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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

UN says 73 people presumed dead in shipwreck off Libya (AlJazeera)

February 15, 2023

At least 73 Europe-bound migrants and refugees are missing and presumed dead following a shipwreck off the coast of Libya, the United Nations migration agency has said.

The International Organization for Migration (IOM) said on Twitter on Wednesday that Libyan authorities retrieved at least 11 bodies from the wreck, which happened on Tuesday.

Seven people survived and made it to Libyan shores in “extremely dire conditions,” the UN said, adding that they were taken to a hospital.

The shipwreck was the latest sea tragedy in the central Mediterranean, a key route for migrants.

According to the IOM’s Missing Migrants project, 25,821 migrants and refugees have gone missing in the Mediterranean since 2014.

Libya has in recent years emerged as the dominant transit point for refugees and asylum seekers from Africa and the Middle East trying to make it to Europe.

A controversial migration agreement between Italy and Libya was automatically renewed earlier this month for a period of three years, amid warnings by humanitarian organisations that this might make Rome and the European Union complicit in crimes against humanity.

Human Rights Watch (HRW) warned that “assisting Libya’s coast guard, knowing that it will facilitate the return of thousands of people to serious human rights violations, makes Italy and the European Union complicit in such crimes”.

Since January 29, at least 531 migrants and refugees have been intercepted by the so-called Libyan coast guard and returned to the war-torn north African country, according to the IOM .

Oil-rich Libya plunged into chaos following a NATO-backed uprising that toppled and killed longtime leader Muammar Gaddafi in 2011.

A June 2022 report by the United Nations Independent Fact-Finding Mission on Libya found that migrants and refugees faced “murder, enforced disappearance, torture, enslavement, sexual violence, rape, and other inhumane acts ... in connection with their arbitrary detention”.

In September 2022, the prosecutor of the International Criminal Court (ICC) found that crimes against migrants and refugees in Libya “may constitute crimes against humanity and war crimes”.

Guterres in Africa: End political stalemate in Libya now, UN chief urges leaders (UN News)

February 17, 2023

“What is urgently needed is the political will to break the protracted political stalemate and achieve progress on multiple fronts,” UN Secretary-General António Guterres said at the latest meeting of the High-level Committee on Libya, taking

place in Addis Ababa.

Progress is sorely needed towards holding elections and advancing gains in security, national reconciliation and human rights, he said, adding that the UN continues to be committed to Libyan-owned and Libyan-led solutions.

Priority areas for action

Noting that the UN has been “totally committed to overcoming the misunderstandings of the past”, he outlined priorities areas for action.

“We have no agenda and no goal but one: to secure the right of the Libyan people to live in peace, to vote in free and fair elections, and to share in the prosperity of their country,” he said.

The challenges are dire. A UN human rights fact-finding probe in late January included testimony of extrajudicial killings, torture, arbitrary detention, enforced disappearances, human trafficking, internal displacement, and the existence of mass burial sites.

Since the 2011 overthrow of Muammar Gaddafi who had led Libya since 1969, the oil-rich nation has grappled with multiple crises and rival administrations – a UN-recognized Government of National Accord, based in the capital Tripoli, and the so-called Libyan National Army based in the east.

‘No alternative to elections’

In December 2021, legal disputes and other challenges forced the cancellation of historic presidential and parliamentary elections. To address this pressing issue, the Secretary-General said his Special Representative has engaged the Libyan parties and international partners to agree on a constitutional basis for elections by the end of February.

“I share the growing frustrations of the Libyan people,” the Secretary-General said. “The absence of elections worsens economic insecurity, heightens political instability, risks renewed conflict, and raises the specter of partition.”

But, without agreement, the United Nations, in close collaboration with key Libyan stakeholders, the African Union, and international partners, should propose and pursue alternative mechanisms towards finding solutions, he said.

“There is no alternative to elections,” he stated. “They remain the only credible pathway to legitimate, unified governance.”

‘Instrument of hope’

Meanwhile, the 2020 ceasefire agreement continues to hold, he said, commending progress on security challenges. Efforts include the work of the “5+5” Joint Military Commission, convened by his Special Representative, which represents “an instrument of hope for all Libyans”, he said, as well the African Union’s engagement and support.

Withdraw foreign fighters

“The next priority of the Joint Military Commission must be the complete withdrawal of foreign fighters and mercenaries from Libya,” he said, recalling that external interference had fuelled Libya’s descent into conflict.

Welcoming the recent meeting in Cairo between the military commission and representatives of Libya, Sudan, and Niger, he said the decision to establish a coordination and information sharing committee marks “an important step towards greater stability and peace in Libya and the wider region”.

Progress towards national reconciliation is also a priority, he said, pointing to the AU’s ongoing efforts to support an inclusive process.

Human rights concerns

Outlining serious human rights concerns, he said migrants, refugees, and asylum seekers continue to suffer abuses with impunity. Thousands who attempt to cross the Mediterranean Sea are returned to Libya and detained in inhumane and degrading conditions with restricted humanitarian assistance, with thousands more unaccounted for.

He reiterated his call for all countries involved to respect the integrity of international refugee law, and for Libyan authorities to find rights-based alternatives to detention.

“The United Nations and the African Union – together with other key regional actors and organizations – must work together to support the Libyan people in realizing their legitimate aspirations to a more peaceful and prosperous future,” he said.

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CENTRAL AFRICA

Central African Republic

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

Wagner Group founder announces to have ceased recruiting convicts (Yahoo News) By Ukrainska Pravda
February 9, 2023

Yevgeny Prigozhin, the founder of the Wagner Private Military Company (PMC) has announced that the recruitment of convicts to the recognized criminal private military company has now completely stopped. He never specified what caused such a decision.

Source: Prigozhin's press office with reference to his answer to the question about the fact that there has been no recruitment for more than a month, and Prigozhin himself is not going to penal colonies to recruit inmates.

Quote: "Yes, indeed, it is so. The recruitment of convicts for the Wagner [Group] has been stopped completely. To those who work for us now, all obligations have been fulfilled."

Details: At the same time, Prigozhin did not explain why recruitment to his private army has been stopped.

Note: The Wagner Group first appeared in 2013-2014. Wagner mercenaries have been active in a number of countries where Russia had important interests – Syria, Libya, the Central African Republic, and Ukraine. Wagnerites are reported to be committing war crimes and crimes against humanity, and are known for their brutality.

After the full-scale invasion of Ukraine, Wagner representatives took part in massacres of civilians. Inmates from Russian prisons are recruited to the PMC, as are Ukrainians who had been imprisoned in the temporarily occupied territories. Prigozhin himself is often involved in recruitment, although it was not until September 2022 that he admitted to being behind the PMC.

Background:

On 6 February, it was reported that recruiters from the Wagner Group Private Military Company (PMC) had begun to arrive at Russian penal colonies for the second time, revisiting the same locations where they previously recruited inmates to fight in Ukraine. The convicts the journalists talked to said that recruitment now takes place in a less solemn atmosphere: the prisoners are no longer lined up at the parade ground, and Yevgeny Prigozhin, the Wagner Group's founder, does not fly in by helicopter.

The Verkhovna Rada of Ukraine [Ukrainian Parliament] has recognised the Wagner Group as an international criminal organisation.

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Sudan & South Sudan

South Sudan human rights activists debate Pope Francis' criminalization comments (Los Angeles Blade) By Daniel Itai
February 14, 2023

Human rights activists in South Sudan have a mixed reaction over Pope Francis' comments against criminalization laws that he made after he left their country.

"The criminalization of homosexuality is a problem that cannot be ignored. Criminalizing people with homosexual tendencies is an injustice," said Francis on Feb. 5 during a press conference on board his plane after it left South Sudan.

Human rights activist Faisal Fei said "it should loudly be pointed out to the pope that his unsolicited opinion, guidance and whatsoever is grossly misplaced and abominable."

"All people of scriptures, save for the condemned nation of Sodom and Gomorrah, wantonly abhorred same sex relations. Before human civilization began or renaissance for that matter, the people of South Sudan did not only condemn same sex relations, strict measures penalizing the act were in place. The abomination of homosexuality was self-condemning and no human memory recorded or recalls the existence of such practices in both present and distant history," said Fei. "The people of South Sudan, just like their departed ancestors, heavily detest same sex relations and have properly penalized it and the brazenly disgraced pope or his wrong sympathizers have no say in this. Should the 'Junubins' (South Sudanese people) ever resolve that the pope is not welcomed in South Sudan, truly, the oceans will not dry and that would be the law of the land. The pope has his right place in the church and not government. His response is an indication of lack of focus and purpose in his ministry and needs divine guidance. Conclusively, the pope's statements, are like a bar attendant's remarks, they have no effect. The people of this country will penalize same sex relations and God's sun will rise for us in the east and set in the immoral West."

Fei also said the majority of South Sudanese abhor same-sex relations due to their traditional and religious beliefs.

"The general perception about same sex relations is spite, hate and abomination. The people rightly believe and already want to strengthen their apathy against homosexuals and their proponents," said Fei. "Right from prehistory, same sex relations never existed here. I see an extreme stance against same sex relations in this country and it will be good for us all. Properly, the people of South Sudan will design earthly hell for the 2SLGBTQIA+ community." Isoke Kennedy Baguma, an East African human rights activist, said Francis' comments opened the door for LGBTQ+ and intersex people in South Sudan.

"The pope's visit to South Sudan was like the awakening of a dormant volcano," said Baguma. "While the pope has no power to influence legislation in South Sudan, power and authority remains in the hands of the president of South Sudan who may sympathize with the decriminalization of same sex relationship. Hope should not be lost and forgotten, advocacy voices should continue to protect 2SLGBTQIA+ persons." Baguma said the situation for LGBTQ+ and intersex people in South Sudan remains dire, but added it is no different than in other countries throughout the region. (South Sudan is among the dozens of African countries in which homosexuality remains criminalized.)

"The current administration may not legalize same sex relations anytime soon because the regional laws and policies both internal and foreign especially in East Africa haven't worked in favor of same sex relations," said Baguma. "The East African region remains a strong proponent of heterosexual relations and having tough penal laws against same sex relations." Baguma stressed "traditional customary laws and customs remain a threat to the recognition of same sex relations in East Africa" and "people in villages look at homosexuality as a foreign concept and repugnant to the locals."

"The question of the day remains, are 2SLGBTQIA+ persons human beings, do they deserve to be protected by the laws of the land and should they have a country of their own," said Baguma. "2SLGBTQIA+ people are also engineers, lawyers, doctors, political leaders and plumbers."

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Refugees flee as M23 offensive moves closer to key city in eastern Congo (Globe and Mail Canada)

By Geoffrey York
February 9, 2023

Thousands of panicking people are fleeing from a strategic town in eastern Congo as a Rwanda-backed militia group pushes closer to sealing off the last road exit from Goma, the provincial capital and biggest city in the region.

Videos on social media showed an exodus of exhausted women and children from the town of Sake, a key crossroads west of Goma. Old people staggered under the weight of mattresses and sacks of belongings, children carried infants on their backs, farmers pulled goats and young men pushed bicycles and wooden scooters overloaded with bags.

The M23 militia was reported to have advanced to within 10 kilometres of Sake by Thursday afternoon, and heavy artillery was reportedly audible in the town. If they capture Sake, they will be able to control Goma's supply routes and place the city under siege. They already control the road to the north, while the east is blocked by the Rwandan border and the south has only a lake route with limited boat traffic.

A report this week by Human Rights Watch said the M23 rebels had committed a series of war crimes and other atrocities in the region in recent months, including the summary execution of dozens of civilians.

Goma, a city of about 700,000, is struggling to cope with hundreds of thousands of displaced people in camps and makeshift settlements around its outskirts as a result of the M23 offensive.

More than 500,000 people have been forced from their homes because of M23 attacks over the past year. Overcrowding in poor conditions in the tent cities has put a heavy strain on water and sanitation, leading to cholera outbreaks.

The M23 offensive has come close to triggering outright war between Rwanda and the Democratic Republic of Congo. In late January, Rwanda fired a missile at a Congolese fighter jet as it returned to Goma after conducting operations against the M23 forces. The damaged jet was able to land in Goma, but debris plunged onto the city. Rwanda said the jet had entered Rwanda airspace, but Congo denied it.

By placing Goma under siege, M23 would put heavy pressure on Congo's government, which so far has refused to negotiate with the rebels. Such negotiations, in turn, would bolster Rwanda's influence in eastern Congo and enable its proxies to seek concessions in the mineral-rich region.

Congo's military and a United Nations peacekeeping force have tried to push back the rebels without success. Several ceasefire agreements have required the militia to halt its advance and withdraw from captured towns, but it has refused to do so. Last Sunday, a sniper bullet – reportedly fired from territory controlled by M23 forces – struck a South African helicopter on UN duty in the region, killing one crew member and injuring another.

An East African peacekeeping force, largely consisting of Kenyan troops, flew into Goma in November to deter any rebel attack on the city. But despite promises of action, the East African force has avoided any direct confrontation with M23, provoking anger from many people in the city. Protesters took to the streets of Goma for three days this week, demanding that the UN and East African forces finally take military action against the rebels.

The peacekeepers, however, could be outgunned by the heavily armed M23 militia, which – according to a leaked UN report – has received sophisticated weaponry from Rwanda and has sometimes fought alongside Rwandan troops that crossed the border to bolster its attacks.

At a peace summit in Burundi last weekend, Congolese President Félix Tshisekedi warned a Kenyan peacekeeping commander that he must not “favour the M23” in his actions.

The East African peace envoy in the region, former Kenyan president Uhuru Kenyatta, said on Thursday that M23 should fulfill its promises to withdraw from captured territory. Other East African countries should urgently send the reinforcements that they had promised the peacekeeping force, and the peacekeepers should “interpose” themselves between the fighting forces where possible, Mr. Kenyatta said in a statement.

In the country's capital, Kinshasa, members of parliament this week called for urgent action against M23 to save Goma.

M23, formally known as the March 23 Movement, is named after an unfulfilled peace agreement in 2009. It rose to

prominence in 2012 when it temporarily captured Goma. It was defeated a few months later by UN and Congolese forces but revived itself in 2021 in the same region of eastern Congo.

One key problem, according to a report by the Africa-based Institute for Security Studies this week, was the absence of any attempt to deal with the conflict's root causes in 2013 after the militia was defeated. "Instead, the group withdrew from Goma and cantoned its troops in Rwanda and Uganda," the report said.

At least 32 civilians killed in eastern Congo, says the U.N. (Associated Press) By Sam Mednick
February 14, 2023

At least 32 civilians have been killed by rebel groups in eastern Congo's Ituri province, said a spokesman for the United Nations.

Twenty people were killed by the militia group CODECO and a dozen were killed by the Allied Democratic Forces, which is allied to the Islamic State group, U.N. spokesman Stephane Dujarric said in a press conference on Monday.

Calling the situation "confusing," Dujarric said it is hard for the U.N. peacekeeping mission in Congo to get more information due to restricted movement in the area.

Fighting between CODECO, a loose association of various ethnic Lendu militia groups, and Zaire, a mainly ethnic Hema self-defense group, has been ongoing since 2017 but has worsened recently. At least 32 civilians were killed by CODECO last month, say local officials. In December, the United Nations said the insurgent group was expanding its areas of control, attacking civilians and Congo's military, and taxing communities in the areas that it holds. The killings come amid surging violence across eastern Congo, where conflict has been simmering for decades as more than 120 armed groups are fighting in the region, most for land and control of mines with valuable minerals, while some groups are trying to protect their communities.

In neighboring North Kivu province, the situation is deteriorating as the M23 rebel group, which was dormant for nearly a decade and resurfaced at the end of 2021, continues to seize swaths of territory and killing civilians.

The M23 first rose to prominence 10 years ago when its fighters seized Goma, the largest city in Congo's east, which sits on the border with Rwanda. The group derives its name from a peace agreement signed on March 23, 2009 which called for the rebels to be integrated into the Congo army. The M23 accuse the government of not implementing the accord. The group is believed to have backing from Rwanda, findings supported by the U.N.

A peace agreement last year made during a summit in Angola was supposed to see the M23 withdraw from areas it had captured, however that is not being implemented, according to local residents.

Last week M23 fighters advanced toward Sake town in the Masisi area, displacing more than 65,000 people, according to an internal report for aid groups seen by The Associated Press. The rebels' advance increases the risk of isolating Goma and cutting off humanitarian access, say aid agencies. The U.N. peacekeeping mission in Congo, known as MONUSCO, has also been attacked amid the volatility.

Earlier this month one of the U.N. mission's helicopters came under fire in North Kivu province, killing a South African peacekeeper and injuring another, said the U.N. No one has claimed responsibility for the attack. The United Nations Security Council said the deliberate targeting of peacekeepers could constitute war crimes.

Congo's M23 rebels killed 20, carried out mass rapes, Amnesty says (Reuters) By Alessandra Prentice
February 17, 2023

Fighters from Democratic Republic of Congo's M23 rebel group killed at least 20 men and raped scores of women and girls in the east in November, Amnesty International said in a report on Friday.

The militia, which stepped up its offensive in regions near the borders of Rwanda and Uganda last year, dismissed the accusations, saying they were part of a smear campaign.

The reported death toll was much lower than estimates from the United Nations, which said in December the rebels executed at least 131 people in reprisal killings in a campaign of murder, rape and looting in Kishishe and Bambo villages.

Amnesty said it interviewed survivors and witnesses who described "groups of M23 fighters going house-to-house in Kishishe, summarily killing every adult male they found and subjecting scores of women to rape, including gang rape".

Based on that testimony, Amnesty estimated the M23 killed at least 20 men and raped at least 66 women and girls, mainly in

Kishishe, between Nov. 21-30.

M23 spokesperson Willy Ngoma dismissed the report. "There were no serious investigations because they did not come to the field," he told Reuters, adding that none of his soldiers would commit rape.

Congo's government spokesman did not immediately respond to a request for comment. The U.N. peacekeeping mission in eastern Congo also did not respond to a request for comment. Amnesty said its findings were based on research conducted on the ground in M23-occupied territory.

Congo's army has been locked in heavy fighting since May last year with M23, which is waging its most sustained offensive since a 2012-2013 insurrection that seized vast swathes of territory.

The conflict has sparked a diplomatic crisis between Congo and neighbouring Rwanda, which Kinshasa accuses of backing the rebels, including by sending its own troops into eastern Congo. Rwanda denies any involvement.

