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

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AFRICA

CENTRAL AFRICA

Central African Republic

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

C. Africa Republic peace talks stumble over militia amnesty (Yahoo) (January 30, 2019)

The Central African Republic's government and armed militias who control most of the country held more peace talks on Wednesday but an amnesty proposal is impeding progress, sources close to the negotiations said.

The Central African Republic fell into crisis in 2012 after violence erupted from a mainly Muslim rebel insurgency known as the Seleka that sparked the creation of rival Christian militias known as the anti-Balaka.

The new talks, which started last week with senior CAR officials and rebel chiefs in the Sudanese capital Khartoum, came after

seven previous rounds failed to reach a lasting agreement.

Talks have focussed since Monday on the demands of the 14 armed groups, notably the formation of a unity government and the amnesty proposal for warlords, national television TVCA reported.

CAR authorities have always rejected an amnesty for militia commanders, many of whom face UN sanctions or human rights accusations.

"After a detailed review of a draft peace proposal we realise that the fundamental and key points of our demands have not been taken into account," one anti-Balaka militia representative told AFP.

A representative of the FPRC, the country's largest armed group, said that as the talks currently stand, "we will be rejecting the deal and everyone will be going home."

Sudanese authorities say the talks in Khartoum could last up to three weeks.

CAR's crisis deepened in March 2013, after a power-sharing deal with the government collapsed, and the Seleka entered the capital Bangui to force president Francois Bozize, a Christian, from power.

Former colonial ruler France intervened militarily under a UN mandate, pushing the Seleka from power, and President Faustin-Archange Touadera was elected in February 2016.

But his government controls only a fraction of the state, despite the support of more than 13,000 troops and police in the UN's MINUSCA mission.

Most of CAR is in the hands of militias, who often portray themselves as defenders of their own religious group but fight turf wars over cattle or mineral wealth, including gold, uranium and diamonds. Thousands of people have been killed and a quarter of the population of 4.5 million have fled their homes because of the violence.

Central African Republic reaches peace deal with armed groups (Daily Times) (February 4, 2019)

The Central African Republic reached a peace deal with 14 armed groups following talks conducted in Khartoum, the United Nations said on Saturday, potentially ushering in a period of stability in the volatile country.

Central African Republic has been rocked by violence since 2013 when mainly Muslim Seleka rebels ousted then president Francois Bozize, prompting reprisals from mostly Christian militias. U.N. peacekeepers were deployed in 2014.

"We have finalized a peace agreement in Khartoum, enabling the people of Central African Republic to embark on a path of reconciliation, agreement and development," the African Union's Commissioner for Peace and Security, Smaïl Chergui, said in a tweet on Saturday.

The terms of the deal were not immediately released. Conflict in Central African Republic has uprooted more than one million people, the United Nations said, and has until now shown little sign of abating.

The talks, which started on Jan. 24 with support from the United Nations and the African Union, were meant to stem the violence that has spread across the provinces and over which the overstretched armed forces have had little control.

Some uneasy as Central African Republic, rebels make peace (Journal-Times) (February 6, 2019)

Central African Republic and 14 rebel groups signed a peace deal on Wednesday even as some expressed alarm about the possible suspension of prosecutions after five years of bloody conflict.

The agreement is the eighth since the fighting began in 2013 but the first to emerge from direct dialogue.

The peace deal, negotiated in Sudan and known as the Khartoum Agreement, is said to incorporate representatives of armed groups in the government of one of the world's poorest nations.

"Certain compatriots have thought that the republic has abandoned them. I want to say to you all that I will spare no effort to make Central African Republic our common home," President Faustin Archange Touadera said at the signing in the capital, Bangui. Yet few appeared to be optimistic about bringing rebels into the government while honoring the families of their victims. The fighting has killed thousands, displaced hundreds of thousands and sent two people to the International Criminal Court.

"We are shocked because we see our authorities jubilant alongside our executioners," Yannick Nalimo, a journalist and blogger, told The Associated Press. "It does not put anyone at ease. The people do not want these people, who put the country down and stripped us bare, to come back and manage the affairs of the state."

Details of the peace deal have not been publicly released. Officials had said that would happen after the signing but Wednesday's ceremony ended without it being read out in public.

Armed groups currently control around 80 percent of Central African Republic, and Touadera, in power since 2016, has struggled to stabilize the country as armed groups compete over lands rich in gold, diamonds and uranium.

The conflict began when predominantly Muslim Seleka rebels seized power in Bangui. Largely Christian anti-Balaka militias fought back. Rebels continue to carry out deadly attacks on displaced people's camps and other communities.

Brunon Hyacinthe Gbiegba, a human rights activist and observer at the peace talks, said he was most concerned with the fight against impunity. He took issue with a clause in the agreement that reportedly calls for the suspension of prosecutions of those accused of abuses during the conflict.

"Everyone is accountable for the actions they have taken," Gbiegba told the AP, insisting on mandatory justice against perpetrators.

Two anti-Balaka leaders in recent months have been taken to the ICC but no Seleka fighters have been publicly targeted by the court's chief prosecutor, Fatou Bensouda.

The African Union, which oversaw the negotiations that began on Jan. 24 in Khartoum, has expressed optimism. AU Commission chairman Moussa Faki Mahamat commended the parties for their "commitment and spirit of compromise."

The fighting has carried the high risk of genocide, the United Nations has warned. A 13,000-strong U.N. peacekeeping mission has acknowledged the challenges of protecting civilians.

The actions of armed groups have "inflicted too many civilian casualties, demonstrating an apparent contempt for human dignity, reconciliation and the right to development," Marie-Therese Keita-Bocoum, a U.N. human rights expert, said Friday.

Last year, the U.N.'s children agency released a grim report that said fighters often target civilians, attacking health facilities, schools, and religious buildings. More than one million people have been displaced.

The spokesman for the U.N. secretary-general on Wednesday called on neighboring countries and the international community to support the "courageous steps" that have been taken this week toward peace.

Details from Central African Republic rebel deal released (Seattle Times) By Hippolyte Marboua (February 9, 2019)

An agreement signed by Central African Republic and 14 rebel groups earlier this week will see the dissolution of armed groups, the formation of an inclusive government and the creation of a fund for victims who have suffered in years of conflict, according to the accord seen Friday.

The deal signed Wednesday is the eighth since the fighting began in 2013 but the first to emerge from direct dialogue. The 30-page peace pact, negotiated in Sudan and titled the Political Accord for Peace and Reconciliation, evokes four main points: victims, justice, peace and national reconciliation.

The agreement says that armed groups will undertake to respect the legitimacy of the country's institutions, and to renounce the use of arms and violence against the defense and security forces, U.N. personnel and humanitarian workers.

They also agree to refrain from any act of destruction, occupation of public buildings, place of worship and violence against the civilian population, as well as acts of sexual or gender-based violence.

In exchange, armed groups are able to create political parties.

The government, meanwhile, will monitor the agreement and analyze the reintegration of the leaders of armed groups who formerly served as civil servants or military.

The government is also committed to set up a Truth, Justice, Reparation and Reconciliation Commission within 90 days, cutting short the idea of amnesty long negotiated by armed group leaders.

The signatories also undertake to set up mixed security units that will include elements of the defense and security forces as well as ex-combatants after training.

This means that armed groups will dissolve their movement and help facilitate the return of the authority of the state and to participate in disarmament, demobilization, reintegration and repatriation within two months.

Armed groups currently control around 80 percent of Central African Republic, and President Faustin Archange Touadera, in power since 2016, has struggled to stabilize the country as armed groups compete over lands rich in gold, diamonds and uranium.

The major conflict in Central African Republic began in 2013 when predominantly Muslim Seleka rebels seized power in Bangui. Largely Christian anti-Balaka militias fought back. Rebels continue to carry out deadly attacks on displaced people's camps and other communities.

The African Union, which oversaw the negotiations that began on Jan. 24 in Khartoum, has expressed optimism about the agreement.

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Sudan & South Sudan

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

South Sudan Kiir Blames Outsiders for Peace Deal Inaction (All Africa) By Dimo Dilva
February 8, 2019

South Sudan President Salva Kiir said Thursday that implementation of the revitalized peace agreement still faced many challenges, largely because of the international community's wait-and-see stance on its implementation.

Kiir told hundreds of ruling SPLM party cadres in Juba that the September deal was "not a good agreement, but I signed it because people have suffered and I do not want that to continue."

The president, meeting with members of the SPLM parliamentary caucus shortly before they left for home on recess, said the government did not have enough money to implement the deal. But his administration gave each caucus member more than \$7,500 (1 million South Sudanese pounds) to share details of the peace deal with their constituents.

"The implementation is facing difficulties because there is no funding. If America has refused to recognize the agreement, the other European countries and Western countries will not pay their money, so everybody has adopted the position of 'wait and see,' because they think we will fight as soon as the opposition comes in," Kiir said.

The United States, Norway, and the United Kingdom, known as the Troika, have repeatedly advised the government to use its own resources to implement the deal and show some political will toward moving the implementation forward.

Speak of peace

Kiir urged SPLM party members to accept one another and speak the language of peace for the sake of all South Sudanese.

"Let us focus now on the future of our country. We will do this through peace implementation, sending out positive and reconciliatory messages that [are] aimed at repairing our social fabric," Kiir said.

Kiir said he welcomed back former detainees, but also admonished them for advising the international community to withhold money from South Sudan until the warring parties carried out the terms of the deal.

"I told the FDs [former detainees] when I was meeting them that the distractions that they did are worse than what Riek Machar has done, because he wanted to uproot us violently, which he did not make, but for you, [you] went to Western capitals to backbite us and stop all the money [from coming] to us, so it is you who have really destroyed South Sudan," Kiir

told SPLM leaders.

The president concluded his remarks by saying he had forgiven his opponents and welcomed them back to the SPLM party.

South Sudan New Violence Sends Thousands Fleeing to DR Congo (All Africa) By Lisa Schlein

February 13, 2019

[The United Nations refugee agency says a surge of violence in South Sudan's Yei State has displaced some 8,000 civilians and sent an estimated 5,000 people fleeing to the neighboring Democratic Republic of Congo.]

Clashes between the South Sudanese army and a rebel group, the National Salvation Front or NAS, broke out on January 19. This was barely four months after the latest peace deal aimed at ending the country's five-year civil war was signed by President Salva Kiir and opposition leader Riek Machar.

U.N. refugee agency spokesman Babar Baloch told VOA violence has been going down since then. And, he said, the two major parties that signed the accord appear to be sticking to it.

"Let us not forget South Sudan has over 70 factions in terms of small groups and rebel groups...and NAS, as far as I understand, is led by Thomas Cirillo. And, we also understand that his group refused to sign the peace agreement," said the spokesman.

The fighting reportedly is taking place outside the town of Yei, close to the borders of the Democratic Republic of Congo and Uganda. Baloch said most of those fleeing by foot to Congo are women, children and the elderly. He said they arrive exhausted, hungry, thirsty and in some cases, sick.

"Among them are people suffering from malaria or other illnesses. Many have suffered from trauma after witnessing violent incidents, including armed men reportedly murdering and raping civilians and looting villages," said Baloch.

The refugees are arriving in remote border villages in Congo's Ituri Province, an area close to Ebola-affected North Kivu Province. A World Health Organization spokesman said there is no indication the disease has spread to this region. But he said the risk is there, so border crossings are being monitored carefully.

Villagers Describe Horror in South Sudan's Yei River State (VOA) By Daniel Friday Martin

February 8, 2019

An unknown number of villagers were killed and hundreds of others displaced during fighting in South Sudan's Yei River State this week.

In this latest round of fighting, government forces teamed up with SPLA-IO (Sudan People's Liberation Movement-in-Opposition) forces to battle National Salvation Front rebels led by General Thomas Cirillo. Residents say the clashes continue in several Otego County villages in Yei River state, which is in the southern part of the country. Villagers accuse both sides of looting property and setting houses on fire.

Since the September peace agreement, this is one of the first clashes in which a rebel group has teamed up with government forces against another rebel group, in this case the National Salvation Front. The NAS is the biggest militia faction that refused to sign the deal.

Fighting continues in the troubled area, according to several villagers fleeing violence in Ondukori, Morsak, Goja and Ombaci villages of Otego County.

Ondukori resident Esther Siama, who fled her village Thursday night and walked in the bush all night before reaching Yei town Friday morning, said several soldiers sexually assaulted women and abused other villagers.

"Once the soldiers reached a certain area they beat up civilians. The soldiers raped women and also robbed us of domestic animals like chickens, goats and cows," Siama told South Sudan in Focus.

'Charles' tells of violence

A 60-year-old Morsak village resident who prefers to be identified only as "Charles" for fear of reprisals, said he saw four bodies on the ground. He also said gunmen set the entire village on fire.

"Once they reach a house they shoot bullets inside the house. The soldiers tied down one of our elderly people, a 70-year-old brother and threatened to kill him. They set our houses and food granaries on fire, Charles told South Sudan in Focus.

He said he spent four days in the bush, eventually arriving on foot in Yei. "Some people were shot dead and even my own son was injured on the leg," Charles added.

Hillary Luate Adeba, Bishop of the Yei Diocese of the Episcopal Church of South Sudan, who is from Otego County, condemned the violence, saying it violates the heart of the revitalized peace agreement.

"The whole of South of Yei is in danger. People are fleeing. A number of forces are engaged in serious fighting in the area and its only Yei now which is bleeding," Adeba told South Sudan in Focus.

Call for cease-fire

Bishop Adeba urged all sides to immediately stop fighting in Yei.

Obed Taban, Deputy Chairman of the Yei River State Relief and Rehabilitation Commission, said hundreds of civilians who arrived on the outskirts of Yei town Friday are in dire need of humanitarian assistance.

"We have more than 200 IDPs [Internally Displaced Persons] and more are still coming and we are calling on the humanitarian partners to assist the IDPs with food, medicines and non-food items because these people have nothing," Taban told VOA.

Government troops control urban areas

Most Yei River State villages are under the control of either the SPLA-IO or National Salvation Front rebel forces. More urban areas including administrative centers are controlled by government forces.

SPLA-IO deputy military spokesman Colonel Lam Paul Gabriel accused the National Salvation Front of committing atrocities against civilians.

"We know that the areas around Otego are under the control of NAS forces under the command of General Thomas Cirilo. The SPLA-IO is not responsible," Gabriel told VOA.

NAS spokesman Samuel Suba Manasseh denies his group mistreated any civilians in areas under their control.

"It's a crime for any National Salvation soldiers mistreating civilians and it's also against the laws of NAS. We are not part of looting and harassing civilians," Manasseh told South Sudan in Focus.

Military denies looting

South Sudan army spokesman Brigadier General Santo Domic denied knowledge of government forces looting villages in Otego.

"I don't expect the SSPDF [South Sudan Army] forces to loot villages in Otego County because these are government forces mandated to protect the civil population," Domic told VOA. He called such accusations "negative propaganda" against the South Sudan People's Defense Forces.

NAS leader Cirillo rejected the revitalized peace agreement signed in September by President Salva Kiir, SPLA-IO leader Riek Machar, and other opposition leaders.

UNMISS BOSS Conditions Improving in South Sudan (VOA) By Carol Van Dam
(February 7, 2019)

David Shearer said that following the signing of a new peace agreement, conditions have greatly improved from when former Vice President Riek Machar fled Juba in 2016.

Shearer said Tuesday that the government has control of more territory, and there's an enormous push by the people of South Sudan for real change.

"And I don't think either side can turn their back on that. And together with the way that the peace negotiations were conducted, it brought both sides together, and they were able to agree on the basic framework for going forward," Shearer said at U.N. headquarters in New York.

Shearer acknowledged "some tricky issues going forward," and said while no agreement is perfect, the U.N. feels it is an agreement "that offers the best chance in a long while for moving South Sudan in the right direction."

Shearer also said that while the U.N. is very mindful of the pitfalls that lie ahead, it is cautiously optimistic both sides are "committed to going down that path. And if that happens, it'll make an enormous change to South Sudan."

Warring factions and the government of President Salva Kiir signed a new peace agreement in September 2018. Under the agreement, Machar, who led one of the largest rebel groups, expects to return home later this year and take part in the transitional government.

The U.N. mission chief paints an optimistic picture of the current state of security in the country. He said civilian casualties have greatly diminished in recent months.

In the last four months since the signing of the agreement, Shearer said there has been "a very significant decline in casualties as a result of political violence." But he said there's been an uptick in casualties with regard to cattle raiding. Shearer said the numbers are in the low 100s.

Some fighting continues in parts of the Equatoria region in the southern part of the country, but Shearer added the casualties "are in the 2s and 3s, not in the hundreds."

And where peacekeepers patrol, such as around Protection of Civilian sites, Shearer said violence is almost non-existent.

"Very low numbers, in the POCs it's virtually nothing. If there's anything, it will be criminal more than anything else and through the rest of the country, but the peace agreement and cease-fire has largely held," said Shearer.

Some people have concerns about security when Machar returns to the country. The SPLA-IO leader is expected to come back in May when the pre-transitional government is supposed to wind down to make way for the transitional government of national unity.

Shearer pointed out that a combined, pre-transitional committee, as outlined in the revitalized peace deal, will make decisions about security arrangements.

"We believe that it's in the best interests of the peace agreement that the parties themselves decide how they want to handle those security arrangements. If they can handle them themselves, that is an enormous confidence step to being able to get things moving that does not involve the U.N.," said Shearer.

To date, the U.N. has not been approached by any side regarding security for Machar's return.

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Democratic Republic of the Congo

Official Website of the International Criminal Court

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Thousands Flee to Congo as Fighting Flares up in South Sudan (Bloomberg) By Okech Francis
(February 12, 2019)

Renewed fighting in South Sudan is pushing thousands of people across the border into Democratic Republic of Congo, according to the United Nations refugee agency.

Clashes between the South Sudanese army and a rebel group, the National Salvation Front, started last month in Yei State and the violence is blocking humanitarian access to the affected areas, the agency said in an emailed statement. About 5,000 refugees arrived in several remote villages in northeastern Congo, while as many as 8,000 people may be internally displaced.

"They arrived exhausted, hungry and thirsty," the agency said. Many of them saw "armed men reportedly murdering and raping civilians and looting villages."

The conflict in South Sudan has left about 400,000 people dead and displaced an estimated four million others since December 2013, and more than halved crude oil production to about 130,000 barrels per day. The East African nation is struggling to bring peace after warring factions agreed to a power-sharing government.

An armed group in the southwestern city of Yambio released 119 children, including 48 girls, bringing the number of young people freed to more than a thousand over the past year, the UN emergency fund for children, Unicef, said in a statement earlier Tuesday.

Ebola vaccine offered in exchange for sex, Congo taskforce meeting told (The Guardian) By Kate Holt and Rebecca Ratcliffe
(February 12, 2019)

An unparalleled Ebola vaccination programme in the Democratic Republic of the Congo has become engulfed in allegations of impropriety, amid claims that women are being asked for sexual favours in exchange for treatment.

Research by several NGOs has revealed that a deep mistrust of health workers is rife in DRC and gender-based violence is believed to have increased since the start of the Ebola outbreak in August.

The research, presented at a national taskforce meeting in Beni, follows calls by international health experts urging the World Health Organization to consider issuing a global alert in relation to the outbreak. The experimental vaccine has been described by the WHO as "highly, highly efficacious" and hopes have been pinned on it controlling the outbreak.

The meeting was told that multiple respondents in one study had raised concerns over individuals offering Ebola-related services, such as vaccinations, in exchange for sexual favours.

The risk of exploitation by frontline Ebola workers was also mentioned by several focus groups.

In a statement, the Ministry of Health said some participants in focus groups had "expressed concerns about women and girls being offered Ebola-related services in exchange for sexual favours."

Claiming that further analysis has since shown that the vaccination was not specifically mentioned in the discussions, the ministry added: "More importantly, no women reported individual cases of sexual exploitation to the IRC during the focus groups. These women and girls expressed their fears and concerns about the Ebola response considering the social and security context they live in."

Concerns were raised over a reported increase in stigma and violence facing women. Some women are blamed for failing to prevent the spread of the disease, according to the research by the International Rescue Committee (IRC), whose study was cited in the presentation.

Women, who are responsible for caring for the sick and ensuring that children wash their hands, faced a rising workload, with many feeling traumatised and exhausted, the recent meeting was told. One participant in a focus group said women are isolated during their periods, and are being accused of having the virus.

The IRC has since said those claims were based on preliminary findings. The charity, which consulted more than 30 focus groups, added in a statement that it is still analysing research: "We will take the findings and work with partners to address concerns raised and ensure that women and girls are protected."

Trina Helderman, senior health and nutrition adviser for Medair's global emergency response team, said the Ebola response should have established a higher standard of protection for women.

"This region of DRC has a long history of sexual violence and exploitation of women and girls. Though shocking, this is an issue that could have been anticipated," said Helderman. "Humanitarian actors should have been more prepared to put safety measures in place to prevent this from happening."

On Thursday, the health ministry urged people to report anyone offering services such as vaccinations or other treatment in exchange for money.

The ministry said it was aware of separate rumours, spread on social media, that women working on the Ebola response had been given jobs in exchange for sexual favours. In a statement, it said it took such claims seriously, and advised that women should only meet with recruiters wearing an official badge.

The warnings come as international health experts urged the WHO to consider issuing a global alert in relation to the outbreak. Writing in the Lancet, they said the response had been complicated by a "storm of detrimental factors", including political instability, conflict and large numbers of people on the move.

Since August, there have been 811 Ebola cases, and 510 deaths as a result of the virus. The WHO has warned that there is a

very high risk of the outbreak spreading not only across DRC but to Uganda, Rwanda and South Sudan. There are also concerns that the source of transmission is unclear in one in five cases.

Suspicion of authorities and health agencies has further hampered efforts to contain the response, said Eva Erlach, of the International Federation of Red Cross and Red Crescent Societies. The agency has analysed feedback from thousands of people living in Ebola-affected areas.

"Across all locations there are lots and lots of people who do not think that Ebola is real, that it is just a way for humanitarian organisations to make money, or that it was just used to postpone elections," said Erlach.

Last week, agencies were urged to work closely with women's groups and local community leaders to build trust in services.

Tarik Jasarevic, a spokesman for the WHO, which supports the Ebola response, said most community engagement activities are already led by national DRC experts who work closely with local networks. There are around 20 dialects spoken in North Kivu and Ituri, he added.

"Together, we continually adapt and work to improve our response to adjust to local challenges in this delicate social, political, economic context," he said.

Jasarevic added that sexual exploitation is a grave concern, and said the agency continually monitors its services.

"A large part of the communication effort with communities is to inform them that all Ebola services are free," he said. "We will continue to check and improve measures we have in place to prevent, monitor and report on any such incidents. More can always be done."

Ebola outbreak in violence-plagued DRC a worst-case scenario (Arab News) By Dr. Theodore Karasik
February 13, 2019

Recently, several rebel militia members fighting over the northeastern corner of the Democratic Republic of the Congo (DRC) died of Ebola. Rebels dying from Ebola is a development that merits deeper examination.

The fact that Ebola, which has killed more than 500 people in this outbreak, is now truly mixing with the country's violent landscape is a complicating factor, as international health care officials are developing an inoculation ring in Rwanda, Uganda and South Sudan that began in mid-January. In effect, a program of spatial containment is being instituted.

This Ebola outbreak is the second worst case so far. Luckily, experimental vaccination programs are working, but administering these programs in violence-prone areas is difficult at best. DRC Health Minister Oly Ilunga Kalenga said that the vaccination program had been administered to 76,425 people and had prevented "thousands" of deaths by stopping the spread of Ebola to "big cities." The vaccine is not 100 percent effective as it is still experimental. International health authorities are concerned that the disease can still spread.

The DRC security situation is most problematic in the east of the country, where dozens of armed militias struggle over resources such as gold, diamonds, copper and coltan for profit and power. The area is home to the vast majority of the country's 70 armed groups, all pursuing shifting local and national agendas. Most of them are small, numbering less than 200 fighters, but the havoc they have wreaked over decades, especially in North and South Kivu, have made eastern DRC the epicenter of deadly violence and humanitarian crises. This mix makes treating Ebola problematic, as this is the first time that an Ebola outbreak is occurring in an area with daily violence. The DRC's ongoing instability caused by militia activity is creating mistrust in the population toward health workers.

For international aid organizations, this is a worst-case scenario, where victims carrying a deadly disease are unable to be treated because of attacks by machete-carrying rebels with heavy caliber weaponry. An attack by the Allied Democratic Forces (ADF) late last year killed 18 people in the town of Beni, halting local efforts to contain the spread of Ebola through this unstable area.

Armed militias that target DRC civilians and foreign aid workers make it difficult, if not impossible, for response teams to reach and work in the nation's most isolated areas — a serious issue since the beginning of this outbreak. The ADF militia was initially created by rebels to oppose Ugandan President Yoweri Museveni, but the rebel group has also focused operations on the DRC's North Kivu province.

This part of Central Africa is where 2.5 million people, mostly civilians, were killed between 1998 and 2002, especially involving ethnic hatred between the Hutu and the Tutsi people, which had formed the basis of the 1994 Rwandan genocide. One cannot overstate the complex landscape of ethnic identities and shifting alliances that occur between these groups.

Throwing a deadly disease on top of this rebel instability makes for a combustible situation. An attack by any one of the dozen or so militias in an Ebola outbreak area collapses the ability to conduct safe practices. In the chaos, village mobs are known to try to bury their dead who died from Ebola by trying to steal the corpse, in a complete break of protocol.

The implementation of a set of spatial protocols that, from the start of the current Ebola outbreak, quickly identified areas of disease activity with the goal of preventing diffusion is now expanding instead of shrinking. Disease infection rates among the militia groups are unknown and, given their population, these groups could act as not only an incubator but also a transmitter into more distant areas. The number of fighters and their supporting infrastructure is likely to number in the tens of thousands. These rebels fall outside any international Ebola protocols, unless they are capable of stealing the medicine and then administering it themselves in highly unstable conditions, which would lay the foundation for further infections. These militias have access to medical facilities and possess a particular level of capability and capacity, yet are clearly unprepared for a disease such as Ebola.

Other military actors on the ground matter too. Naturally, the DRC's military is actively engaged against the militias. The DRC military's role in the Ebola crisis is focused on securing supply lines, but it frequently needs to concentrate on other internal issues. The Congolese army receives support from the UN's Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), which has helped in the Ebola response since the beginning of the outbreak through the provision of logistical support, office facilities, transportation, communication and security.

Meanwhile, the DRC's military engagement with these militias is now also being influenced by Russian advisers. Let us also recall that Russia's private military company, Wagner Group, is involved across several sectors of the country. Finally, the US is nearby in Gabon. How these actors respond to the next chapter of this outbreak of Ebola in a violent, rebel-infested zone will most likely be determined by a highly uncoordinated effort among security actors.

A deadly disease such as Ebola being carried through rebel communities and their networks is an issue that needs urgent attention from government authorities, in addition to a communication plan to educate those who may be assisting such networks. Add in the terrain, corruption and crime and the ability for authorities to address the spread of the disease is severely weakened. The ability for militias to transmit Ebola unchecked is a public health and national security concern.

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

Human trafficking isn't just morally repugnant. It's also a security threat. (The Washington Post)
By Jamille Bigio and Rachel Vogelstein
(February 12, 2019)

Last month, Nigeria's anti-trafficking agency made a startling announcement: It had collected evidence that some 20,000 Nigerian women and girls are being held in brothels in Mali. Among those discovered were schoolgirls who had been kidnapped and forced into prostitution, reminiscent of the 2014 abduction of 300 Nigerian

schoolgirls by Islamist militant group Boko Haram, which prompted the global #BringBackOurGirls campaign.

Today, tens of thousands of women and girls — most between the ages of 16 and 30 — are still awaiting international condemnation of their plight, as well as efforts by the Nigerian government to finally bring them home.

New intelligence suggests that many of the victims were fed false promises of employment in the hospitality industry, only to land in brothels across Africa. Those abducted were discovered on a recent fact-finding mission by Nigeria's anti-trafficking agency and the International Organization for Migration (IOM), which is now planning additional rescue missions in other west African countries, including Ghana, Burkina Faso and Ivory Coast.

Although the sheer number of victims uncovered in Mali is shocking, the phenomenon of sex trafficking is not: Every year, tens of thousands of Nigerians are trafficked, primarily to Europe and across west Africa. Many leave home voluntarily in search of better-paying jobs, fleeing a country in which 70 percent of the population survives on less than \$2 a day. Ninety-one percent of Nigeria's trafficking victims are women, with 78 percent reporting sexual exploitation at the hands of their traffickers.

Why does the plight of Nigeria's trafficking victims matter? To be sure, this crime is a tragic violation of basic dignity and rights, one that rightfully inspires moral outcry. But human trafficking is not only a human rights issue — it is also a security challenge. Modern slavery bankrolls operations for transnational crime syndicates and extremist groups, producing an estimated \$150 billion annually in profits for perpetrators, making human trafficking one of the world's most profitable crimes. Nigeria's criminal networks benefit enormously: In fact, one region of Nigeria — Edo State — is internationally known as a sex-trafficking hub.

Human trafficking also undermines security when this crime is used as a tactic of war. In northern Nigeria and the Lake Chad region, Boko Haram abducts women and girls as a deliberate strategy to generate revenue through ransom payments, exchange prisoners and lure security forces to an ambush. Since 2014, around 2,000 girls and boys have been kidnapped by the group, many of whom have been used as fighters, sex slaves and suicide bombers.

The destruction caused by modern slavery also weakens trust in government, which further erodes stability. In Nigeria, the abduction of tens of thousands of women and girls only exacerbates the perception of the government as ineffective. Declining faith in government, in turn, feeds other grievances against the state, which makes citizens more likely to join nonstate armed groups and less likely to support attempts at economic, social or political reform. The broader social ramifications compound across generations, as children born to girls captured by extremist groups are stigmatized as having "bad blood" and are significantly more likely to be abused and uneducated.

Despite the security implications of human trafficking, too little has been done to address this practice as a threat — not only to human rights, but also to international stability. To address this gap, governments ought to prioritize investigation of the sophisticated criminal and extremist networks that perpetrate this crime. Law enforcement should be better trained to identify trafficking victims, traffickers should be held accountable — as well as any public officials who may be complicit in the crime — and comprehensive care should be offered to survivors.

Given the many ways in which human trafficking fuels transnational crime and extremism, this scourge must be treated as a hazard to both human dignity and international security. Nothing less than our collective safety is at stake.

Boko Haram slaughtered dozens after Nigerian army abandoned town (TRT World) (February 1, 2019)

The militant group Boko Haram killed at least 60 people in the northeast Nigerian town of Rann on Monday, a day after it was abandoned by the military, Amnesty International and security sources said on Friday.

The attack on Rann, home to a camp housing tens of thousands of people displaced by the militant insurgency, was one of the group's bloodiest.

It came two weeks after Boko Haram had overrun the same town, driving out Nigerian soldiers and signalling its re-emergence as a force capable of capturing army bases.

The bloodshed is a challenge for President Muhammadu Buhari in particular as he seeks a second successive four-year term in an election on February 16, having been elected in 2015 partly on a promise to restore security.

A Nigerian army spokesman denied that troops had left the town and that Boko Haram had killed the people.

The two attacks have driven some 40,000 people to flee, 30,000 of them into nearby Cameroon, according to aid agencies.

"This attack on civilians who have already been displaced by the bloody conflict may amount to possible war crimes," Osai Ojigho, Amnesty's Nigeria director, said in a statement.

"Witnesses told us that Nigerian soldiers abandoned their posts the day before the attack, demonstrating the authorities' utter failure to protect civilians."

Two security sources told Reuters that Nigerian troops had returned to Rann along with Cameroonian troops from a multinational task force after the first attack on January 14.

After the Cameroonians went back across the border, the Nigerian soldiers left because they did not have enough troops, weapons or equipment, the sources said.

The next day, Boko Haram came. The militants set the town ablaze and executed its elders and traditional leaders, leaving one alive as a witness, one of the security sources said.

A video of the attack reviewed by Reuters showed people gathering belongings and fleeing, screaming, as the town burned.

The latest attack in Maiduguri is the most significant since the government said last week it was in talks with the militants.

Nigerian army soldiers came back to Rann and helped bury some of the dead after Boko Haram had left, Amnesty International and security sources said.

A surge in attacks in the northeast by Boko Haram is throwing preparations for the presidential election into disarray.

Despite the violence, Vice President Yemi Osinbajo said on Tuesday, "The current rate of return of these IDPs (internally displaced people) and refugees is encouraging, and this is due to improving security in many areas that were once completely out of bounds."

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Mali

How international court may give Mali's women a second change at justice (The Christian Science Monitor) By Anna Pujol-Mazzini

February 7, 2019

As Mariam Traoré began her work counseling women, she learned she would have to listen closely.

"They managed to catch me," some of them would say. Or, "men dragged me somewhere and I did two hours." "They wanted to rape me, but I defended myself," another one would explain.

Despite the understatement and denials, "automatically, we understand what happened. These are cases of rape," Ms. Traoré says, sitting in the office of the Association for the Development of Women's Rights (APDF) in Mali's capital, Bamako.

She gathered the testimonies in a dusty, black notepad filled with passport-sized pictures of girls as young as 13. The book speaks to the extent of sexual violence that fell upon Mali's women in 2012. Amid a conflict pitting the state against separatist rebels and jihadists in the north, the crisis largely went unnoticed.

At first, when thousands fled to Bamako in search of safety, women refused to speak about a crime they thought unspeakable: one that left many excluded, and blamed, by their own families. "You are marginalized, rejected by society, as if you were trash. That's why women keep quiet," says Moctar Mariko, who heads the Malian Association for Human Rights.

To fight trafficking, Indian groups turn to the experts: survivors

And in a country where not a single perpetrator of sexual violence in the conflict has been prosecuted, the risks for women who come forward are often too high for the elusive reward of justice. But a recent case against Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud of Timbuktu could bring justice to survivors where national courts have failed, advocates say. The

former Islamic police chief is accused of overseeing forced marriages leading to the sexual enslavement of women, among other crimes.

The International Criminal Court case, if it moves forward after a May confirmation hearing, would be the first ever to focus on “persecution on the grounds of gender.”

So far, there has been no successful conviction for sexual violence crimes at the court, despite a push by ICC prosecutor Fatou Bensouda since 2014. (The conviction of Jean-Pierre Bemba, a former vice president of the Congo, was overturned in June.)

“It sends a message to both victims and perpetrators that the ICC is willing and able to prosecute if national courts are not. That applies to both Mali and beyond,” says María Mingo Jaramillo, a legal and program officer for Women’s Initiatives for Gender Justice, an advocacy group based in the Hague. “It is important to start developing jurisprudence on this crime.”

The ICC’s move “may encourage national courts to prosecute [gender-based persecution], which is prevalent in many conflicts around the world today, and is often overlooked.”

Life under occupation

The takeover of key northern cities by Tuareg rebels and armed Islamist groups marked the end of life as they knew it for its women. In Timbuktu, they had to cover their hair with veils, could not be seen in public with men other than their husbands, and had to sit down while browsing goods in the market because bending over to pick up an item was seen as provocative.

Those who did not obey “were arrested, beaten, and sent to the women’s prison. In that prison, women were systematically raped,” says Bintou Bouaré Founé Samaké, president of the WILDAF women’s group, who went to the city to gather evidence for potential prosecutions.

But the violence wasn’t limited to those who went against the Islamists’ rules. Awa Touré (whose name has been changed for privacy) started spending most of her days indoors once they settled in her central Timbuktu neighborhood. After a trip to the market to buy food for the family, she received two marriage proposals from those she calls the “occupiers.”

“On the third proposal, they left us no choice. I did not consent. My parents did not consent,” Ms. Touré says by phone from her hometown. After the marriage, she was moved to another district and locked inside the house.

For 13 days, she was forced to have sex with him. Then he divorced her. “Out of nowhere this man destroyed my life: I didn’t know how to look at people, how to talk to people anymore,” Touré says. When she learned he had remarried shortly after, she was distraught to think that another woman had experienced the same thing.

Touré’s story is similar to other stories from all over the north. In other cases, armed men teamed up to pay bride prices jointly, with one officially acting as the “husband” and the others visiting, and raping, the unwilling wife at night.

