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

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## AFRICA

### NORTH AFRICA

#### Libya

##### **ICC Hints Foreign Fighters in Libya Could Face Prosecution (Asharq Al-Aswat)**

May 19, 2021

**Chief Prosecutor of the International Criminal Court (ICC) Fatou Bensouda told the UN Security Council on Monday that mercenaries and armed groups involved in the Libyan conflict could face prosecution.**

“I must emphasize that crimes committed by mercenaries and foreign fighters on Libyan territory may fall under the jurisdiction of the Court, no matter the nationality of the persons involved,” she said.

In her last briefing to the Council on the Libya situation before the end of her mandate on June 15, Bensouda said her Office has received concerning information about the activities of mercenaries and foreign fighters in Libya.

“This information is consistent with the findings of UNSMIL Panel of Experts reports. The Office fully supports the call for these armed groups and individuals to leave Libya without delay,” she said. The UN estimates that there are at least 20,000 foreign fighters and mercenaries in Libya.

Bensouda also encouraged the Council and all UN member states to once again convey a clear and firm message to leaders and commanders, be they military or civilian, and all parties and armed groups involved in the Libya conflict that the rules of international humanitarian law must be respected and that those who defy such rules will be held individually responsible.

Also, the Chief Prosecutor said her office collected credible information and evidence on serious crimes allegedly committed in official and unofficial detention facilities in Libya.

“Further credible reports detail the summary conviction and sentencing of civilians to long prison sentences including handing of death penalty by Military Courts in eastern Libya following secret trials devoid of fair trial guarantees,” she said.

UNSMIL says more than 8,850 individuals are arbitrarily detained at 28 official prisons in Libya in Judicial Police custody with an estimated 60 to 70 percent in pre-trial detention. An additional 10,000 individuals are detained in other detention facilities run by militia and armed groups including about 480 women and 63 juveniles and children. White House spokesperson Jen Psaki avoided answering a question on whether US President Joe Biden’s administration believes that war crimes were being committed in the conflict between Israel and the Palestinian Hamas movement in the Gaza Strip.

“That’s going to be a decision for the international community to make together,” she told reporters as Biden visited Dearborn, Michigan.

“We’re not going to be making an assessment of that from here,” she stressed, noting that the US administration is currently taking every step to reduce the violence to deescalate the situation on the ground, to save lives and to ensure that it is bringing back some stability.

Psaki further defended the administration’s strategy of adopting a quiet diplomatic approach and relying on regional partners.

“Sometimes diplomacy needs to happen behind the scenes; it needs to be quiet.”

Under international law, there are provisions on how countries and other warring parties should act during warfare, referred to as the rules of war. War crimes are deemed a violation of these provisions.

The laws were adopted following World War II, when the International Military Tribunals at Nurnberg and Tokyo prompted renewed interest in protecting civilians during times of war.

The rules of war are universal. The Geneva Conventions (which are the core element of international humanitarian law) have been ratified by all 196 states.

Some examples of prohibited acts include “murder, mutilation, cruel treatment and torture, taking of hostages, intentionally directing attacks against the civilian population, conscripting or enlisting children under the age of 15 years into the national armed forces or using them to participate actively in hostilities and intentionally directing attacks against civilian objects, that is, objects which are not military objectives.”

According to informed sources, Israeli air strikes on Gaza are “disproportionate,” especially with the intensity of raids targeting civilians, leading to hundreds of casualties. They also leveled a number of Gaza City’s tallest office and residential buildings. Israel has alleged they were housing Hamas members.

On Saturday, Israel destroyed the 12-story al-Jalaa Building, where the offices of The Associated Press, Al-Jazeera television network and other media were are located.

“Deliberately targeting media outlets constitutes a war crime,” Reporters Without Borders secretary-general Christophe Deloire said.

“By intentionally destroying media outlets, the Israeli army is not only inflicting unacceptable material damage on news operations, but also, more broadly, obstructing media coverage of a conflict that directly affects the civilian population,” he stressed.

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## CENTRAL AFRICA

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# Democratic Republic of the Congo

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**DR Congo army rescues child hostages from armed groups (Anadolu Agency)** By Cameroon Yaounde  
May 11, 2021

**The Democratic Republic of Congo's armed forces on Monday handed over 13 children rescued from armed groups to the UN mission in the Central African country, local media reported.**

The children, ranging from 13 to 17 years old, were held hostage for nearly three weeks after clashes between the Ugandan Allied Democratic Forces (ADF) rebels and a Mai-Mai rebel group in the territory of Beni in North Kivu province and Ituri province, UN-run Radio Okapi reported.

"Most of the children come from the Mai-Mai UPLC group...We have two who were hostages from the ADF," Bernard Okanda from the child protection section of the United Nations Organization Stabilization Mission to the Democratic Republic of the Congo (MONUSCO) in Beni was quoted by Radio Okapi as saying.

MONUSCO immediately transferred the children to the Concrete Actions for Child Protection (ACOPE), a partner of UNICEF.

In recent months, several Mai-Mai groups united within the UPLC Coalition, enrolled children in their ranks, according to the radio.

Between 2014 and 2017, the UN documented 6,168 children (549 girls, 5,619 boys) recruited by 49 different armed groups or militia. While many groups were small-time recruiters, 72% of all child recruitment was done by just 10 armed groups.

### **Islamist militia kills Malawian peacekeeper in east Congo - U.N. (Reuters)**

May 11, 2021

**A female peacekeeper from Malawi was killed in an attack by an Islamist militia in eastern Congo's North Kivu province on Monday morning, the U.N. and the Malawian government said.**

A local civil rights group said separately that fighters with the Allied Democratic Forces (ADF), an Islamist armed group with Ugandan origins, attacked the village of Kilia, around 18km southeast of Beni in the province, killing at least five people. It was not clear if that figure included the peacekeeper.

"A peacekeeper was killed in an attack by alleged ADF in the Beni region," said MONUSCO, the U.N. peacekeeping mission, which has deployed around 12,000 troops to contain violence by more than 120 armed groups in the east of the country.

Chitenji Kamanga, 28, was killed when the U.N. base in the village of Kilia, was attacked at 13:30 local time, the Malawi Defence Force (MDF) said in a statement.

"Malawi has lost a courageous, hardworking and disciplined female soldier," the MDF said.

In March the United States labelled the ADF a foreign terrorist organization because of alleged links to Islamic State group, although the U.N. has consistently downplayed the strength and nature of Islamic State's influence in Congo.

The last peacekeeper killed in Congo was an Indonesian national on June 22 last year. More than 370 have been killed since the U.N. first sent troops during the civil war in 1999.

The ADF, which has been active in Congo since the 1990s, has carried out a string of reprisal attacks on civilians since the army began operations against it in late 2019, killing around 850 people last year, according to the U.N.

### **DR Congo sentences 30 people to death over clashes with police in Kinshasa (France 24)**

May 15, 2021

**A policeman was killed in Kinshasa on Thursday as rival Muslim groups fought over the right to mark the end of Ramadan at a major sports stadium, officials said.**

A lawyer for civil parties, Chief Tshipamba, told AFP 30 people were sentenced to death in a trial that had started on Friday, a day after the violence allegedly took place. A recording of the proceedings obtained by AFP confirmed the verdict.

DR Congo has not carried out death penalties since a moratorium was introduced in 2003. Since then, death sentences are commuted to life imprisonment.

The regional government said that in addition to the police officer killed several people were hurt and one police vehicle was burned in the fighting outside the Martyrs' Stadium.

Kinshasa police chief Sylvano Kasongo said around 40 people were hurt and 35 had been arrested.

Two rival factions have for years disputed the leadership of the DRC's Comico Muslim federation.

While the case remains before the courts, the two sides remain at odds and occasionally come to blows.

Around 10 percent of the DRC's population are Muslim, most concentrated in the country's east.

But Kinshasa on the Congo river in the west of the vast central African country also traditionally sees mass celebrations for the end of the holy fasting month of Ramadan in public squares and on major roads.

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## WEST AFRICA

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

**Nigeria: Buhari Seeks France's Help in Terror Fight (All Africa)** By: Mohammed Momoh

May 19, 2021

**Abuja. Worried about the recent escalation of terror incidents and general insecurity in the country, President Muhammadu Buhari has called on France to deepen its anti-terror cooperation with Nigeria in order to defeat terrorists in the Sahel region and beyond.**

The 78-year-old Head of State, who is currently in Paris for a visit, was quoted in an opinion article he penned for Le Point, a Paris-based magazine.

The Sahel region includes parts of northern Senegal, southern Mauritania, central Mali, northern Burkina Faso, the extreme south of Algeria, Niger and the extreme northern part of Nigeria. Other areas covered are the extreme northern part of Cameroon and Central African Republic, central Chad, central and southern Sudan, northern South Sudan, Eritrea and northern of Ethiopia.

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## **IG Launches 'Operation Restore Peace' in South-east (This Day Live)**

May 19, 2021

### **The acting Inspector-General of Police (IG), Mr. Usman Alkali, yesterday launched a new operation to battle the rising insecurity in the South-east.**

He also charged policemen in the region to be ruthless with secessionists.

The launch of the new security strategy, codenamed "Operation RP" is coming barely 24 hours after the headquarters of the Independent National Electoral Commission (INEC) in Enugu State was attacked and property burnt by yet-to-be-identified hoodlums.

Also yesterday, President Muhammadu Buhari said without security, economic opportunity would remain fragile and the propensity for conflict would grow, adding that military gains do not provide the whole solution.

Alkali, at the launch of the operation in Enugu, charged policemen serving in the South-east region to deal ruthlessly with criminals and secessionists that may attempt to take the risk of testing their will.

He urged policemen to be firm with criminals that may be threatening citizens within their area of jurisdiction.

The IG advised police personnel participating in the special operation to see their deployment as a call to national duty.

According to him, "The police leadership and the entire nation are looking out for two major outcomes as you discharge your duties during this operation: first, to stabilise the security order in the South-east in the shortest possible time; second, to be professional in your conduct as you strive to attain this objective."

The IG advised the policemen to be civil with law-abiding citizens, respect the rights of the citizens and undertake the operation within the dictates of rule of law.

He, however, charged them to defend themselves against any armed group that might attempt to attack them, or any police assets and other critical national infrastructure.

He described the people of South-east as historically peaceful, tolerant, innovative, industrious and entrepreneurial, who are highly respected citizens that have made their marks in the field of academics, scientific inventions and commerce.

He, however, lamented that although the Igbo are a unique ethnic group that freely and peacefully lives with others across the country and within the South-east, the events of late had altered the positive narrative.

He said: "The zone in recent years has been witnessing increasing cases of kidnapping, armed robbery and communal violence. This trend has of late been laced with inter-ethnic intolerance and separatist agitation as championed by the Indigenous People of Biafra (IPOB) and its armed wing, the Eastern Security Network (ESN).

"The separatist agenda of this group has assumed an armed dimension in which important political and community leaders as well as personnel and assets of the Nigeria police, military and other security agencies are being constantly targeted in clearly well-coordinated, premeditated violent attacks in the region."

According to him, the launch of 'Operation RP' was conceptualised to ensure that "we should as a people, be determined to build a consensus, partner in condemning any act of criminality and resolve to work with the police and other security agencies towards identifying, isolating and bringing the criminal elements within our communities to deserved justice."

He added: "There must come a time in the life of a nation when we, as a people, must strengthen our will, and resolve to mobilise and deploy all our assets towards confronting these criminal elements, take the battle to their doorsteps, and make a clear statement that the few deviants within us cannot and will not re-order our cherished national values. The time is now."

Enugu State Governor, Hon. Ifeanyi Ugwuanyi, expressed optimism that the operation would lead to the retooling of security architecture in the South-east.

He said: “Today’s event could not have come at a better time than now giving the point of insecurity in the country. In the past week, we have been saddened by the spate of killings of security operatives in their line of duty and destruction of security infrastructure and other public institutions in Nigeria, especially in the South-east.

“It is our expectations that today’s event will herald the rejigging and retooling of international security architecture in the South-east geopolitical zone to bring it up to speed with an emerging dimension of criminality.”

#### Insecurity Grows Propensity for Conflict

President Muhammadu Buhari yesterday warned that without security, economic opportunity will remain fragile and the propensity for conflict will grow.

He also said that because of the post-COVID-19 pandemic, Nigeria and France must seize the chance to strengthen its economic and military ties.

Buhari stated this in an article entitled: ‘Post-COVID-19 Pandemic, Nigeria and France Must Seize the Chance to Strengthen Military and Economic Ties,’ published yesterday by a Paris-based magazine, *Le Point*.

He said across the world, conflict and coronavirus had not been far apart and the war against the coronavirus was one Nigeria was fully united with France in a strong determination to overcome.

The solution, according to him, therefore, is to improve those conditions, as it leaves the people vulnerable to indoctrination.

He said: “As governments have struggled to contain COVID-19, jihadists have taken advantage in the Sahel – the vast arid stretch of territory that lies between the Sahara and Sub-Saharan Africa.

“Terrorist incidents have become tragically common across Mali, Burkina Faso and Niger. Around the Lake Chad Basin, Boko Haram terrorists have taken advantage of the pandemic and pushed back into my country Nigeria, whilst still launching raids and attacks in Chad, Cameroon and Niger.

“We have seen more than once how Boko Haram – which in French means “l’éducation Occidentale est un péché” – can regroup, morphing in form and tactics. A matter of only a few years ago, they were reduced to a territory-less group, where once they had controlled an area in Nigeria three times the size of Lebanon.”

The president said as the world emerges from COVID-19, there is a chance to rebuild.

“Though we always knew it, COVID-19 underlined how interconnected and interdependent the world is. With that shattering reminder, we can create a world with the idea at its forefront – one that provides security and opportunity for all,” he said.

Buhari stated that the infection is spreading further afield and reaching into the heart of Europe and France is not being spared the malignant, with innocents murdered on its streets. Saying in that context fate is generally linked, the president highlighted that Paris had been active in the common fight.

He said: “The French Operation Barkhane has provided critical boots on the ground in shoring up security across our region. Though challenges remain, it has ensured a wide expanse of territory has not descended into a lawless playground where terrorists masquerading as fighting for Islam groups can freely flourish and multiply. That assistance has been profoundly appreciated in the region.

“Now Nigeria and France should deepen our anti-terror cooperation if we are to overcome this scourge – particularly in the aftermath of the murder of the late President of Chad. Where for historical ties, support came to Nigeria from the UK, and to the G5 from France, the terrorists do not recognise these border-aligned distinctions. We must be agile and flexible, cooperating across our borders to cut the head off their groups.”

**‘On bad days, we don’t eat’: Hunger grows for thousands displaced by conflict in Chad (The Guardian)** By: Zeinab Mohammed Salih

May 17, 2021

**The number of people having to leave their homes in the Lake Chad region of central Africa has more than doubled over the past year with agencies warning they are struggling to feed people.**

The fighting, which last month claimed the life of the president of Chad, Idriss Déby, has displaced more than 400,000 Chadians, according to the International Organization for Migration, a rise from 169,000 at the start of 2020. More than 65,000 people were displaced in the first quarter of this year.

The World Food Programme (WFP) said it had been struggling to feed those in need. The agency expected a further 100,000 people living in the Kanem region, east of Lake Chad, to need food in the coming months, as the conflict between Chad's army and the rebel forces, the Front for Change and Concord, showed no signs of easing.

"With current resources, WFP is able to provide emergency food assistance to some 223,000 out of the 401,000 internally displaced people in Lake Chad," said Claude Jibidar, local WFP representative.

"We still need \$67m [£48m] to support all internally displaced people until the end of the year, but funding is not forthcoming and many do not know where their next meal will come from.

"The humanitarian community is working to keep up with the pace of displacement but is still unable to provide an adequate and timely response."

Bokoey Libyana left his village after it was attacked by Boko Haram last October. "They kidnapped our brothers ... they also took about 10,000 of our cattle," said the 52-year-old, whose five children are now out of school. "I need them to work. They spend most of their time collecting wood, so they can sell it in the market to buy food."

Libyana shares his monthly aid rations with other families. "When we get our share of food from the WFP, we need to send some of that to the orphans of our brothers who were killed by Boko Haram."

The family now live in Fourkhouloum, home to about 70,000 displaced people. The nearest healthcare facility is 19km (12 miles) away.

Bokoey Maidray, 47, has been in Fourkhouloum for nearly a year and is struggling to feed four wives and 15 children. "When days are like honey we can eat, have more than a meal. But when they are bad, we don't eat," said Maidray, who had hoped to return home last month, but was prevented by another attack on his village. "Boko Haram came back again to burn my house on 11 April, the same day of re-electing the president, they burned down all the houses there."

According to WFP, 66% of Chadians live in severe poverty. The oil-rich country ranked 187 out of 189 nations in the human development index in 2020.

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## Mali

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## Liberia

### **Typhoid Delays Start of Massaquoi War Crimes Trial Hearings in Sierra Leone (Daily Observer)**

May 7, 2021

**The Finnish court trying Sierra Leonean Gibril Massaquoi for war crimes allegedly committed in Liberia has delayed hearings by nearly two weeks because of the acute illness of two of the four judges, including Presiding Judge Juhani Paiho.**

The Freetown hearings of the trial which began in Finland in February were to begin on April 28 but they have been pushed back each day since then as the judges recovered. The latest start date is now set for May 11.

“The head judge is presently hospitalized due to typhoid fever and last week, one of our female judges was also in the hospital for the same ailment,” said Thomas Elfgrén, Detective Chief Superintendent of the Finland National Bureau of Investigations. “We would have started on time had it not been for this unforeseen situation.”

Elfgrén rejected speculation that the delay was because of witnesses’ reluctance to appear. It is “not because witnesses are afraid to testify,” he said.

Elfgrén was also keen to deflect any blame from the Sierra Leone government. “I want to thank both the Liberian and Sierra Leone government for not interfering in the process and allowing us to carry on an independent process. Because hearings in Liberia, could not have been done without the full support from the governments.”

The Finnish Court moved from Liberia to Sierra Leone after hearing from more than 60 witnesses who testified that they saw a combatant with the alias “Angel Gabriel” commit atrocities in Waterside Market area of Monrovia and in villages in Lofa County in Liberia’s north.

In Freetown the Finnish Court seeks to probe questions about Massaquoi’s whereabouts during the last period of Liberia’s civil conflict from 2001-2003. Many witnesses have claimed Massaquoi committed crimes in Waterside in 2003. The trouble for the prosecution case is that Massaquoi was supposedly under house arrest in Freetown in 2003 as a key informant in the Special Court for Sierra Leone. The court convicted multiple perpetrators including former Liberian President Charles Taylor with whom Massaquoi was close during the civil conflicts in both countries.

Sources have told New Narratives that Massaquoi’s detention in Freetown at the time was not tightly secured. They believe it was very possible that Massaquoi could have moved between the two countries without trouble. This may be one of the avenues prosecutors seek to explore during the Freetown hearings.

Massaquoi, is being prosecuted in Finland for war crimes and crimes against humanity allegedly committed in Liberia. Massaquoi was a Lieutenant-Colonel of the RUF and an assistant to the rebel group’s founder, Foday Sankoh, during the Sierra Leonean Civil War. In 2005, he was granted immunity from prosecution for crimes in Sierra Leone in return for his testimony in the war crimes trials in Sierra Leone.

Finland granted Massaquoi residency for his role in the Sierra Leone Special Court. But when Civitas Maxima, of Switzerland and Liberia-based Global Justice Research Project presented Finnish investigators with evidence of Massaquoi’s war crimes in Liberia, they charged him in March 2020 for his role in that war.

The court in Sierra Leone has been set up in a similar way to that in Monrovia but will see a traditional style of African fabric spread on the tables. Detective Elfgrén disclosed that the Finnish Justice Ministry requested his team to set up both courts the same way. Elfgrén said that in order to make up for the time lost to illness, the court intends to interview 19 witnesses over a week and a half.

Elfgrén said he was pleased to see Liberian reporters had traveled to Sierra Leone to cover the trial and hoped that they would stay for the duration.

“We very much understand that the delay of the proceedings has caused embarrassment to the media in arranging their work, but it is my appeal that the Liberia Media remain here until the end of the hearings, because it is extremely important to know that whatever happens in this court room, will be taken to Finland for the judgment of Massaquoi.”

Elfgrén also answered concerns that the trial could be interrupted by Ramadan and prevent some Muslim witnesses from testifying. “Some of the witnesses are Muslims, and we are going to respect their religion and the rights to partake but we will have some witnesses who are Christian and are testifying so there would be no interfering with the hearings,” he said.

Massaquoi’s trial began on February 1 in the city of Tampere, where he had been living. Rather than transport dozens of witnesses set to testify to Finland in the midst of a pandemic, the Finnish court traveled to the witnesses.

As in Monrovia, the hearings in Freetown are being undertaken in a secret location to protect the witnesses from intimidation. Witnesses’ identities will also be withheld.

### **Liberia war crimes: First hearings in Gibril Massaquoi trial held in Sierra Leone (Redaction Africanews)**

May 11, 2021

**The trial of former rebel leader Gibril Massaquoi for war crimes committed in Liberia entered a new phase Tuesday with the first witness hearings in Freetown, the capital of Sierra Leone, an AFP correspondent noted.**

Gibril Massaquoi, a 51-year-old Sierra Leonean, is on trial for a litany of murders, rapes and torture perpetrated in Liberia by himself or rebels of the Revolutionary United Front (RUF) between 1999 and 2003.

Nicknamed "Angel Gabriel" at the time, he was a senior member of the RUF, a Sierra Leonean armed group led by Corporal Foday Sankoh, who was close to former Liberian warlord and later president, Charles Taylor.

His trial began in early February in Finland, where he has lived since 2008 and where he was arrested in March 2020 after NGOs mobilized, under legislation giving the national justice system the power to try serious crimes committed abroad.

The court then moved to Liberia, a first in a country where no court has so far tried crimes committed during the civil wars of 1989-1996 and 1999-2003, which were marked by numerous atrocities and left 250,000 dead.

The hearings, which were due to resume at the end of April in Sierra Leone, have been postponed several times because two judges have contracted typhoid fever, according to a spokeswoman for the Finnish National Bureau of Investigation (NBI, judicial police). They opened Tuesday morning at an undisclosed location in Freetown and are expected to continue until May 19. The verdict is expected in September at the earliest.

