian nature has been fully consolidated since a 2016 coup attempt triggered a more dramatic crackdown on perceived opponents of the leadership." Amnesty International agrees: "Dissent was ruthlessly suppressed, with journalists, political activists and human rights defenders among those targeted."

Most freedoms have been curtailed, many dramatically so. Observes FH: "While not every utterance that is critical of the

government will be punished, the arbitrariness of prosecutions, which often result in pretrial detention and carry the risk of lengthy prison terms, is increasingly creating an atmosphere of self-censorship.” Indeed, AI notes, “Thousands of criminal prosecutions were brought, including under laws prohibiting defamation and on trumped-up terrorism-related charges, based on people’s peaceful exercise of their right to freedom of expression.”

The fact that elections are still held does not mean that Turkey is a functioning democracy. Freedom House says that last year’s “elections were marred by a number of flaws, including misuse of state resources by the ruling party to gain an electoral advantage, as well as intimidation of and attacks on the” opposition. Similarly, reports Human Rights Watch, “The June 2018 election campaign took place under a state of emergency imposed after the July 2016 attempted military coup and in a climate of media censorship and repression of perceived government enemies and critics that persisted throughout the year, with many journalists as well as parliamentarians and the presidential candidate from the pro-Kurdish opposition in jail.”

Moreover, Ankara’s foreign policy has drifted away from America’s and Europe’s. Turkey initially allowed the Islamic State to operate within its borders against the Assad government and later intervened militarily in Syria to target America’s Kurdish allies. Erdogan’s son allegedly enriched himself selling ISIS-supplied oil.

The Erdogan government nearly broke with Moscow after shooting down a Russian aircraft in Syria, but soon reversed course to stage a dramatic rapprochement. Thereafter, Erdogan cooperated with Russia and Iran in Syria, effectively abandoning his demand for Bashar al-Assad’s ouster. Turkey also purchased a Russian S-400 missile air defense system, despite Washington’s threats to halt the continued sales of F-35 aircraft in response.

Turkey’s relations with Israel have sharply deteriorated. Ankara violated U.S. sanctions on Iran and increased commercial ties with Venezuela’s government, also under sanctions. In his latest political campaign, Erdogan used the mosque attacks in Christchurch, New Zealand, to advance his Islamist and nationalist message.

On Tuesday, a “Senior State Department Official” briefed the press and insisted that “Turkey has been and remains an important NATO ally, an important partner to the United States. Our relationship is not being defined by the single issue of the S-400.” (Is there any defense dependent on earth that is not said to be an “important partner” of America?) However, the SSDO did allow that “the S-400 is a deeply problematic issue for the United States, and we have made that clear to Turkey.” Without result so far, alas.

Increasingly, Ankara is no friend to America or the West. In fact, Turkey would not be invited to join the alliance today. Its international objectives are too divergent and its domestic institutions are too authoritarian. Complained Andrew Dawson, head of the Council of Europe election observer mission, “I am afraid we are not fully convinced that Turkey currently has the free and fair electoral environment which is necessary for genuinely democratic elections in line with European values and principles.” In 1952, when Ankara joined, it was little more democratic than today. But Turkey was committed to containing the Soviet Union, so the other members were willing to overlook its domestic failings. There is no reason to make similar allowances now.

Washington has little ability to influence politics in Turkey. However, the latest vote offers an important reminder that Erdogan will not rule forever. My Cato Institute colleague Mustafa Akyol notes that “the municipal election results in Turkey over the weekend suggest that there is still some hope for democratic change there—that despite a descent into authoritarianism, ballots still count.” The population’s deep-seated anti-Americanism will be harder to eliminate; for that, U.S. foreign policy needs to change. Moreover, any elected government is likely to pursue independent policies inconsistent with U.S. priorities. Best for Washington to loosen its ties with Turkey.

Rather than desperately attempting to hold Ankara in NATO, the allies should begin considering how to ease Turkey out. There will still be issues where we need to cooperate with Ankara. However, Washington should stop making policy based on illusions of friendship with a government seeking to revive the Ottoman Empire. Turkey today is neither friend nor ally. The U.S. should treat it accordingly.

Turkey's Erdogan calls for Annulment of Istanbul Election By Daren Butler and Ali Kucukgocmen
April 10, 2019

Turkish President Tayyip Erdogan has said electoral authorities should annul Istanbul’s local elections due to irregularities, notably over the appointment of ballot box officials, the pro-government Sabah newspaper reported on Wednesday.

Initial results indicate the main opposition Republican People’s Party narrowly won control of Turkey’s biggest city in the mayoral elections, seemingly ending 25 years of control of a key power center by Erdogan’s AK Party and its Islamist predecessors.

Speaking to reporters this week, Erdogan said that regulations requiring ballot box officials to be civil servants had not been

met everywhere.

“Our colleagues have established this. Naturally all this casts doubt. If they take a sincere view, this will lead to annulment,” he said.

A senior AKP official said on Tuesday it would demand a new vote in Istanbul after failing to secure a citywide recount of the March 31 election results.

The AKP has already requested the annulment of the election in Istanbul’s Buyukcekmece district, citing irregularities in voter records. Police have been checking whether some of those who voted were actually resident there.

Ekrem Imamoglu, mayoral candidate for the main opposition Republican People’s Party (CHP), said the AKP was evaluating whether a new election in Buyukcekmece could tip the balance its way for all of Istanbul.

“I say, give up on this made-up process here. Don’t go knocking on doors in Buyukcekmece, tiring our police with such a process,” he told the broadcaster Halk TV.

He urged the YSK to announce official results for Istanbul.

“Let me tell those who don’t know: we won,” he said. “It’s done, enough. You’ve been counting for 10 days, bottom to top, top to bottom, right to left, left to right.”

Speaking to KRT TV, Canan Kaftancioglu, the CHP’s provincial head in Istanbul, said Imamoglu was still leading by 14,005 votes with 97.4 percent of the partial recount completed.

Erdogan had said on Monday that “organized crime” had marred the election in Istanbul.

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MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

What Life After ISIS Looks Like In Iraq (NPR) By Korva Coleman

March 30, 2019

The Syrian government has declared victory over ISIS — years after the same was said of Iraq. NPR's Korva Coleman speaks with Yale researcher Mara Redlich Revkin about life after ISIS in Iraq.

KORVA COLEMAN, HOST:

Last week, President Trump and Syrian democratic forces claimed victory over Islamic State in Syria. But what exactly does that mean? Syria's neighbor, Iraq, may provide some answers. Victory over ISIS was declared there in 2017 after U.S.-backed forces regained control of Mosul. Mara Redlich Revkin, a fellow at Yale Law School's Center for Global Legal Challenges, has spent a lot of time there. She says life after ISIS involves a lot of criminal trials against people suspected of joining or aiding the group. She's witnessed some trials.

Revkin told me about a man named Khaled. He worked at a slaughterhouse that ISIS took control of, leaving him with a choice - stay at the job and work for ISIS or leave and face retaliation.

MARA REDLICH REVKIN: Khaled, like many residents of Mosul, decided that cooperation was the only way to survive. So he continued working in the slaughterhouse. He claimed that he was never trained. He never received combat training or used a weapon or participated in any military operations on behalf of the group. But nonetheless, three years later, when Iraqi security forces, supported by the international coalition, recaptured Mosul, he was 1 of more than 90,000 people who have been detained on suspicion of association with the group. And he was arrested solely on the basis of testimony from a secret informant who had apparently witnessed him pledging allegiance, even though Khaled insisted that this pledge was involuntary and coerced.

So, you know, during the trial, I saw him explain that his work consisted only of feeding and caring for animals at the slaughterhouse. But nonetheless, he was sentenced to 15 years in prison after a trial that lasted less than 30 minutes. And the judges actually told him that he was lucky to receive such a lenient sentence because the crime for which he was convicted, which was membership in a terrorist group, generally brings capital punishment.

COLEMAN: A lot of post-ISIS life is figuring out who was or who was not involved in ISIS and bringing the appropriate perpetrators to justice. This is done mostly through courts?

REVKIN: Yes, it is. And it's happening both in federal Iraq and in the Kurdish region. The primary legal instrument for a prosecution is the 2005 anti-terrorism law which is very harsh and also very quite vaguely worded. So Article 4 requires the death penalty for anyone who has, quote, "committed, incited, planned, financed or assisted a terror act" - and a life sentence for anyone who covers up such an act or harbors those who perpetrated it. And the harboring language is particularly important because this has been used as justification to prosecute a lot of family members of alleged Islamic State affiliates.

So if you are the wife or child or a mother or father of an Islamic State fighter and living in the same house as that person, does that mean harboring? I think a lot of courts and Iraqi judges I've talked to would say yes. Another element of this law is the definition of a terrorist under Article 2 as anyone who has organized, chaired or participated in an armed terrorist gang.

And a word like participation is just so incredibly broad. And when you think about what that means in the context of a place like Mosul, where the Islamic State controlled the entire economy, had a monopoly on violence and then was also controlling borders and entry and exit, does it mean that anyone paying taxes there was participating? Or if you sold food to an Islamic State fighter, did that make you a participant and therefore a terrorist?

COLEMAN: We've spent a lot of time, Mara, discussing Iraq, but I'd like to ask about Iraq's neighbor, Syria. Do you get the sense that there are parallels between what people in Mosul, Iraq, have faced and what Syrians may face?

REVKIN: I think there definitely are parallels. So in general, the Islamic State's objective was to have a uniform and consistent system of governance across its caliphate that spanned Iraq and Syria. So in theory, the institutions, the rules should have been the same everywhere. Syria, like Iraq, is a religiously and ethnically diverse country, where ISIS was a Sunni jihadist organization that drew support from Sunni communities. And as the group loses control, Sunnis are generally suspected and perceived as collaborators by other religious and ethnic groups.

And so I think that we have seen in Iraq various waves of revenge killings and other violence against people who were believed to have collaborated with the Islamic State. And I think we could see similar kinds of acts of revenge in Syria.

COLEMAN: Mara, I know you're heading back to Mosul soon. It's been a couple of years since ISIS was defeated in Mosul. Has life in Mosul returned to normal in any way?

REVKIN: So I would say that in east Mosul, life is definitely returning to normal. Markets are functioning. Reconstruction is well underway. And parts of the city have been rebuilt. West Mosul is a different story, however, and it still very much looks like the immediate aftermath of a war zone. So in West Mosul, there are entire neighborhoods that are still destroyed. In some cases, there are said to be thousands of bodies still in the rubble.

I think there are - the U.N. has estimated that there is something like eight tons of rubble and garbage still in the city that might take up to 10 years to remove. So there are definitely parts of the city where life has not returned to normal, and actually, where conditions are so inhospitable that people do not yet feel safe returning.

COLEMAN: Mara Redlich Revkin is a fellow at the Yale Law School's Center for Global Legal Challenges. She joined us from WBUR in Boston. Mara, thank you.

REVKIN: Thanks so much for having me.

Germany Brings Home 'Islamic State' Children from Iraq (Maryland Coordination and Analysis Center)

April 5, 2019

The German Foreign Ministry said Friday it had brought several children of convicted "Islamic State" (IS) militants back to Germany from Iraq.

The returns were carried out with the consent of the parents, a ministry source said, adding that the number of repatriations so far had "reached a high single-digit figure." The children are staying with their relatives in Germany.

With the collapse of the once expansive IS caliphate, a number of European countries are facing the difficult question of how to deal with returning jihadis and their children.

According to German authorities, there are at least eight German nationals jailed in Iraq for joining IS, with sentences ranging from several years in prison to the death penalty. Officials say there are also more than 60 suspected IS members from Germany being held by Kurdish forces in northern Syria.

Iran killed more US troops in Iraq than previously known, Pentagon says (Military Times) By Kyle Rempfer
April 5, 2019

Correction: A previous version of this article reported that the number of U.S. troops in Iraq killed by Iranian-backed militants was at least 608, as written in a State Department transcript. However, the correct number is 603, according to a follow-up statement by the Pentagon.

The Pentagon is upping the official estimate on the number of U.S. troops in Iraq who were killed by Iranian-backed militias, now putting that number at at least 603.

Officials previously said that Iran was linked to the deaths of roughly 500 troops.

That means roughly one in every six American combat fatalities in Iraq were attributable to Iran.

The deaths are attributed to proxies sponsored by the Islamic Revolutionary Guard Corps — Iran's elite military force that protects the regime from internal and external threats.

"During Operation Iraqi Freedom, DoD assessed that at least 603 U.S. personnel deaths in Iraq were the result of Iran-backed militants," Navy Cmdr. Sean Robertson, a Pentagon spokesman, said in an email.

"These casualties were the result of explosively formed penetrators (EFP), other improvised explosive devices (IED), improvised rocket-assisted munitions (IRAM), rockets, mortars, rocket-propelled grenades (RPG), small-arms, sniper, and other attacks in Iraq," Robertson said.

The Pentagon did not provide Military Times with the new report to independently assess.

The new assessment was given to the State Department and reported to the press during a briefing Tuesday.

"This death toll is in addition to the many thousands of Iraqis killed by the IRGC's proxies," State Department deputy spokesman Robert Palladino said during the press brief.

That new total accounts for 17 percent of all deaths of U.S. personnel in Iraq from 2003 to 2011, the State Department said.

"That's a Department of Defense statistic," Palladino added.

Most of the deaths occurred during the surge in Iraq, when President George W. Bush pushed thousands more troops into the country to deal with the sectarian civil war boiling over between Shiite and Sunni groups.

American personnel in Iraq faced off against highly lethal bombs, like the EFPs, which were allegedly manufactured and supplied by Iran to Shiite militias across the border in Iraq.

Lawsuits filed in U.S. District Court in Washington have previously attempted to hold the Iranian government legally accountable for the deaths of Americans that died from these weapon systems.

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Syria

Beyond Sanctioning Elusive War Criminals, Prosecute the Profiteers (Just Security) By Holly

Dranginis

April 4, 2019

Bidibidi is the world's second-largest refugee camp. A sea of tents and huts spilling into Uganda from its northern border, the settlement now hosts more than a quarter million South Sudanese seeking safety from a range of horrors in their country, including routine electrocution in torture camps and rape by government soldiers. Last summer, militias perpetrated gender-based violence "on a massive scale" in Unity State, the pride of South Sudan's oil barons. This is where industry and militarization meet, with government militias paid in revenues reaped from petrol extraction, and repressive tactics surging in service of control over lucrative land.

Survivors of these crimes, along with concerned members of the international community, are searching for justice. The barriers are many, including both an utter lack of will by the South Sudanese government, a co-opted, gutted judicial system, and weakened regional and international systems. For those affected, and for those who care, there has been nowhere to turn to hold the perpetrators of atrocities directly accountable in a court of law.

But an innovative legal strategy being tried by a few advocacy groups and prosecutors holds new promise. In short: Follow the money.

Financial sanctions have long been a critical intervention. But teams that investigate and prosecute the world's most serious crimes in court are largely ignoring the financial dimensions. In so doing, they're missing valuable testimony, documentary evidence, and a deeper understanding of criminal networks. As a result, we rarely see executives and corporate entities face consequences in courtrooms, despite their crucial roles in modern armed conflict and atrocities.

In February, a United Nations commission on South Sudan warned, "Impunity is...deeply entrenched in South Sudan's political culture and legal systems, effectively placing government forces and officials and their allied forces above the law." Absent the possibility of domestic prosecutions, the next options such as international courts are also non-starters. The government of South Sudan has not agreed to participate in the most obvious venue of recourse, the International Criminal Court. And while the 2018 peace agreement includes commitments to establish a specialized hybrid court of international and South Sudanese jurists, the government has blocked any meaningful follow-through, and the African Union, which has the authority to step in, also has opted out.

From South Sudan to Syria to Myanmar, it has become clear the world lacks adequate mechanisms to prosecute state actors for extreme violence against their own citizens. But state-sponsored mass atrocities are often driven by greed and massive profiteering. Probing the financial dimensions of the world's deadliest armed conflicts could lead to unexplored avenues for war crimes prosecutions, and improve the credibility of justice efforts overall.

Crimes like forced disappearance and sexual violence may seem detached from illicit finance streams and commercial interests, but they can be part of complex strategies supported by corporate networks. Reporting on one of the Democratic Republic of Congo's most dangerous armed groups, a U.N. agency said in 2016, "The FDLR have structured a dense and diversified economic web, which in return shapes their military activities." Another example came in June 2018: French authorities indicted the cement company La Farge on evidence of its complicity in the self-styled Islamic State's brutalities in Syria.

Violent actors rely on business networks, financing, and equipment to inflict harm on a large scale. In turn, brokers, extractives companies, banks, arms dealers, and shell companies stand to earn millions by facilitating violent strategies on resource-rich land.

More Bloody, Costly, and Intractable Wars

With widespread impunity, many of the most powerful co-conspirators and facilitators of atrocities continue operating quite profitably. And their roles are far from negligible. As scholar James G. Stewart has put it, "As a consequence of the illegal trade in minerals, metals, timber, and natural resources, armed conflicts in which participants are able to draw upon easily accessible natural resource wealth are often more bloody, financially costly, and intractable than other forms of armed violence."

These dirty money dynamics are often quite clear to those directly impacted. Last summer, a man forced to flee South Sudan spoke to me at a hotel bar in a neighboring capital city. He held a position close enough to power that he met me in secret and could not reveal his identity for this piece. I asked about the objectives of the war. “Frustrate these people,” he said, referring to South Sudanese seeking refuge from attacks in their communities. “Let them leave.”

He paused, his gaze training on the ice in his glass. “And it worked.” Indeed, the refugee flow from South Sudan to bordering countries is one of the fastest-growing in the world. Many are leaving areas endowed with lucrative timber, oil, and strategic trafficking routes. The government’s end goal? I asked. He tipped his eyes up to look at me directly. “They’re rich now.”

Network sanctions and anti-money laundering measures, deployed to create consequences for abusive regimes, are crucial responses to this dynamic. Much more could be done on that front.

But in addition, targeting financial accomplices and illicit cash flows directly through courts could have a transformative impact on the drive for justice. Prosecutors could map corporate profiles of army commanders, investigate complicit executives operating abroad, and seize criminally derived assets.

The ICC, the new hybrid court emerging in the Central African Republic, and war crimes units in the U.S. and Europe have the tools to do this integration, but they’re leaving those innovations on the table. To be sure, investigating and prosecuting war crimes is complex and challenging enough without adding this extra dimension. The stakes are high, and the money for training and expertise is tight. But financial motivations, impacts, and actors are a crucial part of the perpetration of war crimes. Incorporating mechanisms to probe them could produce a fuller picture of how atrocity crimes are executed, illuminate vital documentary evidence, and generate funds with asset seizures to pay for much-needed reparations.

Multiplying Jurisdictions

Moreover, financial investigations could have a multiplier effect on the number of potential jurisdictions with the authority to prosecute. Case in point: When the rebel group Nationalist and Integrationist Front committed atrocities during Congo’s second civil war, they were running a lucrative gold cartel out of one of the country’s largest mining areas. The direct perpetrators were never prosecuted for their crimes, but diligent investigations into the gold supply chains, who profited, and where the money wound up, revealed six different countries with authority to investigate, including the U.K.

Authorities in every government concerned with ending the world’s worst humanitarian crises should take a closer look at the commercial actors in their backyards. Many countries providing perpetrators a financial safe haven have war crimes and transnational crimes units. With the right resources, those specialized teams can investigate and pursue the financial facilitators and impacts of ongoing atrocity crimes. Domestic and international courts can seize criminally derived assets in the course of both criminal and civil trials, and that money should furnish reparations programs designed by survivors and their communities.

War is a moneyed place, and greed is often the fuel and incentive behind the world’s most horrific war crimes. Accepting that fact, acting on it, could be pivotal for the pursuit of justice. Without such a shift, some of the most powerful engines of violence will continue operating, and victims and survivors will almost certainly remain without adequate reparations – a perversion given the exorbitant wealth the facilitators and profiteers have stashed away.

Just last month, South Sudan’s oil minister heralded new international interest in the country’s black gold, promising to bring development “back to pre-war levels.” These announcements are alarming, given mounting links between oil and mass atrocities and a sense that for South Sudan’s government, business ambition and militarization are corollaries. Each new effort to probe those links will add volume to a crucial global message: no matter where they operate, war crimes profiteers will be held accountable. That warning is currently a murmur.

Second anniversary of a Syria chemical attack: joint P3 statement (GOV.UK)

April 5, 2019

The governments of the UK, France and the USA have issued a statement following the second anniversary of the chemical attack in Khan Sheikhoun, Syria.

Statement from the governments of the UK, France and USA:

Two years on from the horrific chemical weapons attacks that took place in Khan Sheikhoun, and almost one year since the attack in Douma, we the United States, United Kingdom and France warn against, and remain firm in our resolve to respond appropriately to, any use of chemical weapons by the Assad regime. The regime’s history of repeatedly using chemical weapons against its own people cannot be disputed, and we remain determined to hold it accountable for indiscriminately killing innocent men, women and children with these heinous weapons. These attacks violate international norms, have caused extreme suffering, and contributed to a worsening of the already acute humanitarian crisis in Syria.

The Assad regime was shielded from being held immediately accountable for its continued use of chemical weapons, in particular in the United Nations Security Council, with the dismantling of the independent investigative mechanism designed to attribute responsibility for chemical weapons attacks in Syria.

Responsible states have remained committed to upholding the prohibition against chemical weapons and ensuring that there will be no impunity for those who use, seek to use, or protect those who use these weapons, in particular by strengthening the Organization for the Prohibition of Chemical Weapons (OPCW).

The OPCW's Investigation and Identification Team will now work to identify the perpetrators of chemical weapons use in Syria, an important step in ensuring accountability. The United States, the United Kingdom, and France reaffirm their strong resolve to work jointly in achieving this practical goal.

Only a credible, negotiated political settlement, in line with UN Security Council Resolution 2254, can end the conflict in Syria. The Assad regime must not repeat the use of chemical weapons in Syria. There should be no doubt as to our determination to act strongly and swiftly should the Assad regime use these weapons again in the future."

Syria's Assad regime: A history of chemical attacks--Emboldened by Russian support, Assad regime has carried out scores of chemical attacks since conflict began in 2011 (Anadolu Agency)

April 5, 2019

Chemical attacks by the Syrian regime have killed scores of civilians since conflict erupted in 2011. While the regime was held accountable by international organizations, justice has yet to be served.

According to data compiled by Anadolu Agency, the Assad regime has used chemical weapons 216 times since the conflict began.

The first large-scale chemical attack took place in the East Ghouta district of capital Damascus on Aug. 21, 2013, where over 1,400 civilians were killed, drawing international outrage.

Although then U.S. President Barack Obama had earlier said chemical weapons use was a "red line" for Washington, both the U.S. and Russia nevertheless opted for an alternative solution.

The issue was handed over to the Organization for the Prohibition of Chemical Weapons (OPCW), which called on the regime to destroy its stockpiles of chemical arms. On Aug. 19, 2014, the OPCW announced that the process had concluded.

However, local sources told Anadolu Agency at the time that the regime had continued to use toxic chemical gasses after the OPCW's appeal.

A massacre in the northwestern city of Idlib's Khan Sheikhoun district on April 4, 2017 indicated that the allegations had been correct.

That chemical attack killed over 100 civilians, including dozens of children, and left over 500 people injured. The massacre appeared to suggest that the Assad regime possessed a larger chemical arsenal than previously thought.

The following day, an Anadolu Agency team visited Khan Sheikhoun, where it found no evidence of military targets.

On April 7, the U.S. fired a missile salvo at Syria's Shayrat Airbase, from which the chemical attack on Khan Sheikhoun had been staged.

After examining blood and urine samples taken from victims, the OPCW announced on Apr. 19 that it had detected traces of sarin gas.

In June of 2017, Anadolu Agency submitted a report containing witnesses' testimony to the OPCW, the UN, the International Criminal Court, and the Independent International Commission of Inquiry on Syria.

Four months later, an OPCW-UN Joint Investigative Mechanism (JIM) formally accused the Assad regime of having carried out the massacre, presenting its report to the UN Security Council on Oct. 27.

But in November, Russia vetoed a draft UNSC resolution calling for an extension of the JIM's mandate.

Following the Khan Sheikhoun incident, the Assad regime carried out at least 14 more chemical attacks, with an April 7, 2018 attack on the Douma district leaving 78 civilians dead.

The OPCW again confirmed the regime's use of chemical weapons on March 1 of this year. It was also authorized to investigate the source of the Assad regime's chemical stockpile.

Meanwhile, Khan Sheikhoun, which is currently held by anti-regime opposition groups, remains the target of frequent attack by the regime and its allies.

France, US and UK warned Assad against the use of chemical weapons (Voice of People Today)

April 6, 2019

Paris, London and Washington warn the Syrian authorities against the use of chemical weapons and intend to act decisively in the event of their use, according to a joint communique issued to RIA.

The statement of the three countries-permanent members of the UN Security Council is timed to the second anniversary of the chemical weapon incident in the Syrian Khan-Sheikhun and the upcoming anniversary of such an incident in the Duma. Responsibility for both incidents in Washington, Paris and London is once again unequivocally placed on the government of Syrian President Bashar Assad.

“Two years after the terrible chemical attack in Khan-Sheikhun, almost a year after the attack in the Duma, the United States, Great Britain and France warn against and remain determined to respond to any use of chemical weapons by the Assad regime,” the document says.

It notes that “the history of the Syrian regime's repeated use of chemical weapons against its population cannot be challenged,” and the three countries remain determined to “bring (the authorities of the country) to responsibility for the indiscriminate killing of innocent men, women and children.”

According to the three countries, the Syrian authorities were able to avoid “immediate accountability for the use of chemical weapons, particularly in the UN Security Council, with the termination of the work of an independent investigative mechanism designed to identify perpetrators of chimataka in Syria.

“Responsible states remain committed to enforcing the ban on the use of chemical weapons and countering impunity for those who use, plan to use or cover those who use chemical weapons ... the OPCW investigation and installation team is currently working to identify Syria, which will be a significant step in ensuring accountability. The United States, Great Britain and France reaffirm their strong determination to work together be above the achievement of this practical goal,” – the document says.

The countries emphasize that “only a stable political agreement in compliance with UN Security Council Resolution 2254” can put an end to the Syrian conflict.

