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**FREDERICK K. COX**  
INTERNATIONAL LAW CENTER

**Founder/Advisor**  
**Michael P. Scharf**

**Faculty Advisor**  
**Jim Johnson**

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**Editor-in-Chief**  
Natalie Davis

**Technical Editor-in-Chief**  
Erica Hudson

**Managing Editors**  
Matthew Pheneger  
Alan Dowling

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

##### **UN Experts Describe Reports of Major Abuses By Russian Mercenaries In Central Africa**

March 31, 2021

**A journalistic investigation has brought new insights into the “key” role of a Russian military contractor in the civil war in Libya, including links to war crimes and Russia’s military.**

The contents of a Samsung tablet left behind by an unidentified member of the Vagner Group after the contractor's fighters retreated from areas south of Tripoli in spring 2020 include frontline maps in Russian, the BBC said on August 11.

The British broadcaster said it also had acquired a “shopping list” of weapons and military equipment that was included in a document from January 2020. It mentions four tanks, hundreds of Kalashnikov rifles, a radar system, and other equipment that experts say could only have come from Russian military supplies.

An expert on the Vagner Group is quoted as saying the list pointed to the involvement of Dmitry Utkin, an ex-Russian military intelligence operative believed to have founded the group.

Vagner Group is believed to have indirect ties to Russia's political elite and to be controlled by Yevgeny Prigozhin, a close associate of Russian President Vladimir Putin.

Both Prigozhin and Russian authorities have denied any involvement with Vagner.

Vagner Group first came to public attention in 2014 when it was backing pro-Russia separatists in the conflict in eastern Ukraine.

The group has since been involved in countries including Syria, Mozambique, Sudan, and the Central African Republic.

In April 2019, Vagner mercenaries joined the forces of a rebel Libyan general, Khalifa Haftar, after he launched an attack on the UN-backed government in the capital, Tripoli. The conflict ended in a cease-fire in October.

The BBC investigation managed to gain access to two former fighters with the notoriously secretive group who revealed details about the organization's lack of any code of conduct.

The investigation says one of the ex-members admitted to the killing of prisoners by members of the group. "No one wants an extra mouth to feed," he is quoted as saying.

Contacted by the BBC, Prigozhin said through a spokesperson that he has no links to Vagner and had not heard of any violation of human rights in Libya by Russians. "I am sure that this is an absolute lie," he said.

The Russian Foreign Ministry told the broadcaster that the reports on Vagner's role in Libya are based on "rigged data" and were aimed at "discrediting Russia's policy" in Libya.

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## CENTRAL AFRICA

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### Sudan & South Sudan

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ICC Public Documents - Situation in Darfur, Sudan**

**Sudan 'to hand over' Bashir for international war crimes trial (Yahoo News)** By Abdelmoneim Abu Idris Ali  
August 11, 2021

**Sudan will hand longtime autocrat Omar al-Bashir to the International Criminal Court along with two other officials wanted over the Darfur conflict, officials said Wednesday.**

Bashir, 77, has been wanted by The Hague-based ICC for more than a decade over charges of genocide, war crimes and crimes against humanity in the Sudanese region.

The United Nations says 300,000 people were killed and 2.5 million displaced in the Darfur conflict, which erupted in the vast western region in 2003.

The "cabinet decided to hand over wanted officials to the ICC," Foreign Minister Mariam al-Mahdi was quoted as saying by state news agency SUNA, without giving a time frame.

The cabinet's decision to hand him over came during a visit by ICC chief prosecutor Karim Khan, but it still needs the approval of Sudan's ruling sovereign council, comprised of military and civilian figures.

On Wednesday, Khan met the sovereign council's leader, General Abdel Fattah al-Burhan, and Mohamed Hamdan Daglo, its deputy chair. Daglo said Sudan "is prepared to cooperate with the ICC", SUNA reported.

Prime Minister Abdalla Hamdok, who also met Khan, said Wednesday that "Sudan's commitment to seek justice is not only to abide by its international commitments, but it comes out of a response to the people's demands".

- 'Special Court'? - It remains unclear if Bashir would be extradited to face trial in The Hague, or could remain in Sudan.

Volker Perthes, UN Special Representative to Sudan, said Wednesday that the ICC "can help" with the "establishment of (a) Special Court for Darfur", without giving further details.

The transitional authorities have previously said they would hand Bashir over, but one stumbling block was that Sudan was not party to the court's founding Rome Statute.

But last week Sudan's cabinet voted to ratify the Rome Statute, a crucial move seen as one step towards Bashir potentially facing trial.

ICC spokesperson Fadi El Abdallah did not comment on the announcement, saying Khan was "in Khartoum to discuss cooperation matters", but that the prosecutor would hold a press conference on Thursday afternoon.

In Washington, State Department spokesman Ned Price praised Sudan's decision, saying handing over Bashir "would be a major step for Sudan in the fight against decades of impunity".

In December, Washington removed Sudan from its list of state sponsors of terrorism, and later also vowed to clear the country's arrears with the World Bank.

Bashir, who ruled Sudan with an iron fist for three decades before being deposed amid popular protests in 2019, is behind bars in Khartoum's high security Kober prison.

He is jailed alongside two other former top officials facing ICC war crimes charges -- ex-defence minister Abdel Rahim Mohamed Hussein and Ahmed Haroun, a former governor of South Kordofan.

The ICC issued an arrest warrant for Bashir in 2009 for war crimes and crimes against humanity in Darfur, later adding genocide to the charges.

Bashir was ousted by the military and detained in April 2019 after four months of mass nationwide protests against his rule.

The former strongman was convicted in December 2019 for corruption, and has been on trial in Khartoum since July 2020 for the Islamist-backed 1989 coup which brought him to power. He faces the death penalty if found guilty.

- Vow for justice –

Sudan has been led since August 2019 by a transitional civilian-military administration that has vowed to bring justice to victims of crimes committed under Bashir.

The Darfur war broke out in 2003 when non-Arab rebels took up arms complaining of systematic discrimination by Bashir's Arab-dominated government.

Khartoum responded by unleashing the notorious Janjaweed militia, recruited from among the region's nomadic peoples.

Human rights groups have long accused Bashir and his former aides of using a scorched earth policy, raping, killing, looting and burning villages.

Khartoum signed a peace deal last October with key Darfuri rebel groups, with some of their leaders taking top jobs in government, although violence continues to dog the region.

But after years of conflict, the arid and impoverished region remains awash with automatic weapons and clashes still erupt, often over land and access to water.

Last year, alleged senior Janjaweed militia leader Ali Muhammad Ali Abd al-Rahman, also known by the nom de guerre Ali Kushayb, surrendered to the court, where he faces charges of murder, rape and torture.

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## **Democratic Republic of the Congo**

## **More than dozen people killed by rebels in east DR Congo (Al Jazeera)**

August 3, 2021

### **At least 16 people were killed in an attack in the Democratic Republic of Congo's (DRC) conflict-plagued east, believed to be the work of rebels, military and local sources said.**

According to local civilian sources, the victims of Monday's attack, including two women, had been taken hostage weeks earlier by members of the Allied Democratic Forces (ADF).

The hostages were knifed to death along a main highway near Idohu, in the restive Ituri province, local official Dieudonne Malangai said on Tuesday.

Ituri's military governor, Johnny Luboya Nkashama, speaking in Komanda, some 40km (25 miles) from the incident, condemned the killings.

"We will reinforce our presence in the region," he told the AFP news agency.

The vast central African country's government has placed Ituri and the neighbouring North Kivu province under a state of siege since May, stepping up the fight against armed groups.

The ADF is the deadliest of the armed groups operating in the region. The group has been active in the mineral-rich eastern DRC for 30 years.

The DRC's Catholic Church has said the ADF has killed approximately 6,000 civilians since 2013, while a US-based monitor, the Kivu Security Tracker (KST), blamed it for more than 1,200 deaths in the Beni area alone since 2017.

## **Three months on, state of siege fails to stem DR Congo violence (Yahoo News)**

August 6, 2021

### **Hopes for peace in eastern DR Congo, have been dashed three months after President Felix Tshisekedi proclaimed a state of siege in two provinces, as the army grapples with familiar failings, say analysts.**

Tshisekedi resorted on May 6 to the strongest measure he could take under the constitution, in a bid to end the endemic insecurity in the east where massacres and clashes involving armed groups have prevailed since the end of the Second Congo War in 2003.

Civilian power in North Kivu and Ituri provinces was turned over to a military governor and a deputy governor drawn from the police, while the duties of provincial governments were transferred to the military authorities.

Despite this drastic move, "nothing has changed," said political scientist Nice Mughanda, a university professor in North Kivu. "There is nothing new that has been done".

"There's the problem of available resources -- the means are limited and logistics are weak," added Promise Matofali Yonama, a representative at the North Kivu provincial assembly.

Since May 6, armed groups have killed 485 civilians in Ituri and North Kivu, according to a tally established on August 5 by experts of the Kivu Security Tracker (KST), an NGO that monitors violence.

The Allied Democratic Forces (ADF), which emerged as a rebel movement in neighbouring Uganda in 1996, is responsible for 254 deaths, according to KST figures. The ADF is today presented as the Islamic State's Central Africa Province.

Other militias, including the Rwandan Hutu rebels of the Democratic Forces for the Liberation of Rwanda (FDLR), are held responsible for 231 deaths.

The previous quarter, the KST documented 464 civilian deaths, of which 225 deaths were attributed to the ADF.

In Ituri, the army says 121 militiamen have been killed since the start of the state of siege, including 32 ADF.

- 'Dire failure' -

The National Assembly has just renewed the state of siege for the fifth time but has also called on its Defence and Security Commission to assess the effectiveness of the measure.



"(This is) a fiasco which should not be renewed indefinitely," said Patrick Mundeke, a representative in North Kivu of the Together for the Republic party of Moise Katumbi, an influential businessman and former governor of Katanga.

"The state of siege is a dire failure," said Masika Salama, a 25-year-old student from Beni, which lies near the border with Ituri.

"People continue to be killed, kidnappers operate in the same old way without getting caught. The situation is becoming more serious than before."

Mughanda said the state of siege should be suspended.

"Before, we were able to get out of Beni and go to Bunia (the capital of Ituri). During the state of siege, it became extremely dangerous to make the trip. The range of killings increased. The attackers are now also active in Ituri, north of Beni."

The goal of the state of siege was to streamline decision-making by placing authority in the hands of the military.

But, said Mughanda, "You can't decree a state of siege with an army that has been infiltrated, an army that is undisciplined, an army with officers who steal the rations and the wages of the soldiers at the front."

- 20 officers prosecuted -

Some 20 officers are being prosecuted by the military judiciary, which accuses them of having embezzled funds intended for the campaign. The Congolese government has disbursed tens of millions of dollars for operations in the two provinces, according to a senior official.

Others fear that the state of siege has removed a crucial layer of civilian oversight of military operations.

"We must contain the state of siege in the territories of Beni (North Kivu) and Irumu (Ituri)" where many atrocities have been committed, said provincial deputy Promesse Matofali Yonama.

Goma, a large city where urban banditry is the daily lot of the citizens, is about the only place where residents express satisfaction with the emergency measures.

"There have been fewer killings, fewer burglaries and shots are no longer heard every night," said Hussein Ally Compani, a motorcycle taxi driver.

"The army is doing a good job," said Augustin Kapila, an official of the Tshisekedi's Union for Democracy and Social Progress (UDPS) party.

"Groups have been taken neutralised and others are giving themselves up. We hope the army will continue down this path."

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## WEST AFRICA

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

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### **Mali**

**Update 2: At Least 51 Killed In Mali Village Raids, District Official SAYS (Reuters)** By Cooper Inveen;

Editing by Bate Felix, Angus MacSwan and Alison Williams  
August 9, 2021

**At least 51 people were killed when Islamist militants raided three villages in central Mali near the border with Niger, a district administrator said on Monday.**

Ouatagouna, Karou and Deouteguef were simultaneously attacked around 6 p.m. on Sunday, according to a note from the Asongo district administrator to the governor of Gao region.

The United Nations mission in Mali said it would deploy additional troops to secure areas where the attacks took place and intensify existing patrols.

Houses were ransacked and burned to the ground and herds of livestock carried away, said the administrator's note, which was seen by Reuters.

"Provisional toll is 51 killed, several other injured," it said.

No group has yet taken responsibility for the attacks in the area where Malian troops, French and European forces, and U.N. peacekeepers have been battling insurgents linked to Islamic State and al Qaeda.

"These deliberate attacks against civilian populations constitute serious violations of international human rights law and international humanitarian law," the U.N. statement said.

"They are liable to be classified as crimes against humanity."

Local sources told Reuters that militants stationed themselves at the towns' entrances and fired indiscriminately upon civilians.

The administrator said Malian troops were sweeping the area. He also requested a military escort to "help with the funerals, reassure the populations and offer condolences to the bereaved families", according to the note.

Mali's army spokesman Colonel Souleymane Dembele confirmed the attacks but gave no further details.

Former colonial power France announced in June that it would end its eight-year military operation in Mali, which sought to drive back al Qaeda-linked groups, instead committing troops to broader international efforts in the region.

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## Liberia

**Liberia: Arrest of Ex-LURD General in UK Brings Faction's War Crimes Out From the Shadows - in a War Filled With Shocking Brutality... (All Africa)** By Gerald C. Koinyeneh

August 5, 2021

**Miatta Gray wept as she recalled the day, nearly 20 years ago, that rebels with the absurdly named "Liberians United for Reconciliation and Democracy" (LURD) upended her life. Mrs. Gray said the rebels arrived here with a friendly request that everyone assemble in the town square for a meeting. Then the killing started.**

"I lost everything. No brother, no sister and no children," said Mrs. Gray, now in her 60's, wiping tears with her lappa. She said the rebels first killed with gunfire, then they cut down any survivors with machetes. "They killed everybody. Fifteen people died from me that day. My husband, children, sister, my sister's husband and my small brother."

"Too much blood wasted all over the town," sobbed Musu Norman, another survivor now in her 50s, who lost her husband and children that day. "When you turn right you see body, you turn left, body."

110 villagers died in what became known as the Garma Massacre. The suffering of the people continued for days.

"They started to rape our girl children, beating and killing our people, eating human hearts and doing all kinds of wicked activities," said Mambu Kaba, the Assistant Dean of Elders in Gbarma District. "We were living in hell under LURD."

LURD was responsible for many massacres between 2000 and 2003 in Lofa, Gbarpolu, Grand Cape Mount, Bomi and Montserrado Counties according to Liberia's Truth and Reconciliation Commission Report. The TRC ranked LURD as the second deadliest faction during both civil wars, even though it was active for just four of the 14 years of conflict. The commission recorded nearly 19,000 human rights violations by LURD or 12 percent of the crimes reported to it.

And yet, until August last year, not one member of LURD had faced any form of justice. Ex-combatants from the Armed Forces of Liberia, National Patriotic Front for Liberia and ULIMO have been charged and tried around the world. But last year in London, Jankuba Fofana, a former frontline commander for LURD, was arrested and held under Section 51 of the U.K.'s International Criminal Court Act 2001, which covers genocide, crimes against humanity and war crimes. Fofana, 45, was released as investigations continued. London's Metropolitan Police have not given an update on the case. UK courts have slowed down hearings because of the pandemic.

Fofana's arrest was welcomed by some in Gbarma.

"The arrest of Fofana gives the people of Gbarma hope that we will get justice," said local resident David Sumo. "Even though we will not get back our people that we lost during the war, their souls will find rest. Because I know they are crying for justice."

Fofana was a major player in the civil war and was at the center of ceasefire talks between then-President Charles Taylor's forces and LURD in the final months of the war in 2003 before LURD's assaults on Monrovia helped persuade Taylor to resign and go into exile.

LURD, with Sekou Damante Conneh as its chairman, was comprised mostly of the Mandingo and Krahn ethnic groups, remnants of then-defunct Ulimo, which had disbanded at the end of the first civil war with the election of Taylor as president in 1997.

LURD was founded in 1999, barely two years into the Taylor administration. The president's continued repressive policies at home, and the support for rebels in neighboring countries, fueled armed opposition from outside of Liberia. LURD, along with the Movement for Democracy in Liberia (MODEL) another rebel faction from southeastern Liberia, launched an offensive against his government that would mark the second Liberian civil war.

Many ULIMO fighters, like Fofana, became key figures of LURD.

Life under LURD - 'Too ugly to Live'

Under Fofana and co-fighters like Ophorie Diah who commanded the Garma massacre according to the TRC, LURD committed some of the worst atrocities of the war. In the Black Saturday Massacre in Lofa County the TRC found LURD massacred civilians of Voinjama City. During the killing fighters compelled a woman to carry around the mutilated remains of her children, sister and husband in a wheel barrow as meat on sale and the local population was compelled to buy them.

TRC Report says during the period from 2001-2003 between 750 and 1,000 civilians including pregnant women, children and elderly were forced to carry ammunition, food and personal belongings looted from towns and villages in Gbarpolu to the Guinean border. Along the way women were raped. When people were tired or hungry they were often killed in brutal ways. In a war already filled with astounding atrocities LURD stood out.

"My uncle was killed because of the way God made him," said Varmah Konneh, a survivor who now serves as principal of Gbarma Central High School. "When they saw him, they said he was too ugly so there was no need for him to live among other people. And because of that he was shot and died on the spot."

Konneh also told FrontPage Africa that his late father and father's friend were abducted and made to carry loads. In order to stop them from escaping, he said the soldiers chained them together. But when they could no longer continue the journey because they were tired, the soldiers made their heads collide repeatedly by swinging the chains and they eventually died of internal bleeding caused by the collisions.