**Court Hears Testimony that Massaquoi Was Not in Liberia with the RUF (Front Page Africa)** By Mae Azango  
May 13, 2021

**A defense witness in the war crimes trial of Gibril Massaquoi told the Finnish court holding hearings here that he fought with the Revolutionary United Front in Lofa County in 2001 but Massaquoi was not with them.**

The witness, codenamed "11" to protect him from intimidation, was a radio operator for RUF leader Foday Sankoh's station called Secret Signal Broadcasting (SSB). He said he met Massaquoi in 1999 when they were all in the RUF together.

Like several witnesses in Liberia who were connected to RUF and the government forces of Charles Taylor fighting LURD forces in Lofa, during Liberia's second war, this witness spoke about why the RUF forces were sent to Lofa.

"LURD (a rival Liberian faction) rebels intended to close our supply route, so our commander Issa Sesay sent our team led by 'Colonel Eagle', to clear the route in May 2001," "11" told the court. "He said it was not good for us to be cut off, because we were getting our major supplies from Charles Taylor's commander, Benjamin Yeatan and he was giving us food and ammunition supplies. Our supply route was passing through Foya, Kolahun and Voinjama in Liberia. But I did not see Massaquoi during that time in Liberia. Massaquoi left Liberia in 2000 before we got there in May 2001."

"11" said his RUF forces stayed in Liberia from May to June in 2001 before the RUF disarmament in Sierra Leone. He said he then met Massaquoi in Sierra Leone 2002 at the party headquarters when RUF was running to be a political party. At that time Sankoh was in prison and Massaquoi was second in command.

"11" said in 2000 Massaquoi was appointed as head of the external delegation. His responsibility was to lead the peace delegation to Liberia to negotiate with former President Taylor for the release of RUF head Foday Sankoh who was arrested and in jail until his death.

The crux of hearings in Sierra Leone will be whether Massaquoi could have escaped witness protection in Freetown where he was informing on Taylor and others to the Special Court for Sierra Leone long enough to go and fight for Taylor in Liberia at the same time. Dozens of Liberian witnesses testified that Massaquoi committed atrocities in the Waterside area of Monrovia in 2001-2003. Experts say the only major fighting in Waterside happened in 2003 when then-president Charles Taylor was fending off the advancing forces of LURD. If the Finnish could find that Massaquoi did escape witness protection to fight for Taylor in Liberia while also testifying against him that would raise serious questions about the Special Court's processes. It was the Special Court that arranged Massaquoi's resettlement in Finland and immunity from prosecution for crimes committed in Sierra Leone.

Massaquoi is being prosecuted in Finland for war crimes and crimes against humanity in Liberia. Massaquoi was relocated to Finland in 2005 but when Civitas Maxima, of Switzerland and Liberia-based Global Justice Research Project presented Finnish investigators in the city of Tampere, where he was living, with evidence of his war crimes in Liberia, they arrested him in March 2020 for his role in that war.

Massaquoi's trial began on February 1 in Tampere. Rather than transport more than 80 witnesses set to testify to Finland in the midst of a pandemic, the Finnish court traveled to Finland and Sierra Leone.

In another attempt to confirm dates the court heard from an alleged former girlfriend of Massaquoi and mother of his child.

The woman, codenamed “13” told the Finnish court that she met him in late 1999 and they started a relationship. She said their son was 20 years old but could only remember the year the child was born as “between 2001 and 2002”.

The woman said it was in 2001 that she realized she was pregnant for Massaquoi and told him via mobile phone that she was leaving the Gambia where she went to visit her parents, for Monrovia. She said Massaquoi sent her some money and told her to meet him in Monrovia because he was due there for peace talks. She said she met Massaquoi at a house in Monrovia where he was living that had been given to RUF officials by the Liberian government at the time.

“After three months, I did not want to have my baby in Liberia, so I moved back Freetown and gave birth,” “13” told the court. “By then Massaquoi was already in Freetown and often came to see me and the child at my place in Tengbeh Town. But after some months in 2002, when he was isolated and nobody could see him for security reasons, I asked his brothers about him, and they said he was under witness protection for the Special Court in Sierra Leone. But he would normally give money his friend Michael to bring me for the upkeep of his child twice a month.”

The other witness for the day, codenamed “4”, said he was an officer of the Central Intelligence Unit in Sierra Leone and got to know Massaquoi in 1998. Called by the defense, the witness appeared to further the defense case that there was another person operating as “Angel Gabriel” in Liberia during the period of 2001 and 2003 and not Gibril Massaquoi.

“Massaquoi used to come and visit me at my office. We met many times in Freetown and we normally talked about peace and moving Freetown forward. I can’t remember, but I am sure I met Massaquoi in 2003 but I do not remember the last time I heard from him. I had no knowledge about him and RUF, he never told me about his business with Charles Taylor,” he said.

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## EAST AFRICA

### Uganda

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

**Dominic Ongwen: Former Ugandan child soldier jailed for war crimes (BBC)** May 6, 2021

**A former Ugandan child soldier who became a commander in a notorious rebel group has been jailed for war crimes.**

Dominic Ongwen, now 45, was sentenced to 25 years in prison for crimes including murder, rape and torture.

He is the first former Ugandan child soldier to be convicted and sentenced by the International Criminal Court.

Ongwen was abducted by the Lord's Resistance Army (LRA) rebel group when he was nine years old and eventually became a feared commander.

He was convicted by the International Criminal Court (ICC) in February on 61 of 70 counts of crimes against humanity and war crimes.

The crimes relate to attacks on four camps for internally displaced people in Uganda in 2004. More than 4,000 victims provided testimony in the case, which was heard in The Hague.

Ongwen was found guilty of sexual slavery, forced marriage and the rape of seven women who were abducted and placed into his household. These charges were in addition to murder, attempted murder and torture.

Despite the gravity of the crimes, judges sentencing Ongwen on Thursday said they decided not to give the maximum life sentence because he was abducted as a child on his way to school in the late 1980s and groomed by rebels who had killed his parents.

But they found he had knowingly committed serious crimes as an adult during the LRA's two decade reign of terror in the

2000s.

"The chamber... is confronted with a perpetrator who wilfully brought tremendous suffering upon his victims," presiding judge Bertram Schmitt said. "However, it is also confronted with a perpetrator who himself had previously endured extreme suffering at the hands of the group."

The judges added that they hoped to give him the opportunity to rehabilitate. His conviction means that victims can now start the process of seeking reparations.

At the height of his time with the LRA, Ongwen - known as White Ant because his surname means "born at the time of the white ant" - was the commander of the Sinia brigade and one of the most feared fighters in the rebel movement.

He turned himself in to US forces in the Central African Republic (CAR) in 2015 - and they later handed him over to the Ugandan army.

The LRA was formed more than 30 years ago, operating in Uganda and neighbouring countries.

Led by Joseph Kony, it became notorious for abducting thousands of children to use as soldiers or sex slaves, and for mutilating civilians.

In 2005, the LRA was forced out of Uganda by the army and the rebels went into what is now South Sudan. They eventually set-up camp in the border area with the Democratic Republic of Congo.

They later moved to CAR where they acted more like a criminal outfit engaging in poaching and illegal mining.

Arrest warrants for Joseph Kony and other top commanders of the movement remain outstanding.

#### **Uganda conflict survivor helps communities find 'ways forward' (UN News) May 6, 2021**

**A Ugandan man who avoided being drawn into a decades' long conflict as a child soldier, is dedicating his adult life to healing communities which were impacted by his government's fight with the rebel Lords Resistance Army (LRA).**

As many as 25,000 children were abducted as soldiers and forced labourers, as the Ugandan government fought a civil war with the LRA from the 1980s onwards.

Okello Tito says he was "one of the lucky ones" because he was not kidnapped or killed, even though his family did have to flee their home in the middle of the night after rebels set it alight.

Today, he works as a community leader in northern Uganda, the epicentre of the conflict. Where he spends his time "calming people down, negotiating, finding solutions and ways forward".

In 2004 in northern Uganda, 'night commuters' left their homes each night to stay in shelters fearing that children would be forcibly abducted by the LRA.

He has told his story as part of an initiative called "Life after conflict" focused on international justice, which was launched by the UN-backed International Criminal Court (ICC).

The Hague-based ICC, is the world's first permanent international court to prosecute some of the most heinous of crimes, including genocide, war crimes and crimes against humanity.

On Thursday, the court is due to pass sentence on Dominic Ongwen, a former LRA leader who was found guilty of 61 charges, between 2002-2005, of crimes against humanity and war crimes, in the context of the conflict in northern Uganda.

#### **Dominic Ongwen's victims wanted tougher sentence (The Independent) By Ronald Musoke May 10, 2021**

**It should have been marked by wild chants of "justice at last" or even criticism, but the oddest bit about the May 06 International Criminal Court (ICC) sentencing of former Lord's Resistance Army (LRA) commander, Dominic Ongwen, was the lack of interest in Uganda, where he committed the crimes.**

Ongwen was abducted by the LRA in 1988; just one year after Joseph Kony in 1987 formed the blood-thirsty rebel group that terrorised northern Uganda for the next 20 years. Over this period, the group murdered, abducted, raped, and looted with a

level of brutality not witnessed before or after. Northern Uganda has many memorial sites dedicated to the Kony terror.

And Ongwen was at the centre of the terror, having morphed so successfully from a victim to a tormentor that he rose in the ranks and acquired the rank of brigadier which was held by commanders just below the leader Kony.

The Ongwen sentencing was also significant because it marked the conclusion of the first case, technically called a situation, to be brought before the ICC.

Uganda in 2003 was the first country in the world to refer a case to the ICC soon after the court was formed in 2002.

Ongwen became one of five top LRA commanders on the court's wanted list since 2005. The others are Joseph Kony, the late Lt. Gen. Vincent Otti who for long was second in command to Kony, and Maj.Gen. Okot Odhiambo and Brig. Gen. Raska Lukwiya.

Kony remains a fugitive from the law and hiding in no-man's land between South Sudan and the DR Congo but some of those indicted, such as Otti, Lukwiya, and Odhiambo were reported dead.

Ongwen surrendered to the ICC custody on January 16, 2015 under mysterious circumstances and was immediately flown to The Hague, in The Netherlands where he made his first appearance on January 26, 2015.

Even before his trial started, it was noted that it would mark the first time that a court trying crimes against humanity would confront the difficult question of how to hold accountable a high-ranking member of the perpetrator army who was also a victim, having been abducted as a child and groomed into the perfect killing machine.

Ongwen's case also offered the ICC an opportunity to implement its policy of focusing on cases of sexual and gender based violence when charging alleged perpetrators of war crimes and crimes against humanity.

How would the court treat evidence of forced marriages of unwilling, sometimes under-age abducted women to top commanders of the LRA such as Ongwen? What about the cases of forced pregnancy of the same women by the rebel army commanders?

The Rome Statute criminalises forced pregnancy as a war crime and crime against humanity and Ongwen became the first person to be tried under international criminal law for forced pregnancy.

Finally, after about five years since the trial proper started on December 06, 2016 with Ongwen facing 70 charges of war crimes and crimes against humanity and following testimony from victims and expert witnesses, the court on May 06 sentenced him to 25 years in prison.

Presiding Judge Bertram Schmitt who read the ruling acknowledged that the court was faced with what he called a "unique situation" because Ongwen was both a criminal and a victim.

"The Chamber is confronted with a perpetrator who willfully brought tremendous suffering upon his victims," Schmitt said, "However, it is also confronted with a perpetrator who himself had previously endured extreme suffering himself at the hands of the group of which he later became a prominent leader."

Ongwen had during trial told the court that the LRA forced him to eat beans soaked with the blood of the first people he was made to kill as part of a brutal initiation following his own abduction as a young child. He was 14 years old at the time, although some reports put his age at about 10 years, possibly, because of his diminutive stature.

Ongwen told court: "I am before this international court with so many charges, and yet I am the first victim of child abduction. What happened to me, I do not even believe happened to Jesus Christ."

Up until the sentence, the Trial Chamber issued 70 oral decisions, and 528 written decisions. A total of 4,095 victims, represented by their legal counsels Joseph Akwenyu Manoba, and Francisco Cox, as well as Paolina Massidda, respectively, were granted the right to participate in the proceedings.

In the end, Ongwen was found guilty for a total of 61 crimes comprising crimes against humanity and war crimes, committed in northern Uganda between 1 July 2002 and 31 December 2005.

Schmitt, however, noted that the period of his detention between 4 January 2015 and 6 May 2021, will be deducted from the total time of imprisonment imposed on him meaning that the earliest he can leave jail is 2041. Ongwen who is now 45 years old will be 65 years at the time. Ongwen has a chance to appeal the sentence before the ICC Appeals Chamber.

Following the sentencing, journalists who interviewed people in Gulu, the epicentre of Ongwen's mayhem, they reported that



residents greeted news mixed reactions. Ongwen's brother, David Johnson Onelalit, says he is shocked by the duration of the sentencing.

"With all things, I thought that it was going to be nine years, but I was shocked when I heard 25 years. I feel very, very painful."

Some of those interviewed reportedly said the 25 years were "too much." They pointed out that Ongwen suffered when he was abducted by the LRA as a young child.

"All that he was doing was not his need. He has been forced to do all the crime that he has been doing," said Jonathan Bagonza, a businessman from Kampala.

It is important to note that the prosecutors had asked for a 20-year prison term, saying Ongwen's own history as a schoolboy abducted by the LRA justified a lower sentence than the maximum 30 years to life allowed by the ICC.

And the defence had sought a 10-year prison term for Ongwen for attacks by his soldiers on Internally Displaced People's Camps in northern Uganda. But the victims of Ongwen's crimes had asked the court to impose the full sentence of imprisonment for life.

For Flavia Lakot, a Ugandan who works with child protection, Ongwen should be brought back home.

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## Kenya

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

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## Rwanda (International Criminal Tribunal for Rwanda)

**Official Website of the ICTR**

**France release priest suspected in Rwanda 1994 genocide (Anadolu Agency)** By James Tasamba  
May 8, 2021

**A Rwandan priest who was indicted and imprisoned in France for his role in the massacre of Tutsis during the 1994 genocide, was released this week under judicial supervision, French media reported Friday.**

Marcel Hitayezu, 65, was arrested at his home in Montlieu-la-Garde, Charente-Maritime and indicted April 14, notably for "genocide" and "complicity in crimes against humanity." He denies the charges.

The priest was released by the investigating chamber of the Paris Court of Appeal --which reversed the order of provisional detention, AFP reported, quoting a judicial source.

Hitayezu was placed under judicial supervision with a prohibition to leave the department of Charente-Maritime.

"The judicial institution considered that there was no reason to keep him in detention, given his guarantees of representation and the fact that he will not leave France," his lawyer Vincent Asselineau was quoted by the news agency.

Hitayezu served as a priest in the parish of Mubuga in southern Rwanda in 1994.

During the 1994 genocide against the Tutsi ethnic group, he is accused of depriving food and water to Tutsis who had taken refuge in his church, according to the National Antiterrorist Prosecutor's Office.

He reportedly provided food to the Interahamwe militiamen who attacked Tutsi refugees in the building.

Hitayezu is believed to have arrived in France between 1998 and 1999 in the diocese of La Rochelle, after spending three years in refugee camps in eastern Congo.

He was granted refugee status in January 2011 and was naturalized.

In October 2016, the French Court of Cassation rejected Rwanda's extradition request for Hitayezu.

French justice officials opened a judicial investigation against Hitayezu in July 2019.

About 1 million people, mostly from the Tutsi community and moderate Hutus, were killed in the genocide by Hutu extremists during a massacre within 100 days.

The Rwandan government has faulted countries offering suspects haven -- urging them to try or hand over the accused to Rwanda to face justice.

More than 1,000 suspects have taken refuge in different countries including France, the US, Netherlands and Canada, according to Rwanda's Genocide Fugitives Tracking Unit.

### **Prosecutor Announces No Grounds To Pursue Claims For French Role In Rwanda Genocide (The Organization for World Peace)** By Benjamin Fikhman

May 10, 2021

**France's top prosecutor Remy Heitz announced on May 3 that investigations have shown there are no grounds to pursue legal claims of French army involvement in Rwanda's Hutu-led government's efforts of genocide, CNN reports. This development comes one month after Rwanda released a report claiming that France knew about the preparations for genocide even before the lethal policies became implemented. The report in turn followed a French report in March 2021 claiming France was not complicit but turned its head from the ensuing tragedies. Specifically, according to JURIST, the French investigation concluded by the French government preceding Heitz's announcement was centered on five French military officers who were active during the controversial Opération Turquoise, a military operation backed by a United Nations mandate.**

The Rwandan government stated in its 600-page report, "The French government bears significant responsibility for enabling a foreseeable genocide," (CNN). The French report that came before it, which was the result of an investigation conducted for two years, claimed, "[France] was slow to break with the interim government which was perpetrating [the genocide]," (CNN). Critics who claim France is complicit in the killings orchestrated by the then-Hutu-led Rwandan government say that former French President Francois Mitterand did not have the foresight or possibly even the willingness to prevent the genocide from occurring or taking place on a massive scale. Survie, an NGO dealing with hunger and corruption in developing countries, says that the decision to tell judges to shelve the case surrounding Rwanda is "legally distressing," according to Radio France Internationale.

Reports from both France and Rwanda share one important thing in common: an acknowledgment that France bore responsibility after being involved with the Rwandan genocidal regime. While this step is an important one in learning from history, there is more work that needs to be done in addressing the question of whether France was directly complicit in the killings that have occurred against the Tutsis by the Hutu government. A solution that can mend this challenge could be renewed investigations that are conducted in lockstep with international actors such as the UN or NGOs. The investigations that have already occurred birthed reports either by Rwanda or France, opening up a greater probability for bias. It is important for both Rwanda's and France's future to eventually find a stronger agreement on what exactly France's military involvement was at the time of the genocide. The participation of the United Nations Human Rights Council would be a healthy step to clear up the ominous question of French military participation in an internationally infamous genocide.

According to the United Nations, the hierarchy that facilitated the tense separation between Hutus and Tutsis was exacerbated by the German rule over the Rwandan territory which began in 1884. In 1932, Belgium introduced identity cards separating Tutsi, Hutu, and Twa, which ushered in a process of increasing racial animosity between the categories created by Belgian governance. Since Rwanda's independence in 1962, the UN notes, the conflict began to deepen to the point where the Hutu-dominated Rwandan army began training armed civilian militias and conducting reprisals in response to crimes committed by

exiled Tutsis. Ultimately, the genocide in 1994 was triggered by the downing of a plane carrying the presidents of Burundi and Rwanda. BBC notes, "In just 100 days in 1994, about 800,000 people were slaughtered in Rwanda by ethnic Hutu extremists." A United Nations peacekeeping mission was involved from 1993-1996, followed by national genocide trials. In 2015, the International Criminal Tribunal for Rwanda completed its duties surrounding the conflict after indicting a total of 93 people charged with serious violations of international humanitarian law.

Having transparency about the conflict and the actors involved is important in preventing future occurrences of conflict. Additionally, analyzing this issue further is important given France's history as a colonial power and Rwanda's history as a country brutally taken advantage of by European powers prior to its independence. The execution of historical studies, consideration of individual testimonies, and unbiased scrutiny of the Rwandan genocide and the actions of the French are instrumental to being able to mend the current division between the French and Rwandan reports.

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## Somalia

**At least 6 killed in suicide bombing in Somalia's capital (ABC News)** By Hassan Barise  
May 10, 2021

**Police in Somalia say at least six people were killed when a suicide bomber attacked a police station in the capital, Mogadishu.**

Spokesman Sadiq Ali Aden told reporters that another six people were wounded in Sunday night's attack on the Waberi district station.

Recent Stories from ABC News

The al-Qaida-linked al-Shabab extremist group claimed responsibility. The group often targets security forces in Mogadishu.

**3 police reservists killed in attacks in Kenya near Somalia (AP News)** By Tom Odula  
May 12, 2021

**Three police reservists were killed early Wednesday after Islamic extremists attacked cell phone towers near the border with Somalia in an effort to cripple communication.**

Al-Qaida-linked militants from the al-Shabab group first attacked a cell phone tower located in northern Mandera County around 2 a.m., leaving two police reservists dead, according to a police report.

A few hours later, jihadists killed one other police reservist while trying to blow up another cell phone tower in Wajir County with a rocket-propelled grenade, a police official said.

"We repulsed them as they attempted to destroy the masts. Our forces are pursuing them," said Rono Burnei, the regional police boss. Two other police reservists were wounded in the attack.

Al-Shabab has vowed revenge on Kenya for sending troops into Somalia to fight the militants. Kenyans troops have been actively engaged in the conflict in Somalia since 2011 when they were deployed following a series of kidnappings of Europeans in Kenya blamed on the militants. The kidnappings threatened Kenya's vital tourism industry.

Five counties along the 434 mile Kenya-Somali border region have borne the brunt of repeated attacks from the militants who are at times aided by locals. Somalia has not had a stable government after the fall of Siad Barre who was overthrown by warlords in 1991 who then turned on one another.

**Ten killed in Jowhar clashes (Horn Observer)** May 19, 2021

**Fierce fighting between Hirshabelle forces backed by federal government troops and militias has today killed more than people and injured over twenty others in Jowhar town of Middle Shabelle region.**

The fighting broke out after heavily armed clan militias known as Ma'wisley stormed a security checkpoint in north of the town, prompting hours long clashes.

The militias reportedly wanted to free their members who were arrested by security forces.

Witnesses confirmed that the government forces managed to drive the fighters out of town.

Among those killed in the attack are civilians.

Elsewhere, six government soldiers among them top commander were killed and several others wounded after IED hit a military vehicle in the town.

Al-Shabaab militant group has claimed the responsibility for the attack, saying the blast killed ten soldiers including Mohamed Qelshe, Head of the bodyguards of the Middle Shabelle region governor.

The militant group which controls villages and small towns in the region carries out deadly raids on the military bases of SNA and African Union Mission in Somalia (Amisom).

Al-Shabaab also targets government officials and lawmakers with IEDs.