In 2012 and 2013, WILDAF registered 173 survivors across the country who needed help with trauma, injuries, and pregnancies. Advocates say the real number of victims, however, are likely in the thousands. “We have statistics, but they do not reflect reality,” according to Bernadette Sene, the chief advisor for women’s protection for MINUSMA, the UN peacekeeping mission in Mali.

Alternate road to justice?

When dozens of these women started demanding justice, human-rights groups in the country initiated lawsuits. The second complaint, focusing on war crimes and crimes against humanity including rape in Timbuktu, named Mr. Al Hassan as one of the perpetrators.

Al Hassan, who has been in custody in The Hague since March 2018, was a member of the Ansar Dine Islamist group that, alongside Al Qaeda in the Islamic Maghreb, imposed strict sharia law until Malian and French soldiers drove them out in early 2013. Despite a peace agreement in 2015, insecurity prevails, and there is no functioning justice system in the north.

At the height of the violence, the Supreme Court ruled that all conflict-related cases would be handled in the capital Bamako, which had been spared by the violence. The rights groups filed the sexual violence cases, a judge heard more than 30 victims, and evidence was gathered. Then in 2015, that ruling was reversed.

“We can’t file complaints anymore because there are no judges in the north to take up our cases; there is nothing in place to protect the victims,” says Mr. Mariko, from the Malian Association for Human Rights. Effectively, while authority to prosecute lies with northern courts, the sexual violence cases are gathering dust in Bamako offices.

In July 2012, however, Mali’s minister of justice requested an ICC investigation into war crimes committed in the north,

stating that the country's courts were unable to try the perpetrators. Among the crimes listed were "the rapes of women and young girls."

Al Hassan's case, and international justice, could provide an alternative to a gridlocked national justice system. But it covers a small fraction of the crimes committed against women since 2012. For those outside Timbuktu, justice remains distant.

And sexual violence did not stop when the occupiers left the city. Several women's organizations even say that violence is on the rise, from frequent rapes on buses going to Gao, to the increasing number of attacks on women fetching water and wood in the central region – where ethnic tensions and jihadist violence have led to the killing of more than a thousand people in the past two years.

"The conflict shattered all the safeguards against violence against women," Ms. Bouaré says. And in the meantime, "victims live with their aggressors on the ground."

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Liberia

War Crimes Court Advocates Predict Grave Consequences if Justice Not Served (Liberian Daily Observer) By Joaquin M. Sendolo

February 1, 2019

No one hearing "rogue! rogue! rogue!" in the middle of the night in a community in the city of Ganta stays asleep long.

Instead, people rush out with machetes to find the culprit. When the suspect is caught, there is no thought of turning him over to the police. He is beaten to death and his body is left on the roadside.

Reports from the Ganta Police show that four people were killed by vigilante mobs in just one week in August last year. According to the police, the victims were suspected to be thieves, but one among them was later identified as insane.

There have been a number of mob violence incidents in Nimba, especially the populated Ganta area in the last five years. The most infamous of these events happened on September 30, 2015. The mob ransacked a hotel in reaction to the mysterious killing of a motorcyclist whose body was discovered on a roadside with parts reportedly extracted. Authorities imposed a nighttime curfew afterwards.

There have been a number of mob violence incidents in Nimba, especially the populated Ganta area in the last five years. The most infamous of these events happened on September 30, 2015. The mob ransacked a hotel in reaction to the mysterious killing of a motorcyclist whose body was discovered on a roadside with parts reportedly extracted. Authorities imposed a nighttime curfew afterwards.

"All this boils down to the fact that many a time criminals are set free when taken to the police and evildoers are rewarded with positions in this country," says Gorgboyee. "Without a war crimes court and an effective justice system to hold people accountable, I can tell you freely that I can participate in a war here in the future to commit crimes so I can get my share of public positions being offered former warlords and generals here."

Since taking over one year ago, pressure has been mounting on the government of President George Weah for the establishment of a war crimes court, and justice advocates in Ganta are warning that unless justice for wartime atrocities is served, mob violence will surely increase.

Advocates in Nimba County say the fact that perpetrators of war crimes are now serving in high government positions without any penalty for their crimes sends the message that they were right to kill people and destroy the country.

The advocates say people who headed the past administration were implicated in the Truth and Reconciliation Commission Report for their role in the war and therefore could not bring justice against themselves. They say President Weah is in the best position to bring justice for victims and survivors, and without justice no Liberian including warlords in authority should feel that peace is here.

Jasco Davis, County Coordinator of the Catholic Justice of the Peace Commission (JPC), says the crime rate in Nimba and the country as a whole is due to impunity, and the only solution is to hold perpetrators, who committed atrocities in the country, accountable and reform the justice system.

Davis, 53, says he and other advocates in Nimba face threats and harassment from those fearing prosecution.

“But we strive to move above fear because with justice people will shun evil acts in the society,” Davis says.

Aaron Weah, Country Director of Search for Common Ground, says the Social Cohesion and Reconciliation Survey (SCORE) conducted in 2017 and 2018, found that a majority of Liberians want to see the Liberia Truth and Reconciliation Commission (TRC) recommendations implemented, including a war crimes court.

SCORE is conducted in multi-ethnic societies worldwide. First conducted in Liberia in 2016, it was created by the United Nations Development Program (UNDP) and the Centre for Sustainable Peace and Democratic Development (SeeD), based in Cyprus, where it has been conducted since 2013. The survey has also been conducted in Iraq, Ukraine, Bosnia Herzegovina and Moldova.

“About 60-75 percent of Liberians [according to SCORE] hold this view, and they want to see the TRC recommendations and strategic roadmap and national healing implemented, and these are documents that call for justice. So, these expressions show how strongly Liberians feel about justice,” Weah says.

Weah also referenced a survey conducted by USAID (United States Agency for International Development) three years ago on conflict vulnerability in Liberia and it was found that there were many grievances that made people lack trust in the justice system.

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That survey found that a staggering 73 percent of Liberians have no trust in the Judiciary, Executive and the Legislature.

“Alternatively, these people find trust in the civil society, religious institutions, and traditional leadership,” Weah says.

Weah recalls when lawlessness led to the flogging and stripping of police officers and sheriffs in the Barnesville area last year and how many police stations had been vandalized in the country, which he says is the legacy of the war.

He says a war crimes court has its limitations and it might not prosecute as many people as many may hope but, he says that establishing a criminal tribunal will pave a way to rewriting Liberia’s history clearly so that everyone is prepared for genuine reconciliation.

Nimba County suffered huge casualties during the civil war (1989 – 2003). Many Nimbaians also committed heinous crimes, according to the TRC. Benjamin Yeaten, former Special Security Service Director; Roland Duo, former head of Port Security and Senator Prince Johnson, former head of the Independent National Patriotic Front of Liberia (INPFL) are on the TRC list of “Most notorious perpetrators.” Johnson is also on the list of warring faction heads to face prosecution.

The Nimba Senator opposes the establishment of the court.

“Those who are calling for a war crimes court are wasting their time,” he said on Radio Ganta in December last year. “When Alhaji Kromah is touched, the Mandingoes will rise up against that; when George Boley is touched, the Krahnns will rise; and I dare anybody to touch me,” Senator Johnson said earlier.

However, the Nimba County Senator and political godfather has somersaulted and welcomed the establishment of a war crimes court to investigate impartially human rights abuses during the war.

Justice Seen as Solution for Post-War Land Conflict in Nimba (Liberian Daily Observer) By Joaquin M. Sendolo
February 1, 2019

Conflicts over land have long plagued Nimba County but the 14-year-civil war made the problem much worse. Now, 15 years from the end of the war, conflict over land is threatening to spill into violence once again.

Here the chief rivalry is between the Mandingoes and the Gio-Mano. The Mandingoes claim the Gio-Mano drove them from their land as the country became consumed by ethnic rivalry fueled by propaganda from various warlords.

Now the Mandingoes have decided to take their case to court.

The Mandingo ethnic group recently filed a lawsuit in the ECOWAS Court against the Liberian government, demanding US\$500 million in damages for lost property and suffering. The group claims that their properties here in Ganta have been seized and, in some cases, destroyed. They claim the government has failed to intervene.

The Mandingos claim that their property was seized by the Gio and Mano tribes on the basis of hatred, discrimination, false accusation and prejudice. Lawyers argue that under the Rome Statute, to which Liberia is a signatory, that act constitutes 'Deportation', which is a crime against humanity. Deportation under the Statute is defined as "the forced displacement of persons by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law."

This act, according to Mandingo Community spokesperson Vamara M. Jabateh has displaced many of his kinsmen, causing them to suffer. He points to the current market occupied by thousands of sellers of various commodities including food, used clothes, rubber dishes and charcoal that once belonged to heads of Mandingo families who are now displaced.

"This place belongs to 16 Mandingo family heads that also have over 50 children and grand children," said Jabateh. "History will tell you that this place is called in the Mandingo language 'Sokuala', which means 'New Town.' Marketers are now occupying it without the feeling that other people must have their place to live."

Swahili Sesay, one of the lawyers representing the Mandingo community, confirmed the case had been filed but refused to comment further except to say that it is not yet known when the case will be assigned for hearing.

The government is represented by Cllr. Daku Mulbah, Solicitor General of Liberia. Cllr. Mulbah said the Government has not committed human rights violations against anyone.

He said the government intervened to resolve a land crisis existing between two groups but it could not be resolved, and it would be a violation if the government had claimed the disputed land to turn it over to one party.

"In such a case the affected party will still take us to the same ECOWAS Court for violation," Cllr. Mulbah said. "Land business is settled in a court by providing documents to back your claim."

"The contending party in the case can use the court to claim their land and not government that has no idea of how the land in question was acquired or lost to others."

Late last year Mandingos converged on the main street of Ganta with placards, asking President George Weah to intervene in the land crisis so that they could reclaim plots of land they said belong to them.

The Mandingo claims go back to 1985 when some Mandingos allegedly pointed out members of the Gio and Mano tribes for execution during the failed coup led by General Thomas G. Quiwonkpa of the Gio tribe of Nimba.

Amos Nyan Glehbogeah Suah is a lead player in the land conflict. Mandingoes accuse him of leading the effort to deny them land that they occupied for years prior to the civil war.

Suah says the land in question is an inherited property belonging to his brother and himself of the Mano tribe. According to him, his parents gave a portion of the property to some Mandingo families to squat because of marriage and business relations they had with them.

Suah said the relationship turned sour when the Mandingoes sided with Samuel Doe in 1985 and identified Manos and Gios who were being chased by the Armed Forces of Liberia (AFL) for execution during the coup attempt in that year.

In revenge for the coup-attempt, President Samuel Doe ordered extrajudicial killings of Manos and Gios.

"In 1985 my brother, John G.N. Flomo, was pointed out by our in-law Samulkai Sando and was killed by the AFL, pain that has gone with us for a long time," Suah said.

Suah said the situation was worsened by attacks on Ganta by the Liberia United for Reconciliation and Democracy (LURD) on March 29, 2003. "Before that war, Mandingoes were still occupying land given them to squat, but to our surprise on March 29, 2003, LURD that had membership dominated by the Mandingoes from here, attacked and destroyed Ganta where Charles Taylor was not living. After the attack was repelled on June 30 of that year, other people of different tribes here at the time

occupied the land as squatters.”

Some residents of Saclepea, a town about ten kilometers away from Ganta, agreed with Suah’s account. They said Mandingoes in 1985 were locating Manos and Gios in their hiding places when the attempted coup took place and many of them (Gios and Manos) were killed by the AFL soldiers.

Vamara Jabateh, spokesperson for the Mandingo group in Ganta, counter argued that LURD was a rebel organization headed by Liberians who should be responsible for their own actions. He said people who pointed out others for execution did it by their own volition, and therefore other innocent people should not bear the consequences for them. “The ordinary Mandingo people who also ran away from war cannot be denied the right to own areas they dwelt on for years because of what other people did,” Jabateh said.

The Mandingoes have based their claim to ownership in Ganta on the legal principle of “Adverse Possession,” which under the Land Rights Law says that a person can automatically possess a portion of non-negotiable land that no one has raised qualm or concern about after 20 years according to Jabateh.

Manos and Gios argued that Mandingoes did acquire the land that way. They claim that most of the Mandingoes in the land dispute did not possess the land by Adverse Possession but were only given “Squatter Rights”. “Squatter Rights,” according to Cllr. Lofen Kerneah, is when a landlord allows another person to occupy a portion of land on negotiation that he/she will return it over when the need arises.

According to Suah, people who possess legal documents for land have reclaimed it since.

Many stores and petroleum stations on Ganta Main Street are on land belonging to Mandingoes who have legal documents and owners of those stores are leasing from them.

According to operators of Sethi Brothers, His Grace Business Center, City Promoters Business Center, the Gwikolo Incorporated, and TOTAL Filling Station, they are leasing from the Donzo, Jabateh and Kromah families of the Mandingo tribe.

Mandingos and the Gio and Mano people of Nimba reportedly came into contact with one another in the early 1900s. The Mano people are said to have migrated from an area that is now in Guinea. Oral accounts say some members of the Mano tribe, who reside along the St. John River bank and extend as far as to the Lola and N’Zerekorè belts in Guinea, were left on the Liberian side of the border when an international boundary between the two neighboring countries was created following the period of the “Scramble for Africa” by European powers.

The Mandingos are said to have traveled from the north of Guinea to Liberia in the 1940s to trade. They traded farming tools, salt and clothes for kola nuts, snuff and minerals (gold and diamond).

Accordingly, the Gio and Mano people, in need of goods from Guinea, welcomed the Mandingos and offered them plots on which to live.

The relationship was deepened when some Mandingos married Gio and Mano women and had children, though the Mandingos never accepted Gio and Mano men to marry their girls for religious reasons.

That long harmonious relationship was fractured, along with so many others, in 1985 when Liberia’s civil crisis escalated.

Liberia: Kolahun Talks Justice (Front Page Africa) February 4, 2019

“Since the TRC, no institution has taken this bold step to talk about justice with us in the communities,” says Clarence Sepoe, acting Mayor of Kolahun, on the discussion held after Flomo’s traveling performance of Musu’s Diary.

The performance drew a large crowd made up of all members of the community, including one person who identified himself as a former combatant. At the start of the performance, he stated there was no need for a war crimes court in Liberia and that there are other priorities the country should focus on, like fixing the bad roads that connect the towns.

Throughout the performance, his perception changed.

Musu, the leading character from the play, is confronted with issues of justice and impunity. Her mother had to flee to Ghana to escape rebels that enslaved her. Musu and her brother, Varney, are like many Liberians: they want peace and they want their family back together. In order to achieve this, Musu must fight the Boogeyman, a mystical creature who eats the hopes and dreams Liberians have for a better future.

"We are all Varney's here. If your brother fought in the war, and this is because you don't want justice...look him in the eye and tell him that you think a court is the way for Liberia to move forward" said a community member who is one of the two survivors of a massacre that killed 33 people in Kolahun during the war.

Another audience member took the stage and said: "The drama today shows us no different from what we experienced during the war. If the Liberians come together to fight against the boogeyman, we can win this quest for justice."

Some community members expressed resentment that since the publication of the TRC report, no justice for war crimes had been occurred. The fact that the TRC recommendations have not been implemented makes Liberians question its relevance, "huge resources were put into the TRC," said Alex Swaray from Flomo Theater.

In the discussion after the performance, the former combatant participated. He agreed there needs to be some sort of justice mechanism – but that a war crimes court is not the only option.

Ending with a group prayer, over 100 people held hands and listened to the preacher say, "nobody can make Liberia good besides us."

Flomo Theater, together with Civitas Maxima and the Global Justice and Research Project, are bringing the debate of war crimes accountability to numerous communities using Musu's Diary, a participatory theater performance. The group is doing this by informing audiences all over Liberia about the trials of alleged war criminals happening abroad – and thus, raising the question if these cases should be tried in Liberia.

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EAST AFRICA

Uganda

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

Uganda Police Arrest BBC Journalists, Government Demands Release (US News and World Report)

By Elias Biryabarema

Feb 7 2019

Ugandan police arrested a team of BBC journalists for illegal possession of prescription drugs, but the country's government spokesman said the reporters had been helping to expose corruption, and demanded their immediate release.

Patrick Onyango, Uganda's police spokesman, said on Thursday five suspects had been detained overnight. They included two Ugandans and one Kenyan working for the British broadcaster, as well as the wife of a local journalist from NBS Television who was working with them, and a driver. Fourteen boxes of tablets had been seized, along with other vaccines.

Government spokesman Ofwono Opondo said the journalists had been cooperating with the State House Health Monitoring Unit to investigate the theft and sale of Ugandan government drugs in neighboring South Sudan and Democratic Republic of Congo.

"I am yet to find out the logic why police arrested these journalists, who in my view were helping government to unearth the rot which is in the system," said Opondo. "They should be released unconditionally."

The BBC said it was in contact with the authorities over the case.

Uganda's decrepit healthcare system is riddled with corruption and doctors and nurses frequently complain about shortages of basic supplies like gloves, medicines and vaccines.

Opondo said that police had told him the journalists were "intending to embarrass the government". He said such a reason for their arrest would be "absurd."

Shoot Kenyan Rustlers, Ugandan Minister Says (The East African)

February 11, 2019

A Ugandan minister has given a shoot-to-kill order against any Kenyan pastoralist who enters the country while armed.

The State Minister for Karamoja Affairs, Mr Moses Kizige, gave the order to Uganda People's Defence Forces (UPDF) in the northern Amudat district during the celebrations to mark National Resistance Movement (NRM) day on January 26.

He said that while the government had disarmed Karimojong warriors, their peace was being threatened by armed Pokot and Turkana cattle rustlers from Kenya and South Sudan.

"The government didn't disarm the Karimojong to allow armed pastoralists from neighbouring countries to disturb them. We shall now start killing them to save the lives of our harmless people in Karamoja," he said.

Mr Kizige, however, said that Uganda was ready to help disciplined neighbours.

The celebrations under the theme: "A moment of glory that set a new chapter for unity, peace and prosperity in Uganda," were the first to be held in Amudat District.

Amudat Resident District Commissioner Robert Adyama urged leaders to respect national functions.

He said that through such functions, the public remained informed on government policies.

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Kenya

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

Kenya terror attack suspects traced to Dadaab refugee camp (The Citizen)

February 4, 2019

Kenyan intelligence sources say 12 suspects arrested were taken into custody from the sprawling Dadaab refugee camp following the attack on Nairobi's DusitD2 complex twenty-days ago, which left over 20 people dead and many more wounded, the Daily Nation reported on Monday.

Dadaab is a semi-arid town in Kenya's Garissa county. It is the site of a UN Refugee Agency (UNHCR) base hosting 235,269 registered refugees and asylum-seekers in four camps as of January 2018, making it the third-largest such complex in the world.

Many of the refugees are from Somalia, where Al Shabaab militants have been fighting UN and Somali forces as they try to establish a Sharia state in the Horn of Africa country.

The link between the suspects and struggling refugees signals the complex balance the Kenyan authorities face between dealing with internal security and offering humanitarian aid.

According to investigators, one of the DusitD2 complex attackers passed through Dadaab's Dagahaley camp where he was given assistance to get in touch with his accomplices and also provided with transportation logistics to Nairobi.

Three other suspects armed with AK-47 rifles, several rounds of ammunition, and in possession of two New Zealand passports were also arrested last week at the Hagadera camp in Dadaab.

The arrests came as US security sources warned that Al Shabaab would continue to pose a threat to East Africa this year, using Dadaab as a launch pad for further attacks.

President Uhuru Kenyatta in March 2017 ordered the closure of Dadaab camp in the wake of the Garissa University College attack in April 2015 and the Westgate shopping mall raid on September 21, 2013, but was heavily criticised by human rights organisations.

Amnesty International said by offering no options other than a return to Somalia, Kenyatta's Jubilee government was effectively forcing refugees to leave Kenya.

The attempts to close down the camps were stopped by the High Court of Justice.

Interior principal secretary Karanja Kibicho has described Dadaab as a "breeding ground for terrorists" and Kenyatta has asked the UNHCR to relocate the camps which share the border with Somalia.

Kenya joins global coalition against Islamic State (Daily Nation)

By Aggrey Mutambo

February 7, 2019

Kenya has joined a grouping of countries collaborating against terror merchants Isis, even as government officials criticised what they called a "pattern" of travel advisories during attacks.

On Tuesday, Kenya was formally accepted into the Global Coalition against Daesh (also known as Isil, Islamic State, or Isis), seeking to benefit from information shared and systems the countries use to tame financial flows to the terror group.

The coalition brings together 79 countries across the globe.

The group which also includes the US and UK says it works together to dismantle networks of Isis and countering its networks, and according to its website: "Financing and economic infrastructure; preventing the flow of foreign terrorist fighters across borders; supporting stabilisation and the restoration of essential public services to areas liberated from Daesh; and countering the group's propaganda."

Foreign Affairs Cabinet Administrative Secretary Ababu Namwamba who led the Kenyan delegation said joining the coalition will help Kenya to benefit from the methods used to curtail financing as well as discourage recruitment of fighters, as well as allow Nairobi to push through beneficial policies on terror on the global stage.

"When you look at the profile of the 79 members, there are many countries here who have suffered the brunt of terrorism as we have.

"They understand our pain. Here we can speak a language we are all very familiar with, even if in diverse dialects," he told the Nation.

"The real value is in broadening our collaboration base in the war against terror, getting our voice heard on this critical agenda where it really matters."

But Mr Namwamba said Kenya was motivated to join the group so it could air some grievances that result from frequent terror attacks from Al-Shabaab, which pledged allegiance to ISIS.

Part of the problem, he argues was travel advisories issued against Kenya in the wake of attacks.

"Travel advisories only serve to play into the hands of these vile merchants of death to who fear and despondence are essential tools of trade.

"The advisories also compromise the standing of countries already reeling under effects of terror attacks. They are knee-jerk, reactionary and counterproductive. Let us commit to review this policy," he said in an earlier speech to the coalition.

Kenya's criticism of travel advisories has in the past seen President Uhuru Kenyatta criticise the West following Westgate and Garissa University attacks. But the US and UK have since pledged more support for Kenya against terror, scaled down advisories, urging nationals against travel to only certain parts of the country as opposed to blanket restriction.

Still, Washington and London say they cannot force their nationals against touring places they want.

At the same time, Kenya proposed that the UN reclassifies Al-Shabaab as a terror group, as opposed to militia, a category Mr Namwamba says does not befit an organisation that has launched attacks across east Africa.

The coalition met in Washington on Tuesday where President Trump declared the field combat war against ISIS could be

declared won by the Coalition as soon as next week.

But his Secretary of State Mike Pompeo admitted there could be other areas of operation that will need collaboration.

“Isis’s territorial defeat in Iraq and Syria is a major milestone, but we will continue to watch the remnants of ISIS closely. The coalition remains united in its determination to see this enemy destroyed,” he said.

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

DR Congo seeks UN help against Rwanda rebels on border (The Independent)

January 31, 2019

DR Congo’s government has asked its UN peacekeeping mission for help against Rwandan rebels planning operations against Rwanda from inside Congolese territory, the UN said on Wednesday.

Leila Zerrougui, chief of the UN mission known as MONUSCO, said Kinshasa asked in a letter for peacekeepers to “thwart” FDLR Hutu rebels who were mustering in an eastern province near Rwanda’s border.

The Democratic Liberation Forces of Rwanda (FDLR) have in the past carried out cross-border attacks on Rwandan forces from rear bases in the DR Congo.

In his letter DR Congo Defence Minister Crispin Atama Thabe said rebel brigades had moved from North Kivu into South Kivu province where they would be able to join a rebel commander planning operations in Rwanda.

DR Congo “cannot accept being used as a rear base for a foreign rebel movement against one of its neighbours,” the minister said in the letter, which was shared on social media and with the local press.

The minister did not give details about the kind of help the government wanted UN peacekeepers to provide.

Zerrougui said the UN peacekeeping mission praised Kinshasa’s cooperation and had notified the Rwandan authorities.

The DR Congo’s government said Monday it had extradited two FDLR rebel commanders to Rwanda as part of a legal agreement.

One of the two men extradited was Bazeye Fils La Forge, an FDLR spokesman.

The FDLR has been fighting in eastern DR Congo for decades.

The authorities in Rwanda say the group’s leaders took part in the 1994 Rwandan genocide in which some 800,000 people, mainly minority Tutsis, were slaughtered by the military and by Hutu militias.

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Somalia

Somalia: Problem Identified, Solution Unknown (StrategyPage)

February 5, 2019

Al Shabaab related deaths declined 15 percent in 2018 compared to 2017. In addition to 700 fewer deaths in 2018, there were about seven percent fewer violent incidents. The decline in al Shabaab activity was the result of several factors. There was internal fighting by various al Shabaab factions including ISIL (Islamic State in Iraq and the Levant). Then there was the growing resistance from local clan militias seeking to maintain access to food aid and commercial travel (goods coming in and going out of the area) in general. A favorite al Shabaab money-raising method was roadblocks that demanded payments from vehicles. Those that could not pay often had their vehicle, and whatever it was carrying, stolen or held for ransom. This made life for everyone in a clan more difficult and created a willingness to do something risky (like taking on al Shabaab) to improve matters. In that effort, they could call on the peacekeepers and increasing American air support. The Somali army was becoming more effective, especially their small special operations force. More Somalis regard al Shabaab as a bunch of bandits stealing "in the name of God" rather than "defenders of Islam" or much of anything else. Yet al Shabaab and Boko Haram in Nigeria continue to be the main sources of terrorist violence in Africa. Al Shabaab alone accounted for about 40 percent of such deaths throughout Africa. Boko Haram is making a comeback even as al Shabaab is declining (from being responsible for 4,700 deaths in 2017 and 4,000 in 2018).

For Somalia Islamic terrorism is one of several violent responses to the massive corruption and inability to cooperate and form an effective national government. A continuing problem in Somalia is that even when there is a national government no one is really in charge. This is largely the result of being considered the most corrupt nation in the world. Somalia has been rated the most corrupt nation in the world for over a decade. Despite positive press releases from the government, outside observers cannot see any real progress. In 2018 Somalia ranked 180 out of 180 nations in a worldwide survey of corruption. That has been unchanged year after year.

Progress, or lack thereof, can be seen in the annual Transparency International Corruption Perception Index where countries are measured on a 1 (most corrupt) to 100 (not corrupt) scale. The most corrupt nations (usually North Korea/14, Yemen/14, Syria/13, South Sudan/13 and Somalia/10) have a rating of under 15 while of the least corrupt (New Zealand and Denmark) are over 85. The current Somalia score is 10 (up from 9 in 2017) compared to 34 (35) for Ethiopia, 27 (28) for Kenya, 26 (26) for Uganda, 24 (20) for Eritrea, 14 (16) for Yemen, 13 (12) for South Sudan, 16 (16) for Sudan, 17 (17) for Libya, 27 (27) for Nigeria, 32 (31) for Mali, 43 (40) for Morocco, 43 (42) for Tunisia, 19 (20) for Chad, 34 (33) for Niger, 70 (71) for the UAE (United Arab Emirates), 62 (64) for Israel, 61 (61) for Botswana, 72 (75) for the United States, 35 (33) for Algeria, 25 (25) for Cameroon, 40 (39) for Benin, 41 (40) for Ghana, 43 (43) for South Africa, 20 (21) for Congo, 45 (45) for Senegal, 41 (40) for India, 72 (73)

for Japan, 38 (37) for Indonesia, 57 (54) for South Korea, 18 (18) for Iraq, 41 (40) for Turkey, 49 (49) for Saudi Arabia, 28 (28) for Lebanon, 28 (30) for Iran, 16 (15) for Afghanistan, 33 (32) for Pakistan, 28 (29) for Russia and 39 (41) for China. A lower corruption score is common with nations in economic trouble and problems dealing with Islamic terrorism and crime in general. Somalia's corruption score has not changed much since 2012, when it was 8.

February 2, 2019: In the southwest (Gedo, 320 kilometers from Mogadishu), a suicide car bomb went off outside an Ethiopian base, killing at least ten people. Ethiopian troops serve with the peacekeeper force in Somalia and are particularly effective against al Shabaab.

February 1, 2019: Some 48 kilometers south of Mogadishu, an American UAV missile strike killed at least 13 al Shabaab gunmen. This is the tenth American airstrike in Somalia for 2019. In 2018 the U.S. carried out at 48 of these air attacks in Somalia (killing about 330 Islamic terrorists) compared to 35 attacks for all of 2017, 15 for 2016, 11 in 2015 and three in 2014. These air attacks are often a side effect of intel agencies (like the CIA) collecting intelligence (aerial surveillance and electronic monitoring) on Islamic terrorist activity in the region. This information is used to track changes in al Shabaab forces and capabilities and identify targets the Somali special operations forces can go after. These attacks are meant to disrupt al Shabaab operations or eliminate (capture or kill) their key leaders. These raids get noticed but the Somali special operations troops also carry out some surveillance missions which are purposely kept out of the news because these operations are mainly about future attacks.

January 30, 2019: In Hiran (a region 200 kilometers north of Mogadishu), Al Shabaab lost 24 men to an American UAV missile strike on their camp.

January 29, 2019: In Mogadishu, a car bomb exploded near the Petroleum Ministry, killing two people. Al Shabaab was responsible and set off the explosives by remote control.

January 28, 2019: In the north (Puntland), al Shabaab carried out an offensive against a smaller ISIL faction based in the mountains around Bari at the northeast tip of Puntland. Al Shabaab quietly moved over a hundred additional fighters into the area during December after deciding to wipe out its troublesome rivals once and for all. During December al Shabaab failed in several attacks but kept at it and this month have been pushing the smaller ISIL force out of positions they have long held.

January 21, 2019: In the south, across the border in northeast Kenya (Garissa) police disrupted and repelled an al Shabaab attack on a Chinese construction site where work is proceeding on a new highway. Four people were wounded, one of them a civilian. Al Shabaab quickly left the area when they discovered the site was defended and the police were ready for them.

January 19, 2019: In the south (Middle Juba, 400 kilometers southeast of the capital), American UAVs used missiles to kill 52 al Shabaab gunmen who were in vehicles on the road returning from an attack on an army base. That base, outside the port city of Kismayo, was attacked before dawn by over a hundred al Shabaab men who briefly pushed the soldiers out of the camp before dawn. Air support and other reinforcements arrived to help the base defenders regain control of the camp. Eight soldiers were killed and al Shabaab took their dead and wounded with them and that is where the American UAVs caught up with them.

January 18, 2019: In central Somalia (the Bakool region), al Shabaab kidnapped about a hundred civilians who refused to pay “taxes” to the Islamic terrorists. Kin of the taken have called on the government to help them out. J

January 15, 2019: In Kenya al Shabaab carried out a violent and partially successful attack on the upscale DusitD2 hotel in Nairobi. The attack left 26 dead, including the five attackers and lasted 20 hours because the al Shabaab men took hostages. Most of the dead were hotel guests or staff. The hotel reopened in a week and police rounded up a growing number of al Shabaab members and sympathizers operating in Kenya. As with earlier al Shabaab attacks in Kenyan cities, the pervasive corruption within Kenya helped make it possible for al Shabaab to get weapons and personnel into Kenya for such attacks.

Inside the Secretive US Air Campaign In Somalia (The Nation)

By Amanda Sperber

February 7, 2019

Halimo Mohamed Abdi said the blast broke both her hips, left shrapnel embedded in her thigh, and caused terrible burns that cost her both breasts. Before she lost consciousness, she told me, she saw three boys—ages 9, 10, and 16—die in the explosion, which occurred at night in a field outside Bariire, a village 30 miles west of the Somali capital of Mogadishu. She also said the strike came from the sky and that afterward she had to be hospitalized for three months.

When Abdi was finally able to leave the ward, she found her house in ruins and 25 of her goats dead. Now she lives in Salama camp, one of the 996 squalid settlements lining the 20-mile road that runs from Afgooye to Mogadishu. The camps are filled with tens of thousands of Somalis who have fled American air strikes and the fighting between government militias and Al Shabab, the extremist group linked to Al Qaeda.

Abdi, like many Somali herders, doesn't follow the Western calendar, so she's unsure of the exact date of the strike. But she says it was about two weeks before Eid al-Fitr, which began on the evening of June 14 last year.

The United States Africa Command is the only military actor that acknowledges conducting air and drone strikes in this region of Somalia, known as Lower and Middle Shabelle. Located just a few hours outside Mogadishu, both areas are Al Shabab strongholds. On June 1, AFRICOM issued a press release stating that, on May 31, a strike had been conducted 30 miles southwest of Mogadishu, killing 12 “terrorists.” But the AFRICOM statement only raised more questions: Did the American command count the three boys killed as terrorists? Why was Abdi's farm targeted? Was this even the attack she described?

Such questions have become increasingly common with the escalation of US air operations in Somalia. Since Donald Trump took office, the US military has approximately tripled the number of strikes that it conducts each year in Somalia, according to figures confirmed by the Pentagon, while such actions—and the reasons behind them—have become increasingly opaque.

“It's hard to know what standards and processes the Trump administration, since taking office in 2017, has been applying to counterterrorism operations in places like Somalia, given the administration's retrenchment on transparency with respect to the overall policy framework governing counterterrorism strikes,” said Joshua Geltzer, the senior director for counterterrorism at the National Security Council from 2015 to 2017.

In March of last year, 13 NGOs, including the American Civil Liberties Union and the Human Rights Clinic at Columbia Law School, released a statement criticizing the lack of information on the use of armed drones and other lethal force by the Trump administration: “We are deeply concerned that the reported new policy, combined with this administration's reported dramatic increase in lethal operations in Yemen and Somalia, will lead to an increase in unlawful killings and in civilian

casualties.”

Representative Adam Smith (D-WA), the new chair of the House Armed Services Committee, said that the Trump administration hasn't even shared this information with Congress. The administration, he said, has failed to deliver a report on its military actions in Somalia that was mandated by the 2018 National Defense Authorization Act. “We don't know what the strategy is,” Smith said, “because we required the administration to lay out its long-term strategy... but they have not yet done so, as required by law.”

The White House did not respond to requests for comment.

Over October and November of 2018, I spent five weeks in Somalia investigating the impact of the US air campaign. My goal was to find out whether there were strikes happening that were not being made public and civilian casualties that were not being disclosed. I interviewed 25 Somalis from Lower and Middle Shabelle who had been displaced by the strikes and were now living in camps near Mogadishu. Others who provided me with information or insights included current and former senior Somali security and intelligence officials; current and former senior American security and diplomatic officials and contractors; members of the country's Federal Parliament; and about a dozen well-connected Somali and American analysts, activists, and aid workers.

My investigation identified strikes that went unreported until they were raised with AFRICOM, but also others that AFRICOM could not confirm—which suggests that another US agency may also be launching air attacks in the region. The investigation also tracked down evidence that AFRICOM's claim of zero civilian casualties is almost certainly incorrect. And it found that the United States lacks a clear definition of “terrorist,” with neither AFRICOM, the Pentagon, nor the National Security Council willing to clarify the policies that underpin these strikes.

The relationship between the United States' and Somalia's security apparatuses evolved with the new presidents who took office in both countries in early 2017. In March of that year, The New York Times reported that President Trump had signed a directive that designated parts of Somalia as areas of “active hostilities” for at least 180 days. This designation granted AFRICOM greater flexibility to launch strikes in those regions. During most of President Obama's time in office, suspected members of Al Shabab could only be targeted if they were judged to be threats to the United States. The new directive allowed AFRICOM to kill anyone deemed to be a member of Al Shabab, and it also required less coordination between military and intelligence agencies before a strike could take place.

Nearly two years later, the United States Africa Command will not say whether the declaration of “active hostilities” is still in place or what parts of Somalia it applies to. Nor would AFRICOM comment on which agencies were helping to vet the targets or had done so in the past, instead referring me to a spokesperson at the Department of Defense. That person told me that a member of the National Security Council was better placed to answer my questions. The NSC said they would look into my queries but did not respond in time for publication.

Changes were afoot in Somalia as well. The rules of engagement between the two countries have always been informal, according to Abdillahi Mohamed Sanbaloo, the director of Somalia's National Intelligence and Security Agency in 2014 and again from April 2017 through February 2018. Sanbaloo told me that little was written down, less was signed, and nothing was concrete. There was “no military agreement; there is only gentleman's agreement,” he recalled of the operational arrangements regarding intelligence and security.