The events in Khan-Sheikhun, Duma, and also in Eastern Ghouta caused the United States and its allies to launch rocket attacks on Syria even before conducting any investigations.

The blows did not lead to a change in the situation in the country and the policy of the Syrian leadership, which initially denies its involvement in chemical weapons incidents.

The OPCW on March 1 published a report on the results of the investigation of the incident in the city of Duma in Eastern Ghouta on April 7, 2018, which states that the attack used “a toxic chemical, ... probably chlorine.” However, no conclusions were drawn on the perpetrators of the incident.

The Russian Foreign Ministry said that the purpose of injections about the use of toxic substances by the Syrian troops is to shield the terrorists and to justify possible force strikes from outside. At the same time, in March, the General Staff of the Armed Forces of the Russian Federation reported about the upcoming militants in Eastern Gut, where the Duma is located, provocations with the use of chemical weapons.

The aftermath of Syria's chemical weapons attacks (Fox News) By Hollie McKay

April 9, 2019

One year ago, a chemical attack allegedly carried out by the Syrian government on the embattled nation's Douma district left at least 43 people dead. Two years ago, more than 100 – mostly women and children – perished in another apparently government-helmed chemical onslaught in Idlib's Khan Sheikhoun district.

On both occasions, President Trump ordered retaliatory missile attacks to take out the regime's remaining stockpiles as

haunting images filled the internet of babies foaming at the mouth, and tiny children choking as their moms and dads wailed as their eyes burned and burned.

That was just the tip of the mounting rubble pile as Syria's eight-year war inches closer to its swansong. Nonetheless, President Bashar al-Assad looks set to take back Syria, undeterred or impacted by the rash of chemical violations of civilians.

"There will probably be no further accountability of Syria for its past chemical attacks beyond the damage done after the U.S. missile attacks," Center for Arms Control and Non-Proliferation Senior Science Fellow, John Gilbert, told Fox News. "Russia is a major sponsor of the Assad government and a Russian national provided nerve agent technology and possibly critical precursor chemicals to Syria."

Gilbert added that "Russia and China vetoed UN Security Council resolutions against Syria for their chemical weapons attacks, "and prevented extension of the UN's investigative mechanism that could have provided evidence of who was behind the attacks."

According to the most recent "credibly substantiated" data gleaned by the Berlin-based Global Public Policy Institute (GPPI), chemical weapons have been used at least 336 times since the war started in early 2011. The Syrian regime – led by Bashar al-Assad – stands accused of using the banned substances 98 percent of the time, while ISIS is documented as having carried out two percent of the country's chemical bombardments on civilians.

In August 2013, more than 1400 civilians were slaughtered in the first known mass chemical attack amid the protracted war, and after the Obama administration's failure to act on the crossing of a "red line," the issue was handed over to the Organization for the Prohibition of Chemical Weapons (OPCW).

They demanded the Syrian leadership eradicate all chemical inventory, and by August 2014 they announced the process complete.

Only it was not. The GPPI study surmised that more than 90 percent of chemical offensives on Syrian soil took place after the hollow red line declaration.

"The Assad regime did not merely 'get away' with its use of these banned weapons," the report stated. "It succeeded in using them for strategic ends."

Last month, OPCW concluded that it had "reasonable grounds" to assume that "the use of a toxic chemical as a weapon took place" in the beleaguered Douma last April. Although their "fact-finding mission" in the immediate aftermath was delayed until almost a week after arrival due to security concerns, OPCW finally pinpointed chlorine last month as the likely culprit, rather than a more lethal substance such as sarin or other nerve agents. It declined to assign responsibility.

"The symptoms were confusing, and doctors at the beginning thought it was a phosphorus compound but within hours they knew they were dealing with chlorine," recalled Dr. Mohamad Katoub, media and advocacy leader at the Syrian American Medical Society's (SAMS) Turkey office. "Respiratory distress, oral foaming, corneal burns."

The GPPI report found that roughly 91.5 percent of the chemical attacks in Syria have been chlorine bombs.

But according to the Arms Control Association, everything from nerve agents and choking agents, to "weaponized chlorine and blister agents have been used in Syria over the course of the civil war."

All chemical weapons, irrespective of their severity, are internationally outlawed.

Fox News interviewed several survivors of the various attacks. One victim from the initial 2013 Ghouta attack who was exposed to the ailments said she gave birth several months later to a baby "with a distorted hand," but doctors could not say conclusively whether it was due to the chemicals. Others claimed lingering shortness of breath and perpetual exhaustion, but almost all said the most searing scars were psychological.

"Some still aren't breathing well, their tears flow in a rush," said Hisham al-Skeif, a potent Syrian activist whose baby son was asphyxiated in an attack. "Some have an inability to move. And the numbers are large."

Investigators for the Syrian Network for Human Rights told Fox News that in terms of long-term symptoms, they have recorded "shortness of breath, blurred vision and disorientation leading to inability to distinguish time and space among some of those injured in the attacks in Ghouta in August 2013, with these symptoms continuing for several weeks after the attack."

Moreover, in the large-scale chemical attacks such as the attack on those in Ghouta, the attack on Khan Sheikhoun, and in the last Douma attack, the Syrian Network for Human Rights documented effects on the soil in the area around the missiles' impact sites with plants being destroyed, as well as recording the deaths of a large number of animals.

DESPITE CRUMBLED CALIPHATE, HUNT FOR BAGHDADI CONTINUES IN SYRIA

The activist group estimates that almost 10,000 people have been injured in the chemical attacks – some 9,753 in attacks ignited by the Syrian regime and a further 132 launched by ISIS.

Yet the Syrian government has staunchly and repeatedly denied ever having used chemical weapons, and its top supporter, Russia, has instead blamed rescue workers such as the White Helmets for staging the chemical incursions and proliferating fake news.

In turn, the U.S. has pointed the finger at Russia for contriving its own narrative about the Syrian rebels.

Yet activists and rescue workers like The Syrian Civil Defense, also known as the White Helmets, haven't given up the quest for accountability.

“As eyewitnesses, we are still calling out the international community to take immediate action against those responsible,” a spokesperson said. “What needs to happen is crystal clear; the permanent members of the security council need to stand up against Russia, who is holding justice hostage for its own political gain.”

Many still accuse of the Syrian government of stockpiling and manufacturing even more weapons in its array of “undeclared sites.”

“This is also to disrupt the work of inspectors of the OPCW,” the Syrian Civil Defense representative asserted.

The Syrian conflict has displaced more than ten million Syrians and claimed the lives of more than half a million. What's worse, it may not be the end of large-scale attacks – including those chemical in nature. In a joint statement last week, the foreign ministers of the United States, Britain and France cautioned that they will “act strongly and swiftly” in the circumstance of another attack, especially as Syrian troops – backed by Iran and Russia – edge closer in their plans to take back the final opposition bastion of Idlib.

“We have prepared 20 facilities with protection gears and treatment equipment. Our staff received some training,” noted Katoub. “In Syria, there are no red lines. Again, this might happen.”

Suicide bombers attack Syrian army post, several dead: media (Reuters) By Tom Perry
April 9, 2019

Suicide bombers disguised as farmers struck an army position in western Syria on Tuesday in an attack that killed three people and all the militants, Syrian state-run media said.

The Ansar al-Tawheed group said three of its fighters had carried out the attack on the checkpoint in Taybat al-Imam, north of Hama city. In a statement, it said 30 members of government forces had been killed and wounded.

Violence has escalated of late in the area, the last major part of Syria held by insurgents opposed to President Bashar al-Assad, straining a Russian-Turkish agreement that has staved off a major government offensive.

The Syrian Observatory for Human Rights, which monitors the eight-year-long war, says about 200 civilians have been killed by shelling and bombardment in the region since mid-February, the bulk of them by government attacks on rebel-held areas.

The Observatory said 10 people were killed in Tuesday's attack in a “demilitarized” zone set up under the Turkish-Russian agreement.

State media said the militants were dressed as local farmers when they hit the position near Taybat al-Imam around 3 a.m. (midnight GMT). A tank supporting them was destroyed.

“The clash between the guards at the position and the terrorists resulted in three martyrs and the killing of all members of the terrorist group,” state media cited a military source as saying.

Ansar al-Tawheed, in its statement, said it would continue “to work against” government forces.

Russia and Turkey struck an agreement last September that staved off a major government offensive into Idlib and adjacent areas of Hama and Aleppo provinces through the creation of the demilitarized zone.

But jihadist groups that hold sway in the Idlib region have further tightened their grip in recent months, and Russia remains

keen to help Assad take back the territory.

President Vladimir Putin, Assad's most powerful ally, discussed Syria with Turkish President Tayyip Erdogan in Moscow on Monday and they agreed to conduct joint patrols in the area, where Turkey has also deployed forces in rebel-held areas.

Last week, Damascus said Russia had started to feel that its patience was running out over the northwest. However, Moscow had told Damascus that Turkey was still determined to implement the agreement.

Idlib and adjoining areas of Hama and Aleppo provinces are largely controlled by jihadist groups including Tahrir al-Sham, formerly known as the Nusra Front.

The United Nations says Idlib and adjacent areas are sheltering some 3 million people, half of them uprooted from other parts of Syria by the war.

Turkish forces control a separate chunk of territory north of Aleppo where Turkish-backed Free Syrian Army rebels are based.

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Yemen

US calls for probe into Yemen hospital bombing (Al Jazeera)

March 29, 2019

A United States State Department spokesman has called the bombing earlier this week of a hospital supported by Save the Children in Yemen "awful" and urged the Saudi-led coalition fighting in Yemen to conduct an investigation.

"I saw those reports, they're awful. The United States takes them seriously and we're seeking more information," spokesman Robert Palladino told a media briefing on Thursday.

"We understand that the Saudi-led coalition has referred the results of this targeting operation to the joint incidents assessment team for their review and their investigation," he said. "The United States urges a transparent investigation."

Save the Children said a missile on Tuesday struck a gas station near the entrance to a rural hospital it supports in the northwestern part of the country, about 100 kilometres from the city of Saada.

The attack at around 9:30am (06:30 GMT) killed seven people, including four children, the organisation said in a statement. Among the dead were a health worker and the person's two children, as well as two other children and a security guard. Eight people were wounded, it said.

The missile hit just after the hospital had opened, and "many patients and staff were arriving on a busy morning", it said.

Palladino said the US was pushing all sides in the conflict to take steps to avoid actions that endanger civilians and civilian infrastructure.

"The United States urges a transparent investigation by the joint incidents assessment team into these alleged incidents as well as swift implementation of the resulting recommendations," he added.

'Shocked and appalled' Save the Children, which reported earlier this week that on average 37 Yemeni children a month had been killed or injured by foreign bombs in the last year, demanded in the statement on Tuesday an urgent investigation into the attack.

Helle Thorning-Schmidt, the organisation's chief executive, said: "We are shocked and appalled by this outrageous attack.

"Innocent children and health workers have lost their lives in what appears to be an indiscriminate attack on a hospital in a densely populated civilian area," she said. "Attacks like these are a breach of international law."

Thorning-Schmidt said the hospital is one of many Save the Children supports in Yemen, "but time after time, we see a

complete disregard by all warring parties in Yemen for the basic rules of war".

Ongoing conflict The conflict in Yemen began with the 2014 takeover of the capital, Sanaa, by Houthi rebels, who toppled the government of President Abd-Rabbu Mansour Hadi.

A Saudi-led coalition allied with the internationally recognised government of President Hadi has been fighting the Houthis since 2015.

Air raids by a coalition led by Saudi Arabia and the United Arab Emirates have hit schools, hospitals and wedding parties, killing thousands of Yemeni civilians. The Houthis have fired long-range missiles into Saudi Arabia and targeted vessels in the Red Sea.

The fighting in the Arab world's poorest country has killed thousands of civilians, left millions suffering from food and medical shortages, and pushed the country to the brink of famine.

UN humanitarian chief Mark Lowcock has said about 80 percent of Yemen's population - 24 million people - needs humanitarian assistance, including nearly 10 million "just a step away from famine" and nearly 240,000 "facing catastrophic levels of hunger".

Thorning-Schmidt called for an immediate suspension of arms sales to the warring parties and diplomatic pressure to end the conflict.

"We must stop this war on children," she said.

Exclusive: Yemeni child soldiers recruited by Saudi-UAE coalition (Al Jazeera)

April 1, 2019

Al Jazeera has obtained exclusive footage that proves the presence of child soldiers in the recruitment camps of the Saudi-UAE-led coalition fighting in Yemen.

The children, desperately poor, are being recruited to fight along the Saudi border to defend it from the Houthis, a rebel group that overran the capital, Sanaa, and large swaths of Yemen's northwest in 2014.

In 2015, Saudi Arabia and the United Arab Emirates (UAE) formed a coalition to overthrow the Houthis - plunging Yemen into a ruinous war - supported by forces loyal to the country's internationally recognised government.

The conflict has created the world's worst humanitarian crisis, pushing Yemen to the brink of famine and leaving about 80 percent of its population - 24 million people - in need of humanitarian assistance.

However, many children face an even worse reality: being recruited by either warring side to fight in the conflict. According to the United Nations, two-thirds of the child soldiers in Yemen fight for the Houthis. The others fight for the Saudi-UAE-led coalition.

Although Yemen and Saudi Arabia signed the international protocol banning involvement of children in armed conflict in 2007 and 2011, respectively, at the end of 2018, Saudi Arabia was accused of recruiting Sudanese children from Darfur to fight on its behalf in Yemen.

Today, Yemeni children are being recruited using local trafficking networks to defend the Saudi border.

Bereaved families interviewed by Al Jazeera questioned why the coalition would need to recruit children to fight in its war. Al Jazeera investigated these claims.

Paycheck promises In the southern city of Taiz, Al Jazeera spoke to 16-year-old Ahmad al-Naqib and his family at the end of 2018, and the family of Mohammad Ali Hameed, 15, in February 2019. Both boys left their home, chasing promises of a regular paycheck and non-combatant roles.

Ahmad was able to flee and tell us his story, but Mohammad never made it home after he was recruited, leaving his father to tell his story.

"He had graduated from high school and started working, but before we knew it they had recruited him. He insisted on going to al-Buqa'," Mohammad's father, Ali, told Al Jazeera in an interview in December.

"It has been five months since he left. We have not heard anything since; we still don't know where he is," he added.

Both teenagers, who came from a poor background, embarked last year on separate and arduous journeys from their villages near Taiz, in the south of Yemen, towards the Saudi border crossing of al-Wade'a in the north.

According to Ahmad, al-Buqa' in Yemen - close to the Saudi border - is where Yemeni children are being trained to fight. It is also an area that has seen frequent fighting between Houthi rebels and the Saudi-led coalition. In order to avoid exposure to the Houthis, buses carrying people to al-Buqa' were going through the border town of al-Wade'a into Saudi Arabia.

'There are many just like them' The teenagers were first contacted by recruiters in the south's poverty-stricken villages; they were looking for young boys to take to the Saudi-Yemeni borders.

Ahmad said he and many other boys were recruited ostensibly to work in the kitchens of Yemeni military units stationed inside Saudi Arabia.

"We went because we were told we would be working in a kitchen and making 3,000 Saudi riyals (\$800)... so we believed them and got on the bus," Ahmad told Al Jazeera.

Typically, a recruiter would deliver his human cargo to a trafficker at one of the Yemeni cities along the route leading up to the borders. The trafficker would then deliver the young recruits to another smuggler who would provide them with identification cards - if they did not have one - so they are able to cross into Saudi Arabia, where they would be placed into a military camp.

Al Jazeera called a trafficker, posing as a man interested in travelling to a military camp with three boys between 15 and 16 years old. The trafficker said the boys would be "bought" by someone at al-Wade'a who would provide them with military identification. After expressing concern that the boys would be turned away for being obviously underage, the trafficker said: "Don't worry, there are many just like them."

In a follow-up phone call with the trafficker about the fate of the boys, he said: "Don't worry, this stuff isn't important to us. What is important is that they are good soldiers. Can they handle guns?"

Ahmad got to al-Wade'a and went further inland, but did not go all the way to al-Buqa'. He heard from people in an intermediary camp that they would only be paid half the \$800 salaries they were promised every two or three months and that he might not be a cook after all. "They give you your gun and send you to the front lines [to fight the Houthis]," Ahmad was told.

"They take them into battles to defend Saudi Arabia. As if these children are the ones who will defend the kingdom. Where are their weapons, their aeroplanes?" said Mohammad al-Naqeeb, Ahmad's father.

Ahmad said he and others managed to flee the camp late last year.

Fifteen-year-old Mohammad was not one of them.

"His mother is devastated. She has given up. I wish he'd just call to let us know that he's OK; that's all we want. We just want to know if he's alive or dead," Mohammad's father said.

"These young and irrational boys should have never been allowed to be enticed and recruited to fight in the war. The government should have sent them back home to go to school, but in a time like this, conscience is dead. Instead, they're welcomed with open arms," he added.

Al Jazeera obtained access to a secret list containing the names of Yemeni soldiers captured by the Houthis that Yemen's government submitted during a round of talks between the warring sides in Sweden last year.

Mohammad's name was not on the list. His fate is still unknown.

Ahmad, on the other hand, managed to come home to his anguished parents after escaping from the camp.

But a terrible fate awaited him. In January, a stray bullet hit the young boy in the head, ending his short life.

Al Jazeera contacted the Saudi Ministry for Foreign Affairs for comment. They have not responded to the request.

SAUDI LED COALITION STRIKES YEMEN'S CAPITAL (The Jerusalem Post)

April 10, 2019

The Saudi-led coalition carried out air strikes in Yemen against two Houthi targets in Sanaa, the capital, early on Wednesday, its spokesman said.

The coalition said the strikes targeted a Houthi drone-manufacturing plant and a warehouse containing launch pads. Residents said a house was also hit, but no casualties were reported.

Saudi Arabia leads a Western-backed alliance of Yemeni and Arab forces that has been fighting the Iran-aligned Houthi movement in neighboring Yemen since March 2015, after Houthi forces drove Yemeni President Abd-Rabbu Mansour Hadi into exile. They are fighting to restore Hadi's internationally recognized government.

The Houthis, who say their revolution is against corruption, control Sanaa and most population centers. The strikes hit the al-Jeraf neighborhood in north Sanaa.

Houthi-run Masirah TV said a fire broke out in a plastics factory as a result of air strikes early on Wednesday.

The U.N. has said that a blast in Sanaa near two schools on Sunday killed 14 children and injured more.

"It was almost lunchtime and students were in class. The blast shattered the windows and unleashed a burst of shrapnel and broken glass into the classrooms," said Geert Cappelaere, UNICEF's Middle East head.

It is unclear what caused the blast and U.N. Yemen aid coordinator Lise Grande called for efforts to pinpoint the circumstances "that led to this tragedy."

Yemen's war has killed tens of thousands of people - some of them by coalition air strikes - and driven 10 million to the brink of famine. The country is also suffering its third major outbreak of cholera since the conflict began.

A peace process that began with a December agreement has stalled and, although a ceasefire largely holds in Hodeidah, Yemen's main port, violence continues elsewhere and has escalated in recent weeks.

The U.N. is trying to get the parties to pull troops out of Hodeidah and complete a prisoner exchange, two confidence-building measures which could pave the way for further talks.

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Special Tribunal for Lebanon

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

Justice for Lebanon (International Bar Association) By Anne McMillan
April 12, 2019

Almost a decade-and-a-half after the terrorist bomb that killed Prime Minister Rafik Hariri, the Special Tribunal for Lebanon is finally reaching a conclusion. Global Insight assesses whether it's established a 'foothold of justice' in a country all too used to impunity.

In 2005, a massive bomb exploded in the centre of Beirut near the St Georges Hotel, a stone's throw from the Mediterranean Sea. The blast wreaked havoc on the surrounding buildings and killed then Prime Minister, Rafik Hariri, as well as 21 other people. While the echoes of the blast, which rumbled across the city like a thunderclap, have long since faded, the legal and political reverberations are still being felt today, both inside and outside Lebanon.

The Special Tribunal for Lebanon (STL) was established in 2009 via the United Nations to investigate and prosecute the perpetrators of the crime. Unlike similar international tribunals such as the International Criminal Tribunal for the former Yugoslavia (ICTY) or the International Criminal Court (ICC), which deal with multiple crimes and victims, the Tribunal's main mandate was a single act of terrorism.

The STL also has jurisdiction over attacks that can be shown to relate to the Hariri assassination and that occurred between October 2004 and December 2005, a comparatively short span of time in a country where political assassinations have been

commonplace for decades. It established jurisdiction over three such cases.

Fourteen years after the blast, the case has finally concluded. The verdict is expected this year. The STL has prosecuted four people in the main case but the accused have not appeared in court because the proceedings are in absentia. And those four are relatively minor operatives – not the ‘big fish’, which, for example, the ICC now makes it a priority to prosecute.

Nevertheless, many feel the STL trial is enormously important, being the first attempt to bring untainted justice after a political assassination in Lebanon and avoid ‘business as usual’, which could have included a revenge assassination. Sareta Ashraph, Treasurer of the IBA War Crimes Committee, says that ‘the STL offers a chance – within its narrow jurisdiction – to start the much-needed work of proper investigations and fair trials for crimes in Lebanon. It is a foothold of justice in a country and region where crimes have been committed with impunity.’

Justice is not like an astronaut

Lawyers and judges strive to divorce law from politics. But international tribunals, though operating according to the highest legal standards, cannot escape the political ripples created by their every move. As a former judge of the ICTY, Georges Abi-Saab put it like this: ‘[I]nternational justice does not exist, like an astronaut, in a state of weightlessness outside power struggles, but in the real world, breathing the oxygen of politics.’

So it was with the STL. Created in the wake of angry protests on the streets of Lebanon following the bomb that killed 22 and injured 226 others, the STL was prey to national, regional and international politics from the start. Suspicion that Syria was behind Hariri’s assassination led to Syria withdrawing from Lebanon, which it had occupied since 1976.

In 2006, Hezbollah, which is Syria’s ally in Lebanon and is backed by Iran, withdrew its members of parliament to block Lebanese parliamentary approval for the establishment of an international tribunal. The UN, which had been approached by the Lebanese government for assistance, circumvented this problem by creating the STL under Chapter VII of the UN Charter.

This move encouraged STL opponents to argue that it was never legitimately established, especially as the US and France – the main promoters of the UN Security Council resolution creating the STL – were perceived to have an anti-Syria political agenda (both China and Russia abstained). Seen by some as flawed in creation, the question was whether the STL could go on to establish credibility with its investigation and prosecution.

While the political struggle to establish the STL was under way, a separate UN body, the UN International Independent Investigation Commission (UNIIC), had been assisting the Lebanese in collecting and preserving evidence from the attack, leading to the arrest of four generals with links to Syria. When the STL was finally set up, it inherited the evidence collected by the UNIIC and the detained generals who were transferred from Lebanese custody to The Hague. Finding insufficient evidence, the STL soon released the four, who by then had been in custody for four years.

The generals’ release by the STL should have been seen as a triumph for international justice, showing at least that there was no Western plot to frame Syria for the assassination. But, in the complex world of Lebanese politics, and with the encouragement of Hezbollah, the event was perceived by some Lebanese as indicative of the UN ‘Hariri Tribunal’s’ incompetence.

Arguably, the STL has never managed to shake off the perception by many Lebanese that it is a later incarnation of the UNIIC, though in fact they are entirely separate bodies. The subtleties of the distinction between the two have been exploited by Hezbollah to feed its message that the STL acted politically from the beginning in trying to pin the blame on Syria, which was yet further evidence in the minds of some that the STL is an ‘American–Israeli project’, a message touted by Hezbollah.

Olga Kavran is the STL’s Head of Outreach and Legacy. ‘Regrettably, perceptions often depend much more on factors other than accurate information,’ she says, noting that international judicial institutions ‘cannot influence the opinions, especially of political leaders in a society whose own aims and goals may not coincide with those of judicial institutions.’

Even Lebanese people who reject mischaracterisations of the Tribunal may still have a problem with the narrow mandate of the STL. Lebanon has known widespread and catastrophic violence, particularly during its 1975–1990 civil war when over 120,000 were killed or disappeared and there was a swathe of unsolved political assassinations targeting major figures from different factions.

A limited 2012 survey of young Lebanese from different religious groups by researcher Tone Hafnor (‘The Special Tribunal for Lebanon – Local perceptions and legitimacy challenges at the start of the trial proceedings’) concluded that ‘the majority of the interviewees considered it deeply unfair that there was an international, expensive court set up only for a few crimes in stark contrast to the impunity that had followed the many crimes and assassinations committed in Lebanon during and after the civil war’.

The balance of power shifts

Despite opposition, the STL continued its work and in September 2018 the Tribunal heard closing arguments in the in absentia case against the four individuals accused of assassinating former Prime Minister Hariri.

Hezbollah has said that it doesn't care what the STL verdict is, but nonetheless thought it worth warning in August last year as the case came to a close: 'The STL does not mean anything to us at all and its rulings are of no value regardless whether they are condemnation or acquittal rulings. To those betting on the tribunal: do not play with fire. Period.'

Many Lebanese fear that an STL guilty verdict risks destabilising the delicate government power-sharing arrangement that keeps the peace. The long and bloody civil war led to a sweeping amnesty law. Christians, Shia and Sunni Muslims were guaranteed political positions in an effort to balance power and bring the country together. Consequently, the heads of factions that killed many became political leaders. Some of those individuals still hold power today.

But the landscape changed in May 2018 when Hezbollah and its allies won a small majority in parliamentary elections, the first held since 2009 when the Tribunal was created. Significantly, the Prime Minister now dealing with the new political reality of increased Hezbollah power in Parliament is Saad Hariri, the son of the assassinated prime minister, whose own party lost a third of its seats.

After nine months of political wrangling, with Hezbollah demanding the lucrative Health Ministry portfolio, a government was finally agreed this February. Lebanon had feared that US sanctions might mean badly needed international funds would be cut if Hezbollah took a government ministry. In a fudge to avoid such an outcome, the Health Ministry was eventually given to a person chosen by Hezbollah although not a member of the organisation.

Saad Hariri's cryptic comment outside the STL courtroom as the trial came to a close last year betrayed the political conundrum he faces: 'Regarding the Syrian regime, I have no doubt that it had a huge problem with martyr Prime Minister Rafik Hariri. I want to deal with this issue as a responsible official who has the responsibility to protect the country and the Lebanese people.'