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## EUROPE

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

**Official Court Website [English translation]**

**Bosnia Rejects Camp Guard's Challenge to Prisoner Abuse Verdict (Balkan Transitional Justice)** By  
Lamija Grebo  
May 7, 2021

**The Constitutional Court in Sarajevo has rejected wartime Croatian Defence Forces member Tonco Rajic's claim that he did not get a fair trial when he was convicted of committing a war crime at the Bosnian Croat-run Dretelj detention camp near Capljina during the war in August 1992.**

Rajic was found guilty of mistreating a civilian who was unlawfully detained at the camp.

The verdict said that Rajic insulted and mistreated the female prisoner, then cocked an automatic rifle with the intention of killing her, refusing an order to drop the weapon.

In his appeal to the Constitutional Court, Rajic alleged that his right to a fair trial had been violated because of an arbitrary assessment of the evidence, which led to the facts being incorrectly established.

But the Constitutional Court said that the state court, which handed down the verdict in his trial and subsequent retrial, gave a detailed, clear and reasonable explanation of the evidence and its legal validity.

It said that there was nothing to suggest that the evidential procedure was misused to Rajic's detriment.

Rajic was initially acquitted in November 2017, but the court's appeals chamber quashed the verdict and ordered a retrial.

He was convicted in the retrial but appealed again. That appeal was rejected and the second-instance verdict convicting him

was upheld.

He then took his case to the Constitutional Court but was rejected again.

Rajic originally stood trial with another former detention camp guard, Ivan Medic, was sentenced to 12 years in prison for crimes at Dretelj.

His attempt to overturn the verdict has also been rejected by the Constitutional Court.

The Constitutional Court's decisions are final.

### **Bosnia Convicts Serb Ex-Policeman of Crimes Against Humanity (Balkan Transitional Justice) By**

Haris Rovcanin

May 11, 2021

**The Bosnian state court found ex-policeman Simo Stupar guilty on Tuesday of participating in a widespread and systematic attack on the Bosniak population in the Vlasenica area from April 1992 to the end of September that year, involving murders, the abuse of civilians and forcible disappearances.**

His co-defendant Zoran Tesic, alias Koke, a Bosnian Serb Army soldier during wartime, was acquitted of all charges.

The verdict said that Stupar took part in an attack on the village of Dzamdzici in the Vlasenica area on May 18, 1992, when five people were killed and several properties were set on fire.

He also participated in the murder of a disabled civilian who walked with a crutch by shooting at him, along with three others.

The verdict found that participated in the beating of a Bosniak civilian at the police Station in Vlasenica in the first half of June 1992 and the inhumane treatment of another man.

The second man was hit on his back with chains and ordered to get down on all fours, and then Stupar and others carved a cross and Serb symbol on his back. Afterwards they poured salt on his wounds.

Stupar was also found guilty of having participated in the arrest of two men on July 10, 1992. After that, the two men went missing and their bodies were only found in 2007.

Presiding judge Darko Samardzic said that the defendant acted with direct premeditation as an accomplice in the murder, assault and disappearances.

"The court took into account the mitigating circumstances, including the fact he had no prior convictions, his family circumstances and his correct conduct," Samardzic said.

"As for the aggravating circumstances, he demonstrated brutality towards the injured civilians," he added.

Under the same verdict, Stupar and Tesic were acquitted of beating a man at the police station in Vlasenica in May 1992.

They were also cleared of taking part in an attack on the village of Alihodzici, and of participating in taking 50 villagers away to the Susica detention camp, where the men were detained.

"None of the witnesses said the defendants were present in Susica or that they participated in guarding them," judge Samardzic said.

Stupar and Tesic were also cleared of participating in setting a civilian's house on fire in Vlasenica in July 1992.

Stupar was further cleared of taking away two civilians who then disappeared without trace, and of taking away and mistreating another civilian.

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

### **Constitutional Court Rejects Bosnian Serb Ex-Policeman's Appeal (Balkan Transitional Justice) By**

Lamija Grebo

May 18, 2021

**The Constitutional Court in Sarajevo has ruled that former policeman Mico Jurisic's right to a fair trial was not breached, upholding his conviction for crimes against**

## **humanity.**

In November 2019, the appeals chamber of the Bosnian state court confirmed a verdict finding Jurisic guilty of participating in the murders of two Bosniaks in the village of Carakovo in the Prijedor area, as well as the killings of two others, while he was a member of the Tukovi reserve police forces at the police's Public Security Station in Prijedor.

The verdict also convicted him of trying to kill a group of Bosniak and Roma civilians by shooting at them while they were running away, as well as inhumane treatment of non-Serbs and putting a knife to a five-year-old girl's throat.

The court found that Jurisic committed his crimes within a widespread and systematic attack by Bosnian Serb troops on the non-Serb population of Rizvanovici, Hambarine, Carakovo and other villages and settlements on the outskirts of Prijedor, and that his actions were part of that attack.

But he was cleared of three other counts of persecution, abuse and murder.

Jurisic filed an appeal to the Constitutional Court, claiming that his right to a fair trial had been violated, but the court ruled that the regular courts provided detailed, clear and substantiated explanations of their decisions and of their conclusion that Jurisic's actions warranted classification as a crime against humanity.

The Constitutional Court also ruled that Jurisic had adequate time to prepare his defence and as many opportunities as the prosecution to propose evidence.

"No unresolved issues remain to the appellant's detriment, with clear and substantiated reasons provided," the Constitutional Court said in its decision.

The Constitutional Court's decisions are final.

Jurisic is currently wanted by the Bosnian authorities after failing to arrive to start serving his sentence. A warrant has been issued for his arrest.

He is one of several war crimes convicts who are believed to have fled Bosnia and Herzegovina to avoid serving their sentences. Many have dual citizenship of Bosnia and Herzegovina and either Serbia or Croatia.

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

### **Official Website of the ICTY**

**Final Verdict in Case of Ratko Mladic to be handed down in June (Sarajevo Times)** By Y.Z  
May 18, 2021

**The final verdict against Ratko Mladic, the wartime commander of the Republika Srpska Army (VRS) will be handed down on June 8 this year before the International Mechanism for Criminal Courts (ICTY) in The Hague.**

In 2017, the International Criminal Tribunal for the Former Yugoslavia (ICTY) sentenced Mladic to life in prison for genocide against Bosniaks in Srebrenica in the summer of 1995, persecution of Muslims and Croats throughout Bosnia and Herzegovina, terrorizing civilians during the siege of Sarajevo and taking members UNPROFOR as hostages, during the 1992-1995 war in BiH.

On 12 May 1992, Ratko Mladić was appointed Commander of the Main Staff of the army of the Serbian Republic of Bosnia and Herzegovina ("VRS"). He remained in command of the VRS Main Staff until at least 8 November 1996.

Sentenced by an ICTY Trial Chamber to life imprisonment on 22 November 2017.

On 18 December 2017, Ratko Mladić filed a motion seeking an extension of time to file his notice of appeal against the ICTY Trial Judgment.

On 19 December 2017, the President of the Mechanism assigned a bench of five judges to this case before the Appeals Chamber. On 21 December 2017, the pre-appeal judge partly granted the motion for an extension of time and ordered that any notices of appeal in this case be filed within 120 days of the issuance of the ICTY Trial Judgment. On 22 March 2018 both parties filed their notices of appeal. Following a further extension of time granted on 22 May 2018 for the filing of the appellant's and respondent's briefs, the parties filed confidentially their respective appellant's briefs on 6 August 2018. On 7 August 2018 and 11 September 2018, respectively, the Prosecution and Mladić filed the public redacted versions of their appellants' briefs.

On 18 June 2018, Mladić requested the disqualification of Judges Meron, Agius, and Liu from the appeals bench in this case on the basis of actual or apparent bias. On 20 June 2018, the President of the Mechanism referred the matter to Judge Jean-Claude Antonetti. On 3 September 2018, Judge Antonetti upheld Mladić's requests and, on 4 September 2018, assigned Judges Mparany Mamy Richard Rajohnson, Gberdao Gustave Kam, and Elizabeth Ibanda-Nahamya to replace Judges Meron, Agius, and Liu on the appeals bench in this case. On 12 September 2018, Judge Rajohnson requested to withdraw from the bench in this case and, 16 September 2018, he was replaced with Judge Aminatta Lois Runeni N'gum.

On 12 September 2018, after Judge Nyambe's election as the Presiding Judge in this case, she was designated as the Pre-Appeal Judge. On 14 November 2018, both parties filed their respective response briefs and on 29 November 2018, their respective reply briefs.

Recent developments:

The appeal hearing in the case took place on 25 and 26 August 2020 at the Mechanism's Hague branch.

On 18 February 2021, the President assigned Judge Mustapha El Baaj to replace Judge Kam on the appeals bench in this case after his unfortunate passing.

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

**Serbia Convicts Bosnian Serb Ex-Soldier of Wartime Rape (Balkan Transitional Justice)** By Milica Stojanovic  
May 13, 2021

**Belgrade Higher Court sentenced Dalibor Krstovic to nine years in prison on Thursday for raping a female Bosniak prisoner while she was being detained at an elementary school in the town of Kalinovik during the war in August 1992.**

Judge Zorana Trajkovic said that victim was captured with her two children, aged seven and nine, and that she was a "civilian in a helpless position".

Krstovic also threatened that he would rape the children, Trajkovic said.

"The court took particular note of the words indicted said to her, which were enough to cause a high level of fear for her two children," the judge added.

The victim was urged to seek compensation for damages in a civil court, which is common practice in Serbia.

The verdict found that Krstovic went to the Miladin Radojevic elementary school in Kalinovik, where captured Bosniak civilians were being held, and raped the woman and allowed a soldier who was with him to rape her too.

Krstovic, who said he was a policeman but that in the summer of 1992 was incorporated into the Bosnian Serb Army, denied the charge at the start of trial in January 2020.

He said that he only went to the school in Kalinovik because his relatives were in captivity on Bosniak-controlled territory and he had heard that there was going to be an exchange of captured civilians for Serbs captured by Bosnian forces.

One of the detainees held at the school for several days in August 1992, Tahir Panjeta, told the court during the trial that prisoners were beaten and abused.

“There was harassment, killing, and the people they took away did not return,” Panjeta told the court.

Krstovic was originally indicted in Bosnia and Herzegovina in 2017 and the case was then handed over to the Serbian authorities.

Thursday’s verdict was a first-instance judgment and can be appealed.

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## Turkey

**US Commission on International Religious Freedom Report: Azerbaijan and Turkey Desecrate Armenian Religious Sites (Massis Post)** May 13, 2021

**Violations of religious freedom and desecration of religious sites by Azerbaijan and Turkey, particularly relative to the Armenian people, were highlighted in the 2020 International Religious Freedom Report, released on Wednesday, May 12, 2021 by the United States Commission on International Religious Freedom (USCIRF), reported the Armenian Assembly of America**

“Our promise to the world is that the Biden-Harris Administration will protect religious freedom around the world and combat all forms of religious discrimination,” said Secretary of State Antony J. Blinken.

The 108-page report recommended placing both Azerbaijan and Turkey on the “USCIRF Special Watch List” on account of egregious violations of religious freedom in both countries, including “recent violations committed amid renewed conflict over Nagorno-Karabakh and surrounding territories.”

In the section on Azerbaijan, the report detailed findings in the context of active fighting over Nagorno-Karabakh in late September 2020 that “prompted serious concerns about the preservation of Armenian places of worship and other religious sites in those areas,” including the Ghazanchetsots Cathedral in Shushi, which was “targeted and shelled” by Azerbaijani forces two times, “resulting in extensive damage to that building and possibly constituting a war crime.”

Despite the November 2020 ceasefire agreement, the report stated that the “recent vandalization and destruction of Armenian cemeteries and gravestones” by Azerbaijan were documented by media outlets.

Recommendations to the U.S. Government by the USCIRF include, among others, adding Azerbaijan on the U.S. Department of State’s Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA), and for the U.S. Congress to hold public hearings to investigate Azerbaijan’s religious freedom and broader human rights abuses.

Key findings in Turkey regarding religious freedom conditions “continued to follow a troubling trajectory,” according to the report. Religious sites, including places of worship and cemeteries, were “subject to vandalism, damage, and, in some cases, destruction, which the government regularly fails to prevent or punish.”

The report specifically cited two incidents in May 2020, in which “an individual attempted to set fire to an Armenian church” and another “scaled the gate of another Armenian church and tore down its cross.”

USCIRF recommendations included adding Turkey on the U.S. Department of State’s Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA), requiring a thorough review regarding the inclusion of objects that constitute the religious and cultural heritage of religious and ethnic minority communities – previously or currently residing within the territory of the Republic of Turkey – in any designated list of materials subject to import restrictions under a bilateral cultural property agreement between the United States and Turkey, and supporting cultural and educational exchanges that highlight the histories and contributions of those communities. In addition, recommendations called for the U.S. Congress to incorporate consideration of Turkey’s treatment of



religious minorities and broader human rights issues into its continued evaluation of the U.S.-Turkey bilateral relationship.

Speaking during the U.S. Department of State press conference, Secretary Blinken stated that “religious freedom is a human right” and noted that the report, which details the status of religious freedom in almost 200 countries and territories, “reflects the collective effort of hundreds of American diplomats around the world.”

Secretary Blinken remarked that the document, which underscores U.S. actions to support religious freedom worldwide, reflects on religious freedom as a “key element of an open and stable society.”

“Whenever human rights are denied, it ignites tension and it breeds division,” he continued. He noted that religious freedom is a right that is still out of reach for a number of countries. “We remain deeply concerned about the plight of minority communities within Turkey as well as Azerbaijan’s ongoing destruction of Armenian cultural and religious heritage sites, including reports that Azerbaijan is using Armenian gravestones to build roads,” said Assembly Executive Director Bryan Ardouny. “In addition, we urge the Administration and Congress to take swift action regarding Azerbaijan’s ongoing aggression against the Armenian people, including the news today that Azerbaijan violated Armenia’s southeastern border when its forces advanced several miles into Armenia’s Province of Syunik,” Ardouny concluded.

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## **Kosovo Specialist Chambers**

**COVID-19 Limits Family Visits for Kosovo War Defendants (BIRN)** By Serbeze Haxhiaj  
May 18, 2021

**The Hague-based Kosovo Specialist Chambers told BIRN that because of the continuing pandemic, it is restricting visits by relatives to former Kosovo Liberation Army guerrilla leaders who are awaiting trial at its detention centre.**

Instead of in-person visits, it is offering video visits, phone calls and correspondence in an attempt to protect the suspects and people who work at the detention centre from COVID-19.

However, some people close to the accused have expressed dissatisfaction with the restrictions. Artan Behrami, a former adviser to ex-President Hashim Thaci, who is among those awaiting trial for wartime crimes, complained that the policy is repressive.

“It’s not Guantanamo Bay, nor the Pokrov prison where [Russian opposition leader Alexey] Navalny is being held,” Behrami, who now runs the Demokracia news website, wrote on Twitter. “The Kosovo Specialist Chambers Detention Centre is the only place in Europe where family visits are prohibited, in violation of EU & CoE [Council of Europe] standards,” he added.

The Specialist Chambers told BIRN in a written answer that they are implementing proportionate measures, based on medical advice, “to protect the health of detainees and others in the Detention Facilities”.

“Based on this advice, in-person visits with family members and other personal visitors in the Detention Facilities are temporarily restricted. At all times the Kosovo Specialist Chambers has in mind the health and well-being of the individuals in the Detention Facility and bases its policies on current medical advice,” the Specialist Chambers said.

“We understand that for the detainees and their families the resumption of in-person visits is of paramount importance. With this in mind, these temporary measures are under constant review, in light of the overall public health situation and the specific situation within the Detention Facilities, for example with regard to vaccinations,” it added.

Thaci and three other former Kosovo politicians are accused of committing war crimes and crimes against humanity when they were senior figures in the KLA in the late 1990s. They have all pleaded not guilty.

They are accused of having been part of a “joint criminal enterprise” that aimed to take control over Kosovo during the war “by means including unlawfully intimidating, mistreating, committing violence against, and removing those deemed to be opponents”.

The indictment includes allegations of persecution, unlawful imprisonment, arbitrary detention, torture, murder and enforced disappearances in Kosovo and northern Albania.

The Kosovo Specialist Chambers was set up to try former KLA guerrillas for crimes allegedly committed during and just after

the Kosovo war from 1998 to 2000.

It is part of Kosovo's judicial system but located in the Netherlands and staffed by internationals. The so-called 'Special Court' is widely resented by Kosovo Albanians, who see it as an attempt to tarnish the KLA's war for liberation from Serbian rule.

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## Azerbaijan

**Armenia Appeals to UNESCO for Protection of Artsakh Monuments (Mirror Spectator)** May 13, 2021

**Caretaker minister of education, science, culture and sport of Armenia Vahram Dumanyan has sent a letter to the UNESCO Director General, expressing his concerns over the actions being carried out by Azerbaijan in Shushi's Ghazanchetsots Cathedral, the ministry announced.**

In the letter Dumanyan stated that during the large-scale military aggression unleashed by Azerbaijan against Artsakh in autumn 2020, Azerbaijan, among other war crimes, has deliberately targeted the Ghazanchetsots Cathedral, as a result of which one of the two domes of the Church has been destroyed. Moreover, the photos and videos spread on the internet prove that the Church has been vandalized after the end of the hostilities, and the second dome has also been damaged by the Azerbaijani forces.

Recently, Azerbaijan, under the pretext of "renovation works," has removed the dome of the Cathedral, trying to change the historical and architectural look of the monument and distort its Armenian identity.

In his letter Dumanyan noted that there are many grounds to believe that Azerbaijan is deliberately blocking the entry of UNESCO experts to the Armenian cultural heritage sites aimed at hiding its war crimes. Moreover, Azerbaijan is actively conducting a policy of falsifying the historical facts, calling the Armenian cultural heritage sites in Artsakh as "Caucasian Albanian". Highly valuing the key role of UNESCO in the preservation of cultural heritage, Dumanyan called on the UNESCO Director General to condemn the attempts of eliminating and appropriating the Armenia cultural heritage sites.

**Artsakh Ombudsman: Over 200 prisoners of war are held in Azerbaijan under unknown conditions (Panorama)** May 17, 2021

**Artsakh Ombudsman Gegham Stepanyan sent a letter to the Council of Europe Commissioner for Human Rights Dunja Mijatović over the humanitarian challenges Artsakh and its people face following the Azerbaijani-Turkish aggression.**

"During the fall war of 2020, the Azerbaijani Armed Forces committed gross violations of a number of norms of the international humanitarian law which has led to the existing humanitarian catastrophe in Artsakh. Children, elderly, civilian population, journalists, Armenian cultural property were under the deliberate and indiscriminate target of the Azerbaijani Armed Forces, they killed the Armenian servicemen and civilians, mutilated and tortured their bodies. Today, over 200 prisoners of war are held in Azerbaijan under unknown conditions despite all kinds of calls of a number of international human rights bodies, about 40.000 people are internally displaced, a number of Armenian cultural monuments are still being vandalized and destroyed as a result of the war. From the first day of the war the Ombudsman initiated a fact-finding mission aimed at monitoring and recording the violations and war crimes committed by Azerbaijan during and after the war. The results of the mission have been segregated in more than a dozen thematic ad hoc reports prepared by the Human Rights Ombudsman of Artsakh," the letter read in part.

The Ombudsman notes that despite considerable fact-finding work is being done on the humanitarian catastrophe, the presence of international partners, parliamentary bodies and human rights organizations is very important in evaluating the situation on the ground.

"Hence, for my part, I once again express my readiness and exhort you to make mutual efforts for protecting the rights of the people of Artsakh as it is within the duties of the international community to ensure human rights protection in all the corners of the world, including Artsakh, regardless of international status," the letter said.

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# MIDDLE-EAST

## Iraq

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

**In Iraq, powerful militias assassinate protesters with impunity (Washington Post)** By Louisa Loveluck and Mustafa Salim

May 12, 2021

**The killings take place in public and are captured on surveillance footage. Those videos are then watched by millions. But even if the gunmen are identified, no one is prosecuted, and the cycle starts again.**

Across Baghdad and southern Iraq, a rising tide of attacks on activists and journalists is alarming what remains of a protest movement that has demanded the ouster of Iraq's U.S.-molded political system and the usually Iran-linked armed groups that prop it up.

Mass street demonstrations were crushed last year with deadly force often by paramilitary groups that the protesters have denounced. Now as some activists prepare to run in elections, prominent figures in the protest movement are being picked off while they walk the streets or drive home at the end of the day.

The assassinations, officials and human rights monitors say, underscore the reach of Iraq's militia network — to punish citizens who dare to criticize it and control a political system meant to hold it accountable.

Early Sunday, videos showing the murder of one of Iraq's best-known activists, Ehab al-Wazni, made their grim procession across millions of Iraqi cellphone and television screens. Black-and-white footage from hours earlier in the southern city of Karbala showed a gunman calmly approaching Wazni's car. He stopped by the driver's window, shot the activist at the wheel and ran off into the night.

Less than 24 hours later, news of another attack rippled through social media: This time the victim was in surgery after surviving a bullet to the head and shoulder. A photo posted to social media Tuesday morning showed journalist Ahmed Hasan lying in a hospital bed, his eyes closed and an oxygen mask on his face.

"It's a message to us all," said another Karbala-based activist, Saeed Askar, reached by phone after scrambling to move his family to another city overnight. "No matter what we do, the situation will always remain the same. Those death squads will always be in power."

Iraq is experiencing a period of relative stability after decades when conflict repeatedly left — civilians caught in the middle. In 2019, an anti-government protest movement occupied parts of Baghdad and southern cities for months as a generation raised in the shadow of the 2003 U.S.-led invasion decried the corrupt political system it had installed, as well as the influence of neighboring Iran.

At first, the protests appeared to weaken long-standing taboos against criticism of militia groups linked to Tehran. In scenes reminiscent of the fall of Iraqi dictator Saddam Hussein, protesters used sandals to beat photos of militia leaders, and graffiti denounced the men as killers. That moment did not last: Iraq's human rights commission says it has registered 81 assassination attempts against anti-government activists and journalists since the protests began. At least 34 have been killed, almost a third of them after the appointment of a new prime minister, Mustafa al-Kadhimi, who came to power vowing justice for the slain activists.

Mounting threats are now being made against their friends and associates. Disillusionment and fear have forced many into exile. "They came to my father two weeks ago and told him my name was on their list" said one photographer, speaking on the condition of anonymity out of concern for his family's safety in Baghdad.