But the cooperation went from informal to optional when, a month after Trump's inauguration, Somalia elected Mohamed Abdullahi Mohamed, a dual US-Somali national better known as Farmajo, as president. A senior adviser to Somalia's previous and current presidents, who spoke on condition of anonymity to protect his safety, told me that Farmajo gave the Pentagon a “blank check” when it came to deciding where and when to strike. (AFRICOM maintains that strikes are coordinated with the Somali government.)

Despite all the comments, analyses, and educated guesses that I was offered, the only certain facts are these: Since the inaugurations of Trump and Mohamed, drone attacks and bombings have spiked.

The Pentagon reported 45 “precision strikes” in Somalia in 2018, up from 35 in 2017 and 14 in 2016. But this may not represent the full extent of the US air campaign.

Under both the Obama and Trump administrations, AFRICOM's policy has been to publicly acknowledge the strikes through a press release or the “responses to questions” (RTQ) policy, which means that a mission will be avowed if AFRICOM is specifically asked about an occurrence that happened on a precise date; otherwise it may go unannounced. “We acknowledge whatever we've done,” said John Manley, the Africa Command's media-relations chief. “If we say, ‘No, it did not happen,’ then no, it did not happen from US AFRICOM.”

Candice Tresch, a Pentagon spokesperson, explained the policy further: “When AFRICOM limits their acknowledgement to

‘response to query,’ it is because of a realistic operational-security concern, a significant force-protection matter, or potential diplomatic sensitivities.”

Complicating this picture is the very real possibility that another US agency is also conducting strikes in Somalia. In March 2017, The Wall Street Journal reported that, according to unnamed officials, Trump had granted the CIA permission to launch drone strikes on its own. Under the Obama administration, the CIA had been used to gather intelligence and locate the targets, but the Pentagon was supposed to make the actual strike.

Daniel Mahanty, the US program director for the nonprofit Center for Civilians in Conflict, told me: “As far as we know, the CIA could be executing people through secret air strikes just about anywhere, and for reasons only known to some in the government. Nothing would prevent it under this administration’s expansive interpretation of domestic and international law or what we know about its still-secret drone policy.”

This lack of transparency has produced an almost total sense of confusion over what the United States is doing with its air attacks in Somalia. Three previously unreported strikes came to light as I investigated the story of an attack relayed by Khadija Hassan Ali, a mother of three from Marka, a city about 60 miles south of Mogadishu.

Ali said that her husband, Abdullahi Sheikh Hassan, died in late July from what she believes was a heart attack after nighttime strikes hit her village amid fighting between Al Shabab and government-led militias. She is certain of the timing because, in Somali culture, a wife formally mourns for four months and 10 days after the death of her husband, so she had the dates in mind when I talked with her in late November.

AFRICOM did not publicly announce any strikes in July, but a document leaked to me by an international human-rights organization indicated an attack on July 25 in Qalimow, a village to the north of Mogadishu and about 95 miles from Ali’s home. I approached AFRICOM and asked if any strikes had occurred between July 22 and 27. Applying RTQ, a spokesperson acknowledged a strike on July 23 but would not specify the location. After weeks of pressing, AFRICOM said the strike happened 30 miles north of Kismayo, Somalia’s southern port city, which is hundreds of miles from both Qalimow and Marka.

This information only makes the situation more puzzling: When asked to avow a strike that a major international organization noted on July 25, AFRICOM admitted a strike in an entirely different location on July 23, and neither of these strikes match Ali’s recollections. In other words, there may have been three different strikes—one acknowledged by AFRICOM, one noted by the international organization, and one recalled by Ali—all around the same time, none of which were previously made public, and only one of which came to light via RTQ.

Isaak Osman (an alias to protect his safety) told me about another air strike that AFRICOM says doesn’t match its records. Osman said the strike killed his brother and almost certainly his uncle as well, and he insists that neither he nor his family members were part of Al Shabab.

Osman is from O’wdhiile, a village about 55 miles south of Mogadishu in Lower Shabelle. Around 5 pm in early July 2017, Osman said he heard an explosion. He waited until it seemed safe, and then ran to the farm that was hit—only to find the body of his 38-year-old brother. Osman said his brother was picking fruit with his uncle, 42-year-old Abdullahi, whom he has not seen since and presumes was killed in the blast.

A day later, Osman said, government soldiers came and inspected the scene. After they left, Al Shabab arrived and accused villagers of feeding the government information. Six members of the group interrogated Osman for seven days. He said they blindfolded him, beat him with their rifles, and shot him repeatedly in the leg.

After a local emir negotiated his release, Osman continued, he was tossed in a vegetable cart and left on the side of the road. Still suffering from the wounds of his torture, he took a four-hour minibus ride to Mogadishu, where he spent four months recovering at Medina Hospital. He said that during this time, Al Shabab kept threatening his father and surviving brother. Today, Osman lives in Geedweyne camp, a settlement near Afgooye. He has to stay there, he told me, because between the strikes and Al Shabab, “there is no space to live.”

AFRICOM doesn’t list any strikes near his location in July 2017, but in November 2017, it confirmed three previously unreported strikes on July 15, 20, and 21 to the Bureau of Investigative Journalism, a British nonprofit newsroom. After repeated questioning, AFRICOM released the location of the three strikes to me; none are near Osman’s home. When approached with Osman’s story, AFRICOM stated that it didn’t match any of its records. This raises the possibility that it was a CIA strike; the CIA has not responded to any press inquiries for this article.

Aside from the mystery surrounding such strikes, there’s another critical area where transparency has decreased: civilian injuries and deaths. As mentioned earlier, AFRICOM maintains that its air strikes have not caused a single civilian casualty in Somalia.

I asked retired Brig. Gen. Donald Bolduc, who served as the head of Special Operations Command Africa from April 2015 to June 2017, if he thought that civilian casualties could have gone unrecorded. He said that he did, but in a follow-up message, he clarified: “There is a possibility. But I also know there are established procedures to avoid civilian casualties.”

In November, The Daily Beast reported, based on conversations with former counterterrorism officials and experts, that the review process after a strike involves planes making a second pass over the area hit to determine the extent of the damage. When asked about its procedures, AFRICOM said that it would not comment on its intelligence or surveillance methods.

What happens if civilian casualties are suspected is also muddied. Within AFRICOM, a Civilian Casualty Allegation Team is designated to investigate, and it works with other agencies, NGOs, and governments, as well as media reports, to assess the claims.

However, two former Somali security officials—including Sanbalooshe, the former head of the National Intelligence and Security Agency—as well as a Somali legal expert and activist said the Somali government does not have the capacity to help investigate these strikes.

Sagal Bihi, a member of Parliament and the former chair of Somalia’s Human Rights, Gender, and Humanitarian Committee, told me that she had raised the issue of civilian casualties with the Ministry of Defense in 2017 and was told that the military “investigates as needed” into any such allegations. But the national military is barely functioning, and the clans that once controlled pockets of the country have complicated relationships with the government and may be reluctant to share information with it. Additionally, according to my interviews, Al Shabab bans the use of smartphones in the territories it holds, which makes taking photographs and sending information difficult. All of these factors make civilian casualties hard to investigate, but nearly every Somali I spoke with was certain that people with no connection to Al Shabab were being killed in the air strikes. “Civilian casualties will always exist,” Bihi said, “because we are talking about an enemy that really takes ‘human shield’ to the next level.”

Felix Horne, the senior Africa researcher at Human Rights Watch, told me in an e-mail that his organization “is concerned about ongoing allegations of civilian casualties caused by US drone strikes in the Middle Shabelle and Lower Shabelle regions, where much of the fight against Al Shabab is taking place.” He added, “The federal government of Somalia has not taken any known measures to investigate these claims.”

Somalia’s Office of the Prime Minister and Office of the President did not respond to queries about civilian casualties.

Further, two high-level former Somali security advisers say civilian casualties are all the more likely because the United States doesn’t have the ability to collect solid information on the ground. “There’s not enough intelligence to justify kinetic strikes,” said one. “They [the US military] don’t have enough linguists. Even the CIA doesn’t go out [of the Green Zone],” an area of tight security in Mogadishu.

“There are very few people in the Pentagon that can even explain to you what is going on in East Africa off the top of their head,” General Bolduc admitted. “They have to have a scheduled meeting so they can read ahead and sound intelligent about it.”

I asked AFRICOM, the Pentagon, the CIA, and the National Security Council about their methods for determining whether the people killed in air strikes were members of Al Shabab, as well as the United States’ intelligence capabilities in Somalia. None responded to such questions.

Of the 25 Somalis displaced by air strikes that I interviewed, only one said that he was seeking answers to what happened. He’s speaking to human-rights organizations and the media, but most of the others communicated a sense of pain and bewilderment about why their villages had been hit. Osman, the man from O’wdhiile who lost his brother and uncle, said he assumed the attack didn’t intend to target civilians, that it had all been a mistake. But until the US government opens up about these strikes, it will be almost impossible for Osman or anyone else to learn who the United States is killing in Somalia and why, or what lethal errors we’re making.

US General: Strikes in Somalia Won't Stop Al-Shabab (VOA)

February 7, 2019

The U.S. military's air campaign against al-Shabab in Somalia will not stop the jihadists, a top U.S. general said Thursday as he called on the east African nation's army to take more responsibility in the fight.

The Pentagon is running an ongoing mission in which U.S. forces work with African Union and Somali national security forces to fight the al-Shabab movement.

"At the end of the day, these strikes are not going to defeat al-Shabab," the U.S. military's Africa Command head, Gen. Thomas Waldhauser, told the Senate Armed Services Committee.

"The bottom line is the Somalian national army needs to grow, it needs to step up and it needs to take responsibility for their own security," he added.

Since early 2017, the U.S. has increased the number of strikes it conducts, with 35 that year, 47 in 2018 and about 12 so far this year, Waldhauser said.

He added that U.S. strikes were providing the space for local forces to grow.

African Union troops pushed al-Shabab fighters out of Somalia's capital in 2011, and subsequently from other towns and cities.

But the Islamists still hold sway in large parts of the countryside.

They launch regular gun and bomb attacks on government, military and civilian targets in Mogadishu, as well as ambushes on military convoys and outposts.

In one strike last month, Africa Command said it killed 52 Somali militants.

In December, the U.S. military said it had killed 62 al-Shabab militants during six airstrikes in the Horn of Africa nation.

30 al-Shabab militants killed in joint operation in southern Somalia (The New Times)

By Xinhua

February 11, 2019

Somali National Armed Forces killed 30 al-Shabab militants in a joint operation in Jamame in Somalia's southern region of Lower Jubba, officials said on Saturday evening.

Said Jogsade, Jubaland's operational spokesman told journalists that Somali National Armed Forces backed by Jubba land forces and U.S. Africa Command killed 30 al-Shabab extremists in an operation in Jamame town in Lower Jubba.

"The joint forces conducted offensives in Jamame killing 30 al-Shabab fighters. We will intensify the operations to root out the terrorists from our region," Jogsade said.

Residents in nearby towns said they heard the sound of heavy weapons. "We heard blasts in Jamame and learnt that al-Shabab fighters in the town were attacked by government forces," Jibril Adam, a resident told Xinhua.

Government forces have been on major operations to flush out al-Shabab militants from central and southern regions.

The remarks came hours after the U.S. military said it has carried out a new air strike against al-Shabab to reduce the threat against its partners in Somalia and prevent al-Shabab from plotting terror attacks across the country.

The U.S. Africa Command said in a statement on Saturday that Friday's strike hit near Kobon, not far from the port city of Kismayo in southern region.

Even though the U.S. army did not give the number of casualties in the Friday strike, independent sources said at least eight insurgents were killed.

According to Africom, Kobon has been used to stage attacks against Somali forces.

Somali National Armed Forces backed by African Union Mission in Somalia ousted al-Shabab from the capital Mogadishu in August 2011, but the terror group is still in control of several areas in southern Somalia and capable of conducting attacks.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Court of BiH officially confirmed the Indictment charging Ahmetspahic over Organizing a Terrorist Group (Sarajevo Times) (February 5, 2019)

On 22 January 2019 the Court of Bosnia and Herzegovina confirmed the indictment in the case of Munib Ahmetspahić, charging the accused Munib Ahmetspahić with the criminal offense of Organizing a Terrorist Group under Article 202.d(2), as read with Paragraph 1 of the Criminal Code of Bosnia and Herzegovina (CC BiH), all as read with the criminal offense of Terrorism under Article 201 of the CC BiH.

According to the indictment, the accused Munib Ahmetspahić went to the Syrian theater of war on two occasions to join the terrorist organizations of Jabhet al Nusra, Al-Nusrah Front and ISIL, and fight for the so-called Islamic State organized in the territory of Syria and Iraq.

He became a member of the terrorist organizations of Jabhet al Nusra, Al-Nusrah Front and ISIL, which have been placed on the consolidated list of persons and entities connected to Al Qaeda, put together by the UN Security Council Committee. The goal of these organizations is destabilization and violent change of Syria's political and constitutional order, having been listed as terrorist groups and organizations by the UN SC 1999 Resolution R-1267 dated 30 May 2013, whose members, by their daily armed actions and attacks on the population, by killing, unlawful incarceration, taking of hostages and other actions, intend to force Syria's legitimate authorities to change the constitutional order and political regime, whereby he committed the criminal offenses he has been charged with.

Court of BiH issues Pre-Trial Custody to Gojgolovic for War Crimes against Civilians (Sarajevo Times) (February 9, 2019)

Deciding on Prosecutor's Custody Motion against the suspects in the Milenko Gojgolović case, on 2 February 2019 the Court of Bosnia and Herzegovina issued a decision ordering the suspect Milenko Gojgolović into pre-trial custody on the statutory grounds prescribed in Article 132(1), Subparagraphs a) and b), of the Criminal Procedure Code of BiH, which include the flight risk and reasonable fear that, if released, the suspect might affect the criminal proceedings by interfering with the witnesses.

According to the decision, pre-trial custody may not exceed 1 (one) month running from the day of arrest, which means until 1 March 2019 or pending a different decision by the Court.

Milenko Gojgolović is suspected of the criminal offense of War Crimes against Civilians under Article 142 of the Criminal Code of the Socialist Federative Republic of Yugoslavia (CC SFRY).

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International Criminal Tribunal for the Former Yugoslavia (ICTY)

Official Website of the ICTY

Bosnian Serbs Form New Panels to Re-Examine Srebrenica, Sarajevo Victims (U.S. News) (February 7, 2019)

The government of Bosnia's autonomous Serb Republic set up panels on Thursday to re-examine the number of victims in Srebrenica and Sarajevo during Bosnia's 1992-1995 war, a move Western countries view as a push to revise history.

Bosnia is formed out of the Serb Republic and a federation representing its ethnic Croat and Muslim Bosniak communities, under the peace deal that ended the bloodiest of the 1990s wars that followed the breakup of Yugoslavia.

A massacre of Muslim prisoners in the town of Srebrenica and the long siege and bombardment of the multi-ethnic capital Sarajevo were two of the most notorious crimes of the war, both of which have led to convictions of Serb leaders for genocide.

The Serb region accepted a report in 2004 which endorsed the internationally accepted account that Serb forces killed about 8,000 Muslims in and around Srebrenica. But lawmakers asked the government in August to revoke that report.

The move was initiated by the region's then president Milorad Dodik, a nationalist advocate of the Serb Republic's secession from the rest of Bosnia, who is now chairman of the tripartite presidency of the whole country.

Dodik has rejected rulings by two war crimes courts, the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Court of Justice (ICJ), that the Srebrenica atrocity constituted genocide.

Though acknowledging a crime occurred, Dodik says the numbers of those killed was exaggerated while the number of Serbs killed in the capital Sarajevo was underestimated.

Serb Republic's Bosniak Vice President Ramiz Salkic condemned the government move as the denial of genocide and other proven war crimes, and an insult to victims.

"The government's act in the long-term will produce instability, distrust and endanger peace," he told news agency Fena.

The region's Justice Minister Anton Kasipovic said the panels were aimed at collecting relevant data and facts about victims in both towns.

"This is a delicate and complex issue. The basic aim is to clarify all the facts about horrendous sufferings for the sake of the victims and their descendants," Kasipovic said. The government said the panels include experts from 12 countries.

The European Union has said it rejects any denial, relativisation or misinterpretation of genocide in Srebrenica. The United States has also said attempts to reject or amend the report on Srebrenica "are part of wider efforts to revise the facts of the past war, to deny history and to politicise tragedy."

Around 100,000 people, mainly Bosnian Muslims of whom roughly half were civilians, were killed during the Bosnian war as Bosnian Serb forces, backed by Belgrade, seized swathes of Bosnia and drove out non-Serbs after it voted to secede from Yugoslavia.

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Domestic Prosecutions In The Former Yugoslavia

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Turkey

Inside Rojava, the democratic province trapped between Turkish forces and ISIS (New Statesmen) By Matt Broomfield

February 6, 2019

"Where is Trump?" cries YPG fighter Tolhildan with a slightly manic laugh, pointing up at an empty dust-grey sky. Bullets whine past us, striking the listing tin shack behind which we have taken shelter.

ISIS have launched a surprise attack on the arterial road which is the scene of their final, bloody struggle, making use of their vast network of tunnels to cut off the Syrian Democratic Forces on the frontline and surround us from the south, east and

west.

As Tolhidan knows, the ISIS militants are far too close for American air strikes to be of any use, and it is ISIS drones that whine overhead. At under 50 metres they come too close even for the YPG's heavy machine guns to effectively hold them back. If the Kurdish forces are going to fight their way out, they must do it alone.

"The Americans say they have defeated Daesh," Tolhildan will tell me in a calmer moment, using the derogatory local term for the Islamic State. "Without us, without the Kurds, they could never defeat Daesh. You saw today how we fight. [The world] needs our heroes, our martyrs."

According to Donald Trump, the official war against ISIS is coming to an end, with the US President repeatedly claiming credit on Twitter and in speeches for the reduction of the physical caliphate to under 1% of its original size. Its last militants are entrenched in a couple of villages south of the Syrian city Deir-Ez-Zor, where Kurdish and Arab forces united under the banner of the Syrian Democratic Forces (SDF) are engaged in a grinding, months-long, house-to-house struggle to wipe the diminished caliphate from their land.

On the front lines I saw how bitterly this fight continues. On the day of the ambush alone the SDF lost ten fighters, one falling five paces from me, a bullet shattering his chest. The mood among the fighters was generally triumphant, but turned sombre as the names of fallen combatants were relayed between their comrades and their bodies brought back from the front wrapped in bloodied sheets.

The local and foreign fighters and commanders I speak with make clear that the coming ground victory against ISIS will be hollow if Turkey carries out its threats against the Autonomous Administration of North-East Syria – what is still commonly known as Rojava.

Whether Turkey launches total war backed by jihadist ground forces as it did in the Kurdish enclave of Afrin, or is simply handed a 20-mile "security zone" encompassing all of Rojava's major settlements, the result will be chaos – the conditions in which ISIS and similar groups thrive.

"Honestly, I don't feel scared for my life when I go to the front," says YPG commander Wilat in his base behind the frontlines. "But when I go to Raqqa, Manbij... then I am scared. The most martyrs who fall now aren't here, they're in these cities, places liberated a year or two before."

While we are on the front, news breaks of an ISIS-claimed bombing in the flashpoint city of Manbij, claiming the lives of 4 Americans and 15 locals. Thanks to the loss of American life, this attack makes international headlines – but Wilat estimates that "one or two car bombs and four to five motorbike bombs" are seized every day by SDF security forces in Manbij alone.

"All the foreign journalists suddenly came here in the last two or three days," he says. "They want to write about the end of ISIS. But in [Raqqa and Manbij], ISIS are not ended. They are organised."

It's a sentiment echoed by YPG fighter Firat as we roll toward the front in an armoured hummer. He and his friends are horsing around but as we pass through a village his mood darkens. "My cousin was killed here," he says. "The people here still support ISIS, they make all kinds of attacks every day, mines, rockets, suicide bombings..."

Leaving the mine-strewn road, we navigate oilfields using an American-provided tablet linked to a GPS system showing the safe paths to take: Firat jokes about refusing to hand it back when the Americans withdraw, as Trump has promised they will within the coming months.

In a base just behind the frontline, I speak with German YPJ volunteer Amara, warming our hands against a smoky brazier. "ISIS' crimes against women are unbelievable," she says. "Enslaving them, butchering them... but I always remember what one of my comrades told me about being under Turkish bombs in Afrin, collecting the parts of her comrades' bodies because she wouldn't leave them on the battlefield."

ISIS' crimes are well-documented. But the jihadist militias Turkey has united under the name of the "National Army" have been accused of war crimes by the UN and Amnesty International, raping women, carrying out mass killings against Kurdish civilians, torturing, electrocuting, executing and even parading caged civilians in the streets as a human shield.

To understand what will come to Rojava, we need only look at Afrin. In 2018, Turkey invaded the Canton of Afrin, a religiously diverse region home to over 200,000 ethnic Kurds and around 300,000 internally displaced people from elsewhere in Syria. Prior to the invasion it had been one of the most peaceful and secure parts of Syria, virtually never seeing combat during the civil war.

As a result of the war 400-500 civilians were killed, and 300,000 civilians internally displaced. Those who survived have faced

summary rule by Turkish-backed militias imposing sharia law, kidnapping, torturing and executing civilians, and commit human rights violations possibly amounting to war crimes, according to Amnesty International.

The United Nations found that, despite nominal local representation, “oversight of governance structures [in Afrin] was maintained... by Turkey”. A Turkish-trained police force has been installed in the region, though they have failed to prevent infighting between Turkish-backed jihadist militias which has left scores dead. Streets and squares have been given Turkish names or renamed after Erdogan, Turkish post offices and infrastructures have been erected, and the Turkish language has been imposed in schools.

“If you don’t have the people with you, you cannot do anything,” says YPG fighter Maslum, his voice hoarse after spending three months on the front. “ISIS were here for years, but were the people with them? No. Now hundreds of civilians are leaving their territory every day. You see how happy they are to come to us – because we ask what they need, and we give it to them.”

He draws a simple comparison between the way he and his comrades operate, and the actions of ISIS and Turkish-backed militias. “Why would I loot? I don’t have a wife, a family, a house... I don’t even need the money YPG pays me. I fight for the women of Kurdistan.”

Rojava has gained supporters the world over for its establishment of “democratic-confederalist” political system based on neighbourhood councils called “communes” and the principles of gender liberation, grassroots democracy and ecology.

But such ideas still seem distant here in Deir-Ez-Zor, far from the heart of the revolution in cities like Kobane and Qamiso.

Moving behind mine-clearing teams, YPG and YPJ fighters set up positions in houses that were in ISIS hands 24 hours previously. Those buildings left standing are surprisingly spacious and luxurious, even for this oil-rich region, previously held by ISIS commanders. Almost all have bars on the lower windows, intended not so much for security as to keep women prisoners inside.

In one house, we uncover a bloodied hunting knife, while 19-year-old YPJ fighter Nujin recalls finding freshly-shaved ISIS beards in their all-woman post. ISIS fighters are certainly secreting themselves amongst the hundreds of civilians leaving the so-called Hajin pocket through humanitarian corridors.

As far as possible, the autonomous administration is trying to devolve power to recently-liberated regions, and introduce egalitarian democratic principles. But mistrust between Kurds and Arabs –Kurds fearing continued loyalty to ISIS in the Arab population, Arabs fearing they will be junior partners under Kurdish rule – remains rampant.

The fighters on the frontline are primarily local Arabs, but Kurdish fighters express misgivings about their commitment to the fight to end Jihadi brutality in the region.

As the ambush is sprung on the frontline and I race down the road with a Kurdish heavy-weapons unit, these tensions appear before my eyes. We pass Arab fighters abandoning their posts in droves, stumbling through the dust clutching bloody bandages to their heads. Kurdish fighters scream their heads off trying to halt the shambolic retreat, but with little success.

For an hour we are pinned down below ISIS fire, Arabs and Kurds fighting shoulder-by-shoulder, constantly scrambling for shelter and at one point forced to retreat as ISIS shade closer and closer on all sides.

In one chaotic moment an SDF machine gunner mistakenly opens fire on the SDF forces cut off behind the ISIS advance, the commander screaming, “Friends or jihadis? Friends or jihadis?” into his walkie-talkie.

In the end, the SDF’s numbers, heavy weapons and stoicism under fire prove too much for ISIS, and there is a headlong dash up the souk as the jihadists fall back and the SDF seizes back the ground it has lost. For today, the battle here is won, and nightfall will bring a fresh round of pounding airstrikes from the still-present US forces.

But it will take years to clear out the ISIS sleeper cells and improvised explosive devices which seed the region, and longer still to find a meeting point between the democratic-feminist project and the needs and wishes of the local population in nominally liberated regions like Manbij or Raqqa.

If Turkey is allowed to replicate its catastrophic occupation of Afrin across North-Eastern Syria, the fragile peace being bought here at such tremendous cost will crumble in days.

“ISIS are nearly defeated in this area,” says Amara, the international volunteer, looking out over the desolate last scraps of the Islamic State from the roof of her base. “We can give the people here a chance to build their own life – but [ISIS] aren’t really finished, of course. If America really want to fight terror, they should fight the Turkish regime, which comes with jets and

bombs civilians.”

As Amara knows, there is little chance of that happening. She and the other fighters in Deir-ez-Zor are risking their lives in the knowledge that the Western states which depend on them to defeat ISIS are turning their backs, potentially abandoning them to the type of chaos in which ISIS will thrive – and rise again.

Turkey changes its tune on China's crackdown against Muslims (PRI) By Matthew Bell

February 14, 2019

Turkey has leveled some blunt criticism at China for its ongoing crackdown against Muslims in the western province of Xinjiang. For advocates of the Uighurs, the ethnic minority with a long history in far western China, it was a welcome change in tone from the government of a Muslim majority country.

The criticism came in a Feb. 9 statement from an official at the Turkish foreign ministry. It said China's detention of hundreds of thousands of people in detention camps is “a great shame for humanity.” The Uighurs are Turkic Muslims, with historic, cultural and religious ties to Turkey.

In fact, Uighurs refer to their historic homeland in Xinjiang as East Turkestan.

Turkey also called on the United Nations to get involved and to “end this human tragedy in Xinjiang.” It was the kind of criticism that Turkey has conspicuously held back in the last several years. For those who have looked at the human rights violations in horror, there is hope that it could be a tipping point.

Back in 2009, when deadly riots broke out in Xinjiang, Recep Tayyip Erdoğan, the current president of Turkey, was prime minister.

“The event taking place in China is a kind of genocide. ... There are atrocities there, hundreds of people have been killed and 1,000 hurt. We have difficulty understanding how China's leadership can remain a spectator in the face of these events.”

Recep Tayyip Erdoğan, current president of Turkey, spoke these words in 2009 when he was prime minister, but has since softened on the issue “The event taking place in China is a kind of genocide,” Erdoğan said at the time. “There are atrocities there, hundreds of people have been killed and 1,000 hurt. We have difficulty understanding how China's leadership can remain a spectator in the face of these events.”

Erdoğan's tone with China has softened since then. In 2012, he was the first Turkish leader to visit Xinjiang.

“Turkey started to reimagine its place in the world, not as a country with a possible place in the European Union, a NATO member, and an ally of western powers,” said Mustafa Akyol, a senior fellow at the Cato Institute in Washington who focuses on Islam and modernity.

“Turkey has imagined itself as an ally of countries like Russia and China, and it started looking at the West with suspicion,” Akyol said.

Of course, Turkey is still a member of NATO, and it has connections with institutions in the European Union, Akyol says.

“But the political mood in the country has really shifted toward a more Eastern worldview,” he said.

“China has emerged as this potential partner for Turkey. It's a country with economic power and promise. But it doesn't criticize Turkey on human rights issues.”

And for the most part, Turkey has returned the favor by holding back from criticizing China's mass incarceration of Muslims in Xinjiang.

But Akyol says public opinion has started to shift in Turkey.

Uighur activists living in Turkey, along with Turkish nationalist and religious opposition parties, have raised public awareness about China's treatment of Uighurs and other Muslims in Xinjiang. As more people from Erdoğan's own political base became more aware of the issue, Akyol says the Turkish president's government faced increasing pressure to respond publicly.

Experts say more than a million people are being held in detention camps in Xinjiang. At first, China denied the existence of the camps. Beijing makes it very difficult for outside observers or journalists to operate in Xinjiang.

But the story has become more widely known in recent months, with attention from the United Nations and major

international news outlets.

The Chinese government now justifies the camps as a necessary part of its overall counterterrorism policy for Xinjiang, where several violent attacks have been committed by Uighur extremists, according to Beijing, over the years. China alternatively refers to the massive detention centers for Uighurs and other Muslim minorities as vocational job training centers, or re-education camps. From the Chinese government perspective, however, religion and culture seem to be the problem. One official Chinese version of the crackdown in Xinjiang appears to describe Islam itself as a mental illness, something linked with “extremist ideology” that must be eradicated as an “incurable malignant tumor.”

Nury Turkel was born in a Chinese re-education camp. It was during an earlier crackdown in Xinjiang, in 1970, at the height of China’s Cultural Revolution. Turkel is a 48-year-old Washington-based lawyer who came to the US in the mid-1990s and sits on the board of the Uyghur Human Rights Project.

Turkel’s parents are still back in Xinjiang.

“I have not seen my mother since my law school graduation in 2004, and my family suffering is still ongoing,” Turkel said.

“Despite efforts by the US government over the last 10 years or so, the Chinese have not allowed my parents to leave the country.”

The story is similar for many thousands of Uighurs living outside of Xinjiang, Turkel says. Just speaking on the phone with relatives back in China could land them in trouble with the police and even sent to a detention camp, he says.

This begins to explain why Turkel was so encouraged when he saw the criticism from Turkey about China’s treatment of Uighurs.

“Finally. This was long overdue,” Turkel said.

“The Turkish government should be reasonably expected to come out as the first country to respond when a government perceiving the culture that is connected with Turkey as a ‘cancerous tumor,’ and a religion that is connected with the Turkish people as a “mental illness.””

Beijing responded quickly to public criticism from Turkey, calling it “vile.” China’s foreign ministry said the Turkish government should understand the legal efforts that are being used to fight terrorism and extremism within its borders effectively, according to the South China Morning Post.

The state-run media in China dismisses international criticism of the crackdown in Xinjiang as a “fake news” problem.

The leadership in China is particularly sensitive about criticism from Turkey, says Rian Thum, an expert on Xinjiang at the University of Nottingham.

“To see Turkey take a stand, especially after they just received a very large loan from the Chinese, it’s quite a strong message.”

Rian Thum, expert on Xinjiang at the University of Nottingham The Turkey-China relationship has grown and improved in recent years, Thum says, and while critics in the US or other Western countries can be dismissed by Beijing as arrogant attempts to keep China down, a harsh critique from a prominent Muslim majority nation like Turkey cannot.

“To see Turkey take a stand, especially after they just received a very large loan from the Chinese, it’s quite a strong message,” Thum said.

A few examples of protest have come from Malaysia, Indonesia and the Organization of Islamic Cooperation. But it’s not clear if other Muslim countries will follow Turkey’s lead.

But Akyol says they should.

“This is one of the biggest religious freedom crises in the world right now. ... We have to re-think the principles of democracy, freedom, open society, human rights, again. Because we are at a time when authoritarianism is coming back in all corners of the world.”

Mustafa Akyol, senior fellow at the Cato Institute in Washington, DC “This is one of the biggest religious freedom crises in the world right now,” Akyol said.

“We have to rethink the principles of democracy, freedom, open society, human rights, again. Because we are at a time when authoritarianism is coming back in all corners of the world.”

“Muslims who are worried about the religious freedom of their co-religionists, and other people, should deeply worry about this,” Akyol said.

Despite U.S. Threats, Turkey to Purchase Russia's S-400 Missile System (Haaretz)

February 14, 2019

Turkey is going ahead with a purchase of Russia's S-400 missile system, a Turkish parliamentarian said ahead of an informal Friday deadline which a U.S. official said Washington has set for Ankara to respond to a rival U.S. offer.

NATO member Turkey has repeatedly said it is committed to buying the Russian missile defense system, despite warnings from the U.S.-led alliance that the S-400s cannot be integrated into the NATO air defense system.

Volkan Bozkir, chairman of Turkey's parliamentary Foreign Affairs Committee, said Ankara would remain loyal to its S-400 deal with Russia as Turkish authorities needed the system to address security concerns.

“With regard to Patriots, if the opportunity is at a level we desire, we have expressed we could also buy those too,” he said during a visit to Washington, adding Turkey's relations with Russia and the United States are both important.

“Just because ... Russia has issues with another country that we care very much about – the resolving of that issue via Turkey would not be right,” he told reporters.

He said Ankara had already paid the bulk of the price for the S-400s and the systems are expected to arrive in November. U.S. officials have said that if Turkey proceeds with the S-400 purchase, Washington will withdraw its offer to sell a \$3.5 billion Raytheon Co Patriot missile package.

They have also said it would jeopardize Turkey's purchase of Lockheed Martin Corp F-35 fighter jets and possibly result in the United States imposing sanctions.

The formal U.S. offer for Turkey's purchase of Patriot systems expires at the end of March, U.S. officials told Reuters, after which a new offer would have to be submitted.

The United States has asked Turkey to give at least an informal answer on whether they will go ahead with their S-400 purchase by Friday, one U.S. official said.

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MIDDLE EAST AND NORTHERN AFRICA

Libya

**Official Website of the International Criminal Court
ICC Public Documents - Situation in the Libyan Arab Jamahiriya**

The Families of Migrants Held Hostage Are Using Facebook to Raise Money for Smugglers' Ransoms (TIME) By Sally Hayden

February 5, 2019

In the photo, a gun and sneakered foot press Mulugeta's head to the floor. There's blood running across his face, and what looks like vomit congealing below his mouth. His feet and wrists are chained together behind his back.

This was the image of the 27-year-old Eritrean that was uploaded to Facebook in October, when Mulugeta's family realized they had exhausted all other options to raise ransom money. They'd already sold their house and jewellery, while begging in

churches, mosques and markets. Eventually, Mulugeta told the smugglers he couldn't pay anymore, so they took a photo of him to send to his family; they knew they could put it on Facebook to raise money from friends. "The smugglers want money, they don't care how the money is got," Mulugeta, who asked to only go by his first name for security reasons, tells TIME.

By the time he was released in November, after being repeatedly sold between smuggling groups in Libya, Mulugeta had paid \$18,400 to five different smugglers—more than \$4,000 of which was raised through crowdfunding on social media. He's now in a detention center in southern Tripoli, and spoke to TIME through Facebook messages, saying he's still worried for his future and can't return to Eritrea, where he fled from indefinite military service in a regime condemned for gross human rights abuses.

Hundreds of thousands of African migrants and refugees have tried to escape war, dictatorships or poverty, by heading for Europe in recent years: and social media is raising the cost. Their journeys often involve long and dangerous drives through the desert, and months or years in a smuggler's camp, before they're allowed get in flimsy boats to try and cross the Mediterranean. Throughout this journey, technology is both a blessing and a curse: it could be a lifeline to ask for help with, or a means for their families to witness their abuse, suffering and anguish in real time. Facebook, in particular, can offer a glimmer of hope to refugees who are trapped and desperate, because of how easy it is to reach lots of people in a short space of time.

Smugglers in north Africa see refugees and migrants as a commodity. Tens or even hundreds of thousands of people are thought to have been held captive by smuggling gangs, who demand hefty ransoms, and torture those who can't pay up. As in Mulugeta's case, relatives and friends of those held captive are increasingly turning to Facebook to raise the sums.

In photos posted online, men or women, sometimes blindfolded, have their faces pressed to hard ground. Videos show men jolting as they're tortured with hot plastic, before the camera zooms in on their face. In one picture, a couple sits with their children, the asking price for their lives written in the text over their head: \$4,400.

Victims and experts say people in Libya, Sudan and northern Niger have all used Facebook to raise ransom money, and that Eritreans, Ethiopians, and Somalis are the most likely to be held captive like this.