Trial in absentia

Significant complication for the STL is that the trial is being conducted in absentia. When creating the ICTY in 1993, the UN rejected the possibility of that tribunal holding trials in absentia, with the Secretary General saying at the time that a 'trial should not commence until the accused is physically present before the International Tribunal'.

The STL allows for in absentia trials consistent with its application of Lebanese law, which, like many civil law systems, provides for such an option. Indeed, the European Convention on Human Rights (ECHR) allows for in absentia proceedings subject to certain safeguards. But that still leaves the question of whether an international tribunal, striving for the highest standards of justice, should provide for them and whether doing so may promote the practice in other international tribunals.

For Sareta Ashraph, IBA War Crimes Committee Treasurer, the fairness of such a trial is influenced by what is seen as the main purpose of criminal proceedings: 'For those for whom the punitive aspect – the punishment – is key, a trial in absentia throws everything into question as there is no way to enforce the sentence. Others may view the purpose of trials more broadly: for example, to bring justice to victims; to create a framework for compensation; to create a historical record; to uproot a culture of impunity; and to deter future crimes. For those people, the legitimacy of the process is not undermined by the absence of the accused from the process.'

Natalie von Wistinghausen, Co-Vice Chair of the IBA War Crimes Committee and a defence lawyer for one of the accused in the Hariri case, has experienced the reality of such a trial and points to some of the difficulties: 'The practical difference is of course not to have a client (to discuss the case with, to consult, to visit in prison, etc) but this has huge legal implications,' she says. 'The mere fact of not being able to consult your client and take instructions or to have strategic decisions approved by the client narrows your procedural field of action. It has an impact on the investigations you can (or rather cannot) conduct, the decision to cross-examine witnesses, to call your own witnesses or experts, or to introduce documents to the proceedings.'

The evidence in the STL case is complicated and revolves around a number of phone networks. Broadly speaking, it links the accused's telephone numbers to movements and events connected with the assassination. But, convincing though this evidence may be in its high level of coincidence, the case is almost entirely built around it, with very limited forensics to directly link the four accused to the crime.

According to von Wistinghausen, it is hard to assess whether the fact that the prosecution evidence is circumstantial was any more, or less, prejudicial to the defence without having heard her client's version of events: 'But of course, if we had had a client who had testified, it may very well have weakened or completely destroyed the circumstantial evidence alleged by the prosecution. But this also applies to any other kind of evidence that would have been produced by the prosecution.'

Kick-starting the rule of law

With all the historical and political complications, how likely is it that the Tribunal has made a difference to the stability of Lebanon and contributed to rule of law in the country? The final verdict is yet to come, but perhaps some of the Tribunal's greatest successes so far can be found outside the courtroom.

At the request of the Beirut and Tripoli Bar Associations, the STL holds annual training sessions on international criminal proceedings for Lebanese lawyers. Moreover, in 2011, the STL (in cooperation with The Hague-based Asser Institute) established a programme in international criminal law that is now offered at 11 Lebanese universities.

No such course existed before in Lebanon or, as far as is known, in the wider region. With 800 students having now graduated from the programme, the next generation of lawyers, academics and judges may help to incorporate higher standards of justice into the Lebanese legal culture.

Professor Georges Masse of the American University of Science and Technology in Beirut suggests the programme's influence may go beyond education, describing it as 'the best attempt towards reconciliation in Lebanon, because it brings together universities and students from different backgrounds'.

Nevertheless, the latest annual survey of the World Justice Project Rule of Law Index ranks Lebanon a dismal 89 among 113 countries. Considered from this angle, it may seem relevant to consider whether a comprehensive long-term legal reform programme should have been funded alongside the STL.

'Given that international tribunals are almost certainly going to prosecute a very small minority of the potential accused, it is essential for accountability that funding be directed towards the improvement of the national legal system,' says Ashraph.

Ashraph's comments highlight another problem faced by an international tribunal that was set up primarily to deal with one case but has taken 416 trial days. This is a large number in comparison with other international courts, such as the ICTY and ICC, which have concluded almost all cases in considerably shorter times, whether resulting in convictions or acquittals.

It's easier to make the argument that an acquittal by an international tribunal, after expenditure of massive resources, demonstrates that the legal process is fair when there are convictions in other cases before the court to justify its *raison d'être*. Thus, it may be harder to hold the STL up as heralding a new dawn for justice or deterrence in Lebanon, or the wider region, if it doesn't deliver what some may consider a 'result' in its main case.

Perhaps a longer-term perspective is needed once a verdict has been delivered. 'It is also a bit too early to assess this impact since we are still awaiting judgment in the Hariri case,' says Kavran. 'We hope that trials at the STL, through their transparency, demonstrate what the rule of law looks like at the international level and assist those in Lebanon who are responsible for implementing the rule of law nationally.'

Charles Rizk, Lebanese Minister of Justice at the time of Hariri's assassination, says of those who criticise the Tribunal: 'These people have to give me an alternative.'

In Rizk's view, there has to be a way to break the cycle of violence in Lebanon and the STL is at least a starting point.

First to tackle terrorism

The STL has incontrovertibly contributed to the practice of international tribunals in its creation of a permanent independent Defence Office. Defence lawyers at other international tribunals have for a long time complained of poor resources and institutional disadvantage vis-à-vis better-resourced prosecution offices, but the OPCD at the STL has helped to support equality of arms.

'At the STL – through the existence of an independent and well-funded Defence Office – the defence teams are well staffed and receive the resources they need to conduct investigations,' says Natalie von Wistinghausen, Co-Vice Chair of the IBA War Crimes Committee and a defence lawyer for one of the accused in the Hariri case. 'We had no problems at all investigating in Lebanon (after the Defence Office had provided assistance regarding the cooperation of the Lebanese authorities).'

The IBA, with several non-governmental organisations, campaigned vigorously in 2015 for the maintenance of the stature and independence of the ICC's Office of Public Counsel for the Defence (OPCD) when it appeared that the Court may be planning to make changes that could restrict the effectiveness of a defence office in international courts, which the STL had shown was a positive innovation.

The STL also has a unique jurisdiction. Wajed Ramadan, the STL's Spokesperson, explains that it is 'the first international tribunal to hold trials for the crime of terrorism. The STL's work can set an example for the international community and the

Middle East. It is also the first international tribunal with jurisdiction over crimes committed in an Arab country.'

Despite strenuous efforts by the UN over many years, agreeing an internationally accepted definition of a crime of terrorism has proved elusive, partly due to the 'terrorist' or 'freedom fighter' debate. But, in 2011, the Appeals Chamber of the STL concluded, somewhat controversially, that an agreed definition of the international crime of terrorism had developed via international customary law and treaties.

Though some academic commentators argue that there remains a lack of consensus as to a detailed definition of the crime of terrorism in international law, it should be acknowledged that the STL decision has made a valuable contribution to the emergence and definition of such a crime.

Some of the STL's problems stem from the manner of its creation and raise questions of how the international community should respond to requests to establish tribunals or initiate prosecutions. Do those making the requests understand what they are requesting and what it entails? Would Lebanon and the Lebanese have wanted a tribunal if they had known there would not be any verdict in the case for 14 years, none to punish – assuming there is a guilty verdict – and that it would cost well over €0.5bn, 49 per cent of which has been paid by Lebanon?

The international community may, and should, feel a moral responsibility when asked for help from a country struggling with conflict and rule of law-related issues. It is hard to ignore such requests.

But should there be greater thought given to the long-term effects and benefits by, for example, adding domestic legal reform conditions with guaranteed funding as a condition for setting up a tribunal or insisting on a broader mandate to pre-empt accusations of partisanship?

The destiny of the Tribunal is still inextricably linked to politics in Lebanon, where accountability has a poor historical record. Fourteen years have passed since the Hariri assassination and politics in the Middle East has moved on. Will the Tribunal's eventual verdict now be seen as an irrelevance for the rule of law in Lebanon and does justice delayed mean not only justice denied, but justice no longer desired? Or will a final reckoning in a court of law, albeit conducted in absentia, set Lebanon on a new path? We will soon know.

Hariri Tribunal Dispatch Fact-Finding Mission to Lebanon (Asharq Al-Awsat)

April 2, 2019

The Special Tribunal for Lebanon, which is looking into the 2005 assassination of former Lebanese Prime Minister Rafik Hariri, dispatched to Beirut a security team to meet with relatives of the victims before the release of the final verdict in the case.

Sources close to the Tribunal told Asharq Al-Awsat on Monday that the team arrived in Beirut a few days ago.

The team was also in contact with a number of witnesses, who could not directly meet with members of the Tribunal.

"The security mission held direct meetings and contacts with around 300 people, including family members of victims of Hariri's assassination," the sources revealed.

They added that the mission had foreseen a fact-finding task.

"The STL team is asking the relatives and witnesses questions about what they expect reactions will be to the verdict and whether they believe the STL's ruling will create an upheaval in Lebanon or simply be limited to political and media debates," similar to what happened when the UN Security Council issued its resolution to establish the STL, they said.

Hariri and 21 others were killed in a massive bombing in Beirut in February 2005. The Security Council classified his murder as a "terrorist" crime, appointed an international commission of inquiry and then established the STL for the prosecution of the accused.

Four Hezbollah members have been indicted in the crime. Salim Jamil Ayyash, Hassan Habib Merhi, Hussein Hassan Oneissi and Assad Hassan Sabra are currently facing trial in absentia. They are charged with conspiracy to commit a terrorist act, along with a number of other related charges.

The STL team currently present in Beirut is carrying out its fact-finding mission in total secrecy. The team also agreed with families of victims to stay in touch without informing them about the date of the delivery of the judgment.

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Israel and Palestine

March of Return Protest at Gaza Border Dwindles Down; Israeli Army Says Hamas 'Exercised Restraint' By Amos Harel, Jack Khoury, Almog Ben Zikri, Yotam Berger and Yaniv Kubovich
March 30, 2019

Tens of thousands of Palestinian protesters gathered along the border between Israel and Gaza in a mass protest to mark the one-year anniversary of the weekly weekend demonstrations.

Three 17-year-old demonstrators died after being shot by live Israeli fire, Gaza's Health Ministry said. Adham Amara died after he was shot in the face. Tamer Abu Al-Kheir and Bilal Al-Najar died after being shot in a protest east of Khan Younes.

The Health Ministry in Gaza reported that over 300 people were wounded and referred to hospitals. At least 60 people were wounded by live Israeli fire, five of them are in critical condition and nine are in serious condition.

According to the Israeli military, Palestinians are hurled explosive devices and hand grenades toward the border fence, prompting soldiers to respond by using live fire and riot dispersal means.

The bigger protests took place in eastern Gaza and east of the city of Jabalia, Palestinian reports have indicated.

Israeli army spokesman Brig. Gen Ronen Manelis said that the anniversary protest was remarkably restrained: "The restraint Hamas exercised today was such that we hadn't seen over the past year. There were hundreds of Hamas personnel who wore orange vests and prevented demonstrators from reaching the [border] fence. This shows that Hamas are the ones to control the events and they are the ones who determine how heated the protests will be."

Manelis also said that Israeli army strikes in Gaza earlier in the week in reaction to rocket fire from the Strip "led Hamas to understand that we don't accept such incidents and we don't just move on after they happen."

The spokesperson also noted that Chief of Staff Lt. Gen. Aviv Kochavi held a situation assessment with senior Israel Defense Forces commanders and that the army is prepared for any scenario, but that "it seems that this event is about to end."

He added that at that moment there were 500 protesters at the border, while at the height of the event 41,000 protesters demonstrated in five central locations.

A senior Israeli official echoed Manelis' remarks, saying that "as a result of Israeli policy, which includes forceful strikes by the Israeli Air Force, firm warnings that were conveyed to Hamas and extensive preparation of the military which was instructed by Prime Minister Benjamin Netanyahu, the border-fence events passed relatively quietly."

The official noted that Israelis were pleased by Egyptian attempts to quell the tensions.

In Gaza, reports emerged that the Egyptian diplomatic delegation that has been shuttling between Israel and Gaza over the past weeks in an attempt to help cultivate understandings between the two parties held a meeting with Hamas leader in Gaza Yahya Sinwar in order to draw conclusions from the protest.

The protest also coincided with the annual commemoration of Land Day, a day Palestinians have been observing since 1976, when Israeli security forces shot dead six Israeli Arabs who were protesting the expropriation of Arab-owned land in northern Israel to build Jewish communities.

Two thousand people were reported to be protesting in the Israeli-Arab city of Sakhnin. Ayman Odeh, Chairman of Hadash party, said at the gathering, "Gaza is under siege. The humanitarian crisis is worsening and the Palestinian people have a right to claim their place in the world." He said that the people of Gaza cannot be broken and no weapon can solve the situation, adding that racism and incitement against Arab citizens is growing under Netanyahu's government.

'Think twice before you act violently'

The violence at the border appeared to be contained at the moment. The Israeli army attributed the relative calm to the fact that hundreds of Hamas-affiliated personnel were stationed at the scene and prevented demonstrations from getting too close to the border fence.

Most protesters were gathered in large tents deep inside Palestinian territory.

As part of understandings reached between Israel and the Palestinians through Egyptian mediation on Friday, Palestinians refrained from setting ablaze car tires at the protest sites. Israel conveyed to the Palestinians earlier Saturday that if they set tires on fire, Israeli snipers will be ordered to increase their use of live fire.

Yahya Sinwar and politubro chief Ismail Haniyeh were in the area of the border fence, where they arrived Saturday to closely follow the protests. They were joined by an Egyptian delegation of defense officials. Gazans shoot five rockets at Israel after day of 'restrained' border protests (Times of Israel March 31, 2019 <https://www.timesofisrael.com/rocket-alarm-sounds-in-gaza-area-after-day-of-border-protests/>)

Several rockets were fired from Gaza at Israel early Sunday, officials said, marking a likely setback hours after the sides appeared to be headed for an unofficial truce following a day of low-level violence along the border.

There were no reports of injuries or damage from the rocket fire, the Eshkol Regional Council said in a statement.

The Israel Defense Forces said five rockets were fired at Israel from Gaza after sirens sounded in the Eshkol region adjacent to the southern Gaza Strip at about 12:40 a.m.

Explosions had been heard and "rocket strikes had been pinpointed to open areas," the regional council said. It said searches were underway to locate the fired munitions.

There was no immediate claim of responsibility from Gaza.

The strikes would appear to be the first rocket fire since a round of heavy fighting waned on Wednesday, following a flareup sparked when a rocket hit a home in central Israel, injuring seven people.

The renewed fire will likely place a damper on efforts between the sides to mediate a truce, after both sides expressed satisfaction with a relative lack of violence during large protests along the border Saturday, leading to hopes that understandings could be reached soon. It may also put the kibosh on plans to reopen two crossings in and out of the Strip on Sunday.

Egyptian mediators, shuttling between Israel and Gaza's Hamas rulers, have been engaged in exhaustive efforts to broker a long-term ceasefire deal. The understandings between the sides reportedly included Hamas making arrangements for preventing violence during Saturday's protests.

Earlier, an official with the Hamas terror group, which rules the Strip, said the sides could reach understandings for a long-term calm "within days," and Israeli officials were reportedly looking into easing some restrictions on the Strip in place since last week after the relative lack of violence over the weekend.

Over 40,000 Palestinians took part in rallies at the Gaza border Saturday afternoon, with some rioters throwing grenades and explosives toward the security fence as well as lobbing rocks at troops and burning tires.

The enclave's Hamas-run health ministry said three 17-year-old Palestinians were killed during the protests, while at least 300 were injured. Another Palestinian was shot and killed in the early morning before the main demonstration began, reportedly as he approached the border fence during overnight protests.

Most of those hurt were lightly wounded, but three were said to suffer critical injuries.

The army said soldiers responded with "riot dispersal means" and live fire in accordance with IDF regulations, noting that most Palestinians attending the one-year anniversary of the "March of Return" protests remained at a distance from the border.

During the protests Hamas actively worked to keep protesters away from the security fence as part of apparent understandings with Israel.

IDF spokesman Ronen Manelis said Hamas, the terror group that rules Gaza, had "operated with restraint not seen in the past year."

He said Israeli forces had observed hundreds of Hamas members wearing orange vests spread out between the crowd and the fence, preventing the masses from rushing toward the border.

In the past, Israel has accused Hamas of encouraging the protests and using them as cover to carry out attacks on Israeli troops stationed along the frontier. Previous demonstrations have seen dozens of deaths, including among Gazans who

crossed the fence with weapons.

An Israeli diplomatic official said Israel was “satisfied” with Egyptian mediation efforts that had contributed to the relatively calm Land Day protests in Gaza. He also credited “Israeli policy that included strong air force attacks, severe warnings to Hamas and the massive deployment of the IDF.”

Speaking to the Lebanese al-Mayadeen TV channel Saturday night, Hamas deputy chief Saleh al-Arouri said “there is a good chance of reaching understandings in the coming few days.”

However, Arouri clarified that any long-term truce reached with Israel would not mean a cessation of their “resistance” efforts.”

“As far as we are concerned, there is no political or national commitment. We...will continue to [participate] in all national activities and [undertake] all forms of resistance against the occupation in every place on the Palestinian land,” the Hamas official said.

He said the organization’s main aim was “to remove the blockade” on Gaza, which Israel and Egypt have enforced since the group took over the territory from Fatah in a violent coup in 2007. Israel says the blockade is necessary to prevent Hamas, a terror group that openly seeks to destroy Israel, from acquiring weapons it will use to attack it.

Under the Egyptian plan, Israel is to offer economic incentives for Gaza in exchange for calm. These are said to include easing restrictions on imports and exports, extended fishing zones and more.

On Saturday night, the government had ordered the IDF to plan to open two crossings closed last week should calm remain overnight.

The Erez pedestrian crossing and the Kerem Shalom commercial terminal were both shuttered Monday after the rocket launched at central Israel. A fishing ban in place since then was also due to be lifted.

Saturday night and Sunday morning also saw dozens of Gazans demonstrating near the border fence as part of nightly protests by so called “confusion units.” The demonstrations normally include rolling burning tires at the fence as well as hurling sound grenades and improvised explosives, and shining laser pointers at troops across the border.

Legal Experts Debunk Netanyahu’s Golan Heights Claim: Annexation Can’t Be Excused by Defensive War (Haaretz) By Noa Landau
March 31, 2019

The Proclamation on Recognizing the Golan Heights as Part of the State of Israel, which U.S. President Donald Trump signed last week during a ceremony at the White House, states its reasoning as: “The State of Israel took control of the Golan Heights in 1967 to safeguard its security from external threats.”

Prime Minister Benjamin Netanyahu underscored this argument during and after the proclamation was signed. In his speech at the ceremony, Netanyahu said: “Israel won the Golan Heights in a just war of self-defense.” Speaking to reporters at the airport in Washington before his return flight to Israel, he said: “There is a very important principle in international life — when you start wars of aggression, you lose territory; do not come and claim it afterwards. It belongs to us.”

Later, on the prime minister’s plane, a senior diplomatic official told reporters that the U.S. recognition affirmed the principle according to which territory captured in a war of self-defense could be retained.

“Everyone says you can’t hold on to captured territories, but it is possible. If it was conquered in a war of self-defense it’s ours,” said the official, who spoke on the condition of anonymity. Right-wing Israeli activists have seized on the official’s remarks, saying the U.S. recognition of Israel’s rights to the Golan on the basis of this principle could be the foundation for a campaign calling on the White House to recognize Israeli sovereignty over the West Bank.

The argument that international law differentiates between area conquered in a war of self-defense and area that is not conquered in such a war is not new. Israeli officials mention it in international forums from time to time. For example, in a meeting in February 2018 in Warsaw, Dr. Dore Gold, former director general of the Foreign Ministry and now president of the Jerusalem Center for Public Affairs, said that international law makes a clear distinction between land occupied during a war of aggression and land taken in the wake of a defensive war. According to Gold, the international community has realized that the Six-Day War was a war of self-defense and therefore international law is different with regard to the Golan Heights.

To better understand how these statements reflect international law, Haaretz spoke with experts who agreed that even if it is

possible to make a case for holding on to the territory of an aggressive entity, when it comes to annexing territory or extending sovereignty over it, the argument of self-defense does not apply to laws of occupation.

Legal expert and former ambassador Alan Baker is the director of the Institute for Contemporary Affairs at the Jerusalem Center for Public Affairs. The former legal adviser to and deputy director of the Foreign Ministry told Haaretz that contemporary international law does not distinguish between defensive and other wars.

“There is no way to acquire land by force and it doesn’t matter whether it’s defensive or not defensive. Modern international [law] doesn’t recognize it. How can territory be acquired? By agreement and negotiation or takeover of a country that ceases to exist. But not by force. There is a certain flaw here in international law because in fact this is a prize to the aggressor. He does not lose the right to the territory.”

According to Baker, “Trump did not base his proclamation only on the claim of a defensive war but that the Syrian government continues to constitute a threat. This is an interesting point and I think there is justification and a precedent determined by Judge Stephen Schwebel,” referring to the president of the International Court of Justice in The Hague.

Baker noted that this precedent states that as long as that country continues to be a threat to the country that conquered its territory, the right of the occupying country grows more valid to continue to occupy that territory.

“For 52 years Syria has continued to be a threat to Israel, so apparently a special situation gives a more serious status or stronger claim to the territory. Occupation, by the very term, is a legal situation according to the rules of war. The problem is in extending sovereignty, and international law does not recognize this when it is done by force.” International law, Baker added, also does not deal enough with the issue of ongoing aggression.

But Baker said it was “foolishness” to compare the matter of the Golan with a future determination about the West Bank. “Judea and Samaria is another story. It’s not a matter of a defensive war or not a defensive war. There is an agreement with the Palestinians that’s still in force,” he said, referring to the Oslo Accords. This agreement, Baker said, “obligates us and them to resolve the conflict. We have committed to this. Only if we break away from the agreement claiming that the Palestinians breached it, and there were such opportunities that were not taken, then we can justify unilateral moves.”

Baker said that Israel extended its laws to the Golan Heights. “I was in the military advocate general’s office at the time that Israeli law was extended to the Golan because the internal law there was Druze religious law and it was not written because it is secret. There was no intent for annexation and the word does not appear there. It makes me laugh a little that now Trump recognizes sovereignty that we did not recognize,” Baker said.

According to Prof. Robbie Sabel, an expert in international law at the Hebrew University in Jerusalem, the source of the claim that a defensive war justifies conquest is in positions voiced some 50 years ago that Israel has priority over the Jordanians in areas in Jerusalem and the West Bank, because the Jordanians were the aggressors. But in 1988, “the Jordanians gave up their rights to the Palestinians. Now this is not another sovereign country and international law says come to an agreement, and that doesn’t include extending sovereignty.” The argument of a defensive war is not relevant, Sabel said. “It’s an interpretation from 50 years ago for the question of whether Israel has to give back the territory to Jordan.”

The U.S. proclamation, Sabel said, does not change the legal situation in any case. The international border can change in a future agreement between the parties. In Judea and Samaria it’s more complicated because there was no border there and we also signed in Oslo that neither side would change the legal status. The Palestinians breached this with a declaration of independence and the question is whether we want to breach it,” he said.

Prof. Aeyal Gross, of the Tel Aviv University Faculty of Law, who writes in Haaretz, agrees that Trump’s declaration has no real legal implication. “President Trump, who is known for his disregard for international law, can’t change it with one declaration and international law is very clear that territory conquered in war must not be annexed unilaterally – it doesn’t matter at all whether you were the aggressor or the defender.”

However, Gross concedes that the law is unclear as to “exactly when temporary possession should end, but on the other hand it’s clear that there are actions that show a lack of temporariness and these are prohibited, for example, settlements and imposing local laws. Trump can’t change this and other countries indeed do not recognize it.”

Prof. Orna Ben-Naftali, who holds the Emile Zola Chair at Israel’s College of Management Academic Studies, spoke with Haaretz from Washington, where she is receiving an award from the American Society of International Law. “The principle that the use of force is not a legal way to acquire sovereignty over territory is a fundamental principle of the laws of conquest in international law,” she said.

“This principle holds whether the use of force was legal at the outset, for example in the framework of self-defense, and without reference to whether the area in question is disputed in terms of sovereignty,” she added.

Trump, Ben-Naftali said, with a few words, “wipes out laws of conquest and disrupts basic principles on which international law was built after World War II. What might be called the Trump doctrine’ is utter foolishness, a legal fiction. The problem is that in a world where fiction is the political culture, a world in which distinction is lacking between scientific fact and political opinion ... the space for truth, which is not political, grows increasingly smaller.”

Prof. Yael Ronen, an expert on international law at the Sha’arei Mishpat Academic Center in Hod Hasharon, agrees that with regard to international law, “the rule is that a country cannot acquire sovereignty over territory the control of which was acquired by force is not restricted by whether this was aggression or self-defense. ... So Israel can’t become sovereign unilaterally,” by this claim, Ronen said.

Regarding Syria, Ronen said, “There is no doubt that it is the sovereign and that Israel never disputed this. The claim that Israel should hold the Golan for security reasons is possible, but not annexation.”

Col. (res.) Pnina Sharvit Baruch, a lawyer who heads the law and security program at the Institute for National Security Studies at Tel Aviv University, said Trump’s proclamation puts him at odds “with the accepted position of international law, enshrined in the United Nations charter, by which a country’s sovereignty and territorial integrity must be respected and that the takeover of territory during an armed conflict does not grant the right of sovereignty in that territory.”

According to Sharvit Baruch, “The concern now in the international legal community is that the U.S. recognition of the annexation of the Golan will further erode the ban on annexation of territories belonging to another country, and as a result also the principle of respecting sovereignty and borders between countries.

IDF TO DEMOLISH HOME OF ARIEL ATTACKER NEXT WEEK (The Jerusalem Post) By Anna Ahronheim
April 3, 2019

The IDF informed the family of a Palestinian who killed an IDF soldier and Israeli civilian in a terror attack outside the settlement of Ariel that their home will be confiscated and demolished in less than a week.

The head of the Central Command, Maj.-Gen. Nadav Padan, signed an order on Wednesday to confiscate and demolish the apartment where Omar Abu Lila lived.

The demolition order will take effect on Tuesday.

Abu Lila fatally stabbed 19-year-old St.-Sgt. Gal Keidan on March 17 at the Ariel junction and then stole his gun, shooting him at close range before opening fire at vehicles passing through the junction, fatally hitting a 47-year-old father of 11, Rabbi Ahia Ettinger.