“I left Iraq and everything I love,” he said. “My work, my friends, my family. But they still came to my house.”

Activists say they now think twice about criticizing the militias publicly. Many have left social media. Others stay in what are effectively safe houses, or lie low as they move from place to place.

“Those who are carrying out these assassinations are very powerful armed actors who are beyond the control of the government,” said Belkis Wille, a senior researcher at Human Rights Watch. “The human rights situation in Iraq has really become dire when it comes to the safety and security of individuals who are openly critical.”

Iraq’s militia network, known as the Popular Mobilization Forces (PMF), has a presence throughout the state. Representatives of the PMF — which encompasses groups linked to Iran as well as loyalists of powerful Shiite Muslim cleric Moqtada al-Sadr — are members of Iraq’s official security forces. They are lawmakers, cabinet members, senior civil servants and powerful business executives.

Experts say that this diffuse power makes the militias particularly hard to tackle and that arrests or even killings — as in the case of President Donald Trump’s decision to assassinate their leader, Abu Mahdi al-Muhandis in Baghdad last year — have done little to change their overall power.

In a TV interview after Wazni’s killing, Kadhimy insisted that his government was making progress. He cited arrests in the city of Basra after another journalist, Ahmed Abdulsamad, was killed in January and claimed that “tens” of militiamen were in detention. But high-profile arrests have often been followed by quiet releases, monitors say, and none of those detained are known to have been prosecuted. The highest-profile assassination of all — that of prominent journalist and government adviser Hisham al-Hashimi — has not brought any arrests.

“Listen, you have to understand that their people are everywhere,” said a senior government official, speaking on the condition of anonymity because of the sensitivity of the issue. “We can’t move against them easily.” Attempts to rein in the Iran-backed Kataib Hezbollah group backfired early in Kadhimy’s term when the arrest of 14 militiamen accused of rocket attacks on U.S. targets prompted fighters to storm Baghdad’s heavily fortified Green Zone, almost reaching the prime minister’s home.

Another group accused of targeting activists, Saraya al-Salam, is the armed wing of a political movement led by Sadr. Western officials say that Kadhimy may ally himself with the movement in an attempt to maximize his chances of reelection in the fall. This week, Kadhimy said he was committed to seeking justice for slain activists and praised Sadr as the “master of the resistance.”

In a video posted to Facebook a week before Wazni’s death, the activist was thronged by demonstrators as he addressed a local police chief through a megaphone. Wazni, who had already survived one assassination attempt, reminded the security official that he had been receiving death threats. “I’ve already sent you their names,” he shouted as he jabbed the air with his finger. “If I get killed, then the police haven’t protected me.” Wazni’s slaying has cast fresh doubt on the ability of activist candidates — already underdogs — to participate in elections scheduled for October. The holding of early elections was one of the demonstrators’ key demands. Another was an end to Iraq’s culture of impunity. One party affiliated with the protest movement, Beit al-Watani, has said it will not field candidates. Others say they are still deciding.

“We demanded change in a peaceful way, but our conditions have not been met,” said Hussein al-Ghorabi, a lawyer who was a prospective candidate for Beit al-Watani. He has been unable to return to his home city of Nasiriyah since unknown assailants planted an explosive device outside his home, he said. The explosion followed months of texts and phone calls from unknown phone numbers, warning him to keep quiet, the lawyer said. “People are getting killed; they’re getting kidnapped. If we participate in this election, then we are giving legitimacy to a government that is protecting the killers.”

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## Syria

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# Yemen

## **US urges easing Saudi restrictions on Yemen's Hodeidah port, Sanaa airport (Middle East Eye)**

May 7, 2021

**US special envoy for Yemen Tim Lenderking has urged Saudi Arabia to ease "all restrictions" on the port of Hodeidah and the Sanaa airport, the State Department said on Friday, in an apparent call to end Riyadh's blockade on the war-torn country.**

Lenderking, who has been tasked by President Joe Biden with helping facilitate an end to the war in Yemen, returned to Washington from a trip to the Middle East on Friday. He visited Saudi Arabia, Oman and Jordan.

"In Saudi Arabia, he held meetings with senior government officials, including Saudi Crown Prince Mohamed bin Salman, to stress the need to ease all restrictions at Hodeidah Port and Sanaa Airport, reach a comprehensive, nationwide ceasefire, and move to inclusive political talks," the State Department said in a statement.

Message to Houthis Washington also rebuked Yemen's Houthi rebels for rejecting a Saudi ceasefire proposal and calls for talks.

"There is a fair deal on the table that will bring immediate relief to Yemeni people," the statement said.

"The Houthis passed up a major opportunity to demonstrate their commitment to peace and to make progress on this proposal by refusing to meet with UN Special Envoy Griffiths in Muscat - especially given the Republic of Yemen Government's stated readiness to reach an agreement to end the conflict."

The Houthis say lifting Saudi Arabia's air and sea blockade must be a prerequisite to ending the fighting, arguing that the humanitarian situation in Yemen should not be used as a bargaining chip.

Washington, however, dismissed that argument, accusing the rebels of extending the humanitarian crisis with their ongoing assault on the strategic city of Marib.

"Contradictory to their pronouncements regarding the humanitarian situation in Yemen, the Houthis worsen it by continuing to attack Marib and exacerbating dire conditions for already vulnerable, internally displaced Yemenis," the State Department said.

Saudi Arabia and its regional allies began a bombing campaign against the Houthis in March 2015, after the rebels took over Sanaa and toppled the Riyadh-backed government of President Abd Rabbuh Mansour Hadi.

The United Nations calls Yemen the world's worst humanitarian crisis, and the war has killed more than 230,000 people, causing outbreaks of disease and pushing the impoverished country to the brink of famine.

Saudi Arabia views the Houthis as proxies for Iran, but the rebels claim to represent the Yemeni people against what they call the corruption and aggression backed by the kingdom.

The blockade Early in the war, the Saudi-led coalition imposed an air and sea blockade on Yemen, effectively sealing the country from foreign imports, except for ships cleared by the UN Verification and Inspection Mechanism (UNVIM).

But over recent months, Riyadh has prevented fuel ships inspected by the UN from unloading in Hodeidah, prompting an outcry from rights groups.

No fuel whatsoever was allowed into Yemen in February, and only 38,000 and 83,000 tonnes were allowed in March and April, respectively, compared with 164,000 tonnes in November.

Lenderking played down the effects of the blockade in March, but after backlash from activists and lawmakers, the administration has been raising the issue publicly.

In February, Biden announced an end to all US support for Saudi "offensive operations" in Yemen, while reiterating the US commitment to the kingdom's security. But the exact nature of Washington's military involvement in the conflict remains murky.

Quizzed by lawmakers about the subject last month, Lenderking said he was not in the "information loop" about military activity, deferring questions to the Pentagon.

## **US senator: 'This is the moment for Yemen ceasefire' (Middle East Eye)**

May 10, 2021

**US Senator Chris Murphy said on Monday that the time was ripe for a ceasefire agreement in Yemen, but said it could only happen once Saudi Arabia ended its blockade and the Houthis ended their offensive on the city of Marib.**

"This is the moment for a ceasefire," he said in a briefing with reporters.

Murphy has returned to the US from a five-day tour of the Middle East, including Jordan, Oman and Qatar, where the senator's primary agenda was the war in Yemen.

The senator said he noticed many leaders in the Middle East had been more inclined to end conflicts since Joe Biden became US president, including in the case of Yemen where talks of securing a ceasefire are becoming more serious.

"The Saudis have put on the table a serious offer. Now it's time for the Houthis to do their part. Their military campaign on Marib will end in a humanitarian catastrophe," Murphy told reporters.

"It is imperative the Houthis stand down in the assault of Marib. And it is imperative the Saudis make commitments regarding an end to the blockade on both the Hodeidah port and the Sanaa airport that will allow for relief goods to flow unfettered into the country.

"If those two things happen, we can get to a political process that could seek a permanent end to the war."

Yemen blockade Saudi Arabia and its allies began a bombing campaign against the Houthis in March 2015 after the rebels took over the Yemeni capital Sanaa and toppled the Riyadh-backed government of President Abd Rabbuh Mansour Hadi.

The fighting has fuelled what the UN considers the world's worst humanitarian crisis, with more than 230,000 people killed, outbreaks of disease and Yemen being on the brink of famine.

Early in the war, the Saudi-led coalition imposed an air and sea blockade on Yemen, effectively sealing the country from foreign imports, except for ships cleared by the UN Verification and Inspection Mechanism (UNVIM).

But over recent months, Riyadh has prevented fuel ships inspected by the UN from unloading in Hodeidah, prompting an outcry from rights groups.

Last week, US Special Envoy for Yemen Tim Lenderking urged Riyadh to ease "all restrictions" on the Hodeidah port and Sanaa airport, in an apparent call to end the blockade on the war-torn country.

Riyadh offered the Houthis a ceasefire in March, which the rebels dismissed, saying that the kingdom must first end its blockade on the country.

Meanwhile, Houthi forces are currently trying to capture the strategic city of Marib - the centre of the country's oil and gas production and home to international oil companies and a gas pipeline that runs south towards the Gulf of Aden and the Red Sea.

Murphy called on the Houthis to end the offensive on Marib, saying that the ceasefire offer "may not last forever".

"This seems to me like the time for a ceasefire and political negotiation. The assault on Marib has stalled," he said.

## **Yemen's Chance for Peace Weakens as the Fighting against the Houthis Intensifies (Global Risk Insights)** By Matthew Copeland

May 14, 2021

**As the war in Yemen enters its seventh year the Saudi Arabian-led coalition has begun attempting peace talks with their main adversaries, the Houthi rebel forces that have occupied much of the northwest of the country for the last several years. As President Biden is now committed to withdrawing American support for the coalition, it has left them at a disadvantage which they appear to wish to rectify by negotiating with the Houthis in the hope of reaching an agreement. However, the Houthi forces have largely held a strong position in the war and, as demonstrated by their recent bombings and airstrikes, appear to have little interest in ending the conflict.**

The coalition has recently made offers of a cease-fire to the Houthis, providing a strong indication that they wanted to bring an end to the war in Yemen, or were at least prepared to make the effort to negotiate with their enemy. However the chief Houthi negotiator, Muhammad Abdulsalam, has openly dismissed the Saudi proposal of a truce. In response, the Houthis then attacked the airport in Abha in southern Saudi Arabia.

From this show of open defiance and evident disregard for negotiating with the coalition, the Houthis have demonstrated that they are not interested in peace, and are more than prepared, eager even, to continue the conflict that currently favours them. This favour is evident in that the Houthis have now been carrying out drone strikes and targeting key areas within the Saudi Arabian capital of Riyadh, which appears to only be the beginning of this latest operation. This does not only emphasize their confidence and manpower by attempting such ambitious attacks, but also showing that they do not intend to let the conflict end anytime soon, with open warfare being their clear intention in the long term.

The Houthis Disinterest in Peace Such recent military escalations between the Saudi-led coalition and the Houthis across several other cities have increased the Yemenis fears that the chaos their country has endured will intensify in the coming months and years. This is highlighted by the Houthis current focus on the city of Marib, which they have a major ambition to capture in pursuit of their ultimate goal it is believed, to eventually control Yemen in its entirety.

From this, it seems unlikely they will be prepared to accept any significant form of compromise or deal from any potential negotiations with Saudi Arabia in the future, should any peace talks even occur. Furthermore, the military might and strong position that they hold in the conflict so far shows them to be far from desperate or vulnerable as the Saudi coalition might be thought to be; this would therefore give the Houthis little reason to want to negotiate on anything for the long term. All of this has been made apparent by a recent Houthi attack on Marib where it was reported that the Houthis have targeted innocent civilians within the city, launching missiles into refugee camps, causing casualties which included women and children. These actions are hardly a sign of the rebel forces wanting anything other than further conflict.

#### The Houthis Dominance

This should not be thought to be truly surprising, as it must be wondered why they would want to consider discussing peace with their enemies given that they are winning this war. From a strategic point of view, it makes little sense for the Houthis to negotiate with the coalition and most likely compromise on their power and ambitions. Naturally, it would be more beneficial for them to continue fighting and, as the situation currently stands, maintain every chance of achieving their goals for Yemen through a military victory. Although distressing that this will most probably result in a prolonged conflict, to the suffering of the native population, it seems optimistic, to say the least, that one could hope the Houthis would agree to any peace talks in such circumstances where their dominance is obvious.

This dominance has been demonstrated by the numerous advances and operations of the Houthis, notably their control of the capital Sanaa as well as most of Yemen's northwest. Their success has reached the point where some feel that Saudi Arabia can no longer win the war, partly due to the concern Saudi Arabia cannot match the quality of the Houthi forces, further putting the coalition at a disadvantage against their enemies.

This image of increasing Houthi dominance is emphasised by their occupation of Yemen's capital – this alone is a significant sign of their power and success in the war so far. To risk throwing away such a prize with any serious negotiations makes little sense from either a military or political point of view.

#### Unlikely Future for Negotiations

However, it must also be noted that, more recently, the coalition have retaliated against the Houthi by sending airstrikes to destroy one of their missile depot in which twenty rebels were reported killed. It can be determined from this that with the growing hostility from the Houthis, the Saudi Arabians have actively given up on peace talks, at least for the foreseeable future, as the escalating violence between them and the Houthis in the recent days and weeks demonstrates. The rebels' open rejection of the Saudi offer of a cease-fire appears to have made it clear that there can only be further conflict in Yemen; with the ambitions of the Houthis for complete victory in Yemen, and the implications they will not settle for anything else. It can be argued that the war might only be ended through military methods. This would suggest that, despite the devastation of Yemen over the last six years, the conflict will in all likelihood continue – perhaps even worsen – and that any worthwhile negotiations, let alone a lasting peace, are most likely to be a long way off.

#### **Yemeni minister condemns Houthi attack on market south of Hodeidah (Arab News)**

May 17, 2021

**Yemen's information minister Moammar al- Eryani has said he condemns in the strongest terms a Houthi attack on a crowded market in Al-Durayhimi district, south of Hodeidah province. Eryani said the attack on a market filled with hundreds of**

**civilians by an "Iranian-made" drone killed one person and wounded five others. He told the Yemeni News Agency (SABA) that the attack was an extension of a series of crimes and violations committed by the Houthi militia against civilians in liberated areas of Hodeidah. Eryani also called on the UN envoy and the United Nations mission to support the Hodeidah Agreement, to condemn the attack and to consider it a war crime.**

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## **Special Tribunal for Lebanon**

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

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## **Israel and Palestine**

**Israel-Palestine: 140 progressive groups in US urge Biden to uphold international law (Middle East Eye) By Ali Harb**

May 14, 2021

**Since taking office in January, US President Joe Biden has vowed to pursue a foreign policy that centres on human rights and advances the "rules-based" system in respect of international law.**

And now, as Israel pushes to displace Palestinians in Jerusalem, in violation of its obligations as the occupying power, progressive groups are urging the US president to uphold the stated principles of international law and condemn human rights violations against Palestinians.

On Friday, 140 progressive groups released a joint statement calling on the Biden administration to denounce efforts to evict Palestinian families in Jerusalem and "exert the utmost diplomatic pressure to prevent these potential war crimes from taking place".

The statement, signed by prominent advocacy groups on the left, including MoveOn, the Working Families Party, the Sunrise Movement and Justice Democrats, comes amid growing frustration in progressive circles with the Biden administration's unquestioning support for Israel.

In their statement, the groups cited the United Nations' assessment that the displacement campaign in Jerusalem's Sheikh Jarrah neighbourhood may constitute a war crime.

"This takes place in the broader context of Israel's ongoing policy to forcibly remove Palestinians from their homes through eviction, home demolition, and displacement, with the express intent of pushing Palestinians out of Jerusalem in order to create and maintain a Jewish majority and supremacy in the city," they said.

'Ethnic cleansing' Palestinian rights advocates say the eviction campaign in East Jerusalem amounts to ethnic cleansing.

"Ethnic cleansing is a serious crime, and tepid discouragements or expressions of concern from the Biden administration fall



drastically short of what this moment calls for," Omar Baddar, a Palestinian-American analyst, said in a statement.

"If we're going to mean what we say in stating that human rights come first in this administration's foreign policy, then it's time to hold Israel accountable and condition US military aid on Israeli compliance with its obligations."

Israel's effort to force Palestinian families out of their homes in Sheikh Jarrah, based on Jewish claims of ownership dating back to the Ottoman era, has exploded into a huge crisis across Israel and the occupied Palestinian territories.

The Israeli military has been bombing Gaza for days and Hamas is firing rockets towards Israel. The violence has killed more than 120 Palestinians and nine Israelis.

In East Jerusalem and the rest of the occupied West Bank, the Israeli military has cracked down violently on Palestinian protesters, and repeatedly raided al-Aqsa Mosque, Islam's third holiest site. On Friday, the Israeli military killed at least seven Palestinians in the West Bank.

Violent confrontations are also taking place between Palestinian and Jewish citizens of Israel, amid growing tensions.

The Biden administration has adopted the pro-Israel stance of its predecessors of both parties, backing the Israeli government while calling for de-escalation.

Washington has voiced "concern" about Israel's displacement campaign and killing of Palestinian civilians - without condemnation or explicit calls for the Israeli government to change course.

Top US officials, and Biden himself, have repeatedly expressed support for what they call "Israel's right to defend itself".

On Thursday, Biden said Israel's air strikes on Gaza had not been a "significant over-reaction" to rocket attacks by Hamas.

The progressive groups, however, denounced Israel's violence against Palestinians, including in Jerusalem and at al-Aqsa specifically.

"We are horrified by Israel's use of disproportionate and deadly force against Palestinians in Gaza which have already resulted in the killings of dozens of Palestinians, including children," the statement said.

"This comes within the context of Israel's 14-year illegal blockade on Gaza which has created an open air prison with severe shortages of life-saving medicines, food, electricity, and clean water, making life unsafe and unbearable.

"We call on the Biden administration to condemn this violence and address its root causes: Israeli blockade and occupation."

Call to 'uphold international law' The statement's signatories also include Progressive Democrats of America, Jewish Voice for Peace, Win Without War, Our Revolution, the US Campaign for Palestinian Rights and the Israel/Palestine Mission Network of the Presbyterian Church.

The organisations invoked Biden's own pledge to protect human rights internationally.

"The Biden administration has repeatedly stated that it intends to center its foreign policy around respect for human rights and international law," they said in the statement.

"We therefore call on the administration to uphold international law and act in accordance with the urgency of the moment to prevent the Israeli government's forced displacement of thousands of Palestinians."

Late on Thursday, several Democratic Congress members took to the floor of the House of Representatives to defend Palestinian human rights, criticising the Biden administration's stance on the conflict.

"The United States must acknowledge its role in the injustice and human rights violations of Palestinians," Alexandria Ocasio-Cortez, one of the most prominent Democrats in Congress, said. "This is not about both sides. This is about an imbalance of power."

Numerous influential progressive groups have released their own statements on the crisis, criticising Israel, in a break with the Democratic president.

"The struggles Palestinians face are deeply tied to racial and housing justice, and movements for Indigenous sovereignty," the Sunrise Movement, an environmental advocacy group, said in a series of tweets earlier this week.

"Fighting against settler-colonial violence and ethnic cleansing shouldn't be controversial. The only option is doing what's

right."

## **Gaza doctors among those killed in Israeli bombardment (Middle East Eye) By Nadda Osman**

May 16, 2021

### **Doctors and medical staff have been among the many killed in Israel's bombardment of Gaza over the past week.**

A number of international rights organisations and doctors on the ground have called for a halt in the bombardment of Gaza, particularly near hospitals and medical facilities.

According to Gaza's Ministry of Health, two doctors have been killed as a result of the air strikes which have targeted Gaza over the past week.

Doctor Ayman Abu al-Auf and Doctor Moean Alalol were among the casualties.

In a statement, the Ministry of Health commemorated the work of the doctors and called for the protection of civilians and medical staff.

In a tribute to Abu al-Auf, the ministry said they would name an education hall at al-Shifa Hospital in Gaza after him.

Online, many people paid their respects to the doctors, with many people sharing tributes and prayers for them.

Doctor Yusuf Abu al-Reesh, the secretary of Gaza's Ministry of Health, said that days of aggression have resulted in the death of 197 people, including 58 children and 34 women.

In a press conference earlier today, Abu al-Reesh condemned the use of aggression targeted at health and humanitarian workers.

A list of demands was also made, including the halting of road closures, which have blocked ambulances from reaching people and hospitals, urgent calls for medical equipment and resources as well as the protection for medical staff on the ground.

"Residential buildings have been destroyed, schools, places of worship, roads, media offices, government buildings and business and electronic lines," he said. "All of this has had devastating impacts on people and the environment."

Medical staff and search and rescue teams have been overwhelmed with the surge in patients in recent days, describing horrific scenes at one of Gaza's biggest hospitals, al-Shifa.

In addition to the deaths, over 1,200 people have also been wounded in Israel's recent attacks on Gaza. Gaza's hospitals, already beset by dealing with the Covid-19 pandemic, are struggling to respond to the emergency created by Israeli attacks.

Israeli air strikes have left a large number of the buildings of Gaza in ruins and health facilities across the territory, which is inhabited by around two million people, are scrambling to cope up with the flow of wounded victims.

Gaza's health activists are expressing fears that continued Israeli attacks would leave the Strip's health facilities incapable of responding to the demand.

"The hospitals will be overwhelmed in the coming hours if Israel steps up its attacks," Aed Yaghi, the head of the Palestinian Medical Relief Society, one of the largest health NGOs operating in Gaza, told MEE.

"This means that these hospitals will fall short of offering services to all the wounded victims arriving."

Egypt has opened the Rafah border crossing a day earlier than planned to allow the passage of students, people needing medical treatment and other humanitarian cases.

## **Israel committing war crimes in Gaza, Palestinian FM tells UN (Aljazeera)**

May 16, 2021

### **Palestinian Foreign Minister Riyad al-Maliki on Sunday accused Israel of committing "war crimes" in its nearly weeklong offensive on Gaza as he urged international pressure at a United Nations Security Council session.**

"Some may not want to use these words – war crimes and crimes against humanity – but they know they are true," al-Maliki told the virtual session on the crisis on Sunday.

He also renewed the charge – angrily denounced by Israel – that Tel Aviv is pursuing a policy of “apartheid” against the Palestinians.