The M23 and its predecessor groups have claimed to defend Tutsi interests against ethnic Hutu militias whose leaders participated in the 1994 Rwandan genocide of more than 800,000 Tutsis and moderate Hutus.

Amnesty called on the Congolese authorities to follow through on a pledge to investigate the alleged crimes and hold the perpetrators to account.

"The scale and brutality of these mass rapes is particularly shocking. M23's actions in the Kishishe area constitute war crimes," it said.

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WEST AFRICA

Côte d'Ivoire (Ivory Coast)

**Official Website of the International Criminal Court
ICC Public Documents - Situation in the Republic of Côte d'Ivoire**

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

'Many insurgents killed' as troops foil ISWAP attack in Borno (The Cable)

February 22, 2023

Troops of 3 battalion, 22 task force brigade of operation Hadin Kai have reportedly killed members of the Islamic State West Africa Province (ISWAP) in Gamboru Ngala, Borno state.

Gamboru, located near the Cameroon border, is a market town and the administrative centre of Ngala LGA.

Military sources told Zagazola Makama, a counter-insurgency publication focused on the Lake Chad region, that the terrorists advanced toward Gamboru from various locations to penetrate into the town on Wednesday morning.

The sources said the "troopers overwhelmed the insurgents with superior firepower".

Zagazola did not state the number of casualties suffered by the insurgents.

"Troops of 3 Battalion on operation Hadin Kai had successfully repelled ISWAP's attack at Gamboru Ngala, Borno State early this morning," the source was quoted as saying.

"Some of the terrorists were neutralised during the encounter while other members of the group fled following a superior firepower from the troops."

TheCable had also reported how troops of the 27 task force brigade of Operation Hadin Kai have reportedly killed many ISWAP terrorists in Yobe.

Zagazola said the ISWAP had positioned its men at the outskirts of Buni Yadi at about 6:21 pm on Monday to attack the military base in the town.

The publication said several mortar bombs later fired by the ISWAP fighters with targets on the base fell in different directions without any impact.

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Mali

3 UN peacekeepers killed, 5 wounded by roadside bomb in Mali (AP News) By Baba Ahmed
February 23, 2023

Three United Nations peacekeepers were killed and five others wounded by a roadside bomb in central Mali on Tuesday, according to the U.N.

The bomb struck a supply convoy near the village of Songobia, the United Nations Multidimensional Integrated Stabilization Mission in Mali known as MINUSMA said in a statement.

The U.N. Security Council and Secretary-General Antonio Guterres strongly condemned the attack in separate statements that also said attacks against U.N. peacekeepers may constitute war crimes under international law.

Council members called on Mali's transitional government to swiftly investigate the attack with the support of MINUSMA and bring the perpetrators to justice.

The council expressed concern about the security situation in Mali and the transnational dimension of the terrorist threat in the Sahel region. It underlined that peace in the region won't be achieved without a combination of political, security, peacebuilding and development efforts that benefit all regions of Mali as well as implementation of the 2015 peace agreement.

Earlier, El-Ghassim Wane, the head of MINUSMA, said: "I strongly condemn this attack and present my heartfelt condolences to the families and brothers in arms of the late blue helmets."

The incident illustrates the complex environment in which the peacekeepers are working, he said.

Jihadi violence linked to al-Qaida and the Islamic State group has wracked Mali for a decade and left thousands of people dead. The war-torn West African country is one of the world's most dangerous places with a peacekeeping mission.

For the ninth consecutive year, Mali had the most peacekeepers killed while deployed there, the U.N. reported in January. Including the peacekeepers from Tuesday, 168 have been killed in the country since 2013, according to the U.N.

Since Mali's military seized power in two coups starting in 2020, a junta led by Col. Assimi Goita has had tense relations with the international community and constrained the mission's ability to operate.

Countries such as Benin, Germany, Sweden, Ivory Coast and the United Kingdom have announced troop withdrawals, according to the International Crisis Group. An internal review of the mission in January said restrictions imposed by the junta have exposed personnel to security risks. The loss of participating countries will put the mission under additional pressure, as it will lose more than 2,250 troops, the report said.

Liberia

Liberia: FGM Finally Banned in Montserrdo, But...(Daily Observer) February 9, 2023

By David S. Menjor and David A. Yates

Traditional women leaders in Montserrado County have officially closed the “bush schools” for girls across the county, bringing an end to the practice of Female Genital Mutilation (FGM) which has been in practice for centuries. The practice of FGM has been in the rural parts of the county for ages, but the traditional leaders have finally decided to abandon the practice — probably for the sake of their daughters, after being convinced of documented evidence of its long-term physical and psychological impacts on the girl child.

The closure of the school comes after the traditional female leaders, locally known as zoes, have since reached an agreement with UN Women and the government to put an end to the practice, but not with a caveat—a sustainable alternative livelihood program (s) in the area.

At the official closure ceremony recently, which coincided with the observance of International Day of Zero Tolerance for FGM, the zoes officially closed all Montserrado’s “bush schools. Traditional leaders, government officials and international partners assembled in Sonkai Town, Lower Montserrado, considered the epicenter of the traditional activities in the county, to ban the practice.

The effort, which has begun with a three-year moratorium on the practice of FGM in Montserrado, is expected to also take effect across the remaining ten FGM practicing counties — and eventually see the complete elimination of practice in the country.

Gathered under a traditionally decorated tent at the European Union (EU) Spotlight Initiative heritage center, all stakeholders agreed that it is time to put an end to FGM, even though there can still be initiation without mutilation.

But at the center of every discussion was the issue of providing sustainable alternative livelihood support for the female traditional leaders as a means of transition to life without FGM — which has been their source of livelihood.

Zanzan Karwor, chairman of the National Council of Chiefs and Elders in Liberia (NACCEL), played a pivotal role in ensuring that the zoes were happy about the decision to put an end to what they have loved doing and cherished over the years, even before the coming of democracy.

Karwor was emphatic that the traditional leaders’ acceptance to ban FGM is not based on tokens but a commitment to doing the right thing so as to enable Liberia to gain its rightful place among comity of nations.

He said the respect due traditional leaders must never be tampered with, adding that they are not a people who agree to do something but easily back-track on their decisions. “No one has the authority to bring FGM back; not even those who will come to you telling you to vote for them so they can bring it back,” he told the audience, especially addressing the female zoes. The NACCEL head called on the UN, EU and all other international partners to see to it that the traditional women leaders have an alternative livelihood in order that they may not have the urge any longer to go back to practice FGM, whether in secret or openly.

“The American people, the UN, our international friends, the help you get for Liberia can come now. We have agreed to ban the FGM. You should do for Liberia what you supposed to do since your say FGM is the problem,” Karwor said.

However, many believe that the female traditional leaders have not accepted that FGM is harmful and that it has long term physical and psychological impacts on victims, and that the zoes’ decision to ban the practice is not out of their own convictions but driven by promises from UN Women and other partners to provide them alternative livelihood programs.

Massa Kandakai, head of zoes in Montserrado, told partners at an event last month that her colleagues had agreed to end the practice but were demanding compensations or the provision of other sources for survival.

“The people signed the paper, and they say we should not do any zoe business again, but we are waiting. We are waiting to see what they will do for us,” she told her fellow zoes after a meeting with UN Women and other partners.

However, at the heart of UN Women and other partners’ alternative livelihood programs for the zoes are heritage centers where they are taught new trades and skills in business management. The partners believe that the heritage centers will help attract the needed development and empowerment after the women have acquired skills.

UN Women’s “Spotlight Initiative”, in collaboration with the government and funding from the European Union and United Nations, has constructed four vocational and heritage centers in four of Liberia’s eleven FGM practicing counties, Montserrado, Bong, Nimba and Grand Cape Mount.

Jaha Dukureh, UN Women Goodwill Ambassador, at the official banning ceremony, expressed excitement that Liberia is emulating the good examples of Kenya that has banned FGM through the Legislation of a Law accompanied by penalties.

Liberia is yet to have a law enacted and made ready for public enforcement but there have been Executive Orders temporarily banning FGM. Executive Orders, as provided for by the Liberian Constitution do not last for more than one year at a time and, as such, there has been no stringent measure to deter the practice of FGM.

“We are not here to talk about suspension of FGM in Liberia but its ban. It is amazing how far we have come. To the zoes, my mothers, we could not have been here today without your cooperation and willingness to see a new transformation come to Liberia,” Dukureh said.

“My commitment then and now is to work with the government of Liberia, the CSOs, the zoes and all organizations to ensure we end FGM in this country. We know that it won’t happen overnight, but we can work together with everybody.”

Like Kawor, Dukureh, said women must be empowered in order to reveal their full potentials away from the practice of FGM.

“We must invest in women in this community because when we do not hand money into the hands of women, we will end up going back to zero. We can give them money by empowering them. Until we are willing to uplift our women out of poverty, we will not see an end to violence against girls and women,” she said.

Judy Gitau, Regional Coordinator for Equality Now-Africa, said she was glad to be a part of a process that led to ending FGM and violence against girls and women.

“It is a great pleasure to join you here today to celebrate the Day of Zero Tolerance on Female Genital Mutilation,” Gitau told the audience. “Today is auspicious that all partners against FGM have gathered here to celebrate efforts to end FGM. This is the first time we have government organizations, traditional leaders and civil society organizations coming together like this. This is tremendous progress.”

She described Liberia as a country with such wealth and potential, but the country cannot move forward in its development drive without women actively involved and that their human rights must be protected and respected.

She reflected that Liberia has ratified international protocols on human rights, something her organization is glad that efforts to end FGM, a practice that robs women of their human rights, is coming to an end in the country.

“We are glad that Chief Zanzan Kawor and all other people in partnership have agreed that FGM is banned here in Montserrado and across Liberia. We hope that all the eleven practicing counties in Liberia have an understanding of what is ongoing and accept to put an end to FGM,” Gitau noted, while making reference a campaign led by former Kenyan President, Uhuru Kenyatta that resulted into the legislation that bans FGM in Kenya, hoping that same happens here.

“Kenya is being progressive. We have FGM in Kenya. We have an FGM Law. FGM prevalence rate has dropped. We have like fifteen percent. Our former President assured us that by 2022, FGM was going to be completely out of practice,” Gitau the native Kenyan said. “No matter how many other efforts are put into ending FGM, they will not yield the longstanding impact political will does.”

Comfort Lamptey, UN Women Country Representative, described FGM as one of the most vicious manifestations of the patriarchy that permeates the world. She added that the practice serves as an abhorrent violation of fundamental human rights that causes lifelong damage to the physical and mental health of women and girls.

According to Lamptey, the act is rooted in the same gender inequalities and complex social norms that limit women’s participation and leadership and restrict their access to education and employment across the world.

“On the International Day of Zero Tolerance to Female Genital Mutilation, let’s commit to social change and strong

partnerships to put to an end female genital mutilation once and for all,” Lamptey asserted.

She called on everyone to collaborate as powerful allies in challenging and ending the scourge.

According to The UN Women, about 200 million women and girls across the world have suffered the impact of FGM.

Liberia: Alieu Kosiah, Gibril Massaquoi, and Kunti Kamara Cases Awaiting Appeal Judgment (Daily Observer)

February 13, 2023

The appeal proceedings of the case of Alieu Kosiah, a former United Liberation Movement of Liberia (ULIMO) commander, took place before the Swiss Federal Criminal Court (FCC) from January 11 to February 3.

Kosiah, who had previously been sentenced to 20 years imprisonment by the FCC on June 18, 2021, for committing war crimes during the First Liberian Civil War (1989-1996), had appealed the decision.

On September 2, 2022, the Office of the Attorney General of Switzerland (OAG) amended the initial war crimes indictment against Kosiah to include crimes against humanity. The proceedings, which ended only recently, saw all seven plaintiffs coming from Liberia to testify at trial. The judgment is expected to be released on June 1, 2023.

The case of Kosiah is a first in Switzerland: besides being the first Liberian national to be tried in relation to war crimes allegedly committed in the country during one of the two civil wars (1989-2003), it is also the first time that war crimes and crimes against humanity are tried before the FCC.

The Director of Civitas Maxima, Alain Werner, represents several plaintiffs in this case, alongside Swiss lawyer Romain Wavre. The complete monitoring of the proceedings (of both the initial trial and the appeal phase) will appear online on June 1, 2023..

On January 10, the appeal proceedings of the Gibril Massaquoi case started at the Turku Court of Appeal, Finland. From February 2021 to January 2022,

Massaquoi, former commander and spokesman of the Revolutionary United Front (RUF), was tried before the District Court of Tampere, Finland, for war crimes and crimes against humanity allegedly committed during the Second Liberian Civil War (1997-2003).

Gibril Massaquoi was dismissed of all charges by the District Court as it found that there was reasonable doubt as to whether the defendant committed the offenses he was charged with. The Prosecution appealed the Court’s decision.

After 7 days of hearings in Turku, the Court relocated to Monrovia, Liberia, to hear witnesses. The first session began on February 6. The Court is expected to stay in Monrovia until the end of March 2023, and the proceedings are to last until at least June 2023. The appeal decision is not expected to be released before the end of the year.

The preliminary investigation was prompted by information, submitted by Civitas Maxima to the Finnish authorities, regarding Massaquoi’s alleged involvement in atrocities committed during Liberia’s Second Civil War. The trial monitoring of the proceedings can be followed online (initial trial and appeal phase).

Meanwhile, Kunti Kamara, a former ULIMO commander, who was tried before the “Cour d’Assises” or criminal court of Paris stood accused of crimes against humanity and torture allegedly committed during the First Liberian Civil War.

Many witnesses and civil parties came from Liberia to testify at trial. The “Cour d’Assises” found Kamara guilty of the charges he was accused of, and he was sentenced to life in prison. Kamara denies all charges and has appealed the decision.

It was announced last week that the appeal proceedings will take place in Paris from February 26 to March 22, 2024. For France, this was the first trial for international crimes committed abroad outside of those linked to the Rwandan genocide; and is only the fifth trial of this type to take place in the country.

Kamara is also the first Liberian national to have been tried in relation to crimes against humanity allegedly committed during the Liberian civil war.

The preliminary investigation was prompted by a complaint filed by Civitas Maxima. Soon after, Civitas Maxima was granted the status of civil party (plaintiff) in the proceedings.

Finnish Court Hears Gibril Massaquoi, Zizar Marzah Clashed Over Alleged Killings of Liberians by

February 18, 2023

A witness testifying before a Finnish court in Monrovia has said that Gibril Massaquoi, a former commander of Sierra Leone's Revolutionary United Front (RUF) was embroiled in a heated verbal standoff with Joseph "Zizar Marzah", a key fighter of Charles Taylor over Massaquoi's alleged killings of those he called innocent Liberians at Waterside.

The witness, called by the prosecution told the Turku Appeal Court Marzah had gone to stop Massaquoi over the issue in a house near a bridge, with the two men pointing guns at each other.

The witness told the proceedings Massaquoi had indiscriminately shot and killed many civilians who had gone to purchase food items and other goods.

He said Sam Bockarie, alias General Mosquito, another former RUF commander was also on the scene, but watched the alleged scenes in silence. The witness claimed it was Benjamin Yaten, Director of the Special Security Service, now Executive Protection Agency who arrived to end the quarrel.

The witness said he had gone to purchase rice down Waterside when soldiers broke into one of the stores and began to loot goods and other materials.

The witness said he, along with many civilians also joined the soldiers. But it was not long when Massaquoi and his men arrived with a fleet of cars and began shooting indiscriminately at them.

Many people, including his elder brother died as the result of bullet wounds, he said, while the survivors, including wounded victims were taken to a bridge down Waterside.

Under the bridge, the witness said Bockarie shot and killed a girl who confronted him, and then introduced himself as Angel Gabriel.

Shortly, he said the captives were relocated to a nearby house that was also hosting Zizar Marzah and the late General Bockarie. And one of the captives, after recognizing Marzah questioned him, saying: "Zizar Marzah, I know you are a Liberian. You will be here and allow strangers kill your people?"

The witness said Massaquoi became furious and reached for his pistol to shoot the girl, but Marzah drew his gun, and pointing at Massaquoi and told him to stop.

The standoff continues until Benjamin Yaten, alias "Chief 50" arrived and told both men to stop the tussle and freed the captives, the witness said.

"A guy came with a convoy and told Angel Gabriel that killing innocent people and raping women and girls was not the purpose of their mission. He told us all to get out and go. People were calling him Chief 50. That's how we were set free."

The witness' revelation of the four men, accused of aiding Taylor stunned the court.

Marzah was a star witness for the prosecution team during Taylor's landmark trial at then Special Court for Sierra Leone. In his testimony, Marzah claimed Taylor and his men, including Marzah himself practice cannibalism during Taylor's "reign of terror."

Bockarie was accused of supporting Taylor during the Liberian civil war. A witness told the Finnish District Court in 2021 that Bockarie was killed by Taylor's loyalists in 2003 to stop him from testifying against Taylor at the UN Special Court for Sierra Leone.

Finnish prosecutors in the ongoing appeal hearings of Gibril Massaquoi, a former commander of Sierra Leone's Revolutionary United Front have expressed confidence in witnesses testifying on their behalf, despite concerns about inconsistencies in the testimonies of the witnesses.

Asked by Chief Defense Counsel Gummerus how did he know that Massaquoi, Marzah, Bockarie and Yaten were together in one place, the witness said while in captivity, he was sitting by a girl identified as Jackie who knew them so well and showed them to him.

When further questioned whether there was a war fighting in Monrovia at that time, the witness said there were skirmishes on the outskirts of Monrovia in Duala and Brewerville.

Another witness testified that Mercy, her sister, was shot dead by Massaquoi's men in Waterside. Sharing her ordeal, the witness said she and her sister and other friends left their Paynesville residence to get goods when Massaquoi ordered his men to open fire indiscriminately at them.

"They were firing at us and my sister got hit with the bullet. I tried to pick her up but she was already dead," said the witness, choking with tears.

She said the survivors were rounded up, bundled in a vehicle and also taken to the Waterside Bridge. There, she said the captives were tortured and beaten, while some women and girls were raped. She told the court that she was among those sent to be executed by Massaquoi, but she was saved by an old friend who was one of the executioners.

Earlier, the first witness said she sustained severe wound from one of Massaquoi's boys, identified as Small Soldier who attempted snatching away her waist bag containing her business money she had carried to purchase goods in Waterside.

The hearings resume on Friday with three witnesses expected to appear.