Abu Lila then stole a car and drove to the nearby Gitai junction, where again opened fire, striking soldier St.-Sgt. Alexander Dvorsky, who remains in the hospital.

Abu Lila then fled on foot into the nearby village of Burqin, and was killed in a shootout with authorities two days later in the Palestinian village of Abwein, north of Ramallah.

While some NGOs and human rights organizations criticize the army for using collective punishment by demolishing the homes of the terrorist’s families, the IDF believes they are a key deterrent to stop other potential attackers.

Nevertheless homes razed by the Israeli military have been rebuilt, most recently by the family of Ashraf Walid Suleiman Na’alwa who shot dead two Israeli civilians in the Barkan industrial zone in October.

Meanwhile, a terrorist who attempted on Wednesday to stab an Israeli driver stuck in a traffic jam at the Bitot Junction near the village of Huwara south of Nablus, was shot by the driver and subsequently died. The Palestinian was transferred to Beilinson Hospital in critical condition and died from his wounds.

Yehoshua Sherman, director of URP’s field division, was in the vehicle when the Palestinian, holding a knife, tried to open the door.

“I left the vehicle while the terrorist tried to overtake the next vehicle. I neutralized him by gunfire while assisting another resident from a nearby settlement who was behind me,” Sherman said.

“This incident illustrates the importance of completing the construction of the Huwara bypass as agreed with the prime minister,” said the head of the Shomron Regional Council Yossi Dagan. Dagan also backed the father who neutralized the terrorist and saved his daughter.

Samaria has been a hotbed for terrorist attacks and attempted terrorist attacks in recent months.

Late last month, a bus was set alight after a terrorist allegedly threw a Molotov cocktail at it in the northern West Bank near the settlement of Kedumim, according to local media reports.

While the bus was damaged, there were no injuries since it was empty.

Just days before, two Israelis were lightly injured after a Molotov cocktail was thrown at their vehicle in the northern West Bank, close to the city of Nablus.

On March 18, two Israelis, a 19-year-old soldier and 47-year-old father of 11, were killed in a terrorist attack near the settlement of Ariel.

An IDF officer was seriously injured and a Border Police soldier was lightly injured after Palestinians rammed them with their car during an arrest operation in the West Bank, the military reported following the event.

The force opened fire on the vehicle's three occupants, killing two and wounding the third, who was arrested. The Palestinian Ministry of Health identified the two killed as 20-year-olds Amir Mahmoud Darraj from the village of Kharbatha al-Misbah and Youssef Raed Mahmoud Anqawi from Beit Sira. The injured Palestinian, also aged 20, was identified as Haitham Jumaa Alqam from the village of Safa.

Ahead Of Israeli Election, Netanyahu Pledges To Annex West Bank Settlements (NPR) By Francesca Paris
April 7, 2019

Israeli Prime Minister Benjamin Netanyahu has said that he will annex Israeli settlements in the occupied West Bank if he is re-elected.

Netanyahu staked out the position on television on Saturday, ahead of Tuesday's election where he faces a challenge from his former army chief of staff Benny Gantz

The first-time move from the prime minister appears to be aimed at galvanizing support among his nationalist base and right-wing political allies. The annexation of parts of the West Bank would likely be considered the final blow to the possibility of a two-state solution to the Israeli-Palestinian conflict.

Netanyahu was asked on Israeli Channel 12 TV why he hasn't annexed Israeli settlement blocs in occupied territory, as NPR's Daniel Estrin reports from Jerusalem.

The prime minister replied: "Will we go to the next phase? The answer is yes. We will go to the next phase to extend Israeli sovereignty."

"I will impose sovereignty, but I will not distinguish between settlement blocs and isolated settlements," he continued, The Associated Press reports. "From my perspective, any point of settlement is Israeli, and we have responsibility, as the Israeli government. I will not uproot anyone, and I will not transfer sovereignty to the Palestinians."

On Sunday, Palestinian Foreign Minister Riad Malki responded to that pledge and accused the U.S. of encouraging Netanyahu.

"If Netanyahu wants to declare Israeli sovereignty over the West Bank, then you know he has to face a real problem, the presence of 4.5 million Palestinians, what to do with them," Malki told the AP while attending the World Economic forum in Jordan, apparently citing the combined total of Palestinians living in the occupied West Bank, East Jerusalem and the Gaza Strip.

He said Israel cannot expel the Palestinians, adding, "The international community has to deal with us."

Netanyahu has actively supported the growth of Israeli settlements in the West Bank, which Israel has occupied since the Six-Day War in 1967. But Israel has so far stopped short of formally annexing the West Bank, leaving the door open for further negotiations with Palestinians.

Some 400,000 Israeli settlers and 2.8 million Palestinians now live in in the West Bank.

The Israeli settlements – which include large subdivisions and cities full of middle-class villas – have long complicated efforts for a two-state solution: Palestinians have said the settlements would make it impossible to create a viable state in the West Bank, as NPR's Greg Myre has reported.

Another 200,000 Israelis live in East Jerusalem, part of the West Bank that Israel annexed shortly after the 1967 war.

Saeb Erekat, chief negotiator for the Palestine Liberation Organization, criticized Netanyahu's statement on Saturday.

"Such a statement by Netanyahu is not surprising," Erekat wrote on Twitter. "Israel will continue to brazenly violate international law for as long as the international community will continue to reward Israel with impunity, particularly with the Trump Administration's support and endorsement of Israel's violation of the national and human rights of the people of Palestine."

Netanyahu's political campaign has emphasized his close ties with President Trump, Estrin reports. In his prime time interview on Saturday, Netanyahu portrayed those moves of support from the Trump administration as his own achievements, the AP reports.

Last month, Trump recognized Israeli sovereignty over the Golan Heights, which Israel seized from Syria in 1967. In his first year in office, Trump had also recognized Jerusalem — the disputed city claimed as capital by both Israeli and Palestinian people — as Israel's capital, breaking with decades of U.S. foreign policy.

Polls indicate a close race, though Netanyahu's Likud Party and its traditional allies, smaller right-wing parties, are predicted to win a slight majority of the votes. That gives Netanyahu the edge on forming a ruling coalition over Gantz's Blue and White political alliance — unless some right-wing parties choose to side with Gantz, Estrin reports.

Gantz has accused Netanyahu of inciting against Israel's Palestinian Arab citizens and embracing extremists by allying with the far-right Jewish Power Party.

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Gulf Region

Saudi-led air raids 'kill at least 11 civilians' in Yemen's Sanaa (Al Jazeera)

April 7, 2019

Air raids by a Saudi-UAE-led coalition in a residential area in Yemen's Houthi-held capital, Sanaa, have killed at least 11 civilians, including children, according to local officials.

Youssef al-Hadri, a spokesman for the rebel-controlled health ministry, was quoted by DPA news agency as saying that the attack on Sunday left more than 39 people wounded.

He said most of the victims were students killed in the bombing of houses and a school.

Citing local medical sources, The Associated Press news agency put the number of those killed at 13, including seven children. More than 100 were wounded, it added.

"Everyone was hysterical, some were crying and shouting in panic," said Fatehiya Kahlani, principal of Al Raei school. "The situation was horrible as the school population is 2,100.

"Some girl students were killed and others were wounded and are in a hospital as a result of the missile strike. The school building was destroyed too."

"We suddenly heard a fighter jet while we were at school. We then heard the first strike. We remained calm. Then came the second strike and then the third, which was the strongest of them all," said Ali Ahmed, a wounded student.

"The building was damaged and we were injured by broken glass. As the fourth air strike came in, we panicked and ran home."

The Saudi-UAE-led alliance fighting the Houthis said its jets had struck a military camp in the Sanaa suburb of Sawan, according to DPA. But the coalition did not provide casualty figures.

The state-run news agency in Aden, aligned with the coalition-backed government of President Abd-Rabbu Mansour Hadi, said a warehouse used by the Houthis to store weapons was targeted.

The latest conflict in Yemen began with the 2014 takeover of Sanaa by Houthi rebels, who toppled Hadi's government.

Air raids by a coalition led by Saudi Arabia and the United Arab Emirates have hit schools, hospitals and wedding parties, killing thousands of Yemeni civilians. The Houthis have fired long-range missiles into Saudi Arabia and targeted vessels in the Red Sea.

The fighting in the Arab world's poorest country has killed thousands of civilians, left millions suffering from food and medical shortages, and pushed the country to the brink of famine.

UN humanitarian chief Mark Lowcock has said about 80 percent of Yemen's population - 24 million people - needs humanitarian assistance, including nearly 10 million "just a step away from famine" and nearly 240,000 "facing catastrophic levels of hunger".

Appeal aims to block UK arms sales to Saudi Arabia (Al Jazeera) By Gavin O'Toole
April 9, 2019

London, United Kingdom - Judges in the United Kingdom are due to hear a landmark appeal seeking to block the sale of weapons worth billions of dollars to Saudi Arabia.

The case brought on Tuesday by campaigners against the arms trade could force Britain to halt exporting missiles, bombs and jets in a move that some observers say could curtail Saudi air raids in Yemen within weeks.

"A halt to UK arms exports and engineering support would have a material effect on the Saudis being able to conduct their bombing missions," said Anna Stavrianakis, senior lecturer in international relations at the University of Sussex and an expert on the arms trade.

"Some reports suggest the Saudi bombing missions would have to stop within seven to 14 days. It would have a material effect on the peace process in Yemen."

The UK has licensed at least 4.6 billion pounds (\$6bn) worth of arms to Saudi forces since the bombing of Yemen began in 2015, and British weapons and military support - now accounting for half of the country's arms exports - have become crucial to the war effort.

At the same time, there has been growing public disquiet about Britain's role, with polls indicating that only six percent of people in the country now support arms sales to Saudi Arabia.

'Serious violations'

The Campaign Against Arms Trade (CAAT) is attempting to overturn a 2017 ruling in the UK's High Court that allowed arms suppliers to continue exporting weapons to the Saudis.

CAAT insists the sales break UK laws blocking export licences if there is a clear risk of weapons being used in "serious violations" of international humanitarian law, and the Court of Appeal in London on Tuesday heard its bid to overturn the 2017 judgement.

"We are taking this action because we believe these sales aren't just immoral, they are also illegal, and they are playing a central role in the bombardment and devastation which has followed," said CAAT spokesman Andrew Smith.

"Right now, as we speak, UK-made jets are flying over Yemen being flown by UK-trained pilots and firing UK-made missiles and dropping UK-made bombs, and we have no doubt this is being used to destroy civilian infrastructure and kill civilians," he said.

The crisis caused by the war in Yemen is described as the world's worst humanitarian catastrophe, with nearly 10 million people at risk of starvation.

Human rights groups dismiss British government arguments that what it is doing is lawful, that it operates "robust" export controls, that its military advisers working with Saudi forces are not directing air raids, and that the Saudi-led intervention was endorsed by the United Nations.

Humanitarian catastrophe

In February, British ministers said they were providing an additional 200 million pounds (\$261m) to Yemen to help feed 3.8 million people, bringing total UK humanitarian support to the war-torn country to 770 million pounds (\$1bn), and had made strenuous efforts to support a political settlement to the conflict.

Aid organisations such as Oxfam have said this "incoherent policy means that what it gives with one hand, it takes away with another" while other groups claim the UK is ignoring alleged Saudi war crimes.

"Saudi strategy appears to include directly targeting and pressuring the civilian population - targeting them militarily and pressuring them economically," Stavrianakis said.

"Both of those things are illegal under international law, so no amount of being involved in the peace process and no amount of aid can compensate for that."

If the CAAT appeal is not successful, Smith said, "the message this will send to dictatorships everywhere is that you can inflict the worst humanitarian catastrophe in the world on another state, you can kill tens of thousands of people, destroy vital infrastructure all across the country, and the UK will still sell you arms."

"What this case does is expose the utter hypocrisy at the heart of UK foreign policy," he added.

"We are constantly being told that the country stands up for human rights and democracy - and all the while it is arming and supporting some of the most brutal authoritarian regimes in the world, none more so than Saudi Arabia."

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ASIA

Afghanistan

U.S. Strips Visa From World Criminal Court Prosecutor Pursuing War-Crimes Inquiry (NPR) By Bill Chappell
April 5, 2019

The U.S. has revoked the visa of the International Criminal Court's chief prosecutor, weeks after warning it would take such an action against anyone from the ICC who is investigating allegations that U.S. personnel might have committed war crimes in Afghanistan.

Prosecutor Fatou Bensouda's office confirmed the revocation and, citing the ICC's international mandate, said the prosecutor and her office will continue to pursue their duty "with utmost commitment and professionalism, without fear or favor."

Bensouda has asked the Hague-based court to open a full investigation into alleged war crimes in Afghanistan, including any that might have been committed by Americans and Afghan government forces.

The U.S. is not a party to the treaty that created the international court. Instead of joining the organization when it was founded, the U.S. adopted the American Service-Members' Protection Act, which broadly prohibits the U.S. from facilitating any ICC investigation of U.S. or allied service personnel — and which blocks ICC staff from conducting such work inside the U.S.

Article continues after sponsor message

While the U.S. claims its citizens and military personnel are outside of the ICC's jurisdiction, the court says Afghanistan is within its purview because the country ratified the Rome Statute, which established the court, in early 2003.

"The ICC therefore has jurisdiction over Rome Statute crimes committed on the territory of Afghanistan or by its nationals from 1 May 2003 onwards," the court said in its summary of a preliminary examination in 2013.

A State Department official confirmed that Bensouda's visa was revoked Friday but provided few other details, citing confidentiality rules around visa records. Instead, the official reiterated that the U.S. will protect its personnel from "unjust investigation and prosecution."

Last month, Secretary of State Mike Pompeo — who had previously criticized the ICC and other international organizations — announced the U.S. would deny visas to ICC staff who are found to be directly involved in any investigation into U.S. or allied personnel.

On Friday, the State Department official clarified that Bensouda and other ICC officials whose visas are revoked would still be able to travel to the U.S. — but only to visit the U.N.

"The prosecutor will have to travel to New York," Teri Schultz reports for NPR, "as she gives regular briefings to the U.N. Security Council, including on investigations which the U.S., as a permanent member of the council, has requested. There's a special diplomatic visa available for such occasions, for which she'll now have to apply."

When the ICC prosecutor's office asked the court's pretrial chamber to authorize an investigation in late 2017, it noted the prolonged and violent conflicts that have played out in Afghanistan, with the Taliban and its allies clashing with pro-government forces — and civilians often caught in the middle.

The 2017 report cited allegations of war crimes committed by the Taliban and its affiliates. It also said there was "a reasonable basis to believe that members of the United States of America ('US') armed forces and members of the Central Intelligence Agency ('CIA') committed acts of torture, cruel treatment, outrages upon personal dignity, rape and sexual violence against conflict-related detainees in Afghanistan and other locations, principally in the 2003-2004 period."

In that report, the prosecutor's office said it was spurred to investigate because it seems that the U.S. is not mounting "national investigations or prosecutions," despite what it called "unprecedented details of the interrogations."

When the U.S. Congress approved the American Service-Members Protection Act in 2002, it set the legal framework for denying support to the ICC's investigations. The law's language — which authorizes the president to use "all means necessary" to free any American held by the tribunal — also prompted its critics to name it The Hague Invasion Act.

Germany charges Afghan man with war crimes (The Telegraph)

April 9, 2019

German prosecutors say they've charged a 26-year-old former Afghan officer with war crimes for allegedly abusing prisoners and defiling the corpse of a man he boasted he'd "killed like a donkey."

Ahmad Zaheer D., whose last name wasn't given in line with privacy laws, is accused of shaking two prisoners by the hair during an interrogation around late 2013 and punching one, while another soldier hit a third with a hose.

Federal prosecutors said Tuesday that the suspect brought the corpse of a high-ranking enemy commander into a town in March 2014, telling villagers he'd killed him and putting a meat hook into the corpse's head, then stringing the body up with a rope.

He was arrested Oct. 25 near Munich. It wasn't clear when he came to Germany.

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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

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Bangladesh International Crimes Tribunal

5 Sentenced to Death over War Crimes in Netrokona By Mizanur Rahman
March 28, 2019

The International Crimes Tribunal has sentenced five men to death on charges of torture, abduction, murder and rape during the Liberation War of 1971 at Purbodhala in Netrokona.

A three-member tribunal, led by Justice Shahinur Islam, announced the verdict on Thursday.

The convicted are Abdul Majid, 66, Abdul Khalek Talukder, 67, Kabir Khan, 70, Abdus Salam, 68, and Nuruddin, 70.

The judges began delivering the 240-page verdict against the absconders at around 10:40am on Thursday.

The convicts will have the opportunity to file appeal within a month if they surrender.

Chief Prosecutor Golam Arif Tipu, assigned prosecute Moklesur Rahman Badol, Sabina Yasmin Khan Munni and state provided defence lawyer Gazi MH Tamim were present at the court among others.

On January 28, the tribunal kept the verdict waiting, after the counsels of both sides wrapped up their closing arguments.

During the arguments, the prosecution demanded capital punishment for the war crimes the five were accused of while the defence sought the acquittal of their clients from all charges.

On April 19, 2017, the tribunal framed charges against seven men for their alleged involvement in killing eight people after abduction, torching eight houses, looting valuables of three houses and violating a woman during the 1971 war.

On May 22, 2016, a formal charge sheet was framed against the six alleged war criminals.

Of them, Abdur Rahman died at a hospital after arrest in the case, before the charge sheet was filed, and Ahammed Ali died in prison before he was indicted.

Abdul Quadir, a freedom fighter of Purbadhala upazila and brother of one of the victims, filed the case in 2013.

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War Crimes Investigation in Myanmar

Myanmar: UN 'disturbed' over attacks against civilians in Rakhine (Reuters)
April 5, 2019

The UN human rights office has condemned the Myanmar military for "again carrying out attacks" against civilians, expressing deep concerns over an escalation of violence in the country's restive Rakhine State.

The western state was the epicentre of a brutal crackdown by Myanmar's security forces in 2017 which forced about 730,000 Rohingya to flee into neighbouring Bangladesh.

The UN has accused the army of "genocidal intent" in its campaign against the long-persecuted, majority-Muslim ethnic minority, which followed attacks by a Rohingya armed group on police posts in late August 2017.

More recently, the military has been battling another armed group, the Arakan Army, which draws recruits mostly from the ethnic Rakhine population.

On Friday, a spokeswoman for the UN High Commissioner for Human Rights voiced concern about attacks on civilians by both sides.

Ravina Shamdasani said that there were "credible reports of the killing of civilians, burning of houses, arbitrary arrests, abductions, indiscriminate fire in civilian areas, and damage to cultural property".

She cited sources on the ground as saying at least seven people were killed on Wednesday when two military helicopters flew over a village in south Buthidaung township and fired on civilians tending cows and paddy fields.

Shamdasani said the attack was carried out in an area where thousands of Rohingya were taking shelter having fled earlier fighting. Overall, more than 20,000 people have been displaced by the upsurge in fighting across five townships in Rakhine State.

"We are deeply disturbed by the intensification of the conflict in Rakhine State in recent weeks, and condemn what appear to be indiscriminate attacks and attacks directed at civilians by the Myanmar military and armed fighters," she said,

"As the international community is taking steps towards accountability for the crimes committed against civilians in previous years, the Myanmar military is again carrying out attacks against its own civilians - attacks which may constitute war crimes."

Army statement Separately on Friday, the Myanmar army-run Myawady newspaper said the six Rohingya killed and nine wounded in Wednesday's aerial attack were "together with terrorists while the army was cracking down on the Arakan Army's terrorist activities" in Buthidaung township.

But Arakan Army spokesman Khin Thu Kha denied the dead and wounded men were members of the armed group, saying the military had attacked indiscriminately.

"They bombed everywhere, believing there were Arakan Army members in the jungle," he was quoted as saying by the Reuters news agency.

Three villagers and a regional legislator also told Reuters on Thursday that the men were collecting bamboo near the Sai Din waterfall when an army helicopter attacked,

"All of them were bamboo workers," said Soe Tun Oo, a fellow labourer.

In Geneva, the UN human rights office said the effect of the violence on civilians in northern Rakhine State "has been exacerbated by the government's near-suspension of humanitarian access" since January.

It also urged the army and the Arakan Army to "immediately cease hostilities" and to restore access for humanitarian aid.

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AMERICAS

North & Central America

The US' Thwarting of the ICC Could Make it Easier to Commit War Crimes (Albawaba News) By Ty Joplin
03/27/2019

On March 15, U.S. Secretary of State Mike Pompeo announced the U.S. will deny visas to officials with the International Criminal Court (ICC) who are investigating possible U.S. war crimes committed in Afghanistan.

"The ICC is attacking America's rule of law," Pompeo explained. "It's not too late for the court to change course and we urge that it do so immediately." Pompeo then threatened economic sanctions on the ICC if it continued investigating the U.S.

The announcement came and went, eventually slipping behind the news cycle. But experts on international justice tell Al Bawaba the denial of visas will have lasting consequences, not just for the ICC, but for the global community's struggle for universal accountability.

Denying the ICC's attempts to hold potential war criminals to account accelerates the deterioration of international human rights norms, which has been ongoing for decades.

For dictators however, Trump's rebuke of the ICC is a welcome sign that they'll be able to get away with crimes without the danger of an international court bearing down on them.

"If you're a dictator aspiring to rule with absolute impunity over a country, using a wide range of crimes against humanity, nonconventional weapons and war crimes to keep your hold on power, then Trump has some gifts for you."

The ICC's Potentially Global Moment

The ICC was established in 2002 after 60 states ratified its founding treaty, the Rome Statute. Its sole purpose is to try those who commit crimes against humanity, genocide and other war crimes in a global court.

Over 100 states have since ratified the mandate of the ICC, including all of western Europe, Latin America, Canada, Mexico and Australia. Notable countries who are not part of the ICC are the U.S., Russia, China and Saudi Arabia.

Though its lofty ideal of global accountability is much-lauded, the court has long been criticized for its inability to bring war criminals to justice or expand its reach beyond warlords operating throughout Africa.

Almost every investigation it has conducted has been in Africa, with a focus on the Congo, Central African Republic, Kenya, Sudan and Libya. Arrest warrants it issues are rarely respected or acted upon, its indictments are functionally symbolic and some have noted that the court actually disrupts local accountability systems more than it augments them.

The ICC has risked steadily losing the credibility it was based on, and has positioned itself on the shaky precipice of global irrelevance.

Its Nov 2017 announcement that the ICC will be investigating war crimes potentially committed by U.S. soldiers and members of the CIA in Afghanistan came as a surprise to observers.

The court, which has long-been insulated at the Hague and dismissed, was evolving and readying itself to confront the world's greatest superpower.

In the ICC's announcement, the court indicated it had garnered enough information to warrant a full investigation into potential "war crimes by members of the United States ("US") armed forces on the territory of Afghanistan, and by members of the US Central Intelligence Agency ("CIA") in secret detention facilities in Afghanistan and on the territory of other States Parties to the Rome Statute, principally in the period of 2003-2004."

The ICC also announced it would investigate actions committed by the Taliban and Afghan government forces.

Even if it results in no indictments or convictions, the investigation could stand as a warning to nations that no one is exempt from accountability.

Denying Accountability

This moment has since become seriously jeopardized by the U.S.' reaction, which initially was to threaten to arrest ICC judges and impose sanctions. Pompeo's March 15 announcement takes it a step further by barring ICC access to the U.S., thus impeding the investigation.

“We are determined to protect American and allied civilian personnel from living in fear of unjust prosecution for actions taken to defend our great nation,” Pompeo said.

The “U.S. action to impose visa restrictions on certain ICC staff is an outrageous attempt to bully the court’s judges and deter scrutiny of U.S. conduct,” Elizabeth Evenson, Associate Director of International Justice Program at Human Rights Watch told Al Bawaba.

“At a time of rampant abuses around the globe, it sends exactly the wrong message to penalize war crimes investigators just for doing their job.”

Evenson added that while the ICC has issues, it represents an essential part of the international community’s attempts to establish a global rule of law.

The Trump Administration’s move is not without a historical precedent: the U.S. has maintained a stably antagonistic relationship to the international court since its founding.

In Aug 2002, just a few weeks after the ICC was established, then-president George W. Bush signed the American Servicemembers’ Protection Act. The law was nicknamed the ‘Hague Invasion Act,’ since it threatened to militarily intervene in any ICC attempt to arrest U.S. soldiers or officers. The law, which is still in effect, warns that the U.S. will use “all means necessary and appropriate to bring about the release of any U.S. or allied personnel being detained or imprisoned by, on behalf of, or at the request of the International Criminal Court.”

On top of that, John Bolton, who gained national prominence in the Bush Administration thanks to his hawkish stance against Iran and virulent opposition to the ICC, is now Trump’s National Security Adviser.

“Despite signs of a thaw between the International Criminal Court and the United States during the Obama presidency, there is nothing either new or necessarily unlawful about the U.S. trying to restrict the operation of the ICC,” argued Douglas Guilfoyle, Associate Professor of International and Security Law at the University of New South Wales.

“The ICC has jurisdiction to investigate war crimes or crimes against humanity alleged to have been committed within the territory of its member, Afghanistan, since 2003. As a non-party the U.S. is not obliged to assist those investigations, but it is hard to see how denying visas to ICC staff to enter the U.S. will have much impact when much of the evidence and most of the witnesses will be in Afghanistan,” he added.

Despite the flagrant and flamboyant rhetoric of the ‘Hague Invasion Act,’ there is reason to believe that Trump’s actions are more demonstrably dangerous than Bush’s.

“Through National Security Adviser John Bolton’s pledge to use “any means necessary” to protect [the] U.S. and its allies’ citizens from ICC prosecution and through Secretary of State Mike Pompeo’s additional, concrete step of restricting ICC personnel’s visas, the Trump Administration is demonstrating more hostility to the ICC any of its predecessors,” explained Zachary Kaufman, a senior fellow at the Harvard University Kennedy School of Government and lecturer at Stanford Law School.

“While Bolton’s language echoes text of the American Servicemembers’ Protection Act, which President George W. Bush signed into law, the Bush Administration did not restrict ICC personnel’s visas and even eventually softened its stance towards the ICC,” he adds, noting that Bush eventually allowed the ICC to investigate the genocide in Darfur, Sudan.