"I still can't believe that human beings will treat their fellow humans in such a manner. I wasn't able to see my father before he died, but those that were there said he and his friends were treated like animals," said Konneh, looking to the shy in an effort to stop his tears.

LURD's activities in its early stage of formation were marked by incursions and sporadic skirmishes or hit and run attacks along the Liberian-Guinean border. But with support from Sierra Leone, Guinea and the United States, LURD began attacking

the government of Taylor with U.S. made weaponry. Testifying before the TRC in 2008, LURD Chairman Conneh said that during the war, Sierra Leone and Guinea had allowed LURD rebels free passage "through their borders with our arms without any questions from them."

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## **EAST AFRICA**

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### **Somalia**

**Blast hits bus carrying soccer team in Somalia's Kismayo, 5 dead -police (Reuters) July 30, 2021**

**An explosive planted on a bus carrying soccer players in Somalia's port city of Kismayo killed at least five players, a police officer said on Friday.**

"We have confirmed five deaths and more than 12 injuries and we still have some players missing," Captain Ahmed Farah told Reuters by telephone from Kismayo.

It was not immediately clear who was behind the attack on Friday evening.

President Mohamed Abdullahi Mohamed's office on its twitter account the president had sent condolences and put the blame on al Qaeda-linked al Shabaab insurgents for the explosion.

Al Shabaab, which wants to unseat the central government and impose its harsh interpretation of Islamic sharia law, frequently carries out gun and bomb attacks in the Horn of Africa nation.

**U.S. Steps Up Air Strikes Against al-Qaeda Ally in Somalia (Bloomberg)** By Simon Marks and Mohammed Omar Ahmed  
August 2, 2021

**The U. S. is expanding air strikes against members of a group affiliated to al-Qaeda who've intensified attacks in Somalia since hundreds of American troops exited the country earlier this year.**

The latest strike occurred close to the central towns of Bacadweyne and Geedaley on Aug. 1, hitting a position held by al-Shabaab militants who were engaging members of the Danab, an elite Somali commando force trained by the U.S., Somalia's Information Ministry said.

The remote attack was the third in less than two weeks and marked an escalation in counter-terrorism operations in the Horn of Africa nation since President Joe Biden took office in January.

"The air strikes destroyed a large al-Shabaab firing position engaging Danab and Somali National Army forces as they approached," the ministry said in a statement. An increasing number of al-Shabaab fighters had defected to join the Somali security forces as a result of the recent counter-terrorism measures, it said.

The U.S. Africa Command confirmed that air strikes had been staged on July 20 and 23 and on Aug. 1.

"Due to operational security, we cannot go into details on the mechanics and process," the command said in an emailed response to questions. "The strikes were taken to defend Somali-partner forces who had come under attack in the course of operations against al-Shabaab. There were no U.S. ground forces accompanying Somali forces during these operations."

A spokesperson for al-Shabaab didn't respond to questions seeking comment.

Somalimemo, a pro-al-Shabaab media outlet, reported that the latest strike had no impact and the group's militants remained in the area. It also said that Somali forces had suffered casualties in recent clashes in central Somalia but didn't specify how many.

#### Drone Strikes

Al-Shabaab has waged an insurgency in Somalia since 2006 in a bid to impose its version of Islamic law. The group has continued to carry out suicide bombings and other attacks despite being the target of frequent U.S. drone strikes, and the Somali government's grip on power remains tenuous.

The Africa Command said its assessment showed Al-Shabaab was the largest and most active force associated with al-Qaeda in the world, and that the U.S. remained committed to fighting it and other extremist groups that were undermining security and stability in Somalia.

"They have been and remain a very real and serious threat to the Somali people and they are the primary African violent extremist threat to American interests," it said.

Fatalities linked to al-Shabaab attacks are projected to rise by 16% this year, and the number of battles with Somali security forces by 28%, according to the Africa Center for Strategic Studies, a research body within the U.S. Department of Defense.

#### Ethiopia Attack

Al-Shabaab activities along Somalia's border with Ethiopia have increased of late, United Nations security documents obtained by Bloomberg show. On July 15, its forces attacked a camp belonging to special forces in Ethiopia's Somali region, while on July 27, a group of them were spotted close to the Ethiopian town of Abaalay, according to the documents.

The U.S. began sending more troops to Somalia in mid-2017 as President Donald Trump's administration stepped up counter-terrorism efforts in the Horn of Africa. Trump ordered most U.S. forces to leave Somalia by early 2021, saying their redeployment wouldn't undermine the fight against terrorism.

"The recent strikes are significant as they signal the U.S. is still prepared to use air power to support Somali forces and keep

the pressure on al-Shabaab, despite a six-month pause under the Biden administration,” said Omar Mahmood, a Somalia analyst with the International Crisis Group.

## **Somalia: Call for urgent action following ‘alarming’ 80 per cent rise in sexual violence (UN News)**

August 5, 2021

**“We urge all parties to the conflict in Somalia to immediately cease these violations”, the Special Representative for Children and Armed Conflict, Virginia Gamba, and the Special Representative on Sexual Violence in Conflict, Pramila Patten said in a statement.**

### Displaced exploited

The reports (the Report of the Secretary-General on Children and Armed Conflict and the Report of the Secretary-General on Sexual Violence in Conflict.) documented that in 2020, 400 civilians, primarily girls, were victims of rape and other forms of sexual violence.

This represented an almost 80 per cent increase compared to 2019.

More than 100 cases of sexual violence against girls were verified by the UN in the first quarter of 2021. Perpetrators often exploited the vulnerability of displaced girls, targeting them when they left camps to perform domestic chores, the reports noted.

### Insecurity in Somalia

The report linked sexual violence to the prevailing conditions of insecurity in Somalia. This was marked by political tensions in the run-up to national elections, inter-communal clashes related to land-based disputes, and a surge in extremist militant group Al-Shabaab’s activities, which intensified during the COVID-19 pandemic.

In addition to the temporary suspension of security and judicial services, the pandemic also disrupted access to education and services for survivors.

Cases of sexual violence attributed to Al-Shabaab has doubled, the report found, describing how the Islamist militant group continues to use sexual violence and forced marriage to dominate areas under their de facto control.

Violations carried out by clan militia has also almost tripled over the past year. These have been linked to a proliferation of small arms and light weapons.

In the vast majority of cases, the culprits remain unidentified, which perpetuates the cycle of impunity.

The two senior UN experts also expressed serious concern that over 15 per cent of all cases of sexual violence verified, were attributed to the Government security forces.

Both the Somali National Army and the Somali Police Force, as well as regional forces, committed acts of rape and other forms of sexual violence against women and children.

### Concrete action

The Special Representatives have urged the Government of Somalia to take concrete measures to prevent sexual violence against women and children.

They highlighted the importance of the 2012 action plan on ending the recruitment of children as soldiers and the 2019 road map, which establishes mechanisms for the prevention of sexual violence against children.

National action plan They further urged the Government to swiftly adopt a new national action plan on ending sexual violence in conflict.

This will reinforce the policy of zero tolerance within the security sector and help to strengthen institutional capacity to effectively prevent and respond to conflict-related sexual violence.

Somali lawmakers were also called on to strengthen laws to better protect the rights of women and children. They highlighted the weak legislation that allows perpetrators to walk free, and survivors receive little or no support.

“The Somali authorities must send a strong and clear signal of hope to survivors and deterrence to perpetrators and potential

perpetrators”, the two Special Representatives stated.

**Somalia: U.S. Sanctions Al-Shabaab Leader Blamed for Kenyan Attacks (All Africa)** By Mary Wambui  
August 10, 2021

**Former al-Shabaab senior spokesperson Ali Mohammed Rage alias Ali Dheere's name has been included in the United States' Specially Designated Global Terrorists list.**

He was sanctioned alongside four other militant Jihadi terrorists.

Ali Mohammed replaced Sheikh Mukhtar Robow as al-Shabaab's top spokesman in May 2009. He is alleged to have planned several attacks in Kenya and Somalia.

Also listed on terrorists' watch list are al-shabaab senior leader Abdikadir Mohamed Abdikadir, Mozambique's ISIS leader Bonomade Machude Omar and Mali's Jama'at Nasr al-Islam wal Muslimin (JNIM) leaders Sidanag Hitta and Salem ould Breihmatt.

The designation was announced in a statement issued by the United States Secretary of States Anthony Blinken on Friday.

Consequently, any individual, group or entity that accords the five significant financial support will be liable to sanctions and risk being designated.

Additionally, all property and interests in property of these individuals will be blocked and reported to the US State Department of the Treasury's Office of Foreign Assets Control (OFAC).

"I am announcing the designation of five terrorist leaders in Africa. Bonomade Machude Omar, Sidanag Hitta, Salem ould Breihmatt, Ali Mohamed Rage, and Abdikadir Mohamed Abdikadir are designated as Specially Designated Global Terrorists (SDGTs) under Executive Order 13224, as amended," said Secretary Blinken.

According to the statement, Abdikadir Mohamed Abdikadir alias Ikrima is a facilitator and operational planner who has directed past attacks planned by al-shabaab.

The statement adds that as of November 2019, Abdikadir was an al-Shabaab senior leader and served as the Head of Operations and Logistics.

Bonomade Omar alias Abu Sulayfa Muhammad and Ibn Omar leads the Military and External Affairs Departments for ISIS-Mozambique and serves as the senior commander and lead coordinator for all attacks conducted by the group in northern Mozambique. He also serves as the lead facilitator and communications conduit for the group.

"During the March 2021 attack on Palma, Omar led one group of fighters while Abu Yasir Hassan, the leader of ISIS-Mozambique, led another group of fighters, and Omar also led the attack on the Amarula Hotel in Palma. Omar has been responsible for attacks in Cabo Delgado Province, Mozambique, and Mtwara Region, Tanzania."

Sidanag Hitta alias Abu Qarwani and Abu Abdelhakim al-Kidalin is said to be a senior leader and commander responsible for the Kidal Region in Mali within Jama'at Nasr al-Islam wal Muslimin (JNIM).

The group was responsible for the January 20, 2019, attack on the MINUSMA base in Aguelhok, Kidal Region, Mali and the hostages in the Kidal Region. Salem ould Breihmatt alias Abu Hamza al-Shanqiti and Hamza al-Mauritani is a JNIM senior leader and emir of Arbinda and Serma in the Mopti Region of Mali.

He is also charged with the oversight of JNIM in Burkina Faso and is an explosives expert and instructor.

"The United States is committed to disrupting the financing methods of ISIS-Mozambique, JNIM, and al-Shabaab -- all of which are designated Foreign Terrorist Organizations and SDGTs -- limiting their abilities to conduct further attacks against civilians and supporting our partners in efforts to disrupt terrorism finance," said Secretary Blinken.

The designation of the five terrorists happened in the wake of Exercise Cutlass Express 2021, an annual programme that seeks to promote maritime security along the West Indian Ocean territorial waters.

Seychelles, Djibouti, Madagascar, Comoros, Georgia, India, Mauritius, Mozambique, Rwanda, Somalia, Sudan, Tanzania, United Kingdom, and the United States participated in the exercise in Mombasa from July 27. It concluded on Monday.

It is aimed at increasing participating countries' ability to suppress and counter illegal activities including terrorism, piracy, arms trafficking, human smuggling, drug trafficking, and illegal trade in wildlife.

"The Western Indian Ocean has been rife with many maritime challenges for a prolonged period of time due to the porous vast sea area," said Brigadier Thomas Nganga, Kenya Navy base commander, Mtongwe, during the launch of the exercise in Mombasa.

In a digital briefing with journalists, RDML Jeff Spivey Vice Commander, U.S. Sixth Fleet noted that Human Trafficking is a major concern as one of the routes used to commit the crime is the high seas. "Human trafficking can come in many forms. It comes via the air, but on the sea it can come in the form of not necessarily a ship full of persons, but usually embedded in other illegal activity. We want to see the economy strong so that jobs are available and improve information sharing intelligence," he said.

The exercise's joint operation centre in Mombasa involved linking with the Kenya Port Authority in efforts to curb human trafficking in East Africa," he added.

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## EUROPE

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

**Official Court Website [English translation]**

#### **Bosnia's Proposal to Prosecute Croatian Generals Sparks Controversy (Balkan Transitional Justice)** By Anja Vladislavljovic

August 9, 2021

**Controversy simmered on Monday in the wake of media reports at the weekend that the Bosnian state prosecution has asked Croatia if it can take over proceedings against 14 Croatian generals who are reportedly suspected of committing war crimes during the Croatian Army's 1995 Operation Flash.**

Josip Salapic, state secretary of the Ministry of Justice and Administration, confirmed to N1 TV on Monday that Croatia has received "an international request for certain legal assistance" and that the Ministry will be assessing whether it will forward the documentation to the State Attorney's Office, which can then decide "whether to launch an investigation or not".

Salapic also expressed discontent with the Bosnian proposal to prosecute officers involved in the Operation Flash, which saw the Croatian Army oust Serb rebel forces in and around the Croatian town of Pakrac.

"We are not happy with what is happening in Bosnia and Herzegovina. The legal defence of the country from aggressors cannot be used for [Bosnia's] everyday political purposes," he said.

The Croat member of the Bosnian tripartite presidency, Zeljko Komsic, said on Monday that if the legal request involves Operation Flash or 1995's Operation Storm, there is no legal basis for it.

"Even if there was such a crime, it was not committed on the territory of Bosnia and Herzegovina or against Bosnian citizens," Komsic said.

Croatian media have reported that 14 senior Croatian officers are under suspicion, including wartime commander generals Pavao Miljavac, Mladen Markac, Marijan Marekovic, Davor Domazet Loso and Luka Dzanko.

Reports said that the generals are suspected of issuing orders during Operation Flash for indiscriminate shelling and artillery fire against civilian targets and on the undefended Bosnian towns of Bosanska Gradiska and Kozarska Dubica from territory controlled by the Croatian Army.



But General Miljavac insisted on Sunday that Operation Flash “was a legitimate Croatian Army operation and there was no particular intention of putting Bosnia in danger”.

Operation Flash on May 1, 1995 saw the Croatian Army mount a surprise attack on the town of Pakrac, rapidly taking control of the whole area from rebel Serbs and reintegrating it into Croatia.

Around 30,000 Serbs fled the area to Serb-held land in Bosnia, or to Serbia. According to Serbian NGO Veritas, 283 people were killed during the operation, although the Croatian Helsinki Committee for Human Rights said the number of deaths was below 90.

The Bosnian state prosecution has not yet made a public statement about the case, while Croatian Justice Ministry official Salapic gave no details about the specific accusations.

Croatian President Zoran Milanovic also criticised the Bosnian request last week during the anniversary commemorations for Operation Storm.

“Even today in neighbouring countries, including Bosnia and Herzegovina, which I want to believe is our friend, we are still witnessing accusations piling up against Croatian wartime commanders for unproven or fabricated crimes of collective or command responsibility from 26 years ago. This is not good for our joint relations,” Milanovic said in a speech.

**Bosnia Completing Fewer War Crimes Cases, OSCE Warns (Balkan Transitional Justice)** By Lamija Grebo  
August 11, 2021

**The OSCE Mission to Bosnia and Herzegovina said in an information sheet published on Tuesday that only 18 war crimes cases were completed last year, compared to a total of 49 in 2019.**

It also said that at the end of 2020, “there remained a backlog of 571 unresolved cases involving 4,498 suspects”.

War crimes trials were seriously disrupted by the coronavirus pandemic last year. Trials involving five or more defendants were put on hold by the Bosnian state court in Sarajevo in March 2020 because of safety measures imposed to curb the coronavirus pandemic, and only resumed this year.

The OSCE on Tuesday also raised concern that the conviction rate in final verdicts in war crime trials last year “dropped to 52 per cent, getting close to the record low level from 2018, which was 51 per cent”.

It said that at the end of 2020, there were 253 ongoing war crimes cases, but some of these have been stalled.

“One of the major obstacles to processing these cases is the unavailability of defendants to the courts, usually because they are located in a foreign country and cannot be extradited by law. This problem affects approximately 30 per cent of ongoing cases,” the OSCE noted.

A total of 80 defendants cannot be brought to trial, in many cases because they have fled to neighbouring ex-Yugoslav states to evade prosecution.

The OSCE expressed further concern that the number of new war crimes indictments continued to fall last year.

“The number of indictments confirmed at the end of 2020 shows that the overall trend of a reduced influx of new indictments before the courts continues,” it said.

This trend has continued into 2021. During the first six months of this year, the Bosnian state prosecution filed only two war crime indictments, one of which charged a suspect who is already serving a sentence in prison.

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**Trial Evidence Contradicts Claims in Bosnian Serbs' Srebrenica Report (BIRN)** By Haris Rovcanin  
July 30, 2021

**A report published last week by a commission to scrutinise events in Srebrenica during wartime, which was set up by the government of Bosnia's Serb-dominated Republika Srpska, came to the predicted conclusion that the massacres by Bosnian Serb forces were not genocide.**

The conclusion by the Independent International Commission of Inquiry on the Sufferings of All Peoples in the Srebrenica Region between 1992 and 1995 reflected the opinion of Bosnian Serb political leaders, who reject international court verdicts that have classified the July 1995 Srebrenica massacres as genocide.

The head of the commission, Israeli historian Gideon Greif, told Republika Srpska's public broadcaster RTRS that at no time did the ten-member commission feel any pressure from the authorities and was "1,000 per cent" independent in its work.

Greif declared that "there was no genocide" and the casualty figures for the number of Bosniaks from Srebrenica who were killed in July 1995 was lower than verdicts issued by the International Criminal Tribunal for the Former Yugoslavia, ICTY have established.