“Act now to end the aggression. Act now so freedom can prevail – not apartheid,” he told the Security Council.

Since violence flared on Monday, at least 192 Palestinians have been killed in the Gaza Strip, including 58 children. More than 1,200 others have been wounded. In the occupied West Bank, Israeli forces have killed at least 13 Palestinians.

Israel has reported 10 dead, including two children, from the thousands of missiles fired from Gaza by Hamas and other Palestinian groups, many of which were intercepted by Israel’s Iron Dome air defence system.

UN Secretary-General Antonio Guterres pleaded for an immediate end to the violence and warned of an “uncontainable security and humanitarian crisis”.

But the council meeting, already delayed by Israel’s ally the United States, resulted in little action.

Al-Maliki – part of the Palestinian Authority, not Hamas, the group that controls the Gaza Strip and has been firing rockets into Israel – voiced regret over Israeli deaths but urged the Security Council to examine the power balance.

Israel “is an occupying colonial power. Any assessment of the situation that fails to take into account this fundamental fact is biased”, al-Maliki said.

Israel slams Hamas Gilad Erdan, Israel’s ambassador to the UN, meanwhile blasted Hamas’s rocket attacks on Israel as premeditated.

“It was completely premeditated by Hamas in order to gain political power,” said Erdan.

He said the Hamas had escalated tensions due to internal Palestinian political manoeuvres after the PA President Mahmoud Abbas delayed long-awaited elections.

Hamas said its rocket fire into Israel was in response to Israeli forces’ repeated raising of the Al-Aqsa Mosque compound in occupied East Jerusalem earlier this month amid high tensions over moves to forcibly expel Palestinian families in the city to make way for Israeli settlers.

“Do you really believe that this property dispute is what caused Hamas to launch these large-scale attacks on the people of Israel?” Erdan said.

He thanked the United States, which had delayed the UN session, and called on the world body to condemn Hamas.

“Hamas targets civilians; Israel targets terrorists,” Erdan said.

“Israel makes every effort to avoid civilian casualties; Hamas makes every effort to increase civilian casualties.”

‘Utterly appalling’ Guterres called for an immediate ceasefire, saying in his address to the council that hostilities between the two parties were “utterly appalling” and urging them to “allow mediation efforts to intensify and succeed”.

The UNSC had privately met twice last week over the worsening violence, but has so far been unable to agree on a public statement because the US – a strong ally of Israel – did not believe it would be helpful, diplomats said.

China voiced regret that the US has blocked a UNSC statement on Israeli-Palestinian violence as it urged greater international efforts to stop the bloodshed.

“We call upon the US to shoulder its responsibilities, take a just position, and together with most of the international community support the Security Council in easing the situation,” said Chinese Foreign Minister Wang Yi, who chaired Sunday’s meeting as China is council president for May.

The US told the UNSC it has made clear to Israel, the Palestinians and others that it is ready to offer support “should the parties seek a ceasefire”.

“The United States has been working tirelessly through diplomatic channels to try to bring an end to this conflict,” US Ambassador to the UN Linda Thomas-Greenfield told the 15-member council.

“Because we believe Israelis and Palestinians equally have a right to live in safety and security.”

UN Middle East envoy Tor Wennesland urged the international community to “take action now to enable the parties to step

back from the brink”.

Truce efforts by Egypt, Qatar and the UN have so far offered no sign of progress.

Israeli air attacks on Gaza City flattened three buildings and killed at least 42 people on Sunday, medics said, making it the deadliest single attack in seven days of heavy fighting.

The US has sent an envoy to the region in a bid to de-escalate tensions but critics say President Joe Biden – who called Israeli Prime Minister Benjamin Netanyahu and PA President Abbas on Saturday – has underestimated the severity of the crisis.

“This is an area that has traditionally been negotiated by the US and the UN ... but given 70 plus years of this issue being on the UN’s agenda, and no progress being made ... China is all too happy to call out the US here at the UN,” said Al Jazeera’s Kristen Saloomey, reporting from the UN headquarters in New York.

“Sadly, at this stage, the reality is there doesn’t seem to be a way forward here in the Security Council.”

**Israel's 'shocking disregard' for Palestinian civilians may be a war crime, human rights group says (Business Insider)** By Charles Davis

May 17, 2021

**The Israeli government has engaged in a pattern of deadly attacks against residential homes in Gaza, carrying out bombing raids without giving the innocent men, women, and children inside any time to escape, Amnesty International charged on Monday.**

The strikes, which show a "shocking disregard" for Palestinian civilians, "may amount to war crimes or crimes against humanity," the human rights group said.

For over a week, Israeli forces have bombarded the Gaza Strip, a densely populated Palestinian territory controlled by the Hamas militant group. Israel has said its strikes are intended to stop indiscriminate rocket fire – itself a war crime – that has killed 10 of its citizens, including two children.

At least 212 Palestinians have been killed, including 61 children and 36 women, according to Gaza health authorities, prompting widespread criticism that the Israeli response has been disproportionate.

In one attack, carried out after 1:00 a.m., Israeli airstrikes leveled two residential buildings, killing 30 people.

"There was no warning, so people were inside their home sitting together, and this is a lively, bustling area," a medic, Yousef Yassin, told researchers with Amnesty International.

Another strike, just before midnight, hit a three-story residential building that 20 people called home.

"We eventually found my daughter, a mother of three, with her children, one of whom was a baby, under one of the cement pillars of the house; all of them were dead," Hassan al-Atar, a civil defense officer, told the group.

Saleh Higazi, Amnesty's deputy director for the Middle East and North Africa, said it was "hard to imagine" how bombing such buildings could be considered a proportionate response under international law.

"By carrying out these brazen deadly attacks on family homes without warning Israel has demonstrated a callous disregard for lives of Palestinian civilians who are already suffering the collective punishment of Israel's illegal blockade on Gaza since 2007," Higazi said.

The findings come days after Amnesty warned that Israeli authorities "have an obligation to choose means and methods of attacks that would minimize risks posed to civilians," and amid increasing calls for an end to the fighting.

On Monday, Senate Majority Leader Chuck Schumer of New York joined a majority of the Democratic caucus in urging an immediate halt to Israeli military actions. "I want to see a ceasefire reached quickly and mourn the loss of life," he told reporters.

The White House, however, had resisted such calls, with President Joe Biden insisting that the Israeli response – made possible, in part, by more than \$3 billion in US military aid – is not in fact a "significant overreaction."

The US has also reportedly blocked efforts at the United Nations Security Council to issue a statement demanding a cessation of hostilities.

By Monday night, however, Biden was echoing his party. In a phone call with Israeli Prime Minister Benjamin Netanyahu, Biden "encouraged Israel to make every effort to ensure the protection of innocent civilians," according to a White House statement. He also "expressed his support for a ceasefire."

## **Why is accountability for alleged war crimes so hard to achieve in the Israel-Palestinian conflict? (The Conversation)** By Amy Maguire

May 17, 2021

**The latest outbreak of conflict in Gaza and Israel is escalating rapidly. At the time of writing, at least 192 Palestinians are reported dead, including 58 children. Ten Israelis are reported dead, including two children.**

Hamas is firing rockets into Israel from Gaza. Some cause casualties, while many are intercepted by Israeli anti-missile systems or fall short of the border. Israel is conducting aerial and artillery bombardment of Palestinian targets. In recent days, it has destroyed a building that housed the Associated Press and Al Jazeera offices in Gaza, and levelled multiple Palestinian homes.

The conflict is the most intense outbreak of violence since the 2014 Israel-Gaza war. Prime Minister Benjamin Netanyahu said Israel will do "whatever it takes to restore order and quiet" and this could take some time.

The question of Palestinian statehood and the enduring Israeli-Palestinian conflict is the perennial dilemma of the international legal system. The failure of the international community to bring about a resolution in the decades-long conflict reflects the highly politicised nature of international law.

Even though the International Criminal Court's chief prosecutor opened an investigation into alleged war crimes in the conflict two months ago — and is closely watching the current violence for potential crimes — legal accountability will likely remain elusive.

Palestine's status in the international community Statehood is the preeminent status of an entity under international law. It grants the fullest range of rights and carries key assumptions, including freedom from interference with territorial integrity.

Israel declared statehood in 1948 and was admitted as a UN member state in 1949. Its statehood — combined with its abiding US alliance — has given it significant protection from external intervention.

Palestine, in contrast, claims a right to statehood but lacks effective statehood. The international legal position is clear — the Palestinian people are entitled to self-determination and statehood but they have been living under Israel's occupation since 1967.

On this basis, in 2012, Palestine's UN standing was upgraded to the special status of "non-member observer state". Although the majority of UN General Assembly members expressed their hope this would lead to actual statehood for Palestine, a two-state solution to the conflict appears less likely as time goes on.

UN Security Council response The UN Security Council is charged with promoting and preserving international peace and security. It has frequently addressed the conflict involving Israel and Palestine in the past.

The Security Council met in an emergency session on Sunday, with UN Secretary-General António Guterres calling for an immediate ceasefire and warning of "an uncontrollable security and humanitarian crisis". Over 38,000 Palestinians are internally displaced in the Gaza Strip following the recent surge in hostilities.

Jordanian Foreign Minister Ayman Safadi argued Israeli settlement activities violate international law and stand in the way of peace. Palestinian Foreign Minister Riyad al-Maliki accused Israel of committing war crimes and crimes against humanity, and pursuing a policy of apartheid.

Israel's UN ambassador, Gilad Erdan, meanwhile, accused Hamas of targeting civilians as a power play against the Palestinian Authority.

The council took no action in this special session. The US, one of five permanent members with veto power, has a track record of resisting action in relation to Israel. China's Foreign Minister Wang Yi said it was regrettable the US was blocking the council from making a statement with "one voice".

US officials are maintaining their position that Israel is exercising its right to self-defence against Hamas terror attacks.

Investigating alleged war crimes This conflict comes in the wake of a significant development in international criminal law. In

2015, Palestine acceded to the Rome Statute that established the International Criminal Court (ICC). Palestine also accepted ICC jurisdiction over alleged crimes committed in its territory since June 2014.

In February, the ICC determined its jurisdiction extended to the Occupied Palestinian Territories. Its office of the prosecutor then initiated an investigation into the “situation in Palestine”. Prosecutor Fatou Bensouda said her office would seek justice for crimes committed against Palestinian and Israeli victims.

The ICC exists to prosecute the gravest crimes against humanity and war crimes. Israel has been accused of war crimes in Palestine, including wilful unlawful killings and disproportionate military attacks causing unnecessary civilian casualties.

Human Rights Watch alleges Israel is also engaged in crimes against humanity in the form of apartheid and persecution.

The ICC probe will likely encompass the 2014 war, border clashes in 2018, and Israeli settlement activities in the West Bank. It will also examine whether Hamas and other groups in Gaza have committed war crimes by firing rockets at Israel.

Obstacles to accountability Accountability for international crimes is complicated for non-state actors like Hamas. Indiscriminate attacks on civilian targets undoubtedly violate the laws of war. Yet, Hamas is not acting on behalf of a Palestinian state, nor does the Palestinian Authority have the capacity to halt its actions.

As for Israel, the American alliance has been a constant obstacle to accountability. However, some important trends are emerging within American Jewish communities and the Democratic Party.

Many American Jews are showing increasing scepticism about Netanyahu’s unflinching prosecution of Israel’s conflict with Hamas. Liberal Jewish lobbyists are challenging the Biden administration to oppose Israeli efforts to evict Palestinians in East Jerusalem.

Some prominent Democratic politicians now publicly oppose the position that Israel’s right to self-defence must be asserted by the US, regardless of whether its military actions are proportionate. Senator Bernie Sanders wrote this week:

the fact of the matter is that Israel remains the one sovereign authority in the land of Israel and Palestine, and rather than preparing for peace and justice, it has been entrenching its unequal and undemocratic control.

Prominent progressive congresswoman Alexandria Ocasio-Cortez also asked why the US could not stand up to Israel, which she called an “apartheid state”. The ICC investigation certainly opens a new and legally intriguing avenue. But previous efforts at truth and peace-building indicate little cause for hope.

President Joe Biden, for one, has a long-established position in favour of Israel’s right to defend itself.

Israel is also not a member of the ICC and rejects the court’s jurisdiction over its territory and nationals.

The long war persists. International law — hamstrung by its own institutions, entrenched power relations and politicisation — offers no clear or quick solution.

**Arms trade: Which countries and companies are selling weapons to Israel? (Middle East Eye) By**

Frank Andrews

May 18, 2021

**For over a week, Israel has pounded the Gaza Strip with bombs, claiming it is targeting Hamas "terrorists". But residential buildings, book stores, hospitals and the main Covid-19 testing lab have also been flattened.**

Israel's ongoing bombardment of the besieged enclave, which has now killed at least 213 people, including 61 children, likely constitutes a war crime, according to Amnesty International.

Hamas' thousands of indiscriminate rockets fired north from Gaza, which have killed 12 people, may also be a war crime, according to the rights group.

But while Hamas has bombs mostly put together from homemade and smuggled materials, which are dangerous because they are unguided, Israel has state of the art, precision weaponry and its own booming arms industry. It is the eighth biggest arms exporter on the planet.

Israel's military arsenal is also propped up by imports of billions of dollars worth of weapons from abroad.

These are the countries and companies supplying Israel with weapons, despite its track record of war crimes accusations.

United States The United States is by far the biggest exporter of arms to Israel. Between 2009-2020, more than 70 percent of the arms Israel bought came from the US, according to the Stockholm International Peace Research Institute (Sipri) Arms Transfers database, which only includes major conventional weapons.

According to Sipri numbers, the US has exported arms to Israel every year since 1961.

It's harder to track arms that have actually been delivered, but between 2013-2017, the US delivered \$4.9bn (£3.3bn) in arms to Israel, according to the UK-based Campaign Against the Arms Trade (CAAT).

US-made bombs have been photographed in Gaza in recent days, too.

The exports have increased despite the numerous times that Israeli forces have been accused of committing war crimes against Palestinians.

The US continued to export weapons to Israel when it emerged in 2009, for example, that Israeli forces had indiscriminately used white phosphorus shells on Palestinians - a war crime, according to Human Rights Watch.

In 2014, Amnesty International accused Israel of the same charge for disproportionate attacks that killed scores of civilians in Rafah, southern Gaza. The following year, the export value of US weapons to Israel almost doubled, according to Sipri figures.

US President Joe Biden "expressed his support for a ceasefire" on Monday, under pressure from Senate Democrats. But it also emerged earlier in the day that his administration had recently approved \$735m in weapons sales to Israel, the Washington Post reported. Democrats on the House Foreign Affairs Committee are expected to request the administration delay the sale pending review.

And under a security assistance agreement spanning 2019-2028, the US has agreed - subject to congressional approval - to give Israel \$3.8bn annually in foreign military financing, most of which it has to spend on US-made weapons.

That's around 20 percent of Israel's defence budget, according to NBC, and almost three-fifths of US foreign military financing worldwide.

But the US also sometimes gives additional funds, on top of its annual contribution. It has given an extra \$1.6bn since 2011 for Israel's Iron Dome anti-missile system, with parts that are made in the US.

"Israel has a very advanced arms industry that could likely sustain the bombardment for at least a short period of time," Andrew Smith of CAAT told Middle East Eye.

"However, its major combat aircraft come from the US," he added, referring to US F-16 fighter jets, which continue to pummel the Strip. "Even if the capacity to build them exists in Israel, they would obviously take a long time to assemble.

"In terms of munitions, a lot of these are imported, but I'd expect they could be produced in Israel. Obviously, in this hypothetical scenario, the transition to domestically produce arms would take time and would not be cheap."

"But arms sales should not be seen in isolation. They are underpinned by a deep political support," Smith added. "The support of the US, in particular, is invaluable in terms of upholding the occupation and legitimising bombing campaigns like we have seen over recent days."

The long list of private US companies involved in supplying Israel with arms includes Lockheed Martin, Boeing; Northrop Grumman, General Dynamics, Ametek, UTC Aerospace, and Raytheon, according to CAAT.

Germany The second-biggest exporter of weapons to Israel is Germany, which accounted for 24 percent of Israel's arms imports between 2009-2020.

Germany does not provide data on the weapons it delivers, but it issued licences for arms sales to Israel worth 1.6 billion euros (\$1.93bn) from 2013-2017, according to CAAT.

Sipri figures show Germany sold weapons to Israel throughout the 1960s and 1970s, and has done so every year since 1994.

The first defence talks between the two countries date back to 1957, according to Haaretz, which noted that in 1960, Prime Minister David Ben-Gurion met in New York with German Chancellor Konrad Adenauer and emphasised "Israel's need for small submarines and anti-aircraft missiles".

While the US has helped with many of Israel's air defence needs, Germany still provides submarines.

German shipbuilder ThyssenKrupp Marine Systems has built six Dolphin submarines for Israel, according to CAAT, while the German-headquartered company Renk AG helps equip Israel's Merkava tanks.

Germany's Chancellor Angela Merkel voiced "solidarity" with Israel in a call with Netanyahu on Monday, according to her spokesperson, reaffirming the country's "right to defend itself" against rocket attacks from Hamas.

Italy is next, having provided 5.6 percent of Israel's major conventional arms imports between 2009-2020, according to Sipri.

From 2013-2017, Italy delivered €476m (\$581m) worth of arms to Israel, according to CAAT.

The two countries have done deals in recent years whereby Israel has got training aircraft in return for missiles and other weapons, according to Defense News.

Italy joined other European countries in criticising Israeli settlements in Sheikh Jarrah and elsewhere earlier in May, but the country continues to export weapons.

Port workers in Livorno refused on Friday to load a ship carrying weapons to the Israeli port of Ashdod, after being notified by Italian NGO The Weapon Watch of the contents of its cargo.

"The port of Livorno will not be an accomplice in the massacre of the Palestinian people," the Unione Sindicale di Base said in a statement.

Weapon Watch urged Italian authorities to suspend "some or all Italian military exports to the Israeli-Palestinian conflict areas".

AgustaWestland, a subsidiary of Italian firm Leonardo, makes components for Apache attack helicopters used by Israel, according to CAAT.

United Kingdom The UK, though not in Sipri's database in recent years, also sells weapons to Israel, and has licensed £400m in arms since 2015, according to CAAT.

The NGO is calling for the UK to end weapons sales and military support to Israeli forces and investigate if UK arms have been used to bomb Gaza.

The actual amount the UK exports to Israel is far higher than publicly available numbers, due to an opaque system of weapons sales, "open licences", basically permissions to export, which keep the value of arms and their quantities secret.

Smith of CAAT told MEE that roughly 30-40 percent of UK arms sales to Israel are likely done under open licence, but "we simply don't know" which weapons they are or how they are used.

"Unless the UK Government launches its own investigation, then there isn't any other way of determining which weapons have been used, other than relying on photos emerging from one of the worst conflict zones in the world - which is not an appropriate way for the arms industry to be held to account," said Smith.

"The way we find out about these atrocities is either relying on people in war zones to be taking photos of weapons which are falling around them or on journalists," Smith said.

"And that means that we can always assume huge amounts of weapons are used which we'll never know about."

Private British companies that help supply Israel with arms or military hardware include BAE Systems; Atlas Elektronik UK; MPE; Meggitt, Penny + Giles Controls; Redmayne Engineering; Senior PLC; Land Rover; and G4S, according to CAAT.

What's more, the UK spends millions of pounds annually on Israeli weapons systems. Elbit Systems, Israel's largest arms producer, has several subsidiaries in the UK, as do several US arms manufacturers.

One of their factories in Oldham has been a target for pro-Palestine protesters in recent months.

Many of the weapons exported by the UK to Israel - including aircraft, drones, grenades, bombs, missiles and ammunition - "are the kind of arms that are likely to be used in this sort of bombing campaign", according to a CAAT statement, referring to the ongoing bombardment.

"It would not be the first time," it added.



A government review in 2014 found 12 licences for arms likely used in that year's bombardment of Gaza, while in 2010, then-Foreign Secretary David Miliband said that arms made in the UK had "almost certainly" been used in Israel's 2009 bombing campaign of the enclave.

"We know that UK-made arms have been used against Palestinians before, but that has done nothing to halt the flow of weapons," said Smith.

"There must be a suspension of arms sales and a full review into whether UK weapons have been used and if they are implicated in possible war crimes."

"For decades now, successive governments have talked about their commitment to peacebuilding, while continuing to arm and support Israeli forces," Smith added. "These arms sales do not just provide military support, they also send a clear sign of political support for the occupation and blockade and the violence that is being inflicted."

Canada accounted for around 0.3 percent of Israel's imports of major conventional weapons between 2009-2021, according to Sipri numbers.

Jagmeet Singh of Canada's New Democratic Party last week called for Canada to halt arms sales to Israel in light of recent events.

Canada sent \$13.7m in military hardware and technology to Israel in 2019, equating to 0.4 percent of total arms exports, according to The Globe and Mail.

### **When Fighting Erupts Between Israel and Hamas, the Question of War Crimes Follows (NY Times)**

By Declan Walsh

May 19, 2021

**The Israeli missile that slammed into a Palestinian apartment exacted a shocking toll: eight children and two women, killed as they celebrated a major Muslim holiday, in one of the deadliest episodes of the war between Israel and Palestinian militants that has raged for nearly a week.**

Israel said a senior Hamas commander was the target of the Friday attack. Graphic video footage showed Palestinian medics stepping over rubble that included children's toys and a Monopoly board game as they evacuated the bloodied victims from the pulverized building. The only survivor was an infant boy.

"They weren't holding weapons, they weren't firing rockets and they weren't harming anyone," said the boy's father, Mohammed al-Hadidi, who was later seen on television holding his son's small hand in a hospital.

"Oh, love," he said to his son.

Civilians are paying an especially high price in the latest bout of violence between Israel and Hamas in the Gaza Strip, raising urgent questions about how the laws of war apply to the conflagration: which military actions are legal, what war crimes are being committed and who, if anyone, will ever be held to account.

Both sides appear to be violating those laws, experts said: Hamas has fired more than 3,000 rockets toward Israeli cities and towns, a clear war crime. And Israel, although it says it takes measures to avoid civilian casualties, has subjected Gaza to such an intense bombardment, killing families and flattening buildings, that it likely constitutes a disproportionate use of force — also a war crime.