The Global Implications

The impact of the visa denial, while subtle now, will likely reverberate for years, imperiling years of consensus and legitimacy the ICC has tried to build. This is mainly because the ICC relies on voluntary member-state participation, and derives its power through the number and global stature of the nations that accede to it.

It also has an ideational mandate—that is, a mandate justified by its founding ideals, which are supposed to be shared by the global community. The more states that block ICC investigations, pull out of its jurisdiction and denounce it, the less ideational power it has and thus the more shaky its mandate becomes.

Eventually, if enough nations in the global community denounce it, it will disappear.

To be sure, the court has also been busy investigating the U.K. for potential crimes committed in Iraq, and the British have been more cooperative than the U.S. So hope is not yet completely gone as the ICC attempts to broaden its scope of cases it investigates.

But the U.S.’ overt obstruction efforts to ICC investigations not only disempowers the court, it also jeopardizes its ability to

function in the long-term and threatens to dissolve the ideals upon which it was built.

“Trump's reinvigoration of an "America First" ideology means international norms are a nuisance—an impediment to furthering American interests. The ICC is the perfect embodiment of everything Trump detests in foreign policy terms,” Phil Clark, a Reader in Comparative and International Politics at SOAS University of London, where he is also the co-director of the Centre on Conflict, Rights and Justice, told Al Bawaba.

“He sees the ICC an unaccountable foreign institution, based in Europe and propagating European values, with the legal authority to pursue American officials.”

In this thinking, Trump accompanies other leaders who have acted to thwart the ICC's investigative efforts.

In March 2009, the ICC issued an arrest warrant for Omar al-Bashir, who has ruled Sudan as a dictator for 30 years and attempted to summon Kenyan President Uhuru Kenyatta along with his right-hand man William Ruto. “Sudan and Kenya did everything they could to stymie the Court. This included barring ICC investigators from crime sites, killing and intimidating witnesses and refusing to hand over evidence,” Clark said.

Other nations also acted against the ICC: South Africa, which helped draft the Rome Statute, withdrew from the court in 2016, citing the desire to protect the region against efforts at regime change. Dozens more have outright ignored the ICC-issued arrest warrant for al-Bashir, allowing him to travel with relative ease around the world.

“So the U.S. now finds itself in this refined company of states that, when they feel their officials are threatened by ICC investigations, pull out all the stops to thwart the Court,” Clark added.

Rodrigo Duterte, a Trump ally and a brutal ruler of the Philippines who enacted a vicious policy of killing people by the thousands, pulled out of the ICC in March 2018 after the court announced it was investigating his supposed ‘war on drugs.’

Douglas Guilfoyle of the University of New South Wales thinks Trump's actions against the ICC “send[s] regrettable signals that obstructing such independent investigations is legitimate, and provides cover to those who have done so such as President Duterte of the Philippines or President Kenyatta of Kenya.”

The U.S., as the world's leading superpower, has an unparalleled ability to shape and break international norms. By denouncing international courts and accountability in favor of sovereignty, other nations throughout the world may be able to use the same rhetoric to escape ICC investigations.

What's bad news for international justice is great news for those dictators and regime heads who have used violent methods against civilians to keep power. It's also good news for other powerful countries that have committed crimes against humanity and fear an investigation to unearth its misdeeds. Rather than be pressured to accept an investigation, they can join a growing, loose coalition of states that explicitly denounce the ICC and seek to undermine it.

These regimes and governments can rest assured knowing the global community's attempts to build an international justice mechanism is languishing.

Guatemala amnesty would free war criminals, soldiers who held women as sex slaves (Reuters)

03/27/2019

Starting in 1982, during one of the darkest moments of Guatemala's civil war, at least 11 Mayan Q'eqchi indigenous women were kidnapped, enslaved and raped over a period of six years at an army camp in the jungle.

Now an alliance of lawmakers who back Guatemala's President Jimmy Morales is drumming up support for an amnesty bill that would allow the men sentenced for the atrocity to walk free. Dozens of other army veterans convicted of crimes against humanity would also benefit. The legislation is part of a growing pushback by conservatives against justice initiatives in the Central American nation, where a brutal U.S.-backed counterinsurgency campaign resulted in tens of thousands of civilian deaths.

“We were raped by men who we didn't even know, and we don't want any woman in our country to ever suffer something like that again,” said Demecia Yat, 60, one of the survivors of the enslavement at the Sepur Zarco military outpost on a plantation in northeastern Guatemala.

In 2016, two soldiers were sentenced in the case to a combined 360 years in prison for crimes against humanity, including sexual slavery and murder. They were convicted under a National Reconciliation Law signed as part of a 1996 peace deal that helped end a 36-year war between Marxist guerrillas and the government.

Almost a quarter of a million people, mostly indigenous Mayans, were killed during the conflict. Around 45,000 of the victims are thought to have been disappeared — a term widely used in Latin America for people believed to have been kidnapped and murdered but whose bodies have never been found.

Yat's husband, and those of several other of the enslaved women, who are known as the Sepur Zarco grandmothers, were among those taken by the army and never returned. Others were killed. "The amnesty proposal is a get-out-of-jail-free card for convicted war criminals and the dozen plus former military officials awaiting trial for war crimes," said Jo-Marie Burt, a professor at George Mason University who monitors war crimes trials in Guatemala, including the Sepur Zarco case.

"This is a blatant attempt by some members of Congress to legislate impunity." While the Reconciliation Law currently grants amnesty for most crimes committed during the war, massacres, kidnapping and crimes against humanity are punishable.

A U.N.-sponsored truth commission found more than 80 percent of atrocities were carried out by the army. Since the peace deal, survivors backed by national and international rights groups have built cases that have led to prison time for more than 65 former soldiers and ex-members of army-backed paramilitary groups. The amnesty law is part of the backlash from politicians close to the military and powerful veterans groups, who argue that the reconciliation law and what they see as a biased justice system has disproportionately punished the armed forces.

Lawmakers supporting the amnesty, which could free all convicted former soldiers within 24 hours of being signed into law by Morales, are led by ultraconservative congressman Fernando Linares, a veteran lawyer who has defended convicted drug traffickers and soldiers.

"The right is empowered now," Linares said.

If successful, the bill would mark a major victory for Guatemala's hardline conservatives, who see the struggle to keep generals out of prison as an extension of the civil war.

Even though the Inter-American Court of Human Rights ruled it should be archived, the amnesty bill remains on Congress' legislative agenda and could be voted on at any time, Linares said.

Also working its way through Congress is a bill aimed at curbing funding for rights groups. And Morales, who has found something of a friend in U.S. President Donald Trump for cooperation on security and illegal migration, has declined to renew the mandate in Guatemala of a U.N.-backed body charged with investigating and prosecuting serious crimes.

Morales has declined to comment about the amnesty, saying it is up to Congress to decide its fate. His office did not immediately respond to a request for comment for this story.

Some supporters of the amnesty bill maintain it would help to heal the wounds of the civil war.

"If there is not a true pardon by both sides, there will never be harmony," said Cesar Calderon, who represented former military dictator Efraín Ríos Montt in a 2013 trial that led to his conviction for genocide. The sentence was later overturned. Rios Montt, in power from 1982-83, died before the appeals concluded.

The amnesty bill has drawn stiff resistance from Guatemalan media, survivors and opposition lawmakers, however, and its passage is not certain.

"If they approve this law, the space that we women have won to get justice will be lost," said Yat, speaking through an interpreter in her native Q'eqchi language.

The horror in Sepur Zarco, the first case of conflict-related sexual violence tried in Guatemala, started at the height of army repression of civilian populations suspected of supporting the rebels. Since the end of the war, the Guatemalan Forensic Anthropology Foundation has unearthed thousands of bodies, many showing signs of torture, in mass graves scattered mainly across the Mayan highlands.

Increasingly, trials of soldiers have been successful, including one last year that led to a 5,160-year sentence for a Kaibil special forces soldier convicted of a massacre in the village Dos Erres that left more than 200 people dead.

A judge in May last year sentenced General Manuel Benedicto Lucas Garcia, brother of late Guatemalan President Fernando Romeo Lucas Garcia and a former head of the army's general staff, to 58 years for his involvement in rape and forced disappearance.

Lucas Garcia was convicted along with other high-ranking officials for the 1981 torture and rape of left-wing student activist Emma Molina Theissen. In retaliation for her escape from a military base after nine days of detention, soldiers kidnapped her 14-year-old brother Marco Antonio. He was never seen again.

Ana Lucrecia Molina Theissen, the victims' sister, fears the amnesty bill would undo a decades-long crusade for justice for her siblings.

"The reform not only favors a powerful, insensitive, inhumane group capable of executing the most atrocious crimes," Molina Theissen said. "It also sends us back to the darkest era of state terrorism."

U.S. Strips Visa From World Criminal Court Prosecutor Pursuing War-Crimes Inquiry (North Country Public Radio) By Bill Chappell

April 05, 2019

The U.S. has revoked the visa of the International Criminal Court's chief prosecutor, weeks after warning it would take such an action against anyone from the ICC who is investigating allegations that U.S. personnel might have committed war crimes in Afghanistan.

Prosecutor Fatou Bensouda's office confirmed the revocation and, citing the ICC's international mandate, said the prosecutor and her office will continue to pursue their duty "with utmost commitment and professionalism, without fear or favor."

Bensouda has asked the Hague-based court to open a full investigation into alleged war crimes in Afghanistan, including any that might have been committed by Americans and Afghan government forces.

The U.S. is not a party to the treaty that created the international court. Instead of joining the organization when it was founded, the U.S. adopted the American Service-Members' Protection Act, which broadly prohibits the U.S. from facilitating any ICC investigation of U.S. or allied service personnel — and which blocks ICC staff from conducting such work inside the U.S.

While the U.S. claims its citizens and military personnel are outside of the ICC's jurisdiction, the court says Afghanistan is within its purview because the country ratified the Rome Statute, which established the court, in early 2003.

"The ICC therefore has jurisdiction over Rome Statute crimes committed on the territory of Afghanistan or by its nationals from 1 May 2003 onwards," the court said in its summary of a preliminary examination in 2013.

A State Department official confirmed that Bensouda's visa was revoked Friday but provided few other details, citing confidentiality rules around visa records. Instead, the official reiterated that the U.S. will protect its personnel from "unjust investigation and prosecution."

Last month, Secretary of State Mike Pompeo — who had previously criticized the ICC and other international organizations — announced the U.S. would deny visas to ICC staff who are found to be directly involved in any investigation into U.S. or allied personnel.

On Friday, the State Department official clarified that Bensouda and other ICC officials whose visas are revoked would still be able to travel to the U.S. — but only to visit the U.N.

"The prosecutor will have to travel to New York," Teri Schultz reports for NPR, "as she gives regular briefings to the U.N. Security Council, including on investigations which the U.S., as a permanent member of the council, has requested. There's a special diplomatic visa available for such occasions, for which she'll now have to apply."

When the ICC prosecutor's office asked the court's pretrial chamber to authorize an investigation in late 2017, it noted the prolonged and violent conflicts that have played out in Afghanistan, with the Taliban and its allies clashing with pro-government forces — and civilians often caught in the middle.

The 2017 report cited allegations of war crimes committed by the Taliban and its affiliates. It also said there was "a reasonable basis to believe that members of the United States of America ('US') armed forces and members of the Central Intelligence Agency ('CIA') committed acts of torture, cruel treatment, outrages upon personal dignity, rape and sexual violence against conflict-related detainees in Afghanistan and other locations, principally in the 2003-2004 period."

In that report, the prosecutor's office said it was spurred to investigate because it seems that the U.S. is not mounting "national investigations or prosecutions," despite what it called "unprecedented details of the interrogations."

When the U.S. Congress approved the American Service-Members Protection Act in 2002, it set the legal framework for denying support to the ICC's investigations. The law's language — which authorizes the president to use "all means necessary" to free any American held by the tribunal — also prompted its critics to name it The Hague Invasion Act.

South America

Chief prosecutor claims terrorists infiltrated native Colombian organization hours after death threat (Colombia Reports) By Adriaan Alsema

April 10, 2019

Colombia's chief prosecutor accused native Colombians' organization of being infiltrated by multiple illegal armed groups hours after they received death threats.

According to Prosecutor General Nestor Humberto Martinez, his office has "reliable information" indicating that illegal armed groups infiltrated the Regional Indigenous Organization of Cauca (CRIC) and plan to assassinate President Ivan Duque while in the southwestern province.

The president is set to travel to Cauca on Tuesday after indigenous protesters on Friday agreed to end a weeks-long blockade of a major highway.

Martinez did not reveal evidence or specified which illegal armed groups would have infiltrated the indigenous' organization.

The chief prosecutor's claim came hours after the Aguilas Negras vowed to continue assassinating regional native Colombian leaders, or "fucking Indian slackers" as the far-right group called them.

The death threats appeared in several villages in the north of Cauca, where the CRIC has been leading protests to demand an end to state neglect.

The far-right group accused the CRIC and the Association of Indigenous Chapters of the North of Cauca (ACIN) of being "guerrillas" and "terrorists."

The Aguilas Negras are widely believed to receive support from radical elements within the military and has expressed its support for large landowners in the region.

A day before the death threat and the chief prosecutor's unsubstantiated claim, far-right former President Alvaro Uribe said on Twitter that "if the authority, serenely, firmly and with social criteria instigates a massacre this is because on the other side there is violence and terror aside protest."

The statement made by Uribe, who is also supported by the Aguilas Negras, was widely rejected by opinion leaders.

Colombia's indigenous nations have long suffered deep-rooted racism and extreme violence, particularly by armed actors that dispute their claims on ancestral lands.

Bogota police rescue 90 children from child prostitution rings (Colombia Reports) By Jake Kincaid

April 5, 2019

At least 90 minors have been rescued from child prostitution rings in Colombia's capital Bogota, police said Thursday.

The authorities busted at least 12 establishments, including bars and motels, that were sexually exploiting children in the Los Martires and Santa Fe districts.

Half of the victims were Colombian and the other half were from other countries, mainly Venezuela.

The foreign children and minors "will be handed over to the country's migration authority so that proceedings can be established."

The Colombian children and minors will be surrendered to child welfare institute ICBF.

Noticias Caracol reported that some of the children were found in unsanitary conditions in an apartment on the third floor with six rooms that smelled strongly of crack and marijuana, and that authorities were tipped off by residents who heard children who sounded to be of two or three years old calling for their parents and deployed surveillance for two months to bust the operation.

Six people were detained and eight establishments were closed.

According to the Colombia's Prosecutor General's Office, some 7,500 children have been reported to be victims of child exploitation in Colombia between 2013 and 2018.

Child rights advocates have said that the number is far higher because of the high impunity rate in cases of child prostitution or human trafficking. The prosecution pledged to increase efforts on this front last year.

Bogota security secretary Jairo Garcia also vowed continued action against child prostitution in Colombia's capital.

Peru: British environmental activist was dead before his body was burned (The Guardian)

April 4, 2019

A forensic expert in Peru has confirmed that the British Catholic missionary and activist Paul McAuley was dead before his body was burned at a hostel he founded in the jungle city of Iquitos.

The head forensic doctor in Peru's Loreto region, Francisco Moreno, told the Guardian that no traces of carbon dioxide were found in McAuley's blood indicating he had not inhaled smoke, thus ruling out burning as a possible cause of death.

Students found the body of the 71-year-old on Tuesday in a hostel that he set up for indigenous schoolchildren in the poor Belén neighbourhood.

State prosecutors would not say if they had opened a murder inquiry or what might have been the cause of McAuley's death. They have questioned six male indigenous students who lived in the hostel.

Moreno said it was difficult to determine the cause of death and more pathological and toxicological tests were being conducted but it could take between three to six months to know the results.

"The body has been largely destroyed, approximately 80% of it. This a complex case," he said.

Born in Portsmouth, McAuley was a lay Catholic brother with the De La Salle teaching order. He came to the world's attention in 2010 when Peru ordered his expulsion for helping Amazon tribes to fight against the onslaught of oil and gas companies invading the rainforest.

At the time, local media labelled him as a "Tarzan activist", "white terrorist" and "incendiary gringo priest".

A few years after arriving in Peru in 1995, McAuley was awarded an MBE for his work in setting up a school in the poor Punta Piedra shanty in the capital, Lima. Had he not already given the award away, he said in 2010, he would have sent it back to the Queen in protest against British companies' presence in the rainforest.

Peru's episcopal conference paid tribute to McAuley and called on the authorities to thoroughly investigate the crime.

"Hermano Paul was an amazing human being," Julia Urrunaga, the Environmental Investigation Agency's Peru director, told the Guardian.

"When he moved to the Peruvian Amazon, he focused on supporting young indigenous leaders, helping them to get the tools and means to defend the rights of their communities and their forests. Being around him was inspiring."

Women Weaving Life in Southern Colombia (NACLA) By Julia Margaret Zulver

April 3, 2019

Fifteen days before her wedding in 1990, Sandra* was kidnapped and raped at gunpoint by armed men. She survived the attack, and today works with the Alianza de Mujeres Tejedoras de Vida (Alliance of Women Weavers for Life), a coalition of grassroots women's associations across the 13 municipalities of the department of Putumayo, Colombia.

Based in the municipality of San Miguel on the border with Ecuador, Sandra is one of many victims of Colombia's armed

conflict. In 2014 a friend took her to an Alianza meeting, where she “began listening to other stories of women’s resistance in this violent territory.”

Women leaders founded the Alianza in 2005 amid staggering levels of violence in the hopes of uniting “feminine force” to rebuild the social fabric of communities after years of terror. It today serves as an example of resistance in the face of the current reconfiguration of Colombia’s armed conflict by empowering women to denounce crimes, providing them with economic opportunities, and teaching them how to become peacebuilders in their communities.

Sandra participated in the peacebuilding program through Alianza and is now a Peace Mediator, where she works to promote the Alianza in both urban and rural spaces. Her involvement has made her a target. After receiving threats from both FARC dissidents and local paramilitaries, she now travels with a state-provided armed bodyguard. “In May they came to my house... and pushed their way in... They told me I had to join them or they were going to kill me and my daughters.” Later, a paramilitary group followed and threatened her because of her community leadership, she said.

“The paramilitaries came, a woman and two men, all armed... They asked me for information. They said, if you don’t help us, we know where your daughters work.” When Sandra refused, they turned up at the casino where her daughter worked. Her daughter hid inside, protected by her colleagues, until Sandra and her friend could smuggle her out under cover of darkness.

Sandra is not the only woman who has experienced violence since the passage of Colombia’s historic peace accords, signed in 2016, which officially ended the country’s five decades of conflict between the Revolutionary Armed Forces of Colombia (FARC) and the government. On May 2, 2018, Deyanira Guerrero, treasurer of the local Alianza affiliate association, disappeared from El Placer, and has not been seen or heard of since. Her name had previously appeared in a threatening pamphlet sent out by a paramilitary group.

The situation has worsened considerably. In February, the Alianza denounced the “alarming wave of episodes of violence against women and feminicides in the region.” They have identified thirteen cases of femicide and ten forced disappearances that have taken place so far in 2019, which they attribute to attempts to “intimidate and silence those who seek to advance the rights of women in the region.” A newspaper report from March 2019 documents seven cases of feminicides in just one weekend, including that of Sonia Yanabeth Rosero who had aspirations to run for mayor in Puerto Asís.

Women are being targeted, Sandra says, because “we have fuerza and that is the biggest threat we pose... They don’t want leaders; they want complete social control.”

Bajo Putumayo is an Amazonian savannah in southern Colombia, bordering Ecuador and Peru. Since the late 1970s, the region has been a hub for coca production, with a variety of armed actors vying for control over this lucrative illicit economy. By 1991, the 48th Front of the FARC had gained territorial hegemony. In 1999, however, the Bloque Sur Putumayo (Southern Putumayo Block) of the United Self-Defense Forces of Colombia (AUC) paramilitary began to fight the FARC for control.

As a Centro de Memoria Histórica (Historical Memory Center, CMH) report notes, from 1999 until the AUC demobilization in 2006, “terror, threats, anxiety, fear, confinement, armed combats, stigma, torture, sexual violence, and imposed social order” marked this part of the country. Towns like El Tigre and El Placer witnessed public massacres. Women were specifically targeted during this period of paramilitary rule. Their bodies “became objects of desire and control for the paramilitaries,” according to the same report. Colombia’s Victims’ Unit documented almost 237,000 cases of displacement, 29,000 murders, and 1,500 cases of sexual violence in the department between 1985 and 2019.

Many paramilitaries also accused women of being guerrilla supporters simply for living in FARC territory. The CMH report documents the story of a woman accused of previously having sexual relations with FARC members. In retribution, she said, the AUC publicly and brutally gang-raped her, killing the fetus she was carrying, breaking her hip, and leaving her permanently disfigured. In this way, women’s bodies “became vehicles for [sending] terrorizing messages to the population,” the report concludes. Such practices were common. Women were also tortured and killed in front of their neighbors and loved ones, the report asserts.

During the conflict between the AUC and the FARC, Doña Fátima Muriel was an educational supervisor. As she traveled throughout the department, it became clear to her “that this was a war.” She talked to families, teachers, and children, and she realized “the social fabric was damaged; if a woman is killed, the entire home is killed.”

The need to build a protection network specifically for women led Muriel and a group of female leaders to begin to organize meetings with various community women’s associations to unite under one set of goals. Today, the Alianza is the strongest women’s organization in the department. It brings together 115 constituent women’s associations “to empower women and their organizations... with the goal of recovering the social fabric that was affected by the armed conflict and social violence, and to build a Putumayo with gender equality and peace,” according to their website. They hope to achieve this goal through three main programs: (1) women, human rights, and peacebuilding, (2) women and political participation, and (3) women and

social and economic development.

Members of the Alianza were present in the peace talks in Havana, where they spoke before the gender subcommittee and offered their advice on how the peace process could take a gendered approach to respond to the needs and challenges facing women. During this experience, they decided to train 65 women as “Mediators of Peace” in a diploma program. Originally funded by Fundación Colombia Transforma (Foundation Transform Colombia), they now operate across the department, replicating what they learned and teaching it to other women who survived the armed conflict, thus transforming territories of violence into spaces of peace. “What we want is reconciliation. The women here are very scarred, they carry pain,” Muriel explains. “Without the truth they are never going to be able to forgive.”

Their work faced a challenging moment in 2016, when a group of FARC rebels came out of the jungle to the Carmelita demobilization camp near Puerto Asís in 2016 in the wake of Colombia’s peace accords, part of reintegration agreement. Many other community members were hesitant to work with the demobilized rebels, who they mistrusted after living through years of armed conflict. But the members of the Alianza decided that in the spirit of building peace, they needed to make a gesture of goodwill towards them. “We were the only ones who went to receive [the FARC] with our hearts open,” Muriel says. “When we got to work with them, they asked us for our forgiveness, and we forgave them.”

In 2018, the Alianza began the No Estás Sola (You are Not Alone) campaign. Part of this campaign involves providing legal and psychological assistance for victims of gender-based violence, as well as monitoring and documenting cases. In nine months, 53 cases were registered, 53 percent involving sexual violence. This number is likely even higher than the records reflect. “There are many women who still don’t want to talk about this. They’re afraid,” a survivor who wished to remain anonymous tells me.

Alianza also pays homage to its compañeras who have been killed, through large-scale initiatives such as creating truth murals in the biggest town in each municipality. These paintings differ in size and content, but center on memorializing those who were killed or disappeared in the context of the armed conflict. The most elaborate mural is located at the Puerto Asís Airport, where the women created a mural of three Indigenous women’s faces out of thousands of recycled bottle tops. In Villagarzón, a mural features the face of a woman whose hair is made of a tree and leaves; below her are a series of plaques with the names of deceased women from the region. The inscription reads: arrancaron nuestros frutos, cortaron nuestras ramas, quemaron nuestro tronco, pero no pudieron matar nuestras raíces... (they pulled off our fruits, they cut our branches, they burned our trunks, but they could not kill our roots...).

Colombia’s southern border doesn’t receive the same international attention as does its border with Venezuela. Despite this, it is not a border region that authorities and policymakers can afford to forget. According to the UNODC, Putumayo was one of the highest coca producing regions of 2017 (24 percent of the national total). This figure jumped another 20 percent between 2017 and 2018. Given a lack of economic opportunities, many women work in the coca industry, exposing them to multiple dangers at the hands of armed groups.

Despite ongoing peacebuilding efforts, the security situation in Bajo Putumayo is changing, because throughout Colombia, the demobilization of the FARC left behind power vacuums in areas where the rebels previously dominated. New guerrilla and violent armed groups are once again seeking territorial control to gain dominance over coca production and other illegal economies.

For example, in January 2019, a pamphlet signed by the Bloque Sur Putumayo AUC (Putumayo Southern Bloc, AUC) contingent of what was formerly the most powerful paramilitary group in Colombia, was distributed locally, warning of social cleansing against Indigenous organizations, social leaders, and journalists.

Despite this, the Alianza continues to fight for gender justice. They have actively called on the government to protect women’s rights in the context of “an epidemic of machista violence.”

The women try to keep a lower profile by not wearing identifying clothing or spending time in public spaces. They take care of each other. As Sandra notes: “We are sisters now. When something happens to one of us, it happens to everyone.”

*Her name has been changed for security reasons.

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Venezuela Says More Russian Troops May Arrive to Face U.S. as Syria Offers Support (Newsweek) By Tom O'Connor
April 4, 2019

Venezuela has said that more Russian military personnel may arrive to support the Latin American country, where the U.S. has sought to oust the socialist-led government. Commenting on the presence of up to 100 Russian military personnel who arrived in Caracas last month amid threats of U.S. intervention, Venezuelan Deputy Foreign Minister Ivan Gil told Russia's Interfax news agency Thursday that "the group of military specialists is within our agreements and contracts on military-technical cooperation." He said they would remain there "as long as necessary."

Gil then revealed that more troops could be on the way, but "all within the framework of those agreements," which reportedly included the maintenance of S-300 surface-to-air systems sold by Moscow to Caracas under the late Venezuelan President Hugo Chávez.

Chávez's successor, President Nicolás Maduro, has faced overt pressure from President Donald Trump's administration to step down since parliament speaker Juan Guaidó declared himself interim leader in January as the country faced a historic economic crisis exacerbated by mounting U.S. sanctions.