TIME has seen eight posts since late November, each shared hundreds or thousands of times between the Eritrean diaspora, with instructions on how to donate directly to a captive's family. Once the full ransom is collected, it is usually transferred to a bank account in Dubai, or to Khartoum or Istanbul through the hawala system, an alternative money exchange channel that exists outside normal banking and is difficult to trace. From there, it moves on to the smuggling gangs.

"Many traffickers look at Eritreans, Ethiopians and Somalis with a dollar sign on them," says Mark Micallef, a senior researcher at the Global Initiative Against Transnational Organized Crime. Experts say this is because those countries have large, well-connected diasporas, who are more easily able to access and raise money.

It's impossible to know how many people are being held for ransom at any particular time, Micallef adds, but said it's possible that tens of thousands of Eritreans have been held hostage in the past year. He also suggested the fundraising potential of Facebook, and sometimes WhatsApp, could be encouraging smugglers to increase their financial demands.

"This desperation, and the fact that another pool of money has been accessed in the long term, is also fueling this spiraling of ransom," says Micallef, who has been researching human smuggling and trafficking in north Africa for several years.

"This is a really sad and complex issue and one that we're aware of which holds various consequences on all sides," a Facebook spokesperson said in response to screengrabs of the posts by TIME. "Without specific links to the content it is difficult to fully assess the situation. However, we remain fully committed to working to understand the challenges and how we address these."

As smuggling routes close down in Libya, partly because of European Union spending aimed at decreasing arrivals to Italy, militias who once offered a service in moving people are increasingly turning to violence and torture to make a profit.

"After the long journey from the entrance of Libya, to the main camps in [northwest town] Bani Walid, [the smugglers] start counting people, giving deadlines to pay ransom," says a teenage boy from Somalia, who was held by smugglers for five months, and is now in Tripoli trying to reach Italy. (Like others interviewed for this report, he asked to remain anonymous because he is worried about his safety) "When the deadline is approaching they start torturing people with a lot of ways. First they start to tie people and beat them with metal, then electrocute [them]."

One Sudanese man, currently in a detention center in Tripoli after he was intercepted trying to cross the Mediterranean Sea, says detainees' families have raised as much as \$35,000 in various instalments, and one Somali woman had paid \$60,000 in total. Everyone in detention with him has paid at least \$3,000, he says.

"There were people [held] with me, when their family couldn't pay money they post on Facebook and they get help," says a 28-

year-old Eritrean, who also requested anonymity. He was held by smugglers for more than a year and is now in a detention center in Tripoli. "If you don't pay fast [smugglers] force you to post your picture on Facebook. They give you a deadline to pay the money or tell you that they will kill you."

Eritreans are also held for ransom in Sudan, where a lack of security means some are abducted directly from refugee camps.

The last smuggler Mulugeta was held by was Abdallah, a Libyan who seems to be well known for abuse by many Eritreans in contact with TIME from Tripoli detention centres. Mulugeta says he witnessed 12 people die in captivity. "I saw many bad things."

Other Eritreans say Abdallah impregnated 18 girls and women in one group through rapes. A former captive, who sent TIME photos of her injuries, said Abdallah electrocuted her on her breast after she tried to resist an assault by him.

In Khartoum, older Eritreans say their children are being "kidnapped" by smugglers, who offer go-now, pay-later travel arrangements, meaning young people may be encouraged to travel to Libya without having to pay money up front. Sometimes, the first confirmation parents get that their daughter or son has left is through photos of them chained and injured, along with a price tag for their release.

Meanwhile, Libyan smugglers continue to use Facebook profiles to advertise trips to Italy. One man, identified by refugees as a smuggler, posts pictures of boats and lifejackets, while saying a journey from Libya to Italy will take 7-8 hours and cost 3500 dinar (\$2,520).

For Mulugeta, Facebook offered a lifeline when he most needed it. "I used it to save my life, to ask help from all friends, family, and kind people." He says he won't feel properly safe until he's evacuated from Libya. But many of his friends are still being held by smugglers.

"It's not only my history," he says. There are countless others with stories like his. "Please all the world watch us. We need your help. We are in danger."

The EU's deal with Libya is sentencing refugees to death (The Guardian) By Sally Hayden
February 5, 2019

Haftom, a 32-year-old Eritrean dentist, used to tell a joke that went like this: "God was watching the globe and saw Eritrea was green. 'How did this country become so green,' he wondered, and went to investigate. But when he got there he saw the green was overcrowded militias."

Of course this was black humour. Like tens of thousands of others, Haftom fled Eritrea, one of the most isolated dictatorships in the world. He wanted to get away from brutal leaders who controlled every aspect of his life, from his profession and his salary to where he could live and what he could speak about. Friends described him as a "quiet, smart" man, who had eventually despaired of any chance that things would get better.

By February 2018, Haftom had survived smugglers in the Sahara and police in Sudan. He boarded a flimsy rubber boat on the Libyan coast and spent 12 hours at sea before being caught and brought back again by the Libyan coastguard. Like tens of thousands of others who've gone through the same EU-approved ordeal, he was then locked up indefinitely. He died days before Christmas.

Saturday marked two years since Italy, backed by the EU, did a deal to spend tens of millions of euros funding the Libyan coastguard, which intercepts boats heading for Italy and returns refugees and migrants to a war zone. While much of the justified outrage against European migration policies has been caused by the criminalisation of search-and-rescue operations in the Mediterranean, the deadliest sea route in the world, no one seems to be tracking the number of refugees and migrants dying in horrific conditions after being sent back to Libya as a direct result of EU policy.

For the past six months I've been in daily contact with detainees in nine different detention centres who use hidden phones to reveal what's going on at huge risk to themselves. EU leaders continue to promote the idea that arrivals in Europe and deaths at sea are dropping. But what about the untold suffering of thousands of men, women, and children, whom the EU has effectively turned away?

They speak of going days without food and of drinking toilet water to survive. Some have stopped speaking, forgotten their families, sit crouched in a corner and wet themselves from trauma, according to witnesses. Couples are separated – some of the roughly 640 detained children are held with their mothers, though those over 14 are kept in adult cells. In one centre, Triq al Sikka, infected detainees are locked with others in a dark room and have been repeatedly left without tuberculosis medication, in one case for more than a month. In October, a 28-year-old Somali set himself on fire there after saying he saw

no other way out.

In early January dozens of refugees and migrants, brought by the coastguard to the Libyan port city of Khoms, were forced back to smugglers by Libyan guards in Souq al-Khamis detention centre. They now risk torture if they can't raise an the \$5,000 ransom that has already been demanded.

More than 40 detainees in just one centre say they've been imprisoned for more than a year, and have no hope of help any time soon. The UNHCR says it's aiming to evacuate 2,500 people in 2019 but needs countries to step up and offer resettlement places. Even if this target is met, it will be a small percentage of the 15,000 who were returned to Libya last year after trying to cross the Mediterranean.

Last month, both Human Rights Watch and Amnesty International released reports condemning the conditions refugees are being held in. On Friday, more than 50 major organisations, including Oxfam and Doctors Without Borders, wrote an open letter, saying: "EU leaders have allowed themselves to become complicit in the tragedy unfolding before their eyes."

Six months ago, any pretence that Libya was a safe place to send refugees back to crumbled completely, when the worst fighting in years broke out in the capital, Tripoli. Refugee detainees were ousted from some detention centres and made to move weapons or pack bullets. In September, Haftom was one of hundreds of refugees and migrants transported to a detention centre in Zintan, far outside the capital, ostensibly because it was more secure.

At least eight people have died at that centre since mid-September, according to detainees. One was a five- or six-year-old boy who died from appendicitis because he didn't get the necessary medical care.

"It is hard to talk about this life. I am also losing hope. Please share this to the world and tell [them] our problems before many lives [are] gone," an Eritrean still imprisoned there messaged me this week.

Though friends believed Haftom developed a heart problem, it wasn't clear what the final cause of his death was. "So many people [are] getting ill," messaged his fellow detainee. "They take them and [put] them in one house and they don't give them any medication."

The Eritrean also said Haftom knew he had reached the end. "Everyone in here [thinks that] if he gets sick. No one is thinking that they are going to be OK. They are thinking only it's our turn."

Libya arrests suspected al Qaeda leader, source says (Reuters)

February 8, 2019

Libyan authorities have arrested a suspected al Qaeda leader who fled from the eastern city of Derna, once a jihadist bastion, a source in the attorney general's office said on Friday.

Abdel Qader Azuz was arrested in the western city of Misrata and then brought to the capital Tripoli the source said. No other details were immediately available.

Azuz was one of the senior militants in Derna, according to Libyan officials. The city has been long a hotspot for Islamist militants. Many had fled Libya to escape persecution by Muammar Gaddafi and to fight in Afghanistan, then returned home after the dictator was toppled in 2011. Eastern military forces allied to Khalifa Haftar, which control eastern Libya, have seized much of Derna in a military campaign that officials say is almost over.

Libyan security forces arrested two weeks ago a suspected leading member of Islamic State, Khalifa al-Barq, in the militant group's former stronghold of Sirt.

Al Qaeda and Islamic State have been using Libya as a base for attacks exploiting the security vacuum and chaos created by the fall of Gaddafi.

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Iraq

Grotian Moment: The International War Crimes Trial Blog

UN report: IS responsible for most attacks in Iraq and Syria (Associated Press)

February 6, 2019

International terrorist groups carried out more attacks in Iraq and Syria in the last six months of 2018 than in any other country, and Islamic State extremists were primarily to blame, according to a new U.N. report circulated Wednesday.

U.N. experts said in the report to the Security Council that IS and its affiliates “continue to pose the main and best-resourced international terrorist threat, while al-Qaida remains resilient and active in many regions and retains the ambition to project itself more internationally.”

Even though IS’s territorial losses in Iraq and Syria “have forced the group to abandon notions of controlling a geographical so-called ‘caliphate’ for the near future,” the experts said its leaders continue to advance this aspiration in statements and online propaganda.

The panel of experts said IS “has not yet been defeated” in Syria — contrary to U.S. President Donald Trump’s declaration of victory over the militant group in the country in December and announcement that all 2,000 U.S. troops would be pulled out of Syria.

IS fighters remain under “intense military pressure” in their stronghold in eastern Syria, the experts said, but have “shown a determination to resist and the capability to counter-attack.”

U.N. member states, who were not identified, estimate the number of IS militants active in Iraq and Syria at between 14,000 and 18,000, the experts said.

This includes between 3,000 and 4,000 in the only remaining IS-held territory in Syria in the Middle Euphrates River valley near the Iraqi border, around the town of Hajin, they said.

The experts said the al-Qaida affiliated group Hayat Tahrir al-Sham — estimated by one U.N. member state to have approximately 20,000 fighters in Idlib province which is the last major opposition-held stronghold — “remains the largest terrorist group in the country.” But another al-Qaida affiliated group, Hurras Al-Deen, “is steadily growing and attracting fighters disillusioned with HTS,” they said.

In Iraq, the experts said member states report that the threat comes not only from IS remnants in the country but from IS fighters crossing the border from Syria.

In mid-2018, they said IS successfully operated checkpoints in northern Iraq from which it ambushed Iraqi forces operating in the area.

IS cells in Iraq “engage in activities aimed at undermining government authority, creating a sense of lawlessness, hampering societal reconciliation and increasing the financial burden of reconstruction and counter-terrorism,” the experts said. “Such activities include kidnapping for ransom, targeted assassinations of local leaders and attacks against government utilities and services.”

Globally, the experts monitoring U.N. sanctions against IS and al-Qaida said U.N. members remain concerned about the terrorist threat in Afghanistan, the southern Philippines, Yemen, Somalia, Libya, Africa’s Lake Chad basin and the Sahel.

In addition, they said, the issue of foreigners fighting for IS and al-Qaida “remains acute,” though the number of IS combatants returning home or relocating has been slower than expected.

Here are the experts’ assessments of threats posed by IS and al-Qaida in other regions:

—ARABIAN PENINSULA: “Member states assess that Al-Qaida in the Arabian Peninsula is confined to Yemen, where it is under sustained pressure from military strikes against many of its leaders.” Despite the pressure, the extremist group “remains resilient” and “is assessed to have recovered from the losses, reorganized and managed to shelter its elements among local communities.”

—NORTH AFRICA: In the last six months of 2018, IS expanded its area of operations in Libya and “continues to represent a substantial threat, both locally and to neighboring countries.” IS increasingly resorts to “hit-and-run operations” out of several points of concentration and “frequently raided and held inner-town police stations in shows of strength and to secure arms.” IS also carried out attacks against the National Oil Corporation headquarters in Libya’s capital Tripoli in September and against the Mabruk oil field in November.

—WEST AFRICA: An al-Qaida-linked coalition known as JNIM “remains the leading and most dangerous terrorist group in the Sahel” as well as one of the extremist group’s “most successful” affiliates. “JNIM maintains an asymmetric strategy”

involving three types of attacks: frequent simple attacks using small arms or improvised explosive devices; more elaborate attacks combining small arms and IEDs, which are less frequent; and complex attacks with many combatants, indirect fire and several IEDs.

—EAST AFRICA: The militant group Al-Shabab based in Somalia “remains a strategic al-Qaida affiliate, demonstrating resilience” and cooperating with Al-Qaida in the Arabian Peninsula. “It retains a large number of fighters with the capability to conduct high-impact attacks resulting in a large number of casualties and destruction of infrastructure.”

—EUROPE: IS still poses “a significant threat in Europe despite its diminished ability to direct attacks.” There have been fewer “lone actor” attacks in Europe recently, which suggests IS’ “ability even to inspire such attacks may be declining.” But communications have recently restarted between IS command and individuals in Europe. While the number of foreign fighters returning home in the last half of 2018 “was relatively low,” they remain a threat as does the “radicalization of criminals within the prison system.”

—CENTRAL AND SOUTH ASIA: IS “is seeking to expand its area of activity in Central Asia and has called for terrorist attacks targeting public gatherings, primarily in the Ferghana valley” which spreads across eastern Uzbekistan, southern Kyrgyzstan and northern Tajikistan. IS claimed responsibility for killing four foreign cyclists in Tajikistan last July. In Afghanistan, IS strongholds are in the east and its strength is estimated at between 2,500 and 4,000 militants.

—SOUTHEAST ASIA: While the last six months of 2018 “saw relatively few successful attacks,” Southeast Asian countries “assess the ongoing terrorist threat to be high,” particularly from IS and al-Qaida affiliated groups.

Bomb blast kills 2 soldiers in western Iraq (Anadolu Agency) By Suleiman al-Qubaisi
February 9, 2019

Two Iraqi soldiers were killed in a roadside bomb explosion in the western Anbar province on Saturday, according to a local police officer.

Two bomb disposal soldiers were defusing a device in the city of Hit, west of Ramadi, killing them on the spot, Captain Ahmed al-Duleimi told Anadolu Agency.

He said the device had been planted by "terrorists", but without specifying which group was responsible for the attack.

In early 2016, the city of Hit was cleared from the self-proclaimed Daesh terrorist organization. However, from time to time, the city sees bomb attacks targeting security forces and civilians.

In December 2017, officials in Baghdad declared that Daesh's military presence in Iraq had been all but dismantled following operations backed by the U.S.-led International Alliance.

However, from time to time, Iraqi officials announce operations against Daesh-affiliated " sleeper cells" in certain parts of the country.

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Syria

Marie Colvin: Syrian government found liable for US reporter's death (BBC)
January 31, 2019

A US court has found Syrian President Bashar al-Assad's government liable for the death of American war correspondent Marie Colvin in February 2012.

Colvin, 56, died in the besieged city of Homs, Syria, alongside French photographer Remi Ochlik, 28, when the building they were in was shelled.

US District Judge Amy Berman Jackson said it was an "extrajudicial killing".

She also ordered Damascus to pay \$302.5m (£231m) in damages for an "unconscionable crime".

It is the first time Mr Assad's government is held to account for a war crime and sets a legal precedent, the BBC's Barbara Plett Usher in Washington reports.

The civil lawsuit was filed by Colvin's family in 2016. The Syrian government was not involved in defending the case.

Colvin worked for the Sunday Times, covering the Syrian civil war that began in 2011.

What did the court rule?

The US District Court for the District of Columbia found that the Syrian military and intelligence tracked the broadcasts of the journalists covering the siege of Homs, and then targeted the media centre in a barrage of artillery fire.

Judge Jackson said this was part of the regime's long standing policy of violence against the media.

Colvin "was specifically targeted because of her profession, for the purpose of silencing those reporting on the growing opposition movement in the country," the judge ruled.

"[The] murder of journalists acting in their professional capacity could have a chilling effect on reporting such events worldwide."

In addition, the Syrian government was ordered to pay \$2.5m in compensation to Colvin's sister, Cathleen, and \$11,836 in funeral expenses.

What about the Syrian government's response? Damascus is yet to publicly comment on the ruling.

In a 2016 interview with NBC News, President Assad said: "It's a war and she [Colvin] came illegally to Syria.

"She worked with the terrorists, and because she came illegally, she's been responsible of everything that befall on her."

Experts predict that Colvin's family is likely to face a lengthy battle to recover any of the damages awarded.

Mechanism sends 'strong signal to perpetrators of crimes in Syria' (Swiss Info) By Frédéric Burnand
February 6, 2019

More and more European countries, including Germany, France, Sweden and Austria, are prosecuting people for war crimes in Syria. One of the tools at their disposal is the Geneva-based International, Impartial and Independent Mechanism (IIIM).

The body was created in December 2016 by the United Nations General Assembly and has been headed since summer 2017 by former judge Catherine Marchi-Uhel of France [external link](#). This evidence-gathering body is at the service of these national jurisdictions and others that may be set up in the future, and safeguards a huge database with information for future trials.

Is the International, Impartial and Independent Mechanism fully operational?

Catherine Marchi-Uhel: We have finished the preparatory work, but the mechanism started to be operational before that. After setting up our evidence management system and making it secure in May 2018, we were able to start gathering information, including some of the most sensitive elements. This evidence-gathering, which is at the centre of our work, allows it to become the central repository of evidence on mass crimes committed in Syria.

To do this, we have launched negotiations to establish a legal framework for the transfer of information and pieces of evidence with a certain number of people, starting with the UN Commission of Inquiry on Syria, but also Syrian civil society, international and state actors. Such a framework has not yet been established with everyone, even if we already have a significant number of agreements. We do not have access to Syrian territory, but our investigators have already been to a number of countries to meet people who have pieces of evidence and agree to share it with us.

The recruitment of our staff – from investigators to analysts, including digital video and audio data experts – allows us to develop a structured investigation offering an overview of data collected. This includes judicial elements that we need to establish so that an act can be prosecuted as a war crime or crime against humanity, information on the context in which the crimes were committed, the parties to the conflict and the various people who could be implicated in the commission of such crimes, which structure they are working for and how they interact.

This work is broader than that conducted within the framework of a criminal case. But it is essential to identify recurring scenarios and make our case selection. Our structural investigation, which is well advanced, has already allowed us to open investigative files within which we aim to establish individual responsibilities in the commission of crimes.

For the time being, we are funded by voluntary contributions, a situation that is not sustainable in the long term. The UN General Assembly has asked the Secretary General to include our funding needs in the UN's regular budget in 2020. For this year, we have received substantial pledges from states. But they are not enough to cover the needs for the whole year.

What are the first judicial results of your work?

The structural investigation is broad, since our mandate is to identify the most serious crimes, whichever party to the conflict the perpetrators belong to. We will not have the capacity to address all the crimes committed in Syria. But this long-term work allows us to make a relevant selection of crimes. One of the goals of our work is to identify the suffering of victims and to be able to identify crimes that make sense to them. The choice of cases is essential for victims, including those who will not be able to obtain justice directly for what they have suffered.

Part of our work over the past year has been to engage directly with war crimes units that have ongoing investigations into crimes committed in Syria. These developments are very important. Even though no international court is currently dealing with cases involving crimes committed in Syria, we are beginning to have a mode of cooperation between [national] war crimes units that gives hope that justice will be done in several cases.

Last year, the French external link and German external link authorities decided to set up a joint investigation team by combining their resources. This followed an international arrest warrant issued by the German Federal Prosecutor's Office external link against a senior official in the Syrian intelligence services and an international arrest warrant issued by the French external link against the same person, another intelligence official and a third person. The existence of these investigations makes the prospect of results from our work more tangible and allows us to think specifically about the type of collaboration we can have with the various competent authorities.

Have you been able to collaborate with anyone else?

We have received more than a dozen requests for assistance from national prosecutors who have ongoing investigations concerning Syria and we know that other prosecutors are preparing to take up the matter with us.

Regarding the jurisdiction exercised by the various war crimes units, for crimes committed in Syria, it is Germany that has the closest form of universal jurisdiction, without any connection with that country. Other countries have a form of extended extraterritorial jurisdiction.

What about the victims?

Syrian civil society has a central place. Its members, some of whom are themselves victims, have taken enormous risks in documenting crimes and making them known. We have a platform for engagement with members of Syrian civil society in Lausanne. It brings about 30 NGOs together with the Mechanism twice a year. We continue to engage with other Syrian civil society actors individually, in groups, and to inform them about our work through newsletters.

Many dictatorial regimes document their crimes through their administration. Is this also the case in Syria?

Internal documents of several parties to the conflict external link have been smuggled out and describe the conduct of their operations. They could therefore be used as evidence to prove the commission of some of the most serious crimes, such as war crimes or crimes against humanity.

After major development at the turn of the century, international justice is going through a crisis that undermines its credibility, particularly that of the International Criminal Court (ICC). How do you see its future?

In the Syrian situation, the ICC could not be seized. The Syrian Arab Republic has not ratified the Rome Statute and blockages in the UN Security Council have prevented this situation from being referred to the court. This is not normal given the seriousness of the crimes committed. But the current situation, where national investigative, prosecutorial and trial authorities are taking their part in the effort to establish individual criminal responsibility for these crimes, is not so far removed from the principles laid down by the Rome Statute, the founding text of the ICC. This court is a court of last resort. It is intended to try some of the most serious crimes, provided that other jurisdictions are not doing so, according to a principle of complementarity.

The fact that several national courts have assumed their responsibilities by launching investigations is a very important step that is at the heart of the Rome Statute. In an ideal situation, a combination of these different avenues would be required to deal with a situation as serious and lasting as the war in Syria. It is this combination that works, as we have seen in Rwanda or for the former Yugoslavia.

We do not currently benefit from this situation for Syria. But the mechanism established by the UN General Assembly in

December 2016 shows that, despite the deadlocks, the collection of evidence, analysis and preparation of criminal files must still be done. This is a very strong signal to the perpetrators of crimes. And it is a message of hope for the victims. These crimes are not time-barred. And we are taking every opportunity to make sure that justice can be done.

What lessons have you learned from the past experiences of international justice?

They have taught us that it takes real substantive and long-term work to prosecute this type of crime. They have also taught us the importance of adopting a proactive approach to ensure that sexual violence, gender-based crimes and crimes against children are not forgotten in the prosecution process and are properly documented. We are working much more closely with civil society than in the past, as required by my mandate.

One of the criticisms addressed to international courts on crimes against humanity is their cost and duration. Will your mechanism speed up proceedings on Syria?

Our work should save time for investigations. It also helps to preserve evidence for the future. It will not be necessary to start from scratch when the political situation allows international trials to be opened or even, one day, in Syria. It is much more difficult to document these crimes 30 years after the events, as happened with the Khmer Rouge tribunal in Cambodia.

The trials against some Khmer Rouge leaders link have [also] shown how complex it is to identify and choose crimes that represent the suffering of victims, but also how difficult it is to manage these trials. It is always extremely difficult to conduct a major trial that covers all dimensions of the atrocities committed. These trials must retain a manageable dimension. It is the multiplication of judicial channels that, in my opinion, is the best way to give the full dimension to the crimes committed and their context.

The bridge we are building between commissions of inquiry and the various avenues of justice available is based on our preparatory work, which is very strongly rooted in criminal methodology. Moreover, the UN Human Rights Council has decided to establish a similar mechanism for Myanmar to address the crimes against the Rohingya.

Nearly 191 Chemical Attacks in Syria Must Be on the OPCW's Agenda After Its New Mandate (Syrian Network for Human Rights)

February 6, 2019

The SNHR announced in its report released today that at least 191 chemical attacks in Syria should be on the agenda of the OPCW after its new mandate.

In February 2019, the Organization for the Prohibition of Chemical Weapons (OPCW) is expected to exercise the powers of its new mandate to identify the perpetrators of chemical attacks. This follows an amendment of its previous mandate, which lasted over two decades since its establishment on April 29, 1997, but which was limited to confirming the use or non-use of chemical weapons, without identifying the perpetrator responsible. As the report explains, there are two main reasons for reviving a crucial debate on this issue concerning Syria, and for expanding the OPCW's mandate: first, the extensive and repeated use of chemical weapons by the ruling regime against the Syrian people. Second, Russia's suspension of the extension of the joint international investigative mechanism in Syria established by Security Council resolution 2235, with one of this body's functions being to identify the user of chemical weapons.

The nine-page report reveals Russia's attempts to thwart this new mandate, noting that Russia has effectively sent a message to all the world's countries that it will use or protect those who use chemical weapons. This is the policy Russia has followed with its ally, the Syrian regime, over the past eight years.

The OPCW began its work in Syria following the accession of the Syrian regime to the Chemical Weapons Convention in September 2013, thus, as the report explains, all the chemical weapons attacks in Syria prior to this date, were not covered by the OPCW's remit, including the infamous attack on the two Ghouta in August 2013. Moreover, all the attacks that have followed this date, which the OPCW has worked to assess, remain officially unattributed to any specific party.

As the report states, at least 221 chemical attacks were carried out between December 23, 2012, and December 31, 2018, documented by the SNHR. The Syrian regime carried out at least 216 attacks, while ISIS carried out at least five attacks. Collectively, these attacks resulted in the deaths of at least 1,461 people.

The report refers to the methodology adopted in documenting these attacks, stating that it has relied on a wide network of relationships built up over years, and on accounts of survivors and eyewitnesses as well as doctors who treated people injured in chemical weapons attacks, and Civil Defense members who rushed to save those affected by the attacks.

The report also includes the results of an operation to cross-reference 43 incidents that the Organization for the Prohibition of Chemical Weapons (OPCW) has confirmed in its investigations cited in its reports with those documented on the SNHR

database. The results show that there is a match in 30 of the attacks recorded, with 28 of these attacks carried out by Syrian Regime forces, while the other two were carried out by ISIS.

On this basis, the report notes that a further 191 chemical weapons attacks documented on the SNHR's database have not been investigated by the OPCW. These attacks are documented in great detail, including information such as time, place, type of munitions used, number of injuries, victims, etc.

The report stresses that there are fundamental challenges facing the work of the OPCW in Syria, noting that the Syrian regime has deliberately obstructed the work of the OPCW and misled its investigators repeatedly, as well as obstructing the granting of visas to certain OPCW personnel and deliberately delaying responses to its messages, in addition to other obstacles such as hindering the access of inspectors to some areas.

There are additional fundamental challenges that go beyond the limits of logistics, the report explains. The most prominent of these challenges stem from the fact that the chemical attacks occurred a long time ago, meaning it is very difficult to collect evidence, particularly material evidence, such as material evidence of the effects of gases on the soil or the remnants of missiles and weapons used, especially as 80 percent of the attacks occurred within areas recently captured by Syrian regime forces and Iranian militias.

In this regard, the report notes that the systematic displacement of the population from most areas that were attacked with chemical weapons previously will make it very difficult for the OPCW to gain access to eyewitnesses or survivors of attacks, medical personnel who helped to treat the injured, or to review the records of hospitals and medical centers, which provided treatment for victims of chemical attacks. In addition, those who remain in the areas under the control of Syrian Regime forces will not dare to give any evidence that might contradict the official narrative of the Syrian and Russian regimes.

The report notes that the Syrian regime has manipulated the remains of many victims of chemical attacks, as happened in the cemetery of Douma city, where the bodies of the victims were disinterred and moved. While this tampering with the crime scene and removal of victims' remains are clearly actions which condemn the Syrian regime, they make investigation difficult for the OPCW team.

The report calls on the countries of the civilized world to stand up to states that support the use of chemical weapons and the concealment of evidence of their use, the foremost of these states being the Syrian, Iranian and Russian regimes, to provide all possible support to facilitate the work of the OPCW in Syria, to expose the manipulations of the Russian and Syrian regime, to take serious action to hold accountable anyone found to be involved in the use of chemical weapons, and to support the active human rights organizations in documenting the use of chemical weapons in Syria.

The report stresses that the permanent UNSC members must cease using their veto power to protect perpetrators of war crimes and crimes against humanity, in particular the use of chemical weapons, also, that Russia must cease its exploitation of its role as a permanent member of the Security Council in the context of supporting oppressive dictatorships in exchange for material and political interests at the expense of the killing or displacement of millions of people.

The report recommends that the OPCW expand coordination and cooperation with relevant human rights organizations in documenting the use of chemical weapons in Syria, and calls on the UN Human Rights Council to make greater efforts to highlight the use of chemical weapons by the Syrian regime.

Largest joint UN humanitarian convoy of the war, reaches remote Syrian settlement (UN News)

February 6, 2019

The largest UN humanitarian convoy of the Syrian civil war reached the remote settlement of Rukban, on the border with Jordan on Wednesday, where it is delivering life-saving assistance to more than 40,000 displaced people, some of whom have been trapped there for years as the eight-year conflict grinds on.

The vulnerable inhabitants, the vast majority of whom are women and children, are living in desperate conditions that have worsened due to the harsh winter: at least eight young children have reportedly died in Rukban in recent weeks.

The convoy of 188 trucks –a joint operation with the Syrian Arab Red Crescent - is delivering food, health and nutritional supplies, as well as hygiene materials, education items and children's recreational kits. In addition, vaccines for 10,000 children under the age of five have been sent with the convoy.

“This large-scale delivery of essential humanitarian supplies to the extremely vulnerable in Rukban could not have happened a moment too soon”, said UN Resident and Humanitarian Coordinator Mr. Sajjad Malik in a statement released by the UN on Wednesday. “While this delivery of assistance will provide much-needed support, it is only a temporary measure. A long-term, safe, voluntary and dignified solution for tens of thousands of people, many of whom have been staying at the Rukban

settlement for more than two years in desperate conditions, is urgently needed.”

The humanitarian supplies provided during this convoy were chosen based on the findings of a needs assessment carried out during the previous convoy to reach the outpost, in November 2018. Monitoring will also take place during the current convoy by the UN and Red Crescent teams to ensure that humanitarian assistance reaches civilians in need.

In order to bring about a situation where the displaced people at the settlement can return home, or to a place of their choosing, the UN and Red Crescent will carry out a survey to consult with them on their wishes and priorities. In the Wednesday statement, the UN underlined the fact that it urges all parties to allow safe, sustained and unimpeded humanitarian access to all people in need in Syria line with their obligations under International Humanitarian Law.

In the last three years, tens of thousands have fled to Rukban from ISIL or Da'esh extremist- held parts of Syria being targeted by Russian and U.S.-led coalition air strikes, according to news reports.

The camp lies inside a “deconfliction zone” set up by US-backed coalition, Russian and Syrian Government forces, which has reportedly encouraged many of Rukban’s inhabitants to stay rather than go back to their homes in areas under Government control where they fear retribution by the Syrian army.

The vow of ‘never again’ is dying in Assad’s prisons (The New York Times) By Josh Rogin
February 7, 2019

During his State of the Union address, President Trump invoked the Holocaust, praising some of his invited guests: U.S. soldiers who liberated Nazi concentration camps and victims of those camps. Trump’s comments force us to ask ourselves: Is the United States living up to the vow — expressed so often after the mass murder of Jews and other minorities during World War II — of “never again”? One look at Syria confirms we are failing.

Godwin’s Law stipulates that the longer any political discussion goes, the greater the probability of a comparison involving Nazis or Adolf Hitler. It’s a caution against false equivalence and a reminder of the singular horror of the Holocaust. But for victims of Syrian President Bashar al-Assad, the comparison is apt. Just ask Omar Alshogre, a Syrian who has suffered some of the worst atrocities.

“What’s happening in Syria is a holocaust,” he told me, reacting to Trump’s speech. “The difference is, we still have time to do something to stop this holocaust.”

When Omar, then 15, first joined protests in his hometown of Al-Bayda, it was out of curiosity. When he was first arrested, the torture lasted only two days and he was released. Newly aware of what his government was capable of, Omar went right back to the demonstrations.

He was arrested and tortured five more times, eventually released each time after his father — a retired military officer — paid a bribe. But after his last arrest, Omar’s father didn’t come. He later learned that Assad’s forces had killed his father, his brothers and most of the village. This particular slaughter in 2013 is known as the Al-Bayda massacre .

“Then the real torture started,” Omar told me. “They knew then I was not getting out.”

Omar was in a local prison with three cousins. They were often tortured within screaming distance of one another, to use one cousin’s pain to psychologically torment the others. They were tortured until they confessed to crimes they didn’t commit — and then tortured more.

“They were just having fun with us,” he said. “Everything horrible at the same time and your cousin tortured next to you.”

Then things got worse. Omar was transferred to the military intelligence prison known as Branch 291. “Sexual torture is the favorite of those in this branch,” he said. Then things got even worse. Omar was transferred to Branch 215, which Human Rights Watch called the “Branch of Death.”

Most people survive there for only weeks. Omar stayed for 21 months. All three of his cousins died. They arrested a fourth cousin, who also died. Omar then spent 10 months in Sednaya prison, which has been characterized by Amnesty International as a “Human Slaughterhouse.” Now living in Sweden, Omar has dedicated his life to imploring the world not to turn a blind eye. That mission brought him to Washington this week, to tell his story to officials and lawmakers.

Inside Branch 215, between torture sessions, Omar was forced to number and tag dead bodies. Hundreds of those bodies ended up at a hospital known as 601, where they were photographed by a military police officer known as Caesar, who later

escaped Syria with more than 55,000 photographs the FBI has verified as evidence of Assad's mass atrocities.

That evidence forms the basis of the Caesar exhibit at the U.S. Holocaust Memorial Museum in Washington. The State Department's former war crimes ambassador, Stephen Rapp, has said this evidence is the strongest since the Nuremberg trials — and that Assad's "machinery of death" is the worst since the Nazis.

Caesar testified before a House committee in 2015. Congress passed a sanctions bill, named after Caesar, just last month. His photographs have been shown around the world. Yet years later, Branch 215 is still churning out dead bodies. Assad's prisons are just one component of the regime's war crimes, which include starving cities, bombing hospitals and using chemical weapons, on its way to killing an estimated half-million innocent people.

What would Assad have to do to justify a comparison to the Holocaust? Attempted ethnic cleansing on a massive scale? Check. Mass torture and murder of civilians in custody? Check. Crematoriums? Check. Gassing children? Check.

Assad's defenders in Washington often present a false choice: You either support Assad's rule, or you support military intervention on behalf of terrorists. During the Holocaust, there was a reasoned case against military intervention, like now. That argument became an excuse for ignoring the atrocities, like now. Then, the United States had options short of invading, such as admitting more refugees fleeing the atrocities. But even then, it didn't act, just like now.

Ultimately, it doesn't matter what Americans believe. For an entire generation of Syrians, this is their holocaust. Over the coming years, the Assad regime may continue to slaughter thousands, but many will surely survive and live to tell their tales. Their evidence will outgrow the Holocaust Museum's hospitality. The Syrian holocaust will need its own museum.

As long as Assad is in power, there will never be peace in Syria. People will always struggle for basic dignity. But someday, his brutal rule will end. And at some future address, survivors of the Syrian holocaust will be celebrated along with their liberators. That address likely won't be in the United States, because we stood by. But we can never say we didn't know. Omar told us.

Syria Describes US Attacks as War Crimes (Prensa Latina)

February 13, 2019

Damascus, Feb 13 (Prensa Latina) The Syrian Ministry of Foreign Affairs and Expatriates described the recent U.S.-coalition bombing as war crimes and crimes against humanity, and denounced the continued support they offer to terrorism.

The complaint is contained in messages addressed to the UN Secretary General and the President of the Security Council about the massacre committed against a civilian camp in the village of Baghuz in eastern Deir Ezzor province, which claimed 70 deaths and wounded, including women and children.

'That massacre was committed 24 hours after another aerial coalition bombing against the same people in which 24 civilians were killed, including seven children,' the text of the letter explained.