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EAST AFRICA

Uganda

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

Uganda orders withdrawal of UN human rights office (The Irish Times) By Sally Hayden
February 15, 2023

The United Nations human rights office has been told to withdraw from Uganda this month, as concerns continue about the repression of opposition supporters, LGBT+ citizens and other vulnerable people in the east African country.

"We confirm that we have received a Note Verbal informing of non-extension of our host country agreement and that the office continues discussions at highest level with the authorities on this matter," said Bernard Amwine, a spokesman for the Office of the United Nations High Commissioner for Human Rights, in an email to The Irish Times on Wednesday.

"We are in discussions with the government of Uganda at the highest levels to see what can be done to continue our important work in the country. A conversation is being scheduled between the UN High Commissioner for Human Rights, Volker Türk, and the President of the Republic of Uganda. The High Commissioner's view is that there should be a UN Human Rights presence everywhere," Mr Amwine said.

Human Rights Watch, which regularly publishes reports on Uganda, called for a reversal of the decision. "Shutting down the UN human rights office is just the latest government action to stifle those working to promote respect for human rights in Uganda," said Oryem Nyeko, a researcher with the organisation, in a statement. "Instead of removing another critical voice from the human rights ecosystem, Ugandan authorities should create an enabling environment for rights advocates to work."

The UN Commission on Human Rights established its office in Uganda in 2005, amid the devastating war in northern Uganda, which saw government forces, as well as members of the Lord's Resistance Army rebel group, accused of crimes against humanity and war crimes. According to Human Rights Watch, it developed into the largest standalone UN human rights office in Africa, offering training for human rights defenders and security officials, as well as monitoring human rights abuses and carrying out a range of other activities.

In its letter saying that the body's mandate would not be extended, the Ugandan government said the government's own "commitment to the protection and promotion of human rights", and the existence of "strong national human rights institutions and a vibrant civil society" were the reasons behind the decision, according to a Human Rights Watch statement.

The Ugandan government has suspended or revoked the licences of civil society organisations and other non-governmental organisations over recent years. This included last year banning prominent organisation Sexual Minorities Uganda from operating. The organisation had been heavily involved in supporting the rights of persecuted LGBT+ Ugandans.

The repression of Ugandan opposition supporters most recently came to a head around the 2021 election, which saw 78-year-old president Yoweri Museveni win a sixth term in power, in a vote that was highly disputed. This week, former opposition candidate Robert Kyagulanyi, who is popularly known as Bobi Wine, posted photographs on Twitter that appeared to show torture scars on a man he said was a supporter. “This has been the fate of hundreds of our supporters who are regularly abducted,” Mr Kyagulanyi wrote.

A Ugandan government spokesperson did not respond to a request for comment.

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Kenya

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

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

Genocide Survivors Welcome Legal Cooperation Agreements with Mozambique, Angola (KT Press)

By Daniel Sabiiti

February 8, 2023

Rwanda has ratified agreements on legal cooperation in criminal matters, transfer of suspected criminals and extradition with Mozambique and Angola, to enable all the parties to track down criminals across their borders.

The agreements were passed by the Rwanda parliament this February 6, 2023 following their signing between the Republic of Rwanda and Mozambique and Angola in Kigali, on June 03, 2022) and on April 15, 2022 respectively.

“This will pave the way for information and evidence gathering and sharing, investigation, prosecution and punishments to be conducted on both sides,” said Solina Nyirahabimana, Minister of State in Charge of Constitutional and Legal Affairs.

Nyirahabimana said that the ratified agreements will especially enable Rwanda to follow up and bring justice to genocide suspects who still live at large in the Southern African nations.

As of 2022, the International Residual Mechanism for Criminal Tribunals Mechanism (UNRMCT) said that there more than 1,000 fugitives wanted by Rwandan authorities for crimes committed during the 1994 Genocide against the Tutsi in Rwanda with most of them in the Southern African states, however many genocide fugitives cannot be tracked because they abused processes of refugee status to conceal their alleged criminal records.

The Chairperson of the Umbrella association of Genocide against the Tutsi survivor organization (IBUKA), Dr. Philibert Gakwenzire said that the agreements show that the government is committed to deliver justice for genocide victims and survivors and the association is hopeful of the good results that will come out soon or later.

“Ibuka commends this as very good progress in the process of rebuilding our nation and delivering justice to genocide

survivors and victims,” Gakwenzire told KTPress in a phone interview.

Significance and Implications The Minister also stated that these agreements will also enhance Rwanda’s plans to become a goods and services hub, which requires the country to prevent possible cross border crimes that come with foreign direct investments and use of the internet for business.

The implementation will be done by the prosecution office, Ministry of Justice and costs will be paid for by the requesting government and this will be commencing 30 days after the final agreements are exchanged.

“This will help us to extend the hand of Justice in the other countries especially Mozambique where we have interests in various legal aspects,” Nyirahabimana said.

On exchange of suspects and convicts, Nyirahabimana explained that this will come into play for suspects who at least have been convicted or committed crimes that come with a prison sentence of at least 2 years.

She also explained that in this case, the requesting country will meet costs involved in investigation and transfer of their suspected nationals to the country of origin for further legal proceedings.

MP Suzanne Mukayijore asked what would happen if a case of someone has a double nationality in both countries, and the minister explained that in that case the requesting country will provide evidence to the host country for the suspect to be prosecuted without extradition, and the same will happen vice versa.

MP Damien Nyabyenda asked who pays the costs if the host country is obliged to conduct an investigation, but the minister stated that all the costs, whatsoever, have to be met by the requesting country.

MP Beline Uwineza asked what would in case the suspect in a host country is convicted with a heavier punishment (such as a death penalty) which is not in Rwanda, and the Minister explained that the agreement negotiations prohibit either of the countries to give a severe punishment which is bigger than the one in the suspect’s country of origin.

This means that in case a Rwandan is convicted in Angola he or she can only get a life sentence – which is the biggest punishment since the abolishment of a death penalty in Rwanda in 2007.

Refugees flee as M23 offensive moves closer to key city in eastern Congo (The Globe and Mail) By Geoffrey York
February 9, 2023

Thousands of panicking people are fleeing from a strategic town in eastern Congo as a Rwanda-backed militia group pushes closer to sealing off the last road exit from Goma, the provincial capital and biggest city in the region.

Videos on social media showed an exodus of exhausted women and children from the town of Sake, a key crossroads west of Goma. Old people staggered under the weight of mattresses and sacks of belongings, children carried infants on their backs, farmers pulled goats and young men pushed bicycles and wooden scooters overloaded with bags.

The M23 militia was reported to have advanced to within 10 kilometres of Sake by Thursday afternoon, and heavy artillery was reportedly audible in the town. If they capture Sake, they will be able to control Goma’s supply routes and place the city under siege. They already control the road to the north, while the east is blocked by the Rwandan border and the south has only a lake route with limited boat traffic.

A report this week by Human Rights Watch said the M23 rebels had committed a series of war crimes and other atrocities in the region in recent months, including the summary execution of dozens of civilians.

Goma, a city of about 700,000, is struggling to cope with hundreds of thousands of displaced people in camps and makeshift settlements around its outskirts as a result of the M23 offensive.

More than 500,000 people have been forced from their homes because of M23 attacks over the past year. Overcrowding in poor conditions in the tent cities has put a heavy strain on water and sanitation, leading to cholera outbreaks.

The M23 offensive has come close to triggering outright war between Rwanda and the Democratic Republic of Congo. In late January, Rwanda fired a missile at a Congolese fighter jet as it returned to Goma after conducting operations against the M23 forces. The damaged jet was able to land in Goma, but debris plunged onto the city. Rwanda said the jet had entered Rwanda airspace, but Congo denied it.

By placing Goma under siege, M23 would put heavy pressure on Congo’s government, which so far has refused to negotiate

with the rebels. Such negotiations, in turn, would bolster Rwanda's influence in eastern Congo and enable its proxies to seek concessions in the mineral-rich region.

Congo's military and a United Nations peacekeeping force have tried to push back the rebels without success. Several ceasefire agreements have required the militia to halt its advance and withdraw from captured towns, but it has refused to do so.

Last Sunday, a sniper bullet – reportedly fired from territory controlled by M23 forces – struck a South African helicopter on UN duty in the region, killing one crew member and injuring another.

An East African peacekeeping force, largely consisting of Kenyan troops, flew into Goma in November to deter any rebel attack on the city. But despite promises of action, the East African force has avoided any direct confrontation with M23, provoking anger from many people in the city. Protesters took to the streets of Goma for three days this week, demanding that the UN and East African forces finally take military action against the rebels.

The peacekeepers, however, could be outgunned by the heavily armed M23 militia, which – according to a leaked UN report – has received sophisticated weaponry from Rwanda and has sometimes fought alongside Rwandan troops that crossed the border to bolster its attacks.

At a peace summit in Burundi last weekend, Congolese President Félix Tshisekedi warned a Kenyan peacekeeping commander that he must not “favour the M23” in his actions.

The East African peace envoy in the region, former Kenyan president Uhuru Kenyatta, said on Thursday that M23 should fulfill its promises to withdraw from captured territory. Other East African countries should urgently send the reinforcements that they had promised the peacekeeping force, and the peacekeepers should “interpose” themselves between the fighting forces where possible, Mr. Kenyatta said in a statement.

In the country's capital, Kinshasa, members of parliament this week called for urgent action against M23 to save Goma.

M23, formally known as the March 23 Movement, is named after an unfulfilled peace agreement in 2009. It rose to prominence in 2012 when it temporarily captured Goma. It was defeated a few months later by UN and Congolese forces but revived itself in 2021 in the same region of eastern Congo.

One key problem, according to a report by the Africa-based Institute for Security Studies this week, was the absence of any attempt to deal with the conflict's root causes in 2013 after the militia was defeated. “Instead, the group withdrew from Goma and cantoned its troops in Rwanda and Uganda,” the report said.

Twagiramungu sentenced to 25 years in jail over Genocide (The New Times) By Aurore Teta Ufitiwabo
February 16, 2023

The High Court Chamber for International Crimes (HCCIC) has handed Jean Twagiramungu, a 25-year jail sentence for his role in the 1994 Genocide against the Tutsi.

Twagiramungu was extradited from Germany in 2017. Before his extradition, he was arrested in and detained Frankfurt for two years while battling against his extradition to Rwanda.

In delivering the verdict on February 16, the court said that Twagiramungu participated in various attacks that killed Tutsi including the one that happened at the Catholic parish of Cyanika, in Nyamagabe District where over 35,000 Tutsi who has sought refuge at the parish were massacred.

Twagiramungu was found guilty of committing the Genocide, and Genocide as a crimes against humanity.

However, he immediately reacted to his sentence saying that he is not happy with the ruling and immediately announced that he would appeal against the verdict.

According to survivors, Twagiramungu used his influence as a teacher to order Interahamwe militia to take up arms and murder their neighbours during the Genocide.

Survivors say Twagiramungu always brandished traditional arms, including machetes, everywhere he went and was seen at roadblocks where the Tutsi were killed.

Before the 1994 genocide against the Tutsi, Twagiramungu was a well-known teacher at EAV Kaduha High School and in the community around the region.

DR Congo: Rwandan-backed M23 rebels perpetrating summary killings and rapes. (Amnesty International)

February 17, 2023

Members of the March 23 Movement (M23) rebel group killed at least twenty men and raped scores of women and girls in the eastern Democratic Republic of the Congo, an Amnesty International investigation released today reveals.

Survivors and other witnesses said that between 21-30 November 2022 fighters for the Rwandan-backed M23 group summarily killed at least 20 men and raped at least 66 women and girls, mainly in Kishishe, a small town located about 100km north of Goma, the capital of North-Kivu province.

The information gathered by Amnesty International appears to show these acts were part of a campaign waged by M23 to punish and humiliate civilians suspected of being supporters of rival armed groups, including the Democratic Forces for the Liberation of Rwanda (FDLR) and local Mai-Mai.

“Since these attacks survivors have been living in terror and utter destitution. While some rape survivors received basic medical attention from community health facilities most urgently need adequate medical and mental health care as well as humanitarian assistance,” said Tigere Chagutah, Amnesty International’s Regional Director for East and Southern Africa.

Survivors describe heinous attacks Survivors and witnesses told Amnesty International that after taking control of Kishishe, groups of M23 fighters went house-to-house, summarily killing every adult male they found and subjecting scores of women to rape, including gang rape.

Aline* was raped by a group of men on 29 November 2022, along with six other women who were hiding in her house in the village of Kishishe.

She said: “They broke through the gate of the compound and rounded up all the men present, seven in total, who they killed. Five soldiers then raped us: six women and me. They called us FDLR wives.”

Eugenie* told Amnesty International that she was raped by three M23 soldiers on 30 November 2022 outside a church where she had sought refuge with her family following clashes between M23 and other armed groups.

“They said we were all FDLR. They singled out the men and shot them dead, including my husband and two sons. Three M23 soldiers then took me behind the church and took turns to rape me. I thought I would not survive.”

Another survivor who was raped outside the same church told Amnesty International that she counted scores of bodies of men who had been killed.

“I counted up to 80 bodies of men who had been shot dead by M23 soldiers at the church. I have never seen so many corpses in my life. I fainted before I could count all of them.”

Of the 13 survivors from Kishishe who said they were raped on 29 or 30 November 2022, 12 said their husbands or adult sons had been killed in cold blood.

Immaculée*, 23, was raped by two M23 soldiers. She told Amnesty International: “They took turns brutally raping me in the presence of my terrified little children. After raping me, they took all the valuables in the house and my two goats. We have found refuge, but we lack everything. We survive on the goodwill of the people who do not have much themselves. I have coped with rape, but I do not know if my children and myself will survive hunger.”

Lack of adequate medical care and humanitarian assistance Most survivors interviewed by Amnesty International said they had received basic medical assistance from local health facilities including post-exposure prophylaxis (PEP) for sexually transmitted infections and received emergency contraceptives and painkillers. However, many said they were still suffering from persistent pain due to inadequate care, and there is no mental health support.

Mupenzi* was raped on 21 November in the town of Bambo after M23 soldiers summarily executed her husband.

“I reported to the health centre and received some painkillers, but I have been suffering from severe back pain and excruciating stomach pain. The head nurse at the health centre told me that there was nothing else they could do for me because they do not have the equipment and specialists.”

One health worker interviewed in mid-December 2022 said: “We lack everything from doctors to equipment and medical supplies. Even the PEP Kits are now exhausted with no prospect of replenishment. The situation is untenable.”

Justice and accountability Days after the attack the Congolese authorities “strongly condemned the heinous crimes in Kishishe and Bambo” and promised to do everything they could to ensure justice. Nearly three months later there has been minimal progress.

“The DRC authorities’ failure to effectively investigate the allegations of patterns of summary killings, rapes, and other crimes under international law in relation to M23’s resurgence, and their inability to hold perpetrators to account, shows a complete contempt for victims,” Chagutah said.

The DRC is a party to several international and regional legal instruments which oblige states to prevent, investigate and prosecute those responsible for human rights abuses, and ensure comprehensive access to remedies for victims, including survivors of sexual violence.

The scale and brutality of these mass rapes is particularly shocking. M23’s actions in the Kishishe area constitute war crimes and, to the extent that these rapes and murders are being committed by M23 as part of what appears to be a systematic attack on civilians perceived to be supportive of the FDLR and other armed groups hostile to M23, they should be investigated as possible crimes against humanity.

“DRC authorities with international support, including through the ongoing political processes led by the East African Community and the African Union, must hold perpetrators of such heinous crimes to account and serve justice to victims. They must urgently take all necessary steps to ensure that survivors of these crimes promptly receive adequate health care and humanitarian assistance.”

Background In December 2022 and January 2023 Amnesty International gathered testimonies from 23 rape survivors and 12 eyewitnesses from the towns of Kishishe, Bambo Centre, and Bugina in interviews which were conducted individually on site in the local Swahili language. Amnesty International also reviewed medical records, official documents and interviewed government officials, UN representatives, and prominent humanitarian organizations about patterns of civilian killings and conflict-related sexual violence in the area.

The M23 group, which the UN says is backed by Rwanda, claims to be fighting for the implementation of previous political agreements with the Congolese government, which provided for the safe return of Congolese Tutsi refugees who have been in Rwanda for two decades. It is also fighting the Democratic Forces for the Liberation of Rwanda (FDLR), a Rwandan rebel group that was established in eastern DRC in the aftermath of the 1994 genocide in Rwanda.

M23 has taken control of large territory in Nord-Kivu province, which borders Rwanda and Uganda, in the last year, driving half a million people to flee their homes according to the UN. Regional diplomatic efforts to stop its advance and disarm all armed groups in eastern DRC – known as the Nairobi process led by the East African Community, and the related Luanda process led by the African Union – have stalled.

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Somalia

Separatist Somaliland troops continue shelling Las Anod city, killing hundreds (People’s Dispatch)

By Pavan Kulkarni
February 8, 2023

Hundreds have been killed and several more injured as the troops of Somaliland, a separatist breakaway region of Somalia whose sovereignty claim is not internationally recognized, continued shelling Las Anod, Sool region’s capital city, for the fourth day on February 8.

Nearly 300 have been killed since the troops launched the attack on February 5 to retake the city, which was the epicenter of the ongoing protests calling for reunification with Somalia, according to Hamda Jama, a senior nurse at the city’s maternity hospital. Most of the deaths occurred on Wednesday.

“Since yesterday, troops have started shelling the two hospitals in the city. Nearly half of both the general hospital and the maternity hospital of Las Anod are in ruins. Every hour, a shell is landing in the vicinity of the hospitals [which are around 50

feet across each other]. Only minutes ago, another shell landed in front of the maternity hospital,” Hamda told Peoples Dispatch in a WhatsApp call at around 5:30 p.m, local time, on the evening of Wednesday.

Hamda added, “A pregnant woman in the sixth hour of her labor was killed, along with her unborn child, when a shell hit the maternity ward,” she said, adding that several doctors and nurses have also been injured. Surviving patients, several of them with severe injuries, have been evacuated to a safer place, but the medics are unable to reach them due to heavy shelling of the city.

Ambulances with medics trying to reach those who are getting injured are being specifically targeted, she said. Hamda added that Somaliland troops, who are positioned on the mountains around the city, are also targeting schools, residential areas, food stores and all key areas of the city to inflict maximum damage on Las Anod.

Las Anod, which was captured by Somaliland from Somalia’s autonomous region of Puntland in 2007, has become the epicenter of ongoing unionist protests since late December, forcing the occupying Somaliland troops to withdraw to the city’s outskirts in early January 2023.