The report also claims that a large proportion of those killed were soldiers, not civilians.

The establishment of the commission provoked concerns among Balkans experts internationally that it was a politically-motivated genocide denial project by the Bosnian Serb authorities.

After the commission's report was criticised for ignoring or contradicting some of the facts established by the ICTY and other courts, BIRN examined the justifications for some of its key points.

Were fleeing Bosniaks combatants or civilians?

In its report, the commission claims that a convoy of fleeing Bosniaks that prepared to depart from the villages of Jaglici and Susnjari in the Srebrenica region on July 11, 1995 as Bosnian Serb forces overran the enclave, with the aim of escaping to safety in Bosniak-controlled territory in the city of Tuzla, was a "military" column.

The report says there were two large groups involved – civilians and "members of the 28th Division of the Second Corps of the Bosnian Army".

Calling on findings by Richard Butler, a military expert witness who testified in almost all Srebrenica trials at the ICTY, it claims that "it is possible to draw a conclusion that the column had been a military formation composed of able-bodied men and a very small number of women and people under 16 or over 60 years of age".

The ICTY's judgments state that around a third of the column was made up of members of the 28th Division, although not all the soldiers were armed, and two-thirds were civilians.

The ICTY's verdict in the case of Bosnian Serb Army Drina Corps commander Radislav Krstic stated that "the indictment in this case does not allege that military actions against the column were deliberately or indiscriminately targeted against civilians in the column.

"However, thousands of Bosnian Muslim men, mostly civilians, who were in the column, were captured and transferred to detention sites and then executed," it added.

The verdict in the trial of Bosnian Serb military chief Ratko Mladic also noted that that during the executions, no actions were taken to separate soldiers from civilians, and able-bodied men were killed irrespective of whether they were civilians or not.

Were the victims killed in firefights or executed?

The Republika Srpska-backed commission claimed in its report that the majority of people who fled Srebrenica in the column heading for Tuzla – between 4,000 and 5,000 of them – were killed in combat, "mutual clashes", or committed suicide.

The report said that nearly 300 able-bodied men opted not to join the column and instead sought protection at the UN

peacekeeping force's base in nearby Potocari. They were then taken to Bratunac and "the majority of them were killed in mass shootings in the days to come", it accepted.

The commission estimated that the number of people who were captured and shot by Bosnian Serb forces in July 1995 was somewhere between a minimum of 1,500 to 2,000 and a maximum of 2,500 to 3,000, as it claimed that around 7,000 people disappeared and between 4,000 and 5,000 were killed in combat and other circumstances.

But the ICTY determined that over the course of several days in July 1995, Bosnian Serb forces executed several thousand people as part of a large-scale, systematic operation.

The genocide verdict in the case against the chief of security of the Bosnian Serb Army's Drina Corps, Vujadin Popovic, established a series of facts about the number of people killed at various locations.

It said that the organised mass murders began in a warehouse in Kravica in the Bratunac area on July 13, 1995, where at least 1,000 people were killed, and continued between July 14 and 16, 1995 in Orahovac, where between 800 and 2,500 people were killed, in Petkovci, where more than 800 people were executed, in Kozluk, where more than 1,000 people were killed, and at the Branjevo farm and Cultural Centre in Pilica, where between 1,000 and 2,000 people were shot dead.

The ICTY verdicts do not precisely determine the exact number of people who were killed, the testimonies supported by forensic and demographic evidence imply that significantly more than 7,000 people went missing after Bosnian Serb forces seized Srebrenica.

Were the victims found in mass graves executed?

The Republika Srpska-backed commission's report contests the number of Srebrenica victims who were buried in mass graves, and also whether they were victims of mass shootings.

"It is not unreasonable to suggest that the presence of shrapnel or blast injuries implies that a certain number of individuals died in combat," the report claims.

The ICTY's verdict in the Krstic case stated that the trial chamber could not exclude the possibility that a certain percentage of bodies found in such graves belonged to men killed in combat.

But it said that the overall forensic evidence matched the testimonies by witnesses who spoke about mass executions of thousands of Bosniak men in the warehouse in Kravica, in Orahovac, at Branjevo military farm, in Petkovci and near Kozluk.

The verdict also said that evidence showed that Bosnian Serb forces staged a large-scale attempted cover-up operation over a period of several weeks in September and October 1995, during which they "excavated many of the primary mass graves and reburied the bodies at even more secluded sites".

The Bosnian Serb Army's Main Headquarters organised the cover-up operation to hide the bodies with assistance from Bosnian Serb civilian authorities and other military and Interior Ministry units, the verdict in the trial of Radovan Karadzic established.

What is the justification for calling the crime genocide?

The commission's central claim is that genocide was not committed because "no substantial part of the protected group of Muslims in Bosnia was destroyed".

"The tribunal's view that, despite its small size, the population of Srebrenica made up a substantial part of the overall Muslim population of Bosnia and Herzegovina and that there was a special intent to destroy the protected group of Muslims as such cannot be shared," the report argues.

It also insists that that criteria for the existence of a specific genocidal intention was not met, and argued that "it cannot be found that these murders were committed with any other intention than to eliminate a military threat [from Bosniak troops]".

The ICTY's statute defines several grounds for establishing that genocide has been committed, if they are "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group".

These include: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; or forcibly transferring children of the group to another group.

In the ICTY's first verdict establishing that genocide was committed – in the judgment convicting Radislav Krstic in 2001 –

the tribunal concluded that the evidence showed that Bosnian Serb Army forces intended to eliminate all Bosniaks from Srebrenica through “a massacre of all able-bodied men from that community”.

In classifying the crime as genocide, the ICTY also took into account “the long-term effect which the elimination of between seven and eight thousand Srebrenica men would have on the survival of that community”.

In a ruling in 2007, the International Court of Justice also defined the Srebrenica massacres as genocide, concluding that “they were committed with the specific intent to destroy in part the group of the Muslims of Bosnia and Herzegovina”.

**Serbian Municipal Honour for War Criminal Dismissed as ‘Political Game’ (BIRN)** By Milica Stojanovic  
August 5, 2021

**The decision of the local assembly of Pantelej, a municipality of the city of Nis, the biggest city in southern Serbia, to make a convicted war criminal, Vladimir Lazarevic, an honorary citizen is not surprising and represents part of the “petty political game” of the ruling party, NGO activists told BIRN.**

The now pensioned general during the 1998-9 Kosovo war commanded the Pristina Corp in the Yugoslav Army and was later sentenced to 14 years in prison by the Hague tribunal, ICTY, for murders, deportations and inhumane treatment of Kosovo Albanians during the war together with other Serbian army and police officials.

According to the news portal Juzne vesti, Lazarevic has lived in Nis since his release from prison but not in the municipality of Pantelej.

Ivana Zanic, director of the Belgrade-based Humanitarian Law Centre, says the decision is not much of a surprise since few voices ever spoke publicly about Lazarevic’s ICTY conviction.

It was “the practice in general and the public discourse that all Serbian generals convicted before the Hague Tribunal – this is something incidental in their biographies, which does not determine them, and they are exclusively honourable people who contributed to the defence of the homeland”, Zanic told BIRN.

The director of the Nis-based NGO, the National Coalition for Decentralization, Mladen Jovanovic, said: “We are victims of the petty political game of the ruling [Progressive] party” in which the “much more important interest of the state is sacrificed” for the sake of wooing part of the electorate.

“This flirtation is going in a way that, on several occasions already very important and good initiatives are launched at state level ... and then the same party ... through these local authorities [addresses] their voters who are chauvinistically nationally determined [... and] they must somehow satisfy these people,” Jovanovic told BIRN.

Juzne vesti reported that Pantelej municipality president Natasa Stankovic said Lazarevic deserved to be made an honorary citizen because he was “a brave and dedicated military leader who consistently followed his highly professional, military, patriotic and human convictions, and in every temptation was ready to take sole personal and professional responsibility and thus defend the honour of the nation and the state”.

Lazarevic confirmed he had been notified about award.

“As far as I understand, I only saw part of the text, they are just looking at the contribution during the defence of the country from NATO aggression, when I was the commander of the Pristina Corps,” Lazarevic told Juzne vesti.

Lazarevic was released from prison in December 2015, after serving two-thirds of his sentence. He was given a hero’s welcome upon returning home.

In October 2017 he delivered a lecture at the Serbian Military Academy on the subject of the “heroism and humanity” of Serbian soldiers during their “counterterrorist operations” in Kosovo in 1998-99 and during the NATO bombing of Yugoslavia in 1999.

On May 9 2019, he headed the World War II Victory Day parade through the streets of Nis. The showpiece event was organized by Russian war veterans with the backing of the Serbian authorities.

In March 2021, on Serbia’s public broadcaster, Radio-Television Serbia, RTS, in a discussion programme Upitnik (“Question Mark”), which focused on the anniversary of the start of the NATO bombing of Yugoslavia, Lazarevic dismissed the mass exodus of hundreds of thousands of ethnic Albanians who fled Kosovo in the spring of 1999 to avoid the crackdown by Yugoslav troops and police. Asked about this mass flight, Lazarevic told RTS: “We knew that they would stage an exodus.”

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

**Bosnian Croat Charged with War Crimes Dies in Croatia (Balkan Transitional Justice)** By Anja Vladislavljevic  
August 3, 2021

**Media reported on Monday that Pero Vincetic, a former member of the Croatian Defence Council, HVO, died in Croatia shortly after Croatian police charged him with war crimes.**

The parish church in Tovarnik, the village in eastern Croatia where Vincetic had been living, announced on social media that Vincetic, known as ‘Horse’, had “passed away suddenly” on Sunday and that the funeral would be held on Wednesday at the local cemetery.

Vincetic, who held Croatian and Bosnian citizenship, was arrested on July 20 in eastern Croatia, when Croatian police said he was suspected of the abuse of two civilians in the northeastern Bosnian town of Orasje early in Bosnia’s 1992-95 war.

He had already been indicted in Bosnia and Herzegovina on war crimes charges of rape and sexual abuse in the Orasje municipality and “other war crimes” against Serbs in the area in 1992 and 1993.

Vincetic had long been linked to alleged war crimes; in an interview with BIRN in 2016, two civilians, Croat Marko Benkovic and his Hungarian wife Tunde, who ran a Hungarian restaurant and nightclub in Orasje before the war broke out, accused him of rape and torture.

Tunde Benkovic also testified in court in Bosnia that she was raped in Orasje in May 1992 by Vincetic and a subordinate, who was later sentenced to 13 years in prison for war crimes including rape and abuse of prisoners.

Vincetic has long denied the allegations.

“The only thing that is true in what the Benkovic couple is saying is their name and surname, I guess,” he told Croatian NovaTV in February 2019.

At the start of the war in Bosnia, Orasje occupied an important position in terms of transport and communication lines between the Bosnian Serb stronghold of Banja Luka and the Serbian capital, Belgrade.

The town of was predominantly Bosniak and the surrounding villages populated mainly by Croats, so Croat and Bosniak fighters joined forces against the Bosnian Serbs army.

In 2016, ten former HVO fighters were arrested on suspicion of committing crimes against Serbs in Orasje from April 1992 to July 1993. Their trial began in 2017 and is ongoing.

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## **Turkey**

**US targets Turkey-backed extremists in Syria with sanctions – analysis (The Jerusalem Post)** By Seth J. Frantzman  
July 29, 2021

**The US Department of Treasury Office of Foreign Assets Control (OFAC) sanctioned a variety of individuals and organizations in Syria on Wednesday, among them a group backed by Turkey which has carried out widespread human rights abuses.**

The sanctions involve “eight Syrian prisons run by the Assad regime’s intelligence apparatus, which have been sites of human rights abuses against political prisoners and other detainees.”

Of interest is the decision by the Biden administration to finally speak up about the abuses of extremist groups backed by Ankara which have been targeting Kurds and other minorities. This is a major change from the Trump administration’s silence, in the main, on abuses of minorities in Syria, as it worked with Turkey to empower some extremist groups.

According to the statement “OFAC is also sanctioning the Syrian armed group Ahrar al-Sharqiya, which operates in northern Syria, for abuses against civilians, and two of the group’s leaders.” Ahrar al-Sharqiya has committed numerous crimes against civilians, particularly Syrian Kurds, including unlawful killings, abductions, torture, and seizures of private property, the statement said. “The group has also incorporated former Islamic State of Iraq and Syria (ISIS) members into its ranks. These horrific acts compound the suffering of a population that has repeatedly endured mass displacement.

This is a major decision and reflects a change in tone from the new administration, as well as a shift in policy.

IN interviews former Trump administration officials revealed that an active pro-Ankara policy had been pushed by some in Washington. This pro-Ankara policy believed the US could use Turkey and Turkish-backed extremists, some of whom were jihadists similar to ISIS, to confront Iran.

Under this bizarre policy Ankara was permitted to invade and ethnically cleanse Afrin, a peaceful area in Syria. Afrin was attacked not only by Ankara but also by the Turkish-backed Syrian National Army, a rabble of jihadists and mercenaries Turkey had recruited from among Syrian refugees and which Turkey then radicalized and armed, encouraging them to attack Kurds, Yazidis, Christians and women in Afrin.

Since 2018 Afrin has been ethnically cleansed of some 170,000 indigenous Kurds and women have been targeted for kidnapping, rape and imprisonment in secret prisons run by groups backed by Ankara.

According to VOA and their expert reporter Sirwan Kajjo, “in addition to the Turkish military, the al-Hamzat Division and Jaish al-Islam, there are at least a dozen Syrian militias that control different parts of Afrin, including the National Liberation Front and several other Islamist factions such as the Sultan Murad Division, Ahrar al-Sharqiya and the Suleiman Shah Brigade.” Various other local media have documented abuses by groups like Ahrar al-Sharqiya, often targeting women.

The worst abuse by Ahrar al-Sharqiya was in October 2019 when then US president Donald Trump agreed to let Turkey invade eastern Syria and ordered US troops to withdraw. Kurds, who had been helping the US fight ISIS were suddenly vulnerable to Turkish-backed jihadists. Ahrar al-Sharqiya, likely with intelligence provided by Ankara, hunted down the young female politician Hevrin Khalaf in eastern Syria and murdered her. They chanted jihadist Islamist slogans as they cheered the murder of the unarmed woman and as they kicked her lifeless body on a video they proudly circulated. This was seen as a gross human rights abuse at the time and France 24 called it an extrajudicial killing. Far-right media in Turkey, which is a member of NATO, praised the operation.

While some US officials, such as Deputy US Special Envoy William Roebuck, raised concerns at the time about Turkish-backed extremists, others did not.

Matthew Petty, writing then at The National Interest, noted that “in addition to the uptick in tense verbal exchanges, the three different sources described how State Department officials attempted to condemn the brutal murder of Kurdish-Syrian politician Hevrin Khalaf only to have their efforts blocked by Ambassador James Jeffrey, who oversees anti-ISIS efforts. Jeffrey blocked the statement, they said. During the Turkish incursion into Syria last week, Turkish-backed elements of the Free Syrian Army kidnapped, murdered, and mutilated Khalaf, who led a joint Kurdish-Arab-Assyrian party called the Syrian Future Party that is unaffiliated with the SDC. Khalaf had met several times with Deputy Special Envoy William Roebuck, a member of Jeffrey’s team.”

Today the former Trump administration officials who were sympathetic to Turkey are out of office. Although Hevrin Khalaf’s life can never be brought back, the change in views in Washington at the highest levels means that Ankara’s extremists may not get the quiet approval they got from 2018-2020.

The days of the US thinking it might use NGOs or even media people to reach out to extremist groups like Hayat Tahrir al-Sham, another sanctioned group, appear to be over. During the previous US administration there were attempts at outreach to these extremist groups, perhaps under the delusion that they could be used either against Iran or the Syrian regime.

Evidence has shown that these groups never fight Iran or the Syrian regime, they spend most of their time killing and kidnapping women, stealing, looting, and ethnic cleansing or gathering money from stolen property that is under Turkey’s occupation. They thus receive the protection of a NATO-member air force while committing human rights abuses.

By going after Ahrar al-Sharqiya, the US is putting on notice all the jihadist, extremist, Islamist and far-right groups of militias, bandits and ethnic cleansers backed by Ankara in northern Syria. These groups operate openly in Afrin, in areas near Jarabulus and in areas outside of Aleppo which Turkey invaded between 2016 and 2020.

The US designation notes that Ahrar al-Sharqiya “has a record of human rights abuse that includes the unlawful killing of Hevrin Khalaf, a Kurdish politician and secretary-general of the political party Future Syria, as well as her bodyguards in October 2019. The United Nations High Commissioner for Human Rights identified the murders as a possible war crime.”

It goes on to note that Ahrar al-Sharqiya has killed many civilians in northeast Syria, including health workers. The militia has also engaged in abductions, torture, and seizures of private property from civilians, barring displaced Syrians from returning to their homes. Ahrar al-Sharqiya constructed and controls a large prison complex outside of Aleppo where hundreds have been executed since 2018.

“The group has used this prison to operate an extensive kidnapping for ransom operation targeting prominent business and opposition figures from the provinces of Idlib and Aleppo. Ahrar al-Sharqiya has also integrated former ISIS members into its ranks,” the report says. “Ahrar al-Sharqiya is being designated pursuant to E.O. 13894 for having engaged in the commission of serious human rights abuse in Syria.”

This shows that groups aligned with Ankara may now be sanctioned for abuses. The era of Ankara backing these groups may now be more difficult. Turkey hasn't only backed them in areas it occupies in Syria, but has exported them to conduct human rights abuses in Libya, Azerbaijan and perhaps other countries.