In the deadliest attack yet, Israeli airstrikes on buildings in Gaza City on Sunday killed at least 42 people including 10 children, Palestinian officials said.

No legal adjudication is possible in the heat of battle. But some facts are clear. Israeli airstrikes and artillery barrages on Gaza, an impoverished and densely packed enclave of two million people, have killed at least 197 Palestinians, including 92 women and children, between last Monday and Sunday evening, producing stark images of destruction that have reverberated around the world.

In the other direction, Hamas missiles have rained over Israeli towns and cities, sowing fear and killing at least 10 Israeli residents, including two children — a greater toll than during the last war, in 2014, which lasted more than seven weeks. The latest victim, a 55-year-old man, died on Saturday after missile shrapnel slammed through the door of his home in the Tel Aviv suburb of Ramat Gan. One Israeli soldier has also been killed.

With neither side apparently capable of outright victory, the conflict seems locked in an endless loop of bloodshed. So the

focus on civilian casualties has become more intense than ever as a proxy for the moral high ground in a seemingly unwinnable war.

“The narrative around civilian casualties takes on a bigger importance than normal, perhaps even bigger than the numbers, because it goes to the moral legitimacy of the two sides,” said Dapo Akande, a professor of public international law at the Blavatnik School of Government at the University of Oxford.

The calculus of the war is brutal.

Although Hamas fires unguided missiles at Israeli cities at a blistering rate, sometimes over 100 at once, the vast majority are either intercepted by Israel’s Iron Dome defense system or fall short inside Gaza, resulting in a relatively low death toll.

Israel sometimes warns Gaza residents to evacuate before an airstrike, and it says it has called off strikes to avoid civilian casualties. But its use of artillery and airstrikes to pound such a confined area, packed with poorly protected people, has led to a death toll 20 times as high as that caused by Hamas, and wounded 1,235 more.

Israeli warplanes have also destroyed four high-rise buildings in Gaza that it said were used by Hamas. But those buildings also contained homes and the offices of local and international news media organizations, inflicting enormous economic damage.

It may not look it, but there are rules to govern the carnage.

The laws of war — a collection of international treaties and unwritten laws, also known as international humanitarian law — govern the behavior of combatants. The killing of civilians is not, of itself, illegal. But combatants must abide by widely accepted principles, Professor Akande said.

Most important, they must discriminate between civilian and military targets, he said. After that, they must weigh the military advantage gained from any potential strike against the damage to civilians that it will cause.

And when they attack, combatants must take all reasonable precautions to limit any civilian damage, he added.

Unsurprisingly, applying those principles in a place like Gaza is a highly contentious affair.

Israeli officials say they are forced to strike homes and offices because that is where Hamas militants live and fight, using civilians as human shields. Hamas is responsible for civilian casualties inflicted during those strikes, Israeli officials say, because it fires rockets close to schools, offices and homes.

In a statement about the attack on Friday that killed 10 family members, the Israel Defense Forces said it had “attacked a number of Hamas terror organization senior officials, in an apartment used as terror infrastructure in the area of the Al-Shati refugee camp.”

Neighbors of the family, though, said no Hamas official was present at the time of the attack.

Human rights groups, however, say that Israel routinely pushes the boundaries of what might be considered proportionate military force, and that it has frequently breached the laws of war. “There’s been an utter disregard for civilian life that stems from the decades of impunity,” said Omar Shakir, Israel director for Human Rights Watch.

Mr. Shakir and others said Israel’s staunch alliance with the United States, which gives the country \$3.8 billion in military aid every year and offers reflexive diplomatic support, has shielded its actions from serious international censure for decades, emboldening it to commit abuses against Palestinians.

On Saturday President Biden again asserted his “strong support for Israel’s right to defend itself.”

The top prosecutor with the International Criminal Court, which in February announced an investigation into possible war crimes by both Hamas and Israeli soldiers, warned on Friday that both sides in the current conflict could be subjects of future prosecutions.

“These are events that we are looking at very seriously,” the prosecutor, Fatou Bensouda, told the Reuters news agency.

But the criminal court, which Israel and the United States do not recognize, faces a host of political and logistical obstacles, and it could be years before any Israeli or Palestinian is put on trial — if ever.

Other bodies have adjudicated on previous rounds of fighting. In a report published last year, Human Rights Watch said Israel appeared to violate the laws of war when it killed 11 civilians during a flare-up in Gaza in November 2019. Palestinian

militants, who fired hundreds of rockets into Israel at that time, also violated the laws of war, the report said.

A spokesman for the Israeli armed forces, Lt. Col. Jonathan Conricus, did not respond to several requests for comment for this article. But Lior Haiat, a spokesman for Israel's foreign ministry, said that his country did everything possible to minimize civilian casualties, and that the true culprit was Hamas.

"Every one of those missiles that are being launched from the Gaza Strip to Israel is actually a terror attack," Mr. Haiat said. "But not only that — every one of those missiles is also a war crime."

In 2018, Israel's defense minister then, Avigdor Lieberman, said, "The I.D.F. is the most moral army in the world."

Some Israeli soldiers disagree.

A scathing report by Breaking the Silence, an organization of leftist combat veterans, into the conduct of Israel's army during its last major war against Hamas in 2014, accused the military of operating a "lenient open-fire policy" in Gaza. It said Israeli commanders had called for "brutal and unethical" actions there and encouraged soldiers to behave aggressively toward Palestinian civilians.

The group's executive director, Avner Gvanyahu, said that the Israeli military did not intentionally set out to kill civilians but that it routinely uses disproportionate force. He pointed to the use of artillery in recent days to hit targets with munitions that can kill anyone in a radius of up to 150 meters, or almost 500 feet.

"It speaks volumes to the fact that we are not doing everything in our power to prevent civilian casualties," Mr. Gvanyahu said.

Others push back on Israel's insistence that Hamas is to blame for the civilian casualties because it operates from residential areas. In a densely populated place like Gaza, "there is almost no way to fight from it without exposing civilians to danger," said Nathan Thrall, author of a book on Israel and the Palestinians.

Mr. Thrall noted that the headquarters of the Israel Defense Forces was in a residential part of Tel Aviv, beside a hospital and an art museum.

Human rights researchers say Hamas strictly controls information about civilian deaths in Gaza to hide its losses and failures.

Although the casualty list provided by the local Ministry of Health — the source for the figure of 197 deaths over the past six days — is generally accurate, they say, Hamas will not say how many of the dead are militants, or were killed by Hamas missiles that fell short and exploded inside Gaza.

But others have found evidence. During the fighting in 2019, Human Rights Watch reported, at least two Palestinian rockets landed inside Gaza, killing one civilian and injuring 16 others.

Perhaps the greatest tragedy about civilian deaths, said Adil Haque, a professor at Rutgers Law School specializing in international law and armed conflict, is that they have become a way for belligerents to show their strength before inevitably agreeing to yet another cease-fire.

"Civilians are trapped between two sides," he said. "Hamas wants to show it can survive the Israeli onslaught, and Israel wants to show that it is the stronger party."

"Both sides are able to stop if they want," he added. "But neither is willing to stop first."

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## **Gulf Region**

**Qatar takes part in discussion on crimes against humanity (The Peninsula Qatar)**

May 12, 2021

**The State of Qatar participated in a panel discussion held by the Human Rights Council in Geneva yesterday via video conference technology, on the occasion of the fifteenth anniversary of the responsibility to protect civilian populations from genocide, war crimes, ethnic cleansing and crimes against humanity, which was adopted by the General Assembly within the framework of the outcomes of the International Summit 2005.**

The State of Qatar was represented in the panel discussion as a keynote speaker by H E Special Envoy of the Minister of Foreign Affairs for Counterterrorism and Mediation in Conflict Resolution, Dr. Mutlaq bin Majed Al Qahtani.

In his speech, H E Al Qahtani addressed the experience of the State of Qatar and its efforts to protect civilians, stressing that the State of Qatar has integrated the responsibility to protect civilians from atrocities, in particular war crimes, crimes against humanity, genocide and ethnic cleansing, in its domestic and foreign policy.

This integration was done by addressing the root causes of acts of violence and extremism and preventing conflicts, and through development and education programs, creating economic opportunities, good offices, mediation and preventive diplomacy to prevent and settle conflicts, he said, stressing that the responsibility to protect is a legal obligation for all countries.

The Special Envoy of the Minister of Foreign Affairs for Counterterrorism and Mediation in Conflict Resolution also pointed out that all member states of the United Nations have an explicit obligation to protect their people from heinous crimes or mass brutalities, expressing his belief that more work needs to be done in the field of preventing mass atrocities.

He added that Member States should continue to increase their participation in strengthening the commitment to the responsibility to protect civilians from atrocities, in particular war crimes, crimes against humanity, genocide and ethnic cleansing, thus improving the efforts made by international community to prevent and stop these atrocities.

**Israel shells Lebanon after failed launches toward Israeli territory (Arab News)**

May 18, 2021

**Six shells were fired from Lebanon towards northern Israel on Monday but fell short of crossing the border, the Israeli military said.**

It said that in response, artillery was fired at "the sources of the launches" in Lebanon.

A Lebanese security source said shells were heard being fired from south Lebanon and efforts were being made to identify the location. The source said about 22 shells were fired by Israeli artillery on Lebanese territory.

There were no reports of casualties or damage, and the shelling did not appear to signal the opening of a new front in Israel's fighting with militants in the Gaza Strip.

The Lebanese shelling caused Israeli air raid sirens to blare near the kibbutz of Misgav Am, along Israel's northern border with Lebanon.

It was the second incident of cross-border fire in the past week. On Thursday, three rockets were launched from Lebanon toward northern Israel but landed in the Mediterranean Sea, causing no damage or casualties.

Israel fought a 2006 war against Hezbollah guerrillas, who have sway in southern Lebanon and advanced rockets. The border has been mostly quiet since then.

Small Palestinian factions in Lebanon have fired sporadically on Israel in the past.

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**ASIA**

# **Afghanistan**

## **Afghan foreign minister meets ICC prosecutors to discuss war crimes investigation (Thomas Reuters)**

May 9, 2021

**The Afghan foreign minister and prosecutors from the International Criminal Court have met in The Hague to discuss the ICC's war crimes investigation in Afghanistan, both sides said in a joint statement on Sunday.**

The ICC is investigating alleged war crimes and crimes against humanity committed in Afghanistan since 2003 by all sides in the conflict, including by government forces, the Taliban, other armed groups, and U.S.-led forces.

Shortly after the ICC announced its investigation in March 2020, the Afghan government said it is conducting its own probe into some of the same alleged crimes and asked the international court to defer its investigation.

"We have made encouraging progress in charting the way forward to ensure that no crime goes unpunished," said Afghan Foreign Minister Mohammad Haneef Atmar in a joint statement with the ICC's Office of the Prosecutor.

Atmar met prosecutors in The Hague, Netherlands, where the ICC is based. Under ICC rules, the court only has power to prosecute crimes committed on the territory of member states when they are unwilling or unable to do so themselves.

In the joint statement on Sunday, Prosecutor Fatou Bensouda said she would continue to work with the government of Afghanistan on "how justice may best be served through joint collaborative efforts" while still fulfilling her own duties under the tribunal's rules.

Afghanistan's Attorney General Zabihullah Karimullah, who also attended, said that prosecutors had discussed information-sharing and cooperation.

Bensouda is still assessing Afghanistan's deferral request. In September 2020, the United States imposed sanctions on Bensouda for investigating whether American forces committed war crimes in Afghanistan.

Conflict is still raging in Afghanistan, with security forces locked in daily combat with the Taliban who have waged war to overthrow the foreign-backed government since they were ousted from power in Kabul in 2001.

Although the United States did not meet the May 1 withdrawal deadline agreed in talks with the Taliban last year, its pull-out has begun, with President Joe Biden announcing all troops will be out by Sept. 11. Critics of the decision say the Islamist militants will try to return to power.

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## **Extraordinary Chambers in the Courts of Cambodia (ECCC)**

**Official Website of the Extraordinary Chambers [English]**

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

**Cambodia Tribunal Monitor**

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# Bangladesh International Crimes Tribunal

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## War Crimes Investigation in Myanmar

### **Myanmar Junta's Troops Use Civilians as Human Shields in Assault on Mindat (The Irrawaddy)**

May 15, 2021

**Myanmar junta forces reportedly used local civilians in Mindat as human shields during a raid on the mountainous town in Chin State, northwestern Myanmar, on Saturday. The raid came after several days of firefights between civilian resistance forces and the junta's troops.**

Civilian fighters resisted again Saturday, with shootouts lasting from about 6:30 a.m. to about 8:30 a.m. At that point, the civilian fighters retreated, said a member of the civilian force. Following the early Saturday morning shootouts, junta forces raided houses and arrested any man they encountered in the town.

The civilian defense force member said the junta forces arrested at least 18 people and used them as shields when they entered the town.

"We could not fight back while our people were being arrested and used as human shields. We can't hurt our people in town. Therefore we slowly retreated and most of the healthy men in town ran away," he said. "But they fired with artillery and continued to attack us."

At least three civilians were injured and some houses and religious buildings were damaged as junta forces fired about 20 artillery rounds from Battalion 274, which stationed in the town on Saturday morning, according to local residents.

In the meantime, junta forces used aircraft to bring in hundreds of reinforcements and weapons to the military's Battalion 274 from Kyaukhtu, Magwe Region.

Three civilians were injured and one of the junta forces was wounded, according to residents.

The sounds of gunfire and artillery could still be heard on Saturday afternoon, even though the military had taken control of the town by then, said a resident, who spoke on condition of anonymity.

The resident said everyone is afraid and hiding behind their doors while junta troops are patrolling the downtown. Continuous gunfire can be heard from both the east and west sides of the town and from the mountains.

Local residents are worried about the arrests, tortures and other atrocities against the civilians, especially women, young children and the elders, because many of them were unable to flee from their homes when the troops raided Mindat.

The regime declared martial law for Mindat, which is home to some 20,000 people, on Thursday night after bombarding the town with artillery in response to the residents' weeklong resistance. However, intensive shootouts continued on Friday and Saturday morning.

The junta's assault on the town was followed by civilian resistance fighters seizing about six military vehicles that were approaching Mindat from Kyaukhtu on Friday.

Mindat's Civilian Defense Force, the civilian resistance fighters who took up their traditional homemade percussion lock firearms to resist the junta's troops, said in its statement on Friday that the military has used reinforced troops, heavy explosives, artillery, rocket propelled grenades and automatic machine guns in the shootouts.

Armed resistance against the junta began in Sagaing Region's towns in late March and was later joined by Chin State's towns. Those towns resisting the junta troops are located in northwestern Myanmar.

Armed resistance by Mindat residents started on April 26 with an attack on the police station after junta forces broke promises to release seven young anti-regime protesters.

On April 26 and 27, the newly-formed Mindat Defense Force attacked military reinforcements approaching the town using homemade percussion lock firearms, leaving at least 20 junta troops dead.

Local resistance fighters and junta forces have been fighting for four days in Mindat since the late April ceasefire collapsed on May 12. At least ten junta troops and four local residents have died in the shootouts.

The Chin Human Rights Organization expressed concern about "possible war crimes against the people of Mindat as the junta troops prepared for an all-out assault" on the town on Saturday. A statement by the civilian National Unity Government (NUG) issued on Saturday afternoon said the military has been sending more troops to Mindat, where the local residents are "exercising the right to self-defense" to protect town residents. The military helicopters are hovering above the town, while they fire into the town.

The NUG statement said that besides junta forces killing five civilians and injuring ten people recently, "Many more are potentially under the threat of fatalities and serious injuries" while the town is at risk of becoming a battleground and thousands of people are potentially facing the danger of being displaced.

The NUG urged the international community "to take immediate actions" to end all forms of violence by the military and protect the defenseless people of Mindat.

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## AMERICAS

### North & Central America

**The U.S. Role in the El Mozote Massacre Echoes in Today's Immigration (The Washington Post)** By Nelson Rauda and John Washington  
May 12, 2021

**Forty years ago, one of the most widely known mass killings in recent Latin American history occurred in and around the village of El Mozote in El Salvador. A U.S.-backed Salvadoran army unit attacked civilians, resulting in the deaths of more than 1,000 people, 500 of them children.**

After decades of fits and starts, a trial has resumed in El Salvador that is shedding new light on the events of those few days in early December 1981, as well as on how much U.S. officials knew and how they tried to cover up that knowledge.

Victims are still — after decades of denial, stonewalling and obfuscation — seeking justice for their suffering and the deaths of family when members of the U.S.-trained and armed Atlacatl battalion and other similarly equipped Salvadoran soldiers slaughtered the villagers.

The massacre was part of a war between an alliance of the military and an oligarchy that had oppressively ruled for five decades and a collection of guerrilla opposition groups that unified in 1980. The conflict's official start date is typically marked by the 1980 assassination by a right-wing death squad of Archbishop Óscar Romero, who was canonized a saint in 2018. Romero's killing was the culmination of a half-century-long class war that pitted an extraordinarily impoverished peasantry against an ostentatiously wealthy landed elite that relied on murderous repression to maintain its stranglehold and squeeze

profit out of the workers.

Though the United States had been meddling in the region for decades, by the 1960s, both Green Beret and CIA officers were in El Salvador organizing paramilitary groups that would, in the following decades, mature into death squads.

By the height of the Reagan era's anti-communist fervor, the United States was dumping more than a million dollars a day of military aid into El Salvador. Terrified of any leftist activism in the context of the Cold War, the United States wanted to save face after the prolonged disaster of Vietnam and threw resources into El Salvador — as well as Guatemala and Nicaragua — to try to beat back the alleged Marxist menace. The United States poured in materiel and money. An estimated 75,000 people were killed in the 12-year civil war, half a million were displaced, and tens of thousands went missing. There were dozens of massacres: Whole villages like El Mozote and neighboring hamlets were razed, with survivors left to deal with the tragedy and trauma for decades.

In El Mozote in December 1981, the victims' bodies were dumped behind houses, in the fields, in the dirt roads, left to rot or be burned. Villagers scurried to hide in a nearby cave. After a night listening to sporadic gunfire, explosions and screams outside, one woman took her infant baby down to a stream to wash. She was spotted by a soldier, who followed her to the cave and, perhaps for the sake of efficiency, perhaps just following orders, pulled the pin on a grenade and chucked it into the cave. Another child in the cave, a 6-year-old boy, was shielded from the shrapnel by his father. He survived. So did the father, who was temporarily deafened, and brother, who was bleeding from his ears. His mother died, and his 3-day-old sister's legs were blown off. She died, too.

On Jan. 27, 1982, The Washington Post and the New York Times exposed the massacre to the world. Yet, one day later, the Reagan administration certified to Congress that the Salvadoran government had made strides in terms of the army's reduction of abuses and violations of human rights.

But the Reagan administration knew this was false: Elliott Abrams, the assistant secretary of state, energetically defended the continuity of aid to the Salvadoran army during congressional hearings in 1982. In doing so, he relied on an investigation that the State Department asked the U.S. Embassy to conduct. The objective was to disprove that the massacre at El Mozote had occurred. The embassy sent two researchers into the field. Although they never really entered the scenes of the slaughter and were systematically blocked by Salvadoran soldiers, their interviews of refugees indicated the magnitude of what had taken place. The refugees' testimony, however, was ignored.

(Abrams would later play roles in Iraq and Venezuela under Presidents George W. Bush and Donald Trump.)

The civil war ended with the peace accords in 1992. A year later, the rightist government established an amnesty law that lasted until 2016 and spared from prosecution masterminds and foot soldiers alike. This injustice is being corrected through the current trial.

The civil war and massacres like El Mozote prompted Salvadorans to flee and emigrate. "When the Atlacatl arrives, people flee to the mountains," Stanford University professor Terry Karl testified during the El Mozote trial, recalling a quote a Salvadoran farmer told a U.S. military adviser in the early 1980s. And when the mountains didn't provide enough shelter from the Atlacatl, or other murderous brigades, Salvadorans took to the migrant trails, headed north, across Guatemala and Mexico until they got to Texas, New York, Maryland or California. But, because of its support for the Salvadoran government, the Reagan administration roundly denied their asylum claims.

While the El Mozote massacre was extreme, such atrocities continue across Central America today, but the U.S. populace remains mostly unaware, whether through indifference or by design.

News out of Central America rarely appears in U.S. media. Central Americans fleeing the carnage are only seen as embodying the border crisis and domestic issue, with little regard as to what sent them north. Rarely acknowledged is the past and current role of the United States in Central America.

Those that survived the massacre and have stayed in El Mozote and its surrounding area still live with the psychological and economic toll.

Pedro Ramos, who testified in August 2018, still wakes before dawn in La Joya and trudges his way to earn \$5 a day in the fields. Amadeo Sánchez, who lost 24 family members during the massacre, is still searching for funds to finish the house he started to build with reparation money. His father, Santos, still works to make rope and fabric out of the sisal plant, only he says it's now a hobby.

Some faces, however, aren't to be found. At Orlando Márquez's house, not far from Mozote's main plaza, one of his granddaughters, an adorable 6-year-old, liked to play at his feet. (In 2010, Márquez found the bones of his relatives while digging the foundations for a house.) When asked about her, in the middle of the hearings, he said she had left with her



parents. “There’s nothing to do here for young people. They don’t want to stay and earn \$400 a month,” Márquez explained. Both the girl and her parents now live in New York.

Their migration reflects an effort to find safety from continued human rights violations, rampant crime, drug cartels, gang violence and poverty.

Indeed, the pattern of violence sparking northward migration hasn’t fundamentally changed since the El Mozote massacre. Perhaps because justice has never been served. Perhaps because both the governments of the United States and El Salvador have yet to own up to the atrocities that were committed.

The trial is bringing these atrocities — including the revelation that napalm bombs were used in El Mozote — into the open, offering a different lens through which to view Central Americans’ migration to the United States and the debate about U.S. border and immigration policy.