In an attempt to take back the city, Somaliland’s troops began the ongoing attack on Sunday, February 5, toward the conclusion of the nine-days long ‘self-determination conference’ that was ongoing in the city from January 28, to chart a path towards reunification with Somalia.

The conference passed the “Las Anod Declaration” on Sunday, proclaiming the Sool, Sanaag, and Cayn (SSC) region, which together make up over a third of the self-declared Republic of Somaliland, to be part of Somalia. It deemed the presence of the “secessionist... Somaliland administration” in the territory as “illegal.”

The conference was attended by youth and women’s groups, civil society organizations, and leaders of the four clans of the SSC region, which had historically been opposed to secession from Somalia, but allegedly forced into Somaliland in 1991.

This declaration was scheduled to be read out at the conference’s conclusion on Sunday. But that session “was disrupted by the Somaliland secessionist forces who attacked the city and targeted innocent civilians, including women and children,” Elham Garad, a Somali activist whose unionist parents had migrated out of Somaliland to the UK, told Peoples Dispatch.

“Most of the [people] killed are civilians. Almost 40% of the population has fled from the city,” Abdiwahab Sheikh Abdisamad, chairman of the Institute for Horn of Africa Strategic Studies, told Peoples Dispatch. Over 80,000 people have already been displaced from Las Anod in the current round of violence according to Adam Abdelmoula, UN’s Deputy Special Representative of the Secretary-General for Somalia. The supply of water and electricity to the city has also reportedly been cut off.

Nevertheless, youth and local militias supporting the unionist movement for reunification with Somalia remain in the city to defend it from Somaliland’s troops. “The people of the region are left with no choice but to defend themselves in this war waged on them by the separatist forces,” Abdiwahab said.

“I am concerned by reports that the clashes are continuing today with additional claims of new casualties,” UN High Commissioner for Human Rights Volker Türk said in a press release on Tuesday, February 7.

“These potentially unlawful killings come just a month after at least 20,000 people were displaced by clashes in [Las Anod], and could contribute to further displacement, compounding the already fragile humanitarian situation in the region,” he added.

These clashes were the result of a violent crackdown on the mass unionist demonstrations calling for reunification with Somalia that began in Las Anod in the last week of December 2022. After killing at least 20 protesters, the Somaliland security forces—who were resisted by local militia supporting reunification—retreated to their barracks on the outskirts of the city.

Protests soon spread across Sool and also to several towns and cities of Sanaag and Cayn, culminating in the ‘self-determination’ conference where the Las Anod Declaration was issued. The declaration states that territories of the SSC region “are part of the Federal Republic of Somalia and they stand for” a united Somalia, which disintegrated after the civil war in the country ended with the collapse of the federal government in 1990.

In 1991, the Somali National Movement (SNM), which had fought against the federal government in the war, declared that the northwestern region of Somalia, formerly a British protectorate, was a separate country. This broke the union with the rest of Somalia, which was formerly an Italian protectorate.

“We declare that we are not part of the Somaliland Administration and that we have never agreed to or participated in the secession program, although the Somaliland administration is trying to force it upon us contrary to international norms and laws,” the Las Anod Declaration states. Demanding the withdrawal of the troops of Somaliland administration from the SSC, it

adds, “we are willing and capable to safeguard and maintain the security of our territories.”

Apart from Las Anod, Somaliland’s troops have also been driven out of “Talex and Buuhoodle and half of Sanaag,” Elham said. If the unionist forces succeed in taking over the entirety of the SSC, “the federal government will be left with no choice but to treat it as a federal member state and provide it with services and security,” Abdiwahab pointed out.

To govern the SSC region in the interim, until reunification is formally completed, a 33-member body has been elected by the conference, added Elham. The SSC is the largest region taken over by Somaliland. Should it manage to wrest itself free from Somaliland’s troops and unite with Somalia, “it will be the end of Somaliland,” Abdiwahab opined.

Hamda said: “We plead the International Community to come and see the crimes against humanity committed by Somaliland troops in Las Anod.”

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Ethiopia

Eritrea: Crackdown on Draft Evaders’ Families (Human Rights Watch) February 9, 2023

The Eritrean government has in recent months punished relatives of thousands of alleged draft evaders as part of an intensive forced conscription campaign, Human Rights Watch said today.

Eritrean security forces have been heavily involved in operations in support of the Ethiopian government since the outbreak of conflict in Ethiopia’s Tigray region in November 2020, and have carried out some of the conflict’s worst abuses. Eritrean authorities have conducted waves of roundups in Eritrea to identify people it considers draft evaders or deserters. Since September 2022, when Ethiopian and Eritrean forces carried out joint offensives in the Tigray region, the Eritrean government has inflicted further repression, punishing family members of those seeking to avoid conscription or recall, to enforce widespread forced mobilization, including of older men. Such punishment has included arbitrary detentions and home expulsions.

“Struggling to fill its dwindling fighting ranks, Eritrea’s government has detained and expelled older people and women with young children from their homes in order to find people it considers draft evaders or deserters,” said Laetitia Bader, deputy Africa director at Human Rights Watch. “Eritrea should immediately end its collective punishment of relatives of those who refuse to comply and instead focus on reforming its ruthless indefinite military service system.”

Eritrea has a policy of indefinite national service, including compulsory military conscription, which has been central to the government’s broader repression of its population since the 1998-2001 border war with Ethiopia, and its aftermath.

The statutory national service of 18 months was indefinitely extended to require all male and female adults under age 40 to be available to work at the direction of the state, either in a military or civilian capacity. In practice, adults older than 40 are also forced to serve. Despite the country’s 2018 peace deal with Ethiopia, the government has refused to reform this repressive system.

Once conscripted into the military, young men and women, some still minors, have very few options for discharge. As a result, they risk serious reprisals to escape what a United Nations Commission of Inquiry has characterized as “enslavement.”

Human Rights Watch interviewed 14 people who had recently fled Eritrea, relatives of people affected by the forced conscriptions and reprisals, as well as 11 journalists and other analysts, two of whom were inside Eritrea as the campaign took place. Human Rights Watch did not interview anyone still inside Eritrea for security reasons. Human Rights Watch also reviewed satellite imagery that corroborated important aspects of the accounts of those interviewed through mid-January 2023. In February, Human Rights Watch received reports of the return of some military units that had been sent to fight in Tigray, and of some reservists who had been at the border inside Eritrea.

The latest conscription drive started mid-2022, with the authorities targeting people considered draft evaders, including students who have dropped out of school to evade military training, as well as army deserters, some of whom already had served for years. Then, in mid-September, the government mobilized reservists, primarily men aged 50 through to 60, many

of whom had been officially discharged from active military duty but continue to hold arms and are required to conduct guard duties. On September 17, Eritrea's information minister told the media that only "a tiny number" of reservists were being called up, denying that the entire population was being called up.

During the latest mobilization drive, especially from September onward, the security forces have set up checkpoints throughout urban and rural areas. In addition, by working with the local officials, security forces have gone door to door, ostensibly to confirm eligibility for coupons that grant people access to subsidized goods, but in fact, to also identify draft evaders. They used the visits, people interviewed said, to identify discrepancies between the number of family members the coupon system said should be in a particular home and those of conscription age who were living there, often retaliating against family members who the authorities claimed had failed to track the missing people down.

Older parents as well as women with young children have been temporarily detained for days, some reportedly longer, and have been expelled from their homes during the government's searches, Human Rights Watch found. A 71-year-old woman was evicted from her home in Asmara, the capital, because she was unable to confirm the whereabouts of one of her sons being sought by the authorities. Another son who lives abroad said:

My mother has some health issues, so the neighbors tried to plead with the authorities not to lock up the house after my first brother turned himself in. But when the second didn't come, they shut up the house.

An Eritrean woman abroad whose relatives have also been evicted said: "The confiscation of homes, we've never seen this before. It's an act of desperation."

Despite a November cessation of hostilities agreement, signed between the Ethiopian federal government and Tigrayan authorities, Human Rights Watch continued to receive reports of ongoing roundups and reprisals through early 2023.

Many presumed draft evaders, rounded up near Asmara, were initially taken to the notorious, military-run Adi Abeito prison, northeast of the capital. Satellite imagery Human Rights Watch analyzed shows large crowds of people in the prison yard and surrounding areas of the prison from October 2022 through late January 2023. Relatives reported that many men were taken from the prison to their assigned military unit headquarters in this time period.

Human Rights Watch was not able to confirm where reservists were taken, but did receive reports that dozens of reservists called up in Asmara were taken toward Tsorona town, near the border with Ethiopia.

"Everyone has always lived with the dreadful feeling of the risk of being conscripted, but this is at a whole different level," an Asmara resident said.

Some forms of conscription for military service are permitted under international human rights law. However, Eritrea uses violent methods including the threat of penalty and punishment for those who do not participate, and collective punishment of relatives. Officials also show a lack of respect for the right to conscientious objection and provide no opportunity to challenge arbitrary enforcement and the indefinite nature of conscription. These factors constitute abuse, Human Rights Watch said. International human rights law prohibits holding anyone criminally responsible for acts they are not responsible for.

International and regional officials should take concrete measures against Eritrea's leadership for the ongoing repression. They should ensure ongoing scrutiny by the United Nations Human Rights Council, the African Commission on Human and Peoples' Rights, and UN experts.

They should adopt and maintain targeted sanctions against individuals and entities responsible for serious abuses inside Eritrea, as part of broader targeted sanctions for Eritrean and other armed forces responsible for serious abuses in northern Ethiopia, tied to clear human rights benchmarks, Human Rights Watch said. Eritrea's regional partners, including Horn of Africa and Gulf states, should press Eritrea to ensure meaningful changes to the abusive national service system, which has continued to drive Eritreans into exile.

"Eritreans from all walks of life are bearing the brunt of the government's repressive tactics," Bader said. "Eritrea's regional partners and international actors should take action to end rampant repression."

Indefinite Forced Conscriptions and Eritrea's Role in the Tigray War Military training and national service are compulsory for all Eritreans, male and female, ages 18 to 40, and it is often indefinite despite provisions in Eritrean law limiting national service to 18 months. When the country's 1998-2001 border war with Ethiopia broke out, former fighters and reservists who had been demobilized were forcibly conscripted and all national service recruits were retained under emergency directives. Conscription for many has continued to be extended indefinitely ever since, forcing many Eritreans, some under 18 and others above 40, into military service for years, some for decades.

Enforced indefinite conscription for many Eritreans starts during their final year of high school. Past Human Rights Watch

reporting has documented that the Eritrean government forcibly channels thousands of young people, each year into military training even before they finish their schooling. Some of the students are still children, in violation of international standards. From here, people are sent either directly into military service or later national service.

The UN Commission of Inquiry on Human Rights in Eritrea found that “slavery-like” practices are routine within the national service system. Human Rights Watch has documented that during their prolonged conscription Eritreans, particularly those in the military, risk systematic abuse, including torture, harsh working conditions, and pay insufficient to support a family, which constitute illegal forced labor.

Human rights organizations have repeatedly documented that Eritreans who attempt to avoid conscription, including by dropping out of school, escaping from a military duty station, or fleeing the country risk punishment, notably arbitrary detention. In a 2009 report, Human Rights Watch documented that families of draft evaders were collectively punished usually by being jailed or forced to pay fines.

Conscientious objection is prohibited, and only rare exemptions are granted for people with a disability and, temporarily, on health grounds, although these exemptions are not systematically applied.

Since war broke out in Ethiopia’s northern Tigray region in November 2020, the Eritrean government has conducted waves of roundups, which intensified parallel to events in Tigray.

Eritrean forces had remained in parts of Tigray throughout the Ethiopian federal government’s five-month humanitarian truce, including in Western Tigray, until fighting broke out again in August 2022. Media reported that Tigrayan authorities accused Eritrea of a massive offensive in late September.

Within Tigray, Eritrean forces have committed large-scale massacres, pillaging, and the worst forms of sexual violence and targeted civilian infrastructure. They also killed and raped Eritrean refugees and destroyed two Eritrean refugee camps in Tigray.

Following a cessation of hostilities agreement, signed in South Africa on November 2, 2022, between the Ethiopian federal government and the Tigrayan authorities, the parties signed another declaration in Nairobi, Kenya, on November 12, stipulating that the Tigrayan forces’ handover of heavy weapons would be carried out in conjunction with the withdrawal of foreign and non-Ethiopian federal military forces from the region. In mid-January 2023, media reported on the withdrawal of Eritrean forces from key towns in central Tigray, notably the town of Shire. Yet reports of ongoing Eritrean force presence inside Tigray and ongoing abuses by Eritrean forces continue to emerge.

The European Union rolled out sanctions on Eritrea’s national security agency, headed by Maj. Gen. Abraha Kassa, for serious human rights abuses in Eritrea including killings, arbitrary arrests, enforced disappearances, and torture in March 2021. In September 2022, US President Joe Biden extended, sanctions for one year on Eritrean officials for serious human rights abuses in Tigray.

Collective Punishment of Families of Draft Evaders, Deserters The government has intimidated and harassed people of all ages to pressure them into handing over missing relatives.

Relatives of those affected by the expulsions said that the government has confiscated homes of the parents of suspected draft evaders. This has left older people and women with children without a roof over their heads.

“My uncle was kicked out of his home,” said a woman whose uncle, about age 80, was evicted from his home in September by authorities looking for his daughter. “He’s now on the street. He’s homeless.”

A 71-year-old woman with chronic health issues was ejected from her home [in Asmara] in October when she was unable to locate one of her sons and was forced to seek shelter in an outdoor building with no lock.

The authorities have locked up the homes and put notices on the door.

Several people said that on occasion the local authorities threatened other people if they sheltered those evicted. “There is a standing order that no one can give shelter to those whose homes have been locked up,” said a man whose mother was ejected from her home. “This order was circulated by the local authorities.”

In early December, a 37-year-old woman was evicted from her home by local officials and military officers, following their search for her daughter who had refused to adhere to the call up. A relative said:

When she came to our home, they threatened her and my family. She wasn’t even able to stay one night. It was the local officials. They are watching. You can’t go to anyone’s house, it’s like a crime. She is living on the streets. Our relatives are

sending her food there, but now authorities have told her she can't stay on the streets. They threatened to send her to jail if she doesn't send her daughter.

The authorities have also arbitrarily detained relatives of draft evaders in formal and informal facilities, including older people and people with health conditions.

In early September, a 78-year-old man was detained for three days in a village school because the authorities were looking for one of his sons. "My parents and nephew were given the option to lock up the house or for my father to be arrested," said another son. "There was no warning." None of the relatives were granted access to him during his detention.

There is no limit to how many members of a family can be conscripted. An 80-year-old man with diabetes was detained in early December for failing to bring forward the youngest of his six sons. His five older sons had already been conscripted.

Other Forms of Punishment The authorities have also targeted people's means of livelihood and income. Human Rights Watch received reports of government forces confiscating livestock in rural communities and preventing people from harvesting their crops to get people to hand themselves in, particularly in southern Eritrea in the first weeks of the campaign. Media reported that local administrations have also been withholding ration coupons from families whose members have not heeded the call. Two people said that their relatives' shops were shut down to punish them for failing to hand over missing relatives.

Impact on Families People described the significant toll of the collective punishment to Human Rights Watch.

"There is a lot of fear among the community, many people from all walks of life have gone into hiding," said an Asmara resident.

"We don't know if they [the authorities] are just doing this to terrorize people," said a woman whose relatives have been targeted in the campaign. "They had left them [children and older people] in peace, but now they are trying anything to put pressure on them."

A woman, whose relative was evicted from her home in Asmara, said:

People are afraid, you can't help your relatives. That's why people are giving up, they give their children, they give their husbands, as you can't keep resisting.

Several other people said that they and their relatives are still willing to pay the price of protecting their loved ones. An older man, who was detained for three days after refusing to force his son to hand himself in, fell ill for several weeks after this detention, but the family remains resolute: "My brother is still in hiding, but we all support his decision," said the brother who lives in exile.

Intensifying Forced Conscription Since Mid-2022 The government's enforced conscription drives intensified during the summer. Human Rights Watch received reports of the drive starting in July 2022 in rural areas, notably in the country's southern region around the town of Seghenyti, before intensifying in major towns including Asmara in mid-September through early 2023.

In mid-September 2022, the government also started recalling reservists, over age 50. The security forces set up checkpoints to verify whether people were exempt from military conscription and alongside the local administration conducted door-to-door searches in neighborhoods.

Local authorities keep track of people through a family coupon system, which specifies how many people are a part of the household and requires all family members to be there or to justify an absence in order to renew a family's coupon. This system has played a central role in identifying alleged draft evaders during house-to-house searches.

"This is happening in literally every neighborhood in Asmara," a resident said. "Every household that has a member who could be conscripted has been visited."

People have also been rounded up from religious facilities. Reliable sources reported that on September 4, security forces detained young people attending a mass in a Roman Catholic church in Akrur, in the southern region. Human Rights Watch analyzed images posted online starting in early September appearing to show uniformed men rounding up young men and women outside of the Medhane-Alem Roman Catholic Church near Akrur, southeast of Asmara. Researchers were able to verify the locations shown in the images.

In October, three Roman Catholic priests were detained in separate incidents, including the bishop of Segheneity, Fikremariam Hagos Tsalim, who had called for peace in Tigray. The three were unlawfully held until their release in December.

Media have also reported that the authorities called for those previously exempted from military service to undergo new medical tests. However, Human Rights Watch received accounts of people with chronic health issues and disabilities, including injuries sustained during the 1998-2000 border war, being rounded up in the recent drive and sent off to military postings.

The conscription campaign has continued through early 2023, nearly three months after the cessation of hostilities in Tigray was signed.

Detention Sites Relatives and observers said that many of those rounded up in Asmara of considered to be of conscription age have initially been taken to the infamous Adi Abeito prison on the northeastern outskirts of the capital then sent on to various military headquarters and other camps. Rights groups and the media have previously documented inhumane and degrading conditions and treatment in Adi Abeito. In 2021, the US-based Public Broadcasting Service (PBS) released a documentary with leaked footage that they said was from the facility that showed prisoners lying on top of each other, unable to stretch out, inside a warehouse and reported regular torture inside the compound.

Human Rights Watch reviewed dozens of satellite images captured between September 2022 and January 2023 over the three different prison compounds identified in the PBS documentary. Human Rights Watch independently confirmed the locations of the compounds that appear in the videos.