The US also singled out Ahmad Ihsan Fayyad al-Hayes, Ahrar al-Sharqiya's leader, who, Washington says “is directly complicit in many of the militia's human rights abuses. Al-Hayes commanded Ahrar al-Sharqiya's prison outside of Aleppo, where hundreds of detainees have been executed since 2018. Ahmad al-Hayes has been implicated in the trafficking of Yazidi women and children and has integrated former ISIS members into the ranks of Ahrar al-Sharqiya. A number of former ISIS officials had sworn allegiance to al-Hayes and worked to support Ahrar al-Sharqiya's ransom and extortion efforts.”

Another extremist mentioned is Abu Ja'afar Shaqra, a cousin of Ahmad al-Hayes, who “has been the military commander of Ahrar al-Sharqiya since late 2017. As a senior figure within the militia, Raed al-Hayes has personally supervised and profited from the militia's organized theft and sale of equipment from civilian homes and farms. He also commands former ISIS members, including a former member of an ISIS force known for frequent torture of civilians, who is now a heavy weapons official in Ahrar al-Sharqiya.”

What is extraordinary is that under the US anti-ISIS Coalition the US was working with the Syrian Democratic Forces and Kurdish fighters against ISIS, while other US officials were working with Ankara which supported groups like Ahrar al-Sharqiya to fight the SDF and basically continue the ISIS legacy of abuses.

With one hand the US was fighting ISIS, but other officials and former think tank members and Turkish lobbyists in DC were hoping that extremists similar to ISIS might dominate Syria one day. This bizarre contradiction was built into a US policy that has been corrupted by countries like Turkey which funnel money to US think tanks which in turn hire former US officials or channel them into administrations.

The US under the Obama administration intervened and agreed to send troops back to Iraq to fight ISIS in part because of the ISIS genocide of Yazidis. Yet by 2019 groups seeking to kidnap and enslave Yazidis and continue the ISIS war crimes were being backed by Ankara to do so. By putting out such a major and unprecedented statement about Ahrar al-Sharqiya's crimes the US administration is illustrating that it will stand by its promise to put human rights first. This includes a promise to support women and minorities in Syria.

**Ecology Council considers Turkey's use of chemical weapons "as war crimes" (Hawar News Agency) August 10, 2021**

**On Tuesday, Ecology Council at Kongra Star in Rojava issued a statement to the public opinion, a copy of which we have received, regarding the targeting of capitalist countries, and in particular the Turkish occupation state, the environment through its use of chemical weapons in its attacks on the region.**

He explained, "We note that the more technology advances and develops, causing massive destruction to the nature, similar to the fire that devours everything, as we saw a few years ago how the Amazon forests and others were set on fire, which is the best area in which the earth can breathe better, those fires were attributed to natural factors by the capitalists and industrialists, aiming to conceal and mislead their crimes and their war against nature, so that the scene would be repeated over and over again, but in different ways and goals.”

The statement continued, saying, "The abuses carried out by the AKP government in the Kurdistan lands for years, which increase in brutality with the increase of occupation and terrorism, have occupied and launched the most violent attacks on the northern Syria, until today they have cut down many trees, foremost of which are olive trees that are thousands of years old, This is in pursuit of the geographical and climatic change in the region, in addition to destroying tourist and archaeological centers and burning agricultural lands to record the highest standards in its hostility to the environment with all its contents, trees, rivers, living creatures and killing humanity."

The statement noted that "in the legitimate defense zones, it (in reference to the Turkish state) every day burns the mountains and cuts down their trees, causing a geographic change and destroying an environment that includes dozens of species of animals, birds and herbs that affect the ecological balance. Huge fires were ignited in the tourist forests of Antalya and Marmaris and many other Turkish cities to reach more than 300 fires that entered the Greek lands as well to extend to Kurdistan and others, to devour the fires that they do not want to control dozens of populated cities and make them completely stricken, to equal their devastating impact the pandemic COVID 19" which claimed the lives of thousands of innocent people in exchange for achieving some economic and commercial interests.

At the conclusion of its statement, the Council called on all environmental institutions, organizations, activists and parties, as well as all parties and bodies concerned with protecting the rights of the environment and the climate, "to assume responsibility for maintaining the ecological balance and thus protecting the environment from climate changes fabricated by environmental terrorists who seek to achieve some dirty interests that will lead the planet to doom." If they continue with their environmental terrorism."

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## **Kosovo Specialist Chambers**

**Defendant bids to oust Kosovo war crimes judges in new blow for court (euronews) July 30, 2021**

**A defendant has requested the recusal of top magistrates at The Hague-based court tasked with trying war crimes committed during the Kosovo war, accusing them of lacking independence and impartiality.**

Such a request for the disbarment of the president and vice president of a court is unusual in international law.

The application for recusal reads: "President Trendafilova's statements at a confidential diplomatic briefing undermine her independent and impartial judicial decision-making and representation of the Kosovo Specialist Chambers and seriously harm the proper administration of justice."

"Vice President Smith's prior conduct in a high judicial office in the European Union Rule of Law Mission in Kosovo ("EULEX"), including alleged demonstrated abuse of judicial authority and exercise of political pressure that undermines his judicial decision-making and risks seriously harming the proper administration of justice before the Specialist Chambers," the application went on.

The recusal request was made on behalf of Nasim Haradinaj, a former deputy chairman of the Kosovo Liberation Army War Veterans' Organisation.

He was arrested in September 2020 and transferred to The Hague where has since been detained. Haradinaj has been charged with "offences against the administration of justice," including "intimidation of witnesses, retaliation and violation of the secrecy of proceedings," prosecutors said.

The KSC was set up in 2016 to try crimes committed by the Kosovo Liberation Army (KLA) during its conflict with Serb forces two decades ago. The ethnic-Albanian paramilitary organisation sought the independence of Kosovo from Yugoslavia during the 1990s.

Kosovo, which declared its independence in 2008, has been led largely by politicians that were former KLA fighters. Former Kosovan president Hashim Thaci is among those who have been indicted for war crimes by the special court.

The KSC is unpopular in Kosovo, where the KLA is viewed as a liberating force that saved Kosovo's ethnic Albanian majority from a campaign of brutal ethnic cleansing by Serb forces. Many Kosovars resent that the court is based in the Hague, not Pristina, and employs an entirely international staff.



In March, Euronews published a leaked transcript of a confidential briefing with European diplomats held by court president Ekaterina Trendafilova.

In it, the Bulgarian-born judge warned that the court was facing increased efforts from within Kosovo to hinder ongoing legal proceedings.

The separate diplomatic briefing referred to in the application for recusal dates back from December 2020.

Haradinaj's defence team alleges that "the statements made by the President" on this occasion are "wholly unacceptable and constitute the most blatant interference with the fair and proper administration of justice".

According to the application for recusal, citing confidential diplomatic notes, Trendafilova allegedly complained to European diplomats, of "a large \\_number of lawyers which complicates the work of the Specialist Chambers\_."

Meanwhile, the Special Prosecutor reportedly told diplomats that one of the defendants "will get life sentences in advance of any trial commencing or any evidence being presented," the application read.

Haradinaj's lawyer Toby Cadman confirmed to Euronews that he had filed the application for recusal on behalf of his client and that they "expected the court to take it seriously".

"We cannot comment on the outcome of the decision, which will be rendered in due course," the court said in a statement to Euronews.

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## Azerbaijan

### **Continued Genocidal Threats Posed by Azerbaijan Subject of Hearing in Congress (Armenian Mirror-Spectator) August 5, 2021**

**The Armenian Assembly of America (Assembly) commended the U.S. Commission on International Religious Freedom (USCIRF) and the Tom Lantos Human Rights Commission (TLHRC) for holding a hearing on July 28 titled, "Ending Genocide: Accountability for Perpetrators," and submitted a statement for the record.**

The aim of the hearing was to determine how the international community can hold perpetrators of genocide and mass atrocities accountable for international crimes committed against religious communities, despite the adoption of the 1948 Genocide Convention, which codifies genocide as a crime.

In his opening remarks, Rep. Chris Smith (R-NJ) referred to the Armenian Genocide when he stated that the "20th century was replete with the most horrific of genocides, including the Armenian Genocide and the Holocaust." He underscored that the U.S. Congress passed the recognition of the Armenian Genocide in October 2019 "in a totally comprehensive way" and affirmation from the U.S. Senate on December 12, 2019, and President Joe Biden on April 24, 2021 followed.

In a statement submitted by Assembly Executive Director Bryan Ardouny, the Assembly linked past atrocities committed against the Armenian people to the present day, when Christian Armenians in Nagorno-Karabakh continue to be targeted, most recently during the 44-day war last Fall launched by Azerbaijan, with the full and open support of Turkey. The Assembly cited a July 25, 2021 article from the New York Times titled, "In Nagorno-Karabakh, Land Mines, Bulldozers and Lingering Tensions," in which Azerbaijan says, "Armenians there must accept its rule if they want to remain long-term." This follows a statement earlier this month by Azerbaijan's president that in effect Azerbaijan will take Armenian lands, including Armenia's Syunik province, and that Yerevan is historically Azerbaijan's, as reported by Radio Free Europe/Radio Liberty.

In addition, Ardouny highlighted the Assembly's concerns about the "ongoing destruction of historic, religious and Armenian cultural heritage sites by Azerbaijan which has been documented by Caucasus Heritage Watch, and urges USCIRF and TLHRC to explore avenues to safeguard and protect cultural heritage."

Highlighting the significance of genocide recognition, the Assembly underscored that U.S. affirmation of the Armenian Genocide by Congress and President Biden "have charted a new course" and "enhances America's credibility, recommits the United States to the worldwide cause of genocide prevention and represents America at its best.

The Assembly concluded by emphasizing the importance of holding perpetrators of genocide accountable "under the full

weight of existing international human rights law, to help prevent future crimes and human rights abuses, to safeguard and protect vulnerable populations, and to assert America's leadership in the regard for the betterment of humanity.”

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## MIDDLE-EAST

### Iraq

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

#### **UN chief underlines commitment to justice for Yazidis in Iraq (UN News)**

August 3, 2021

**Secretary-General António Guterres has urged the Iraqi authorities to swiftly implement a new law to assist Yazidi survivors of ISIL atrocities, the UN said on Tuesday in a statement marking seven years since the extremist group brutally targeted the religious minority and other communities.**

The Yazidi Survivors Law, adopted in March, recognizes ISIL's violations against women and girls, and requires the Government to compensate them.

Commitment to accountability “On this somber anniversary, the United Nations remains fully committed to supporting all efforts to achieve accountability and justice,” said Stéphane Dujarric, the UN Spokesperson.

ISIL, also known as Daesh, conducted a genocidal campaign against the Yazidis, who live in northern Iraq.

Thousands were subjected to unimaginable violence on account of their identity, including sexual violence, mass executions, forced conversions and other crimes. Many remain in displacement camps or are still missing.

“These heinous acts committed by ISIL may amount to war crimes, crimes against humanity and genocide. Full accountability of their perpetrators remains essential,” said Mr. Dujarric.

Recognize Yazidi 'pain and courage' Supporting the Iraqi Government's efforts to ensure accountability and protect human rights remains a UN priority, he added, in accordance with the collective responsibility to protect communities from the most serious crimes under international law.

“Recognizing the pain and courage of the Yazidis, recovery and rehabilitation remain a priority,” said Mr. Dujarric.

“The Secretary-General therefore commends the recent enactment of the Yazidi Survivors Law by the Government of Iraq and its recognition of the crimes committed by ISIL against the Yazidis and other communities. He encourages its swift and full implementation.”

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### Syria

## **Four children killed in northwest Syria government shelling (Al Jazeera)**

August 8, 2021

**Syrian government artillery shells struck a village in the last rebel enclave in the country, killing four children from the same family, rescue workers and a war monitor have said.**

The rescue workers in opposition areas, known as the White Helmets, said the shells landed on Saturday in residential neighbourhoods in the village of Qastoun, west of Hama province, seriously injuring five other people.

The Britain-based Syrian Observatory for Human Rights (SOHR), a war monitor, also said that four children were killed in the attack.

The shelling is part of an ongoing military escalation in the northwestern Syria area, which had been under a ceasefire brokered by Russia and Turkey since last year.

The Idlib region is home to nearly three million people, two-thirds of them displaced from other parts of the country during the decade-long civil war.

It is dominated by Syria's former al-Qaeda affiliate but various other opposition groups are also present.

The army stepped up its bombing of the northwestern enclave when President Bashar al-Assad took his oath of office for a new term, vowing to make "liberating those parts of the homeland that still need to be" one of his top priorities.

Syria's government, which agreed to the Russia-Turkey negotiated truce last year, has pledged to restore control over territory it has lost during the 10-year conflict.

The truce in March 2020 was negotiated between Turkey, which supports Syria's opposition and has troops deployed in the area, and Russia, the Syrian government's main backer.

At the time, it halted a crushing Russian-backed government air and ground campaign aimed at retaking the region. Government forces have also been battling fighters in the southern province of Deraa.

The latest round of fighting, which began last month in the area, has been described by the SOHR as the heaviest clashes since most of the Deraa province came back under government control in 2018.

Many former rebels stayed in Deraa instead of evacuating under a Moscow-brokered deal three years ago, and have either joined the army or remained in control of parts of the province.

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## **Yemen**

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## **Special Tribunal for Lebanon**

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

**The case for continued financial support for Lebanon's Hariri tribunal (Arab News)**

July 29, 2021

**The clock is ticking ever closer to a moment of reckoning. The Special Tribunal for Lebanon (STL), which was established to investigate and prosecute those responsible for the 2005 assassination of former prime minister Rafik Hariri, has run out of money and is due to permanently close at the end of July.**

In the midst of an unprecedented national economic crisis, authorities in Lebanon said they are no longer able to cover their 49 percent share of the tribunal's \$40 million-a-year operating costs. The remaining 51 percent is provided by 28 donors, including the US government and several European states.

The STL announced its verdict almost a year ago. Despite repeated government appeals for financial assistance to help the STL fully fulfill its mandate, and impassioned defense of its achievements so far by experts in international criminal justice, donor nations appear content to allow it to adjourn for good.

At the time of its launch there was widespread support for the tribunal, as Lebanon reeled from one of its worst atrocities since the civil war. On Valentine's Day 2005, a massive car bomb exploded outside St. Georges Hotel in Beirut. It killed Hariri and 21 other people, and left 269 wounded.

The international community responded by issuing a number of UN Security Council resolutions and setting up an investigative commission to assist the Lebanese authorities in investigating the murder and other political crimes.

Four years after the assassination, UN Security Council Resolution 1757 established the STL, based in Leidschendam in the Netherlands, kick-starting the task of seeking the truth and obtaining justice for the victims.

The tribunal issued its judgment on Aug. 18 last year. It found Hezbollah member Salim Jamil Ayyash guilty of launching the attack, but acquitted three co-defendants.

After long delays, attacks on investigators, intimidation of witnesses, and routine trouncing by the media, the STL's verdict was greeted with an almighty shrug. Coming as it did close on the heels of the devastating August 4 Beirut port explosion, the decision was seen by many as proof that the process had failed because it "convicted only one person."

Defenders of the work of the STL acknowledge that the court and its verdict have their limits, but say it nonetheless represents a successful multilateral effort to reinforce a rules-based international order. They also argue its mission is incomplete and part of a wider learning curve for institutions of international criminal justice.

"No international criminal tribunal has ever halted its work in this way due to a funding shortfall and this should never have happened with the Special Tribunal for Lebanon because it should have been allowed to complete its mandate," Olga Kavran, head of outreach and legacy at the STL from 2010 until last year, said during a webinar hosted by the Arab News Research and Studies unit on Monday.

"This is not to say that there should not have been a thorough examination of the way that the tribunal has been managed, of the way that the proceedings of the tribunal have been conducted because, after all, international criminal justice as a project is one (that is) in development, and all other international criminal tribunals have been examined and scrutinized so that the best practices can be learned, so that the international criminal justice project can advance."

Kavran, founding director of IUSTICOM, the first non-governmental organization focused on communicating justice, is the co-author of a report titled "The Special Tribunal for Lebanon: Truth, Justice or Accountability?" that was recently published by the Lebanese American University's (LAU) New York Academic Center in collaboration with the Arab News Research and Studies Unit.

It offers a passionate defense of the STL and examines some of the possible reasons for the poor reception to it.

The STL was the first international tribunal with jurisdiction over terrorism and the first to conduct trials in the absence of the accused. For the first time in the region, it introduced the principle of accountability for political crimes.

Crucially, at a local level in Lebanon the STL did succeed in delivering a significant part of "the truth" that people wanted after the assassination of Hariri.

"Disappointment with the judgment is based on a combination of unrealistic expectations, a lack of understanding of the tribunal's rigorous procedures, and legitimate concerns about the narrowness of its mandate and the length of time it took to reach its judgment," according to the report.

"In view of the scale of suffering during the Lebanese Civil War, for which no one has ever been held accountable, and the

dozens of political assassinations throughout Lebanon's history, it was indeed difficult to argue that the assassination of one man warranted such an expensive and complex legal instrument.

"This added to the unrealistic expectations that the tribunal would address much broader issues of states and groups which regularly interfere with and undermine the authority of the Lebanese nation."

Among the critics of the tribunal is David Schenker, a former US assistant secretary of state for near eastern affairs and the Taube Senior Fellow at The Washington Institute. In an essay published in Foreign Policy magazine on July 19, he concluded that the STL "has not led to a single arrest, so Washington should let it expire and help the Lebanese people in better ways."

He wrote: "The truth about who killed Hariri has been firmly established by the court but in Lebanon, where the verdict needs to be implemented, the wheels of justice do not grind. As with so many political murders there, no one has been held accountable for his death."