'The coalition continues using terrorists and separatist militias at the service of their hostile plans against Syria's sovereignty, unity and security,' the message said.

The document reiterates Syria's demand to the Security Council to stop these crimes and aggressions, and assume its responsibilities to preserve international security and peace, and start an international investigation into these crimes and prevent those actions are repeated.

Syrians held in Germany for suspected crimes against humanity (BBC News)

February 13, 2019

Germany says it has arrested two former Syrian intelligence officers alleged to have been involved in torturing critics of President Bashar al-Assad.

Both men seem to have sought asylum in Germany after leaving Syria a few years before the migrant influx in 2015.

One them, Anwar R, is suspected of committing crimes against humanity.

He was allegedly in charge of a General Intelligence Directorate (GID) prison where 2,000 people were tortured between April 2011 and September 2012.

The other man, Eyad A, is suspected of aiding and abetting a crime against humanity at the same prison.

A third man - also believed to have been a GID employee - was arrested in France on Tuesday as part of a joint investigation, according to Germany.

The GID is Syria's most powerful civilian intelligence agency and it has been accused of playing a key role in the violent suppression of the peaceful protests against Mr Assad's rule that erupted in March 2011.

What are the men accused of?

German federal prosecutors say the two men arrested by police in Berlin and Rhineland-Palatinate state on Tuesday were members of a GID branch in the Damascus area.

They allege that Anwar R, who is 56, was a high-ranking officer who led the branch's investigative department, and that he assigned and directed operations at a prison where detainees were subjected to "systematic and brutal torture".

Eyad A, 42, is alleged to have worked for Anwar R's department.

Media captionSami told the BBC's Lina Sinjab this year of the horror of prison in Syria

The prosecutors say that in the summer of 2011 he spent a month at a checkpoint on the outskirts of the capital, where he was tasked with arresting protesters, army deserters and other suspects. About 100 people were taken to Anwar R's prison each day and tortured there, they add.

Later that year, Eyad A is alleged to have taken part in raids on the homes and hunted down people who took part in protests.

Prosecutors say he assisted in the killing of two unnamed people and the torture of 2,000 prisoners.

Both men appear to have left Syria in 2012, three years before the large influx of migrants to Germany began.

Are there other cases?

German officials say they are investigating dozens of other former Syrian officials under the principle of "universal jurisdiction", which allows courts to try individuals suspected of committing genocide, crimes against humanity, and war crimes.

Last year, German prosecutors issued an international arrest warrant for Jamil Hassan, the head of Syria's Air Force Intelligence service, accusing him of overseeing the torture, rape and murder of hundreds of people between 2011 and 2013.

Syria's government has denied taking political prisoners. It has also denied torturing or killing anyone in custody.

However, UN human rights experts said in a report last March that government forces and affiliated militias were "arbitrarily or unlawfully detaining tens of thousands of individuals in official and makeshift detention centres".

"They endure various forms of brutal torture and subsist in severely inhumane conditions. Many have died in detention, while others have been summarily executed," they added.

The bodies of those detainees who have died are rarely returned to their families, who are also not notified about burials, according to the UN experts. As a result, their whereabouts remain unknown.

The Syrian Network for Human Rights (SNHR), a campaign group, said in August that it had documented the deaths of more than 13,600 people due to torture in prisons operated by parties to the war in Syria, with more than 90% occurring in government-run facilities.

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Yemen

Yemen government, Houthi rebels meet on UN ship to discuss truce (Al Jazeera) February 3, 2019

The representatives of Yemen's warring parties have met on a ship in the Red Sea to discuss the stalled truce agreement for the contested port city of Hodeidah.

Retired Dutch General Patrick Cammaert chaired the meeting on board a United Nations' vessel off the Yemeni coast on

Sunday after the Houthi rebels refused to hold talks in government-held areas.

The discussions will continue on Monday, a UN statement said, describing the meeting as "cordial and constructive".

Cammaert "warned the parties about the fragility of the ceasefire and urged them to instruct their commanders on the ground to refrain from any further violations that would jeopardise the Stockholm Agreement and the broader peace process for Yemen", the statement said.

A Saudi-UAE coalition of forces has been fighting Houthi rebels for control of the country since 2014.

As the negotiations took place, reports emerged that the deputy chief of staff of the Saudi-backed Yemeni government died from wounds sustained last month in a drone attack by Houthis on the country's largest airbase, Al Anad, while a military parade was under way.

That attack came after a truce was agreed to in December in Sweden that included a ceasefire in rebel-held Hodeidah, a pullback of forces from the port city, and the opening of humanitarian corridors.

The UN is overseeing the implementation of the ceasefire and troop withdrawal in Hodeidah, the main entry point for most of Yemen's imports, in the hope it will lead to a political solution to the almost four-year war.

Dispute over control

Each side has repeatedly accused the other of violating the ceasefire.

The warring parties were meant to withdraw their forces by January 7 as part of efforts to avert a full-scale assault on Hodeidah, but have failed to do so as the Iranian-aligned Houthi group and the Saudi-backed government disagree on who should control the city and ports.

"The problem with this particular settlement is political," said Al Jazeera's Hashem Ahelbarra, who has reported extensively from Yemen.

"It's more now about who is the legitimate authority. The government is saying 'we are the only sole legitimate authority recognised by the international community'. The Houthis say, 'we are the de facto political establishment in the country because we are the ones who in 2014 made the difference'."

Sunday's meeting was the third time the UN-led Redeployment Coordination Committee convened since it was formed in December, bringing together the Houthis with the internationally recognised Yemeni government and UN mediators.

The first two meetings were held in territory under Houthi control and Cammaert - the head of the UN mission tasked with overseeing the deal - shuttled between the two parties.

Yemen, one of the Arab world's poorest countries, has been embroiled in a power struggle between the government and the Shia Houthi rebels since late 2014.

The conflict, widely seen in the region as a proxy war between Saudi Arabia and Iran, has been bogged down in a military stalemate for years.

'Respect' for ceasefire

A coalition led by Saudi Arabia and the United Arab Emirates intervened in Yemen in 2015 to try to restore the government of Abd-Rabbu Mansour Hadi after it was thrown out of power in the capital Sanaa by the Houthis in late 2014.

The Houthis, who say they are enacting a revolution against corruption, control most urban centres in Yemen while Hadi's government controls the southern port of Aden and string of coastal towns.

Over the past four years, the conflict has led to mass displacement, food shortages and outbreaks of cholera and diphtheria across the country, as well as damage to healthcare and education infrastructure.

Pope Francis on Sunday called for urgent "respect" for a ceasefire accord in Yemen to allow humanitarian aid through in the conflict-weary country.

"I appeal to all parties concerned and to the international community to allow the urgent respect of established accords to ensure the distribution of food and to work for the good of the population," said the pope.

"I am following the humanitarian crisis in Yemen with great concern," he added.

Francis was speaking before embarking on an historic three-day visit to the UAE, the first by a pope to the Arabian Peninsula.

A rights group has urged the pontiff to use the visit to highlight the UAE's role in abuses during the war in Yemen.

In a letter to Pope Francis, Human Rights Watch (HRW) cited the UAE's "prominent" role in the Saudi-led alliance and alleged the "coalition has indiscriminately bombed homes, markets, and schools, impeded the delivery of humanitarian aid, and used widely banned cluster munitions".

The group said it documented nearly 90 attacks, some likely war crimes, and called on the pope to look into the allegations.

"We urge you to use this upcoming visit to press the UAE to investigate alleged serious violations by its armed forces and Yemeni forces it supports, to appropriately prosecute those responsible for war crimes, and to provide reparation to victims of violations," HRW said.

Amnesty accuses UAE of diverting arms to 'militias' in Yemen (Reuters) February 5, 2019

Amnesty International accused the United Arab Emirates on Wednesday of diverting arms supplied by Western and other states to "unaccountable militias accused of war crimes" in Yemen.

The UAE and Saudi Arabia are leading a military coalition, including local forces drawn from various Yemeni factions, that is trying to restore the internationally recognized government ousted from power in 2014 by the Iranian-aligned Houthi group.

"Emirati forces receive billions of dollars' worth of arms from Western states and others, only to syphon them off to militias in Yemen that answer to no-one and are known to be committing war crimes," Amnesty said in a statement.

"The proliferation of these fighting forces is a recipe for disaster for Yemeni civilians who have already been killed in their thousands, while millions more are on the brink of famine as a direct result of the war," the human rights group said.

The UAE government media office did not immediately respond to a request for comment on the Amnesty statement.

The UAE has trained and armed thousands of Yemeni fighters, mostly in southern provinces and western coastal areas, as part of the forces battling the Houthis, who control most urban areas including the capital Sanaa and the main port of Hodeidah.

Western nations, many of which provide weapons and intelligence to the coalition, have pressed for an end to the almost four-year war after the murder of Saudi journalist Jamal Khashoggi increased scrutiny of Saudi activities in the region.

Rights groups have accused both sides in the conflict of committing possible war crimes, including abuse of detainees, a charge the warring parties have denied.

Amnesty called on states to suspend arms sales to the warring parties until there is "no longer a substantial risk" they may be used to breach humanitarian or human rights law.

The conflict is widely seen in the region as a proxy war between Sunni Muslim Saudi Arabia and Shi'ite Muslim Iran. The Houthis deny charges that Iran supplies them with weapons and say their revolution is a popular one against corruption.

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Special Tribunal for Lebanon

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

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Extraordinary Chambers in the Courts of Cambodia (ECCC)

Official Website of the Extraordinary Chambers

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

Cambodia Tribunal Monitor

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Israel and Palestine

Two Palestinian Teenagers Killed by Israeli Live Fire in Protests, Gaza Authorities Say (Haaretz) By Jack Khoury

February 8, 2019

Two teenagers, aged 14 and 18, were killed and at least seven other Palestinians were wounded by Israeli live fire during protests at the fence separating the Gaza Strip and Israel on Friday, the Gaza Health Ministry said.

The 14-year-old was named as Hassan Shalabi, the son of a niece of Ismail Haniyeh, the political chief of Hamas.

The military said it was aware of reports that a protester had been killed but could not confirm that the individual was a 14-year-old or what caused the death.

About 7,000 people were protesting at several points along the fence, the military said, adding that protesters were clashing with troops and that some had thrown explosive devices and grenades that landed on the Gaza side of the fence.

It was the 46th Friday protest in a row.

On Sunday, the Gaza Health Ministry said that Ahmed Abu Jabal, 30, succumbed to bullet wounds sustained on the Gaza border the previous week.

During last Friday's weekly protest, 32 Palestinians were wounded by Israeli live fire according to Gaza authorities.

According to data in a United Nations report released last month and confirmed by Israeli security officials, 295 Palestinians were killed and about 6,000 wounded by live ammunition since protests began last March.

Unrest Breaks Out Along the Gaza Border – Report (The Jerusalem Post) By Tzvi Joffe

February 10, 2019

A Palestinian swam across the marine border between Israel and the Gaza Strip and was arrested by IDF forces on Sunday night. No weapons were found on the suspect. He is being questioned by security forces.

Incendiary balloons were launched from Jabalia in the Gaza Strip towards communities on the Gaza border, Palestinian media reported on Sunday.

Matters only escalated as a subsequent report said that Palestinians in the northern Gaza Strip threw shock grenades at IDF soldiers and burned tires.

A Palestinian was hit by IDF fire east of Jabalia in the northern Gaza Strip, according to Palestinian reports. In response, forces shot a flare over the northern area of the Strip.

Over the weekend, thousands of protesters confronted IDF forces throughout several locations across the Gaza Strip. The Palestinian Ministry of Health reported that two teenagers were killed by IDF sniper fire and five Palestinians were injured

during the clashes.

Palestinians have been staging weekly protests since last March at the border, an enclave controlled by the Islamist militant group Hamas. The enclave's health ministry says that more than 220 Palestinians have been killed by Israeli troops at the protests. One Israeli soldier has died.

Israel says it has no choice but to use deadly force at the protests to defend the frontier from militants trying to destroy the barrier and infiltrate.

"In the past hour violent demonstrations have been taking place on the security fence, we have been monitoring the demonstrators and documenting some improvised explosive devices that were thrown by some of the demonstrators, injuring several of them in the process," The IDF's Spokesperson's Office commented in a released statement on Friday.

Israel and Egypt imposed a security blockade on the enclave after Hamas seized control of it in 2007, which the World Bank says has reduced the local economy to a state of collapse. Israel has fought three wars against Hamas in the past decade.

Palestinians say the weekly protests are led by civil society groups demanding an easing of the blockade and recognition of their right to return to homes in Israel. Israel says militants use the demonstrations to threaten the border and provoke violence.

NGO Asks High Court to Strike Down Immunity Law for IDF Harming Gazans (The Jerusalem Post) By Yonah Jeremy Bob
February 11, 2019

An NGO has asked the High Court of Justice to strike down a law which grants immunity to IDF personnel for negligently harming Palestinians in Gaza based on the defense that the area is a war zone.

More specifically, Adalah asked the High Court on Sunday to reverse a lower court ruling which said that because Attiya Nabaheen, a 15-year-old minor shot by the IDF in November 2014, lived in Gaza, he could not seek damages from the IDF, even if there was negligence.

Adalah said Nabaheen was a mere bystander in the front yard of his house 500 meters from the Gaza border when he was shot in the neck. Initially paralyzed, he is permanently confined to a wheelchair.

The Jerusalem Post has learned that there is a counter-narrative saying that Nabaheen approached the security fence and that the IDF fired warning shots when he reached 50 meters from the fence.

Furthermore, the Post has learned that under the counter-narrative, when Nabaheen ignored the warning shots, he was assumed to be hostile – and the arrest procedure was ordered, which includes firing below the knees.

In this narrative, Nabaheen was only hit in the legs as part of a lawful arrest procedure.

However, this counter-narrative has not yet been made public, so the IDF has been arguing broad immunity regardless of the circumstances based on a 2012 law.

Even before the relevant 2012 immunity law was passed, Israel already applied a rule of international law called the “combat activities exception.”

According to this rule, armed forces cannot be sued for damages if they negligently harm a citizen of an enemy, provided that the harm occurred during military operations and was unintentional.

In February 2015, a three-justice panel of the High Court, including then-president Miriam Naor, Zvi Zilberthal and president-to-be Esther Hayot, upheld the combat activities exception in the case involving US citizen Rachel Corrie, who had been accidentally run over by a bulldozer.

But Adalah and the Al Mezan Center for Human Rights said that the court should still strike down the 2012 immunity law because it even goes beyond the combat activities exception and, they claimed, therefore violates international law.

The NGOs said that the 2012 law grants immunity to IDF soldiers for negligently causing harm to Palestinians in Gaza even if the harm was not caused during military operations, as long as it occurred in a conflict zone.

They said that the law essentially adopts the doctrine of “enemy aliens,” which they said was prohibited under international law in the aftermath of World War II.

According to Adalah, the “enemy alien” doctrine – which determines that any individual situated in a territory declared as “enemy territory” is to be considered an enemy – “was prohibited because of its racist and dangerous nature.”

Adalah acknowledged that the law has some provisions for suing for damages.

But the NGO said that the provisions requiring notification of an intent to sue within 60 days of the incident and the posting of a costly bond for the right to sue, among other requirements, were unrealistic and designed to eliminate the ability of Gazans to sue.

The law does not formally protect IDF soldiers from alleged criminal violations. There are a number of ongoing criminal probes against IDF soldiers for conduct related to the Gaza border conflict that have been in progress since March, though there have been no publicly announced indictments to date.

However, if an IDF soldier mistakenly harms a Palestinian, as Adalah claimed was done in the case of Nabaheen, the argument would be that no civil damage claim can be filed against Israel, even if the harm was not part of a specific military operation.

From the Israeli side, the rationale for the law was that Israel and Hamas are in an ongoing state of war. This means that virtually all actions of IDF soldiers relating to Gaza should be viewed within the lens of a military operation, even if no specific operation was ordered.

According to Adalah, when Nabaheen was shot in the front yard of his house in November 2014, there was no active war between Israel and Gaza, the most recent ceasefire having gone into effect at the end of the previous August.

It is unclear why the state has not publicly presented its counter-narrative regarding how Nabaheen was injured, though it may relate to trying to win the larger legal point, so that other damage cases by Palestinians would be foreclosed, instead of having the case decided based on the specific facts.

The Beersheba District Court rejected the lawsuit last November, leading to Monday’s appeal.

Israel Asks Dutch Court to Drop War Crimes Case Against Gantz (Haaretz) February 11, 2019

The Justice Ministry said Monday that the government has asked a Dutch court to dismiss war crimes allegations against Benny Gantz, an ex-military chief who is challenging Prime Minister Benjamin Netanyahu in the April 9 election.

A Dutch-Palestinian man originally from the Gaza Strip is suing Gantz and Israel’s former air force chief, Amir Eshel, for their roles in an airstrike on his family’s home that killed six relatives. The dead included a 72-year-old woman and a 12-year-old child.

The airstrike on the Zeyada family home took place during a 2014 war between Israel and Gaza militants.

The ministry said an internal Israeli military investigation determined the airstrike had killed four militants, including three family members, hiding in the house. It said the attack was permissible under international law, and argued the Dutch court does not have jurisdiction. Gaza’s Hamas rulers themselves have said that two militants were in the building.

“Israel has several mechanisms in place and a robust legal system available to address allegations such as those raised by the plaintiff,” the ministry said.

“Litigating the lawsuit before a Dutch court would circumvent fundamental and long-recognized principles of state immunity. Accordingly, a motion to summarily dismiss the case has been filed in the Netherlands on behalf of the two former Israeli officials,” it added.

Hassan Zeyada, a Gaza psychologist, said his family had turned to the Dutch court because it does not believe the Israeli military is capable of investigating itself. His brother Ismail, who lives in the Hague, filed the lawsuit.

“The objective is accountability,” Zeyada said. “It’s possible that our case will be a model for all bereaved families to achieve justice and accountability.”

On the campaign trail, Gantz has touted his leadership of the 2014 war as a reason to vote for him. In a campaign ad, he boasted of killing 1,364 “terrorists” in the fighting.

“If Gantz claims he enjoyed immunity because he was acting on behalf of the state, why he is bragging about destroying Gaza for his personal election campaign?” Zeyada said.

A UN report has concluded that over 1,400 Palestinian civilians were killed in the fighting and said war crimes may have been committed by both sides. Israel has blamed Hamas for the civilian casualties, saying the group hid fighters and launched attacks from residential neighborhoods.

Gantz, who left the military in 2015, has burst onto the Israeli political scene and quickly emerged as the top challenger to Netanyahu in the April vote.

Liesbeth Zegveld, the Dutch lawyer handling the case, said it was filed last year and is still in the procedural phase as the court decides whether it has jurisdiction.

The family "is arguing that they do not have access to an Israeli court, that is highly discriminatory against them, that there are so many obstacles that they never get a ruling," she said. "So we are arguing that they should be given permission to plead their case before a Dutch court."

Zegveld said there is no precedent for such a case, but she hopes the Dutch court will agree to take it.

In a separate case, the International Criminal Court has been conducting a preliminary inquiry in the Palestinian territories that, among other things, is looking into possible crimes committed by Israel and Hamas in the 2014 war. The court said recently that it hopes to wrap up the long-running investigation "as soon as possible."

Israel is not a member of the court and doesn't accept ICC jurisdiction. But Israeli forces could face charges if they are suspected of committing crimes in the Palestinian territories. The court has accepted the "State of Palestine" as a member.

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Gulf Region

Amnesty accuses UAE of diverting arms to 'militias' in Yemen (Reuters) By Lisa Barrington
February 5, 2019

Amnesty International accused the United Arab Emirates on Wednesday of diverting arms supplied by Western and other states to "unaccountable militias accused of war crimes" in Yemen.

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The UAE and Saudi Arabia are leading a military coalition, including local forces drawn from various Yemeni factions, that is trying to restore the internationally recognized government ousted from power in 2014 by the Iranian-aligned Houthi group.

"Emirati forces receive billions of dollars' worth of arms from Western states and others, only to syphon them off to militias in Yemen that answer to no-one and are known to be committing war crimes," Amnesty said in a statement.

"The proliferation of these fighting forces is a recipe for disaster for Yemeni civilians who have already been killed in their thousands, while millions more are on the brink of famine as a direct result of the war," the human rights group said.

The UAE government media office did not immediately respond to a request for comment on the Amnesty statement.

The UAE has trained and armed thousands of Yemeni fighters, mostly in southern provinces and western coastal areas, as part of the forces battling the Houthis, who control most urban areas including the capital Sanaa and the main port of Hodeidah.

Western nations, many of which provide weapons and intelligence to the coalition, have pressed for an end to the almost four-year war after the murder of Saudi journalist Jamal Khashoggi increased scrutiny of Saudi activities in the region.

Rights groups have accused both sides in the conflict of committing possible war crimes, including abuse of detainees, a charge the warring parties have denied.

Amnesty called on states to suspend arms sales to the warring parties until there is "no longer a substantial risk" they may be used to breach humanitarian or human rights law.

The conflict is widely seen in the region as a proxy war between Sunni Muslim Saudi Arabia and Shi'ite Muslim Iran. The

Houthis deny charges that Iran supplies them with weapons and say their revolution is a popular one against corruption.

U.S. lawmakers renew push for penalties against Saudi Arabia (Reuters) By Patricia Zengerle

February 7, 2019

Republican and Democratic U.S. lawmakers renewed their push on Thursday to penalize Saudi Arabia for the murder of Saudi journalist Jamal Khashoggi and address the humanitarian crisis in Yemen, introducing legislation to bar some arms sales and impose sanctions on those responsible for his death.

Democrats Bob Menendez, Jack Reed, Jeanne Shaheen and Chris Murphy and Republicans Todd Young, Lindsey Graham and Susan Collins introduced the bill one day before the Feb. 8 deadline for President Donald Trump's administration to submit a report to Congress on whether Saudi Crown Prince Mohamed bin Salman ordered Khashoggi's killing.

Congressional aides said they had been given no indication that the administration would meet that deadline. The White House did not immediately respond to a request for comment.

Meanwhile, a United Nations-led inquiry into the Khashoggi's murder said on Thursday that evidence pointed to a brutal crime "planned and perpetrated" by Saudi officials.

Among other things, the "Saudi Arabia Accountability and Yemen Act of 2019" would impose mandatory sanctions on anyone found responsible for the death of Khashoggi, a U.S. resident and columnist for the Washington Post.

Menendez, Graham and other lawmakers had tried to pass similar legislation last year, during the previous Congress, but it failed to advance. The Senate did unanimously pass a resolution blaming bin Salman for Khashoggi's killing and a measure that would have barred U.S. support for the Saudi-led coalition waging war in Yemen.

However, the Republicans who then led the House of Representatives did not allow a vote on the legislation.

Trump has resisted legislative efforts to rebuke the Saudis, pointing to weapons sales as an important source of U.S. jobs. His administration is also reluctant to disturb the strategic relationship with the kingdom, seen as an important regional counterbalance to Iran, arch-rival of U.S. ally Israel. Graham, a close Trump ally who nonetheless has led the push for a strong response to Saudi Arabia, said he expected strong bipartisan support for "serious sanctions."

"While Saudi Arabia is a strategic ally, the behavior of the Crown Prince – in multiple ways – has shown disrespect for the relationship and made him, in my view, beyond toxic," Graham said in a statement.

"I fully realize we have to deal with bad actors and imperfect situations on the international stage. However, when we lose our moral voice, we lose our strongest asset," Graham added.

Democrats now control the House and have been more open to legislation penalizing Saudi Arabia. The chairman of the House Foreign Affairs Committee held a hearing on relations with Saudi Arabia on Wednesday, where he opened the door to new restrictions on weapons exports to the kingdom.

Besides putting new limits on weapons sales, the Senate legislation announced on Thursday would bar U.S. refueling of aircraft for the Saudi-led coalition engaged in the civil war in Yemen.

It would also impose sanctions on anyone blocking humanitarian assistance in Yemen, sanction anyone supporting the Iran-backed Houthi rebels fighting Yemen's internationally recognized government, demand "an accountability report" for anyone involved in the Yemen conflict who commits war crimes, and mandate a report on human rights in Saudi Arabia.

"Seeing as the Trump Administration has no intention of insisting on full accountability for Mr. Khashoggi's murderers, it is time for Congress to step in and impose real consequences to fundamentally reexamine our relationship with the Kingdom of Saudi Arabia and with the Saudi-led coalition in Yemen," Menendez, the top Democrat on the Senate Foreign Relations Committee, said in a statement.

FM: Qatar plans to host regional meet to curb ISIS crimes (The Peninsula)

February 7, 2019

Washington: Deputy Prime Minister and Minister of Foreign Affairs H E Sheikh Mohamed bin Abdulrahman Al Thani has announced that the State of Qatar intends to host this year a high-level regional meeting to address the brutal crimes committed by the ISIS group, in cooperation with the Special Advisor and Head of the International Investigation Team to promote accountability for crimes

committed by ISIS group in Iraq.

In a speech at a meeting for the ministers of the Global Coalition to Defeat ISIS in Washington, yesterday, H E the Deputy Prime Minister and Minister of Foreign Affairs said that the State of Qatar will spare no effort in supporting the brotherly Iraqi people at this stage, underscoring Iraq's ability to overcome the challenges facing the reconstruction process, while calling on the international community to support Iraq in its reconstruction efforts.

He stressed that the fight against terrorism is a high priority for the State of Qatar, pointing out that Qatar has participated actively in all the activities of the Global Coalition and will continue its efforts at the national, regional and international levels.

H E the Deputy Prime Minister and Minister of Foreign Affairs said terrorism remains one of the most serious threats to international peace and security at present, adding that the success of the Global Coalition in defeating the group in Iraq and Syria reflects the international will to eradicate terrorism.

H E the Deputy Prime Minister and Minister of Foreign Affairs stressed that the success in combating ISIS group and eradicating its ideology can be sustained only by addressing the root causes of terrorism and extremism, ending and preventing armed conflicts, uniting efforts, promoting regional and international cooperation and abiding by the relevant provisions of international law.

Meanwhile, H E the Deputy Prime Minister stressed Qatar's firm position that calls for resolving the Syrian crisis in accordance with the Geneva resolutions and relevant Security Council resolutions and holding war criminals accountable for crimes committed by terrorist groups or those who practised State terrorism.

He noted that the phenomenon of foreign terrorist fighters is a very important issue and should be addressed through comprehensive approach and these fighters should be rehabilitated and integrated into their societies within the framework of criminal justice.

Last October, he said, Doha hosted a high-level conference of regional and international experts to discuss ways to address the phenomenon of foreign terrorist fighters, adding that the conference came out with important recommendations in this regard.

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ASIA

Afghanistan

Three Marines were falsely accused of war crimes. Twelve years later, they have vindication (Anchorage Daily News) By Andrew deGrandpre
February 1, 2019

A Marine veteran who fought the Pentagon for 12 years over a war-crimes case brought against him and six others will have his permanent record wiped clean, an extraordinary affirmation of his claim that their reputations were destroyed by the military's effort to imprison the men.

The Marines were members of an elite commando force expelled from Afghanistan in 2007 amid unproven allegations that they massacred innocent bystanders in the frantic minutes following an ambush. They were cleared of wrongdoing more than a year later, after the case was heard by a military court, but have maintained that senior leaders did little to set the record straight and, consequently, fostered the stigma that has dogged them ever since.

A report approved in January by the Navy Department is a major victory for retired Maj. Fred Galvin, the Marines' commanding officer. Its conclusions, he says, are a rebuke of those who condemned his men before the facts were clear, the investigator whose work was shown in court to be sloppy and the generals who refused Galvin's pleas for public absolution.

In its ruling, the Board for Correction of Naval Records said Galvin, 49, should be considered for a retroactive promotion. If granted, he would be entitled to hundreds of thousands of dollars in back salary and future government pension benefits, as he was forced to retire in 2014 after his superiors relied on "inequitable and unjust" performance appraisals, the report states, to prevent him from advancing in rank. Of the seven swept up in the case, Galvin is the only one to pursue such vindication.

More broadly, the board's determination closes one of the Afghanistan war's darkest chapters, an episode that unleashed international outrage only to be proved a fabrication engineered by the Taliban to fuel distrust of the U.S. military. Those involved fought for their lives that day only to be denounced by senior officers who had an obligation to protect their presumption of innocence.

"This was a big betrayal," said Steve Morgan, a retired Marine officer and decorated combat veteran who in 2008 was part of the court panel that found Galvin's Marines acted honorably on the battlefield. The panel also memorialized the failures committed by the Marines' superiors during and after the investigation.

"Fred has finally come out on the right side of things, but it has come at a very steep price," Morgan added. "The lies. The deceit. That makes me so mad. That kind of behavior doesn't inspire confidence in the ethics of our military's leaders. It corrodes public trust in the institution."

Galvin was the commanding officer of Marine Special Operations Company Fox. On March 4, 2007, as he and 29 others traveled in a six-vehicle convoy through the village of Bati Kot, a suicide bomber driving a van packed with explosives attacked the American vehicles and then fighters on both sides of the road opened fire. The Marines fought back and escaped with only one minor casualty.

But in the fight's immediate aftermath, images of bullet-riddled vehicles and ambulances loading bloodied Afghan men were transmitted worldwide. Accounts gathered at the scene portrayed the Marines as murderers, and allegations of wrongdoing were fueled by erroneous media coverage and a bogus narrative fostered by American military officials who fed false information to news outlets, the court's conclusions would later make clear.

Galvin harbors resentment for many, peers and superiors alike. "That 12-page report is an indictment," he said. "It shows the decay of ethical and moral leadership in our military. And the people who did this to us got a free pass."

Chief among his adversaries is John Nicholson, who retired from the Army last year after ascending to the rank of four-star general and serving for 2.5 years as the head of all NATO forces in Afghanistan. When the incident occurred, Nicholson was a colonel and brigade commander overseeing operations in the area, along the mountainous span of Afghanistan's border with Pakistan that was thought to be harboring al-Qaida leader Osama bin Laden.

Francis Kearney, then a two-star Army general with purview of covert Special Operations activity in Afghanistan and throughout the Middle East, dispatched his chief of staff, Patrick Pihana, to investigate.

Independent assessments of the casualty count varied widely. Amid widespread protests in Afghanistan, Hamid Karzai, the country's president at the time, condemned the Marines. Hoping to contain the backlash, Nicholson broadcast an apologetic statement declaring the incident a "stain" on the U.S. military's honor.

Privately, officials were suspicious of the unit because of a separate incident involving Galvin's men in which, days after the ambush, they deceived him and other leaders to undertake a mission in an area declared off limits. Commanders in Afghanistan, still riled by the allegations of indiscriminate killing, pointed to the Marines' duplicity as evidence that Galvin had lost control of his unit. He was relieved of command, and Fox Company was sent home.

The Navy review board sided with Galvin here, too, concluding that his superiors "grossly overreacted" and did not differentiate between the two incidents when ordering the Marines to leave.

Nicholson and Kearney, who retired as a three-star general in 2012, are not named in the new report. However, it makes clear that senior U.S. officials made "gross errors in judgment" leading up to Kearney's decision to eject the Marines from Afghanistan, and that along with the Taliban's deception, Army leaders were the "proximate causes" for inciting the chain of events that led to that decision.

The report's harshest language is directed at Pihana, whose investigation, it notes, was discredited in court years ago, in part because he was found to have suppressed evidence that supported the Marines' version of events - and was suspected by the court of having been influenced by Kearney, his direct superior.

"The magnitude of his errors," the report says, "cannot be overstated." Pihana's conclusion - that Galvin and the others should be charged with negligent homicide or dereliction of duty - is "explicable only as gross negligence or a mission with a

predetermined outcome," the report says.

Neither Nicholson, Kearney nor Pihana responded to requests for comment.

Morgan has urged members of Congress to push the Pentagon to re-examine whether Nicholson, Kearney or Pihana violated military regulations or laws in their pursuit of a criminal case and, if so, to hold them accountable.

"Nicholson and Kearney perpetuated the myth these Marines did bad things, and they've done nothing to set the record straight," Morgan told The Washington Post. "I've got no time for those guys."

In 2015, when Military Times re-examined this case in a multipart series, Kearney said he ordered the investigation at the Marine Corps' request because, he recalled, there was pressure on the military to demonstrate accountability in light of two unrelated war-crimes cases involving U.S. personnel in Iraq. "If these Marines have heartburn," he said, "it should be with the Marine Corps."

It was Jim Mattis, a revered Marine general who would become defense secretary, who convened the tribunal that ultimately determined that none of the Marines should be charged. The hearings spanned three weeks in January 2008. Four months later, at the outset of Memorial Day weekend, Mattis' successor, having assessed the court's findings, issued a brief statement affirming that Galvin's men had "acted appropriately."

That phrase still bothers the Marines, who say it was not a firm enough declaration of their innocence, and that it has been misinterpreted inside and outside the military to mean "we got away with murder," Galvin said. He also questions the announcement's timing, calling it a deliberate move to bury the story. As a consequence, those assigned to the unit were ostracized.

"Sometimes now, when I reflect on it, I think that if this didn't happen, I'd be four years from retirement. I could have stayed in and made that my career," said one of the Marines who was falsely accused and left the military voluntarily in 2008, when his contract expired. He spoke on the condition of anonymity, citing lingering concerns about retaliation.

"This devastated my life - my family, my legal expenses, being separated from the Marine Corps, not knowing if one day someone was going to knock on my door and take me to Fort Leavenworth," he added, referring to the Army post in northeastern Kansas that is home to the military's only supermax prison.

The stress and the shame have burdened all of them, Galvin said, leading to substance abuse, divorce and thoughts of suicide in some cases.

As their former commanding officer, Galvin has continued to press Marine Corps headquarters to do more to set the record straight. Beginning in 2015, with support from five members of Congress, entreaties have been made to the service's most senior officer: first, to Gen. Joseph Dunford, who became chairman of the Joint Chiefs of Staff later that year, and then to Dunford's successor, Gen. Robert Neller.

When approached by lawmakers, Dunford and Neller each declined to revisit the matter or make public statements of support for the Fox Company Marines. In his correspondence to members of Congress, Dunford restated the court's findings from years prior, saying neither Galvin nor his men faced any punitive measures. "Nor is there any adverse information in their military records associated with this incident," the general noted then, incorrectly.

Galvin grew hopeful when Neller announced in 2016 that he was making suicide prevention a signature focus of his term as the Marine Corps commandant. "We can't afford to lose a single Marine to anything, whether it be accident, injury or suicide," Neller told Marine Corps Times then. "I can tell you - giving my solemn word - that the Marine Corps will try to help anyone who comes forward."

In February 2018, under pressure from Rep. Walter Jones, R-N.C., Neller's staff director at the time, Maj. Gen. Frederick Padilla, pledged that the service would provide counseling and other assistance to Galvin and his men. "We are concerned to hear of the challenges many members of Fox Company are facing - which are, unfortunately, all too common among our combat veterans," Padilla wrote to Jones. "I have asked the Commanding Officer of our Wounded Warrior Regiment to follow-up with these Marines to ensure they are receiving appropriate and all necessary care and support."

No one from the Marine Corps contacted them, Galvin said, until reading about Padilla's directive in The Post several weeks later.

At the Pentagon, Dunford and Neller have acknowledged the review board's determination. "General Dunford was pleased to learn about Maj. Galvin's exoneration and also appreciates his efforts to take care of the Marines from Fox Company," said Col. Patrick Ryder, a spokesman for the chairman.

Neller said: "We have a system through which Marines can try to remediate actions believed to have been unfair or incorrect. In this case, it seems the system worked as designed, and Maj. Galvin had his record cleared. We all wish him well."

The Marines hope the military will do more to demonstrate that they are not outcasts but victims. "Military justice requires that those who . . . have conducted wrongdoing be held accountable," Galvin said, "not just that those offended be patted on the back."

Matt Golsteyn planned to join the CIA and go to Iraq. Now he faces a murder charge. (Washington Post Blogs) By Dan Lamothe
February 9, 2019

In the largest battle in the history of the U.S. war in Afghanistan, Mathew L. Golsteyn watched to see if the man he believed was responsible for killing two U.S. Marines was coming his way.

Golsteyn, a captain and Green Beret soldier at the time, said he had taken up an ambush position in the Taliban stronghold of Marja when U.S. forces released the man, a suspected Taliban bombmaker known as Rasoul.