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## South America

**Chile’s president charged with “crimes against humanity” (WSWS)** By Mauricio Saavedra  
May 7, 2021

**A coalition of human rights organizations has filed a brief before the International Criminal Court charging Chile’s sitting president, Sebastian Piñera, along with former and current civilian, military and police authorities with crimes against humanity. The case, stemming from the ruthless repression meted out by the Piñera government against mass protests in 2019, has been filed in the midst of savage police-state repression against popular upheavals in Colombia by the far-right government of President Iván Duque.**

Former Spanish judge Baltasar Garzón, the Chilean Human Rights Commission (CHDH), the American Association of Jurists (AAJ) and the Centro di Ricerca ed Elaborazione per la Democrazia (CRED), sent the brief to ICC Chief Prosecutor Fatou Bensouda last week. The next stage is for the prosecutor Bensouda to determine whether the case falls within the ICC’s jurisdiction, whether there are grounds to maintain that there were crimes against humanity and the admissibility of the appeal, a process that takes years according to the lawyers involved.

In their 141-page brief the plaintiffs request that the ICC initiate an “investigation, file an indictment, and launch a trial (against) the President of the Republic of Chile and other civilian, political and police authorities” for “widespread and systematic” attacks against a civilian population “occurring simultaneously throughout the national territory of the Republic of Chile, from October 6, 2019 and up to the present day, which we consider to constitute Crimes against Humanity.”

Those who stand accused are the ultra-right president Sebastian Piñera, along with former and current interior ministers Andrés Chadwick, Gonzalo Blumel, Víctor Pérez and Rodrigo Delgado, the former undersecretary of the Interior, Rodrigo Ubilla, the current undersecretary of the Interior, Juan Francisco Galli, the former ministers of Defense, Alberto Espina, and Mario Desbordes, the former general director of the Carabineros, Chile’s militarized national police force, Mario Rozas and the current general director, Ricardo Yáñez, as well as the mayor of the Metropolitan Region, Felipe Guevara.

The document explains that the Piñera government pursued from the beginning a policy of state repression “to confront the demands of the rights of the population as if it were a declaration of internal war, suspending constitutional guarantees and deploying the army in the streets, thus preparing the ground for the commission of the worst State crimes.”

The brutal police actions were not isolated or independent of each other, but were part of a plan aimed at carrying out an organized, massive, extensive and systematic attack against the civilian population, with the objective of repressing manifestations of dissent, containing social demands, and exercising political intimidation.

The government continued with this policy in spite of being updated by the National Institute of Human Rights, an

autonomous state agency; the Public Prosecutor's Office, the autonomous prosecutorial body intervening in the Chilean judicial system; and the Directorate of Studies of the Supreme Court (all of which are obliged to inform the government of human rights abuses committed by state agents).

In complete disregard of reports and recommendations submitted by state, national and international human rights organizations, which tabulated violations against thousands of demonstrators, journalists, reporters and photographers, human rights personnel and health brigades, the government at first denied that its repressive arm committed any crimes, admitting to only possible individual "excesses," and has to date encouraged the actions of the Carabineros and the high command.

Recourse to the international court is also driven by the absence of equality before the law. Thousands of cases involving egregious human rights abuses committed in a "widespread and systematic manner" by agents of the state since 2019 have languished for months or have been summarily closed.

Of 8,581 total cases initially opened for human rights violations that occurred during the social unrest, 2,013 were regrouped with other proceedings, leaving 6,568 active cases. Over the last year and a half 3,050 (46 percent of the total) of these have since been closed without formalizations, and most of them with practically no progress. Of the 1,496 cases involving children and adolescents, 420 were regrouped, leaving 1,076 active cases. In the last year and a half, the Prosecutor's Office has closed 541 cases.

The document notes:

that the aforementioned unlawful acts, dealt with and punished by Article 7 of the Rome Statute, ratified by the Chilean State on June 29, 2009, are fraudulently classified and investigated in Chile as common crimes, with the deliberate purpose, first, of removing them from the jurisdiction of the International Criminal Court and, second, to prepare the conditions that would favor their subsequent impunity with the possible application of the statute of limitations, or through the application of possible pardons, amnesties or end-point laws. In addition, the State agencies in charge of investigating and judging, such as the Public Prosecutor's Office and the Judiciary, have had an unjustified delay in the substantiation of these processes and their actions do not have the necessary independence and impartiality and the due respect for the principle of Equality before the Law. All this makes it appropriate and necessary to exercise the complementary jurisdiction of the International Criminal Court.

The report directs attention to the "Public Prosecutor's Office and the Courts of Justice" and "calls into question their will and capacity (to) investigate and punish the massive and systematic human rights violations committed by the security forces." It notes their asymmetrical treatment of many demonstrators who were imprisoned for supposedly committing serious crimes but have "subsequently been acquitted due to insufficient (or) false evidence."

The brief also refers to specific cases of intimidation suffered by prosecutors (e.g., Ximena Chong) at the hands of the Carabinero police for pursuing cases against them and the sanctioning of justices (e.g., Daniel Urrutia) by the Judiciary for modifying preventive detention measures.

"The Chilean courts have failed in their duty to administer justice," Carlos Margotta, president of the Chilean Human Rights Commission, concluded in an interview with investigative news site CIPER. Garzón added that the complaint to the ICC "seeks to highlight the impunity that is being experienced in Chile and demands an independent international investigation and that when it comes will force the Chilean justice system to (grant justice)."

While there is doubtless broad support for the criminal prosecution of Piñera and his underlings, it is necessary to bring attention to the political organizations involved and their political motives. At the forefront of the operation is the anti-Marxist and counterrevolutionary Stalinist Communist Party of Chile (PC) and the parliamentary pseudo left, whose central political function is to subordinate the working class to the capitalist state by sowing the illusion that the executive, the congress, the judiciary and its repressive arm can be reformed or refounded on democratic principles. This myth has been their central argument for decades, preceding the 1973 coup d'état and since.

This is also the political outlook of Garzón, who is a founding member of the Spanish pseudo left-Stalinist front Actúa. Formed in 2017 as a break-off from United Left (Izquierda Unida), it promotes itself as "the left that does not feel represented either by the minimal gestures of the PSOE and its pact with the PP, or by the rhetorical maximalism of Podemos."

Garzón, a former investigating judge from Spain's central criminal court, the Audiencia Nacional, came to international prominence in 1998 when he sought to have former Chilean dictator Gen. Augusto Pinochet, who was visiting Britain, extradited to Spain to face charges of torture and assassination of Spanish citizens at the hands of his regime. The attempt was thwarted in March 2000 when the British Foreign Office found Pinochet too ill to stand trial. Pinochet died in Chile six years later while tied up in court proceedings.

Garzón attempt to prosecute Pinochet raised deep concerns within the British, US, Spanish and Chilean ruling elites for competing reasons.

A trial in Spain could well have raised many awkward and long-suppressed historical questions. The transition to civilian rule in Chile in 1990 provided an amnesty for Pinochet and his fellow military criminals, similar to the one granted in post-Franco Spain, where a political shift was engineered that left the old repressive apparatus intact.

More significantly, the bloody overthrow of the Popular Unity government of Chile's President Salvador Allende was heavily backed by Washington, which continued its support as thousands were summarily executed and many thousands more were tortured and forcibly disappeared. Universal jurisdiction, the undermining of the principle of sovereign immunity, which the imperialist powers used to try war criminals of the former Yugoslavia, could just as well be threatened against a slew of American, British and Spanish authorities for crimes in Chile, the Balkans, Afghanistan, Iraq and beyond.

Indeed, moves to suspend Garzón from the Audiencia Nacional were initiated following his attempt to open an investigation into the systematic torture program at Guantánamo Bay in 2009 as well as his investigation into crimes against humanity committed during the fascist dictatorship of Gen. Francisco Franco. He was convicted in 2012 of misconduct for illegal wiretapping during the investigation of the Gürtel corruption case and disqualified from the position of judge for 11 years.

The decision to bring the Chilean state under Piñera to the ICC took shape at the Latin American Human Rights Forum held at the beginning of 2020 at which Garzón was guest speaker. Garzón made contact with the forum organizers, pseudo-left parliamentarians Alejandro Navarro (Progresivo), Adriana Muñoz (Partido Por la Democracia) and Juan Ignacio Latorre (Revolución Democrática)—all members of the Senate Human Rights Commission. Lawyer Carlos Margotta, president of the Chilean Human Rights Commission and aligned to the Chilean Stalinist PC, agreed with the idea of going to the International Criminal Court in March 2020.

On the 22nd anniversary of Pinochet's arrest last year, Garzón expanded on his motivations for pursuing Piñera: "I fear for what may happen on the first anniversary of the social outbreak and the subsequent plebiscite, I fear for the actions of the police, who are still in charge of those who have openly supported their subordinates and make a defense of the rotten apples without realizing that in doing so they are rotting an entire institution ... But even President Piñera himself recognizes that Carabineros de Chile must undergo profound changes. Then I ask, what are you waiting for, Mr. Piñera? How many more deaths, how many more rapes, how many more tortures must happen to undertake this profound transformation?"

As events in Colombia, Brazil and throughout Latin America demonstrate, the region's capitalist ruling classes and their political allies in Washington are not about to pursue a policy of reforming the repressive apparatus. Rather, they rest ever more heavily upon it as they prepare police-state measures against the rising tide of struggle within the working class.

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## Venezuela

**Venezuelan refugees in Colombia afraid to return home after brutal conflict, army abuses (France 24)** By

Maëva Poulet

May 14, 2021

**On March 21, the Venezuelan army launched a military operation against Colombian armed groups operating within its territory in the border state of Apure. About 5,000 Venezuelan civilians fled the fighting and bombing, seeking refuge across the border in Colombia. While some of the refugees have returned home in recent weeks, others are waiting for the departure of the Venezuelan army, which is accused of numerous abuses, including executing civilians.**

Over a period of several days in March and April, boats transported refugees across the river that separates the Venezuelan state of Apure from the Colombian state of Arauca. The refugee families from Venezuela arrived laden with their belongings, including provisions, mattresses and sometimes even furniture.

These refugees fled La Victoria, a rural area encompassing several hamlets in Apure state, after the Venezuelan Army launched a military operation there. In a statement published on March 22, the Venezuelan Minister of Defense said the security forces had fought with "irregular armed groups from Colombia," who were operating in the border regions.

He didn't name the groups, but several sources confirmed that the operation was intended to target the Frente Décimo (the 10th Front), a dissident faction of the Revolutionary Armed Forces of Colombia (FARC), the former Colombian guerilla group that was demobilised after the 2016 peace deal.

The reprisals began almost immediately. On the evening of March 23, the armed groups bombed several buildings in La Victoria. Venezuela, which accuses Colombia of financing these armed groups, also denounced the presence of anti-personnel mines in the area.

As the refugees poured into Colombia, the Arauquita city government worked with several humanitarian organisations to set up shelters that housed nearly 5,000 displaced persons, according to the United Nations.

Venezuelan authorities claim that the armed groups lashed out at local populations. They also say that some members of the armed groups may have fled to Colombia amongst the displaced persons, using them as human shields.

But the refugees in Arauquita who spoke to our team say that they have no connection to the guerilla fighters. They say the Venezuelan army was responsible for the most egregious violence. Luisa (not her real name) left El Ripial, which is not far from La Victoria. We are not using her real name for her own safety.

"We left because of the bombings, it was traumatizing. In El Ripial, the soldiers were stealing from shops, homes were being burned. If I am able to go back, I will, but for now, the Venezuelan forces haven't left yet and we can't be sure that the fighting won't start again. They are saying that the civilians who won't return to Venezuela are guerilla fighters. We're just scared, we don't want to be arrested or killed [Editor's note: because they are mistaken for guerilla fighters]."

We also spoke to another woman, who is originally from La Victoria:

"Around 10am [on March 21], soldiers told the people in my neighbourhood that we'd have to leave in two hours. We left with the few things that we could gather up. A few bags, clothing. Soldiers occupied four homes, including mine, and stole our belongings.

Some people from my community have gone back already and they said they were able to return to their homes. I don't have anywhere to go. I'm sure that nothing remains of my home.

The aim is to get rid of the guerilla fighters, but that impacts many civilians who had nothing to do with all that. The children are really affected. They witnessed exchanges of gunfire and they saw soldiers enter our homes."

Similar testimonies were included in an investigation published by Human Rights Watch in April. Photos circulating on social media also seem to indicate that some of the homes in and around La Victoria were burned down. Many of these photos were shared by the Venezuelan NGO FundaRedes, a network of activists documenting the conflict. Though it is difficult to identify the location and the date when many of these amateur images were taken, they are some of the only visual proof of what is happening in Apure state, which is not open to journalists.

Aside from the home invasions, theft and destruction of personal property, "the operation led to the execution of at least four peasants, arbitrary arrests, the prosecution of civilians in military courts, and torture of residents accused of collaborating with armed groups," according to Human Rights Watch.

The organisation reported that, on March 25, Venezuelan soldiers took four members of a family from their home in La Victoria. That same night, photos of their bodies, discovered more than a kilometre from their home, circulated on WhatsApp. The images showed them lying on their backs on the ground, wearing civilian clothes, with firearms and grenades positioned near them. According to forensic experts who spoke to Human Rights Watch, the bodies seem to have been moved and that the weapons may have been planted.

The official figures for the operation say that 16 soldiers have been killed since the start of the operation. A further eight soldiers are being held by Frente Décimo. In an email made public on May 10, the group asked the Red Cross to set up a process so that these men, who they called "prisoners of war," could be handed over to a commission including representatives from the United Nations and the Venezuelan government.

In Arauquita, locals say that they haven't heard any bombing since the start of the month, leaving hope for an end to the crisis. But Bram Ebus, a journalist and consultant for the International Crisis Group, says that even if the tensions seem to have decreased in intensity, "the elements that caused the situation to explode are still there":

“Armed groups have been operating for decades on both sides of the border. They take advantage of the fact that there is no government presence in the region and they smuggle goods, drugs, money and weapons from one country to another. They work with the local population, who don’t have access to formal employment. The communities are essentially obligated to participate in this illegal economy. The police and the army are the representatives of the state on the ground, but their presence is sporadic and they criminalise the local populations.

In Apure, multiple armed groups are vying for the profits of the illegal economy. The state actors there are also participating in drug dealing and other illegal activities. The competition has become so intense in the area that the Venezuelan army decided to get rid of the armed group that was causing the most trouble. But the conflict that has been going on for more than a month shows that the army is capable of eliminating a group that has such extensive combat experience.”

According to the International Crisis Group, the military offensive in Apure seems to be the result of growing tensions between the army and Frente Decimo linked to the "distribution of illicit revenues and territorial control." "Reports [...] suggest that the dissident outfit grew too ambitious, failed to make required payments to the military and became a thorn in the side of other non-state armed groups that Caracas prefers," wrote Bram Ebus in an article published April 28.

"In this territory, the alliances are not necessarily political but are often based on the illegal economy and profit. Which makes them even more fragile. And that’s what is happening in Apure," he told our team.

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## TOPICS

### **Truth and Reconciliation Commission**

**Northern Ireland needs truth and reconciliation commission, says Tony Blair (The Australian)** By Jitendra Joshi  
May 13, 2021

**Former British Labour prime minister Tony Blair has called for a South Africa-style truth and reconciliation commission for Northern Ireland to address historical crimes on both sides of The Troubles.**

The call late on Wednesday came as the government in London apologised to Northern Ireland leaders for events in Ballymurphy, west Belfast, in 1971, that left 10 civilians dead.

A coroner on Tuesday ruled that British soldiers used “clearly disproportionate” force against protesters, and all of the victims were “entirely innocent of any wrongdoing”, prompting calls for those responsible to be held accountable.

But with historical prosecutions fraught with controversy in Northern Ireland, Mr Blair said South Africa’s post-apartheid experience would be a better approach, avoiding endless recriminations and court cases with no guarantee of success.

“Obviously I sympathise with the government. We tried to deal with this ourselves when we were in government,” he told ITV News as London prepared new legislation to try to draw a line under accusations of wrongful deaths in past conflicts.

“So you’ve got agonising stories and terrible stories of distress, and people who’ve lost their loved ones, but you’ve got it on all sides,” Mr Blair stressed, noting the many victims of IRA violence in Northern Ireland.

Mr Blair said Tuesday’s long-awaited inquest hearing over the August 1971 killings in Ballymurphy was “vindication” for the families. But he added: “I honestly believe ... if you try and go through all of these cases and have court cases and criminal prosecutions, you don’t resolve it.”

Mr Blair's government negotiated the 1998 Good Friday Agreement that ended three decades of bloodshed over British rule in Northern Ireland. He said of a South Africa-style commission, in which victims and perpetrators would both have their say with amnesties on offer: "Well, we did try but there wasn't the support for it at the time.

"But I agree it's possible that you need to return to something like that. Sure I would back that."

The 10 people in Ballymurphy were killed at the height of The Troubles, which left some 3500 people dead over three decades.

Relatives of the victims claimed paratroopers — who the following year shot dead 14 civilians on Bloody Sunday — had "a licence to kill" and then covered up their actions, smearing them as paramilitaries.

Prime Minister Boris Johnson's Downing Street office said he spoke to Northern Ireland First Minister Arlene Foster and her deputy in the power-sharing assembly in Belfast, Michelle O'Neill, and called the events "deeply sad" and "tragic".

"The Prime Minister apologised unreservedly on behalf of the UK government for the events that took place in Ballymurphy and the huge anguish that the lengthy pursuit of truth has caused the families of those killed," Downing Street said.

Mr Johnson's Tory government remains determined to end what it calls "vexatious" prosecutions of any army personnel, and says it will soon introduce new legislation addressing the legacy of Northern Irish unrest.

The legislation will inflame tensions in Northern Ireland after fresh violence since the UK quit the EU, a move which left the province in a regulatory half-way house.

**France is confronting its history in Algeria: As other countries' experiences show, dealing with the past is a complex undertaking (The Economist) May 15, 2021**

**In March, beneath the chandeliers of the Elysée palace, four adult cousins met Emmanuel Macron, France's president. What really happened, they wanted to know, to their grandfather, Ali Boumendjel, a lawyer and nationalist, who died in colonial Algeria after his arrest by French troops in 1957? Officially he committed suicide. In fact, Mr Macron acknowledged, Boumendjel was tortured and killed by the French army. His body was thrown from a window to disguise the cause of death.**

The president and the lawyer's grandchildren—all of the same generation—engaged in an "extraordinary dialogue", says Benjamin Stora, a historian who was present. The cousins' discomfort, he says, focused on a question: "How can we live in the country that assassinated our grandfather?" Although a French general had confessed 20 years ago to ordering the murder of Boumendjel, the government had never admitted the crime. Algeria's eight-year war for independence ended in 1962. But such questions trouble a younger generation, who feel that France should fully acknowledge the atrocities it committed.

Earlier this year Mr Macron decided to launch a "Memories and Truth" commission on France's role in Algeria, to "look clearly at the wounds of the past". While in Algiers during his election campaign, he raised eyebrows by calling colonisation a "crime against humanity". In 2018 Mr Macron recognised that in 1957 the French state had tortured and executed Maurice Audin, a young communist and nationalist; none of his predecessors had done so. "France", he declared last year, has "still not resolved the traumas" of its colonial past.

Mr Stora, author of an official report this year into memories of the war, will run the commission, starting this month. Details are still being worked out. Many of the protagonists and witnesses are dead. Mr Stora says it will involve testimony from descendants, historical work and memorials. Mr Macron has ordered the opening of classified archives relating to the time.

Over the past half-century more than 50 truth commissions have been set up worldwide. They have become a tool for countries emerging from traumatic periods of history to confront that past, try to break cycles of violence and move on.

One of the first, in Argentina in 1983, looked into "disappearances" under the military dictatorship. It took evidence from witnesses and produced a bestselling report ("Nunca Más", or "Never Again"). In 1990 Chile established a commission to look into disappearances and killings under Augusto Pinochet. A second, in 2003, examined torture under his regime. The experience has been mixed, partly because of a fundamental tension between truth and criminal justice, and between the interests of individuals and of a country as a whole. Yet they have not lost favour. Truth commissions are under way in various countries, including Colombia and the Gambia. Britain is considering one to look at the "Troubles" in Northern Ireland.

Their purpose, according to Priscilla Hayner, author of a global study of them, is primarily "to investigate and report on a pattern of past human-rights abuses". The template involves a temporary body, set up with a mandate from a government or an international institution, to gather testimony and look at past abuse over a defined period. They aim to establish what happened at a time when official histories may have silenced rival accounts, or those who could tell them. A commission

generally ends with a report and recommendations.

Yet a truth commission is also a form of reckoning. It officially recognises past atrocities. It may also seek to reconcile former adversaries. Some lead to prosecutions. In Chile and Argentina judges used the reports to unpick previous amnesties. In 2017 a court in Argentina sentenced 29 former military officials to life for, among other crimes, kidnapping and drugging civilians, loading them onto planes and dumping them, alive, in the ocean.

Others are an alternative to retributive justice. South Africa's Truth and Reconciliation Commission (trc), set up in 1995, a year after democracy replaced apartheid, could grant amnesty to those who confessed to certain crimes. Dirk Coetzee, a paramilitary commander who confessed to drugging, shooting and burning victims, got it for some of his crimes. "The burning of a body on an open fire takes seven hours," he told the commission; "Whilst that happened we were drinking and braaiing [barbecuing] next to the fire."

And you will know the truth The French commission comes too late to be about amnesty or criminal justice. Yet, even 60 years on, the thirst for answers is surprisingly strong. "It's absolutely necessary, indispensable," says Nora Hamadi, a French journalist of Algerian origin. She describes "a form of trauma" among the children and grandchildren of victims, and an "anger against France for the lack of recognition and of respect".

Algeria was ruled as part of France from 1830 until its independence. Today, some 7m French residents are linked to this history, as immigrants, former white settlers (pieds-noirs), soldiers (including Algerian harkis, who fought for France) or their families. Faïza Guène, a French novelist of Algerian descent, deplures "the transmission of silence". "If we don't talk about this", she says, "we've got no chance of resolving the problem of belonging in France."

The subject was long taboo. Not until 1999 did the French government recognise the conflict as a war. Since 2001 political leaders have taken further steps. Nicolas Sarkozy provided Algeria with a map of 11m landmines laid by the French army. François Hollande recognised as a "bloody repression" the massacre of Algerian nationalists in Paris on October 17th 1961. Yet many questions remain. "France has been in denial for a very long time," says Mr Stora. "So it's complicated. But we need to find a way to hold a conversation, between all the different parties. Everybody is shut away in their own suffering."