Russia's support for Maduro angered U.S. officials, who responded to Moscow's recent deployment—which followed joint Russian-Venezuelan drills in the Caribbean in December—with outrage. President Donald Trump warned last week that "all options are open" in ensuring an exit for the Russians and his envoy to Venezuela, Elliott Abrams, who was reportedly part of a 2002 coup attempt against Chávez. Trump cautioned that the country would "pay a price" for its actions in support of Maduro.

Moscow defended its deployment as part of its "military-technical cooperation" with Caracas and Russia's state-run Rostec conglomerate, announcing Tuesday that it had opened a new center to train Venezuelan pilots to fly Russian-built military helicopters. In remarks published the following day by Moscow-based newspaper Moskovskij Komsomolets, Russian Foreign Minister Sergey Lavrov challenged White House National Security Adviser John Bolton's warning to "actors external to the Western Hemisphere against deploying military assets to Venezuela" by pointing out that "the whole world" is covered with U.S. bases.

In that same interview, Lavrov said he had so far ruled out a scenario similar to that of Syria, where Russia sent troops to counter a U.S.-backed insurgency and various jihadi groups attempted to depose Syrian President Bashar al-Assad. The Syrian leader himself, however, drew comparisons between the crises in his country and Venezuela during a meeting Thursday with Venezuelan Foreign Minister Jorge Arreaza in Damascus.

"What's happening in Venezuela is similar to what happened in Syria, and its aim is achieving hegemony over nations and the seizure of their independent decisionmaking, which undermines international law and is contrary to the most important principles of the United Nations Charter to respect the sovereignty of states and the right of their peoples to self-determination," Assad said, according to his office.

Assad, who stood accused by the West of war crimes, has once again emerged as the top player amid an eight-year civil war thanks to backing from Russia and Iran. He offered his support for Venezuela during talks with Arreaza, who tweeted that he would "transmit the loving embrace of solidarity" to Maduro.

While the situations in Venezuela and Syria have polarized the international community, even some U.S. allies turned on Trump's decision last month to recognize the occupied Golan Heights as part of Israel, a departure from the policies of previous administrations and the position of the United Nations.

Syrian Foreign Minister Walid al-Muallem further condemned the controversial move, as well as the ongoing presence of U.S. troops in his country, during his own meeting Wednesday with Venezuela's top diplomat. Arreaza, for his part, argued that "the U.S. wants to attack Venezuela and seize its wealth, oil and other resources," but "the experience of Syria gives us lessons and ideas to win this war," according to his office.

"When President Assad described the early days of the war against Syria, we could identify similarities with what we are living through in Venezuela, the same enemy with the same interests, but it is also the same people resisting imperialism," he added.

Maduro Is Cut Off From \$400 Million in Cash Held at the IMF (Bloomberg)

April 10, 2019

As Nicolas Maduro steps up his search for cash overseas, another door is slamming shut. The International Monetary Fund suspended the Venezuelan leader's access to almost \$400 million of special drawing rights, citing political chaos since National Assembly President Juan Guaido claimed in January that he was the nation's rightful leader, said two people familiar with the matter. Venezuela already whittled its SDR holdings down from almost \$1 billion in March 2018.

The IMF's caution marks at least a temporary defeat for Maduro's government as it seeks to gather money held abroad to stave off a devastating economic collapse that could undermine key support from top military commanders. The SDRs represent one of the regime's last remaining sources of cash. Almost two-thirds of Venezuela's \$9 billion in foreign reserves are in the form of gold, which has been difficult to liquidate because of U.S. sanctions.

IMF spokesman Raphael Anspach said he couldn't comment on the status of SDRs, which are valued against a composite of five global currencies and were established in the 1970s to guard against too much reliance on gold or the U.S. dollar. Venezuela has historically used SDRs to bolster its reserves, which have dwindled to near the lowest in decades.

Venezuela's Finance Ministry declined to comment. Central bank spokeswoman Yosendy Chirguita didn't respond to calls and emails seeking comment.

Guaido's camp has all but declared victory in the battle over who has access to the SDRs. Ricardo Hausmann, a Harvard professor and economic adviser to Guaido, said the IMF is safeguarding the assets until a new government takes over. "Those funds will be available when this usurpation ends," he said in an interview at Bloomberg headquarters in New York. Whether the IMF will formally recognize Guaido as Venezuela's leader is an open question. Under the fund's rules, a government must be recognized by a majority of member countries to access its SDR reserves. Neither Maduro nor Guaido has garnered the requisite support, the people said, speaking on condition of anonymity because they aren't authorized to comment publicly.

In late January, the Bank of England stymied Maduro's attempt to pull \$1.2 billion of gold from its vaults, while the Trump administration handed control of key Venezuelan bank accounts in the U.S. to Guaido. On its website, the IMF lists Maduro's finance minister, Simon Zerpa, as Venezuela's representative. The Inter-American Development Bank, by contrast, has recognized Guaido and lists Hausmann on its website as Venezuela's official delegate.

The limbo recalls a crisis in Honduras a decade ago. Back then, the IMF recognized the government of President Manuel Zelaya, whom the military had forced into exile at gunpoint. As a result, the interim government couldn't immediately tap \$163 million in Honduran SDRs to boost its foreign reserves.

Venezuela's relationship with the IMF has long been contentious. In 2007, then-President Hugo Chavez pledged to cut ties with the fund. That plan was never carried out because leaving the IMF risked triggering a technical default in which investors could demand immediate repayment on some bonds. Since then, Venezuela has defaulted on more than \$10 billion in payments.

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TOPICS

Truth and Reconciliation Commission

How The Gambia is going about its search for truth and reconciliation (Premium Times) March 28, 2019

Seeking uncomfortable truths about atrocities perpetrated against citizens has

become an integral part of rebuilding societies after the fall of authoritarian regimes or at the end of armed conflicts.

In West Africa, Nigeria (1999), Sierra Leone (2000), Ghana (2002), Liberia (2005) and Côte d'Ivoire (2012) are among countries that have walked this path.

The setting up of the Truth, Reconciliation and Reparations Commission in The Gambia is no different. It follows over 20 years of authoritarian rule under Yahya Jammeh marked by egregious violations of human rights. The crimes included torture, disappearances and extrajudicial killings of people perceived to be opponents by the dreaded National Intelligence Agency and Jammeh's loyal death squad, the Jungulars.

It took the intervention of the West African regional powers to install Adama Barrow after his surprise electoral victory over Jammeh in elections held in 2016. When Barrow took over one of the first promises was to establish a truth commission to chronicle past atrocities. He considered this a necessary first step towards national reconciliation and peace-building. He said at the time:

Before you can act, you have to get the truth, to get the facts together.

After extensive consultations with ordinary citizens, civil society organisations and international human rights institutions, a new law was passed in 2017 to facilitate the setting up of a truth and reconciliation commission.

The act required that an historical record be put down of the nature, causes and extent of human rights abuses committed under Jammeh between July 1994 and January, 2017. The commission's mandate includes investigating violations and abuses of human rights and identifying who was involved; establishing the identity of victims, their fate and the extent of the harm suffered; and finally determining what evidence has been destroyed to conceal violations and abuses.

The process is to be welcomed because families will finally know how their relatives disappeared or were killed. In the course of the hearings, public apologies by perpetrators will be offered. But searching for truth is often difficult. Through testimonies and the collection of information from various places, the commission will come across many truths of what happened. The complex task will be how to establish what's truthful, and what is not.

The commission's remit The Commission requires witnesses to be truthful in their evidence. For this reason, it has adopted a key International Criminal Court (ICC) procedure for getting its witnesses to testify on the truthfulness of their evidence. Article 69 (1) of this procedure states that witnesses shall

give an undertaking as to the truthfulness of the evidence to be given by that witness

This is an affirmation to witnesses that the nation is interested in nothing, but the truthfulness of the evidence.

The difficulty in The Gambia's approach in search of truth is that people who committed crimes against humanity face prosecution. Under Article 19 (3) of the Gambia commission act,

Amnesty shall not apply to acts which form part of a crime against humanity. Under the circumstance, some important disclosures by perpetrators could be concealed for fear of future prosecution.

The process followed by Ghana was quite different. It offered a blanket immunity to perpetrators of past atrocities. This could allow for important disclosures and also a good means to chronicle how most serious crimes were perpetrated which could be difficult through The Gambia's approach.

The good thing about The Gambia's approach is that allowing criminal trials for most serious crimes means holding perpetrators accountable for their crimes.

Extrajudicial killings The commission begun sitting on 7 January, 2019. Since then it has conducted 87 sittings at which a number of former soldiers and past and present commissioned officers of the Gambia National Army have testified. Their testimony has mainly been on the events of the July 1994 coup which ousted the country's first president Dawda Jawara.

Other officers have testified on the botched coup of 11 November 1994.

So far, a number of revelations on extrajudicial killings in the 11 November massacre have been laid bare. Some have made confessions about these killings, even within military barracks. An army colonel who was himself a victim of abuse supervised by his senior has also come forward. Another officer, a lieutenant-colonel, witnessed dead bodies of people shot in their barracks under the auspices of the military junta of Yahya Jammeh, and also the two mass graves in the Yundum barracks.

Justice in all forms Speaking at the launch of the 11-member commission headed by a former senior official of the United

Nations, Lamin Sise, President Barrow declared the “dark days” experienced under Yahya Jammeh were over. Typical of truth commissions, he rehashed the “never again” catchphrase stressing to his fellow Gambian compatriots not to revisit the country’s authoritarian past.

Barrow urged the commission to put victims at the centre of the process, arguing that the inclusion of reparations in the commission’s work was to ensure that the victims of the past regime received justice in all forms.

The Gambian-born International Criminal Court prosecutor, Fatou Bensouda, acknowledges the complexities and uniqueness of past truth commissions in Africa and elsewhere. However, she points out that setting aside accountability of perpetrators of the most serious crimes could have a negative effect on the long term sustainable peace and social cohesion.

From the sittings so far, there is no doubt the commission will unravel the circumstances of some extrajudicial killings and disappearances necessary for families to know how their relatives were killed and buried. What is unclear is how Yahya Jammeh, who has been the key person in the execution of these atrocity crimes, would have the opportunity to respond to allegations being made against him.

Liberia: No Decoration for Forgotten ‘Death Hole’ Victims (Front Page Africa) By Lennart Dodoo
March 29, 2019

Loud weeping and low meditations, wreaths on sparkling graves, radiant tombstones with prayers that the inhabitants “Rest in Peace”, quarrels over vaults and vandalism, too. These are some of the highlights of Decoration Day, observed this year on March 13.

But the graveyard at the end of the runway of the James Spriggs Payne Airfield towards the mangrove swamp has been quiet for nearly 30 years. Survivors say many people were killed and buried here in 1990. Yet there has been no weeping or wreaths. Bones of the victims poke out between tall grasses behind the rusty, wire fence. This community on the Old Road side of the runway is called Tweh-Johnsonville but people here know it as “Death Hole” in reference to the tragedy it bears witness to.

“That time we moved here, we used to see bones in the fence, outside the fence,” says 23-year-old Hajah Zoeduah who lives in a new community within Death Hole at the end of the runway, where the killings were done. “When we used to be digging the dirt, we used to see dead body bones all around the fence,” she says.

Community chairman Stephen Korpel III Kropel says the community has not thought about a memorial for Death Hole victims but says he will discuss it with the community. “We have to give recognition to the dead, especially those that were killed,” says Korpel III.

The people killed here were predominantly of the Gio and Mano tribes, accused of being rebels of the National Patriotic Front of Liberia (NPFL). Others, survivors in this swamp-enveloped community say were students of the University of Liberia, then current and ex-government officials and immigration, police officers and ordinary people. A death squad of the Armed Forces of Liberia (AFL), loyal to then President Samuel Doe, did the killings. Many victims were people trying to cross the runway fleeing the war or looking for food. Others were arrested from their homes in Sinkor, Lakpazee, the Old Road and beyond.

The Truth and Reconciliation Commission of Liberia in its 2009 report listed this runway as one of more than 200 massacre sites across the country where memorials should be built. It also called for Unification Day to be renamed “National Unification and Memorial Day”. However, only three monuments have been erected nearly 10 years after the TRC report that has yet to happen. With a resurgence of debate on the prosecution of those who bear the greatest responsibilities of the atrocities of the Liberian Civil War (1989 – 2003), the TRC are back under the spotlight.

‘Open-air Tribunal’

The TRC did not say how many people were killed on the runway but survivors say that number could be very high, as the AFL death squad killed people on a daily basis, mainly between June and August 1990. The TRC named Captain Yuobo Tailey and Maj. Jerry Gban (both deceased), whom survivors say led the killings, among the civil war’s “most notorious perpetrators”. The TRC recommended all in that category face prosecution in a war crimes court.

The James Spriggs Payne Airfield was the army’s stronghold against the rebels’ further advancement on the capital. Soldiers set up an arsenal in executive wing of the airport. They erected a checkpoint in the middle of the 6,000-foot runway, interrogating people as they crossed. A route linking Airfield communities to their Old Road neighborhoods those days morphed into a battleground, a local version of the “God Bless You Gate” on the Kakata highway. Residents, who returned to their homes following the end of the 1990 hostilities, recall bullet casings everywhere, houses riddled with bullet marks and war graffiti all over the place.

“It was an open-air tribunal,” says George Williams, 66, a survivor of the Death Hole killings. “It was just the name tribunal but there was no record-taking. If they tell you say, ‘Go on the left (towards Lakpazee),’ that means you were safe. If they tell you, ‘Go on the right’ (towards Death Hole), that means you were going to be executed.” He says the soldiers carried people in pickups, sometimes up to 15 people.

The soldiers, Williams says, had taken him and his six-year-old son Amos Williams (the current president of the Federation of Liberian Youth) from the John F. Kennedy Memorial Medical Center on July 25, 1990. Two hundred and fifty people were killed in the JFK Massacre that day when they arrested Williams and his son, according to the TRC. Williams says he spoke Grebo to convince AFL soldiers he and his son were not Gio or Mano, but those who couldn’t speak their vernacular were killed.

One memory of that day that still haunts him is how the soldiers killed three men who tried to escape. “They were running away to cross the airfield to...Tweh-Johnsonville when Tailey gave order, ‘Bring them down’. After they were shot...those soldiers that were on the other side of the [runway] took machetes and started butchering those people. Can you imagine that? The other guy as he chopped those guys, you could see blood splashing. Then he started wiping the cutlass. That was the first time I saw somebody being shot [with] a gun,” says Williams, who was 38 at the time.

Clement Cummings, a 79-year-old resident of Death Hole, who stayed in a house very close to the runway during the war, says scenes of people being shot and hacked while trying to flee the soldiers were commonplace. With no walls surrounding the airstrip then, Cummings and his family had a perfect view of the horrors.

“Sometimes they shoot. Sometimes they cut their heads off,” Cummings says. “Sometimes we would stand up and watch them. They would throw the head up first, then next the body near the head,” he says, adding he survived one runway ordeal himself when he was accused of being a rebel supporter.

Cummings also recalls how Matthew Tweh, one of the two men after whom “Tweh-Johnsonville was coined (the other retired General J. Samuel Johnson), survived the runway killings. The soldiers picked him up from the Sophie community in Oldest Congo Town and brought him on the runway. He was only saved, according to Elson Nebo, his nephew, upon the intervention of the late Jackson E. Doe, brother of then President Doe.

“When I saw my uncle being brought back in a pickup, I ran away,” Nebo says. “I said, ‘I saved my uncle [once already] and now they’re coming again,’” he says. He is referring to a previous incident when he was arrested alongside two other relatives when the soldiers came searching for Tweh. Tweh later fled to Ghana. He died in 2014 of natural causes.

The soldiers also killed a number of well-known people from Lakpazee, Key Hole and Death Hole itself on the runway. From Key Hole they killed Samuel Greene, Sr., a former Deputy Minister of the disestablished Ministry of Planning and Economic Affairs, his wife and son. From Lakpazee, they killed four relatives and one tenant from the house of Dominic Giple, a prominent businessman. And from Death Hole they killed John Martin, Sr., a former inspector with the Ministry of Commerce and Industry. Evade

Both Martin and Greene were killed under nearly similar circumstances in August 1990, according to witnesses. The Greene and family fled Key Hole for a relative’s house in Sinkor. The soldiers accused Greene of communicating with the rebels. The soldiers accused Martin of being a runaway policeman after they saw his inspector uniform.

“That’s on the airfield they killed Mr. Martin around about 4 O’clock,” says Isaac Logan, 59, who says he was with the doomed Commerce inspector when he was picked up on 15th Street in Sinkor. “When you hear about mass grave at the end of the runway, that’s Mr. Martin [and others].”

Samuel Greene, Jr., who lived in the United States when his parents were killed, says he is “devastated” by their death. “I say prayers [on Decoration Day]. I don’t even know where their grave is.”

Ghost of Quiwonkpa failed coup

The Death Hole Killings, survivors say, were not the first hostilities they witnessed of the Doe regime against the people of Nimba. After Colonel Thomas Quiwonkpa, a Mano, failed in an attempt to topple the regime in November 1985, it led a purge of Gios and Manos as well as supporters of the aborted coup. According to the New York-based Lawyers Committee for Human Rights in a 1986 report, an estimated 400 to 2,000 people were killed in that purge that extended to Nimba County: “Nimba Raid”. It was the enmity between the Doe regime and Nimba that led to the Liberian Civil War.

Weeks, who lived adjacent to the airport’s terminal, was one of the victims. Quiwonkpa had appointed Weeks as head of the Liberian Air Reconnaissance Unit in a government he envisioned in an ill-fated broadcast on state radio. Matthew Morris, 59, who moved to Death Hole in 1968, says he witnessed Weeks’ family neglect their home following his death in 1985. No one lived there again until it was destroyed during the war, says Morris, who on three occasions survived the runway killings.

Morris says he also witnessed the death of the family of John Nuan, one of the 1985 failed coup plotters killed in the purge. The AFL death squad, he says, arrested everyone in their house—including children—and took them at the end of the runway. “It was one hot sun. Everybody was just standing and the people were crying as the soldiers were carrying them,” he says.

The Independent Human Rights Commission (IHRC)—established to implement the TRC recommendations—has only erected the Du Port Road and Maher Memorials. Another memorial was erected in Samay, Bong County but was done by the townspeople. The Commission says it has funding to erect one in each county. With the Du Port Road already done for Montserrado, a memorial for Death Hole victims might not come any time soon.

Williams urges the government to erect a memorial to dignify the people killed in Death Hole and other places. “Let it be a wide area, with the monument in the center so that people can go and lay their wreath there.”

‘Do Not Fear Threats If War Crimes Courts Are Established’ (Liberian Daily Observer) By Abednego Davis
April 2, 2019

Melron Nicol-Wilson, the barrister and solicitor of the High Court of Sierra Leone, says there is no reason for Liberians to harbor any fear of instability, if the Truth and Reconciliation Commission (TRC) recommendations that called for the establishment of a War and Economic Crime Courts were to be implemented.

Mr. Wilson, also a human rights lawyer, believes that people who committed crimes against humanity must be punished, in order to put an end to impunity.

His comment was contained in a speech he delivered when he served as one of the panelists during a three-day (March 28-30, 2019), Assembly of the Liberia National Bar Association (LNBA), held in Kakata City, Margibi County.

Meanwhile, the LNBA overwhelmingly approved, voted for the implementation of the TRC’s report, including in particular, the establishment of War and Economic Crimes Court for Liberia.

The Bar also calls on the government and all necessary state and non-state actors to take the necessary action in the realization of their approved decision.

Mr. Wilson added that those suspected of committing the worst crimes during Liberia’s civil war were no longer powerful to create instability in the country.

“They are no longer active to cause instability, so do not fear their threats if the courts were to be established,” the human rights lawyer told members of the LNBA, noting, “war crimes court will not undermine your country’s peace and stability.”

Wilson informed his audience that if Liberians were afraid of their own security, they should ask the international community to provide security for the process.

“The international community is disappointed over the slow pace of your implementation of the TRC recommendations, and now is the time for you to see the opportunity to act,” Wilson told his colleagues.

He spoke on the topic, “Accountability or Impunity, Putting a Closure to the 14 Years.”

He said in the case of Sierra Leone, the chapter for the bitter past has been closed, and respect for the rule of law has since been restored.

Wilson believes that the failure to hold war crime suspects accountable is an act of punishing people for lesser crimes, and letting people of greater crimes off the hook, “hence, a recipe for the commission of more heinous crimes.”

He meanwhile used the occasion to challenge members of the LNBA to play an active role in ensuring that Liberians accept or reject the TRC recommendation.

Counselor Francis Johnson Allison, former chief justice and Attorney Bartholomew B. Colley, Acting head of the Independent National Human Rights Commission, were two other panelists that presented on the same topic.

For Allison, there was a need to put an end to impunity by ensuring that those who perpetrated crimes against humanity are prosecuted and punished if found guilty.

“Failure to punish people who committed crimes will serve as an incentive for the continuous abuse of human rights and the commission of more crimes in the country,” the female lawyer maintained. She also previously served as Chief Justice of

Liberia.

According to the former Chief Justice, accountability was not optional, thereby suggesting that Liberia should follow the experiences of Rwanda (East Africa) and Sierra Leone (West Africa) in ensuring accountability.

“Punishing crime is not self-executing, but the citizens should be involved because sovereignty does not reside with leaders, but the people, therefore, it is the people that must take the lead to maintaining law and order,” Johnson noted.

In his intervention, Atty. Colley said impunity or accountability in Liberia has been a “soft process.”

“For too long, we have been held hostage, but it is now time for us to ensure that the recommendations are implemented,” Colley said.

He said he is of the opinion that interactive warring over land, human rights violations and commercial trade and political legitimacy were some of the reasons behind the 14 years (1989-2003) civil crisis.

Liberia’s Bar Association calls for setting up of war, economic crimes court (Journal du Cameroun) April, 1 2019

The umbrella organization for Lawyers, the Liberian National Bar Association (LNBA) has endorsed the full implementation of the Truth and Reconciliation Commission Report and the establishment of a war and economic crimes court in the country. The TRC Report has been before National Legislature for over decade since its completion in 2009 for implementation.

In its findings released in 2019, the TRC said in its report that the major root causes of the conflict are, according to the TRC, attributable to poverty, greed, corruption, limited access to education, economic, social, civil and political inequalities; identity conflict; land tenure and distribution; the lack of reliable and appropriate mechanisms for the settlement of disputes; as well as the “duality of the Liberian political, social and legal systems which polarizes and widens the disparities between the Liberian peoples – a chasm between settler Liberia and indigenous Liberia.

The report says “all factions to the Liberian conflict are responsible for abuses, including war crimes and crimes against humanity.” LNBA, which is currently headed by prominent human rights Lawyer Counselor Tiawan Gongloe, reached the decision to support implementation of the TRC report through a resolution issued over the weekend.

The resolution was issued following a heated debate amongst the 94 delegates at the just-ended LNBA General Assembly in Kakata, Margibi County outside Monrovia.

Eighty-six out of the 94 Lawyers voted for the implementation of the document, while four were against and four abstained from the process.

Interestingly, the former leader of the rebel Liberia Peace Council (LPC) and Grand Gedeh County Representative Dr. George Borley witnessed the occasion, when the Liberian legal practitioners unanimously voted for the implementation of the TRC Report and setting up of a war crimes court.

Since taking office over one year ago, President George Manneh Weah and his CDC government have so far failed to commit themselves to the establishment of a war and economic crimes court, despite mounting pressure from various civil society and political groups.

The TRC advised for the establishment of an Extraordinary Criminal Tribunal for Liberia and named individuals, corporations and institutions recommended for prosecution or, in some cases, for further investigation.

The TRC also report called for the establishment of a National Palava Hut Forum as a complementary tool for justice and national reconciliation. The commission recommended that the Palava Hut process be based on traditional dispute resolution mechanisms. Persons recommended for prosecution in the TRC Report for the commission of international crimes would not be entitled to be pardoned through the Palava Hut process. The TRC further recommended that the Government of Liberia assumes its full responsibility under international law to provide reparations for all those individuals and communities victimized by the years of instability and war, especially women and children. The commission recommended a reparation program of approximately US\$500m over 30 years.

The commission recommended general amnesty for children and amnesty for lesser crimes in an effort to foster national healing and reconciliation, if individuals admit their wrongs and express remorse. The commission recommended that institutional reform must be implemented to promote good governance and human rights, and to prevent the recurrence of

abuses.

The TRC recommended to the international community to continue its engagement with Liberia and the sub region,” the TRC report adds.

Complaints registered with transitional justice bodies to be sealed until new leadership assumes office (The Kathmandu Post) April 2, 2019

As the current leadership at two transitional justice commissions is set to retire in two weeks, conflict victims and human rights defenders have expressed concerns over security and confidentiality of the complaints filed at the two offices.

Office bearers at the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons will retire in the second week of this month. Though the government has formed a recommendation committee under former chief justice Om Prakash Mishra, the chances of it recommending officials for the two commissions are slim. This could leave the commissions without officials for a few weeks.

In the five-member recommendation committee, one member is either the chair of the National Human Rights Commission or a member recommended by him. According to sources, there is no confirmation from the NHRC yet.

Officials said they are working on ways to maintain secrecy and confidentiality of the complaints filed by the conflict victims.

The victim’s groups and rights defenders fear confidentiality breach if the cases reach the hands of bureaucracy, which works for the government.

Bureaucracy might work at the behest of the government in the absence of chairpersons and the members who are retiring on April 14 following the second amendment to the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act-2014, they say.

Gopal Shah, vice-chair of the Conflict Victims National Network, said they have asked the government and political leadership to make sure the complaints are in safe hands—and not in the hands of bureaucracy—until new officials assume office.

“We are not confident that bureaucracy can work independently,” he told the Post. The leadership from the Conflict Victims Common Platform, another umbrella body of the victims, has also expressed similar fear.

IB Gurung, a member of the Commission of Investigation Enforced Disappeared Persons, said they are planning to seal the rooms, where the complaints are stored, only to be opened by the new leadership.

“We need to assure the victims that their complaints are safe and are kept confidential,” Gurung told the Post. He, however, said it might not be possible to allow the National Human Rights Commission for monitoring, as demanded by the victims and human rights defenders, because their existing Act does not give the space for it.