Human Rights Watch identified a substantial increase in the number of people in one of the courtyards of the Adi Abeito prison compound beginning in the end of October 2022. This increase was still visible as of January 23, 2023. The courtyard appears significantly overcrowded. People congregated in organized groups within the prison compound are also visible on satellite imagery in the same period.

An increase in the number of people in the adjacent courtyard, identified by PBS as the compound of the women's prison, is observable on satellite imagery from the beginning of January.

In another courtyard of the prison compound, which the PBS documentary had identified as the area where prisoners are ill-treated and tortured, Human Rights Watch observed on satellite imagery, since mid-November 2022, that some courtyard areas are covered by tarpaulins. Human Rights Watch was not able to identify whether the number of people in this area increased.

While it is difficult to confirm where those rounded up and those called up were taken, several people told Human Rights Watch that reservists from Asmara were taken toward the border with Ethiopia around Tsorona, while some of the people of conscription age were initially taken to their units.

A man said that one of his two brothers evading the draft handed himself in:

The call up paper came a month ago exactly. My first brother turned himself in 16 days ago [mid-October] at the local administration in his locality. He stayed in Adi Abeito prison for 10 days. After that he was taken to his military unit base.

Two interviewees said reservists sent in the first roundups to the border were asked to bring their own rations and found very little when they arrived.

The BBC reported that some reservists were sent to the front lines. Videos that appeared on Tigrayan regional media outlets allegedly showed detained prisoners of war in Tigray, described as Eritrean soldiers, many of whom were older men.

Ethiopia warns UN-backed probe could 'undermine' peace process (France 24) February 15, 2023

Ethiopia warned on Wednesday that efforts by UN-backed investigators to probe abuses committed during the war in the country's north could "undermine" the progress of a peace agreement signed last year.

The federal government and the Tigray People's Liberation Front (TPLF) inked a peace deal in South Africa in November to end the two-year Tigray war, which has killed untold numbers of people and unleashed a humanitarian crisis.

In its first report published in September last year, the UN-backed International Commission of Human Rights Experts on Ethiopia said it had found evidence of violations by all sides that could amount to war crimes and crimes against humanity.

Ethiopia's government rejected the report and has embarked on a diplomatic offensive to win international support for its bid to stop the commission from continuing its work.

On Wednesday, Ethiopia's Deputy Prime Minister and Foreign Minister Demeke Mekonnen said the commission "could undermine the AU-led peace process & the implementation of the Pretoria Peace Agreement with inflammatory rhetoric",

referring to the African Union, which mediated the negotiations.

"It could also undermine the efforts of national institutions," he told an AU ministerial session ahead of the pan-African bloc's summit in Addis Ababa this weekend, the foreign ministry said on Twitter.

The three-member commission, which was created by the UN Human Rights Council, has urged the Ethiopian government, its ally Eritrea and the TPLF to investigate and bring all perpetrators of abuses to justice.

Atrocities At a rare press conference last week, Eritrean President Isaias Afwerki said allegations of rights abuses by his forces in Ethiopia's Tigray region amounted to "fantasy".

"This is a fantasy in the minds of those who are... in this factory I call a factory of fabricating misinformation," Isaias said during a visit to Kenya, deflecting questions about the presence of Eritrean troops in Ethiopia.

Eritrea's army supported Ethiopian forces during the war and has been accused by the United States and rights groups of some of the conflict's worst atrocities.

Asmara was not a party to the peace agreement and its troops remain in parts of Tigray, according to residents who accuse the soldiers of murder, rape and looting.

Under the terms of the peace deal, the TPLF agreed to disarm in return for the restoration of access to Tigray, which was largely cut off from the outside world during the war.

Since the deal, there has been some resumption of basic services and aid deliveries to Tigray, which has faced dire shortages of food, fuel, cash and medicines.

Access to the region of six million people remains restricted, and it is impossible to verify independently the situation on the ground.

The war erupted in November 2020 after Prime Minister Abiy Ahmed, a Nobel Peace Prize laureate, sent troops into Tigray, accusing the TPLF of attacking army bases there.

Ethiopia commission accuses Oromiya rebels of killing 50 people (The Star) February 21, 2023

At least 50 people were killed in Ethiopia's Oromiya region this month in an attack by a banned rebel group, the state-appointed human rights commission said on Wednesday.

Oromiya is home to Ethiopia's largest ethnic group and has experienced unrest for many years, rooted in grievances about political marginalisation and neglect by the central government.

The killings on Feb. 2 mainly targeted internally displaced persons from the Amhara ethnic group in the town of Ano, about 380 km (235 miles) west of the capital Addis Ababa, the Ethiopian Human Rights Commission (EHRC) said in a report.

The report, which cited families of the victims, witnesses and government bodies, blamed the attack on the Oromo Liberation Army (OLA).

The Amhara, whose region borders Oromiya, are Ethiopia's second-biggest ethnic group. There has been tit-for-tat violence perpetrated by Oromo and Amhara militias in recent years, often targeting civilians.

The OLA did not respond to a request for comment.

The OLA is an outlawed splinter group of the Oromo Liberation Front, a formerly banned opposition party that returned from exile after Prime Minister Abiy Ahmed took office in 2018.

Ethiopia government spokesman Legesse Tulu also did not respond to a request for comment.

The violence in Oromiya is separate from the two-year conflict between the federal government and forces in the northern Tigray region, which ended in November following a peace agreement between the government and Tigray forces.

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The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Former Bosnian Serb Soldiers Sentenced For Rapes Committed In 1992 During Bosnian War (Radio Free Europe Radio Liberty) By RFE/RL's Balkan Service

February 10, 2023

Three former members of the Bosnian Serb Army have been sentenced to prison for committing multiple rapes more than 30 years ago during the 1992-95 war in Bosnia-Herzegovina.

Ostoja Markovic, 57, received the longest sentence -- nine years -- from the district court in Banja Luka on February 10.

The other two defendants, Bosiljko Markovic, also 57, and Mirko Bozic, age unknown, were sentenced to seven years each for the crimes they committed in 1992 in the town of Kotor Varos in central Bosnia.

Zoran Bubic, a lawyer representing Ostoja Markovic, confirmed the sentences to RFE/RL. Bubic said an appeal will be filed against the first-instance decision.

According to the indictment, the three men, while serving in the Bosnian Serb Army, raped multiple women of Croatian nationality in Kotor Varos on June 28, 1992.

The men were charged with the criminal offense of war crimes against the civilian population, according to the indictment filed in November 1993. The Military Prosecutor's Office initially pressed charges against the men during the war. Their trial in civilian court in Banja Luka began in April.

Ostoja and Bosiljko Markovic, who are not related, currently are serving a previous sentence for raping a 14-year-old girl during the war. They were sentenced to 10 years in a decision handed down in 2015 by the Court of Bosnia-Herzegovina.

The verdict was the first in the history of criminal proceedings in Bosnia in which a victim of a war crime was awarded compensation. The convicted men were ordered to pay her compensation amounting to about 13,600 euros (\$14,500). An appellate court upheld the verdict and subsequently changed the sentence for Ostoja Markovic to 11 years and eight months.

The town of Kotor Varos had a population of about 17,000, including 12,000 Serbs, according to the census in 2013. Before the war, the town had a population of 36,000, and 39 percent were Bosniak.

Kosovo Ex-Guerrilla Accused of Torturing Prisoners as Hague Trial Opens (Balkan Insight) By

Xhorxhina Bami

February 21, 2023

As former Kosovo Liberation Army member Pjeter Shala's war crimes trial began in The Hague, the prosecution claimed that prisoners he allegedly assaulted are still suffering the consequences of his violent abuse.

In the second war crimes trial to open at the Kosovo Specialist Chambers in The Hague, proceedings began on Tuesday in the case against former Kosovo Liberation Army, KLA fighter Pjeter Shala, who is accused of direct involvement in the arbitrary detention, cruel treatment, torture and murder of prisoners.

In their opening statements, the prosecution and the victims' counsel, a lawyer representing the victims, argued that the alleged crimes left the victims physically damaged and suffering the consequences of the abuse to this day.

Shala repeated his 'not guilty' plea to the court.

According to the prosecution, 18 people were detained, interrogated and abused between approximately May 17, 1999 and June 5, 1999 at a metal factory in the northern Albanian town of Kukes that was used by the KLA as a detention centre.

The detainees were people suspected of having collaborated with Yugoslavia and Serbia or of “failing to support the KLA”, the indictment claims. They were mostly Kosovo Albanians but some were Roma.

“The victims of this case were targeted because of their perceived closeness to the Serbs. They were treated as spies and collaborators who deserved punishment and humiliation. They were detained without any legal process,” acting specialist prosecutor Alex Whiting told the court.

The indictment names two other KLA ex-fighters, Sabit Geci and Xhemshit Krasniqi, as members of a “joint criminal enterprise” along with Shala, although neither has yet been charged.

Whiting said that “this criminal group, including the accused, killed one of these victims on the night of June 4 or 5, 1999, or around that time”.

Prosecutor Filippo de Minicis told the court meanwhile that Shala was not the commander of the group but bears responsibility because he “extensively participated in [the detainees’] mistreatment, which led to the killing of one of them”.

The prosecution claims that at least one of the alleged detainees was beaten with fists, a baseball bat, rubber bats, other rods and the butt of a revolver.

Shala and the other KLA members allegedly cut a prisoner’s wrists, burned him with cigarettes, threw salt into his wounds and broke his teeth.

Victim’s counsel Maria Radziejowska told the court that “even though [the crimes] happened more than 20 years ago, the injuries and suffering that were caused continue to affect the daily lives of the people who experienced them”.

Radziejowska said that some of the victims were kept for more than a month in the factory in Kukes, where they were beaten continuously, did not receive medical care and were also abused psychologically, threatened with death or serious physical injuries.

According to Radziejowska, some of the victims were ordered to beat other victims and were seriously assaulted when they refused to do so.

The Specialist Chambers are part of Kosovo’s judicial system but are located in the Netherlands and staffed by internationals.

They were set up in 2015 by the Kosovo parliament, acting under pressure from the country’s Western allies, who believe Kosovo’s own justice system is not robust enough to try KLA cases and protect witnesses from intimidation, after previous trials at the Yugoslav war crimes tribunal were marred by witness-tampering.

The so-called ‘Special Court’ is highly unpopular in Kosovo, where it is seen as unfairly targeting Kosovo Albanian freedom fighters rather than the Serbian perpetrators of the majority of the war crimes that were committed in 1998-99.

Whiting told the court that a frightening climate of witness intimidation exists in Kosovo.

“It is the climate in which [the victims] and their families live every day of their lives. It is a reality to which they must return,” he said.

Shala’s trial continues on Wednesday.

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

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Domestic Prosecutions In The Former Yugoslavia

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Turkey

Turkey's history of using banned cluster munition (Medya News) January 13, 2023

Turkey has been supplying Ukraine with cluster bombs since November 2022 in a move that reverses pledges made to the international disarmament community, US and European officials told Foreign Policy.

Though yet unconfirmed, the report of Turkey's sale of weaponry contravened under the Oslo Convention will not surprise many readers familiar with the long history of allegations against Turkey for engaging in banned warfare.

The Turkish armed forces allegedly used cluster munitions against Kurdish fighters during military operations in northern Syria and the Kurdistan Region of Iraq (KRI). Kurdish news agency ANF reported on their use in the Syrian city of Afrin in 2018, then against civilian settlements in Syria's Ayn Issa region in 2021, and during the shelling of Umm al-Kif village in Syria earlier in 2022.

Ankara has sought to keep quiet the move to supply Ukraine with cluster bombs, according to Foreign Policy, due to the controversial nature of supplying internationally condemned weapons, but also because of the pivotal role Turkey plays in the Russia-Ukraine conflict. More specifically, the United States had already denied Ukraine access to the munitions.

"After the U.S. denied [Ukraine] access to cluster munitions, Turkey was the only place they could get them," the source told the Washington-based magazine. Turkey is currently not a party state to the Convention on Cluster Munitions (CCM), which was signed by 109 countries in 2010. Wikileaks described Turkey as existing under "a de facto moratorium" on the use of cluster munitions.

Moscow is "closely watching the situation", Kremlin Spokesman Dmitry Peskov said on Wednesday, adding that it was "hard to say" whether the reports alleging Turkey's cluster munitions supplies to Ukraine were true, Russian state-owned news agency TASS reported.

In a letter sent to the CCM in 2021, Turkey said it had not used, produced, imported or transferred cluster munitions since 2005, Foreign Policy said.

Three Turkish soldiers killed in guerrilla actions in Zap (ANF News) January 18, 2023

Three Turkish army soldiers were killed in guerrilla actions in the Zap region of Southern Kurdistan on Tuesday. Turkish troops carried out 13 chemical weapons operations and five airstrikes against guerrilla positions.

The guerrilla resistance against the Turkish invading forces in Southern Kurdistan continues to be concentrated in the areas of Çemço and Sîda in the Zap. According to the People's Defence Forces (HPG), three soldiers were killed in guerrilla actions on Tuesday: "The freedom guerrillas of Kurdistan are putting up an epic resistance against the occupation operation of the Turkish colonial state and dealing heavy blows to the occupiers. Although the Turkish army is committing war crimes and using inhumane methods in an intense way, it cannot achieve the desired result in the face of our forces fighting sacrificially."

In Çemço in the Sheladize sub-district near the town of Amadiya, mobile guerrilla teams struck Turkish troops with heavy weapons at 8am and 11am and at least two soldiers were killed. In the vicinity of the nearby village of Sîda, a soldier was shot dead in sniper action.

On the other hand, the Turkish army used chemical weapons against guerrilla positions in Çemço eleven times yesterday. Positions near Sîda were attacked once with an unconventional bomb and twice with chemical weapons. At the same time, smoke from lit plastic and rubber tires was introduced into a position.

The area around the villages of Bilind Baz and Çemrobotkî in Gare and the Golka area in Metîna were bombed by fighter jets a total of five times.

The areas of Çemço and Sîda as well as Girê Ortê in Metîna were attacked dozens of times with howitzers, tanks and heavy weapons.

Northeastern Syria: Unprecedented Turkish Strikes on Energy Infrastructure (Syrians For Truth and Justice) January 19, 2023

International law obliges Turkey not to deprive, directly or indirectly, civilians of life-affirming necessities.

Executive Summary:

On 20 November 2022, the Turkish military launched Operation Claw-Sword in parts of Syria and Iraq. In Syria, the Turkish air force carried out a series of airstrikes on dozens of critical sites in the northeastern territories, using aircraft and drones. The airstrikes injured and killed civilians, destroyed oil infrastructure and terminals, and rendered several other energy facilities in the area inoperable.

With the new incursion, Turkey purportedly is responding to the terrorist attack on Taksim Street, for which the Syrian Democratic Forces (SDF) have denied responsibility. In a statement on 20 November, the SDF said: “Turkey has been planning to launch a large-scale attack on regions north and east of Syria for a long time, especially after the bombing in Istanbul. The bombing is a plot of their design, a pretext they are using to threaten our areas within these regions.”

The SDF added that the Turkish airstrikes targeted the areas of al-Malikiyah/Derik, al-Dirbasiyah, Zarkan/Abu Rasin, Kobani/Ayn al-Arab, Tall Rifat, and al-Shahbaa.

Over the first hours of the operation, Turkish airstrikes targeted a power station in Takel Bakel/Kinana village in the suburbs of al-Malikiyah/Derik. The attack killed 11 civilians, including a journalist, and injured six others. The strike on the power station was the third of its kind.

The recent incursion was locally and internationally condemned. In a joint statement, 200 Syrian organizations renounced the renewed Turkish hostilities in Northeastern Syria. Additionally, the organizations demanded that the United Nations Security Council hold an emergency meeting regarding the military escalation, exert pressure to stop the hostilities, and act on the provisions of international law to protect civilians and infrastructure.

On the international level, Audrey Azoulay, the Director-General of UNESCO, condemned the killing of reporter Essam Abdullah in an airstrike in northern Syria on 20 November and reiterated countries’ obligation to protect journalists.

For its part, Human Rights Watch expressed concern for local communities. The organization said: “Turkish airstrikes are inflicting damage on densely populated areas and critical infrastructure across north and northeast Syria and exacerbating an already catastrophic humanitarian crisis for Kurds, Arabs, and other communities in the region.”

Despite the large-scale condemnation, the Turkish military intensified airstrikes and artillery shelling on the third and fourth days of the operation. The attacks targeted vital oil, gas, and electricity infrastructure in the countryside of al-Hasakah province, denying local communities in the affected areas and millions of residents across other Syrian territories access to energy.

Notably, Turkey launched the attacks amidst talks of potential rapprochement with the Syrian government, which remained “silent” when Ankara announced the start of Operation “Claw-Sword”. Unlike responses to the previous operations—through which Turkey occupied territories in northeastern Syria— the Syrian government only commented on the deaths of several soldiers, calling the attack on its forces an “assault.”

Similarly, the attacks were underreported by the state-run Syrian Arab News Agency (SANA). The outlet only reported that: “Suwaidiyah Power Plant went out of service . . . after it was targeted by the Turkish occupation warplanes,” while it ignored the multiple strikes on oil facilities in al-Hasakah’s countryside.

On the Turkish side, shortly after Operation Claw-Sword began, President Recep Tayyip Erdoğan reiterated the possibility of meeting his Syrian counterpart Bashar al-Assad, even before the Turkish parliamentary elections, slated for June 2023.

In this report, Syrians for Truth and Justice (STJ) presents the first-hand accounts of eight locals from the bombarded areas. The interviewees include two eyewitnesses to the Turkish massacre in Takel Bakel village, five witnesses to the shelling of several critical facilities in al-Qahtaniyah/Terbasbiyah town, and a relief worker in Hol Camp, who elaborated on the impact of the operation on relief work.

Massacre in al-Malikiyah/Derik On 22 November 2022, around 3:00 a.m. (Syria time), Turkish warplanes targeted the fourth power station in Takel Bakel village in al-Malikiyah/Derik's countryside with at least three airstrikes at nearly one-hour intervals.

During the third raid, the warplanes bombarded the station four times. The shelling killed and wounded several civilians who rushed to the site of the attacks to assist people injured in the previous strikes.