"Time in itself is not a barrier," argues Anna Myriam Roccatoello of the International Centre for Transitional Justice in New York. Some form of reckoning, even belated, can be helpful. Belgium last year opened a "special commission" into its colonial past in Congo, Rwanda and Burundi.

More important, suggests Ms Roccatoello, is legitimacy and participation. Many point to South Africa's commission. Chaired by Archbishop Desmond Tutu and endorsed by President Nelson Mandela, the trc began amid great hope. Unlike many commissions in Latin America in the 1980s, victims told their own stories, mostly in public hearings. In two years the trc heard 21,298 witnesses. Amnesty was given only to those who disclosed full details of crimes deemed politically motivated.

Yet South Africa also reveals the shortcomings of such exercises. The trc ended with rancour. Both former president F.W. de Klerk and Mr Mandela's African National Congress (anc) tried to obstruct the final report. Mr Mandela had to insist on its publication. Mary Burton, a commissioner and anti-apartheid activist, worried that the trc had facilitated the transition of power rather than helped the victims.

Moreover, no body was set up to enforce the commission's recommendations. It took five years for the government to pay reparations to the victims who testified. Some received about a fifth of the money the report recommended. Some 130,000 people entitled to reparations fell foul of a cut-off date for claims. Subsequent anc governments have done little to prosecute perpetrators who did not seek amnesty. Under President Thabo Mbeki 20 people denied amnesty by the trc were pardoned.

"Our experience in South Africa is that truth does not always lead to reconciliation," says Annah Moyo-Kupeta of the Centre for the Study of Violence and Reconciliation. "People felt they were being forced to forgive." The trc also served to "de-contextualise" apartheid, argues Mahmood Mamdani, a Ugandan academic. Apartheid was not just about death squads; it was a legal and economic system, built on colonial foundations. For Mr Mamdani, the trc's narrow framing made it easier for white South Africans who benefited from apartheid, but were outside the security state, to deny their complicity.

Yet for all its flaws the trc has been unfairly maligned, argues Mikhail Moosa of the Institute for Justice and Reconciliation in South Africa. He points out that the report's recommendations were radical—including, for instance, wealth and windfall taxes to tackle the economic legacy of apartheid. It is the fault of anc governments, not the trc, that some apartheid-era criminals got off scot-free, and that South Africa is not better run today.

Besides, the trc made it impossible for white South Africans to say, "I didn't know." They heard four white policemen confess, for example, to beating Steve Biko, leader of the Black Consciousness Movement, chaining him up and leaving his injuries untreated. Biko died after being transported—naked, handcuffed and unconscious—to a prison hospital halfway across the country. The apartheid state said he died of a hunger strike. The trc also gave some, if not all, victims, closure. In 2019 a poll

found that 66% of South Africans agreed that it “provided a good foundation for South Africa to achieve reconciliation”.

Such commissions entail profound trade-offs. Argentina, Chile and Guatemala showed that they can be compatible with prosecutions. But this can be controversial. In El Salvador the promise of a commission helped end civil war. It ran under un auspices in 1992-93 and documented 22,000 complaints in a hard-hitting report, whose impact was blunted by an immediate amnesty. Usually a choice has to be made upfront. Without amnesty, many South Africans would not have learned what happened to their families. Public exposure itself can be a form of punishment.

Painful choices The interests of those who suffered and society’s must also be balanced. For some individuals, the process revives old traumas. Nomfundo Walaza, who counselled victims during the trc, points out that, if national reconciliation is the aim, “then we have to face the unfortunate reality of a conflict between the interests of victims on one hand and those of the nation as a whole on the other.”

“Nobody expects a single truth commission to tie up all the issues with a bow,” says Ms Hayner, now a consultant on transitional justice. What matters, she says, is whether it changes “a country’s ability to talk about something”. This is missing in France, where Algeria is the silence underlying so many tensions. “To calm competing memories”, says Rachid Benzine, a French researcher, “France needs to acknowledge it is the inheritor of both the Enlightenment and colonialism.”

Whatever France does is bound to be criticised, on both sides. The Algerian government may not be satisfied unless France apologises. The French presidency says that will not be necessary. Political expediency may trump historical rigour. Rival memories may be irreconcilable. But to listen to a younger generation in France is to hear a yearning for answers and acknowledgment. “Remembering is not easy,” writes Ms Hayner; “but forgetting may be impossible.”

**The truth and national reconciliation commission for Balochistan (The Nation)** By Pervaiz Saleh  
May 19, 2021

**Balochistan is the largest province of Pakistan in terms of area but unfortunately the most economically backward. It joined the Union of Pakistan voluntarily through a genuinely signed agreement. The most crucial and urgently required ‘Truth and National Reconciliation Commission’, is undeniably essential, to some extent indispensable, for this region, which is strategically located, straddling the volatile uplands of Eastern Iran and the South of Afghanistan. There have been numerous insurgencies here in this vast region with scant infrastructure since Pakistan was founded, which has challenged the nation’s fragile security capability. A healing touch with the support of international actors is a paramount requirement to end, or at least reduce the differences between the State of Pakistan and the province.**

Since the creation of the Land of the Pure, there has been constant tension between the Baloch Nationalists and the state. Insurgencies started in 1948 and continue to the present day. Misconstrued state policies such as the killings of Baloch leaders like Nawabzada Nauroz Khan, Nawab Akbar Khan Bugti and Ghulam Muhammad Baloch to name a few has left serious wounds in the federation.

Without Balochistan-Gwadar and Sindh-Karachi (Arabian Sea), Pakistan would be a landlocked country. Lots of political leaders have been making tall promises/apologies for the rehabilitation of the Balochs, but nothing solid has ever been done so far. Misconceptions, regarding Balochistan, that the Sardars are enjoying enormous royalties for instance is a misleading paradigm because such payments actually go to the provincial government. Similarly, it’s also false to state that Baloch Sardars don’t allow schools, roads, infrastructures and various amenities to be built in their respective areas.

CPEC was primarily signed because of Balochistan’s Gwadar port, which also included development for the province. Unfortunately however, the local populace remains disgruntled and still complains for not getting any benefits such as an increase in jobs, demand for their business products, and other allied interests.

Likewise, Baloch nationalist parties are never consulted in major decisions about the province. Thus, to the local Baloch it seems that they are mere spectators in their own land.

Regarding the Oil And Gas Development Corporation (OGDC), the province of Balochistan before 2010 had the ownership of its oil and gas, but after the 18th Amendment, the federal government has notified that 50 percent of the ownership will now belong to the centre. This is quite unjust considering the rate of poverty in the province is 68 percent—1.3 million out of a population of 12.35 million.

Concerning gold and copper exploration, the government in 1993 inadvertently signed the Reko Diq project in the Chagai district with Tethyan Copper Company (TCC), on a 25 percent (Pakistan) 75 percent (TCC) profit basis for all discoveries made in the next 56 years under the 3.3-million-acre land. Reko Diq was a bilateral investment treaty for the exploration of copper



in the mining area of Reko Diq between the government of Pakistan and Tethyan Copper Company (TCC), an Australian Company which was allegedly denied exploration rights. As such, they appealed against this denial to an International Tribunal which imposed a penalty of about 6 billion dollars on the government of Pakistan for such a lapse. Presently, the government of Pakistan has taken a stay order on this payment.

If Imran Khan completes tenure, Pakistan may go bankrupt: Bilawal Bhutto Furthermore, the population of Balochistan has remained deprived of its constitutionally allocated 6 percent quota in the federal services for decades due to a lack of provincial representatives in the topmost administrative hierarchies of the country. For example in 2015, 45 vacancies were advertised for the Quetta Electric Supply Company (QESCO) for the posts of BS-17. However, when the electrical engineers were finally selected, it turned out that none of them were from Balochistan. The same is the recruitment regime in all other state institutions.

In my opinion, incentive-based disarmament programmes for over one thousand Baloch militants at least must be announced and practically implemented honestly and generously, to incentivise their return from the mountains and join the national mainstream to bestow a comparatively lasting peace. Certainly, this concord would occur only when the insurgents return home to join the opportunities of preferential employment, soft business loans and various other facilities that they had all been deprived of. This would not only bring harmony but also inevitably wipe out the internationally visible embarrassment from the human rights angle.

Additionally, for the strengthening of the federation, the nationalist/regional parties of Balochistan ought to be generously accommodated in all governments so that they could have a say in the matters of the State. The false propaganda against the Sardars should end, and the CPEC should have strictly followed Baloch employment and other beneficial quotas. Moreover, development under the CPEC needs to be properly monitored by the Balochistan government ensuring that it takes place where it is needed most. Lastly, the Balochs ought to be given their due share of 6 percent in all the central departments, institutions and corporations of the state such as the CSS as well so that they can earn a respectable living for themselves and drop the arms.

The government should give foremost attention to this pragmatic path for reconciliation, keeping in view the South African and other models, where such reconciliation commissions were earlier formed in around 40 countries of the world including: Canada, Chile, Ecuador, Ghana, Guatemala, Kenya, Liberia, Morocco, Philippines, Rwanda, Sierra Leone, South Korea, etc. (though with different mandates and scopes, as per their situations and predicaments).

We seriously need to mend fences with Baloch nationalists before it is too late because new geo-economic realities in South Asia are bound to add fuel to the fire of Baloch nationalist aspirations. Bangladesh—a country that we treated as a liability has surpassed Pakistan in all human capital indexes that measure survival, health, education and population control, enabling it to rank 106/193 countries while Pakistan still ranks 134. Regional developments such as these serve to aggravate Baloch frustration regarding what their fate could be (or could have been) if they were to become independent from Pakistan.

The international community must to play its role and throw its weight for the formation of the truth and national reconciliation commission for Balochistan, as they did in South Africa and in other countries of the world because the time is more than ripe to engage the Baloch ethnic leaders in a dialogue to resolve this issue, with the cooperation of the state.

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## **Terrorism**

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## **Piracy**

**Shipping Industry Unites in Effort to Stop Gulf of Guinea Piracy (The Maritime Executive) May 17, 2021**

**To raise world attention on the threats to shipping in the Gulf of Guinea and take the**

**first steps to improve security, a task force of stakeholders from across the shipping industry launched the Gulf of Guinea Declaration on the Suppression of Piracy. Nearly 100 organizations had signed the declaration before it was publicly announced and by day's end, the count had already risen to more than 120 organizations across the maritime industry, including flag state administrations, shipowners, charterers, and shipping associations.**

The attacks on merchant ships in the Gulf of Guinea by Nigerian pirates must end, said the shipping association BIMCO, which had convened a group of shipowners to draft the document. Their aim was to speak openly about the piracy problem in the Gulf of Guinea and get all the stakeholders involved to develop effective solutions.

BIMCO maintains that the piracy can be suppressed with as little as two frigates with helicopters and one maritime patrol aircraft to actively patrol the area. As part of this effort, they are calling for non-regional countries to provide the necessary assets on a rotation basis, and that one or more states in the area support the effort with logistics and prosecution of arrested pirates.

“We hope that all parties with an interest in a safe Gulf of Guinea will sign this Declaration,” says Sadan Kaptanoglu, BIMCO president and shipowner. In announcing the initiative BIMCO highlighted that 95 percent of the crew that was kidnapped in 2020, a total of 135 people, were taken from ships in the Gulf of Guinea. They noted that the assaults are coming from the Niger Delta and that they are happening in an area less than 20 percent the size of the area where Somali pirates had been active, yet while the international community address the Somali problem it has so far failed to stop these latest assaults on seafarers.

The new declaration says the situation is unacceptable both for the human toll and the economic cost to business in the region and the negative effect on regional economic growth. They believe the attacks are preventable but that the current model of depending on locally sources commercial protection services will not resolve the problem. They note that the scope and sophistication of the attacks on shipping have continued to grow, increasing in violence, and spreading to an area more than 200 nautical miles from the coast.

“BIMCO welcomes the positive steps taken by regional states, especially Nigeria. However, in reality, it will take some years before these states can effectively manage the problem. In the interim period, the best solution is to have capable military assets from able and willing non-regional states to actively combat piracy in the area in support of the efforts by countries in the region,” they wrote in announcing the program.

The Declaration does not aspire to provide the long-term solution to the piracy problem but to help make seafarers safe today. The document expressed the belief that piracy and attempts at kidnapping are preventable through active anti-piracy operations and that by the end of 2023 the number of attacks by pirates can be reduced by at least 80 percent.

“The root causes of the piracy problem in the Gulf of Guinea can only be solved by Nigeria. An estimated 30 million people live in the Niger Delta, many under difficult conditions, and it would be naïve to think that anyone other than Nigeria can address the roots of the piracy problem,” said Carlo Cameli, Chair of BIMCO’s Maritime Safety & Security Committee. “However, suppressing piracy will help our seafarers, just like it did off Somalia a few years ago. It will also establish security at sea and enable regional blue economies to prosper. Without security, there can be no development.”

In launching the declaration, BIMCO notes that the Maritime Safety Committee of the International Maritime Organization (IMO) discussed Gulf of Guinea piracy in its sessions that concluded last week. They welcomed the IMO efforts but believe much more remains to be done, particularly in the short term. The launch of the Gulf of Guinea Declaration on Suppression of Piracy they said is a timely expression of the maritime industry’s call for further action.

In March 2021, the Danish government announced that it was planning to get directly involved providing support along the lines requested in this new program. Denmark said it would deploy a frigate to the region for five months starting in the fall of 2021. Denmark called on other European nations to join them in the effort to address the threat of piracy in the Gulf of Guinea.

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## **Gender-Based Violence**

## Commentary and Perspectives

**International Committee of the Red Cross Backs Killer Robot Ban (Human Rights Watch)** By Mary Wareham  
May 13, 2021

### **The Geneva-based International Committee of the Red Cross (ICRC) is calling on governments to ban fully autonomous weapons.**

ICRC President Peter Maurer said yesterday that he hopes the humanitarian organization's public backing for new legally binding rules to prohibit and regulate autonomous weapons will help spur "political action at the international level" and "collectively draw a line that is in the interest of people" and "ultimately, our shared humanity."

As technology develops rapidly, the ICRC has found that the laws of war "do not provide all the answers" to ensure that commanders and weapon operators retain sufficient human control over weapons systems.

The increased use of weapons systems with autonomy in today's armed conflicts underscores the importance of creating a new international legal standard now, before it is too late. A United Nations report issued last year details how fighters in Libya "were subsequently hunted down and remotely engaged" by the Turkish-manufactured STM Kargu-2 loitering munition. During the recent conflict over Nagorno-Karabakh, Azerbaijan government forces used various loitering munitions, such as the Harop developed by Israel Aerospace Industries.

Once launched, this so-called "suicide drone" loiters in the air for a period searching for a target, which it attacks once detected. Regarded by the ICRC as the only real form of "offensive" autonomous weapon deployed today, loitering munitions are configured to allow the human operator to monitor and intervene in its operation.

Since 2018, United Nations Secretary-General António Guterres has urged states to move to prohibit weapons systems that could, by themselves, target and attack human beings, calling them "morally repugnant and politically unacceptable." Last year, Pope Francis warned lethal autonomous weapons systems would "irreversibly alter the nature of warfare, detaching it further from human agency."

Dozens of countries have expressed support for negotiating a new international law to prohibit and restrict autonomous weapons. But major military powers – most notably Russia and the United States – have repeatedly thwarted moves to begin negotiations, arguing it is "premature" to attempt regulation.

Frustration over the lack of progress in diplomatic talks suggests a new process should be undertaken to negotiate an international treaty on killer robots that many countries seek.

The ICRC decision may mark a turning point, given that no international arms treaties have been adopted in recent decades without its support and participation. As the guardian of international humanitarian law, the ICRC is an indispensable partner for governments, UN agencies, and nongovernmental organizations working to protect civilians during armed conflict.

**'Bodies are being eaten by hyenas; girls of eight raped': inside the Tigray conflict (The Guardian)** By Tracy McVeigh  
May 14, 2021

**The Ethiopian woman, who has to remain anonymous for her own security, is working in Tigray, helping some of the tens of thousands of people displaced by the fighting who have been streaming into camps in the hope of finding shelter and food. Both are in short supply. Humanitarian aid is being largely blocked and a wholesale crackdown is seeing civilians being picked off in the countryside, either shot or rounded up and taken to overcrowded prisons. She spoke to Tracy McVeigh this week.**

"After the last few months I'm happy to be alive. I have to be OK. Mostly we are going out to the IDP [internally displaced people] camps and the community centres where people are. They are in a bad way.

“We have 40 to 65 people sleeping in one room. For 3,000 to 6,000 people, there are four toilets for men and four for women. Sanitation is very poor, water is not always available. Food and medicines ... they are difficult to find.

“People have been here for three or four months and still have no blankets, and the numbers of IDPs is increasing every day, maybe 100 come every day from the worst part of the region. So the demand does not match supply. The community, the people here, they are trying to help but they have very little to share themselves. No one can withdraw any money from the banks; there’s no businesses operating. But still, whatever people have, they share.

“It happened so quickly. For us, it’s so shocking. So sudden. We had a normal life, things were improving – health centres, lives and education programmes. We were reaching 24,000 children and had plans to expand the school feeding programme. But all that had to stop because of the coronavirus. Then as if in a day, there’s a fully fledged war. For the past three months now we are trying to feed 25,000 IDPs in about 23 centres. Many, many have been raped.

“There were some indicators late last year: the roads out were closed, the budget to this area had been cut and when we had the locust attacks, there was no support from central government. They were not allowing face masks for the schoolchildren. A lot of other humiliations were happening. So there was a lot of discrimination leading up to it, but war? War was so sudden.

“People are traumatised. Some of them have lost immediate family members. People are worried about where members of their family are. Some people are out in the bush. Their homes are occupied. People are worried, anxious, sad, angry. They are really worried about the future.

“I met an old person who had been displaced three times in their lifetime, all because of these ethnic wars, but for younger people, anyone aged 30, 40, this is all new. I’m 48 and I have never witnessed any war. It is very strange and very scary. It really puts you in darkness.

“When I think of our lives here a year ago, we had peace and signs of development in all areas, in water, communications systems. It was so inspiring, giving us hope. But now the hospitals have all been attacked, looted and destroyed.

“Now that feels like history. In just a few months.

“In Mekelle the shelling has now stopped but it is still going on not far from us. The bodies are being left to be eaten by the hyenas, not even having the dignity of burial.

“Rape is happening to girls as young as eight and to women of 72. It is so widespread, I go on seeing it everywhere, thousands. This rape is in public, in front of family, husbands, in front of everyone. Their legs and their hands are cut, all in the same way.

“You wonder if the people doing this are human. I don’t know who is training these people.

“Wherever there are Eritrean or Ethiopian troops. Tragic. Every single woman, not only once. It is intentional, deliberate. I am confident in that from what I am witnessing. There are 70,000 civilians under attack. So much looting, fighting, raping. All targeting the civilians. The brutality, the killings, the harassing.

“This region has been closed off. Cut off from all the support that people deserve. We are isolated, lonely, neglected. If the world is not moved to take action against such terribleness, you wonder why. This suffering is appalling.

“I don’t know what is worse, to die in the bush, starving, or in jail or by gun. The young people are so scared.

“The world should condemn the killing of civilians. People having to leave their homes and the sexual violence – so many woman and girls raped.

“I would like to say to the world: in the 21st century there should be no one dying of hunger when the world can take action. Whoever can do this, they must not wait for another second. Everybody in the world must act, they should condemn this.

“I know it can be done. There has to be someone who can do it and do it fast.”

**Europe’s Worrying Surge of Antisemitism (Human Rights Watch)** By Benjamin Ward  
May 17, 2021

**A Rabbi attacked in the street. A synagogue daubed with a swastika. Hate shouted from a loudspeaker in a Jewish neighborhood.**

These are only a few of the alarming incidents of antisemitic hatred witnessed in Europe last weekend, including in the UK, Germany, and Austria. As Jewish groups have been warning, antisemitism is on the rise again in Europe.

Much of it comes from traditional quarters of the far-right, and more recently from those protesting Covid-19 restrictions. Yet last weekend's incidents – some of which took place during or after pro-Palestinian protests in European capitals – are a reminder that antisemitism is also found among some who claim to support the Palestinian cause.

These anti-Semites use human rights abuses by the Israeli state against Palestinians as cover for hatred of Jews everywhere.

European leaders are right to strongly condemn such hate and take steps to protect Jewish communities, including holding criminal suspects to account.

Pro-Palestinian activists, the Palestinian Mission to the United Kingdom, and Muslim religious leaders in Europe are among those condemning efforts to instrumentalize the suffering of Palestinians to justify hate against Jews.

There is work to be done in the realm of education, both in history and citizenship education, to ensure Europeans understand the horrors of the Holocaust, the profound impact of ideologies based on hatred, and to differentiate between legitimate criticism of governments and expressions of hate against people based on religion, including against Muslims.

Authorities in Europe must also ensure these efforts do not chill legitimate protest and opposition to Israeli state action or calls on European leaders not to be complicit in abusive actions by the Israeli state.

French authorities banned a pro-Palestine protest on Saturday in Paris, arguing a similar protest in 2014 led to violence. The ban left those who wished to peacefully express opposition to events in Gaza with no outlet.

In recent years, Jews in many European countries have reported an increase in hate incidents and say they feel increasingly unsafe. Synagogues have been attacked. Jewish cemeteries desecrated. Jewish children bullied in school for their faith.

Those who want a world where everyone is treated with dignity and humanity should stand up against anti-Semitic hate in Europe.

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## WORTH READING

### **The legal, political and economic stakes of the ICC's investigation into the colonization of the Palestinian territories (The Conversation)**

**By Eric Pichet and Ghislain Poissonier**

**May 18, 2021**

**After a ruling on February 5, 2021 of the Pre-Trial Chamber of the International Criminal Court (ICC) recognising the Court's jurisdiction over the occupied Palestinian territories, the ICC prosecutor will investigate on at least three types of alleged war crimes<sup>1</sup> committed since June 13, 2014, those committed in Gaza in Summer 2014, the Israeli repression of the March of Return in 2018 and the colonization of the occupied Palestinian territories. It means that prosecutions and international arrests are now possible against those involved in these crimes from the entire chain of military up to the Prime minister. It also means that pressure will intensify on the nearly 670 000 Israeli citizens who illegally live in the settlements located in the West Bank and in East Jerusalem. The ICC investigation will have not only legal but also economic, political and diplomatic consequences.**

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