The Truth and Reconciliation Commission has received around 63,000 complaints which are stored at its central office in Babarmahal and its seven provincial offices.

Since the CIEDP does not have field offices, all 3,000 complaints filed with it are at the central office in Pulchowk.

Shree Krishna Subedi, a member of the TRC, said they want that the commission not to remain without officials.

“We urge the government and the recommendation committee to ensure new leadership is selected before we retire,” he told the Post. “Vacuum in the commission could give room for questions about secrecy and confidentiality of thousands of the complaints.”

Subedi said if the new leadership is not ready before April 13, they might go for sealing the complaints as per the demand of the victims and human rights activists.

Both the commissions are also preparing to submit a report compiling the works they have done in the last four years to Prime Minister KP Sharma Oli.

“We will submit the report the day Oli gives us time,” Gurung told the Post.

Transitional justice Act amendment, appointment of officials to go together (The Kathmandu Post) April 3, 2019

The government is preparing to take the amendment process of the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act, 2014, and the selection of new office-bearers for the two transitional justice bodies simultaneously.

The draft will be put for discussion with the conflict victims and human rights defenders once it has been approved by the top leaderships of major political parties. In the meantime, the government will be selecting new leaderships for the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons, said Ramesh Dhakal, secretary at the Prime Minister's Office.

The incumbent officials at the two transitional justice bodies will retire in mid-April.

The recommendation committee led by former chief justice Om Prakash Mishra will start selecting new chairpersons and members of the two commissions from Wednesday.

The conflict victims and the National Human Rights Commission had earlier demanded that the government prioritise the Act amendment while also selecting the new leaderships of the two transitional justice bodies.

Just a few days ago, National Human Rights Chairman Anup Raj Sharma had asked Prime Minister KP Sharma Oli to ensure that the Act is amended as per the apex court verdict without any delay.

"He (PM) assured me that the amendment draft will be made public for discussion within a few days and it will move together with the selection of new leaderships in the commissions," Sharma told the Post.

Officials involved in the drafting of the amendment bill say they are in the final stages of completing the draft.

A team comprising government officials and leaders from the ruling Nepal Communist Party and the opposition, Nepali Congress, has listed 21 issues to be incorporated in the draft bill.

Though the panel broadly agrees on the major issues included in the draft, the top leaderships of the NCP and the NC are yet to give their assent.

"We are currently in the process of securing consensus of the cross parties on the draft," Dhakal told the Post.

The bill will be presented in the next session of Parliament, which is likely to convene in April end.

The Supreme Court in 2015 had struck down almost a dozen provisions in the existing Act and sought clarity on the categorisation of serious crimes, serious human rights violations and other crimes of serious nature.

The Act is ambiguous on the matter and opens door for amnesty even in serious cases of human rights violation, the court had ruled.

An amendment draft presented by the government last year was again rejected by the conflict victims and human rights defenders as it proposed reducing punishment to the convicted perpetrators of war crimes. For instance, it had proposed community services and monetary fine to the perpetrators for cooperating in the investigation process.

The much-maligned amendment draft prescribing lenient punishment for serious crimes and grave human rights violations was ultimately retracted.

Sources familiar with the drafting process of the latest amendment draft say the document is being finalised by correcting all the "shortcomings" that were pointed out by the conflict victims and human rights defenders.

It will ensure no amnesty in murder, rape and sexual abuse, forceful disappearance and torture cases, said an official, who did not wish to be named citing sensitivity of the matter.

The bar for the maximum penalty in such cases will be fixed after consultation with the stakeholders, the official added.

The draft also sets the criteria for reparation and proposes formation of a special court to adjudicate the cases investigated by the two commissions.

Weah Fails to Make Quarterly Reports on TRC's Palava Hut Recommendation (Liberian Daily Observer) By
Abednego Davis
April 4, 2019

Despite a wave of calls for the implementation of the Truth and Reconciliation Commission (TRC) recommendation calling for the establishment of War and Economic Crimes Court in the Country, the chairman of the Transitional Justice Working Group (TJWG), says President George Weah's administration has made no progress on the implementation of the National Reconciliation Road-Map or the Palaver Hut component of the recommendations.

James M. Yarsiah said the National Reconciliation Road-Map was formulated with the view to implement the Palaver Hut component of the recommendations. According to him, although required to make quarterly progress reports to the Legislature on the implementation of the recommendations, former President Ellen Johnson Sirleaf however, made only four reports to the Legislature. Yarsiah urged government's adherence to these requirements without the least delay.

The TJWG is a coalition of over 20 peace-building, pro-democracy and human rights organizations that were involved with the TRC process up to the submission of its report to the Legislature in 2009.

Article 9, Section 46 of the TRC's Act states: "the Independent National Human Rights Commission (INHRC) shall be clothed with the responsibility to ensure that all the recommendations contained in the report of the TRC are implemented. That same Act also provides, "the Head of States shall report to the Legislature within three months of receiving the TRC report, and on a quarterly basis thereafter, as to the implementation of the Commission's recommendations."

The TRC was agreed upon at the August 2003 Comprehensive Peace Agreement in Accra, Ghana and created by the TRC Act of 2005.

The Commission was established to promote national peace, security, unity and reconciliation and, at the same time, hold perpetrators accountable for gross human rights violations, and violations of international humanitarian law that occurred in Liberia between January, 1979 and October, 2003.

The report contains major findings on the root causes of the conflict, the impact of the conflict on women, children and the generality of the Liberian society; responsibility for the massive commission of Gross Human Rights Violations (GHRV), and violations of International Humanitarian Law (IHL), International Human Rights Law (IHRL) as well as Egregious Domestic Law Violations (EDLV).

The report also determined and recommended that Criminal Prosecution for these violations, Reparations and a "Palaver Hut" Forum is necessary and desirable to address impunity, promote peace, justice, security, unity and genuine national reconciliation.

However, addressing a news conference on Monday, April 1, 2019, Yarsiah observed that to their knowledge, regular progress reports on the implementation of the TRC's recommendation, particularly on the Palaver Hut has so far been halted by the Weah administration.

Though the office of the President is yet to respond to this claim, Yarsiah emphasized that there has been little or no progress on the implementation of the National Reconciliation Road-Map or the Palaver Hut program, "and we are expressing grave concern on the lapses experienced thus far in the implementation of these components of the TRC's recommendations."

As the government is about to complete its first quarter of the New Year (2019), Yarsiah said his entity was strongly recommending that all stakeholders immediately recommence the stalled implementation of the TRC's report.

"And toward this end," TJWG recommends, "that the Executive should immediately resume the implementation of the TRC's report, and make quarterly reports to the legislature as outlined in the Act of the Commission; that the INCHR should ensure that all recommendations of the TRC's reports are implemented; and that national and international stakeholders support the resumption of a national dialogue on transitional justice at national, sub-regional and county levels, and used these dialogue forums to popularize the TRC's recommendations."

Yarsiah added, "Other actors, including victim associations or organization pressure groups, and campaigners for justice to close ranks with the TJWG by coordinating efforts to ensure that Liberia achieves justice, national reconciliation, peace, and non recurrence of gross human rights violations."

He said that it was emphatically clear that lasting peace and reconciliation cannot be achieved in the absence of justice.

"Therefore, there must be justice for the rich and the poor, the powerful and for those without power; for women and children, justice for all is the solid foundation for a strong democracy, lasting peace and sustainable development," Yarsiah reminded the government.

On the issue of a war and economic crimes court, Yarsiah believes that when the court is established, it would set a firm basis for ending impunity and discouraging the recurrence of the gross human rights violations; and economic crimes committed during the civil war.

“We want to caution Liberians that views being expressed and nurtured in some circles cautioning the citizens to choose between peace and a war and economic crimes court, are a willful distortion of the country’s historic realities and aspirations,” Yarsiah said.

He continued, “the courts will send a clear and uncompromising signal to all Liberians, whoever and whatever they are that no longer will the country accept and endure the tendency of a few groups of citizens taking arms and inflicting wanton destruction on the lives and properties of innocent citizens and foreign nationals with impunity.”

“These courts will ensure that Liberians can enjoy all the rights and responsibilities as guaranteed by the Constitution and laws of Liberia, as well as international instruments that guarantee human rights and freedom of all people,” Yarsiah said while emphasizing the importance of establishing the court.

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Terrorism

ABA says decision of revoked war crimes prosecutor’s visa should be reversed; no US honeymoon for this lawyer (ABA Journal) By Debra Cassens-Weiss
April 8, 2019

The United States has revoked the visa of the chief prosecutor to the International Criminal Court because she has requested an investigation into war crimes in Afghanistan that could examine U.S. abuse in detention centers overseas.

The office of chief prosecutor Fatou Bensouda confirmed Friday that her visa had been revoked, report the Los Angeles Times, the BBC and the New York Times.

The office’s statement said Bensouda would continue to do her job “with utmost commitment and professionalism, without fear or favor.”

The U.S. Department of State also provided confirmation. “The United States will take the necessary steps to protect its sovereignty and to protect our people from unjust investigation and prosecution by the International Criminal Court,” the department said in a statement.

On Tuesday, ABA President Bob Carlson expressed concern about the U.S. government’s policy to restrict visas for certain officials of the International Criminal Court.

“The ABA urges the State Department to immediately reverse this policy decision and to refrain from taking actions against legal professionals based solely on their work on behalf of the ICC,” Carlson said in a statement.

Bensouda’s request for an investigation mostly focuses on alleged war crimes by the Taliban and Afghanistan government forces. But it also cited allegations that members of the CIA and U.S. military “committed acts of torture, cruel treatment, outrages upon personal dignity, rape and sexual violence against conflict-related detainees in Afghanistan and other locations, principally in the 2003-2004 period.”

The visa revocation is not expected to affect Bensouda’s travel to the United Nations, which is governed by a separate agreement, the New York Times reports.

National security adviser John Bolton has criticized the ICC as a “free-wheeling global organization” with unchecked power that threatens U.S. sovereignty. Bolton said the United States would take several steps if the court comes after the United States or its allies, including banning its judges and prosecutors from entering the United States.

The United States has not ratified the Rome Statute creating the court and is not a state party to the ICC.

Carlson said in his statement that, since 1978, the ABA has supported the creation of a permanent international criminal

tribunal to bring to justice the perpetrators of genocide, war crimes and crimes against humanity. The ABA also participated in the negotiations that led to the creation of the ICC.

“In the United States, the independence and impartiality of our justice system is foundational to our democracy and commitment to the rule of law,” Carlson said in his statement. “Although the United States is not a member of the ICC, barring the travel of legal professionals because of their work on behalf of this international tribunal sends the wrong message about the United States’ commitment to those same principles in the pursuit of international justice and accountability.”

Bensouda is not the only overseas lawyer experiencing travel problems. Dutch terrorism defense lawyer Serge Weening was denied entry for a Miami honeymoon under a visa waiver program. Weening told Courthouse News Service he was denied entry after he was asked what he did for a living and whether he worked on any high-profile cases.

“Once I said the word terrorism, they ended the interview,” Weening said.

Other terrorism defense lawyers also have been denied visa waivers to the United States under the program known as the Electronic System for Travel Authorization, according to Courthouse News Service.

Trial begins for German woman accused of enslaving 5-year-old Yazidi girl, then letting her die of thirst (The Washington Post) By Siobhan O’Grady
April 10, 2019

The 5-year-old girl was sick.

In summer 2015, she and her mother, who belonged to the Yazidi religious minority in northern Iraq, were sold to members of the Islamic State, who planned to use them as slaves, German authorities say. But after the girl wet her bed, the man who bought her allegedly chained her up outside and then left her in the sun until she died of thirst.

That man’s German wife, who, according to German prosecutors, “let her husband do as he liked, and took no action to save the girl,” is on trial for murder as a war crime, among other charges.

Because of German privacy laws, the defendant is being identified only as Jennifer W., age 27. Photos from the courtroom, where the woman heard the charges against her Tuesday, show her dressed in a black blazer and white blouse, her hair pulled into a long braid. She covered her face with a red folder.

Foreign fighters and sympathizers from more than 100 countries joined the Islamic State, and now, as some try to return to their countries of origin, authorities are struggling to figure out what to do with them. This case may set the stage for how others are dealt with if and when they return home.

The indictment in the German case states that the woman left Germany in late August 2014, reaching Iraq by way of Turkey and Syria. Once there, she “immediately joined the decision-making and command structure of the [Islamic State].” The next summer, prosecutors say, she patrolled parks in Fallujah and Mosul, carrying an explosives vest, pistol and Kalashnikov rifle, while enforcing regulations that dictated how women behaved and dressed.

It was around that time, the indictment said, that she and her husband “bought a five-year-old girl out of a group of prisoners of war and subsequently kept the child in her household as a slave.”

Prosecutors said that in January 2016, she traveled to Turkey, where she applied for new documents at the German Embassy. Turkish authorities arrested her and deported her to Germany, but she was intent on returning to the Islamic State, and was later caught by German authorities while trying to return to Syria.

The New York Times reported that prosecutors gathered their evidence from the defendant herself, who shared her story in a secretly recorded conversation with a driver who she thought was helping her return to the Middle East but was in fact working for Germany.

But ahead of the trial, doubts were raised about whether the suspect’s claims should be used as evidence against her. German broadcaster ARD cited unnamed sources as saying that the woman tended to exaggerate and that her husband might not even have been a member of the Islamic State.

However, a plaintiff and witness in the case is the girl’s mother. Identified only as Nora B., she now lives in Germany. And her lawyer, international human rights advocate Amal Clooney, said in a statement this week that “Yazidi victims of genocide have waited far too long for their day in court,” the Associated Press reported.

“I hope that this will be the first of many trials that will finally bring ISIS to justice in line with international law,” Clooney said.

The United Nations Commission of Inquiry on Syria has said that the Islamic State's treatment of the Yazidi minority "amounts to crimes against humanity and war crimes."

"Genocide has occurred and is ongoing," Paulo Pinheiro, chairman of the commission, said in 2016. "ISIS has subjected every Yazidi woman, child or man that it has captured to the most horrific of atrocities."

In recent months, there have been a number of high-profile cases of foreign Islamic State female members, including one British and one American who have been told they will not be allowed to return home. Shamima Begum, a British teenager who left London to join the Islamic State when she was 15, reappeared this year after a Times of London reporter found her in a Syrian camp. She was pregnant at the time and wanted to return home, but British authorities refused to allow her back, prompting an ethical and legal debate over what governments owe citizens who leave home to join terrorist organizations abroad. Begum ended up giving birth in Syria, and her son died soon after he was born.

Hoda Muthana, a 24-year-old from Alabama, also appeared in a Syrian camp and said that she wanted to return to the United States. But President Trump said on Twitter that he told the State Department not to allow her back into the country. And Secretary of State Mike Pompeo said Muthana "is not a U.S. citizen and will not be admitted into the United States."

"She does not have any legal basis, no valid U.S. passport, no right to a passport, nor any visa to travel to the United States," he said.

Pentagon Prosecutors Seek Trial of 3 Guantánamo Prisoners for Indonesia Bombings (New York Times) By Carol Rosenberg
April 10, 2019

Pentagon prosecutors have made a renewed effort to charge three prisoners at the Guantánamo Bay wartime prison with conspiring in two deadly terrorist bombings in Indonesia in 2002 and 2003.

The prosecutors have tried unsuccessfully twice before to move the case ahead, but the office overseeing military commissions never signed off on the charges. If the charges are approved this time, it would be the first new case to head toward trial at Guantánamo Bay, Cuba, since 2014.

The prosecutors are seeking to charge the prisoners — an Indonesian captive known as Hambali and two Malaysian men — with murder, terrorism and conspiracy in the 2002 nightclub bombings in Bali, which killed 202 people, including seven Americans, and the 2003 Marriott hotel bombing in Jakarta, which killed at least 11 people and wounded at least 80, including three Americans.

The three men have been held at Guantánamo since September 2006. They were captured in Thailand in August 2003 in a joint Thai-United States intelligence raid and spent about three years in the secret C.I.A. prison network.

If convicted, the men could receive a maximum sentence of life in prison because prosecutors chose not to seek the death penalty, said Brig. Gen. John Baker, the chief defense counsel for military commissions, who was notified of the charges on Friday. Each defendant has been assigned a lawyer who is a Marine Corps officer to defend him.

Maj. James Valentine, Mr. Hambali's lawyer, said it would be "a really big stretch" to connect his client to the two attacks. In 2008, three Indonesian men were executed by firing squad for carrying out the Bali bombings, after a 2003 trial at which "the star witness Ali Imron never connected Hambali to these crimes," Major Valentine said. Mr. Imron was the brother of two of the men who were executed, but was spared execution for his role in the bombing because of his testimony.

The charges dated Friday are the latest attempt in three years of efforts to bring Mr. Hambali, Guantánamo's only Indonesian prisoner, to trial. Mr. Hambali's most recent United States intelligence profile described him as "an operational mastermind" of the Southeast Asian extremist group Jemaah Islamiyah and its "main interface" with Al Qaeda "from 2000 until his capture in mid-2003." It also described him as "a mentor" to Guantánamo's other former C.I.A. black site prisoners.

In November 2016, the chief war crimes prosecutor, Brig. Gen. Mark Martins, traveled to Malaysia with two special envoys of the Obama administration in a failed effort to get the government there to agree to incarcerate one of Mr. Hambali's apparent accomplices, who is known as Zubair, as a war criminal convicted by the United States.

The idea was to get Mr. Zubair, whose name is Mohd Farik Bin Amin, to testify against Mr. Hambali and another Malaysian, Mohammed Nazir Bin Lep, who is often called Lillie, in exchange for an arrangement to serve his military commissions sentence in a Malaysian prison.

The Malaysians balked and military prosecutors brought charges against Mr. Hambali alone in June 2017. But the office overseeing military commissions never cleared that case for trial. Six months later, prosecutors brought new charges against Mr. Hambali and the two Malaysians. That case was also never approved.

The spokesman for the Office of Military Commissions, Ron Flesvig, was unable to say Wednesday why the prosecutor issued new charges. The Pentagon lawyer with the title of convening authority for military commissions, Melinda L. Perritano, can decide which charges, if any, to approve for trial, Mr. Flesvig said.

The latest charge sheet differs from those brought by prosecutors in December 2017 in one critical respect: It includes the crime of conspiracy in addition to charges of murder in violation of the law of war, terrorism and other war crimes. In a long-running series of appeals, the Pentagon's Court of Military Commission Review recently declined to consider whether conspiracy was a lawful war crimes charge, leaving intact the 2008 conspiracy conviction of Guantánamo's lone war crimes convict, Ali Hamza al-Bahlul.

Mr. Bahlul, from Yemen, is serving a life sentence at Guantánamo for making a recruiting video for Al Qaeda and for other activities as Osama bin Laden's media adviser before the Sept. 11, 2001 terrorist attacks. Mr. Bahlul's lawyers are appealing that decision at the United States Court of Appeals for the District of Columbia, but prosecutors appear to have been emboldened enough by the Pentagon panel decision to add the charge of conspiracy to the Indonesian bombings case.

Eight of Guantánamo's 40 prisoners are currently charged with crimes.

In 2012, one of them, Majid Khan, a former C.I.A. black site prisoner, pleaded guilty to delivering \$50,000 from Al Qaeda to Jemaah Islamiyah, money that was ultimately used to fund the Marriott bombing in Jakarta, Indonesia. Mr. Khan is scheduled to be sentenced in July.

In a March court filing, his lawyers noted, "Mr. Khan's ongoing cooperation in another matter, including his possible testimony at trial in that matter." They did not specify which trial.

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Piracy

Pirates Kidnap Four Boxship Crewmembers in Gulf of Guinea (The Maritime Executive) By MAREX
April 4, 2019

Four crewmembers from the container feeder Contship Oak have been kidnapped off the coast of Cameroon, vessel operator Contship has confirmed. The attack occurred shortly after the U.S. and other allied forces conducted large-scale anti-piracy drills in the region.

In an attack on March 30, pirates boarded the Oak at the outer anchorage at the port of Douala and made off with the four crewmembers. As of Tuesday, the Oak was moored safely at the port.

The attack occurred eight days after Obangame Express 2019, a multinational maritime security exercise led by U.S. Naval Forces Africa. The maneuvers involved 2500 servicemembers, 95 vessels and 12 aircraft, with participation from NATO allies and 20 West African nations. The U.S. Coast Guard cutter Thetis deployed to the Gulf of Guinea to assist with training exchanges.

Cameroon shares many of the same security concerns as other Gulf of Guinea nations, though to a lesser extent than Nigeria. The Niger River Delta, 130 nm to the west of Douala, is the primary locus of pirate activity in the region.

Nigeria and Cameroon have an anti-piracy cooperation agreement in place, but despite improved coordination, attacks in the region have risen relentlessly over the past two years. The Gulf of Guinea is by far the most active region in the world for maritime piracy, especially kidnapping.

Pirate attacks off Nigeria have become increasingly violent, with pirates employing multiple attack boats and engaging in shootouts with naval escorts. On March 9, Nigerian pirates kidnapped five crewmembers from an OSV in the Gulf of Guinea despite the efforts of a security escort vessel. After an active firefight between the escort and two attack boats, pirates boarded

the target vessel, ransacked its cabins and made off with the victims. One Nigerian Navy armed guard was reportedly killed in the exchange of fire between the naval security boat and the pirates.

Pirates Kidnap Four Crew Members from Contship Vessels (World Maritime News) April 2, 2019

Four crew members of a Liberia-flagged container vessel have been kidnapped by pirates off Cameroon.

The incident involving the 1,100 TEU Contship Oak occurred on March 30, 2019, according to information provided by VesselsValue. Pirates attacked the Feedermax while the ship was anchored in Douala outer anchorage and took the seafarers with them.

Built in China in 2007, Contship Oak is owned by Greece-based shipping company Contships.

World Maritime News contacted Contships for more details on the incident, however, the company is yet to reply. As of April 2, 2019, the ship remains moored in Douala, in the Gulf of Guinea.

Back in 2010, the containership was also targeted by perpetrators. In September that year, robbers boarded Contship Oak from a wooden motor boat off Manila Bay. However, robbers escaped after the crew raised the alarm and mustered.

In 2018, the Gulf of Guinea remained increasingly dangerous for seafarers as reports of attacks in waters between the Ivory Coast and the Democratic Republic of Congo more than doubled. The incidents included all six hijackings worldwide, 13 of the 18 ships fired upon, 130 of the 141 hostages taken globally, and 78 of 83 seafarers kidnapped for ransom, the International Maritime Bureau (IMB) said in a January report.

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Gender-Based Violence

Peruvian ex-soldiers accused of 'systematic' rape (France24) March 28, 2019

A Peruvian judge said Wednesday that soldiers had committed crimes against humanity by "systematically" raping nine female farmers between 1984 and 1995 during the conflict with the Shining Path guerrillas.

"Because this is a crime against humanity, the trial will take place in public hearings," Judge Edhin Campos said.

Fourteen non-commissioned officers who are now retired were accused of having repeatedly raped nine women in the Andean region of Huancavelica, one of Peru's poorest, during the bloodiest period of the conflict between the military and the Maoist guerrillas.

"It's a historic decision... We are not talking about isolated instances of rape but systematic rape on military bases," said Juan Jose Quispe, an attorney for six of the victims.

"We are now waiting for the trial to take place within two years and for those responsible to face the law and be sentenced."

Prosecutors said that several of the women became pregnant as a result of the rapes, and more women likely were raped, but some are afraid to speak up about the crimes.

Five of the women got pregnant and were "scarred for life because they were very young when the events took place," said lawyer Cynthia Silva of the Demus rights group.

On Twitter, the Ministry of Women and Vulnerable Populations hailed progress for "the victims' right to the truth."

The case was presented to the Truth and Reconciliation Commission in 2003. The panel investigated for four years.

Hundreds of cases of rape and other sexual abuse, forced prostitution and abortions, as well as sexual slavery took place during the two decades of conflict in Peru from 1980 to 2000, according to the commission.

A total of 538 people testified about sexual abuses before the commission, including 527 women and 11 men.

Some 4,567 rapes took place during the conflict, along with 1,500 cases of different forms of sexual violence, according to the Justice Ministry's victims registry.

More than 69,000 people died or disappeared during Peru's internal conflict, with abuses on both sides, according to the commission.

Healing the scars left by the Kosovo War (European Views) April 2, 2019

It's now been two decades since NATO began bombing Kosovo, a campaign designed to end the ruthless repression ordered by Serbian leader Slobodan Milosevic. Serbian troops had been waging a campaign of ethnic cleansing for months, designed to drive the ethnic Albanian people from their homes. The bombs were supposed to provide relief.

Twenty years on, however, many of Milosevic's victims are still living their ordeal. Serbian troops raped an estimated 20,000 women during their cleansing campaign, and the survivors have been almost completely ignored by their own government. Not until 2014 did the Kosovar government recognize these women as war victims, entitling them to a state pension. The committee created to register them didn't open until last year.

This indifference has condemned the survivors to suffer in silence, shunned by the deeply conservative Kosovar society which views rape as a stain on family honour. Some women refused to tell their partners, others were abandoned when they came forward. Many survivors even committed suicide rather than go public.

The plight of the Kosovar women is a sadly familiar story. Rape has been used as a weapon of war since the days of the Vikings, and it remains commonplace in conflict zones across the world, from Myanmar to Burundi. Soldiers commit rape to prove their masculinity and humiliate their victims, actively encouraged by commanders who see it as a way to destroy rival communities and reward their fighters.

Such crimes constitute a clear breach of international law, yet they have long gone woefully unpunished. The International Criminal Court didn't convict a single person of war rape until 2016, and even that conviction was later overturned. This indifference has been mirrored by a succession of national governments, which routinely refuse to support their own war rape victims because they lack the resources, or the will, to do so.

At least the women of Kosovo can finally claim some form of reparation. The verification process has been criticized for being excessively harsh, and several applications have been rejected since registration opened last winter. But it's a start.

There's hope elsewhere, too. Last year's Nobel Peace Prize went to a pair of activists, Dr Denis Mukwege and Nadia Murad, who have dedicated their lives to fighting sexual abuse in conflict. Their work is doubly significant because their respective homelands, Congo and Iraq, are among the world's most dangerous countries to be a woman.