Documenting the impact of the brutal Turkish shelling on the station, STJ reached out to the Co-Chair of the al-Malikiyah/Derik Local Council, Muhammad Abdulrahim Abdo, on 29 November 2022. Abdo narrated:

“[Turkish aircraft] first bombarded the power station in Takel Bakel village at about midnight and hit it again a few minutes later. The bombing targeted the fourth station, which provides electricity to a cluster of villages in the al-Koujarat area in al-Malikiyah's countryside. The shelling killed one of the station's guards, destroyed the entire station, and damaged the pump installed near it. A group of civilians tried to reach the bombarded location to check if any people at the station were injured. Once they arrived there, at around 1:30 a.m., the aircraft launched a second airstrike, killing one person and wounding another. . . Sometime later, [local council representatives], a group of civilians, and an ambulance headed to the location. We intended to inspect the place for potential casualties and to read a statement renouncing the Turkish shelling on a service facility vital to people's livelihoods. However, we stopped at Beroj (al-Batraa/KaraJokh, Karachok) village for a while. A U.S. patrol of four armored vehicles arrived there. We could hear the reconnaissance aircraft hovering above and were cautious not to approach the location so as not to be targeted. When the U.S. patrol arrived, we decided to accompany it to the targeted location, convinced that the Turkish aircraft would not dare to target us. [We went there] because, in such circumstances, it is natural to hurry to assist the wounded. Additionally, we wanted the world to hear our voices, so we made a statement in the presence of about 20 civilians. Less than 15 minutes later, a warplane hit a location close to where we assembled. A few minutes after the U.S. patrol left, the warplane struck a second time. We were targeted with missiles four times in total. The first and second shelling caused minor injuries among us. The third shelling happened after a pause, during which civilians tried to get in their cars. On the third time, the warplane targeted a civilian vehicle that rode behind the U.S. patrol. This attack killed all seven civilians in the vehicle and two others that just happened to be nearby.”

Abdo added:

“The warplanes targeted the station at three intervals that night. The attacks injured five civilians and killed 11 others, including journalist Essam Abdullah and the vehicle's owner, Nazir Jwayel. Jwayel was a 65-year-old shepherd. We were shocked that the warplanes carried out airstrikes under the watch of the U.S.-led coalition forces. We were also stunned by the large amounts of ammunition used to target us. The munitions created deep holes in the ground and caused damage to the site, which led to power outages in at least 15 villages. Turkey was following Russia's shelling pattern that targets Ukrainian infrastructure on which people's lives depend. ”

For additional details about the attack on the power station, STJ reached out to Shireen Farho (46), who is a resident of the al-Malikiyah/Derik city. She narrated:

“Hadiyeh Abdullah, Essam Abdullah—a reporter for the Hawar News Agency (ANHA), and I headed to the targeted location in Takel Bakel village. We boarded Hussein Khalto's car. On the way there, we ran into a U.S. patrol moving in the same direction. We heard that people were injured and that blood donations might be needed. We also saw a group of civilians, mainly fathers, mothers, and old people, who wanted to go there to check on family members. The aircraft were audible. The interpreter accompanying the U.S. patrol got off the vehicle to talk to us. However, a few minutes later, he received a call on his tablet. He was alarmed and told us that a Turkish aircraft was about to hit us. In Kurdish, he asked us to disperse immediately. Before the attack, we saw a flash of light emanating from the aircraft's direction. I am unsure if it was signaling the U.S. patrol to leave. Only a few seconds later, the aircraft hit near where we gathered. Once the U.S. patrol left, a series of airstrikes followed. The shelling hit a car that carried civilians. The car belonged to a shepherd, Abu Jwayel, who went to the area to check on his son. The son worked as a guard there. The aircraft hit the car nearly 100 meters away from the station. The attack killed all the civilians in the car and two near it while it injured a third severely.”

Farho added:

“The attacks were targeted. The warplanes used missiles that caused great destruction. I miraculously escaped the bombing with a few civilians. We dispersed into the surrounding area. I then took refuge with a family from the neighboring village of Beroj/Karachok. I spent the night at their place.”

Farho provided STJ with a photo, saying it was of the rear part of the vehicle the Turkish aircraft targeted. The image shows a pickup truck with its cargo bed full of charred bodies and its frame full of holes, resembling the marks left by shelling from a close range.

In a video of the same truck, the fire could be seen devouring dead bodies in the cargo bed and raging in the cab, with body parts and a severely injured dead body scattered around it.

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Kosovo Specialist Chambers

Azerbaijan

UN court orders Azerbaijan to end Nagorno-Karabakh roadblock (Al Jazeera) February 22, 2023

The highest court of the United Nations has ordered Azerbaijan to remove a roadblock from the only road between Armenia and the Armenian-majority Nagorno-Karabakh region in Azerbaijan that has further fuelled tensions between the two countries.

The legally binding 13-2 ruling made on Wednesday by the International Court of Justice results from the latest legal skirmishes in a long-running fight between Armenia and Azerbaijan over Nagorno-Karabakh.

Each country filed a case with the court accusing the other of breaching a convention aimed at stamping out racial discrimination.

Wednesday's ruling on the blocked road, known as the Lachin Corridor, was handed down just over two years from the end of a war between the neighboring nations in Nagorno-Karabakh that killed about 6,800 soldiers and displaced 90,000 civilians.

The remote and rugged region is within Azerbaijan but had been under the control of ethnic Armenian forces backed by Armenia since the end of a separatist war in 1994.

A ceasefire brokered by Russia ended the 2020 war and granted Azerbaijan control over parts of Nagorno-Karabakh as well as adjacent land occupied by Armenians. Russia sent a peacekeeping force of 2,000 troops to maintain order.

Armenia's lawyers said during court hearings last month that the roadblock set up late last year by protesters who said they were environmental activists was part of an Azerbaijani campaign that the Armenians labeled "ethnic cleansing".

International Court of Justice President Joan Donoghue said the evidence presented by Armenia established that the blockade "has impeded the transfer of persons of Armenian national and ethnic origin hospitalised in Nagorno-Karabakh to medical facilities in Armenia for urgent medical care".

It also interrupted supplies to Nagorno-Karabakh of "essential goods, causing shortages of food, medicine and other lifesaving medical supplies", Donoghue said.

In their majority decision, the court's judges ordered Azerbaijan to "take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin Corridor in both directions".

They rejected Armenia's request for an order for Azerbaijan not to block gas supplies to Nagorno-Karabakh, saying that Armenian lawyers did not provide enough evidence to back their claim that Azerbaijan was disrupting those supplies.

The judges also declined a request by Azerbaijan for an order to stop or prevent Armenia from laying landmines and booby traps in areas of the region to which Azerbaijani citizens are to return.

The world court ordered both nations a little over a year ago to prevent discrimination against one another's citizens in the aftermath of the war and to not further aggravate the conflict.

Fighting between the two former Soviet republics erupted last year and killed almost 200 soldiers in the bloodiest

confrontation since the six-week war in 2020.

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Russia

Russian forces have relocated at least 6,000 Ukrainian children to camps since start of war, new report says (CNBC) February 14, 2023

By Amanda Macias

Russian forces have moved at least 6,000 Ukrainian children to camps and facilities across Russia for forced adoptions and military training, according to a new report.

The allegations detailed in the 35-page report, such as the abduction or detention of children, may constitute war crimes or crimes against humanity. The allegations were detailed by the Conflict Observatory, a program supported by the U.S. State Department.

The report, entitled “Russia’s systematic program for the re-education and adoption of Ukraine’s children,” took more than a year to produce. It outlines what it calls the Kremlin’s systematic efforts to abduct children, prevent their return to Ukraine and “re-educate” them to become pro-Russia.

About three-fourths of the camps appear to “expose children from Ukraine to Russia-centric academic, cultural, patriotic, and/or military education ... with the apparent goal of integrating children from Ukraine into the Russian government’s vision of national culture, history and society,” the authors of the report wrote.

“Consider this report a gigantic Amber Alert,” Nathaniel Raymond, executive director of Yale University’s Humanitarian Research Lab, said on a call with reporters. He added that this is the most “consequential and comprehensive report” yet published on the matter.

Russia has repeatedly denied its troops have committed war crimes or deliberately targeted civilians in attacks.

The Russian Embassy in Washington called the allegations detailed in the report “absurd.”

“We do our best to keep minors in families, and in case of absence or death of parents and relatives - to transfer orphans under guardianship. We ensure the protection of their lives and well-being,” Russian spokesman Igor Girenko wrote in a statement to CNBC.

In addition to denying allegations detailed in the stunning report, the Russian Embassy blamed Western weapons, such as the HIMARS rocket system, for the deaths of at least 153 Ukrainian children.

Raymond said that Conflict Observatory researchers, in partnership with Yale’s Humanitarian Research Lab, discovered a network of at least 43 camps and facilities where Russian authorities hold Ukrainian children.

The sites span Russia’s extensive territory, as some are located in Siberia, near Ukraine’s border or approximately 13,000 miles from Alaska, according to the report.

“The primary purpose of the camps and facilities that we have identified appears to be political re-education,” Raymond said. He added that some sites are dedicated to an expedited adoption process and others are used as military training centers.

The youngest child at an adoption camp is 4 months old, while the youngest children at the military training camps appear to be about 14, Raymond said. He added that additional sites in Russia are under investigation, and the number is believed to be higher than 43. He said that all levels of the Russian government are involved in the expansive program.

Earlier this month, Ukraine’s prosecutor general, Andriy Kostin, said that regional authorities have logged more than 65,000 Russian war crimes since Moscow invaded Ukraine nearly a year ago. Kostin said his teams have also documented more than 14,000 Ukrainian children forced into adoption in Russia.

“This is a direct policy aimed at demographic change by cutting out Ukrainian identity,” Kostin told an audience at Georgetown Law School in Washington.

“These actions are characteristics of the crime of genocide,” he added.

Last year, the Biden administration said it suspected that between 900,000 and 1.6 million Ukrainian citizens, including 260,000 children, had been detained and deported from their homes to Russia. At the time, U.S. Secretary of State Antony Blinken said the conduct may breach international humanitarian agreements and constitute war crimes.

The 1949 Geneva Conventions define international legal standards and protections for humanitarian treatment during wartime and explicitly prohibit mass forced transfers of civilians.

Blinken accused Moscow of ordering the “disappearance” of thousands of Ukrainian civilians who do not pass the dehumanizing “filtration” process of the deportation procedure.

The filtration camps, which have been previously described as large makeshift tents, are initial reception areas where deported Ukrainians are photographed, fingerprinted, stripped, forced to turn over their mobile phones, passwords as well as identification, and then interrogated and sometimes tortured by Russian authorities.

Blinken also outlined at the time that there was “mounting” evidence of Russian forces deliberately separating Ukrainian children from their parents, abducting children from orphanages, confiscating Ukrainian passports and issuing Russian passports for what is an “apparent effort to change the demographic makeup of parts of Ukraine.”

Ukraine war: Russia has committed crimes against humanity, US says (BBC) February 19, 2023

By George Wright

The US has "formally determined" that Russia had committed crimes against humanity in Ukraine, US Vice-President Kamala Harris has said.

Speaking at the Munich Security Conference, Ms Harris accused Russia of "gruesome acts of murder, torture, rape and deportation" since its invasion.

Moscow's ambassador to the US rejected the claims and accused Ms Harris of trying to "demonise Russia".

World leaders at the conference called for long-term support of Ukraine.

UK PM Rishi Sunak said now was the time to "double down" on military support.

The prime minister argued that Western allies must start planning for the future security of Ukraine, as well as sending the weapons it needs to defend itself now.

The conference in Germany comes as the one-year anniversary of Russia's full-scale invasion of Ukraine approaches on 24 February.

Ms Harris told delegates that the perpetrators of alleged Russian crimes in Ukraine must be held to account.

"Their actions are an assault on our common values and our common humanity," she said.

The UN defines crimes against humanity as a "widespread or systemic attack" on a particular civilian population.

Moscow has repeatedly denied targeting civilians during its invasion.

Anatoly Antonov, Russia's ambassador to the US, said the vice-president's claims were a cynical attempt to "demonise Russia in the course of a hybrid war".

They were a way of "justifying Washington's own actions to fuel the Ukrainian crisis", he added, referring to the US supply of arms to Kyiv.

But Ms Harris, a former prosecutor, was adamant that "in the case of Russia's actions in Ukraine we have examined the evidence, we know the legal standards, and there is no doubt: these are crimes against humanity".

She cited "barbaric and inhumane" atrocities committed during the war in Ukraine, including the scores of bodies found in Bucha shortly after the invasion and the bombing of a theatre in Mariupol.

"Let us all agree: on behalf of all the victims, both known and unknown, justice must be served," Ms Harris said.

Crimes against humanity are tried at the International Criminal Court (ICC).

But the ICC has no powers to arrest suspects and can only exercise jurisdiction within countries which signed up to the agreement that set up the court.

Russia is not a signatory to that agreement, so it is unlikely to extradite any suspects.

The three-day gathering in Munich will provide a key test of Western support for Kyiv as both sides in the war prepare for spring offensives.

Ukraine's Foreign Minister Dmytro Kuleba said Moscow had "waged a genocidal war" because it did not think Ukrainians "deserve to exist as a sovereign nation".

Tens of thousands have lost their lives and millions have been forced from their homes as part of Vladimir Putin's invasion.

This conference has largely been a gathering of American and European leaders. It's a chance for them to reaffirm their support for Ukraine and demonstrate their resolve.

Rishi Sunak called for a new Nato charter to guarantee Ukraine's long-term security. Kamala Harris formally accused Russia of committing crimes against humanity.

But in the margins, there have been voices of doubt.

Take the prime minister of Namibia, Saara Kuugongelwa-Amadhila. She opposed sending more arms to Ukraine and called for a peaceful resolution to the war. Her country, she said, had suffered recession, rising prices and disrupted supply chains.

It's opinions like that, widely held across Africa, Asia and South America, that are concentrating transatlantic minds.

There is realisation among Western policymakers that almost one year after Russia's invasion, they need to remake the case for defending Ukraine.

Russia was also on the agenda during a meeting on Saturday between the Antony Blinken and Wang Yi, the US and China's top foreign policy officials.

During talks at the conference in Munich, Mr Blinken warned of consequences if China were to provide material support to Russia's invasion.

Mr Blinken is expected to suggest China is "at least contemplating providing" lethal assistance to Russia in an interview to be aired on Sunday morning on NBC News.

Estonian leader: Russia must be held accountable after war (Associated Press) February 19, 2023

By Karl Ritter

Estonia's prime minister on Sunday insisted that once the war in Ukraine ends, Russia must be brought to justice for war crimes as well as for the decision to invade its neighbor if it is to have any chance of developing a normal relationship with the West.

Kaja Kallas, whose small Baltic country is the biggest per-capita contributor of military aid to Ukraine, told The Associated Press that the conflict cannot end with a peace deal that carves up the country and doesn't hold Moscow to account.

"I don't think there can be any relations as usual with a pariah state that hasn't really given up the imperialistic goals," she said on the sidelines of a major security conference in Munich. "If we don't learn this lesson and don't prosecute the crimes of aggression, the war crimes will just continue."

She spoke the day after Vice President Kamala Harris said the United States has determined that Russia has committed crimes against humanity in Ukraine and needs to be held accountable. "Justice must be served," Harris said in her speech to the conference.

The Russian ambassador to Washington, Anatoly Antonov, dismissed the U.S. announcement "as an attempt to demonize Russia."

Kallas noted that while Nazi crimes were prosecuted in the Nuremberg trials following World War II, no tribunal was set up following the Cold War to prosecute crimes by the Soviet Union, including mass deportations of Estonians, Latvians and Lithuanians during the five-decade-long Soviet occupation.

This time, Russia's leadership has to be held responsible. "There has to be accountability (before) we can talk about our relations with Russia," she said.

Asked about China's calls for peace talks and suggestions that Western countries are prolonging the war by arming Ukraine, Kallas said that while everyone wants peace, a deal that cedes Ukrainian territory to Russia would signal to the world that "aggression pays off."

Russia's invasion must come at a "higher price, so that all the aggressors or would-be aggressors in the world would make the calculation that it doesn't pay off," Kallas said.

Kallas, 45, leads Estonia's center-right Reform Party and has been prime minister since 2021. Not everyone supports her line on Ukraine. Ahead of parliamentary elections in two weeks, opposition leader Martin Helme of the far right Conservative People's Party has called for a more cautious approach and accused Kallas of emptying Estonia's own arsenals, leaving the country vulnerable.

Kallas dismissed that suggestion, saying "we of course have given a lot but we are also thinking about our own defense."

Kallas has figured in speculation about potential candidates to replace Jens Stoltenberg as NATO secretary-general when he leaves the post in the fall. She dismissed that as "very unlikely," but noted that the Baltic countries had not been given any high leadership positions in NATO since they joined in 2005.

"Some have said it can't be from countries like the Baltic states because it will provoke Russia," she said. "First of all, I don't think our relations with Russia can get any worse than they right now are because he's waging a war in Ukraine. And the second is that you are actually saying that we give power to (Russian President Vladimir) Putin to decide who cannot be, for example, the secretary-general of NATO."

How Bellingcat collects, verifies and archives digital evidence of war crimes in Ukraine (Reuters Institute) February 21, 2023

By Eduardo Suarez

Before becoming a journalist, Nick Waters served as a British infantry officer. After doing a tour in Afghanistan, he enrolled in a Masters in conflict, security and development at King's College. He wanted to know how foreign policy worked.

One day Waters saw his colleague Christiaan Triebert at the library, looking at a map and at a video of an airstrike. Triebert, who now works at the New York Times, told him he was trying to geolocate the attack. He explained what geolocation was, how it was done, why it was important.

Waters found it fascinating. He wanted to learn.

Waters took Matt Moran's class on open source intelligence (also known as OSINT) and began to read Bellingcat, a website founded by Eliot Higgins in 2014 as a hub for a collective of investigators and citizen journalists around the world. After meeting Higgins in London, Waters started writing for Bellingcat – first as a volunteer, then as part of a growing staff.

From breaking news to collecting evidence

Born out of Higgins' personal blog, Bellingcat published ground-breaking scoops on chemical attacks in Syria, the Salisbury poisonings, and the downing of the MA17 flight in Eastern Ukraine. As output and funding grew, the project became a nonprofit, created a stable newsroom and codified its editorial standards.