What happened next is at the center of an Army investigation that has stretched years, resulting in a murder charge against Golsteyn in December.

Golsteyn didn't know whether the suspected insurgent, who was unarmed at the time, would walk in his direction. But if he did, to Golsteyn it meant he was going back to insurgent activities and could be legally targeted.

"If [he goes] any other direction of the 360 that you have available to you but mine, and he doesn't meet me," Golsteyn said. "He had been released, and are you going to go back to what you were doing? Or are you going to go somewhere else? If it had been me, this guy's a-- would have beaten feet in a completely different direction."

The incident first came under scrutiny by the Army in October 2011, the same year Golsteyn was awarded a Silver Star for valor in different actions. Golsteyn said he had planned to join the CIA and go to Iraq in 2012, and in a polygraph test for the CIA he said he had killed an unarmed man and burned the body.

The case has become a cause celebre among some conservative and veterans groups, and caught the attention of President Trump late last year after Golsteyn's wife, Julie, appeared on Fox News. In a Dec. 16 tweet, the president pledged to review the case "at the request of many" and called Golsteyn a "a U.S. Military hero."

The case also has re-energized long-running arguments about how U.S. troops should behave in combat while guided by rules that their enemies often do not follow, and how the military should treat a war hero if he is suspected of war crimes.

Golsteyn, 38, has rarely discussed the case in public, leaving it to his wife, civilian attorney Phillip Stackhouse and other supporters. But in a two-hour interview with The Washington Post, he defended his actions and lambasted Army investigators for how they characterized his actions in official reports. Golsteyn said he is grateful for the president's attention and would welcome a pardon but cannot expect it.

"It's not an insignificant thing living every day knowing that you're an enemy of the state," said Golsteyn, who was recalled to active duty as a major to face the charge. "We are playing for a court-martial. It would be pretty dangerous to be playing for a pardon, and then there is no pardon and we have to go to court-martial."

The Army has declined to comment on how it has handled Golsteyn's case. A spokesman, Lt. Col. Loren Bymer, said Golsteyn was charged after new evidence emerged, and an Article 32 hearing is scheduled for March 14 at Fort Bragg in North Carolina to assess whether the case should proceed to a trial.

"As an active law enforcement matter, the U.S. Army cannot comment on or release information related to the case," Bymer said.

Golsteyn met with The Post in Washington at the headquarters of the International Association of Fire Fighters, a union for which Golsteyn serves as chief of operations. He took the job while preparing to move on from Army life, settling in Northern Virginia in August 2016, marrying Julie in May 2017 and having a son with her last year. He also has a 12-year-old-son from a previous marriage.

In Golsteyn's office at work hangs military memorabilia from his career and a photo of him shaking President George W. Bush's hand in 2002 as a new graduate of the U.S. Military Academy at West Point, N.Y. Golsteyn deployed to Iraq in 2003 and Afghanistan in 2009 after undergoing heart surgery in 2006 stemming from an accident at the Special Forces Underwater

Operations School near Key West, Fla.

In January 2010, Golsteyn was deployed to Afghanistan with the 3rd Special Forces Group. As commander of Operational Detachment Alpha 3121, he would lead not only his unit but also about 30 Marines and 300 Afghan soldiers in a major offensive against the Taliban involving a total of 15,000 coalition and Afghan troops.

The Battle of Marja would prove to be far more violent than other missions.

For days, Golsteyn and his troops faced hours of gunfights. Explosives laced the city, and he and other service members were frustrated with rules of engagement that were designed to prevent civilian casualties but limited how aggressively they could target the Taliban.

On Feb. 18, a booby-trapped garage door exploded, killing Sgt. Jeremy McQueary, 27, and Lance Cpl. Larry M. Johnson, 19, Marine combat engineers deployed alongside Golsteyn's unit. After a search, Afghan forces detained a man with bombmaking material. But Golsteyn said U.S. forces were told they could not keep any detainees because of the amount of resources doing so would require.

Golsteyn targeted the suspected bombmaker in circumstances that are still mysterious and central to the case. With a criminal charge pending, he declined to answer some questions, including how long the man had been free before he was killed, whether anyone else was with Golsteyn at the time and whether he reported the killing to anyone afterward.

"He probably had anywhere from between . . ." Golsteyn said of Rasoul, before stopping mid-sentence.

"To be honest, I don't know because I was out [away from the base]. He had a long walk," Golsteyn continued. "He had a long time to figure out where he was going in life."

Rachel E. VanLandingham, a military justice expert at Southwestern Law School in Los Angeles, said the specifics of how Golsteyn targeted the man are central to the case. If Rasoul showed hostile intent and Golsteyn used authorized tactics to target him, it would appear he committed no wrongdoing, she said. However, if he "was in actuality lying in wait for this guy," she said, the situation is different.

"In other words, we may have a legitimate killing based on individual self-defense in response to conduct that demonstrates hostile intent, or we could have premeditated murder," said VanLandingham, who once served as the chief of international law for U.S. Central Command. "Context of the ambush is everything."

Golsteyn acknowledged disposing of the man's body after the shooting and said it was not uncommon for U.S. troops to burn remains that went unclaimed in the war. In his earlier statements to the CIA, he said a couple of other soldiers were involved.

"We had bodies everywhere from aircraft fire, sitting in pools of water and we had to, when we came on the, dispose of them," Golsteyn said. "There is no one to claim them. There was disease and pestilence, and on top of that it's a source of booby traps and a huge hazard to our force."

The case has been clouded by characterizations of Golsteyn's actions in Army investigative reports.

An agent with U.S. Criminal Investigation Command who watched a recording of Golsteyn's polygraph test wrote in one early report that Golsteyn told his interviewers that he and one other U.S. soldier had taken the deceased Afghan "back to his residence and assassinated him." But Army officials conceded at a 2015 administrative hearing known as a Board of Inquiry that Golsteyn did not say that, Golsteyn said. The Army declined to comment.

The Army has declined to release the transcript of Golsteyn's job interview that spawned the investigation or the 2015 hearing. A panel of three officers voted 2 to 1 that the service had not substantiated that Golsteyn violated the law of armed conflict, but it found he had demonstrated conduct unbecoming of an officer.

The Army initially closed its investigation in November 2013 without finding enough evidence to prosecute Golsteyn, even when offering immunity to his fellow soldiers. It pursued a number of administrative punishments instead, including the suspension of his security clearance, the revocation of his Silver Star and Special Forces tab, and the issuing of a career-ending memorandum of reprimand.

The Silver Star was awarded in 2011 for repeatedly braving enemy fire on Feb. 20, 2010, two days after the Marines were killed. Golsteyn was credited with braving fire during a four-hour battle in which he trudged through mud, returned fire, helped an Afghan soldier who had been shot and coordinated airstrikes.

The Army reopened its investigation in 2016, after Golsteyn appeared on Fox News and acknowledged killing a bombmaker in an interview with Bret Baier.

"There's limits on how long you can hold guys, Golsteyn said at the time. "You realize quickly that you make things worse. It is an inevitable outcome that people who are cooperating with coalition forces, when identified, will suffer some terrible torture or be killed."

Golsteyn told The Post that he has found the Army's investigation dishonest, and he can no longer stay silent about it.

"I spent half of this hell quiet, and if there is anything I know, it's that I will not get any semblance of due process - any ability to defend myself - if it's not in public," he said. "Because it's the only thing these guys respond to. They do not obey their own rules."

Afghans protest civilian casualties in security raids (Anadolu Agency) By Shadi Khan Saif
February 10, 2019

Hundreds of Afghans protested in the restive Helmand province on Sunday against deadly security offensives here which have claimed multiple civilian casualties.

The protests followed security raids over the past two months on suspected Taliban hideouts in Helmand's Taliban-controlled Sangin district which killed at least 30 civilians and wounded many, including women and children.

"This situation is no longer acceptable to us, and we are telling honorable President Mohammad Ashraf Ghani and NDS [secret service] head Masoum Stanikzai to put an end to these raids," Attaullah Afghan, chairman of the provincial council, told fellow protesters.

There has been an evident surge in aerial operations and night raids since the hawkish Assadullah Khalid, former NDS chief, took charge of the Defense Ministry last month. Khalid has vowed to take the fight to the Taliban bastions in a bid to "eliminate" those rebels not wanting peace.

On Sunday, the provincial administration in Helmand acknowledged in a statement that four civilians were killed in a security operation in Sangin on Saturday.

Meanwhile, the Civilian Protection Group, a local civil society group, has urged the international community to link its aid to Afghanistan with reducing civilian casualties, local Pajhwok news reported.

The Taliban have posted pictures of dead civilians of Sangin, including children, on their social media pages, accusing the government and U.S. forces of committing war crimes.

The UN Assistance Mission in Afghanistan announced on Jan. 25 that it has received credible reports of civilian casualties, including children, from aerial operations in the Sangin district.

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Bangladesh International Crimes Tribunal

Will push again for Jamaat's war crime trial: law minister (The Daily Star) February 11, 2019

Law Minister Anisul Huq yesterday told parliament that the government will settle the issue of trying Jamaat-e-Islami as a political party for its involvement in crimes against humanity, through a legal process.

In reply to a query from Awami League MP Waresat Hossain Belal, the minister also informed the House that the law ministry will take initiative again to send the amendment to International Crimes Tribunal law to the cabinet division, in line with Prime Minister Sheikh Hasina's direction so that it can be placed before the cabinet meeting.

In a scripted answer, Anisul said the law ministry had earlier sent the amendment to the ICT law to the cabinet division aimed at trying Jamaat-e-Islami as a political party for its involvement in crimes against humanity in the country's Liberation War in 1971.

In reply to another question, the law minister said his ministry has taken various measures including appointing 571 assistant judges in lower court since 2014, for quick disposal of the huge number of cases in different courts across the country.

In reply to a query of AL lawmaker Nizam Uddin Hazari, the minister said it is under the government's active consideration to set up Attorney Service in a bid to conduct cases by public persecutors.

3.36 LAKH POSTS VACANT AT GOVT OFFICES

State Minister for Public Administration Farhad Hossain yesterday informed parliament that the government has taken various steps to fulfill vacant posts of the government offices, as 3,36,746 posts are now vacant at public offices of the government.

“Bangladesh Public Service Commission has recommended for 1,289 posts from different cadres through 37th BCS (Bangladesh Civil Service), aimed at appointing vacant posts,” he said this replying to a question made by AL MP M Shamsul Haque Tuku of Pabna-5.

The state minister said the government has requested agencies concerned to verify pre-service curriculum of the recommended candidates, adding, “After getting verification report of the pre-service information, freedom fighter certificate and health check-up, they will be given final appointment.”

In addition to this, the appointment process of 8,719 vacant posts of different ministries are now underway through the 38th , 39th and 40th BCS, he said.

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War Crimes Investigation in Burma

Rights group welcomes commission to probe trafficking of Rohingya (Free Malaysia Today) January 30, 2019

A human rights group dedicated to addressing issues faced by the Rohingya has welcomed Putrajaya’s move to establish a commission to investigate cases of human trafficking in Wang Kelian at the Perlis-Thailand border.

The Myanmar Ethnic Rohingya Human Rights Organization Malaysia (Merhrom) said it was a significant move by the government to address the menace of human trafficking not only in the country, but the entire region.

In a statement, it voiced hope that the commission would bring justice to those who had lost their lives in the conflict in Myanmar.

“Though the public at large does not know about the existing trafficking camp in Wang Kelian, it was not a secret to most Rohingya who fled our country due to genocide.

“They witnessed everything in the trafficking camp. The torture, the shooting, the cry of women and children, sickness, hunger, weakness, hopelessness, greediness and death,” it said.

The group added that it was a nightmare for those who fled their country and were forced to move to these camps.

“They had to go through all this in order to survive.

“We understand that the fight against human trafficking cannot be done alone as it involves other countries. Therefore, the significant interventions by the affected countries are crucial to combat human trafficking,” it said.

Merhrom voiced hope that the government under Prime Minister Dr Mahathir Mohamad would continue to exert pressure at the international level to bring an end to the decades-long problem faced by the Rohingya.

In 2015, mass graves containing the remains of 139 people believed to be Rohingya refugees from Myanmar were discovered in Wang Kelian, sparking international outrage.

Myanmar's Rohingya community has been declared by the United Nations as the most persecuted minority in the world.

Burmese military steps up operations against Christian minority (Fox News) By Hollie McKay

February 6, 2019

The Burmese military has stepped up its operations against the country's mostly Christian minority and driven hundreds more from their homes and jobs, according to human rights groups, as the conflict between the government and the Karen ethnic group marks its 70th anniversary.

"Violations of the (2015) nationwide cease-fire agreement (NCA) and clashes have resumed. In January 2019 alone, the Karen National Liberation Army (KNLA) were forced to destroy at least five Burma Army military vehicles attempting to attack deeper into Karen territory, and the Burma Army has begun shelling Karen civilian villages," Ephraim Mattos, East Asia Operations Manager for The Nazarene Fund, told Fox News. "These clashes are happening in several places along the same road that caused major problems last year."

Since Burma gained independence from the British in 1948, ethnic minorities – perhaps most significantly the Karen – have been locked in a simmering succession of war and alleged crimes against humanity in their quest to establish and maintain their independence. The Karen National Union (KNU), a political organization that represents the interests of the minority Karen and whose armed wing, the Karen National Liberation Army (KNLA), agreed to what was hailed as a landmark agreement in 2015.

But that piece of paper has not put a stop the fighting.

"From January 18 until today, the Burma Army has been launching mortars from two different military outposts at civilian villages in an ongoing series of coordinated attacks," said Mattos. While there have been no reports yet of civilian casualties, at least 200 Karen villagers – more than 80 percent of whom are Christian and facing the Buddhist-majority military – are said to be hiding in the jungle.

"However, dozens of village animals – their livelihood – have been killed or wounded. All of this was the week leading up to the January 31st 70th anniversary of the war. Mortars from both bases simultaneously have been targeting the same areas," Mattos contended. "The mortar barrages last anywhere from 1 to 12 hours and have killed dozens of livestock in the villages."

Further documented violations allege that on the evening of Jan. 24, the Burma Army fired on Karen civilians walking in the hills around their own villages, screaming and taunting them as civilians ran for safety. No one was injured. Then on Jan. 31 – the 70th anniversary of the Karen Revolution – the Burma Army opened fire with mortars and machine-gun fire on KNLA defensive positions in the Paw Kay Kho area.

The uptick in skirmishes this year alone has prompted hundreds from the already impoverished minority to flee their homes. One exclusive video shot by the Nazarene Fund's relief team on Jan. 25 in the Paw Kay Kho area, and viewed by Fox News, shows a female village leader carrying her belongings and fleeing apparent fighting.

"The Burma Army is shooting mortars and it not safe to live in the village. We are moving to the head of the river," a female village leader informs a local aid worker on January 25, detailing that her buffalo were hit with mortar rounds and that her entire family were afraid to stay in their homes.

"The Burma Army is shooting mortars and it not safe to live in the village. We are moving to the head of the river," a female village leader informs a local aid worker on January 25, detailing that her buffalo were hit with mortar rounds and that her entire family were afraid to stay in their homes. (The Nazarene Fund)

"The Burma Army is shooting mortars and it not safe to live in the village. We are moving to the head of the river," the leader informs the aid worker, detailing that her buffalo were hit with mortar rounds and that her entire family was afraid to stay in their homes. In another video, shot on the same day in the same area, children are seen fleeing apparent conflict.

A third video taken on Jan. 26 in Paw Kay Kho – filmed by the KNLA defense fighters – shows them seemingly holding defensive positions in preparation for a potential Burma Army ground assault. They claim all the background shooting is "coming from the Burma Army who are firing into Karen areas in violation of the NCA."

Greh Moo, a community activist with the Karen Organization of America, who travels back and forth between the region and the United States, pointed out most parts of the semi-autonomous state remain peaceful. But he said there is still deep mistrust between the two sides, and concerns tensions will escalate.

"In the north, relations are still tense as the Burma Army fails to follow the ceasefire agreement, especially in terms of their

territorial breach, their construction of a road and upgrade in military bases,” he said. “Early last month there was another skirmish between the Karen and Burmese army in Brigade 5 after the Burmese army again intruded into Karen territory against the ceasefire agreement. This again resulted in over one thousand Karen civilians fleeing their villages.”

Moo also said that despite seven years of negotiations and a peace process, “the Burmese army has not removed or downgraded any of its bases in the Karen territories but reinforced them, so fighting between the two sides is always a possibility if further progress cannot be made.”

A representative for Burma – also known as Myanmar – UN Mission was unavailable for further comment on the matter. And the country’s Washington embassy did not respond to a request for comment.

But the Myanmar military – often referred to as the Tatmadaw – accused the KNU on Jan. 25 of being involved in “ambush attacks against Tatmadaw troops, attacks against rival ethnic armed organizations (EAOs), inhumane treatment and torture of villagers, expanding the KNU military-controlled areas, illegal tax collection, and recruitment of new soldiers.”

A third video taken on January 26 in Paw Kay Kho – filmed by the KNLA defense fighters – shows the KNLA fighters seemingly holding defensive positions in preparation for a potential Burma Army ground assault (The Nazarene Fund)

“Specifically, it accused the KNU of nine ambush attacks against Tatmadaw troops and two car bomb attacks in the Southern Command area. The KNU admitted to the anti-vehicle mine attacks saying they were the result of a failure to hold negotiations to avoid further military engagements,” explained Erin Murphy, founder, and principal of the Burma-focused Inle Advisory Group, who served as the Special Assistant to the Office of the Special Representative and Policy Coordinator for Burma under Obama. “The KNU leadership said they were abiding by the terms of the Nationwide Ceasefire Accord (NCA) but that further discussions were clearly necessary.”

In October 2016, the Obama administration lifted economic sanctions against Burma, citing the country’s “substantial advances to promote democracy.” But the country has since regressed.

Last April, Burma’s military started building a road connecting two bases in the Karen state, which was widely depicted as a violation of the NCA. The alleged offenses resulted in more than 3,000 villagers being displaced. “The road construction has temporarily stopped, but it could resume again at any time as the Burma Army has not removed their equipment and tools in the hope that one day they can resume it quickly,” Moo said.

But seven decades of battles and bloodshed has put the Karen Revolution at an ultimate crossroad and prompted the leadership to take a critical breath in working to chart the next course of action and direction.

“After 70 years and with no progress, some Karen leaders believe the best way is to engage with the government as much as possible despite a lack of success. But there are also some who believe that the current peace process will not deliver any benefit to the Karen as the government and the Army are using this to mainly get the international pressure off them and attract foreign investment to kick start the economy,” Moo added. “As a result, investing in the peace process has only made the Karen more vulnerable.”

Families Displaced by Fighting in Chin State Flee Toward Indian Border: Arakan Army (The Irrawaddy) By Nan Lwin Hnin Pwint
February 6, 2019

More than 120 residents of Chin State’s Paletwa Township displaced by fighting between the Myanmar military and Arakan Army (AA) are taking shelter in territory under the control of the ethnic armed group near the border with India, a spokesman for the group said.

“There are 124 people altogether, and we are finding out where the other villagers have fled to,” U Khaing Thu Kha told The Irrawaddy.

He said 48 people from Kin Talin Village and 76 people from Khamaungwa Village arrived on Sunday — 32 men, 33 women and 59 children under 12 years old.

“We are taking the best care we can of the civilians who have arrived in our area of control. But it will not be easy in the long run. We will have to find other ways,” said U Khaing Thu Kha.

He said that clashes from Jan. 20 through Monday have displaced people in seven villages including Khamaungwa, Kin Talin, Khaw Sa and Tawagu. But only those from Khamaungwa and Kin Talin have arrived in AA-controlled territory, he added, with the whereabouts of the others unknown.

The spokesman said the military has damaged several Arakanese villages along the Shin Let Wa and Kin Talin creeks with artillery fire.

On Sunday, police in Paletwa arrested 24 people who had recently fled Rakhine State's Kyauktaw Township along with two locals sheltering them in their homes, after army Maj. Aung Naing Soe filed a complaint under Section 17 (1) and (2) of the Unlawful Associations Act. They are being detained at Sittwe Prison.

Residents of Shin Let Wa Village told The Irrawaddy by phone that the military had increased security in the village and restricted their movements.

The Irrawaddy could not verify the report independently and could not reach military spokespeople for comment.

The Paletwa Township administrator told The Irrawaddy there were no new displaced people in the area recently.

The military and AA have clashed sporadically in Paletwa since 2015. Fighting there resumed in November and has since spread to Buthidaung, Rathaedaung, Kyauktaw and Ponnagyun townships in neighboring Rakhine State, displacing more than 5,000 people.

On Dec. 21 the military announced a unilateral ceasefire with armed groups in the northeast to last until April. 30. It said it left Rakhine State out because of the ongoing threat posed by the Arakan Rohingya Salvation Army.

On Jan. 4 the AA attacked four border guard police posts in Buthidaung, seizing more than 40 arms and thousands of rounds of ammunition. Thirteen police and nine others were injured in the attack. Afterward, the President's Officer ordered the military to crush the AA.

The government's National Reconciliation and Peace Center is meanwhile taking steps to hold talks with the Northern Alliance, of which the AA is a member.

Translated from Burmese by Thet Ko Ko.

Myanmar villagers flee fresh Rakhine State fighting, enter Bangladesh (Reuters) February 7, 2019

Scores of ethnic minority villagers have crossed from western Myanmar into Bangladesh in recent days amid fighting between the Myanmar military and ethnic Rakhine rebels, Bangladesh border guards and an activist said on Thursday.

Members of 38 families said they fled their homes fearing attack from military helicopters, said Colonel Zahirul Haque Khan, the Border Guards Bangladesh (BGB) commander in Bandarban district where the group of 136 people are now living in shelters.

Clashes between Myanmar's military and the insurgent Arakan Army, which mainly recruits from the Rakhine ethnic group, have displaced more than 5,000 people in parts of Rakhine and Chin states since early December.

Myanmar's leaders have vowed to crush the rebels, who are fighting for autonomy for Rakhine State, and blocked most aid agencies from reaching the area, raising fears of more civilian suffering in an area long scarred by complex ethnic divisions.

While Rakhine State is majority Buddhist, in 2017 attacks on security posts by insurgents from the Muslim Rohingya minority provoked a military crackdown that forced 730,000 people from their homes and into camps in Bangladesh's Cox's Bazar district, according to U.N. agencies.

Win Thein, a member of the nongovernmental Bangladesh Human Rights Commission, said he had visited the refugees, who are members of the Khumi, Cho and Rakhine ethnic groups, in their remote jungle camp.

They had crossed into Bangladesh on Sunday and Monday after fleeing from two villages in Chin state's rugged Paletwa township after they heard gunfire and saw helicopters nearby, he said.

Some villagers said they later witnessed Myanmar soldiers looting and setting fire to homes, he said.

Win Thein said some of the refugee children were seriously ill and had no access to medical care.

"There are no blankets at all and it is very cold," he said.

State media in Myanmar said on Friday the Arakan Army had "taken about 200 Rakhine and other ethnic nationals including 38 schoolchildren to Bangladesh territory".

An announcement carried in official newspapers said the government was providing humanitarian assistance to displaced people, and said the insurgents may have taken the people into Bangladesh to “create misunderstanding between the two neighbors”.

Khine Thu Kha, an Arakan Army spokesman based outside Myanmar, said the armed group had helped the displaced villagers to reach the border, but did so because the villagers feared being detained by the military.

The government was using “fake news” to cover up military abuses, he said.

Bangladesh summoned Myanmar’s ambassador on Tuesday to protest over the new arrivals, according to a senior Bangladesh foreign ministry official.

Bangladesh had beefed up security near the border to prevent more refugee arrivals, Minister of Home Affairs Asaduzzaman Khan told reporters on Thursday.

Myanmar: Fresh Evidence of Violations Amid Ongoing Military Operation in Rakhine State (Amnesty International) February 10, 2019

Myanmar security forces have shelled villages and blocked civilians from accessing food and humanitarian assistance in Rakhine State, Amnesty International said today, amid a crackdown since armed attacks by the Arakan Army in early January. Security forces have also used vague and repressive laws to detain civilians in the area.

“These latest operations are yet another reminder that the Myanmar military operates without any regard for human rights. Shelling inhabited villages and withholding food supplies is unjustifiable under any circumstances,” said Tirana Hassan, Director of Crisis Response at Amnesty International.

Amnesty International has received reports that army divisions involved in atrocities against the Rohingya in August and September 2017 have been deployed to Rakhine State again in recent weeks.

“Despite international condemnation over the Myanmar military’s atrocities, all evidence suggests that they are brazenly committing yet more serious abuses,” said Tirana Hassan.

These violations come after a UN Fact-Finding Mission called for the criminal investigation and prosecution of senior Myanmar officials for crimes under international law against the Rohingya population in Rakhine State, and against ethnic minorities in Kachin and northern Shan States.

Arakan Army attacks

On 4 January 2019 – Myanmar’s Independence Day – an ethnic Rakhine armed group known as the Arakan Army carried out coordinated attacks on four police posts in northern Rakhine State, reportedly killing 13 police officers. The Arakan Army has fought the military as part of an alliance of armed groups in northern Myanmar and, as it has moved its attention to Chin and Rakhine State in recent years, has clashed sporadically with security forces there.

Days after the 4 January attacks, Myanmar’s civilian government instructed the military to launch an operation to “crush” the Arakan Army, which the government spokesperson referred to as a “terrorist organization”. The military has since moved considerable assets and troops into the region, which local activists and media reports have said include soldiers from the 99th Light Infantry Division (LID). Amnesty International and others implicated that division in atrocities against the Rohingya in 2017 and against ethnic minorities in northern Shan State in 2016.

According to the UN, more than 5,200 men, women and children had been displaced by the ongoing fighting by 28 January. They are overwhelmingly from predominantly Buddhist ethnic minorities, including the Mro, Khami, Daingnet and Rakhine.

Amnesty International interviewed by telephone 11 people affected by the fighting, as well as humanitarian officials and local activists in Rakhine State. Most said they fled their villages after the security forces shelled nearby or placed restrictions on food.

“The Myanmar military have operated from the same brutal playbook for decades and must be held to account. The UN Security Council must urgently refer this situation to the International Criminal Court,” said Tirana Hassan.

Unlawful attacks

Three people from Auk Pyin Nyar, a predominantly ethnic Mro village in Tha Lu Chaung village tract, Kyauktaw Township, told Amnesty International that two artillery or mortar shells exploded within a hundred metres of their village on 21 December 2018. As the villagers fled early the following morning, they heard more shells exploding nearby.

“I heard the explosions of heavy artillery and people even got dizzy,” a 64-year-old farmer recalled.

Another farmer from the same village, who returned days later to collect some belongings, said money was stolen from houses after people fled. He blamed Myanmar soldiers, who were seen in and around the village at the time.

A 24-year-old man from a predominantly ethnic Mro village in Tha Yet Pyin village tract, Buthidaung Township, similarly described hearing artillery or mortar shells exploding around his village on 13 January 2019. The villagers fled to the local monastery and then, later that day, to an informal displaced persons camp in Done Thein village, in neighbouring Kin Taung village tract. The man returned to his village four days later, to collect family registration documents, and saw damage to some houses in the village, as well as the local school. He said money had been taken from some houses, at a time when the Myanmar security forces controlled access to the village.

Media reports have detailed several other incidents. The Irrawaddy and Radio Free Asia reported that a seven-year-old boy named Naing Soe was critically injured when an artillery shell exploded near his home in Tha Mee Ha village tract, Rathedaung Township, around 26 January 2019. Radio Free Asia said that the Myanmar military fired into the village after soldiers triggered an improvised explosive device (IED) nearby. Both news outlets reported that the Myanmar military looted valuables from the village. The Irrawaddy also reported that on 16 January 2019, two brothers, aged 18 and 12, were seriously injured when an artillery shell exploded by their house in Maungdaw Township.

Although Amnesty International could not definitively determine the Myanmar military’s responsibility for each individual attack that injured civilians or damaged or destroyed civilian property, such unlawful tactics have long been a hallmark of the military’s operations against armed groups. In a June 2017 report, Amnesty International documented in detail indiscriminate shelling by the Myanmar military during its operations in Kachin and northern Shan States, which killed and injured civilians and displaced thousands.

“These unlawful attacks are sowing fear in many villages,” said Tirana Hassan. “Hundreds, if not thousands, of civilians have been displaced from their homes as a direct result.”

Restrictions on food and aid access

A 34-year-old woman from a remote ethnic Mro village in Kyauktaw Township told Amnesty International that Myanmar soldiers and police restricted the amount of rice that could be brought to her village. The villagers were already experiencing shortages of basic food supplies, as the fighting that erupted nearby in December 2018 prevented them from harvesting rice or bamboo, a key cash crop.

As the situation worsened, a group of people from the village, including the 34-year-old woman, went to a police station and military checkpoint near Taung Min Ku Lar village to request permission to carry rice back to their village. She said the security forces told them they could bring a maximum of six pyi (a Burmese unit equivalent to a 2.56-litre container) of rice and would need an authorization letter from the security forces.

“We talked among ourselves that it was impossible to live in our village anymore,” she told Amnesty International. “We didn’t want to move to a [displaced persons] camp, but we couldn’t trade what we found in the forest, and we couldn’t get through enough supplies.”

The village emptied, as did several neighbouring villages facing similar circumstances.

A local activist told Amnesty International that he had helped obtain recommendation letters from the police to allow people to move around Kyauktaw Township, but the authorities are still stopping people from carrying food, claiming that it is to curtail supply lines to the Arakan Army.

The Myanmar authorities have also imposed further restrictions on humanitarian access in Rakhine State. On 10 January, the Rakhine State government barred all UN agencies and international humanitarian organizations, except the International Committee of the Red Cross (ICRC) and World Food Programme (WFP), from operating in five conflict-affected townships. Many organizations have had to stop their humanitarian assistance, undermining emergency response and relief efforts in one of Myanmar’s poorest and most underdeveloped regions.

The Rakhine State authorities have, along with ICRC and WFP, provided some cash and in-kind assistance to people displaced by the fighting, but recipients described it as insufficient and inconsistent. Several humanitarian officials said the restrictions also seem to be a way to keep international eyes off the military’s operations.

“The Myanmar authorities are deliberately playing with the lives and livelihoods of civilians. As we’ve seen time and again, the military’s priority is not to protect people in the crossfire, but rather to hide their abuses from the international community,” said Tirana Hassan.

Use of abusive laws and possible arbitrary detention

The Myanmar security forces also appear to be using abusive laws to detain and prosecute civilians for allegedly supporting the Arakan Army, raising concerns about arbitrary detention and potential ill-treatment.

In the days after the 13 January 2019 fighting in Tha Yet Pyin village tract, police took in an ethnic Mro village leader, Aung Tun Sein, and at least 10 other men for questioning. They were subsequently released, but, several days later, Aung Tun Sein was summoned to a Border Guard Police (BGP) post. He has been in detention since, currently in Buthidaung jail.

In a June 2018 report, Amnesty International documented torture and other inhuman treatment against Rohingya men and boys held in BGP posts in northern Rakhine State.

Family members and other village leaders were unable to determine Aung Tun Sein’s whereabouts for more than a week after he was detained. The military has reportedly accused him of informing the Arakan Army about the military’s movements. A person from the village said Aung Tun Sein was facing charges under the Unlawful Associations Act, a vague and repressive law that the Myanmar authorities often use to prosecute activists, journalists, and others in conflict areas.

Local activists and media reports suggest that arbitrary detentions and the use of vague and repressive laws have been commonplace during the latest military operation in Rakhine State. The Irrawaddy reported that 26 people were arrested on 4 February for alleged unlawful association with the Arakan Army. They also reported that around 30 village administrators submitted resignation letters in January, out of concern they might be wrongly prosecuted for unlawful association.

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North & Central America

Seven Navy SEALs granted immunity to testify in Iraq war-crimes trial (Bristol Herald Courier) By Andrew Dyer
February 1, 2019

News that seven Navy SEALs have been granted immunity deals to serve as witnesses in a San Diego war-crimes trial has rocked the defendant’s community of supporters and raised questions about what those deals could mean in the court-martial of Edward R. Gallagher next month.

Gallagher, a chief special warfare operator, is expected to go on trial Feb. 19 for war crimes allegedly committed during a 2017 deployment to Mosul, Iraq, including allegations he stabbed a teen-age Iraqi combatant to death and that he allegedly shot at civilians.

Gallagher has pleaded not guilty to all charges.

Navy prosecutors told a judge last week that they have secured immunity for seven SEALs, members of Gallagher’s platoon, to be witnesses at the court-martial.

While the immunity agreements were sought by Cmdr. Chris Czaplak, lead counsel for the government, they also cover what the witnesses say to the defense as well.

Phillip Stackhouse, one of Gallagher’s six defense attorneys, said the seven immunity deals in this case don’t mean that all

seven SEALs will testify against his client. The immunity is not side-specific, he said.

“The discussion in court was only about who had immunity and, at my request, the judge made the prosecution disclose on the record who had it,” Stackhouse said in an email. “This was so we could compel the government to make them available to us and to ensure the court informed everyone the immunity covered them for discussions with the defense as well.”

Until the Jan. 25 motions hearing, the defense did not know who — or how many — witnesses had been granted immunity by Rear Adm. Yancy Lindsey, the court-martial’s convening authority and the commander of Navy Region Southwest. The convening authority decides whom to prosecute.

The judge, Captain Aaron Rugh, has issued a protective order, which limits what prosecutors and defense attorneys can say about the case.

Gary Barthel, a military attorney who spent 20 years in the Marines — 16 of those as a JAG lawyer — said that military prosecutors often seek immunity for witnesses to get them to testify to bolster their case.

“When you’ve got individuals who’ve witnessed an offense and didn’t report it, they could be deemed co-conspirators,” he said. “Typically, you grant immunity to the lower-level players to go after the main suspect of the case.”

Barthel, who is not connected to the Gallagher case and has no direct knowledge of the evidence, said it is likely that investigators identified a number of people who witnessed some part of the events the government has built its case around.

“My guess would be, based on what I’ve seen, there are a lot of people who know (Gallagher) who witnessed these events,” he said. However, “the defense may be correct that some of them might have some testimony that benefits their client.”

Some of Gallagher’s supporters have their own take on the immunity deals.

A statement posted by a Facebook page set up to support Gallagher said the immunity deals were the only way that witnesses would even talk to prosecutors. That statement was attributed to Gallagher’s wife, Andrea Gallagher, and his brother, Sean Gallagher, along with another defense attorney, Colby Vokey.

“They were granted immunity because they refused to even talk to the prosecutors without having immunity,” the statement said.

The Navy declined to respond to that claim.

“We’re not going to try this case in the media,” said Brian O’Rourke, a Navy spokesman.

Some conservative news media outlets have given Gallagher supportive coverage, including interviews with family members on “Fox & Friends,” Newsmax TV and “No Interruption with Tomi Lahren,” a show on Fox News’ new subscription-based streaming service, Fox Nation.

On a Jan. 4 episode of “Fox & Friends,” Sean Gallagher told host Steve Doocy that the entire prosecution is based on accounts of two disgruntled members of his brother’s platoon. He repeated those claims during an appearance on One America News Jan. 17, and on Newsmax TV Jan. 23.

In an email Wednesday, Sean Gallagher said some of the witnesses will testify that his brother is not guilty.

“I know for a fact that some of those given immunity will say Eddie is innocent,” he said. “I can’t present you the evidence of how I know this to be true since we don’t want the prosecution seeing it before trial, but it nevertheless is very different than the image of (seven) guys testifying against Eddie.”

The Gallagher court case and the possibility that some Navy SEALs may break ranks and testify against a platoon member has reverberated throughout the special warfare community, said Ed Hiner, a retired SEAL lieutenant commander who was deployed nine times over his 20-year career and who maintains connections with the San Diego SEAL community.

“Guys are nervous,” he said. “Most of them are in shock. You could dissect any shooting. The battlefield’s confusing. A lot of guys have done a lot of hard fighting down range.”

The SEAL community is different than any other in the Navy. The highly-trained elite force is small, consisting of about 2,500 sailors in total. SEAL teams are divided into eight platoons — units of about 16 men — who eat, sleep and fight together.