Ayyash, the convicted plotter, is thought still to be living in the country, under the protection of Hezbollah, but the Lebanese authorities have made scant efforts to arrest him.

"Proponents of the tribunal argue that, to this day, it continues to serve this purpose by exposing Hezbollah's crimes and thus damaging its reputation," Schenker said. "Alas, there is little evidence to suggest that Hezbollah's supporters are repulsed by this or any other murder linked to the organization.

"Instead, 16 years after Hariri's death, the tribunal, which has cost various countries' taxpayers nearly \$800 million, has become a distraction amid Lebanon's self-inflicted state failure and Hezbollah's increasing dominance of the state."

He therefore sees no use in prolonging the life of the court any further.

"Even if the Lebanese government and the United Nations try to salvage the court, the Biden administration should let the tribunal expire," Schenker said. "The court cannot implement its verdict in its most important case, and with the economic situation in Lebanon rapidly deteriorating, continuing to pay for the tribunal would constitute an appalling misallocation of resources."

Whatever its outcome, the tribunal has added significantly to the historical record. The judgment's 2,641 pages, and the evidence laid out in them, are especially important for Lebanon, where a culture of "moving on" and a deeply ingrained concept of leaving the past behind in the name of "stability" have long prevailed.

During Monday's webinar, report co-author Nadim Shehadi, executive director of the LAU Headquarters and Academic Center in New York and an associate fellow of the international affairs think tank Chatham House in London, said: "In 2005, the Lebanese asked for the truth.

"But they asked for an international tribunal not because it would just deliver the truth. They wanted an international tribunal because they also wanted the international community to know the truth, because they felt that in the past 10-15 years they had been abandoned. If the international community knew the truth then the protection would be restored.

"It (the tribunal) has been ignored internally — not just because people are bored, not because it took a long time, not because it's partial — (with) lots of criticisms of the process. I think it is because they cannot handle the truth."

Above all, the report argues that a failure to address the findings of the Hariri case, while also halting the case dealing with three terrorist attacks on Lebanese politicians Marwan Hamade, George Hawi and Elias El-Murr on the eve of the tribunal, would send the message that impunity prevails in the Middle East.

Nidal Jurdi, a Canadian-Lebanese lawyer who is the acting representative of the UN's Office of the High Commissioner for Human Rights in Tunisia and the lead victim representative at the STL, also took part in the webinar.

He argued that much of the disappointment with the tribunal stems from the decision to convict only a single individual, rather than pursue the commanders who ordered the attack or others who participated in the plot.

The inability to enforce the verdict made the tribunal appear wasteful, he added. Given this, combined with the slow pace of the investigation and a perceived misuse of resources, he said he is not surprised the STL received such a negative reception.

"The STL was needed, and the legacy and example is needed — but a reformed one that can really see the situation how it was in Lebanon in such a situation of organized crime," Jurdi said.

Indeed, he believes that if the court is allowed to close now, it will be a more cruel blow to the victims and their families than if it had not been established in the first place.

“The victims, now, they are devastated,” he said. “If you ask me, it would have been better not to indict than to indict and then retreat. How does it look?”

“Do you think anyone would believe any more in international justice in the Middle East or Lebanon? It would become a joke.”

### **July War Diary: Lebanon United following Horrible Israeli Massacre in Qana (Al Manar TV)**

August 3, 2021

**The nineteenth day of 2006 July War was bloody par excellence. The Israeli enemy committed several massacres against Lebanese civilians, enraging both the Lebanese Government and Hezbollah who vowed that the Israeli crime would not go unanswered.**

The Lebanese people woke up on Sunday, July 30, 2006 to know that the southern town of Qana was a scene for another historic massacre committed by the Israeli warplanes, echoing the horrible crime committed also in Qana in 1996 April aggression on Lebanon.

Dozens of civilians were killed or injured when the Israeli warplanes targeted a residential area in Qana.

Also in south Lebanon, in the town of Yaroun, another massacre was committed when Israeli warplanes struck a building, killing at least 6 civilians and injuring several other.

The Qana massacre drew widespread condemnations, and saw a united official stance by the Lebanese officials. President Emile Lahoud denounced the Israeli attack, blaming the United States for giving the Zionist entity a green light to go ahead with its crimes against the Lebanese people.

The Lebanese Government held an urgent session, stressing that ‘Israel’ bears full responsibility. The government declared national mourning over the Lebanese martyrs, describing the Israeli attacks as crimes against humanity.

Speaker Nabih Berri and then Prime Minister Fuad Siniora appeared in a joint press conference, announcing the suspension of talks and stressing the necessity of unconditional ceasefire.

Berri and Siniora called for an international probe into the massacre. Berri noted in the press conference that conditions to hold a prisoner swap deal had been changed following the massacre that was then known as Qana’s second massacre.

In a statement, Hezbollah described the Qana massacre as a turning point that will shift the course of the war, stressing that the Israeli aggression would not go unanswered.

Then US Secretary of State Condaleeza Rice cancelled a planned visit to Lebanon after the Lebanese Government announcement of suspending the talks.

The Zionist leadership claimed it was suspending its aerial activity for 24 hours beginning on midnight July 30.

Meanwhile in the battlefield, Hezbollah fighters kept the momentum of rocket fire, despite the continuous Israeli flights across the Lebanese skies and despite Israeli allegations that Hezbollah’s rocketry power was damaged by the Israeli strikes.

Israeli cities in the Zionist entity’s north were pounded by dozens of Hezbollah rockets.

Hezbollah fighters were also engaged in heroic confrontations with Israeli soldiers of Golani Brigade who attempted to infiltrate into Lebanese territories in the southern town of Taybeh. The Resistance fighters repelled the Israeli advance attempt, killing or injuring many Israeli soldiers.

Elsewhere in the border towns of Odeisseh and Kfarkila, Hezbollah fighters attacked an Israeli force who attempted to advance in the area. Several occupation troops were killed or injured when Resistance fighters destroyed an Israeli Hummer and a Merkava during the attack.

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## **How Human Rights Watch favors Israel (The Electronic Intifada)** By Maureen Clare Murphy

August 4, 2021

### **Israel used weapons made by Chicago-based Boeing to destroy residential towers in Gaza, massacring families in their homes in May, a new report by Human Rights Watch confirms.**

The documentation contained in Human Rights Watch's investigation is valuable and necessary and will serve those seeking to burst Israel's bubble of impunity to prevent the next bloodbath in Gaza.

But the group's equation of alleged war crimes committed by Israel and Palestinian armed groups in Gaza perpetuates the myth of parity between a colonizing state and its subjects.

The New York-based group said it "investigated three Israeli strikes that killed 62 Palestinian civilians where there were no evident military targets in the vicinity."

The testimony of Palestinian survivors and witnesses to these Israeli strikes is harrowing.

Parents describe recovering their children's torn-up bodies. The sole survivor of one strike recounts his entire family being obliterated without warning in a matter of seconds.

Those interviewed by Human Rights Watch deny Israeli claims of militant activity in the vicinity of the targets at the time of the three attacks investigated by the group.

They include a series of strikes on al-Wihda street in central Gaza City on 16 May, killing 44 civilians, including 18 children. Twenty-two members of the al-Qawlaq family, ranging from 6 months to 90 years, were among the victims.

Israel claimed that it was targeting an underground command center but admitted "to not knowing its size or exact location at the time of the attack," Human Rights Watch states.

The group adds that Israel has not proven "the existence of tunnels or an underground command center in this vicinity." Nor has Israel explained why it did not warn residents to evacuate their buildings before the deadly attack.

"Human Rights Watch did not find any evidence of a military target at or near the site of the airstrikes, including tunnels or an underground command center under al-Wihda street or buildings nearby," the group states.

Israel used 1,000-kilogram GBU-31 series bombs mounted with Boeing's Joint Direct Attack Munition guidance kit in the al-Wihda street strikes.

According to Human Rights Watch, Israel also used weapons made by Boeing and exported by the US in the 15 May airstrike in Gaza City's Beach refugee camp that killed two women and eight of their children.

Amnesty International has called for a "comprehensive arms embargo on Israel" and urged states to immediately suspend all transfers of weapons and military equipment.

Amnesty also calls for the same measures to be imposed on Palestinian armed groups, though neither the US nor any European states that arm Israel supply weapons to Palestinian resistance organizations.

Human Rights Watch takes a meeker approach.

"Israel's partners," including the US, should "condition future security assistance to Israel" on improvement to "its compliance with the laws of war and international human rights law, and to investigate past abuses," the group states.

Given the scope of the crimes it has documented, it is baffling why Human Rights Watch would not just call for an arms embargo on Israel. It has done so for other countries including Ethiopia, Myanmar, Saudi Arabia, South Sudan, Syria and the United Arab Emirates.

In its Gaza report, Human Rights Watch does not call for targeted sanctions on Israel as it has in many of the aforementioned cases. However, the group also recently called for targeted sanctions against Lebanese authorities responsible for the Beirut port explosion last August that killed 218 people.

In a new report on the explosion, Lama Fakih, a program director with the rights group, states that "Despite the devastation

wrought by the blast, Lebanese officials continue to choose the path of evasion and impunity over truth and justice.”

Certainly, the same can be said for Israel, where B’Tselem, a leading human rights group in the country, has called its military’s self-investigation mechanism a “fig leaf” for the occupation.

But Human Rights Watch doesn’t call for targeted sanctions against Israeli officials as it does their Lebanese counterparts, though it acknowledges the “long track record of failing to investigate laws of war violations” committed in Gaza. (Palestinian armed groups operating in Gaza are already subject to sanctions by being listed as terror organizations in multiple countries.)

“The UN Human Rights Council should immediately authorize an investigation, and other countries should impose targeted sanctions on those implicated in ongoing abuses and efforts to impede justice,” Fakhri says regarding Lebanon.

In its report on war crimes in Gaza, Human Rights Watch notes the commission of inquiry established by the Human Rights Council in late May to probe Israel’s repression against Palestinians as a whole.

Human Rights Watch encourages an examination of not only “unlawful attacks” by Israel and Palestinian armed groups in May but also “the larger context” of Israel’s “discriminatory treatment of Palestinians.”

The rights group called for targeted sanctions in its report on Israeli apartheid published earlier this year. But why doesn’t it call for an immediate measure to help prevent the next episode of bloodshed in Gaza?

Some 260 Palestinians were killed in Israeli attacks on Gaza during May, at least half of them civilians. Several Palestinians also died due to rockets fired in Gaza that fell short of the boundary with Israel.

Twelve people in Israel were killed by rocket fire from Gaza during the 11-day escalation in May. They included three foreign workers, two children and one soldier.

Human Rights Watch concludes that both “Israeli forces and Palestinian armed groups carried out attacks ... that violated the laws of war and apparently amount to war crimes.”

The group, which notes that Israel refuses to allow its international staff access to Gaza, said it would “separately release findings on rocket attacks by Palestinian armed groups.”

The rights group says that Israeli and Palestinian violations should be examined by the International Criminal Court, which launched an investigation into war crimes in the West Bank and Gaza Strip earlier this year.

The ICC defers to a country’s internal investigations, where they exist and are genuine, under the principle of complementarity which holds that “states have the first responsibility and right to prosecute international crimes.”

“The Israeli military and Palestinian authorities have a long track record of failing to investigate laws of war violations committed in or from Gaza,” Human Rights Watch states.

Its report also quotes Gerry Simpson, a Human Rights Watch representative, stating that “Israel and the Palestinian authorities have shown little or no interest in addressing abuses by their forces.”

Simpson adds that “global and national judicial institutions should step up to break the vicious cycle of unlawful attacks and impunity for war crimes.”

False parity Human Rights Watch’s framing suggests that Israel and Palestinian resistance groups in Gaza bear equal responsibility for war crimes and that their alleged crimes are equal in scope and severity.

It draws a false parity between a colonial power with one of the world’s strongest military arsenals, on the one hand, and stateless guerrilla fighters in a besieged and repeatedly battered territory, on the other.

Armed groups in isolated Gaza lack the capacity to develop precision-guided weapons like that used by Israel to target civilian infrastructure.

Human Rights Watch faults groups in Gaza for launching “unguided rockets and mortars towards population centers, violating the prohibition against deliberate or indiscriminate attacks against civilians.”

The rights group did not substantiate the implied claim that Palestinian resistance groups aimed toward Israeli population centers and not military targets, as the writer Helena Cobban observes.

A video released by the Qassam Brigades, the armed wing of Hamas, appears to show Palestinian fighters deliberately aiming



at an Israeli military jeep. An Israeli soldier died as a result of that anti-tank guided missile fired from Gaza.

Human Rights Watch repeatedly states that Palestinian groups fired rockets toward Israeli “population centers.” But the report does not use this same phrase concerning Israeli fire in Gaza, which is one of the most densely populated places in the world.

According to Human Rights Watch, “Lacking guidance systems, the rockets are inherently indiscriminate when directed toward areas with civilians.”

It is hard to see why that same logic wouldn’t apply to Israel’s 1,000-kilogram bombs dropped anywhere in densely populated Gaza. By this reading, any Israeli fire into Gaza would be directed toward Palestinian “population centers.”

The same is true of 155mm artillery shells. Israel lobbed hundreds of those shells into Gaza in May, as it has during previous assaults on the territory.

Such artillery systems can only be aimed to fall within a circle whose radius may extend hundreds of meters from the intended target.

This is a point Human Rights Watch made in its 2007 report “Indiscriminate Fire.” It states that the “expected lethal radius” for the 155mm high explosive projectiles regularly used by Israel to attack Gaza “is reportedly between 50 and 150 meters and the expected casualty radius is between 100 and 300 meters.”

“Regardless of the legitimacy of the target in theory, the limited accuracy of 155mm howitzers, which [Israeli army] lawyers acknowledged in interviews with Human Rights Watch, endangered civilians,” the 2007 report states.

Yet in its report on Israel’s attacks on Gaza in May, Human Rights Watch nowhere acknowledges the inherently indiscriminate nature of the weapons used by Israel – a glaring double standard.

“Security” Palestinians lack an advanced defense system like that used by Israel to intercept rockets fired from Gaza.

The New York Times reported that most rockets fired from Gaza during May were shot down by Israel’s missile interception system or landed in unpopulated areas.

Palestinians, by contrast, do not have any system to intercept Israel’s bunker-buster bombs that reduce towers to rubble, just as they have no defense against Israel’s indiscriminate shelling.

It is ludicrous to compare the capacity of Israel versus Palestinian armed resistance groups and therefore absurd to equate their human rights implications.

Yahya Sinwar, the leader of Hamas in Gaza, told Vice News in May that Palestinians do not use unguided rockets by choice.

“Israel, which possesses a complete arsenal of weaponry, state-of-the-art equipment and aircraft, intentionally bombs our children and women, on purpose,” Sinwar said.

“You can’t compare that to those who resist and defend themselves with weapons that look primitive by comparison. If we had the capabilities to launch precision missiles that targeted military targets, we wouldn’t have used the rockets that we did.”

It is unlikely that Human Rights Watch’s forthcoming report on rockets used by Palestinian groups will recommend that the US and EU arm Palestinians with precision weapons like they arm Israel.

It is also unlikely that Human Rights Watch will suggest that the “partners” of armed groups in Gaza condition “security assistance” on their compliance with international law as it does with Israel. The rights group is not likely to take for granted “security assistance” to Palestinians living under the boot of military occupation as it does world powers arming the Israeli military.

The very use of the phrase “security assistance” concerning Israel’s incremental genocide in Gaza reveals Human Rights Watch’s inherent bias.

Human Rights Watch uses that euphemistic language again when referring to “Israeli security forces” in East Jerusalem.

“Security forces” is a wholly inappropriate term for personnel tasked with quelling protest and enforcing discriminatory and illegally applied Israeli domestic law in occupied territory so that Palestinians may be removed and replaced with Jewish settlers.

Human Rights Watch does not use the language of “security” in relation to armed groups in Gaza, home to two million stateless Palestinians, two-thirds of whom are refugees.

Israel denies them their right to return to their homeland – a right enshrined in international law but denied to Palestinians for decades.

In its forthcoming report on rocket fire from Gaza, Human Rights Watch is unlikely to recommend how stateless refugees can defend themselves without any meaningful accountability measures imposed on Israel.

False moral equivalence The firing of rockets from Gaza – lacking precision guidance due to technological, trade and manufacturing limitations resulting from decades of de-development under military occupation and Western-backed Israeli sanctions – have indisputably caused loss of human life, albeit on a much smaller scale than that inflicted by Israel with its supposedly “precise” weapons.

According to the yardstick of international law, such rocket fire may well be considered a war crime.

Yet the equation of a military power possessing nuclear weapons and its colonial subjects is parallel to the deceptive and harmful bilateral “peace” negotiations paradigm imposed on the Palestinians for decades, to Israel’s sole benefit.

During this period, Palestinians have seen their material conditions worsen and their land gobbled up by Israeli settlements in violation of international law.

Human Rights Watch, to its credit, has recently called for an approach centered on human rights and accountability rather than the long moribund “peace process,” to which world powers still cling.

The rights group has acknowledged that the pursuit of “Jewish Israeli control over demographics, political power and land has long guided [Israeli] government policy.”

In some cases, Human Rights Watch said, Israel’s violations of Palestinian rights in pursuit of this goal “are so severe that they amount to the crimes against humanity of apartheid and persecution.”

The group briefly mentions this context in its report on alleged war crimes perpetrated by Israel and Palestinian armed groups in May.

Yet Human Rights Watch insists on a “both sides” framing, despite the disparate death toll and destruction, to say nothing of the vast disparity in firepower.