Around the same time, Bellingcat's team realised their work could have a real impact in criminal justice. In August 2017, the International Criminal Court (ICC) issued an arrest warrant accusing Libyan citizen Mahmoud al-Werfalli of 33 murders. For the first time in history, nearly all the evidence came from social media posts. "The case suggested that Bellingcat had prospects beyond uncovering newsworthy facts," Higgins writes in his book *We are Bellingcat*. "Whether we considered it or not, we dealt in legal evidence now, often the first in the world to discover it, and the only ones archiving it. Our responsibilities had grown."

Courts only admit evidence if chain-of-custody is documented to a high standard. This also applies to pictures or videos posted on social media, which can corroborate or debunk survivor testimony and other sources. So Higgins and his colleagues started to take archiving more seriously and worked with the Global Legal Action Network (GLAN) to create the Yemen Project, an initiative whose focus was examining the Saudi-led aerial bombing of the country. The project was led by Yemeni journalist Rawan Shaif and Waters, the former infantry officer who now worked for Bellingcat.

The focus of the Yemen Project was finding whether British munitions were being used on civilian targets. With the help of GLAN, Shaif and Waters created a protocol and tested it at a four-day hackathon in January 2019. Their goal was to identify any alleged airstrikes, collect and verify any social media evidence about them, and then archive this material with the help of Mnemonic, an organisation that helps preserve vulnerable digital information in war zones such as Syria, Sudan or Ukraine.

The blueprint for Ukraine

As Waters was preparing a second iteration of the Yemen Project, Russia launched its full-scale invasion of Ukraine. “We had a structure and a methodology, and people were posting huge amounts of images and videos that could be analysed,” he says. “So we updated our proposal, built our team and started to investigate.”

Bellingcat’s Ukraine database intends to be a living document. Collection started on the first day of the invasion and Bellingcat intends to keep updating it until the end of the conflict. The database is made of incidents that have resulted in potential civilian harm, including rockets or missiles impacting civilian areas and the destruction of civilian infrastructure. They’ve been logged and mapped by Waters’ team at Bellingcat and by the Global Authentication Project, a community of open source researchers led by Hannah Bagdasar. All contributions are vetted by Bellingcat researchers.

“We verify the events and place them into this evidentiary database which in theory could be used as evidence in court,” Waters says. “We are pretty confident that our methodology works since we tested it during a mock hearing in 2021.”

Waters works with three full-time colleagues and another six help on a part-time basis. The team includes lawyers and Russian and Ukrainian speakers, but its focus is limited. “We can’t do something we are not equipped to do”, Waters says. “We can’t interview witnesses, for example, because we are not trained to do that and we don’t want to contaminate testimony. So we don’t focus on things like Bucha or the bombing of the Mariupol drama theatre. We tend to focus on events that are slightly less high-profile but where we can really apply our methods effectively.”

The events documented so far

At the time of this writing, Bellingcat’s TimeMap documents 1,094 examples of bombings, shootings and airstrikes and places them in time and space. Up to 190 of the events documented are attacks against schools, cultural sites and healthcare facilities. A big proportion happened in big cities such as Kharkiv (219), Kyiv (95), Mykolaiv (74), Mariupol (70) and Kherson (57).

Users can view incidents by week, by month and by longer periods, and use filters to see specific types of events – for example, incidents that impacted residential, industrial or healthcare facilities. Users can also locate events in specific cities and regions by zooming in. Whenever videos or images could reveal the identity of the location of a content creator, Bellingcat has taken steps to protect their privacy while still including the relevant information.

I asked Waters to walk me through what he and his team would do with one of these incidents. “A physical event will often have digital ripples, and our job is to collect that digital ripple, verify it and place it in time and space,” he says. “Let’s say we’ve seen an event occur. Then we assign an investigator who’ll collect as much digital information as possible about the event. Then the investigator will check other reports on the same event, and that body of images, videos and text messages is the digital ripple we aim to capture.”

This digital ripple, Waters stresses, is very difficult to fake or recreate. As our own research has shown, misinformation often involves some kind of reconfiguration in which a piece of content is spun, twisted or recontextualised. So placing pictures and videos of an airstrike in time and space helps prove it belongs to the current war, and not to one in the past.

As Higgins explains in his book, Bellingcat’s investigators use software platform Hunchly, which tracks what they click and view, preserving every page, so that they retain the entire process, in case another researcher or a prosecutor wants to consult it in the future.

It’s important to stress investigators at Bellingcat focus on what they think they can do best. “The reason we have such a strict scope is because we know we are good at doing this, and the aim is that this information is combined with other types of evidence at a later date,” Waters says.

How to archive criminal evidence

Once Bellingcat has placed an image or a video in time and space, and referenced it against other pieces of content, they need to archive it in case it disappears from the internet, and do it in a way that would make it acceptable in a court of law.

“Our friends at Mnemonic take any piece of content, download it, feed it into a hashing algorithm and that algorithm generates a hash, which is a string of letters and numbers,” Waters says. “This piece of content is placed into a vault and the hash is kept separate. So if 10 years down the line an archived video ends up in court, the hash proves the video hasn’t been

tampered with while it was in custody of Mnemonic.”

If Bellingcat’s work on Yemen often dealt with mass casualty events, their work on Ukraine focuses on smaller events happening over a much wider area. This makes it even more important to see beyond each episode and find any patterns. “We’ve seen widespread use of cluster munitions, especially in residential areas,” Waters says. “We’ve also seen use of incendiary munitions mostly on the front lines and shooting events in highways, especially in the first couple of months. Several journalists were killed in this kind of event. We’ve also seen strikes on wheat fields and on grain warehouses.”

OSINT versus Seymour Hersh

On 8 February award-winning journalist Seymour Hersh published a long piece on his personal Substack arguing the US government had destroyed the Nord Stream gas pipeline. The article was based on a single anonymous source. Since its publication, journalists such as Joe Galvin, Oliver Alexander and Fermín Grodira have debunked some of its claims. This event is beyond the scope of Bellingcat’s Ukraine project. But Higgins and his colleagues have debunked similar claims by Hersh in the past. This piece by Higgins on the Khan Sheikhoun chemical attack is a good example. So I wanted to know what Waters made of Hersh’s latest piece and why what he does is so different from Bellingcat’s work.

“It’s quite frustrating that someone who did some fantastic work in the past has reached the point where he doesn’t know what’s true and what’s false anymore,” Waters says. “What we do is just the opposite. We are not just looking at a single source telling us stuff which is clearly fabricated. We are combining multiple pieces of information and verifying them painstakingly to demonstrate that these events took place. Back in 2017, when his work was questioned, Hersh said, ‘I’ve learnt just to write what I know and move on.’ That’s not what we do. We are putting our research into a database so it’s preserved for the long term because our ambition is for our findings to be tested in court.”

As this piece by award-winning journalist Dhruvi Shah stressed recently, reviewing violent videos as Waters and his colleagues do can have an impact on people investigating the digital footprint of violent events. Back in 2019, open source intelligence pioneer Andy Carvin wrote this moving blog post about his own diagnosis with PTSD.

Waters says that Bellingcat has put in place policies to mitigate this kind of trauma. Everyone gets training and is offered regular sessions with psychologists specialised on these issues. “This kind of work can have a pretty bad effect on people,” he says. “Different people have different triggers. But there are a few basic steps you can take to mitigate this: watching something in black and white, watching with the sound off, using the scroll bar to look through very quickly, even holding a piece of paper to hide part of your screen. It’s important that people know there’s a supporting team around them. It’s important they know they can say, ‘Actually, I can’t do this today. I’m going for a walk.’”

An arc bending toward justice?

Bellingcat has collected evidence on conflicts like Yemen or Syria, where the chances of achieving justice in the short term are almost non-existent.

The situation in Ukraine is different. The country still has a functioning justice system. Prosecutors and police officers are already collecting evidence and building cases. Identifying perpetrators through witnesses and open source evidence is possible: there’s a lot of information on who’s done what.

“Taking perpetrators into custody will be very difficult,” Waters acknowledges. “I may be proved wrong tomorrow. But I don’t think the Russian state is going to collapse overnight and I don’t think they are going to release any perpetrators into the custody of any kind of justice system. However, sometimes the situation does change. What happened in Yugoslavia [where war criminals were prosecuted after war] is a good example. We should also keep in mind that many of these people are still on the battlefield, which is a relatively fluid place. People do surrender.”

Neither Waters nor his colleagues are going to stop collecting evidence any time soon. “There’s a small chance that this information may be used as evidence,” he says. “But that small chance is a big enough chance for me to want to do it. If you give up hope completely, then it’s never going to happen. But if you do it, there’s always that chance.”

Russia Committed 'Apparent War Crime' In Ukraine's Kramatorsk, Rights Report Concludes (Radio Free Europe) February 21, 2023

Strong evidence indicates that an April 8 missile attack on the train station in Kramatorsk in eastern Ukraine that killed 58 fleeing civilians and wounded 100 was launched from Russia-controlled territory and represents an "apparent war crime," New York-based Human Rights Watch said in a joint report with the SITU Research group. The February 21 report said the ballistic missile that targeted the station was filled with banned cluster munitions that dispersed dozens of small bomblets. Russia

has denied involvement in the attack, one of the deadliest involving civilians since its invasion of Ukraine on February 24, 2022.

'Russian troops deprived diabetic patient of insulin to let him slowly die' (The Telegraph) February 21, 2023

By Harriet Barber

Hospitals have been pillaged, doctors imprisoned, and patients denied vital medical care by Russian soldiers in Ukraine, according to a landmark investigation which uncovers hundreds of potential war crimes committed by Vladimir Putin's forces.

Doctors have spent up to 24 hours a day manually resuscitating premature babies after the destruction of medical equipment, while Russian troops have stopped civilians from taking life-saving insulin, leaving them to slowly die, the report adds.

The investigation, carried out by several aid and medical groups, documents more than 700 attacks on Ukrainian hospitals, health workers and ambulances in 2022 – an average of more than two attacks a day.

It recorded 218 strikes on hospitals and clinics, 65 on ambulances, and 181 on other health infrastructure, such as pharmacies and blood donation centres.

Attacking civilian healthcare constitutes a war crime – yet the report authors warn such offences remain under-investigated.

“The attacks have been massive in scale, took place all across Ukraine, and were deliberate,” said Diana Rusnak, an analyst at the Ukrainian Health Centre, which contributed to the report.

“They present a pattern, a course of conduct that could potentially constitute crimes against humanity. The evidence illustrates these crimes are not a coincidence. This is the Russian policy.”

Some 62 health workers have been killed throughout the war, with others threatened, imprisoned, taken hostage, and forced to work under Russian occupation, the report said.

Close to nine per cent of Ukraine's hospitals have been directly damaged by attacks, it added, with the heaviest destruction in the eastern oblasts of Kharkivska, Donetska, Luhanska, and Khersonska.

The financial damage has been colossal. As of August 2022, the direct damage to Ukraine's health sector was estimated at \$1.4 billion, according to international estimates.

“The findings are deeply disturbing and alarming,” said co-author Christian De Vos, director of research and investigations at Physicians for Human Rights [PHR]. “The fact that the attacks on health have been so under investigated and prosecuted lends this all the more urgency.”

Diabetics 'deprived of insulin'

The report, which was developed from open-source and confidential information gathered throughout 2022, includes testimonials from medical workers in attacked hospitals.

A doctor, speaking on the condition of anonymity, detailed how he was forced to hand over access to the electronic database of patients to Russian occupiers.

“I was worried, because the week before, I had received a patient from the occupied city of Mykolaiv oblast; he was a former member of the Anti-Terrorist Operation suffering from diabetes,” their testimony reads.

“The Russians found out about his illness, arrested him, and waited for him to die slowly without insulin.” The patient eventually managed to escape the region.

Another doctor provides testimony describing a missile hitting the hospital. “It was between the sixth and seventh floors. The impact caused one floor to fall on top of the other. Neurosurgery was on the sixth floor and there were patients who were crushed by the slab,” they say.

“Doctors had to manually resuscitate premature babies who would usually require special life support equipment,” reads the log of an attack on Chernihiv's children's hospital, which killed 14 and injured 26.

“Medics had to manually resuscitate premature babies for 24 hours a day,” added Uliana Poltavets, the Ukraine Emergency

Response Coordinator for Physicians for Human Rights.

Healthcare facilities have also been looted, according to the findings.

In April 2022, Mariupol City Council reported that around 60 ventilators had been stolen from city hospitals and transported to Russia.

Meanwhile, in May, Ukraine's military intelligence service reported that all equipment was removed from the infectious diseases department of the Starobilsk Multiprofile Hospital and taken to Russia.

One in every three Ukrainians lack access to medical service, the report says. These impacts will be felt for years to come.

"Attacks on health have had these cascading effects that extend far beyond the attack on the hospital itself," said Mr De Vos.

One impact is on vaccination rates. Ukraine's Ministry of Health has reported a dramatic drop in routine vaccines since the onset of the Russian invasion, risking outbreaks of polio, measles and diphtheria.

"The months and years of destabilisation these kinds of attacks can have, frankly, is why I think healthcare is so, so often targeted," said Mr De Vos.

Targeting or indiscriminately striking healthcare infrastructure and workers constitute war crimes.

"Attacks on hospitals, including military hospitals, are violations of the laws of war, unless an armed force is using the hospital to launch attacks. Combatants who order or carry out attacks on hospitals deliberately or recklessly are responsible for war crimes," James Ross, Legal and Policy Director, Human Rights Watch, told the Telegraph.

"Over 65 per cent of all attacks on healthcare facilities worldwide in 2022 occurred in Ukraine. Targeting civilian infrastructure is a gross violation of humanitarian law," said Jaime Nadal, UNFPA representative in Ukraine.

The report says that many of the attacked hospitals bore internationally recognised symbols of their status as medical centres, which were clearly visible from the air.

Now the authors are calling for the crimes to be investigated. "We want this report to end up in the hands of prosecutors and investigators," said Mr De Vos.

The investigation was a joint undertaking by Physicians for Human Rights, the Ukrainian Healthcare Center, the Media Initiative for Human Rights, eyeWitness to Atrocities, and Insecurity Insight.

War crimes in Ukraine, from the trenches to the courts (The Times Hub) February 21, 2023

Even if the bombs are still falling on Ukraine, justice has begun its work and Russian soldiers have already been tried and sentenced for war crimes. This is an "unprecedented" deployment of international and local criminal justice, while the war is still raging, notes the president of Avocats sans frontières (ASF), Me Pascal Paradis.

Twenty Russian soldiers have already been convicted of war crimes by Ukrainian courts.

The first was Vadim Shishimarin, a 21-year-old tank commander.

He was sentenced last May to life in prison for shooting dead an unarmed 62-year-old civilian days after the invasion began. The air baby, the soldier said he followed the orders of his superiors, an excuse which is not one in all cases in the eyes of international law. Even war has its laws.

Other soldiers are accused of bombing homes and torturing Ukrainian soldiers — actions that feature on the infamous list of war crimes.

A Herculean task

This task of judging all war criminals will be daunting. According to Ukraine's Prosecutor General's Office, authorities have recorded more than 70,000 war crimes since the invasion of Russia in February 2022, including the bombing and killing of civilians, torture (pulling out fingernails, dumping electric shocks to the genitals, among other atrocities) and repeated rapes.

The count is growing daily as investigators manage to reach areas occupied until recently by Russian forces. These figures are

obviously to be taken with a grain of salt, since the sorting has not yet been done and it is possible that multiple people have reported the same alleged crime.

“There is no no military justification for such actions. The Russians did these horrible things because they could,” Ukrainian human rights lawyer Oleksandra Matviichouk told a Council of Europe session last month.

The amount of evidence is equally monumental. Investigators are able to collect direct testimonies on atrocities committed in the days that follow. Citizens, armed with their cellphones, are documenting crimes with precision like never before — not to mention satellites that record troop movements and destruction on the ground.

Despite this workload, Ukraine's Attorney General Andriy Kostin made this promise on December 24, after seeing images of civilian corpses strewn on the ground in front of shops where people were doing their Christmas shopping: “No crime will go unpunished. »

“It's unlikely,” says Me Paradis. We doubt that we can shed light on each case and that justice will be done for each of them. “Russian soldiers will lose their lives on the battlefield before being tried, others will be exchanged for Ukrainian prisoners and many of the perpetrators of crimes will never be identified, explains the lawyer, whose organization advises in particular, in Ukraine, prosecutors and NGOs to facilitate investigations into crimes of conflict-related sexual violence.

70,000 This is the number of war crimes committed by Russia since the start of the invasion, according to the authorities.

It is expected that the vast majority of these alleged crimes will be tried in local Ukrainian courts, with international courts expected to play a complementary role.

But these have not been idle however.

The International Criminal Court has deployed its largest number of investigators and experts in the field. ” Forty-two. Unheard of,” says Me Paradis.

Several have expressed concern that the Court will be suffocated by the large number of cases that will be submitted to it. This is why it will focus on senior army officers and political leaders, and on the most serious cases, explains the lawyer.

International mechanisms are unfolding

Progress has also been made with the International Court of Justice, which quickly opened an investigation into allegations of genocide.

Furthermore, Ukraine is pushing for the creation of a special tribunal, like those established for Rwanda and the former Yugoslavia, to try Russia for the “crime of aggression”, i.e. the act of go to war — because the International Criminal Court has no jurisdiction in his case.

It's the mother of all crimes, said Andriy Kostin. Without him, all the others would not have been committed.

Ukraine: One year after full-scale Russian invasion, victims' rights must be at the heart of all justice efforts (Amnesty International) February 22, 2023

The international community must develop a robust plan to secure justice for victims of Russia's war of aggression against Ukraine, Amnesty International said today, marking one year since the invasion.

On 24 February 2022, Russian military forces launched a full-scale invasion of Ukraine, a move that Amnesty International called “an act of aggression and human rights catastrophe”. Since then, Russian forces have committed war crimes and other violations of international humanitarian law, including extrajudicial executions, deadly strikes on civilian infrastructure and places of shelter, deportations and forcible transfers of civilians, and unlawful killings committed on a vast scale through shelling of cities.

While the invasion continues and the full extent of the crimes committed in Ukraine remains unknown, demands of victims and survivors for justice and their rights must be prioritized. The international community has a clear duty to ensure that those responsible for crimes under international law know that accountability and justice will triumph over impunity.

“As Russian armed forces appear to be stepping up their offensive in Ukraine, the commitment to hold all perpetrators of human rights violations and war crimes to account is as urgent as ever,” said Agnès Callamard, Amnesty International's Secretary General.