Gallagher was the chief of a platoon.

While war crimes prosecutions against SEALs are rare, Hiner said, when members of a platoon are pitted against each other, such as in the Gallagher case, it takes a toll on the SEAL community.

“It’s very rare that anyone inside of a team would make these allegations,” he said. “It’s a very tight culture. This has rippled through the community. It’s very detrimental to everyone.”

'A drastic step backwards': Guatemala considers amnesty for war crimes (The Guardian) By Nina Lakhani
February 7, 2019

War criminals convicted of extrajudicial killings, torture and sexual slavery could soon walk free if Guatemalan lawmakers sanction a blanket amnesty for crimes committed during the 36-year armed conflict which left 200,000 people dead or disappeared.

Congress will soon vote to reform the national reconciliation law and give absolute impunity for crimes against humanity including genocide, rape and forced disappearance. The law currently exempts only political crimes and has been regarded as a beacon for postwar justice since coming into force alongside the 1996 peace accords.

The new initiative is backed by former army generals angered by a wave of prosecutions that has resulted in the convictions of at least 33 military officers and militia members since 2008. One former guerrilla leader has also been convicted of human rights abuses.

If approved, all the convicts, and those held on remand awaiting trial would be free within 24 hours; pending trials would be cancelled and ongoing investigations shelved.

Michelle Bachelet, the UN human rights commissioner, condemned the move as a “drastic step backwards for the rule of law and victims’ rights”.

The vote takes place as the beleaguered president, Jimmy Morales, backed by a powerful network of military and economic elites, continues efforts to oust the UN-backed anti-impunity group Cicig and sabotage the constitutional court.

The timing is no coincidence, said Jo-Marie Burt, a political science professor at George Mason University and senior fellow at the Washington Office on Latin America (WOLA).

“This push is part of a broader effort by a coalition of military, business and political interests not just to stop Cicig, but to end all investigations into organised crime, human rights violations and corruption in order to reassert their total dominance in Guatemalan politics and society.”

Cicig does not investigate historical crimes but has helped weed out corruption from the courts and attorney general’s office, which are also now under attack.

Amnesty supporters argue that prosecutors have unfairly targeted security forces over leftist guerrillas. But 93% of human rights abuses were committed by US-backed government forces, compared with 3% by guerrilla groups, according to the postwar Commission for Historical Clarification.

The felons who would benefit from the amnesty include top-ranking generals from the bloodiest period of the counterinsurgency war when rural indigenous communities and urban social activists were mercilessly persecuted.

Among them are Benedicto Lucas García, the former head of the armed forces, and Manuel Callejas y Callejas, the former intelligence chief, who are serving 58 years for crimes against humanity, the 1981 forced disappearance of 14-year-old Marco Antonio Molina Theissen and aggravated sexual assault against his older sister Emma Guadalupe.

Gen García is also accused of crimes against humanity at the Creompaz military base where 550 bodies were exhumed from mass graves. This case involving eight senior officers would be abandoned.

“The total amnesty violates our right, and that of the Guatemalan people, to justice and the truth. It would thwart the hopes of victims to have a little peace in our souls,” the eldest sibling Lucrecia Molina Theissen told the Guardian.

Any hope of justice for the other 5,000 children disappeared during the war would be crushed by the amnesty. It would also quash the sentences handed down in a landmark 2016 ruling against two officers convicted for sexually enslaving 15 Mayan Q’eqchi’ women in the Sepur Zarco village after their campesino husbands were disappeared.

Guatemala’s criminal counterinsurgency past is connected to current illicit activities, said political analyst Luis Solano.

Callejas, the convicted former intelligence chief, is the alleged founder of the organized crime network known as the Brotherhood which infiltrated public institutions including border control and customs for financial gain.

It was a customs scandal that in 2015 brought down the government – and alleged criminal empire – of the former army general Otto Pérez Molina.

The bill, which is sponsored by a dozen members of congress, claims a total amnesty is necessary to achieve “true peace and reconciliation”. It must win three votes by a simple majority, before passing to the executive.

The proposed reform would also enable legal action against human rights activists considered a threat to public law and order, which campaigners fear could lead to reprisals against those who testified in high-profile cases.

New legal bombshells explode on two Navy SEAL war crimes cases (Air Force Times) By Carl Prine
February 10, 2019

Chief Special Warfare Operator Edward “Eddie” Gallagher not only stabbed to death a teenage wounded Islamic State prisoner of war during a 2017 deployment to Iraq, according to an officer in his chain of command, but the SEAL also called in “false target coordinates to engage a mosque,” tried to push his platoon into pointless and potentially catastrophic firefights with insurgents and became so mentally unstable that he should’ve been relieved from duty but wasn’t.

Those allegations are contained in a proffer from the officer sent to military officials on Wednesday seeking immunity from prosecution in the sprawling war crimes case roiling California-based SEAL Team 7.

Proffers are legal documents that outline what potential witnesses will say on the stand in a court-martial trial in exchange for immunity from prosecution for crimes they also might’ve committed.

Military prosecutors have charged Gallagher with killing the Islamic State detainee on May 3, 2017, shooting at innocent civilians with his sniper rifle at other times and later attempting to coerce potential witnesses to conceal his alleged war crimes.

His commanding officer at SEAL Team 7’s Alpha Platoon outside Mosul in mid-2017, Lt. Jacob X. “Jake” Portier, also faces a raft of charges for allegedly trying to conceal his chief’s crimes.

According to copies of the documents obtained by Navy Times, Wednesday’s proffer and another drafted on Jan. 17 for a senior enlisted leader in SEAL Group 1 not only divulge new allegations against Gallagher and Portier, but they also question how eager several of their superiors at Navy Special Warfare were at probing the war crime accusations.

Copies of federal search warrants also obtained by Navy Times show investigators have been tracing electronic communications across the SEAL community and have seized cellphones of those involved.

The twin proffers and search warrants are the clearest indications yet that there are active probes into senior enlisted and commissioned SEALs, a potentially damning indictment of the culture of the usually tight-knit community of clandestine commandos.

Because these witnesses are expected to return to operational SEAL teams, military officials have asked Navy Times to continue its policy of not printing their names or disclosing information that could identify them to overseas terrorists who would put them or their families at risk of harm.

Navy Times also has agreed to not publish information that could compromise tactical secrets.

Officials at California-based Naval Special Warfare Command and Navy Region Southwest either declined to comment or didn’t return multiple messages from Navy Times seeking comment over the span of two days.

In his proffer request submitted on Wednesday to military prosecutors at Region Legal Service Office Southwest, a lieutenant who served as Alpha Platoon’s Assistant Officer in Charge — or AOIC — indicated he’s prepared to deliver some of the most damaging testimony to both Gallagher and Portier.

Written by Michael Hanzel, a former Navy attorney now in private practice specializing in military cases, the lieutenant’s proffer indicates he believes senior leaders failed to take action against Gallagher because of their close links to the chief.

Portier was Gallagher’s student going through SEAL BUD/s training. Their troop commander, Lt. Cmdr. Robert Breisch, was a prior-enlisted sailor who became an officer — a “mustang” — who also had worked closely with Gallagher. And a SEAL

command master chief in a deploying team also had known Gallagher before he rose to his position.

In his proffer, the AOIC stated he “felt chilled in talking to his chain of command at the team” about Gallagher and Portier because problems he “raised were either heard and not acted upon or completely disregarded.”

It was the AOIC’s first combat tour as a SEAL and “although he invested a lot of faith and trust in his leadership to guide him and do the right thing, ultimately the message he got back was that no one wanted to hear what he had to say or heard it and tried to contain the information from being released,” he told prosecutors.

Although the AOIC’s proffer seeks blanket immunity from any future prosecution in exchange for his testimony, his attorney Hanzel said he was motivated to come forward “because he’s trying to do the right thing.”

“He’s a SEAL for the right reasons and he wants to remain a SEAL,” said Hanzel. “He never expected to get caught up in this and he fears retaliation if he tells the truth.”

One of Gallagher’s civilian attorneys, Phillip Stackhouse, cautioned that the legal significance of the AOIC’s proffer request could dissipate significantly once he’s under oath, even if he’s been granted immunity from future prosecution.

“If he lies during a proffer session, he could be prosecuted for it,” said Stackhouse. “The statement he makes also can be used to impeach him.”

Stackhouse continues to insist his investigation will show that Gallagher committed no crime and a panel of the SEAL’s peers will agree with him.

Although the AOIC’s proffer request detailed concerns he raised about Gallagher’s fitness for duty before, during and after the 2017 deployment to Iraq, his narrative indicates his relationships with both the chief and Portier became increasingly strained as time marched on.

Initially, many of the AOIC’s concerns stemmed from a growing belief that Gallagher was exercising poor judgement that could pointlessly get SEALs killed.

At one point, Gallagher told him that Alpha Platoon needed to find Islamic State elements and get in “one good TIC” (Troops in Contact, the direct and violent engagement with an enemy), “one where you need to focus on your field of fire or else you could take (a bullet) to the side of the head,” according to the proffer.

The AOIC told Gallagher this sort of training by fire “was extremely unnecessary” but Gallagher shot back that his SEALs were “all a bunch of pussies,” the document states.

The AOIC told prosecutors he had come to believe Gallagher was “going to put the platoon in extreme danger” and an unassertive Portier would do too little to stop him.

He said he became so alarmed by Gallagher that he began to examine the plans of every operation “in order to mitigate the risks, and tried to go out on every operation he could to make sure that the lives of his teammates weren’t being unnecessarily jeopardized.”

The AOIC indicated he’s willing to testify about a raid Gallagher proposed in July 2017 that involved “shooting people under the bridge.”

The AOIC told prosecutors he interjected because of flaws in the plan, including a non-existent goal to achieve by the attack, the lack of reasons for gunning down the people under the bridge and the failure to include contingency options if they got pinned down on the riverbank.

The AOIC “stressed that this was putting their platoon in an extremely vulnerable position for a mission that was not even authorized,” an argument that ended not only the conversation but the proposed raid, according to the proffer.

The AOIC was so worried about Gallagher that he made it his bedtime ritual to practice calling in MEDEVACs, which front-line troops call “9-Lines” to brief inbound helicopters that medically evacuate wounded personnel, he added.

The AOIC said he stressed the rules of engagement handed down from superiors to Alpha Platoon, regulations designed to prevent the killing of civilians, but this “sparked aggression” from Gallagher.

As Iraqi government forces drew closer to liberating Mosul from the Islamic State in July 2017, he recalled watching ISR footage — an intelligence, surveillance and reconnaissance feed, often shot with a drone aircraft — with Gallagher and other SEALs.

It showed female Islamic State fighters ambushing Iraqi troops in a bloody last stand.

The AOIC said he is prepared to testify that Gallagher got in his “face and said, ‘See, I told you! They’re all ISIS.’”

After Mosul fell to Iraqi forces, the AOIC recollected a conversation he had with the lead petty officer in the SEAL platoon and Gallagher about why they joined the Navy. The SO1 and the AOIC said they put on the uniform due to “loving their country and trying to live by the SEAL ethos,” he said.

But Gallagher “said that he didn’t believe in any of that, and that he joined the military so he could get the chance to kill someone.”

The AOIC said that triggered another round of discussions with Portier about relieving Gallagher.

The AOIC told prosecutors he’s prepared to testify about another incident that occurred in a safe house in northern Iraq in which Gallagher asked “how easy it would be to kill someone back home” and if he “could get away with it.”

The AOIC said he was “shocked that SOC Gallagher would say this and believes most of the people there were shocked as well.”

The tension dissipated when someone joked “it would be pretty hard nowadays with technology and security cameras,” the AOIC indicated.

In the final sentence of his proffer, the AOIC directly accused Portier of “ordering the destruction of video and reports in order to avoid their use as evidence in investigations.”

The AOIC told prosecutors Portier not only knew about many of these incidents, but so did a pair of senior enlisted and commissioned troop leaders who visited Alpha Platoon during the summer of 2017 and continued to interact with the SEAL team after they returned home to California.

The AOIC recalled driving with Breisch into the western side of Mosul. He said Breisch informed him that Iraqi forces were bringing in another detainee. Breisch ordered him to question the prisoner and offer him food and water, but the detainee was to remain in the official custody of the Iraqis, according to the proffer.

When the Iraqis yanked the burlap sack off the prisoner’s head, the AOIC saw an elderly, blindfolded man who looked famished and parched. After a few nibbles of food, he told the AOIC that he was a technician who had been imprisoned by the Islamic State to toil at the Mosul Hospital, he recalled.

But in the middle of the interrogation, Gallagher “leaned his back against the wall and pulled out his tomahawk” and began tapping the blade “against the cement wall in a threatening manner,” the AOIC alleged.

Realizing that the “situation was escalating,” the AOIC said he pulled Breisch and Gallagher together in another room “to diffuse the situation.”

It remains unclear in the proffer whether Breisch took any action against Gallagher, but the lieutenant commander left with the chief, according to the AOIC’s statement.

The AOIC said Breisch’s senior enlisted adviser, the troop chief, also should’ve been on notice about Gallagher’s alleged misconduct.

During that visit in the summer of 2017, the AOIC said he was in the mission planning room while Gallagher was giving the troop chief a tour of the building. The AOIC told prosecutors he put Gallagher “on the spot and told him to tell (the troop chief) about the detainee” he allegedly stabbed to death.

Gallagher, the proffer states, “became clearly flustered” and muttered something about how “they were getting that close to insurgents.” Although the AOIC said he wasn’t sure if the troop chief understood that this was a war crime, he thought the senior enlisted leader “would look into it or at a minimum talk to (Breisch) about it,” but nothing further seemed to come “from this notification,” according to the proffer.

Once the SEAL platoon rotated home in late 2017, rumors continued to swirl throughout the SEAL community in Coronado about Gallagher’s alleged misconduct in Iraq.

The AOIC said he was informed that there would be a platoon meeting in Alpha’s highbay (a locker room) and Gallagher would be given the chance to speak to the junior SEALs.

He said he confronted Portier in the parking lot outside the meeting room and told him “they needed to do something about SOC Gallagher’s actions instead of giving him a platform to speak.”

The AOIC said Gallagher suddenly rushed up to them, got in the AOIC’s face and said, “If you take me down, I will take all of you down.”

After the SEAL powwow, the AOIC said Gallagher sidled over to him to reimburse him for a haircut he bought the chief during the deployment in Iraq. The AOIC refused and looked at Portier and said, “You know this is not about the money,” according to the proffer.

The AOIC told prosecutors he later confronted Breisch about the status of a proposed Silver Star award to Gallagher for battlefield valor.

The AOIC said he told his superior he wasn’t “comfortable routing the award” because Gallagher’s actions didn’t deserve such a lofty commendation, but Breisch allegedly told him, “Keep your personal feelings to yourself because the command expects this award” and the conversation abruptly ended, according to the proffer.

The AOIC recalled another talk he had with a SEAL command master chief over beers at the Veterans of Foreign Wars post in Coronado in November 2017. It was the command master chief, the AOIC said, who brought up allegations of illicit drug use within Alpha Platoon, but then continued with the more serious accusations dogging Gallagher.

According to the AOIC, the command master chief asked him “if he wanted to get SOC Gallagher in trouble.” The AOIC retorted that Gallagher “needed serious help because of his current unstable mental state” and the command master chief should discuss this with his superiors, Portier and Gallagher, according to the proffer.

The AOIC told prosecutors that it was during these weeks after the platoon came home from deployment that Breisch, his troop chief, Gallagher and Portier “would walk in the room, tell him to leave (sometimes along the lines of ‘Get out’ or ‘Get the fuck out’) and have closed door discussions,” sessions he thought “very unusual from their daily routine.”

The AOIC said in the proffer that these “meetings lasted over an hour at a time” and occurred “multiple times.”

The second proffer submitted to prosecutors on Jan. 17 by Brian Bouffard, a Texas-based attorney, on behalf of the troop chief sheds more light on SEAL Team 7’s inner workings.

The troop chief indicated he began a series of conversations with Alpha Platoon’s lead petty officer around Christmas in 2017. He remembered rumblings about Gallagher allegedly stealing nutrition bars and beef jerky out of care packages, plus concerns about Gallagher’s leadership raised in the autumn, but the troop chief said he “had heard nothing whatsoever” about alleged war crimes.

During one conversation, the SO1 told him Gallagher also filched sunglasses and money but “it was a lot more than that,” according to the troop chief’s proffer.

The troop chief told the SO1 the allegations weren’t enough to derail a looming advancement of Gallagher to senior chief but that his proposed Silver Star already had been yanked, the proffer indicates.

It was then that the SO1 directly accused Gallagher of stabbing the Islamic State detainee in the neck until he died, the troop chief said. The SO1 told him the platoon members “holding the detainee down jumped back in shock and surprise.”

The “emotional” SO1 called Gallagher “a psychopath” who “should never be in a position to lead and seemed relieved to tell him about the alleged incident, according to the proffer.

The troop chief asked him why no one had reported the alleged murder and the SO1 answered that they thought it was pointless because of Gallagher’s close ties to the entire chain of command, not to mention the prospect “about other people getting in trouble or caught up in things,” the proffer stated.

The troop chief told prosecutors that after Christmas 2017, several Alpha Platoon members wanted to take their concerns directly to the Group 1 leaders, hurdling the troop chain of command. So he went to see Group 1 Command Master Chief Steve Ward to brief him on the allegations.

The SEALs never went to Group 1’s commodore, the troop chief told prosecutors, and he and Ward decided it was time to pull Gallagher out of his post-deployment billet training SEALs.

In his proffer, the troop chief said the SO1 told him Gallagher had begun threatening to harm former Alpha Platoon members and their families. He said that the SO1 believed Gallagher had begun contacting staffers at Naval Special Warfare’s

Development Group in Dam Neck, Virginia, about several former Alpha SEALs training there “to harm the careers of these sailors.”

The troop chief told prosecutors he took the allegations seriously because they came from “solid performers who should be taken seriously” and advised SEAL leaders that the proper venue for the probe now rested with Naval Criminal Investigative Service, not Group 1.

At the same time, the troop chief was leading Gallagher on in early 2018, according to his proffer. He told prosecutors he didn’t want Gallagher to know he was aware of the war crimes allegations, especially that Gallagher “may have committed a homicide.”

By this time, Gallagher had been transferred to Group 1, where he worked as an assistant in the operations section of the training wing. The troop chief had become the senior enlisted adviser for Group 1’s operations department, but he told investigators the training team didn’t fall under his control.

That didn’t prevent Gallagher from texting him repeatedly to complain about his former Alpha Platoon SEALs. The troop chief told prosecutors he eventually pulled Gallagher into a classroom and alluded to more serious allegations coming from the SEALs, including the accusation that he murdered the prisoner of war.

It was then, he said, that Gallagher announced he had killed the wounded detainee “in self-defense,” according to the proffer.

The troop chief told prosecutors he was puzzled by Gallagher’s statement. He said SEALs do not consider a knife to be a “reasonable or advisable method of killing, given all the other weapons, including grappling and hand-to-hand combat that SEALs are trained to employ.”

“Knife kills are virtually unheard of in the SEAL community,” the proffer states.

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South America

Bombs damage Columbia's Mansoya and Cano Limon pipelines (Reuters) By Helen Murphy and Julia Symmes Cobb
(February 12, 2019)

Colombian state-run oil company Ecopetrol reported two bomb attacks on its pipelines on Tuesday - the first caused a fire on the Mansoya Orito pipeline, while the second damaged the Cano Limon pipeline, spilling crude into a nearby ravine.

The Mansoya Orito, in southern Putumayo, close to the border with Ecuador, was hit overnight. It was not operating during the attack, Ecopetrol said in a statement early on Tuesday.

The 73.4-kilometer pipeline has capacity to transport about 24,000 barrels of crude daily from fields in Putumayo.

The Cano Limon attack occurred in the late afternoon, the company said in a later statement, in the municipality of Teorama in Norte de Santander province, near the border with Venezuela.

The bomb caused crude spillage into a ravine, Ecopetrol said, calling on residents not to approach the area or drink water from the ravine.

Clashes taking place in the area were preventing the entry of technical staff and equipment, the statement added, without providing more details.

The company did not say who was responsible for either attack, but the National Liberation Army (ELN) rebels are active in both areas and frequently bomb oil infrastructure.

Cano Limon was also attacked over the weekend, the sixth attack this year.

There were more than 80 attacks on the 485-mile (780-km) pipeline in 2018, which kept it offline for most of last year.

The ELN has about 2,000 combatants and opposes multinational companies, saying they seize natural resources without benefiting Colombians.

Children 'targeted for violence' by armed groups in Venezuela, say advocates (CBC News) (February 12, 2019)

As the political crisis deepens in Venezuela, human rights advocates are warning about another concerning development for the country's children.

The Roméo Dallaire Child Soldier Initiative, a research and advocacy organization against the use of child soldiers in wars, has been developing a tool for assessing when children are at risk of being recruited into armed conflict.

Shelley Whitman, the initiative's executive director, said the assessment tool has alerted them to a disturbing trend in Venezuela. She spoke with CBC Radio's Information Morning host Portia Clark.

This interview has been edited for length and clarity.

What are you seeing and hearing is going on in Venezuela now?'

So what we are seeing and hearing is very disturbing news related to the treatment of children, generally. However, what we've been watching over the last year especially is that children are being targeted for violence ... some children are being lured into specific armed groups and gangs by food, because of the lack of access to food. Children are being abandoned as well by parents who can't afford to feed them, and so therefore there is an increased number of children who are unaccompanied.

So what we are seeing and hearing is very disturbing news related to the treatment of children, generally. However, what we've been watching over the last year especially is that children are being targeted for violence ... some children are being lured into specific armed groups and gangs by food, because of the lack of access to food. Children are being abandoned as well by parents who can't afford to feed them, and so therefore there is an increased number of children who are unaccompanied.

There are also reports very recently that are about children actually being abducted by armed forces in the streets, children between the ages of 12 and 15. Although we don't have official reports that are coming out to relay this, this is the message we're getting from ... concerned child protection actors on the ground.

And when you say kidnapped, possibly, by armed forces, which armed forces?

We are hearing that there are possibilities of this happening with [President Nicolas] Maduro, the government forces ... and we're seeing signs of this that are very troubling, in terms of people being concerned about their children being abducted and keeping them inside after 5 p.m. to ensure that they are not abducted.

We know that the Maduro forces are certainly concerned about defection of troops and there's been an inflow of weapons [into the country], particularly with the polarization of the world on this issue.

You've seen this pattern before in other countries. What has been the the outcome?

Exactly. So I would say before the Syria conflict was starting to erupt six, seven years ago, we started to raise the flag about the violations against children in Syria, and we started to raise the concern about children being indoctrinated and recruited in Syria.

At that time, we had a lot of media as well as organizations who were saying, 'But there's no evidence that child soldiers are being used in Syria yet.' What we know now is that there's no doubt about the level of child soldiers being used in Syria. In fact, it's an epidemic proportion and is a critical element to trying to address how we're going to move forward in that context.

So we have witnessed this in places like Syria, we have witnessed it as far back as [when] Gen. Dallaire saw it in Rwanda in 1994, prior to the genocide. And we're seeing it now.

Hezbollah's Presence And Iran's Influence in Venezuela Coming Into Focus (Radio Furda) By Penny L. Watson (February 12, 2019)

Admiral Craig S. Faller, Commander of U.S. Southern Command, testified before the Senate Armed Services Committee on February 7, 2019 that "Iran has deepened its anti-U.S. Spanish language media coverage and has exported its state support for terrorism into our hemisphere." This statement came on the heels of Secretary of State Mike Pompeo's statement on FOX the previous day. Pompeo stated, "Hezbollah has active cells – the Iranians are impacting the people of Venezuela and throughout South America."

There is very little public knowledge about the activities of the Iranian regime and Lebanese Hezbollah in Latin America. There are only a handful of scholars who have presented analysis of the activities of Iran and Hezbollah there. Until now there has been only a handful of public statements by U.S. government officials. It is safe to assume that U.S. intelligence and military officials have far more intelligence about such activities than what they have made public. It is also safe to assume that their knowledge constitutes only a portion of the total of the activities of the Iranian regime and Hezbollah.

The Islamic Republic has had close relations with Venezuela for some time now. Iran's close ties with the Nicolás Maduro regime and the previous president Hugo Chávez, have enabled Iran to extend its military and financial presence, primarily through its proxy Hezbollah.

These bonds strengthened starting 2005 between Ahmadinejad and Chávez. However, a strong Hezbollah support network has existed in Venezuela for a long time. Hezbollah has had cells in Venezuela since the 1990's according to a July 2003 report by Mark Steinitz, the then-director of the terrorism analysis office in the State Department's Bureau of Intelligence and Research.

Margarita Island off the Caribbean coast of Venezuela serves as a hub for drug trafficking and Hezbollah as well as other Islamist extremists such as Hamas. Margarita Island is being used by Iranian and Iranian-linked militants as a base of operations. Steinitz further added that "attention has focused on the group's presence among Lebanese Shia in the 12,000-strong Arab community on Margarita Island." There are large Syrian and Lebanese diaspora communities in Venezuela which serve as valuable sources of revenue and offer support to Hezbollah and Iran. Antonio Salas an author who infiltrated terrorist groups in Venezuela in 2010 revealed that there were "as many as six terrorist training camps, mostly run by Venezuelan military officers, spread around the capital city of Caracas and Margarita Island."

Venezuela is one of many Latin American countries in the Bolivarian Alliance for the Peoples of Our America (ALBA). According to Joel Hirst, ALBA has solicited the aid of Iran and Hezbollah to train their military in asymmetric warfare. Venezuela became interested in asymmetric warfare in 2006 under Chávez. Terrorism is a part of asymmetric warfare, and Venezuela's participation "has allowed Hezbollah to plan, fundraise, train, coordinate and carry out operations, mostly fundraising and intelligence collection."

In 2015 General John F. Kelly, the then-Commander of the United States Southern Command, testified that the Iranian proxy terrorist group Hezbollah has long viewed Latin America as a venue by which they can attack Israeli or other Western targets. Kelly further stated that nations such as "Venezuela, Ecuador, and Bolivia restrict defense ties with the United States and have sought in some cases to eliminate the US military presence from their countries." This reduced U.S. presence in Venezuela provides an opportunity for Iran to utilize its proxy against the U.S. General James R. Clapper, the director of national intelligence, stated in 2013 that "Iran may be more willing to seize opportunities to attack in the United States in response to perceived offenses against the regime." Iran's strategic position in Venezuela, and its freedom of action there, can help to facilitate such an attack." Iran having established strong ties in Venezuela, has been able "to establish a military industrial footprint" in the form of military-to-military agreements between Iran and Venezuela.

According to Martin Rodil, an expert in Latin American politics, Venezuela agreed to provide Iran with "intelligence infrastructure such as arms, identification documents, bank accounts, and pipelines for moving operatives and equipment between Iran and Latin America." Coviassa (the state airline in Venezuela) and Iran Air (the state airline in Iran) were used to transport military technology and personnel from Iran to Venezuela. Conviassa personnel claimed that radioactive materials and missile system components were on these flights. This operation continued from 2007 to 2011; these flights and their passengers were never inspected. Ordinary citizens were unable to obtain a seat on these flights; instead, these seats were reserved for "Iranian agents, including Hezbollah, the IRGC, and other intelligence personnel."

According to Admiral Kurt W. Tidd, the then-Commander of the United States Southern Command, who testified before Congress in February 2018, "Lebanese Hezbollah maintains an established logistical, facilitating, and operational presence in this region that can be quickly leveraged with no warning." He further stated that "Venezuela has long provided a permissive environment for narco-terrorist groups and Lebanese Hezbollah supporters, and is a transit country for the smuggling of illicit drugs and Special Interest Aliens (SIAs)." Special Interest Aliens are foreign nationals from a country with potential or known terrorist links.

Matthew Levitt, the director of The Washington Institute's Jeanette and Eli Reinhard Program on Counterterrorism and Intelligence, wrote that in 2011 a prominent member of Chávez's government was accused by the media of issuing passports to members of Hezbollah and Hamas. U.S. officials have stated that Venezuelan officials have issued fake cédulas (Venezuelan version of a social security card) to people from Middle Eastern countries who would not have qualified for these documents. These documents make it possible for them to then get a Venezuelan passport and consequently a U.S. visa. These documents have made it possible for members of Hezbollah to join and form cells within the U.S. as was done with the Charlotte, North Carolina Hezbollah cell.

As I have argued elsewhere, the fundamentalist regime ruling in Iran considers the United States as the main obstacle for the achievement of its grand strategy of exporting its revolution to the Middle East. In order to counter American superiority in conventional warfare the fundamentalist regime has been developing a number of unconventional tactics. For example, the regime has repeatedly threatened to block the Strait of Hormuz if there were serious conflict with the U.S. Latin America is the soft underbelly of the U.S. whereby Iran and its proxy Hezbollah may wage terrorist activities against American targets in Latin America as well as on American soil.

Hezbollah has been a growing threat for the U.S. through Venezuela. For many years such threats have been swept under the carpet. It appears that the Trump administration is pursuing a more determined policy toward Iran. During Obama's presidency Iran's and Hezbollah's activities in Latin America were not being mentioned much by officials, because of interest in securing and maintaining the Iran nuclear deal. American officials are finally acknowledging a threat that the Obama administration previously preferred to ignore. It appears that the Trump administration's maximum pressure policy toward Iran includes countering Iran's nefarious activities in Venezuela.

Human rights workers are getting killed in Colombia. Here's what could help save the peace. (The Washington Post) By Shauna N. Gillooly and Kelebogile Zvobgo
(February 11, 2019)

Just over two years ago, the Colombian government and the leftist Revolutionary Armed Forces of Colombia (FARC) signed a celebrated peace agreement, ending 50 years of bloody armed conflict. And yet 439 human rights workers have been killed in that country since then — by reemerging right-wing militias and left-wing guerrillas that fought during the civil war. What is behind these alarming developments?

From the start, the government and FARC have been uncertain about the other side's commitment to complying with the peace accords. Not wanting to be exploited, both parties have been slow to implement many of their obligations and have even reneged on some. And, now, groups that oppose the peace process — for example, the right-wing paramilitary group Aguilas Negras (Black Eagles) — are taking advantage of this vulnerability.

Fortunately, Colombia already has in place a tribunal that, if used fully, could help salvage the accords. We will explain.

The Colombian peace process: A primer

At first, those implementing the 2016 peace agreement took all the steps that research has shown to be essential. The United Nations supervised an intensive disarmament, demobilization and reintegration campaign, and FARC officially handed over its weapons, ending in August 2017. Former combatants then moved into more than two dozen transition zones designed to give them the resources to reintegrate into Colombian society, such as reeducation, health care and other social services.

And as agreed, Colombia set up an innovative criminal tribunal: the Special Jurisdiction for Peace (JEP), responsible for processing and collecting evidence for crimes committed by fighters on all sides during the conflict. Individual guerrillas and government fighters can come forward voluntarily and testify about their involvement in the war. If they do, they are eligible for five to eight years of an alternative sentence that does not necessarily involve prison — instead of a criminal trial and up to 20 years in prison.

Obstacles on the road toward peace

However, the Colombian government hasn't delivered on key promises, such as health services, education and drinkable water for former combatants. Without the promised help, many former FARC members have left the transition zones, returned to the mountains and taken up arms again.

For instance, in August 2018, high-level former FARC commanders disappeared from transition zones, protesting the government's inability or unwillingness to comply with the terms of the accords. Meanwhile, human rights workers are being threatened and killed for helping communities implement the peace accords — for example, by pushing for land redistribution and farming programs in rural communities. Recently, the Colombian Commission of Jurists published a study suggesting that these are not random killings but systemic, designed to stop community organizing.

The Special Jurisdiction for Peace

If implemented fully, the JEP can alleviate the climate of uncertainty that has encouraged groups working against the peace and confront a long-standing culture of impunity in Colombia. Many think that this culture of impunity is contributing to the lax government response, worsening the rising rates of homicide and death threats against human rights leaders. If violence is to be curbed, the government will need to signal that people are going to be held accountable for their actions in the past — and in the future. The JEP, if used properly and with the right support, can provide this signal of credibility.

The JEP will primarily be investigating FARC combatants, but right-wing paramilitary groups and members of the Colombian military can be investigated and tried. The JEP has 10 years to address crimes committed over more than 50 years of conflict, a massive undertaking, even without the public skepticism the JEP faces.

Lessons from other countries

In a new article in the *Journal of Human Rights*, one of us, Kelebogile Zvobgo, examines how similar investigative bodies can encourage testimony from those who have committed atrocities.

Amnesties or alternative sentencing can help. Consider the South African and the East Timorese truth and reconciliation commissions, which investigated violence under, respectively, South Africa's apartheid government and Indonesia's decades-long military occupation of Timor-Leste. Anyone who had committed a politically motivated crime and feared future prosecution could appear and trade their testimony for legal amnesty.

The South African commission saw 2,500 perpetrators come forward, while 1,541 did in Timor-Leste. Compare that to the Sierra Leonean commission, which had no amnesty powers and received only 51 perpetrator statements.

In Colombia, the possibility of commuted, alternative sentences seems to be attracting testimony. Almost 5,000 former combatants have already submitted written testimony to the JEP. But other factors also can facilitate or hinder further testimony.

Zvobgo's research shows that if higher-level perpetrators testify, their subordinates are more likely to come forward as well. If subordinates do not see their leaders participating, statements may dwindle. This is why FARC commanders leaving transition zones is so troubling. In addition, FARC fighters may not trust the JEP if they continue to see the government abandoning many of its obligations under the peace agreement.

Faith communities can also make a difference. In South Africa, the truth commission was chaired by well-respected spiritual leaders, Archbishop Desmond Tutu and the Rev. Alex Boraine. These two encouraged testimony by comparing it to religious confession, and encouraged victims and their families to forgive by comparing such an attitude to divine forgiveness. More than 40 faith communities endorsed the process, spreading Boraine and Tutu's message widely among South Africans.

In Colombia, the Catholic Church and the growing community of Protestant evangelical churches could spread similar messages. Faith-based organizations such as CINEP — Peace Program and the Social Pastoral Caritas Mission of Colombia are dedicated to the peace process, and have worked on peace projects and research about human rights abuses related to the civil conflict for many years.

However, in the campaign against the peace agreement, Colombian evangelicals were concerned that the agreement endangered "traditional family values." Aspects of the peace accord were perceived as a threat to an evangelical way of life. This mobilized some members of these religious communities against the agreement. This divide may hurt public support of the peace agreement.

Justice and peace in Colombia are far from guaranteed, and deserve to be closely monitored. Hezbollah Is in Venezuela to Stay (Foreign Policy) By Colin P. Clarke

(February 9, 2019)

Responding to a question on current instability in Venezuela and the presence of terrorist groups in the region, specifically Lebanese Hezbollah, U.S. Secretary of State Mike Pompeo confirmed in a recent interview that the Trump administration believes that the "Party of God," as Hezbollah is known, maintains "active cells" in Venezuela. He went on to say that "Iranians are impacting the people of Venezuela," because Hezbollah is trained, financed, and equipped by Tehran.

Some security policy analysts seemed surprised by Pompeo's claims, but they shouldn't be. Hezbollah has long maintained a presence in Latin America, especially in the infamous Tri-Border Area, a semi-lawless region where Argentina, Paraguay, and Brazil converge. But even beyond the Tri-Border Area, Hezbollah is well-entrenched in Venezuela, where the Shiite terrorist group has long worked to establish a vast infrastructure for its criminal activities, including drug trafficking, money laundering, and illicit smuggling. For example, Margarita Island, located off the coast of Venezuela, is a well-known criminal hotbed where Hezbollah members have established a safe haven. Under the regime of former Venezuelan President Hugo Chavez, the government took a more active approach to offering sanctuary to Venezuela-based supporters of Hezbollah.

More controversial than what Pompeo said, however, should have been what he implied—namely, that regime change would rid Venezuela of Hezbollah. Whatever the benefits of replacing the current Venezuelan regime with Washington's preferred alternative, there's reason to doubt that it would change the country's problematic relationship with the terrorist group.