This suggests a moral equivalence between the resistance of a besieged people living under occupation and a colonizing power that seeks the absolute surrender of its subjects’ national and indigenous rights.

The tactics of Palestinian groups shouldn’t be ignored. But unequals should not be treated equally, to borrow a phrase from international law scholar Richard Falk.

Falk wrote after Israel’s 51-day attack on Gaza in 2014 that the “primary human impact ... was to leave Gaza bleeding and devastated, while Israel endured minimal damage and dramatically less destructive impacts on its societal order.”

Then, as now, “Israeli damage was repaired almost immediately. In contrast, Israel’s refusal to allow ample reconstruction materials to enter has left substantial parts of Gaza in ruins, with many Gazans continuing to lack adequate shelter, remain homeless and understandably traumatized.”

Human Rights Watch will point to its criticism of both sides to deflect accusations of anti-Israel bias and anti-Semitism.

Indeed, Israel has long sought to undermine the group’s work by denying it access to Gaza and deporting the head of its Jerusalem office.

But as Jonathan Cook observed for The Electronic Intifada in 2006, the “both sides” approach “makes a pact with the devil: It achieves the balance that protects it from criticism but only by sacrificing the principles of equity and justice.”

The utter lack of equity and justice creates the conditions for the alleged war crimes condemned by Human Rights Watch. The “both sides” framework does not and never did apply.

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# Gulf Region

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## ASIA

### Afghanistan

#### **Afghanistan: Mounting Taliban Revenge Killings (Human Rights Watch)**

July 30, 2021

**Taliban forces in Afghanistan are targeting known critics for attack despite claiming that they have ordered their fighters to act with restraint, Human Rights Watch said today. In Kandahar, the Taliban have been detaining and executing suspected members of the provincial government and security forces, and in some cases their relatives.**

Among recent cases, the Taliban executed a popular Kandahari comedian, Nazar Mohammad, known as Khasha Zwan, who posted routines that included songs and jokes on TikTok. He had reportedly also worked with the local police. On July 22, 2021, Taliban fighters abducted Khasha Zwan from his home in southern Kandahar, beat him, and then shot him multiple times. After a video of two men slapping and abusing Khasha Zwan appeared on social media, the Taliban admitted that two of their fighters had killed him.

“Taliban forces apparently executed Khasha Zwan because he poked fun at Taliban leaders,” said Patricia Gossman, associate Asia director at Human Rights Watch. “His murder and other recent abuses demonstrate the willingness of Taliban commanders to violently crush even the tamest criticism or objection.”

Activists in Kandahar said that in villages surrounding the provincial capital, Taliban commanders have detained scores of people associated with the government or police. In one case, on July 16, Taliban fighters abducted two men whose brothers had worked with NDS 03, a CIA-backed strike force that has been responsible for summary executions and other abuses, from their homes in the Qasam Pol area, Dand district. Their relatives say that have not heard from the two men since.

Also in mid-July, a media report said, Taliban fighters detained Ahmadullah, a former police officer, in Spin Boldak. His family has not heard from him since. His uncle said that the Taliban had sent letters saying that anyone who had worked with the government or foreign forces would not be harmed so long as they reported to the Taliban leadership and “admitted their ‘crime.’”

International humanitarian law prohibits summary executions, enforced disappearances, and other mistreatment of anyone in custody, which are war crimes. It is unlawful to detain civilians unless absolutely necessary for imperative security reasons. Retaliatory attacks are a form of collective punishment and are also prohibited. The International Criminal Court is currently investigating allegations of war crimes and serious human rights abuses by all parties to the conflict in Afghanistan, including the Taliban. Taliban commanders who knew or should have known about abuses by forces under their control and took no action to prevent or stop them are culpable as a matter of command responsibility.

“Advancing Taliban forces have no blank check to brutally target their critics,” Gossman said. “The Taliban leadership usually denies the abuses, but it’s their fighters carrying out these attacks and their responsibility to stop the killings.”

## **Afghan army urges civilians to leave city besieged by Taleban (Kuwait Times)**

August 3, 2021

**Residents were urged yesterday to evacuate a besieged Afghan city as the army prepared a major offensive against Taleban insurgents after three days of heavy fighting. The Taleban have seized control of much of rural Afghanistan since foreign forces began the last stage of their withdrawal in May, but are now focused on capturing provincial capitals, where they are meeting stiffer resistance.**

Fighting is raging for Lashkar Gah, the capital of southern Helmand province, with the United Nations saying at least 40 civilians were killed in the last 24 hours. General Sami Sadat, commander of the 215 Maiwand Afghan Army Corps, told residents to get out as soon as they could.

“Please leave as soon as possible so that we can start our operation,” he said in a message to the city of 200,000 delivered via the media. “I know it is very difficult for you to leave your houses — it is hard for us too — but if you are displaced for a few days, please forgive us. We are fighting the Taleban wherever they are. We will fight them... we will not leave a single Taleban alive,” he said.

Officials said earlier that insurgents had seized more than a dozen local radio and TV stations in Lashkar Gah, leaving only one pro-Taleban channel broadcasting Islamic programming. “Deepening concern for Afghan civilians... as fighting worsens,” the UN Assistance Mission for Afghanistan (UNAMA) tweeted. “UN urges immediate end to fighting in urban areas.”

‘Taleban are everywhere’ “Fighting was intense this morning,” said Sefatullah, director of Sukon radio in the city. He said US and Afghan air force planes had pounded Taleban positions, and that fighting was ongoing near the city’s prison and a building housing the headquarters of police and intelligence agencies. In recent days, the US military has intensified air strikes across the country in a bid to stem Taleban advances.

“The Taleban are everywhere in the city, you can see them on motorcycles in the streets. They are arresting or shooting people who have smartphones,” a resident of Lashkar Gah told AFP on condition of anonymity. “The Taleban are in the people’s houses and the government is bombing them. About 20 houses in my neighborhood have been bombed, they are fighting street-to-street battles,” he said. The loss of Lashkar Gah would be a massive strategic and psychological blow for the government, which has pledged to defend cities at all costs after losing much of the rural countryside to the Taleban over the summer.

In the western city of Herat, also under siege, hundreds of residents chanted “Allah-u Akbar” (God is greatest) from their rooftops Monday night after government forces countered the latest Taleban assault. Officials said government forces had managed to push back the insurgents from several parts of Herat — including near the airport, which is vital for resupplies.

‘War crimes’ Washington and London meanwhile accused the Taleban of committing atrocities that may amount to “war crimes” in the town of Spin Boldak, which the insurgents captured last month along the border with Pakistan. Afghanistan’s Independent Human Rights Commission earlier said the insurgents had indulged in revenge killings there of at least 40 people.

“The Taleban chased and identified past and present government officials and killed these people who had no combat role in the conflict,” the group said. US Secretary of State Antony Blinken said the international recognition the Taleban want will not be possible if they seek “to take the country by force and commits the kind of atrocities that have been reported”. Fighting across the country has displaced around 80,000 children from the start of June, humanitarian organization Save the Children said yesterday, adding that many schools and health facilities had also been damaged. — AFP

## **Afghanistan War: Justice Minister Fazel Ahmad Mawani Accuses Taliban of 'war Crimes (Republic World)**

By Srishti Goel

August 4, 2021

**The Afghan Justice Minister has accused the Taliban of war crimes, claiming that the terror group does not follow any international laws or humanitarian values.**

The Afghan Justice Minister, Fazel Ahmad Manawi, on Monday, has accused the Taliban of war crimes, claiming that the terror group does not follow any international laws or humanitarian values. According to TOLONews, Manawi said that all crimes against humanity committed by Taliban militants should be investigated at both the national and international levels.

Afghan accuses Taliban of war crimes

Several videos have appeared in recent weeks purporting to show the Taliban carrying out atrocities on civilians and captured Afghan forces. Taliban terrorists were seen in one video executing an Afghan army commander after he was arrested by the terror group. The video depicts the moment when Colonel Abdul Hamid Hamidi, commander of the First Regiment of the Afghan Army's 207 Zafar Corps in Herat, is kidnapped.

According to security officials, the colonel was apprehended with five of his soldiers before being shot and killed. Manawi noted, "What is done by the Taliban is a violation of human rights, a violation of international law and is an international crime and humanitarian crime."

Afghan President Ashraf Ghani, who spoke during a special session of the Houses of Parliament on Monday, the Taliban have become more brutal in recent years. "Talib attacks are more violent, more bloodthirsty and more oppressive," Ghani said.

In June, the Taliban murdered 23 Afghan special forces unit members in Faryab province after they surrendered to the group. With the total withdrawal of foreign forces only a few weeks away, Afghanistan is experiencing an increase in bloodshed as the Taliban intensifies its onslaught against Afghan forces and civilians. The Taliban have taken control of many districts in Afghanistan in recent weeks, including Takhar in the country's northeastern region.

The US and the UK have also accused the Taliban of 'war crimes' in Kandahar province's southern town of Spin Boldak, stating that dozens of civilians were 'massacred.'

**UN warns of possible war crimes as Taliban hold tightens around north of Afghanistan (The Journal)**  
August 10, 2021

**THE UN HUMAN chief today urged an end to the Taliban offensive on Afghan cities and said her office was receiving reports of possible war crimes.**

"The Taliban must cease their military operations in cities. Unless all parties return to the negotiating table and reach a peaceful settlement, the already atrocious situation for so many Afghans will become much worse," Michelle Bachelet said in a statement.

The Taliban's sweeping takeover of cities and districts "have struck fear and dread into the population," she said, warning that the proliferation of pro-government militias mobilised against the Taliban could also put civilians at risk.

"We know that urban warfare results in scores of civilians being killed. We have seen it before, too many times."

"In Afghanistan, since 9 July in four cities alone – Lashkar Gah, Kandahar, Herat and Kunduz – at least 183 civilians have been killed and 1,181 injured, including children," she said, adding that these were just the civilian casualties the UN had managed to document.

"The real figures will be much higher."

Bachelet said her office was receiving reports of "summary executions, attacks against current and former government officials and their family members, military use and destruction of homes, schools and clinics, and the laying of large numbers of improvised explosive devices (IEDs)."

"Directing attacks against civilians is a serious violation of international humanitarian law and amounts to a war crime," Bachelet said in a statement from her Geneva headquarters.

The UN was also receiving "deeply disturbing" reports of killings by the Taliban of off-duty Afghan security force members, even after they had surrendered.

The former Chilean president urged all states to use their influence to bring the fighting to an end.

"States have a duty to use any leverage they have to de-escalate the situation and reinvigorate peace processes," she said.

At least 241,000 people have been displaced since the beginning of the Taliban offensive in May, according to the UN.

The Taliban are in control of six Afghan provincial capitals following a blitz across the north that has seen tens of thousands of people flee their homes for the relative safety of Kabul and other centres.

The insurgents now have their eyes on Mazar-i-Sharif, the biggest city in the north, whose fall would signal the total collapse of government control in a region that has traditionally been anti-Taliban.

Government forces are also battling the hardliners in Kandahar and Helmand, the southern Pashto-speaking provinces from

where the Taliban draw their strength.

The United States – due to complete a troop withdrawal at the end of this month that will end its longest war – has largely left the fighting to the Afghans but is sending special envoy Zalmay Khalilzad to Qatar this week in another bid to convince the Taliban to accept a ceasefire.

Khalilzad “will press the Taliban to stop their military offensive”, the State Department said, and “help formulate a joint international response to the rapidly deteriorating situation”.

But Pentagon spokesman John Kirby said it was down to the Afghan government and its forces to turn the tide, saying there was “not much” the United States could do to help.

Michael Kugelman, at the Woodrow Wilson International Center for Scholars, also doubted Washington had the means to anything.

“I fear that the Taliban is just so strong and the Afghan military is so beleaguered right now, it’s going to be hard to find some type of momentum-changer from the US,” he said.

The Taliban have appeared largely indifferent to peace overtures, and seem intent on a military victory to crown a return to power after their ouster 20 years ago in the wake of the September 11 attacks.

As fighting raged, tens of thousands of people were on the move inside the country, with families fleeing newly captured Taliban cities with tales of brutal treatment at the hands of the insurgents.

“The Taliban are beating and looting,” said Rahima, now camped out with hundreds of families at a park in the capital, Kabul, after fleeing Sheberghan province.

“If there is a young girl or a widow in a family, they forcibly take them. We fled to protect our honour.”

The Taliban earned notoriety during their first stint in power from 1996-2001 for introducing a harsh interpretation of Islamic rule that barred girls from education and women from work.

Crimes were punished by public floggings or executions, while a host of activities – from playing music to non-religious TV – were also banned.

They have given little indication of how they would rule if they take power again, apart from to say it would be according to the Koran, and opponents fear losing hard-won rights.

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

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

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

**Cambodia Tribunal Monitor**

**Khmer Rouge tribunal to hold last public hearings (UCA News)**

August 10, 2021

**The last of Pol Pot’s surviving henchman, Khieu Samphan, is expected to deliver his final defense in his appeal against convictions for genocide and crimes against humanity when the Khmer Rouge tribunal begins its last public hearings in Phnom Penh next week.**

A bench of Cambodian and international judges will then deliberate on the 90-year-old’s appeal at the Extraordinary Chambers in the Courts of Cambodia (ECCC) and then start finalizing its legal work which began more than 15 years ago.

The ECCC has also secured convictions against the former commandant of the S21 torture and extermination center, Kaing Guek Eav — commonly known as Duch — and former brother number two Nuon Chea. Both died behind bars.

Others, including Pol Pot's former foreign minister Ieng Sary, his wife Ieng Thirith and former military chief Ta Mok, died behind bars before a verdict could be reached for the deaths of up to 2.3 million people who perished in Cambodia between 1975 and 1979.

Legal sources at the tribunal said outstanding cases were also expected to be dealt with, including former commanders Meas Muth and Yim Tith, which remain in a legal limbo with Cambodian and international prosecutors divided over whether to proceed.

“This will be the last of the public hearings,” said a legal source who declined to be named. “It’s significant and because of the nature of this court there has been many precedents set which need to be worked through for future generations and future trials like this.”

Hearings will begin on Aug. 16 with up to nine days reserved to finalize outstanding issues before the UN-backed courts head into recess.

Twenty-five years ago, few thought a UN-backed tribunal would happen at all, with Pol Pot — who died under house arrest in 1998 — and his henchmen living freely in Cambodia’s remote west.

Critics have argued the tribunal, which to date has spent about US\$330 million, was too expensive given so few convictions. But others note that sum equates to about \$200 for every person who perished under the regime.

As Helen Jarvis, former head of the ECCC’s victims’ unit, recently noted, that cost does not include the pain and suffering endured by the millions who survived the barbarity inflicted upon them by the ultra-Maoists who sought to establish an agrarian utopia.

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## **Bangladesh International Crimes Tribunal**

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## **War Crimes Investigation in Myanmar**

### **Eight men found dead in Kani Township with clear signs of torture (Myanmar Now)**

July 29, 2021

#### **Locals found the bodies of eight men in two locations in the forest surrounding Zee Pin Twin village in Sagaing Region’s Kani Township on Tuesday.**

The discovery followed a clash between the junta’s armed forces and the local People’s Defence Force (PDF) near the village on the previous evening in which a number of villagers and PDF soldiers went missing.

In the locals’ search for the missing people, they initially discovered seven bodies, including some buried together in a fresh grave.

“We found four bodies in a hole and three on the ground, so it was seven in total,” said a villager who was on the search team. Of the three men who were not buried, one was found hanging from a tree.

The deceased included two elderly men, one man with a disability, and four men between the ages of 18 and 30.

Locals noted that wounds and disfigurement of all of the men’s bodies indicated that they had been subjected to torture.

“One didn’t even have eyes anymore. The others had injuries on their shoulders and chins,” the witness who helped with the exhumation said, describing bruising that looked like it had been inflicted with rifle butts.

“The ones in the hole all had bullet wounds,” he added.

According to a video of the exhumation seen by Myanmar Now, one of the men had had an eye gouged out and his hands were tied.

After surveying the area and the ground conditions, locals fear that there may be as many as five more graves in that area of the forest, each possibly containing multiple bodies.

“We saw that the land near this burial site appeared to have been dug up and refilled as well. We still don’t dare to exhume them again because there’s a risk of landmines,” a Kani-based activist told Myanmar Now on the condition of anonymity, relaying eyewitness reports.

The three locals that Myanmar Now spoke with said that they had identified the bodies as civilians who had been seeking refuge in the woods from the fighting, as well as PDF members who had been captured by the military.

The villagers re-buried the seven bodies near the site where they were found.

Although the military left Zee Pin Twin on Tuesday morning, they continued to operate in and patrol the area, making it difficult for villagers to continue their search, as well as exhume and identify the bodies.

A spokesperson from the Monywa People’s Defence Force (MPDF) confirmed that they fought alongside locals against the junta’s forces near Zee Pin Twin village on Monday and that six of their members were killed and one went missing.

“Only one died during the battle and the rest got shot in their limbs which incapacitated them. We have some photos suggesting that they were caught and shot to death at close-range,” the group’s spokesperson said. “It can be assumed that the military shot [and killed] all of our injured comrades.”

The MPDF’s casualties were young, and included a 17-year-old who had recently graduated high school.

“He was shot in the thigh and got the other leg broken by the military. There were bruises on his chest that suggested that he was kicked with combat boots. There were cuts on his arms and bruises on his face which suggested that he was hit in the face with a rifle butt,” the spokesperson explained.

He said that they had recorded the names of the dead MPDF members but at the time of reporting, had chosen not to make them public.

The MPDF were ambushed by the military on their way to Zee Pin Twin on Monday, and were forced to retreat due to the imbalance of power, the spokesperson added.