Since the beginning of the conflict, Amnesty International has documented war crimes, including the targeting of critical civilian infrastructure and blocking of aid for civilians. Civilians in conflict-affected areas have been exposed to constant attacks and often cut off from water, electricity and heating. Many people living in Russian-occupied areas remain in dire need of humanitarian assistance or medical care, yet are being denied the right to travel to Ukrainian government-controlled territories.

“The people of Ukraine have suffered unimaginable horror during this war of aggression over the last 12 months. Let us be clear: the hands of Vladimir Putin and his armed forces are stained with blood. Survivors deserve justice and reparations for all they have endured. The international community must stand steadfast to see this through to the end so that justice is served. One year in, it’s patently clear more must be done.”

Tens of thousands of cases of war crimes have been filed, including of sexual and gender-based crimes, but the number of victims of the ongoing conflict will be much higher.

Victim’s rights and needs

“In the wake of this conflict, countless human beings have been reduced to collateral damage. When a mortar hits, it doesn’t just tear through flesh, it takes livelihoods, destroys critical infrastructure and leaves many unable to exist in the rubble of their former lives,” said Agnès Callamard.

The immediate response to the conflict has been encouraging, including a number of international and national-level investigations into crimes under international law committed in Ukraine, but comprehensive justice for Ukraine will only be achieved by providing meaningful justice and reparations to victims. This will only be possible if the international community provides robust and sustained support to existing justice mechanisms.

There also needs to be consideration of new national and international mechanisms for more comprehensive justice – such as the welcome decision of the Human Rights Council to set up an independent commission of inquiry in March 2022. Ultimately these could strengthen the international justice response to the vast numbers of war crimes cases, as well as the crime of aggression which itself cannot be investigated by the ICC due to its jurisdictional limitations.

“As well as ensuring the right mechanisms are in place, we must ensure those individuals responsible for crimes under international law are brought to justice and face the consequences of their unconscionable actions. This includes investigating senior military commanders and civilian leaders for war crimes and the crime of aggression under international law,” said Agnès Callamard.

Building such cases can be complex, but it is imperative that investigations consider not only low-level direct perpetrators but those higher up the chain of command. Wherever trials are held, they must adhere to international human rights and fair-trial standards, with the full participation and consideration of survivors and their needs.

“With wars raging in every corner of the world, inflicting untold civilian suffering, this must become a blueprint for all conflict. The initial unprecedented response of the international community, including the work of the International Criminal Court should be the minimum standard in the pursuit of international justice,” said Agnès Callamard.

Sustained commitment and coordination is the only way forward

“Time and time again, Amnesty International and other civil society groups have called for collective action, for people to come together for the greater good. This couldn’t be truer here. Every institution and authority involved in the pursuit of international justice, must work together to share insights and coordinate strategies, but also address gaps in expertise and capacity. Now is not a time for siloed working,” said Agnès Callamard.

The international community must support fair, effective and impartial investigations and states should urge Ukraine to ratify the Rome Statute, bringing its national law into line with international legal standards related to international justice, and to strengthen cooperation with the ICC. Finally, justice for Ukraine demands that countries with universal jurisdiction statutes explore how these can serve justice for Ukrainians.

Humanitarian support needed

When offering support, the international community must identify the specific needs of at-risk groups – such as women, older people, people with disabilities, and children – as well as recognizing that many Ukrainians, including children, have been deported from Ukraine to Russia or forcibly transferred into Russian-occupied areas, and cannot return home safely. These particular groups must be among those prioritized, and all humanitarian assistance provided to them should be tailored to meet their specific needs.

Cooperation with Ukrainian civil society organizations will also be essential in prioritizing survivors' needs to ensure the practical application of economic and humanitarian aid. The international community must ensure this collaboration is done in such a way that it ensures transparency, effectiveness and victim-sensitivity throughout the processes focused on humanitarian assistance, recovery, justice and reparations.

"Acknowledging the immense physical, psychological and economic harm inflicted on civilians in Ukraine over the last year is crucial for securing justice and reparations for the survivors and victims of Russia's aggression in Ukraine," said Agnès Callamard.

Calls for Accountability

Since 2014 and subsequently at the beginning of Russia's full invasion, Amnesty International has been pursuing accountability in Ukraine, as well as documenting war crimes and other violations of international humanitarian law. All of Amnesty International's outputs published to date can be found [here](#).

Police identify 91 Russians involved in murdering civilians in occupied town (Yahoo) February 22, 2023

Information about the soldiers was shared with a U.S. Congress delegation during their visit to Bucha, where they were told about the mass graves that were discovered after the city was liberated from invading Russian troops.

Ukrainian Prosecutor General Andriy Kostin said that the Russian army had committed about 9,000 war crimes in Bucha District in Kyiv Oblast, killing over 1,700 civilians – 700 of them in Bucha alone.

"We found mass graves with mutilated bodies of men, women, and children," Kostin said.

"Torture, murder, sexual violence. This is the true face of the 'Russian world' and the Russian regime, which is based on a complete disregard for the principles of human rights and humanitarian law."

The Prosecutor General said Ukraine needs support in establishing an international tribunal to bring Russia's leadership to justice.

"So far, 91 Russian servicemen involved in these crimes have been identified. We're working to bring all those involved to justice," Kostin said.

After the Russian invaders retreated from the Kyiv Oblast, the world saw evidence of their atrocities, involving the murder of hundreds of victims. The bodies of civilians tortured and killed by the Russians were found in the Kyiv satellite towns of Bucha and Irpin, and along the Zhytomyr highway to the west of the Ukrainian capital.

On April 14, the Ukrainian parliament recognized the actions of Russia and its army as genocide of the Ukrainian people. The leaders of several Western countries have condemned the war crimes of the Russian army and called for an investigation and prosecution of the perpetrators.

Russia's war crimes: ICC investigation results to be presented this year (Ukrinform) February 22, 2023

The results of the International Criminal Court's investigation into Russian war crimes in Ukraine will be presented this year.

"The ICC and other international institutions are fully aware of the importance of their role in ensuring the just punishment for Russian war crimes. Each case that will be further considered by the ICC we examine carefully in cooperation with ICC prosecutor. You will certainly see the result of our work this year. I can't disclose more detail yet, but you will see the result this year. I hope it will happen sooner. A lot of people are working to do it," Prosecutor General Andriy Kostin said at a press conference dedicated to the one-year anniversary of Russia's invasion of Ukraine, an Ukrinform correspondent reports.

Kostin added that the majority of Russian war crimes, approximately 99%, would be investigated and tried in Ukrainian courts because "our system works." And international institutions in this regard will play a "complementary role for which they were created."

As reported, last March, the International Criminal Court started its own investigation into Russian war crimes in Ukraine. After the investigation is completed, the case will be submitted to the International Criminal Court.

Czech investigators recorded 2,800 Russian war crimes incidents related to the war against

Ukraine – Radio Prague (EuroMaidan Press) February 22, 2023

Czech investigators involved in the investigation of war crimes in Ukraine recorded about 2,800 incidents and more than 40,000 damaged or destroyed objects from open sources. They also have information about the displacement of children from Ukraine to Russia, Radio Prague reports.

The Czech police had charged 57 individuals with hate crimes against Ukrainians in the year since the start of the Russian invasion.

Czech investigators also receive information about war crimes during the interrogation of Ukrainian refugees, whom they contacted through non-profit organizations or who responded to an online police survey.

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Investigators of alleged war crimes by Australians in Afghanistan set to hand over first brief of evidence (The Guardian) By Ben Doherty
February 14, 2023

The government agency investigating alleged war crimes by Australian soldiers in Afghanistan expects to hand its first brief of evidence to commonwealth prosecutors by the middle of this year.

The Office of the Special Investigator – established in the wake of the Brereton report, which found “credible” evidence to support allegations that 39 Afghan civilians were unlawfully killed by Australian special forces soldiers – is investigating “between 40 and 50” alleged offences.

Appearing before Senate estimates late Monday, the director general of the OSI, Chris Moraitis, said he expected to hand a first, single brief of evidence to commonwealth prosecutors by the middle of 2023.

“I’m quietly confident of a brief of evidence in the first half of this year.”

He said “at this stage” it would be a single brief for prosecutors.

Moraitis declined to say how many Australians were being investigated, telling the Senate the alleged offences were a “complex web”.

He said some of the allegations under “active investigation” had been raised in the Brereton report, while others “have come to our attention through other avenues”.

Moraitis said “anywhere between 40 and 50” alleged offences were being investigated, some of which may have had multiple participants.

“Investigations are under ongoing review and that number may increase if additional matters are raised, but over time I expect it will reduce overall as it becomes clear which allegations may be substantiated to the high threshold required for a criminal justice process.

“As always, we are conscious of the potential impact on anyone affected by our investigations and my teams are unwavering in their commitment to ensuring allegations of war crimes within our remit are subject to fair, thorough and impartial investigation without unnecessary delay.”

Moraitis said the OSI was limited in its capacity to gather evidence inside Afghanistan, since the fall of that country’s republican government to the Taliban in August 2021. Investigators had not been able to go into the country. “We’re not a humanitarian agency, we’re not a special rapporteur, we’re not an NGO; we’re an investigative body trying to enforce Australian criminal law, and that brings its own dynamic.

“I’m not stratified that the necessary conditions for engaging in that country, at this stage, exist.”

However, the OSI has interviewed witnesses who are currently outside of Afghanistan: “Investigators have travelled outside Australia and not Afghanistan.”

Questioned by the Greens senator David Shoebridge about the possibility of using technology to interview witnesses and gather evidence from inside Afghanistan, Moraitis said there were legal barriers to that course of action.

“I think you need a formal arrangement with the host country to seek evidence and to adduce evidence that can be used in a court of law in Australia.

“There are some legal problems with that. We need to have a relationship with the state to do that, for that to be admissible.”

The four-year Brereton inquiry – led by the New South Wales court of appeal judge Major General Paul Brereton – reported in 2020 that it had found “credible information” to implicate 25 current or former Australian Defence Force personnel in the alleged unlawful killing of 39 people in Afghanistan.

The inquiry recommended that allegations against 19 of those individuals be referred for criminal investigation. The government established the Office of the Special Investigator in response.

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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

Shameless Shakedowns in Bangladesh (Human Rights Watch) By Andrew Stroehlein

January 17, 2023

Soldiers from your own government come to destroy your village. With well-practiced terror tactics, they systematically rape and kill your neighbors and then torch everyone's home. You somehow manage to escape and get across the border to what you hope will be safety in a new country.

But there, the police abuse you mercilessly.

This is what many Rohingya refugees are facing in Bangladesh today.

Some 730,000 Rohingya fled the Myanmar military's sweeping campaign of massacres, rape, and arson in northern Rakhine State that started more than five years ago, with security forces slaughtering thousands and burning down nearly 400 villages.

But while they escaped the Myanmar military's crimes against humanity and acts of genocide, they now find themselves stuck in precarious, flood-prone camps in Bangladesh. And once again, people who should be looking after their security are the ones most threatening it.

Bangladesh's Armed Police Battalion (APBn) is committing extortion, arbitrary arrests, and harassment of Rohingya refugees, new reporting details.

One typical scheme goes like this... First, the APBn detain you on fabricated drug charges. Framing suspects with drugs is common practice by Bangladesh security forces.

Then, they run a shakedown. If you want to avoid arrest, police will demand 10,000-40,000 taka (US\$100-400) from you. For the release of a detained family member, you will have to fork out 50,000-100,000 taka (\$500-1,000). Refugee families often have to sell what little they have or borrow money.

The problem is getting worse. Police abuses have in fact escalated amid increasingly coercive restrictions on livelihoods, movement, and education in the camps, including harassment at checkpoints and closing community schools and markets.

This is not how the police should treat anyone, let alone people who've had to flee their homes in the face of mass atrocity crimes.

Donor governments should press the Bangladesh authorities to investigate.

Condemned war criminal arrested in Bogura (New Age Bangladesh) January 17, 2023

Rapid Action Battalion detained fugitive convict Md Nazmul Huda, who was sentenced to death by the International Crimes Tribunal on charges of war crimes in 1971.

He was arrested in Malgram area of Bogura city on Monday night, about five years after the tribunal sentenced him to death for his crimes against humanity during the War of Independence.

Nazmul Huda, 72, son of late Rois Uddin of Shantiram village under Sundarganj upazila in Gaibandha, went into hiding after the verdict in the case was pronounced on November 22, 2017.

Huda had been hiding in Dharoil Paschimpara area of Kazipara in Tongi near the capital for long, said RAB-12 Bogura camp squad commander and assistant superintendent of police Nazrul Islam.

Nazrul Islam said that Nazmul Huda was an associate of the then Pakistani occupation forces and a member of Razakar Bahini during liberation war.

'He was directly involved in kidnapping, murder, rape and other inhuman activities, and an active member of Jamaat-e-Islami at that time', he added.

The RAB official said that acting on a tip-off that Huda was hiding in a relative's house in Malgram area of Bogura city, RAB-2 and RAB-12 conducted a joint drive and arrested him on Monday night.

Earlier on October 14, 2014, a case was filed against six people, including former Jamaat MP Abu Saleh Mohammad Abdul

Aziz Mia alias Ghoramara Aziz and Nazmul Huda, for committing crimes against humanity at different places under the then Gaibandha sadar and Sundarganj police stations in 1971.

The International Crimes Tribunal sentenced the six to death.

Verdict in war crimes case against six Mymensingh suspects Monday (NewAge Bangladesh) January 22, 2023

The International Crimes Tribunal-1 on Sunday set Monday to pronounce judgment in a war crimes case against six suspects from Trishal upazila in Mymensingh.

A three-member panel of the ICT-1 headed by Justice Md Shahinur Islam set the date through a short order in the morning. The two other members of the judges' panel are- Justice Md Abu Ahmed Jamadar and Justice KM Hafizul Alam.

The six accused in the case are- Md Mokhlesur Rahman Mukul, Md Saidur Rahman Ratan, Shamsul Haque Fakir, Nurul Haque Fakir, Md Sultan Mahmud Fakir and Nakib Hossain Adil Sarker.

The tribunal held the trial in absentia as all the six accused are yet to be arrested, prosecutor Tapos Kanti Baul said.

The first tribunal on December 5, 2018, framed six charges of crimes against humanity and on February 18, 2019, started recording depositions of the witnesses. The court on different hearing dates examined total 19 witnesses in the case.

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War Crimes Investigation in Myanmar

Myanmar: Prominent Religious Leader on Trial (Human Rights Watch) February 20, 2023

Myanmar's military junta should drop politically motivated charges against the Kachin Baptist leader Reverend Hkalam Samson and immediately release him, Human Rights Watch said today. Rev. Samson's next hearing, on counterterrorism law charges, which only his lawyer is permitted to attend, is scheduled for February 21, 2023, at a special court inside Myitkyina prison.

"The junta's politically motivated case against Rev. Hkalam Samson, who is internationally renowned for his humanitarian and community work, shows that no one is safe in Myanmar," said Elaine Pearson, Asia director at Human Rights Watch. "The junta should drop the baseless charges against Rev. Samson and immediately and unconditionally release him."

On December 5, 2022, junta immigration officials and police arrested Rev. Samson at Mandalay International Airport, preventing him from leaving the country. Junta authorities have not disclosed his whereabouts but are apparently holding him at Myitkyina prison where the hearings are being held in a closed court. His family have not been allowed to see or communicate with him since his arrest.

In December, the junta charged Rev. Samson under section 17 of the Unlawful Associations Act for allegedly meeting with ethnic Kachin armed group leaders in January 2022, and section 505A of the penal code for "incitement" after holding a group prayer with members of the opposition National Unity Government (NUG). The offenses carry prison terms of up to 3 years each. The junta frequently uses vaguely worded and loosely interpreted provisions in its penal code to imprison peaceful activists. The hearings for these two charges concluded on February 14 with no verdict.

On February 14, the junta announced an additional charge against Rev. Samson under section 52A of the counterterrorism law for allegedly meeting with a member of the opposition National Unity Government, punishable by up to seven years in prison.

Rev. Samson, 65, is the former head of the Kachin Baptist Convention and is chairman of the Kachin National Consultative Assembly, which facilitated peace talks with the previous National League for Democracy party civilian government.

In 2019, he was among a group of 27 representatives from 17 countries to meet then US President Donald Trump in Washington, DC to highlight the plight of victims of ethnic and religious persecution. Shortly after the trip, the military

opened a case against him for his comments at the White House criticizing Myanmar's persecution of Christian minority groups. The authorities dropped the case after the US State Department expressed concern.

Since the military coup in February 2021, junta security forces have carried out deadly crackdowns against the political opposition to military rule, arbitrarily detained more than 19,000 people, and committed numerous crimes against humanity and war crimes across the country, documented by Human Rights Watch and other groups.

Myanmar's junta courts are neither independent nor provide basic fair trial rights. Many trials are held in grossly unjust closed-door military tribunals or in "special courts" inside prison facilities where detainees gain access to their lawyer only on the day of their trial.

United Nations member countries, the Association of Southeast Asian Nations (ASEAN), in particular, Indonesia as chair of ASEAN, and other concerned governments should press the junta to immediately release all those wrongfully detained or imprisoned, including Rev. Samson.

"The prosecution of a high-profile Kachin religious figure like Rev. Samson is a heavy-handed attempt to chill all dissent among ethnic minority leaders," Pearson said. "ASEAN and other concerned governments should press for the release of Rev. Samson and others wrongfully detained since the February 2021 coup.

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WORTH READING

From Victims to Perpetrators: The Legal Treatment of Child-Soldiers Who Commit International

The aim of the present thesis is the study of how children turned soldiers should be treated by an international criminal tribunal, regarding their commission of war crimes or crimes against humanity, both as children and as adults. The thesis employs a psychoanalytical section in the beginning and then the legal positivist and doctrinal methods of analysis. We present the psychological and social profile of the child-soldiers from the scope of victim of an armed conflict and perpetrators of crimes with emphasis on the procedures that molds them into soldiers. We then present the relevant legal framework regarding the age under which an individual is still considered a child and analyzed the merits of each approach. Having set the stage, we proceed in assessing the ICC's approach regarding the age parameter and the criminal responsibility of children. Subsequently, we analyze the criminal responsibility of former child-soldiers once they became adults. In particular, we examine the concepts of criminal mens rea, mental defects, duress and mitigating circumstances in the ICC's system and their application on adult child-soldiers. To illustrate our points, a case-study upon the trial of Dominic Ongwen is included. Finally, we summarize our findings and present our suggestion upon the proper treatment of child-soldiers from the scope of international criminal law.

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