Hezbollah has a long and sordid history in Venezuela. A cocaine-smuggling ring active throughout the 2000s led by a

Hezbollah-linked Lebanese national named Chekry Harb—a drug trafficker and money laundering kingpin who went by the nickname "Taliban"—used Panama and Venezuela as critical hubs in an operation that sent narcotics from Colombia to the United States, West Africa, the Middle East, and Europe. Proceeds from the cocaine-trafficking ring were laundered into Colombian pesos or Venezuelan bolivars, with Hezbollah netting between 8 and 14 percent of profits.

Hezbollah's reliance on sympathizers within its diaspora communities, including in Venezuela, has significantly minimized the group's potential exposure to detection. Venezuela's border security officials and law enforcement, amid the country's general desperation, have been largely unwilling to resist bribes and kickback schemes offered by Hezbollah members and their cadres.

Given the present instability in Venezuela, it's fair to wonder what would happen with Hezbollah under a government led by opposition leader Juan Guaidó, who was recently recognized as the legitimate ruler of the country by the United States and dozens of other nations, including European heavyweights France, the United Kingdom, Germany, and Spain.

A government led by Guaidó would almost certainly be more active in opposing Hezbollah's presence on Venezuelan soil, not just nominally but in more aggressively seeking to curtail the group's criminal network and, by extension, the influence of Iran. As part of a quid pro quo for its support, Washington would likely seek to lean on Guaidó to crack down on any Iran-linked activities throughout the region.

But there is a major difference between will and capability. And while a Guaidó-led government might initially demonstrate strong political will in countering Hezbollah and Iran—at least to appease the Trump administration—Venezuela as a country faces an immense challenge in attempting to rebuild its shattered society. Pushing back against Hezbollah may simply fall much lower on the list of priorities for Guaidó and his administration than the United States might like.

The uncertain nature of Venezuela's security services and military suggests a serious capability gap to contend with when working with Caracas. Venezuela has maintained close links to Russia militarily, and it remains unknown what portion of the security services are or will remain loyal to Maduro. The United States experienced great success with Plan Colombia, a multiyear, multibillion-dollar effort to engage in security cooperation with and build the capacity of Colombian law enforcement and military forces.

But replicating the success of Plan Colombia, which helped the Colombian armed forces gain a significant advantage over the FARC, has proven elusive in other contexts, including in Mexico, where the Mérida Initiative, a security cooperation agreement between the United States and Mexico focused on counter-narcotics, failed to successfully combat drug trafficking and organized criminal networks in that country.

During his first two years in office, President Donald Trump has demonstrated a desire to extricate the United States from costly overseas interventions. This is just one of several reasons why a "Plan Venezuela" aimed at helping that country rebuild critical government institutions may be unfeasible.

To be successful, such a strategy would require a multiyear commitment of U.S. trainers (troops, contractors, or a mixture of the two) to work with Venezuelan authorities to counter the unique threat posed by Hezbollah, a group that combines terrorist and criminal activities to great effect. Another challenge is the baseline capability of the Venezuelan military and security services, certainly well below where Colombian personnel were when U.S. troops first began training them in the early 2000s.

There is also the issue of Iran. Hezbollah is backed by a regime in Tehran that provides it with upward of \$700 million annually, according to some estimates. Venezuela serves as Iran's entry point into Latin America, a foothold the Iranians are unlikely to cede without putting up a fight. Moreover, Russia retains a vested interest in propping up Venezuelan President Nicolás Maduro and keeping him in power, given the longstanding relationship between the two countries. Moscow recently warned the United States against intervening in Venezuela militarily. Further, after cooperating closely in Syria, Hezbollah is now a known quantity to the Kremlin and an organization that President Vladimir Putin could view as an asset that, at the very least, will not interfere with Russia's designs to extend its influence in the Western Hemisphere.

If the Maduro regime is ultimately ousted from power, it will likely have a negative impact on Hezbollah in Venezuela. After all, the group's tentacles extend into the upper reaches of Venezuela's current government—Tareck El Aissami, the minister of industries and national production, was designated by the U.S. Treasury Department under a counter-narcotics authority and allegedly has a close relationship with Hezbollah.

Yet on balance, Hezbollah has deep roots in Venezuela, and completely expelling the group—no matter how high a priority for the Trump administration—remains unlikely. The best-case scenario for Washington could be an ascendant Guaidó administration that agrees to combat Hezbollah's influence—if the new government is willing to accept a U.S. presence in the country to begin training Venezuelan forces in the skills necessary to counter terrorism and transnational organized criminal networks with strong ties to Venezuelan society. But that scenario, of course, is dependent on the United States offering such

assistance in the first place.

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Venezuela

Venezuela military barricades bridge in attempt to block aid (CTV) By Christine Armario and Scott Smith
February 6, 2019

The Venezuelan military has barricaded a bridge at a key border crossing, issuing a challenge on Wednesday to a U.S.-backed effort by the opposition to bring humanitarian aid into the troubled nation.

The Tienditas International Bridge was blocked a day prior by the Venezuelan National Guard with a giant orange tanker, two large blue containers and makeshift fencing near the border town of Cucuta, Colombian officials said.

The bridge is at the same site where officials plan to store humanitarian aid that opposition leader Juan Guaido is vowing to deliver to Venezuela. The Trump administration has pledged \$20 million in aid and Canada has promised another \$53 million.

The squabble is now the latest front in the battle between Guaido and President Nicolas Maduro, who is vowing not to let the supplies enter the country. Maduro argues Venezuela isn't a nation of "beggars" and has long rejected receiving humanitarian assistance, equating it to a foreign intervention.

Looking up at the giant containers blocking the bridge Wednesday, aid worker Alba Pereira shook her head and dismissed the barricade as another government ploy. She said that humanitarian volunteers would find a way to get the aid into the country regardless.

"It's a means of intimidation, but I don't think it will accomplish anything," said Pereira, director of the non-profit Entre Dos Tierras, which aids Venezuelans migrants.

Roughly 40 countries around the world have backed Guaido, who swore himself in as president in late January contending that as head of the opposition-led National Assembly he is Venezuela's rightful leader because Maduro's re-election last year was a sham.

Guaido says the emergency shipment is a "test" for Venezuela's armed forces, which will have to choose if they allow the much needed aid to pass, or if they instead obey orders. No details have been released on exactly how the opposition plans to get the shipments into Venezuela.

Soaring hyperinflation has forced millions of Venezuelans to flee or go hungry as they struggle to find or afford basic items like food and medicine.

An emphatic U.S. Secretary of State Mike Pompeo said that Venezuelans desperately need the emergency supplies that the U.S. and other countries are preparing to provide.

"Venezuela's military under Maduro's orders is blocking aid," Pompeo tweeted. "The Maduro regime must LET THE AID REACH THE STARVING PEOPLE."

Guaido on Wednesday accused Maduro's government of rejecting the assistance because officials often handed out imported food and medicine in exchange for bribes.

Speaking to farmers, Guaido said the transitional government he's mounting to replace Maduro is taking steps to make Venezuela self-reliant.

"We don't want to depend more on a food subsidies than is necessary today," he said, calling the blockade an "absurd reaction from a government that doesn't have the interest and well-being of Venezuelans" in mind.

Maduro has clung to power with the support of Venezuela's highest-ranking military officers. He dismisses Guaido as a puppet

of the United States, which he says is seeking to colonize Venezuela and exploit its vast oil resources.

In his State of the Union address Tuesday night, U.S. President Donald Trump vowed to ratchet up pressure on Maduro, saying that the U.S. stands with the people of Venezuela.

"We condemn the brutality of the Maduro regime, whose socialist policies have turned that nation from being the wealthiest in South America into a state of abject poverty and despair," Trump said.

In a trip to Washington on Wednesday, Colombian Foreign Minister Carlos Holmes Trujillo said that any attempt to block aid from entering Venezuela is tantamount to "a crime."

"Committing such a crime would give even more reason for the unified countries to ask the International Criminal Court to investigate Maduro," Trujillo told reporters after a meeting with the head of the Organization of American States, Luis Almagro.

Colombia shares a 1,370-mile (2,200-kilometre) border with Venezuela and is backing Guaido. The neighbouring Andean nation has received over one million Venezuelan migrants in the last three years.

Donald Trump: Sending US troops to Venezuela 'an option' (Al Jazeera) February 3, 2019

"Well, I don't want to say that. But certainly, it's something that's on the - it's an option," Trump said on CBS's Face the Nation programme on Sunday when asked if he would use the American forces during Venezuela's crisis.

The US recognised Venezuelan opposition leader Juan Guaido, who declared himself interim president on January 23, and is leading an international campaign to drive Nicolas Maduro from office.

Trump also said Maduro requested a meeting with him "a number of months ago" but he declined it.

"I decided at the time 'no' because so many really horrible things have been happening in Venezuela," he said, citing the "poverty, anguish, and crime" in a country that was once one of the wealthiest in Latin America.

Trump again praised Guaido describing him as "a young and energetic gentleman".

"If you talk about democracy - it's really democracy in action... I think the process is playing out - very, very big tremendous protests."

Four major European nations - Britain, France, Germany and Spain - said they will recognise Guaido unless Maduro calls new presidential elections by midnight on Sunday.

Trump has repeatedly warned "all options are on the table" in Venezuela, as his administration ramps up pressure on Maduro through economic sanctions and appeals to the country's armed forces to switch allegiances.

'Point of no return'

The US, Canada and several Latin American countries have disavowed Maduro over his disputed re-election last year and also recognised Guaido as the interim president.

Maduro, however, maintains the powerful backing of Russia, China and Turkey. Russian foreign minister said on Sunday that Western meddling was instigating Venezuela's troubles and punishing millions of its people.

"Venezuela has reached a point of no return," political analyst Marco Terugi told Al Jazeera. "We now have a government that was democratically elected, and a parallel government controlled and led by the US."

Russia's foreign ministry said on Sunday the international community should focus on helping to solve Venezuela's economic and social problems and refrain from any "destructive" interference.

"The international community's goal should be to help without destructive meddling from beyond its borders," Alexander Shchetinin, head of the ministry's Latin American department, was cited by Interfax news agency as saying.

Journalist Robert Valencia from Global Voices said global geopolitics could be coming to a head, noting Russia deployed two nuclear-capable bombers to the Latin American nation in December - a move that riled the US.

"I think we're talking about a new tug-of-war between two current powers in the world - the United States and Russia. We are

seeing something that has happened in Syria and now could be moved into Venezuela... This is going to be a new struggle for the balance of power," he said.

At a crossroad

Tens of thousands of people thronged the streets of various Venezuelan cities on Saturday to protest his government and a senior air force general recognised Guaido.

The Trump administration last week issued crippling sanctions that are likely to further weaken the country's struggling oil industry - by far Venezuela's greatest source of income.

While that could weaken Maduro, it risks also exacerbating Venezuela's economic collapse.

Venezuela is suffering medicine shortages, malnutrition and hyperinflation that has prompted millions to emigrate in recent years.

Guaidó backed an amnesty plan for Venezuela's military. How might that play out? (The Washington Post)

By Mieczysław P. Boduszyński and Victor Peskin

February 11, 2019

Three weeks into Venezuela's political standoff, will there be a negotiated settlement involving a power-sharing arrangement and amnesty for members of the Nicolás Maduro regime? Opposition leader Juan Guaidó, who declared himself interim president on Jan. 23, has backed a bill in the National Assembly that would grant amnesty to the military if it repudiates Maduro and helps return Venezuela to democracy.

Here's how negotiated pacts have worked in other countries

Negotiated transitions between outgoing authoritarians and ascendant democrats have fostered many peaceful transitions, reducing the specter of violence and instability. The case of Poland exemplifies this. But negotiated transitions can have a dark side when it comes to transitional justice — chiefly, a pact may thwart accountability for the crimes of the authoritarian past. The case of Poland also illustrates this dynamic.

Many human rights advocates argue that pursuing justice is warranted for moral reasons, as well as pragmatic ones, such as instilling the rule of law and ensuring long-term stability. Some negotiated transitions include a limited or blanket amnesty for those implicated in corruption, human rights abuses and war crimes.

Restorative justice mechanisms such as truth commissions can be a compromise between those who seek courtroom justice and those who argue for no accountability at all for criminal activities. The decision by Nelson Mandela's African National Congress to forgo prosecutions helped facilitate an end to the apartheid government. South Africa's post-apartheid government proceeded to establish a Truth and Reconciliation Commission, which ensured the country confronted decades of state-sponsored violence.

Why amnesty can lead to demands for justice — later

Negotiated settlements that lack any accountability provisions can't make feelings of injustice for past crimes disappear, however. And the temptation to forgo accountability altogether can come back to haunt the new regime. In some countries that underwent negotiated transitions and instituted amnesties, demands for justice resurfaced years later, leading to belated trials.

Here's an example. In Chile's democratic transition in the late 1980s, the new leaders did not attempt to nullify the military's self-amnesty, which granted immunity for its role in the torturing and killing of thousands. It took a failed attempt by Spain to put former Chilean leader Augusto Pinochet on trial under the doctrine of universal jurisdiction to push the Chilean courts to prosecute many accused of Pinochet-era crimes.

The failure to confront a nation's dark past can eventually undermine the legitimacy of the state and polarize society. The absence of transitional justice can then become fertile ground for illiberal appeals by populist politicians.

Is there a lesson to be learned from Poland's experience?

Francisco Rodriguez and Jeffrey D. Sachs suggest that Poland's experience is a potential model for a negotiated transition in Venezuela. But in Poland, a country once considered a consolidated democracy, the transition is a cautionary tale of how a new regime can exploit unrequited justice to rationalize illiberalism.

The Polish transition was based on a 1989 pact between the former ruling communist elite and the opposition, who sat down at a “Round Table” and decided to share power in an interim government. However, victims of the former regime came to deeply resent the resulting de facto amnesty for the former communists.

This de facto amnesty was facilitated by the forgiving sentiments expressed on Aug. 24, 1989, by Tadeusz Mazowiecki, the first noncommunist prime minister in the democratic era. In his opening speech to the Polish Parliament, Mazowiecki called on the nation to draw a thick line (gruba linia) between the present and past, adding that “we will only answer for what we have done to get Poland out of its current state of despair.”

Over time, this lack of accountability sparked resentments. Poland’s current nationalist government, in turn, had politicized this resentment. Supporters of the government, led by the Law and Justice (PiS) party, accuse the democratic opposition that sat at the Round Table of betraying the cause of justice. PiS further stoked populist anger by alleging that the impunity enjoyed by the former communists has enabled them to profit from shady privatization deals under the guise of democracy and capitalism. According to the ruling party’s narrative, the 1989 transition is to blame for Poland’s current political and economic challenges.

Liberal supporters of transitional justice often criticize amnesties for providing cover to those responsible for grave crimes. But in the Polish case, it is the right wing that has co-opted the pro-justice argument to advance a nationalist agenda. The current Polish government exploits the narrative of unfulfilled justice to legitimize its attacks on the judiciary and the independent media. The European Union has severely criticized the government’s efforts to remove judges.

Poland’s descent into illiberalism is complex and cannot be blamed solely on the negotiations that brought an end to communist rule. But it’s difficult to ignore that Poland’s negotiated transition failed to address the painful memories of communist rule — just as the post-communist state’s failure to confront the legacy of German occupation and instances of Polish collaboration helped create the political conditions for last year’s controversial “Holocaust Law.” Indirectly, the decision of the Round Table negotiators to let bygones be bygones has now provided fertile ground for populists to stoke the polarizing politics of grievance and exploit feelings of injustice.

Venezuela is not Poland

A negotiated settlement in Caracas may be the way to avert violence and ensure a smooth transition. But Poland’s recent history also suggests that amnesties can have unintended consequences for the long-term stability and legitimacy of liberal democracy.

That the proposed amnesty bill has already sparked dissent is a sign that not confronting the crimes of the Maduro regime may undermine the consensus necessary for a durable democracy. And there may be pushback in any case from the International Criminal Court, which for the past year has been conducting a preliminary investigation of state-sponsored violence in Venezuela.

Trump Official Refuses to Answer When Ilhan Omar Asks if He’d Support Genocide in Venezuela
(Newsweek) By Jason Lemon
February 13, 2019

Minnesota Democratic Congresswoman Ilhan Omar lit into United States special envoy to Venezuela Elliott Abrams over his record of dismissing and supporting human rights violations in Latin America, asking him pointedly if he’d support “genocide” and “crimes against humanity” in Venezuela.

The fiery line of questioning took place Wednesday, during a hearing of the House Foreign Affairs Committee. Referencing Abrams’s record of lying to Congress, to which he pleaded guilty and was later pardoned by former President George H. W. Bush, Omar started her questioning by saying, “I don’t understand why members of this committee or the American people should find any testimony that you give today to be truthful.”

Visibly angry, Abrams tried to cut her off by classifying the comments as “an attack.” But Omar shut him down, continuing with her questioning. She highlighted how he’d supported and spoken favorably of U.S. efforts to affect regime change in El Salvador during the 1980s, despite rampant war crimes and human rights violations by American-trained militants.

“More than 800 civilians, including children as young as 2 years old, were brutally murdered,” Omar reminded those at the hearing. “During that massacre, some of those troops bragged about raping a 12-year-old girl before they killed her. You later said that the U.S. policy in El Salvador was a ‘fabulous achievement.’ Do you still think so?”

Obviously frustrated by the question, Abrams replied by saying that it was a “fabulous achievement” that El Salvador had

become a functioning democracy. Omar then highlighted how Abrams had backed a government that committed war crimes in Guatemala because it had supported U.S. interests.

"Would you support an armed faction within Venezuela that engages in war crimes, crimes against humanity or genocide, if you believed they were serving U.S. interests, as you did in Guatemala, El Salvador and Nicaragua?" she asked.

"I'm not going to respond to that question, I'm sorry," Abrams said. "I don't think this entire line of questioning is meant to be real questions."

After Omar pressed further, Abrams finally said that it is "always the position of the United States" to protect people against war crimes and genocide.

The civil war in El Salvador of the 1980s led to the deaths of an estimated 75,000 people, the majority of whom died at the hands of the government and its kill squads, according to The Intercept. Under former President Ronald Reagan, Abrams spearheaded the U.S. effort to support the El Salvadoran government, despite its blatant human rights violations and extrajudicial killings.

As Guatemala suffered through a bloody civil war in the 1980s, Abrams urged the U.S. to lift an arms embargo to the country's government. Efraín Ríos Montt, the Guatemalan president at the time, was later convicted of genocide by his country's own judicial system. A United Nations report also estimated that the Guatemalan government was responsible for more than 90 percent of the human rights violations carried out during the conflict.

In Venezuela, the Trump administration officially supported the political opposition leader Juan Guaido, who has declared himself interim-president and pushed for new elections. Venezuelan President Nicolas Maduro has called the move a "coup," accusing the U.S. of attempting to destabilize his country and steal its resources. Abrams currently leads U.S. policy efforts toward the South American nation. Trump has maintained that "all options are on the table" when it comes to Venezuela, suggesting that a military invasion to remove Maduro is possible.

The Wednesday hearing with Abrams was also disrupted by CODEPINK protestors who heckled the special envoy over his past actions toward Latin America. One demonstrator held a sign calling Abrams a "war criminal," while others wore shirts that said "hands off Venezuela."

"Look at the history of Eliot Abrams throughout Central America and the Middle East, creating wars, chaos and mayhem on behalf of U.S. corporations," Kei Pritsker, one of the activists, said in a statement emailed to Newsweek. "He should be tried for war crimes, not testifying in the U.S. Congress."

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Venezuelan bandits kidnap six Trinidadians, demand US\$200,000(Loop News) (January 30, 2019)

Six Trinidadians, including a 17-year-old boy, have been kidnapped by Venezuelan pirates.

Police say they received a report around 2 pm on Monday informing that the six victims were held at ransom with a demand of US\$200,000 for their safe return.

The captive group includes 17-year-old Jagdesh Jaikaran; 28-year-old Brandon Arjoon; 35-year-old Lynton Manohar; 36-year-old Jerry O'Brian; 38-year-old Jason O'Brian and 49-year-old Ricky Rambharose.

They are all said to be fishermen from Morne Diablo, Penal.

According to reports, they were all in a white pirogue which left the Morne Diablo Fishing Bay at 4 pm on Sunday.

However, at 7 am on Monday, relatives of the fishermen received information that they were captured in the Manosa River in Venezuela by Spanish bandits.

The bandits told relatives that they wanted US\$200,000 for the safe return of the six fishermen.

Relatives notified the police and a team of officers led by Sgt Gookool of the Penal Police Station, visited the Fishing Bay.

Officers of the Anti Kidnapping Unit were notified and a separate investigation under the supervision of Snr Sup Daniel has since been launched.

The bandits told relatives that they had until Wednesday to provide a favourable response and until Friday to meet their demands.

LoopTT was told that the kidnappers threatened to sever the arm of each captive as a warning if they do not get the desired response.

This is the latest kidnapping of Trinidadian nationals by Venezuelan criminals.

Two weeks ago, two Moruga cousins were kidnapped by Venezuelan pirates.

Loop TT was informed that they are both still alive.

The cousins are Kenrick Morgan,17, and Kendell Singh 23 and were seen alive at 3 pm on Saturday at the Mackinow River in Venezuela.

At the time, relatives of the hostages were meeting with the pirates to drop off cash which they had accumulated for the safe return of the two relatives.

It was said that upon arriving at the Mackinow River, they saw both hostages with four Spanish speaking men.

Three of these men were armed with firearms.

One of the relatives recognized one of the kidnappers as a man who visits Trinidad regularly.

There was a conversation between the two parties, during which the relatives were told to throw the money on the river bank.

However, this was not done as police were told that this was not part of the original agreement for the safe return of the two cousins.

After an exchange of words, there was reportedly a stand-off and the relatives left without the hostages and returned to the Grand Chimen Fishing Port in Moruga. They told the men that they would attempt to conduct the transaction again.

On January 12, the two cousins were seen in Trinidad leaving the fishing port.

A day later, a ransom of US\$40,000 was made for their safe return.

The families were contacted by a Spanish-speaking man via telephone. He informed them that if the money was not paid, the two will be killed.

A photograph of a man holding a gun to their heads was sent to the family.

Officials from the Homicide Bureau, the Anti Kidnapping Unit, and the Coast Guard, have all been notified.

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Gender-Based Violence

Sexualized violence as a weapon of war (Modern Ghana) By Melissa Martin

February 2, 2019

Rape of females has been an aspect of war as long as war has existed, but only in recent years has rape in war been acknowledged as a weapon. The United Nations Human Rights Commission passed a resolution identifying rape as a war crime in 1993.

Sexual assault in the United States armed forces continues to receive media coverage. The U.S. Army Study Guide states: "Sexual assault is a crime defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. Sexual Assault includes: Rape; Non consensual Sodomy (oral or anal sex); Indecent Assault (unwanted, inappropriate sexual contact or fondling); and Attempts to commit these acts."

The Invisible War by director Kirby Dick is an investigative documentary about "one of America's most shameful and best kept secrets: the epidemic of rape within the U.S. military. Today, a female soldier in combat zones is more likely to be raped by a fellow soldier than killed by enemy fire." www.pbs.org/.

"Many of these stories involved a culture of male soldiers attacking women in the desert by ganging up at an outhouse with other men, or by assaulting a woman when she had stepped into the field to relieve herself," reported a 2016 article in The Guardian.

There is a Sexual Assault Prevention and Response Program guided by Department of Defense. Active duty sexual assault survivors have access to health and mental health care within the military system. Courageous Nadia Murad. A story of terrorizing trauma. A story of demoralizing despair. A story of horrifying hell. A victim. A survivor. A thriver.

In 2014, Murad along with thousands of young women and girls (from the Yazidi community in Iraq) was captured and forced into sexual slavery by ISIS. Three months later, she escaped.

In 2016, Murad was named the U.N.'s first Goodwill Ambassador for the Dignity of Survivors of Human Trafficking.

In 2018, Murad became the co-recipient of the Nobel Peace Prize. By channeling her suffering into activism, she has become a voice for the captive females.

The Last Girl: My Story of Captivity, and My Fight Against the Islamic State is Murad's 2017 book. Islamic State militants massacred the people of her village, executing men who refused to convert to Islam and women too old to become sex slaves. Six of Nadia's brothers were killed, and her mother soon after, their bodies swept into mass graves.

Dr. Denis Mukwege fights against sex crimes. Congolese physician and recipient of a Nobel Peace Prize, he stands for justice for victims of war-related rape and sexual violence. His plan is to sponsor retreats for women from 14 different countries who have survived war-related sex crimes. CBS's 60 Minutes program, "War against Women," aired on January 11, 2008, and interviewed Dr. Mukwege.

"Throughout history, rape has been used as a weapon of war on all continents. The problem is not limited to a certain time or region but has been employed in countries such as Bangladesh, North Korea, the Philippines, Rwanda, Sierra Leone, Sri-Lanka, Uganda, Vietnam and the former Yugoslavia. Sexual violence was also widespread during World War II in different parts of Europe and Asia." www.mukwegefoundation.org.

The United Nations asserts that "Rape committed during war is often intended to terrorize the population, break up families, destroy communities, and, in some instances, change the ethnic makeup of the next generation. Sometimes it is also used to deliberately infect women with HIV or render women from the targeted community incapable of bearing children."

Why is sexualized violence used as a tool of war? Power and dominance over women. It is physical and psychological torture. Rape is used to instill fear, humiliate, punish and destroy.

How international court may give Mali's women a second chance at justice (The Christian Science Monitor)

By Anna Pujol-Mazzini

February 7, 2019

As Mariam Traoré began her work counseling women, she learned she would have to listen closely.

"They managed to catch me," some of them would say. Or, "men dragged me somewhere and I did two hours." "They wanted to rape me, but I defended myself," another one would explain.

Despite the understatement and denials, "automatically, we understand what happened. These are cases of rape," Ms. Traoré says, sitting in the office of the Association for the Development of Women's Rights (APDF) in Mali's capital, Bamako.

She gathered the testimonies in a dusty, black notepad filled with passport-sized pictures of girls as young as 13. The book speaks to the extent of sexual violence that fell upon Mali's women in 2012. Amid a conflict pitting the state against separatist rebels and jihadists in the north, the crisis largely went unnoticed.

At first, when thousands fled to Bamako in search of safety, women refused to speak about a crime they thought unspeakable: one that left many excluded, and blamed, by their own families. "You are marginalized, rejected by society, as if you were trash. That's why women keep quiet," says Moctar Mariko, who heads the Malian Association for Human Rights.

And in a country where not a single perpetrator of sexual violence in the conflict has been prosecuted, the risks for women who come forward are often too high for the elusive reward of justice. But a recent case against Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud of Timbuktu could bring justice to survivors where national courts have failed, advocates say. The former Islamic police chief is accused of overseeing forced marriages leading to the sexual enslavement of women, among other crimes.

The International Criminal Court case, if it moves forward after a May confirmation hearing, would be the first ever to focus on "persecution on the grounds of gender."

So far, there has been no successful conviction for sexual violence crimes at the court, despite a push by ICC prosecutor Fatou Bensouda since 2014. (The conviction of Jean-Pierre Bemba, a former vice president of the Congo, was overturned in June.)

"It sends a message to both victims and perpetrators that the ICC is willing and able to prosecute if national courts are not. That applies to both Mali and beyond," says María Mingo Jaramillo, a legal and program officer for Women's Initiatives for Gender Justice, an advocacy group based in the Hague. "It is important to start developing jurisprudence on this crime."

The ICC's move "may encourage national courts to prosecute [gender-based persecution], which is prevalent in many conflicts around the world today, and is often overlooked."

The takeover of key northern cities by Tuareg rebels and armed Islamist groups marked the end of life as they knew it for its women. In Timbuktu, they had to cover their hair with veils, could not be seen in public with men other than their husbands, and had to sit down while browsing goods in the market because bending over to pick up an item was seen as provocative.

Those who did not obey "were arrested, beaten, and sent to the women's prison. In that prison, women were systematically raped," says Bintou Bouaré Founé Samaké, president of the WILDAF women's group, who went to the city to gather evidence for potential prosecutions.

But the violence wasn't limited to those who went against the Islamists' rules. Awa Touré (whose name has been changed for privacy) started spending most of her days indoors once they settled in her central Timbuktu neighborhood. After a trip to the market to buy food for the family, she received two marriage proposals from those she calls the "occupiers."

"On the third proposal, they left us no choice. I did not consent. My parents did not consent," Ms. Touré says by phone from her hometown. After the marriage, she was moved to another district and locked inside the house.

For 13 days, she was forced to have sex with him. Then he divorced her. "Out of nowhere this man destroyed my life: I didn't know how to look at people, how to talk to people anymore," Touré says. When she learned he had remarried shortly after, she was distraught to think that another woman had experienced the same thing.

Touré's story is similar to other stories from all over the north. In other cases, armed men teamed up to pay bride prices jointly, with one officially acting as the "husband" and the others visiting, and raping, the unwilling wife at night.

In 2012 and 2013, WILDAF registered 173 survivors across the country who needed help with trauma, injuries, and pregnancies. Advocates say the real number of victims, however, are likely in the thousands. "We have statistics, but they do

not reflect reality,” according to Bernadette Sene, the chief advisor for women’s protection for MINUSMA, the UN peacekeeping mission in Mali.

When dozens of these women started demanding justice, human-rights groups in the country initiated lawsuits. The second complaint, focusing on war crimes and crimes against humanity including rape in Timbuktu, named Mr. Al Hassan as one of the perpetrators.

Al Hassan, who has been in custody in The Hague since March 2018, was a member of the Ansar Dine Islamist group that, alongside Al Qaeda in the Islamic Maghreb, imposed strict sharia law until Malian and French soldiers drove them out in early 2013. Despite a peace agreement in 2015, insecurity prevails, and there is no functioning justice system in the north.

At the height of the violence, the Supreme Court ruled that all conflict-related cases would be handled in the capital Bamako, which had been spared by the violence. The rights groups filed the sexual violence cases, a judge heard more than 30 victims, and evidence was gathered. Then in 2015, that ruling was reversed.

“We can’t file complaints anymore because there are no judges in the north to take up our cases; there is nothing in place to protect the victims,” says Mr. Mariko, from the Malian Association for Human Rights. Effectively, while authority to prosecute lies with northern courts, the sexual violence cases are gathering dust in Bamako offices.

In July 2012, however, Mali’s minister of justice requested an ICC investigation into war crimes committed in the north, stating that the country’s courts were unable to try the perpetrators. Among the crimes listed were “the rapes of women and young girls.”

Al Hassan’s case, and international justice, could provide an alternative to a gridlocked national justice system. But it covers a small fraction of the crimes committed against women since 2012. For those outside Timbuktu, justice remains distant.

And sexual violence did not stop when the occupiers left the city. Several women’s organizations even say that violence is on the rise, from frequent rapes on buses going to Gao, to the increasing number of attacks on women fetching water and wood in the central region – where ethnic tensions and jihadist violence have led to the killing of more than a thousand people in the past two years.

“The conflict shattered all the safeguards against violence against women,” Ms. Bouaré says. And in the meantime, “victims live with their aggressors on the ground.”

Let’s stop use of rape as a weapon of war (Daily Nation) By Melissa Martin
February 11, 2019

Rape of women and girls has been an aspect of war for as long as war has existed but it was only in 1993 that the United Nations Human Rights Commission passed a resolution identifying rape as a war crime.

And sexual assault in the United States armed forces continues to receive media coverage despite its clear and express prohibition in the “US Army Study Guide”. The Invisible War, an investigative documentary directed by Kirby Dick, talks about “one of America’s most shameful and best-kept secrets: The epidemic of rape within the US military”.

A 2016 article in The Guardian says “a female soldier in combat zones is more likely to be raped by a fellow soldier than killed by enemy fire” but there is a Sexual Assault Prevention and Response Program by the Department of Defence for active duty sexual assault survivors.

And then, there is the courageous Nadia Murad. A story of terrorising trauma. A story of demoralising despair. A story of horrifying hell. A victim. A survivor. A thriver.

In 2014, Nadia, along with thousands of young women and girls from the Yazidi community in Iraq, was captured and forced into sexual slavery by Isis. After three months, she escaped.

In 2016, she was named the UN’s first Goodwill Ambassador for the Dignity of Survivors of Human Trafficking. In 2018, she became a co-recipient of the Nobel Peace Prize.

By channelling her suffering into activism, she has become a voice for the captive females, even writing the book, The Last Girl: My Story of Captivity and My Fight Against the Islamic State, in 2017.

The Islamist terrorists massacred her villagers, executing men who refused to convert to Islam and women too old to become sex slaves. Six of her brothers were murdered, and her mother soon after, their bodies swept into mass graves.

In DR Congo, Dr Denis Mukwege fights against sex crimes. The physician and Nobel Peace Prize laureate stands for justice for victims of war-related rape and sexual violence. He plans to sponsor retreats for women from 14 different countries who have survived war-related sex crimes.

In CBS's 60 Minutes programme, "War against Women", aired on January 11, 2008, he said: "Throughout history, rape has been used as a weapon of war in all continents. "The problem is not limited to a certain time or region but has been employed in countries such as Bangladesh, North Korea, the Philippines, Rwanda, Sierra Leone, Sri Lanka, Uganda, Vietnam and the former Yugoslavia."

The UN asserts that "rape committed during war is often intended to terrorise the population, break up families, destroy communities and even change the ethnic make-up of the next generation. "Sometimes it is also used to deliberately infect women with HIV or render women from the targeted community incapable of bearing children," says the UN.

Why is sexualised violence used as a tool of war? Power and dominance over women. Physical and psychological torture. It is used to instil fear, humiliate, punish and destroy.

Rape is a global epidemic and laws are failing women and girls. Governments should fix laws to ensure punishment for offenders and justice for survivors.

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Commentary and Perspectives

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WORTH READING

'If Not Now, When?': The Responsibility to Protect, the Fate of the Rohingya, and the Future of Human Rights

By Simon Adams

Global Centre for the Responsibility to Protect

February 4, 2019

In this paper Dr. Simon Adams tests the resilience of the international community's commitment to defending human rights and upholding its Responsibility to Protect (R2P) populations from genocide, ethnic cleansing, crimes against humanity and war crimes. The paper highlights the failure to respond to patterns of discrimination that eventually led to a genocide in Myanmar (Burma) during 2017. But it also draws attention to other recent situations, such as in the Gambia, when the international community seized the moment to respond in a timely and decisive manner to an emerging threat of devastating conflict. In doing so, Adams emphasizes that even when bodies such as the UN Security Council appear paralyzed and inert, a mobilized international community can still act to prevent atrocities, protect vulnerable populations, and hold the perpetrators accountable.

Head of State and Other Government Officials Before the International Criminal Court: The Uneasy Revolution Continues

Leila N. Sadat

Washington University in St. Louis Legal Studies

January 31, 2019

This essay takes up the current debate about the relationship between Article 27 of the Rome Statute of the International Criminal Court and Article 98 of the Statute concerning the immunity of sitting Heads of State from investigation or prosecution before the Court and the duty of States to cooperate with the Court as regards their arrest and surrender. The essay traces the history of Article 27 and its incorporation into the Statute and observes that it represents a rule of customary international law resting upon the adoption of the Nuremberg Principles after World War II, and reiterated in the Statutes of

the ad hoc international criminal tribunals, that was included in the Rome Statute during its negotiation without comment or controversy. Now that the Court has become operational, current efforts to limit Article 27's application using Article 98 of the Statute – first advanced by the United States and subsequently by member states of the African Union – represent an effort to change that custom by once more cloaking Heads of State with immunity, the same rule that protected Kaiser Wilhelm one hundred years ago. While States could arguably change customary international law by again proposing that high-ranking individuals are immune from prosecution before international courts and tribunals, and presumably amending the Rome Statute to so provide, the essay argues that the Court's judges do not have this power. It also suggests that the jus cogens status of the norms embedded in the ICC Statute, including the individual criminal responsibility of high-ranking individuals, indicates that an effort to change this norm, even by States, could violate other preemptory norms of international criminal law. Moreover, given the long tenure of many of the leaders arguing in favor of this new rule, and the current tendencies of today's heads of state to insist upon life tenure, such a change, even if lawful, would be tantamount to a grant of permanent immunity for the individuals thus protected. The essay thus proposes a return to "first principles" of international criminal law, which permit the investigation, arrest, surrender and trial of high-ranking government leaders to international courts, even during their tenure in office, assuming those courts and tribunals are exercising jurisdiction properly.

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