A PDF member from another nearby village who fought in the battle in Zee Pin Twin was also found dead in the surrounding area on Tuesday night. He was brought back to the village for burial, according to his brother, bringing the total number of men found killed that day to eight.

“My brother’s body was found near the edge of the woods. They caught him while he was resting since he could no longer run. He was not only shot, but also got his head smashed to a pulp,” the brother said. “He wasn’t resting because he was injured—he just had bad stamina because he was a smoker. His temple was hit with rifle handles. Half of his head was completely crushed.”

The brother of the deceased PDF member said he had heard that the junta troops had also taken the phones and guns from the men killed near Zee Pin Twin.

The military council has not released a statement regarding the discovery of the bodies or the clear signs of torture.



The murders signify the second recent junta massacre of civilians in the Sagaing Region township this month. On July 11 and 12, Kani locals discovered the bodies of 15 disfigured men strewn across a forest floor following junta raids on three area villages.

“They might be doing this because they believe that the people will be too scared to be involved in politics if they see such violent war crimes being carried out,” the Kani-based activist said.

“The military council isn’t fighting a war. They’re just torturing civilians,” he added.

Sagaing’s Kani and Yinmabin townships have been the site of fierce anti-dictatorship protests, and locals have been resisting the military with hunting rifles and makeshift weapons since April.

The townships have also seen large numbers of civilians displaced, due to military raids on villages.

On July 23 and 24, nine naval vessels on the Chindwin River shot at the Kani Township villages of Sar Pho Gyi, Nat Gyi, Yinyein and Thit Khet, destroying homes and injuring two men and one pregnant woman.

The fighting in Zee Pin Twin and the military occupation of the surrounding area caused the displacement of residents from four other village tracts—Lin Pone Yay, Lal Shay, Twin, and Chaung Ma—according to volunteers helping those who have fled.

### **Two New Deaths in Custody Bring Total to 32 Since Myanmar Coup (Radio Free Asia)**

August 3, 2021

#### **Two more people have died under suspicious circumstances while undergoing interrogation by security forces in Myanmar, bringing to 32 the total number of such deaths since the military seized power in a coup d’état six months ago.**

In nearly all the cases, authorities have blamed the deaths on COVID-19, despite markings on the bodies of decedents that are consistent with torture. Family members have also been given limited access to view the remains of their loved ones before they are cremated or buried.

The latest to die in police custody was Htet Ko Oo, who was arrested on July 19 in connection with the bombing of the Shwe Nandaw (Golden Palace) jewelry shop in Myanmar’s largest city Yangon. The July 8 incident was the second in less than a month targeting a business owned by Thet Thet Khine, the junta’s minister for social welfare, relief and resettlement.

According to Burma VJ, a website formed by a group of citizen journalists that documents human rights abuses by Myanmar’s military, Htet Ko Oo died on July 31 after being severely beaten during an interrogation session. The website said that authorities never informed his family members of his death and that they only learned of it after seeing a report on social media.

RFA was unable to contact Htet Ko Oo’s family for comment on Tuesday.

Lan Ko Thang, a resident of Sagaing region’s Kalay township, was arrested along with a friend on July 29 while returning home from the Chinese border, where he had labored as a migrant worker for nearly a year. Police had set up a checkpoint to control the spread of the coronavirus following a surge in cases in China and claimed to have “found weapons” on him after stopping the bus he was riding on for an inspection.

Lan Ko Thang died a day after his arrest at an area interrogation center and his family was informed that the cause of death was COVID-19, even though his body exhibited signs of heavy trauma, a relative told RFA’s Myanmar Service, speaking on condition of anonymity citing fear of reprisal.

“When we asked how he died, the military said he died of COVID, but our brother had a lot of injuries all over his body,” said the relative.

“There was a big wound on his head and one of his legs and one of his arms were broken. There were beating marks on his back and leg. There were also marks on his neck, as if he had been strangled. We are furious.”

RFA was unable to verify police reports that Lan Ko Thang was armed, but a resident of Kalay called him “calm and quiet,” adding that it was “totally impossible” that he would have had any weapons on him.

Lan Ko Thang is the fifth person to die from suspected torture while in custody in Kalay since the military ousted Myanmar’s National League for Democracy (NLD) government in a Feb. 1 coup. Government troops have engaged in a major offensive in the region with members of the People’s Defense Force (PDF) militia, formed to protect the public from the military.

A resident of Kalay, who declined to be named, said the rise in arrests and deaths from torture during interrogation has made residents “very insecure.”

“These days, many houses are being raided and people are being arrested. It’s not safe even on the streets in the afternoon. People are always scared,” they said.

“I don't know where [the troops] are getting all their information. They search any house they want without a warrant. Most of those arrested were kept in detention without any reason. Troops have been stationed at the city gates for some time. People have been arrested there too.”

Veteran lawyer Kyee Myint told RFA that any death that occurs during an interrogation should be considered wrongful and families of victims are entitled to file a lawsuit seeking compensation. Family members have said they were unaware of how to file a complaint against the military and questioned what kind of justice they could expect if they did.

#### Seeking accountability

On Feb. 1, the military overthrew Myanmar’s democratically elected government, claiming voter fraud had led to a landslide victory for Aung San Suu Kyi’s National League for Democracy (NLD) party in the country’s November 2020 election. The junta has yet to provide evidence of its claims and has violently suppressed nationwide demonstrations calling for a return to civilian rule, killing 946 people over the past six months.

Last month, the family members of those killed or maimed by junta soldiers urged the Netherlands-based International Criminal Court (ICC) to prosecute those responsible for the death or dismemberment of their loved ones. They say the military’s leadership must be held to account for its actions, which they believe fall under the court’s jurisdiction according to its founding treaty, the Rome Statute.

Under the statute, the ICC can accept cases related to four main crimes—genocide, crimes against humanity, war crimes, and crimes of aggression. The actions by the junta would most likely fall under crimes against humanity—which include murder, rape, imprisonment, enforced disappearances, and torture as part of a large-scale attack against any civilian population.

Aung Myo Min, human rights minister for the shadow National Unity Government (NUG), recently told RFA that torturing someone to death and not providing the actual cause of death is “a grave violation” of a person’s right to life.

He said the NUG is systematically collecting data on extrajudicial killings and plans to bring the perpetrators to justice at the ICC.

Before the ICC will investigate a case, the Office of the Prosecutor must determine whether there is sufficient evidence of crimes of sufficient gravity falling within the ICC’s jurisdiction, whether there are genuine national proceedings, and whether opening an investigation would serve the interests of justice and of the victims.

After gathering evidence and identifying a suspect, the prosecution requests that the ICC judges issue an arrest warrant or summons against a suspect and—based on summations presented by the prosecution, the Defense, and the Legal representative of victims—the judges decide if there is enough evidence for the case to go to trial.

Attempts by RFA to contact junta spokesman Maj. Gen. Zaw Min Tun for comment went unanswered Tuesday.

**UN diplomat alleges 'crimes against humanity' after Myanmar military massacre (SBS News)**  
August 6, 2021

**A Myanmar militia force fighting the army in a central part of the country and residents have found at least 40 bodies in jungle areas in recent weeks, including some showing signs of torture, said a militia member and Myanmar's UN envoy.**

Since the military overthrew the elected government of Aung San Suu Kyi on the 1 February, hundreds of people have been killed as the army violently quelled protests, and in clashes between soldiers and often hastily assembled, lightly armed local militias.

The bodies were found in several different locations around Kani, a town in the Sagaing area, which has seen fierce fighting in recent months between the army and the militia groups set up by opponents of military rule.

Reuters could not independently verify the claims and a spokesman for the military did not answer calls seeking comment.

In a letter to UN Secretary-General Antonio Guterres, Myanmar's UN envoy Kyaw Moe Tun, who represents the elected civilian government, said a total of 40 bodies were found and described three different incidents during July in Kani.

Kyaw Moe Tun described the incidents as "clearly amounting to crimes against humanity", calling on the UN Security Council and international community to impose a global arms embargo on Myanmar's military.

"There is no sign of easing atrocities, killing, arrest committed by the military," he wrote. "We demand for urgent humanitarian intervention from the international community before it is too late."

### **More Than 740 Myanmar Junta Troops Killed in July: NUG (The Irrawaddy)**

August 10, 2021

#### **More than 740 junta soldiers were killed and almost 370 wounded during 355 shootouts with the ethnic armed forces and civilian resistance fighters in July, according to Myanmar's parallel National Unity Government (NUG).**

Based on media reports, the NUG said almost 200 civilians were killed and 47 injured by the military in fighting during the month.

The regime has killed about 800 civilians during crackdowns, raids and random shootings.

Resistance fighters are using air guns, homemade firearms and bombs across the country, except in Rakhine State. That state reported only one explosion and an attack on a junta informant in July.

In July, junta forces faced 60 battles with ethnic armed forces and 62 shootouts with the civilian People's Defense Forces.

There were 87 assassinations of junta troops and about 75 explosions.

The regime suffered the heaviest losses in Sagaing Region with 36 firefights with civilian resistance forces, three shootouts with ethnic armed forces and 36 assassinations of the troops, according to the NUG.

Junta troops committed 23 violent acts, including massacres, in the region.

It estimated that 417 junta soldiers were killed and 270 injured and 128 civilians were killed and six wounded in Sagaing Region.

In Kani Township in the region, around 40 civilians, including a child, were killed in a series of junta massacres during military operations against the civilian resistance.

A resident told The Irrawaddy on Monday that people would face shortages of food and drugs in Kani Township soon as troops had cut off all transport into the township.

Troops at the entrances of the township are detaining or threatening Kani residents who leave the township, the resident said.

The regime has cut access to the internet and other telecommunications in the township.

"They are committing war crimes, massacring civilians in our township," the resident said. "They stop food and drugs, trade and access to the internet. It feels like genocide by the regime."

People from 10 villages in Depayin Township in Sagaing Region have fled their homes due to military raids since Sunday. Heavy explosives were used on the villages and homes were ransacked, according to residents.

The NUG said Mandalay Region reported the second-largest amount of violence with 44 cases in July.

It reported 12 explosions, 18 attacks against junta troops and three shootouts, including two with the People Defense Force.

During the conflicts, three troops and 14 civilians were killed and 17 injured.

By Monday, more than 960 people have been killed by the regime during crackdowns, raids, arrests and random shootings, according to the Assistance Association for Political Prisoners that is documenting deaths and arrests since Feb. 1 coup.

More than 7,000 people, including elected government leaders, National League for Democracy members, protesters, activists, journalists, writers and artists, have also been detained by the junta.

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# AMERICAS

## North & Central America

**Residential schools were a key tool in America's long history of Native genocide (the Washington Post)** By David A. Love  
August 10, 2021

**The recent discovery of unmarked mass graves of 1,300 Indigenous children buried in five former residential schools has forced Canada to come to grips with a legacy of cultural and physical genocide against Native people.**

In the 19th and 20th centuries, 150,000 children were separated from their families, language and culture and placed in 150 government-funded residential schools. There, children were subjected to torture, trauma and death to “kill the Indian in the child.” Thousands of children died — 4,100 according to Canada’s Truth and Reconciliation Commission on the residential schools, although the actual number may have been as high as 15,000. And we can only imagine the trauma these children experienced, including those who were forced to bury their classmates and build their coffins.

The disturbing news from Canada was a reminder that the United States maintained its own system of 367 Indian boarding schools from 1860 until 1978. The two countries’ systems were intertwined, with the United States providing a model that Canada would adopt and emulate.

Responding to events in Canada, U.S. Interior Secretary Deb Haaland — the first Native American to hold a Cabinet position and a granddaughter of people forced into these boarding schools — announced an investigation of residential schools. She noted that most Americans would be alarmed to learn that “the United States also has a history of taking Native children from their families in an effort to eradicate our culture and erase us as a people.” But, she emphasized, “it is a history that we must learn from if our country is to heal from this tragic era.”

She is right. Just as America is being forced to address its legacy of enslavement, segregation and systemic racism, the nation must confront the genocide of Indigenous people — who are rendered all but invisible in society — and the role of settler colonialism in building the country. Native American genocide, like slavery, constitutes America’s original sin.

From the earliest colonial days, violently clearing the land of Indigenous people — like slavery — was critical to the formation of the country. And, as with slavery, Christianity played an instrumental role in advancing violence against Indigenous communities. Three papal edicts — known together as the Doctrine of Discovery — provided a religious justification for colonial conquest and exploitation of non-Christian people and paved the way for the West African slave trade, slavery and Indigenous genocide.

These beliefs permeated the Declaration of Independence, which referred to the original inhabitants of this land as “merciless Indian savages.” And with U.S. expansion came Native American dispossession, death, forced relocation and containment in reservations. In fact, it was public policy. In 1819, Congress enacted the Civilization Fund Act, which authorized the president “in every case where he shall judge improvement in the habits and condition of such Indians practicable” to “employ capable persons of good moral character” to introduce tribes to the “arts of civilization.” In 1824, the Bureau of Indian Affairs was established to administer the fund, which paid Christian missionaries to “civilize” the Indians.

The creation of residential schools were part of the broader settler colonial project to exterminate Native American culture and separate them from the land through war and violence. The first government-run boarding school for Native American children was the Carlisle School, which opened in Pennsylvania in 1879 for the purpose of “civilizing” by forcibly assimilating the children into White society. Founded by a Civil War veteran, Gen. William Henry Platt, who was in charge of Native American prisoners of war, its mission was clear. “A great general has said that the only good Indian is a dead one, and that high sanction of his destruction has been an enormous factor in promoting Indian massacres,” Platt said. “In a sense, I agree with the sentiment, but only in this: that all the Indian there is in the race should be dead. Kill the Indian in him, and save the man.”

Of the 10,000 children who attended the Carlisle School until it closed in 1918, more than 180 died amid abuse, malnourishment and disease related to substandard living conditions. After 100 years, the bodies of 10 of these children were returned to their families in June 2021.

Nevertheless, Carlisle came to serve as a model for other residential schools. Employing Platt's assimilationist and genocidal philosophy of eliminating Native American culture, these schools adhered to policies forcing children to speak, dress and behave according to White American values, focusing on individualism and materialism, private rather than communal property and the monogamous nuclear family structure. Boys received industrial training, while girls learned home life skills in regimented environments, suffering under living conditions the Native American Rights Fund described as "somewhere between dungeons and death camps" in a 2019 report.

Between one-third and 40 percent of the Indian boarding schools in the United States were operated by Christian denominations. Churches believed that "civilizing" and converting Indigenous people to Christianity was their only hope of salvation from a "dying" culture. Missionaries regarded Indigenous spirituality as witchcraft and Christianity as the only acceptable moral law for a civilized society.

But, in fact, the boarding school system is now recognized as a form of genocide designed to forcibly remove children from their homes and separate them from their families, culture, clothing and language. Their hair was cut in a humiliating manner. Sadistic missionaries punished them for speaking their native tongue by washing out their mouths with soap, lye and chlorine. They were neglected, denied food, beaten and raped, sometimes leading to death — all for the sake of destroying Indigenous culture.

And their influence spread across the northern border. Nicholas Flood Davin, the architect of the Canadian residential school program, visited Indigenous boarding schools in the United States in 1879 and was impressed with what he saw, particularly with the Carlisle School and its solution to the "Indian problem" through an "aggressive civilization" policy that deconstructed Indigenous children.

"The experience of the United States is the same as our own as far as the adult Indian is concerned. Little can be done with him," Davin wrote in his 1879 report to the Canadian government. "He can be taught to do a little at farming, and at [live]stock-raising, and to dress in a more civilized manner, but that is all. The child, again, who goes to a day school learns little, and what little he learns is soon forgotten, while his tastes are fashioned at home, and his inherited aversion [avoidance] to toil [work] is in no way combated [stopped]." In Canada, residential schooling was made compulsory for all First Nations children in 1920.

Most of the schools ceased operations by the mid-1970s, with the last one closing in the late 1990s. With the Indian Residential Schools Settlement Agreement in 2007, Canada paid reparations to the survivors of residential schools and issued an apology.

Lawyers in Canada have requested the International Criminal Court investigate the Canadian government and the Vatican for alleged crimes against humanity. While the Canadian government identified 5,300 abusers, none have been charged under a federal law addressing war crimes and crimes against humanity. A few priests have faced sexual assault charges but not homicide. Out of more than 38,000 reports of abuse at the residential schools, there were fewer than 50 convictions.

The mass graves in Canada are a wake-up call for the United States to seize the opportunity and get on the right side of human rights. As a country with a long, unresolved and traumatic history of genocide and mass graves, of family separation and the erasure of children, America must heal itself by accounting for its past.

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## **South America**

**Indigenous Brazilians accuse Jair Bolsonaro of genocide at ICC (DW)** By Nadia Pontes  
August 9, 2021

**President Jair Bolsonaro could become the first Brazilian to be tried at the**

## **International Criminal Court (ICC).**

The court received a request on Monday to investigate Bolsonaro's alleged crimes against humanity and genocide against Indigenous peoples. It was filed by APIB, a coalition of Indigenous associations across Brazil.

The extensive document sent to the ICC was drafted by Indigenous lawyers and presents several speeches and political decisions logged since January 1, 2019.

That was when Bolsonaro, who has spoken about opening up the Amazon for commercial mining and has said that Indigenous lands could disrupt Brazil's development, came into office.

"We show that land isn't being demarcated [to guarantee Indigenous people's right to it]. The president is incentivizing deforestation and illegal mining in Indigenous territories," the lawyer Samara Pataxo told DW. "This is evidence for the crime of genocide because these events fueled the destruction of communities and increased violence and deaths."