Mukwege, a gynaecologist known as 'Doctor Miracle', founded his hospital in 1999 and has since treated more than 80,000 sexual abuse survivors. Yet, in a country dubbed 'the rape capital of the world', over seven times this number suffer sexual violence every single year. Rape is used as an instrument of terror in the country's chaotic ethnic conflict, and victims are stigmatized by a patriarchal society which often blames them for their own ordeal. It's a combination Kosovo's survivors know all too well.

Murad began her activism after enduring three months as an Isis sex slave in 2014. She was just one of thousands of women and girls from the Yazidi community to be cast into captivity, her body used as a tool to reward the Isis fighters and punish her community for their perceived apostasy. After escaping her captors, she set up her own eponymous charity, Nadia's Initiative, striving to help the Yazidi people rebuild their shattered community.

Both Mukwege and Murad are now campaigning on a global level, championing the cause of rape victims around the world. In addition to running his hospital, Mukwege has spoken at a string of events, including the World Economic Forum summit in Davos in January, where he told delegates "What is keeping rape in our society is silence. The silence [of women] is... a strong tool of rapists, so they can go on destroying girls and women." Oscar-nominated actor Djimon Hounsou is now slated to play Mukwege in a biopic of his life, which begins filming this summer.

Having released an autobiography, *The Last Girl*, in 2017, Murad is now the subject of an acclaimed documentary, *On Her Shoulders*, which made this year's Oscars shortlist. She's been invited to advise the G-7 group of nations on matters of sexual violence, and she's maintaining a frenetic schedule of meetings and keynote speeches. One of her most recent engagements was in London, where she demanded justice for Vietnamese women raped by South Korean troops during their country's war for independence.

This cause is sadly apposite, because it illustrates the size of the barriers facing sexual violence victims. Scores of Vietnamese women were beaten and jailed after the war for the crime of sleeping with the enemy, their children condemned as Lai Dai Han, or mixed blood, a label which brought relentless bullying. But, more than 40 years on from the cessation of hostilities, these atrocities have yet to be recognized by the South Korean government.

How can we ensure that future generations of war rape victims don't survive a similarly agonizing wait? Well, we can start by bringing perpetrators to justice, starting with the Isis abusers. Despite the pleadings of activists such as Murad, the global community has shown no enthusiasm for putting the abusers on trial. This must change.

Beyond Isis, the international community needs to start prosecuting the soldiers who commit sexual atrocities in conflict, treating rape as the war crime it truly is. But the courtroom is only part of the answer. The world's NGOs must ramp up their efforts in war-riddled countries, providing physical and therapeutic support to sexual assault victims. At government level, the world's wealthiest countries must apply pressure wherever survivors are not being compensated effectively.

Above all, we need to recognize that war rape is merely a symptom of a wider problem. Until the world's outdated patriarchies are brought into the 21st century, women will continue to suffer – in times of peace as well as war.

Gender-Based War Crimes: Al-Hassan at the ICC (Harvard Political Review) By Barbara Oedayrajsingh Varma
April 6, 2019

Since the 2002 Rome Statute, which oversaw the creation of the International Criminal Court, a mere handful of convictions after lengthy and costly trials have taken place at the court. Given the manifesto upon which the ICC was founded – “to put an end to impunity for the perpetrators of [war] crimes and thus to contribute to the prevention of such crimes” – the court has not yet lived up to its full expectations. Although the ICC’s mission has been to prosecute those who have committed war crimes and whose home countries are unable to convict them, it has only seen a small number of successful trials.

One recent development has been met with renewed optimism: for the first time in the ICC's history, someone is being prosecuted for war crimes on gender-based grounds. However, the context of this case raises questions about whether the ICC is merely concerned with improving its own track record, or whether it is truly aiming to use its influence to bring justice to women who have suffered gender-based war crimes around the world.

The defendant is Al Hassan Ag Abdoul Aziz, Chief of the Timbuktu Islamic Police during the Malian Al-Qaeda occupation in 2012-2013. He is facing charges that include torture, sexual violence, rape and sexual slavery.

In a time where gender inequality and violence against women are finally receiving significant scrutiny, this trial has been hailed by some as a landmark case. Just last year, Dr. Denis Mukwege and Nadia Murad were awarded the Nobel Peace Prize for “their efforts to end the use of sexual violence as a weapon of war.”

A conviction of Al Hassan could have the potential to bring long-awaited justice to women whose human rights have been violated in war and could set a precedent for future prosecutions. Perhaps this case will be the next watershed moment in women's rights?

Al Hassan is not the first Malian to be prosecuted by the ICC. Ahmad Al Faqi Al Mahdi, the former head of the Hisbah, a Malian brigade that enforced public morals, and associate of the Timbuktu Islamic Court until 2012, was convicted by the ICC in 2016 and sentenced to 9 years of imprisonment. This was the first ICC case where the defendant pled guilty, but the charges against Al Mahdi put a damper on his conviction – although there was reasonable evidence to believe that Al Mahdi, like Al Hassan, perpetrated gender-based war crimes, he was prosecuted solely for his destruction of religious sites. He was found guilty of damaging mausoleums and a mosque in Mali, yet his alleged crimes against women were not addressed in court.

Al Mahdi and the ICC made a plea deal—though contents are classified, the deal most likely included dropping charges of human rights violations against Al Mahdi in return for a guilty plea on site destruction charges. Such a deal does not seem aligned with the mission of the ICC, but multiple factors might have played into the decision to offer it. Striking a deal with Al Mahdi would ensure a certain conviction, albeit for lesser charges. For the ICC, any conviction would be critical, due to its meager conviction track record. Second, trials involving witnesses are more complex, costly, and time-consuming. If victims of sexual violence were to be involved, significant resources and effort would need to be invested to ensure that witnesses would not suffer from the trial.

Despite these possible justifications, the failure of the ICC to prosecute Al Mahdi for his alleged involvement in sexual violence received international criticism. The court's subsequent choice to now persecute Al Hassan, who has not made a plea deal, for

gender-based violence could be seen as an attempt by the ICC to restore its credibility and show that it does not systematically prioritize attacks on buildings over attacks on women.

However, it is not clear that the Al Hassan case should be the vehicle through which the ICC can achieve this long-awaited recognition of female victims of war crimes. While Al-Qaeda's Mali branch was active, Al Hassan did not hold a top leadership position. As the de facto Chief of Islamic Police in Timbuktu, he was responsible for the men who allegedly committed crimes against women, though no charges were leveled against him for directly perpetrating crimes. Al Hassan was initially accused of having committed human rights violations in a local Malian court, together with 15 others, some of whom have successfully been convicted in Mali and some of whom still walk free today. The decision to prosecute Al Hassan thus seems relatively arbitrary and may have been influenced, in part, by a desire to redeem past mistakes.

None of this, however, is to say that Al Hassan should not be convicted. Rather, it poses difficult questions concerning what factors should be considered when deciding who to try and what to try them for at the ICC. Since the ICC cannot prosecute every war criminal, the institution must think pragmatically about the effects a certain conviction can have. Although doing anything that deters further gender-based violence is undoubtedly worth it, there is no evidence that convicting someone of a certain war crime acts as a deterrent or reduces the likelihood another will commit said crime.

A more realistic strategy may involve a focus on the direct impact of convictions on victims. In the Al Hassan trial, Malian victims will most likely be asked to come to The Hague to testify. Although seeing someone punished for the crimes they suffered is often valuable to victims, in the case of sexual violence, the ICC must consider the impact that testifying at such a high-level trial may have on the survivors. Perhaps the potential stress outweighs the potential benefits of a conviction for victims. There has been disappointingly little research on the psychological effects of testifying in a high-profile international trial, especially for victims of sexual violence from disadvantaged backgrounds. This complexity might be a reason why the ICC chose to charge Al Mahdi with the destruction of religious and cultural sites, which is a war crime under the Roma Statute — but one without direct human victims.

It may seem clinical to base a decision to prosecute an alleged war criminal on a cost-benefit analysis. After all, many people hold the belief that the international community has a moral obligation to punish those who infringe upon the human rights of others. And indeed, it seems imperative to see justice served in cases involving atrocious crimes. Those are legitimate feelings. But the distribution of benefits from each conviction of the ICC needs to be examined more closely.

Whether or not Al Hassan's trial becomes a landmark conviction, its value will be primarily symbolic. A conviction of Al Hassan is unlikely to have a direct impact on women in Mali. Hopefully, though, it can at least bring international attention to the importance of supporting those, like Dr. Mukwege and Ms. Murad, who are making a tangible difference for women who have suffered gender-based war crimes.

Artisanal Food Shop Helps Kosovo War-Rape Survivors Earn Income — And Heal (NPR) By Valerie Plesch
April 7, 2019

Every morning, B. wakes up at dawn to begin her day in a rural farming village in western Kosovo. She starts the fire, bakes fresh bread for the home, feeds her cow, then tends to her homemade dairy products that she prepares from a small room.

"I'm restless, I have to do something," B., 51, says. "I feel like my brain is more quiet when I do this in my own house."

Later in the day, she packages her different types of fresh cheese and yogurt and gets them ready to be picked up and sold at a new shop in Gjakova — a bustling city around 30 minutes away from her home.

B. is one of the estimated 20,000 women and men who were raped and tortured by Serbian police and the Yugoslav army during the 1998-1999 Kosovo war against Serbia. The exact number is difficult to determine, given the sensitivities surrounding the topic of wartime rape in this nation of 1.8 million people. In Kosovo's conservative and traditional society, wartime rape victims continue to be stigmatized, shamed and isolated not only by society, but also by their families, from whom many survivors have kept the rape a secret. That's why survivors are not using their names in this story.

"In general, in cases of sexual violence, the shame and guilt is unfortunately usually put on the victim and not on the perpetrator. In Kosovo, the case is the same," says Rozafa Kelmendi, project manager with the Women, Peace and Security sector at U.N. Women in Kosovo. She notes that it was only in 2008 that the U.N. Security Council passed a resolution condemning sexual violence as a tool of war.

"So if it took this long for the [United Nations] to recognize this as a crime, then it takes much longer for the society to see conflicted-related sexual violence as a weapon of war and a crime committed on the victims — and not something that should be considered as a [source of] shame," Kelmendi says.

What's more, many survivors have had a hard time earning an income because of the trauma they suffered after the war and the lack of job opportunities in Kosovo. But now, 20 years after the end of the conflict, a new store in Kosovo aims to change that.

Medica Gjakova, one of four NGOs in Kosovo working with survivors of sexual violence, opened an artisanal food shop last December, with the help of the German Society for International Cooperation (GIZ) and the German Federal Ministry for Economic Cooperation and Development (BMZ), some of the main international donors involved in supporting NGOs in Kosovo.

The shop sells a variety of organic products sourced from around two dozen survivors' farms and homes in surrounding villages. Items include different types of fresh cheese, creamy yogurt, three varieties of honey, apple, apricot, raspberry and blackberry jams, bright red pepper spreads, shelled walnuts and eggs. The shop is part of Medica Gjakova's economic empowerment project, which helps survivors become entrepreneurs and earn an income – in some cases, for the first time in their lives.

It is the first shop of its kind in Kosovo and is a big step towards helping these women to lead more independent lives from the comfort and safety of their homes, which makes it more convenient for them to work. Medica Gjakova is in the process of registering the shop as a social enterprise and is training other survivors on entrepreneurship and developing their catering and culinary skills.

"We saw that economic empowerment is very important for the women because they are much more self-confident. And when it comes to the family, they are able to bring some money to the family and [thus] they are much stronger within the family," says Mirlinda Sada, executive director of NGO Medica Gjakova. "We are trying to prepare the women to be the leaders of these enterprises," Sada says.

The ancient city of Gjakova was nearly destroyed during the war. Many war crimes took place in this city and surrounding villages, especially during the 78-day NATO bombing campaign in 1999. That campaign eventually ended the war and drove the forces of former Serbian president Slobodan Milosevic out of Kosovo.

The artisanal shop is located on a busy street in the city center. The window display shows an assortment of neatly arranged fresh farm eggs, walnuts, pumpkins and apples. Since its opening, the store has had to constantly restock its supply of spicy pickled vegetables, nuts and dairy products, thanks to demand from customers who come here looking for fresh, homemade traditional food.

"People are writing [messages] to Medica, asking where they can buy these products and [saying] that they are really good," Sada says.

Medica Gjakova – the NGO – has provided counseling to approximately 400 survivors of sexual violence since the end of the war. Though many survivors continue to receive treatment and aren't working, others feel ready to move forward with their lives.

"This is very important because after they were empowered [through counseling and other services], they needed something more," Sada says. "Having a job and working is a kind of therapy."

This is especially true for survivors like M.

"[Working with food] helps me with my peace and with my health," says M. from her home in a rural village near Gjakova, where heavy fighting took place during the war. "Time goes by and I forget the past."

M. now spends her days listening to music from a small radio in her work space outside her home, still on her family compound. There, she makes jars of homemade ajvar, a traditional Balkan red pepper spread, and tangy pickled vegetables known as torshi, which are popular accompaniments to Persian, Middle Eastern and Balkan dishes. "This is where I feel the best," M., 57, says about her work space.

"I receive a lot of compliments from my clients, which is satisfying," M. says about her products. "I gain pleasure from that – when I feel like I can do good for others, too. At the same time, my finances are better. I've helped my children a lot with their education. And I help my husband and the family."

She earns around \$275 per month – nearly equivalent to the average salary earned by women in Kosovo, according to Amnesty International.

Medica Gjakova is planning on opening one more shop in Pristina, Kosovo's capital, at the end of April, as well as an online shop.

"So this is really the cherry on the cake, because we now know the women really are able to ... have a profit, earn money, and to be stronger and to have the voice in the family," Sada says.

'It is used strategically': Secret weapon of war targets women (The Sydney Morning Herald) By Jenna Price
April 9, 2019

I don't know exactly how my grandparents were murdered but my imagination has filled in the gaps.

That's apparently a standard response from the families of the war dead. We fear the worst, as if death is not the worst. In our minds, we rehearse the many scenarios, each more gruelling than the last. We extend their suffering and our own.

Lynette Silver, war historian and advocate, tells me my response is typical. She first learned it from the families of those who died at Sandakan and now she's learning it again from the families of the Australian nurses who died in World War II, victims of Japanese Army regiment 229.

Vivian Bullwinkel, the only survivor of Radji, and her uniform showing the exit hole of the bullet which was meant to kill her. Vivian Bullwinkel, the only survivor of Radji, and her uniform showing the exit hole of the bullet which was meant to kill her.

As far as the families knew, 22 Australian nurses were machine-gunned on Radji beach on Bangka Island, Sumatra. Only Vivian Bullwinkel survived and she later told Australian journalist Tess Lawrence what happened to her that day, that she and many of her fellow nurses were raped before her colleagues were murdered. Yet when the time came for the nurse to tell the complete story before the Tokyo war crimes tribunal, she didn't. Silver has only now assembled all the evidence to prove for certain that the rapes took place for her new book *Angels of Mercy* published this week.

Rape is used as a weapon of war and its use is absolutely standard. You might begin with the Rape of the Sabine Women and imagine it's a fictional form, a catastrophic fantasy; but we now have eyewitness accounts of what happened to women during the mass rapes as Yugoslavia exploded and of the assiduous sexual violence used against Rwandan women during the genocide, which began 25 years ago this week. We now have the histories, the numbers, the survivor stories, to tell us this is not one-off, rogue behaviour.

Australia's leading expert on sexual violence in battle zones, Melbourne University academic Sara Meger, author of *Rape Loot Pillage: The Political Economy of Sexual Violence in Armed Conflict* describes rape as part of the war arsenal in a high number of conflicts and, as part of that arsenal, it's very effective.

"It's used strategically as a means of either intimidating a civilian population, forcing submission of a population or extracting some kind of resources from that population. It's also a very effective way of clearing lands . . . it goes to the heart of a community, not just for the immediate victims but for the wider population. It's totally demoralising," says Meger. "People try to get away from that place as soon as possible."

She says scholars want to know how often the use of rape is an order from the chain of command; or just a function of being a soldier. "Soldiers tend to rape when they are in a new environment," she says, perhaps as a way of marking out the territory. Once practised, the behaviour stays with them, of course. Off-duty soldiers perpetrate higher rates of sexual violence than the average but lower rates of all other crimes.

"It's a way of masculinising themselves and effeminising their enemies . . . it's something about socialisation in the military environment," says Meger.

But what of the victims, what of the survivors? We know rape survivors carry guilt and stigma and often find it difficult to tell. We know that even in peace time, women struggle to report rape. Women's experience is silenced.

In Bullwinkel's case, Lawrence reported that the nurse was asked by the Australian government not to tell of the rapes.

Silver believes if there were official demands made of Bullwinkel, who died in 2000, they were made with the best intentions, to protect the families from knowing the worst details.

"It was bad enough that these gentle, beautiful creatures were murdered but knowing that their daughters were violated before death, that was too big an ask for the parents to take on," she says.

For my own, I'd prefer to know; to stop my imagination in its tracks.

Silver believes that if she had not told this story, she too would have been part of the silencing.

If the government or its representatives did indeed ask Bullwinkel to remain silent, it may also have been trying to ensure its

supply of “gentle, beautiful” nurses would continue.

But it was probably a request Bullwinkel found easier to comply with than resist. It’s hard to talk about sexual assault. We can trust centuries of fear and violence, in war time and peace, to ensure women remain silent.

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Commentary and Perspectives

Malawi albinos kidnapped and sacrificed by witchdoctor gangs on the hunt for election charms (The Telegraph) By Adrian Blomfield and Henry Mhango
April 6, 2019

It was a real-life Sophie’s choice: With the albino-hunting gang advancing through her house, Misa Maulidi had seconds to decide which of her children to save and which to abandon to the men who wanted to sacrifice them both.

She had always feared this would happen, particularly with Malawi’s general election looming and politicians reportedly in the market for albino body parts to use in the witchcraft rituals meant to help them win their seats.

It was why she and her extended family had chosen to live in a remote homestead deep in the tobacco plantations of central Malawi, miles from Dedza, the nearest town.

Here, secluded from the outside world but with security in numbers, she hoped she could safely raise Goodson, her 14-year-old son, and his three-year-old sister Faith, both born with albinism, a genetic condition that bleaches the skin, hair and eyes white.

But then, a little before midnight on Feb 12, five machete-wielding men smashed down the door of her hut. Mrs Maulidi, who is black, realised immediately what they wanted, but knew she couldn’t save both her children.

She scooped up Faith, dodged past the men into the bush and shouted frantically to Goodson to run to the neighbouring hut where her father and brother slept.

His relatives did everything they could to prise the terrified boy from his attackers' grasp. Four of Goodson's relatives, including both his grandmothers, received deep machete cuts as they fought with their bare hands to save him.

It was to no avail. Goodson Makanjira, struggling and whimpering, was dragged into a waiting car. He has not been seen since.

Goodson’s family cannot bring themselves to voice what might have happened to him since he vanished down that dusty road towards distant Dedza. Given what has happened to a growing number of albinos in Malawi, his likely fate is too horrifying to contemplate.

For Malawi’s 10,000-odd albinos, being born with the condition is a curse. Their fathers often desert them at birth, believing their wives have been unfaithful with a white man.

At school they face bullying. Many suffer semi-blindness and risk skin cancer from the mercilessness of the African sun, which causes the young to look prematurely old.

But worse, they live in a society where too many only value them dead. Those captured by the albino-hunting gangs are either killed immediately or taken to places of ritual sacrifice by rivers. There, witchdoctors can wash away the blood as they remove the innards and limbs of their victims, according to activists and the testimony of some witchdoctors themselves.

The killings, it is widely believed, are done to order, carried out by an organised criminal network acting on behalf of rich clients willing to pay thousands of pounds for albino body parts believed to bring wealth and political good fortune.

Who those clients are no-one knows, for none have ever been brought to trial. But senior government and opposition figures, who say they themselves have been urged to go to witchdoctors when the political winds have blown against them, believe that politicians are heavily involved in the trade.

Attempts to document albino killings only began in late 2014 after activists noticed an increase in attacks in the build up to Malawi's general election earlier that year.

Since then, the Association of Persons with Albinism in Malawi (APAM) has documented 25 murders, 15 disappearances and 122 cases of attempted abductions and the exhumation of albino bodies from graves.

With another election due to take place in May, activists say there has again been a surge in attacks over recent months.

As the scandal has grown, even Peter Mutharika, Malawi's president, has been implicated, while the personal bodyguard of Lazarus Chakwera, a leading opposition candidate contesting the presidency, has been arrested.

Since New Year's Eve, when a gang entered the Kwenda Phiri family home in Nkhata Bay on the shores of Lake Malawi, there have been at least 11 attacks, according to Ian Simbota, APAM's secretary-general.

Some time before midnight on January 31, as the revelry grew more raucous outside, George Kwenda Phiri crept into his parents' bedroom only to find four men standing over his groaning albino father, sleeping alone as his wife was away.

Wide-eyed in terror, the hand of one of the attackers clasped over his mouth, George, who is nine, watched as his dying father was dismembered and disembowelled.

Three weeks later, Loness Nkhonjera briefly left her house in northern Malawi to use the loo in the early hours of the morning. When she went back inside a few minutes later, her 18-month old albino daughter Eunice had vanished. She, too, is yet to be found.

Crude superstitious beliefs, even if only upheld by a minority, are widespread in Africa, with albino attacks reported in 28 countries across the continent.

Some have made progress in protecting their albino minorities; Tanzania, which has banned witchdoctors, and Nigeria have both created island refuges. Kenya has elected an albino senator and organises albino beauty contests.

But nowhere in Africa is it more dangerous to be an albino than Malawi, activists reckon.

A first step in fixing the problem, they say, is to hold accountable those behind the killings. Yet, if anything, solving crimes against albinos is becoming ever harder amid allegations of a high-level cover up.

Since the beginning of the year, two key suspects who may have held vital clues about the attacks have died mysteriously after being taken into custody, including Buleya Lule, accused of being in the car that carried away Goodson Makanjira. A post mortem found that he had been beaten and electrocuted while in detention.

His death does not necessarily suggest a conspiracy, says Hetherwick Ntaba, the president's chief domestic policy adviser and chairman of the government's task force on albinism issues.

"The other side of the coin in all this is that the police, desperately trying to extract information from suspects, may simply, in their frustration, have got carried away in their physical interrogations," he said.

The government's response has done little to quell allegations of a political conspiracy, in which even Dr Ntaba has been implicated.

The most damaging allegations have been made by Bon Kalindo, a firebrand opposition MP. While in custody in January on charges of insulting the president in song, he says he interviewed suspects — including a Roman Catholic priest and a policeman — charged with murdering a young Albino man in 2015.

He claims they told him that the president and Mr Ntaba were among those involved in the trade in albino body parts. Leaked audio recordings made by the same suspects making similar claims have been circulated widely in Malawi.

President Mutharika's government strongly denies the allegations, suggesting that, in a chronically corrupt country whose people are the world's sixth poorest, his accusers may have been bribed by the opposition as part of a pre-election smear campaign.

"It is a total fabrication," Dr Ntaba said. "They are using albinism issues as a campaign tool to tarnish the image of the president and the government."

Amid the claims and denials, successful prosecutions look farther away than ever. There is little evidence of a concerted campaign, in a country where most profess Christianity but many cling to traditional beliefs, to persuade people that albino

body parts do not have magical powers.

Even Mr Kalindo, who has campaigned for albino rights for three years, claims they are true. If you place a bottle of coke over an albino's bones, he maintains, it will begin to fizz and the top will pop off.

"Albino bones have magnetic qualities," he says. "There is a fluid in them that allows you to make money in the millions. So politicians use them in machines that print money."

While such claims are blithely accepted it is little wonder that Malawi's albinos live in terror every day.

"I've stopped going out, I've stopped working," says Femia Chulani, who narrowly escaped abduction in the southern city of Blantyre after gangsters masquerading as policemen tried to abduct her. "Every night is a night spent in fear."

Across the country, albinos recount similar stories, telling of the abject wretchedness of living with a condition which they did not choose and over which they have no control. All they yearn for is to live peacefully with their families in safety.

That prospect seems as distant as ever for Bertha Ngalande, an albino teacher in the southern town of Mulanje, who cowered with her family in her house as a gang of men shone torches into her house last month. She does not know why they eventually disappeared, but she lives in fear that they might return, a fear that has turned to suspicion of everyone outside her immediate family.

"I don't trust my neighbours," she said. "I don't trust anyone who comes too close to me. I am not safe at any time."

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WORTH READING

From Joining to Leaving: Domestic Law's Role in the International Legal Validity of Treaty Withdrawal

Hannah Woolaver

European Journal of International Law, Forthcoming

April 5, 2019

If a state withdraws from a treaty in a manner that violates its own domestic law, will this withdrawal take effect in international law? The decisions to join and withdraw from treaties are both aspects of the state's treaty-making capacity. Logically, international law must therefore consider the relationship between domestic and international rules on states' treaty consent both in relation to treaty entry and exit. However, while international law provides a role for domestic legal requirements in the international validity of a state's consent when joining a treaty, it is silent on this question in relation to treaty withdrawal. Further, there has been little scholarly or judicial consideration of this question. This contribution addresses this gap. Given recent controversies concerning treaty withdrawal – including the United Kingdom's exit from the European Union, South Africa's possible withdrawal from the International Criminal Court, and the threatened US denunciation of the Paris Agreement – and the principles underlying this body of law, it is proposed that the law of treaties should be interpreted so as to develop international legal recognition for domestic rules on treaty withdrawal equivalent to that when states join treaties, such that a manifest violation of domestic law may invalidate a state's treaty withdrawal in international law.

The International Tribunal for the Prosecution of Foreign Fighters Responsible for Serious Violations of International Humanitarian Law and International Human Rights Law Committed in the Territory of the Syrian Arab Republic since 2011

Peter Cephah Dahabreh

April 7, 2019

This thesis aims to answer the following question: What is the most viable option for holding foreign fighters accountable when it is determined that they violated international law during the Syrian civil war? My research suggests that a new international tribunal is required, one that can hold foreign fighters in the Syrian

civil war accountable for their actions. Most domestic laws stop short, deciding instead to charge a foreign fighter with membership in a terrorism organization when he/she attempts to return home. Many entities and governments point to international courts as the most viable option for rendering judgment. However, I identify several hurdles in that path, which I discuss. In sum, my research efforts lead me to a more viable approach: establishing an international tribunal through the United National Security Council. To this end, I offer specific suggestions to bring this realistic option to fruition.

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