Genocide and crimes against humanity The ICC, based in The Hague in the Netherlands, was established by a treaty called the Rome Statute in 2002 to try individuals for genocide, war crimes, crimes against humanity and aggression. It does so independently of individual states.

The statute defines genocide as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group." This can mean killing members of the group or subjecting the group to conditions that could destroy it.

Crimes against humanity, on the other hand, encompass systemic attacks against civilian populations. That could be murder, torture or enslavement, for example.

APIB's lawyers argue that Bolsonaro committed such offenses by incentivizing miners and loggers to invade Indigenous territories even though it is illegal. The far-right leader has been outspoken about legalizing mining in these areas.

His government has also stopped demarcating Indigenous lands, a practice meant to settle territorial disputes and protect native communities from invaders. On numerous occasions, Bolsonaro has said that giving Indigenous communities their own reserves is comparable to keeping "animals in a zoo."

Additionally, APIB lawyers argue Bolsonaro has committed such crimes by propagating the spread of COVID-19.

"These politics affected the life, health, integrity and existence of Indigenous communities in Brazil, especially that of uncontacted or recently contacted peoples," the document said.

What the data shows Deforestation in Brazil has skyrocketed under Bolsonaro. Between 2019 and 2020, more than 11,000 square kilometers (4,247 square miles) were deforested in the Amazon, according to the National Institute for Space Research (INPE).

That's 70% more than the average area that was deforested per year in the decade before Bolsonaro came into power.

As miners appear to be encouraged by the president's support of their industry, attacks on Indigenous communities have also soared.

This has culminated in killings like the shooting of Paulo Paulino Guajajara in 2019. He was a member of the "Guardians of the Forest" who monitor the forest to protect it from land grabbers, miners and loggers.

Last March, miners raided and set the headquarters of a rights group for Mundurucu women on fire in the northern state of Para.

In Yanomami territory, also in the north, Indigenous leaders have said for months that more than 20,000 invaders have destroyed an area larger than 500 soccer fields in their search for gold.

During one especially violent confrontation with illegal miners in May, two Yanomami children drowned as they tried to flee, The Associated Press reported.

Next steps The ICC has been evaluating another request to investigate Bolsonaro since last December. After the massive fires in the Amazon in 2019 and the rise of illegal logging, rights groups accused the president of crimes against humanity and of inciting the genocide of Indigenous Brazilians.

"Our understanding is that the president has only worsened his behavior toward the environment and Indigenous communities since then. We can't speak of incitement anymore — it is genocide," said Eloisa Machado, a lawyer with the

human rights group Cadu who also helped APIB.

Monday's request to the ICC will also have to be evaluated first. It will turn into a criminal case there only if the ICC agrees that the alleged crimes took place and that Brazil's own judiciary is unwilling or unable to hold a trial.

Asking The Hague to investigate could work as a kind of alert for the Brazilian justice system to prioritize these demands, says Andre Carvalho, an international law professor at the University of Sao Paulo.

"Since it involves Indigenous peoples, the relevance is evident," he said. "It's a question of survival for an important group."

For the lawyers taking their request to the ICC, it's not about winning the case.

"We want Bolsonaro to stop promoting crimes against Indigenous peoples, to end the persecution, the extermination and these politics that devastate the environment," said Machado.

**Colombia's FARC rebels recruited more than 18,000 children: Court (Aljazeera) August 10, 2021**

**Colombia's now-demobilised FARC rebels recruited more than 18,000 children into their ranks across a 20-year period, a transitional justice court (JEP) has said, accusing the group of subjecting the children to abuses and treatment that amounts to war crimes.**

The JEP's investigation relates to case 07, which concerns the Revolutionary Armed Forces of Colombia's (FARC) recruitment and use of minors between 1996 and 2016.

The tribunal will see 26 former FARC members testify, as Colombia seeks to grapple with the lasting impact of the country's decades-long civil war between rebel and paramilitary groups and government forces.

"Instrumentalising boys and girls in the conflict caused pain in Colombian society," JEP President Eduardo Cifuentes said during a news conference on Tuesday in the capital, Bogota.

"A provisional estimate, which could be even greater, of 18,667 boys and girls used in the conflict by the FARC is, without a single doubt, one of the most terrible acts that could have happened during the conflict," he said.

The tally came from analysing 31 databases compiled by victims groups and the state, as well as testimonies from 274 people who were forcibly recruited, said Lily Rueda, the JEP magistrate leading the case.

The tribunal also said at least 5,691 of the minors were under age 14, which violates international humanitarian law.

As the investigation advances, the JEP will also look at associated sexual and gender-based violence, and forced disappearances, as well as murder, torture, and cruel and degrading treatment.

The numbers published by the JEP are far above those previously released by the government, which had estimated that more than 7,400 minors were recruited in Colombia between 1985 and 2020, while 16,000 died during the conflict.

The JEP was created under a 2016 peace deal between the FARC and the Colombian government to investigate crimes and atrocities committed during the conflict. It has the power to impose lighter sentences than the ordinary justice system.

Former FARC leaders, who have since formed a political party called Comunes, have previously said recruitment of minors was not a general policy and that many joined the rebels' ranks for protection or to escape poverty.

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## **Venezuela**

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# TOPICS

## Truth and Reconciliation Commission

**Former head of TRC, survivors group call for nat'l Sixties Scoop inquiry (Winnipeg Sun)** By Glen Dawkins  
August 2, 2021

**Former chair of the Truth and Reconciliation Commission Justice and Sen. Murray Sinclair and a group representing Sixties Scoop survivors and their families are renewing their calls for a national inquiry into the Sixties Scoop and Indigenous child removal.**

“With the news of the graves being found at Indian residential facilities that there’s become more of a focus on the long-term effects of permanent child removal,” said 60s Scoop Legacy of Canada director and Scoop survivor Katherine Legrange, who wrote to Crown-Indigenous Relations and Northern Affairs Minister Carolyn Bennett again over the weekend to advocate for a nation-wide inquiry. “Certainly from myself I can say that I recently lost my brother and it was a month before I was notified so there’s still these lingering affects that folks don’t even realize or think about.

“When you think about the Sixties Scoop, it sounds like it ended in the early eighties but we’re still experiencing affects of the Scoop. I think it’s important to look at that.”

The 60s Scoop Legacy of Canada has been pushing for an inquiry since 2017 when an \$800 million was reached in a class action lawsuit involving Sixties Scoop survivors. At the time, an inquiry was viewed as “unnecessary” with settlement allowing survivors to avoid having to testify about their experiences, said Legrange.

“While there have been some studies that have looked into the Sixties Scoop, we still don’t really know how many children and families have been affected, and Survivors have never had the opportunity to share their experiences on a national scale,” Legrange said. “This was an unfortunate omission in the terms of the 2017 settlement for First Nations and Inuit Survivors. Survivors and their families must be able to share the truths of our lived experiences as children, and real action and resources must follow so we can all begin to heal.”

From approximately 1951 to 1982, thousands of Indigenous children were “scooped” from their families and placed in non-Indigenous homes as a result of government policies. It is estimated that there were more than 20,000 First Nations children who were “scooped” from their families. Survivors and their families believe that this number is much higher.

“The magnitude of the removal of children in Canada has not yet been measured,” said Sinclair in a statement. “It ought to be. It is likely that the Canadian numbers are proportionately as high as those in the United States which led to changes in policy, funding and law. A study or an inquiry to look into the issue is needed not merely to measure the magnitude of the sin or the names of the sinners but to respond to the suggestion that the child removal system was saving the children from incapable families.”

In addition to requesting a meeting with Bennett to discuss an inquiry, the 60s Scoop Legacy of Canada also want a national apology and a settlement for the Metis and non-Status Survivors excluded from the 2017 class action.

“Survivors really need a space to provide their testimony and document the experiences they had as children and certainly as we become adults we’re still struggling with some of those effects,” said Legrange, who was “scooped” up as a newborn in hospital in 1972 and placed with a non-Indigenous family. It wasn’t until she was an adult that she tried to reconnect with her birth family. “Healing resources have not be made available to date which is a real travesty and an oversight of the settlement of 2017. Part of the reason why we formed the 60s Scoop Legacy of Canada was to provide peer supports because we knew it was going to be a long time before that (promised) healing foundation was going to be up and running and it’s still not.”

**Seychelles' truth and reconciliation commission to set coup d'etat reparations policy (Seychelles News**



**Agency)** By Betymie Bonnelame  
August 9, 2021

**The Seychelles' Truth, Reconciliation and National Unity Commission expects to complete a reparations policy by September this year which will determine how the victims of the island nation's 1977 coup d'etat will be compensated.**

The chairperson of the Commission, Australian Gabrielle McIntyre, made the announcement after presenting the TRNUC's fourth report to President Wavel Ramkalawan on Monday.

The Truth, Reconciliation and National Unity Commission was established in 2018 to work on settling past political divisions and grievances that were a result of the coup d'etat in Seychelles on June 5, 1977. Its mandate will end next August.

"It's not our role to pay the victims but we make the policy, so we are working on a reparations policy. We've had some international assistance in doing research for that policy. So we hope to have it completed by September," explained McIntyre.

She said that the raising of funds will be for other organisations as it is not within the mandate of the Commission.

McIntyre, who was accompanied by the other commissioners on TRNUC, said that they have discussed the report which is "an update of our progress, challenges ahead and the completion of our mandate."

"It's a wide-ranging report so it identifies our achievements, challenges and discusses amnesty, reparations, challenges going forward. It gives timelines in respect to how long it will take to complete certain aspects of our work," she added.

The Commission is also requesting more funds in the upcoming budget which will help them with human resources and other logistics. Its actual budget is SCR12 million (\$804,000) and TRNUC is requesting an additional SCR20 million (\$1.35million)

"The Commission has always been under budget. From the beginning, it hasn't had sufficient resources to carry out all of its responsibilities. We are asking for this extra budget so that we can meet our objectives for the under-resourcing of the last two years of the mandate," said McIntyre.

She added that the Commission will continue to do its best like it always had and is calling on more volunteer support.

"We will do whatever we can to still meet our objectives regardless of our resource problems. We will have to prioritise, things will not be done to the rigour that we would like them to be done," said McIntyre.

The commission is set to complete its mandate on August 9, 2022, although McIntyre explained that there will be some work left to do after handing in the final report.

"Once we hand over that final report we will still have the record of the Commission that needs to be put in order so that it will be accessible," she said.

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## **Terrorism**

**Iraq military: Many feared dead in terrorist attack in north (Indian Express) July 31, 2021**

**An attack on a funeral procession in northern Iraq has claimed a number of victims, Iraq's military said in a statement Friday.**

The military said the "terrorist" attack in the province of Salahaddin resulted in a "number of victims" but did not provide specific figures.

An Iraqi security official said eight people had been killed, among them police and civilians, and that armed militants had opened fire on the crowd.

The official, who spoke on condition of anonymity said the attack had been perpetrated by the Islamic State group.

The death toll could not be immediately confirmed. The military said it will provide details once an investigation is complete.

Northern Iraq has been a hotspot for IS activity since their territorial defeat in 2017 by Iraqi security forces with assistance from the US-led coalition.

Iraqi forces routinely carry out anti-IS operations in the rugged mountainous northern region and the deserts of western Iraq where they are known to be holed up.

IS attacks have abated in recent years but continue in these areas where security forces are often the target of ambushes, raids and IEDs.

At times, IS has managed to launch attacks in the capital. At least 30 people were killed last week in a suicide bombing in the Baghdad suburb of Sadr City. The attack was claimed by IS.

**Interpretable machine learning predicts terrorism worldwide (Tech Xplore)** By Zhejiang University  
August 2, 2021

**About 20 years ago, a series of coordinated terrorist attacks killed almost 3,000 people in the World Trade Center, New York and at the Pentagon. Since then, a vast amount of research has been carried out to better understand the mechanisms behind terrorism in the hope of preventing future potentially devastating acts of terror. Despite the large efforts invested to study terrorism, quantitative research has mainly developed and applied approaches aiming at describing regional cases of terrorist acts without providing reliable and accurate short-term predictions at local level required by policymakers to implement targeted interventions.**

Building a model to predict terrorism worldwide at fine spatiotemporal scales

Publishing in *Science Advances*, an international research team led by Dr. Andre Python from the Center of Data Science at Zhejiang University investigate machine learning algorithms capable of predicting and explaining at fine spatiotemporal scale the occurrence of terrorism perpetrated by non-state actors outside legitimate warfare (non-state terrorism) across the world. To cover all regions worldwide potentially affected by terrorism over a large time period, the authors consider about 21 million week cells, which are composed of 26,551 grid cells at 50 km × 50 km that cover inhabited areas in the world over a period of 795 weeks between 2002 and 2016. An interpretable tree-based machine learning algorithm is compared with alternative benchmark predictive models to predict and explain the probability of the occurrence of terrorism (response) in each week cell across the world. Informed by terrorism theory, the model includes 20 structural features—time-invariant variables that account for the effect of, e.g., per capita gross domestic product (GDP)—and 14 procedural features—dynamic variables that account for the fact that terrorism activity in the past affects the risk of terrorism in the future. To predict complex social phenomena such as terrorism at fine spatiotemporal scales, theoretically informed machine learning algorithms are likely to outperform parsimonious models using procedural features only, says Dr. Andre Python who led the research. The choice of the features included in the predictive model is crucial; the relevance of the model outputs and the predictive performance benefit from a solid conceptual understanding of the mechanisms driving terrorism at the scale on which predictions are made.

Can terrorism be accurately predicted?

While the predictive performance of machine learning algorithms is relatively high in areas that are highly affected by terrorism, it remains challenging to predict events that occur in regions that have not experienced terrorism over a long period. Algorithms may show a relatively good overall accuracy even at fine spatial and temporal resolution. However, it is virtually impossible to predict 'black swan events'—those events that occur only once over a very large period of time, says Python. Terrorist events occurred in less than 2% of the week cells considered in our global study. Data imbalance reduces the precision of the models, which is the number of week cells that encountered terrorism and have been correctly predicted divided by the total number of week cells predicted to encounter terrorism. This means that to prevent a large proportion of terrorist events in a region that is not much affected by terrorism, important resources are required to survey large areas where terrorism can potentially occur.

Along with disagreement among scholars about the definition of terrorism, the availability, spatiotemporal coverage, and the quality of publicly available data on terrorism and its potential drivers remain an important barrier to accurately predict terrorism globally and at policy-relevant scales, says Python. But terrorism data and socioeconomical drivers are becoming more detailed, comprehensive and more easily accessible. Also, the ongoing development in interpretable machine learning algorithms is very promising and will make these powerful tools more accessible to the research community and practitioners in the coming years.

The important role of interpreting the results of machine learning algorithms

Until recently, the interpretation of models was almost essentially reserved to classical statistical models which impose a parametric relationship between features and the response like in linear regression models where features are assumed to be linearly associated with the response, and the coefficient associated with each feature can be estimated and further interpreted in line with existing terrorism theories. In this study, the researchers used an interpretable machine-learning algorithm to obtain relatively high predictive performance without compromising the interpretability of the results.

The research team used a gradient-boosted trees algorithm, from which they compute the accumulated local effect (ALE) plots, which highlight the marginal difference in the predicted probability of terrorism occurrence with an incremental change in the feature. The relationship between features and the occurrence of terrorism is likely to be non-linear and cannot be identified by standard statistical models, said Python. The ALE plots are an important interpretative tool. They can capture these complex relationships learned by the algorithm, says Python. In our study, we assessed the relationship between 34 relevant features and the occurrence of terrorism in 13 regions worldwide, he adds. We observed that some feature relationships are stable while others are more variable across regions. These results allowed us to better understand regional similarities and differences in the effects of major drivers of terrorism.

The machine-learning algorithm has potentially captured complex relationships of local and global drivers of terrorism at a scale that is relevant for policy makers says Python. The interpretability of our model has important benefits beyond its predictive capabilities. Results can be analyzed in line with terrorism theories and can therefore contribute to build trust among modelers and practitioners, which is a crucial step to make these algorithms valuable for the entire research community.

**Biden Officials Open to Tightening Law Authorizing War on Terrorist Groups (The New York Times) By Charlie Savage August 3, 2021**

**The Biden administration is open to several potential ways to tighten a much-stretched 2001 law that serves as the domestic legal basis for the open-ended “forever war” against terrorists around the world, a senior State Department official told Congress on Tuesday.**

Testifying before the Senate Foreign Relations Committee, the deputy secretary of state, Wendy R. Sherman, favorably — but vaguely — cited ideas to give Congress some role in any future decisions to expand counterterrorism operations to additional terrorist groups or to new countries, as well as to require periodic reviews of such groups and countries.

“I think that there is a lot of work to be done,” she said. “It may be that those kinds of ideas aren’t the right ones, but those are things that we are willing to discuss — as well as other things that the Senate might put on the table.”

Ms. Sherman made her comments at a hearing that was officially devoted to pending legislation to repeal two other aging war-powers laws: the 1991 law that authorized the Persian Gulf War and the 2002 law that authorized President George W. Bush to invade Iraq and topple Saddam Hussein.

The committee has scheduled a session on Wednesday to mark up and vote on legislation to repeal the two laws. The House voted in June to repeal them, and the Biden administration said it supported that effort, saying they were obsolete.

But the Senate hearing on Tuesday repeatedly returned to the far more complicated question of what to do about the 2001 law, which has grown into the basis for sprawling global counterterrorism operations.

Congress enacted the 2001 law to authorize war against those responsible for the Sept. 11 terrorist attacks. But administrations of both parties have used it as the legal basis for military action against targets well beyond Al Qaeda and the Taliban in Afghanistan, including interpreting it to justify warfare against a Qaeda affiliate in Yemen, the Islamic State in Iraq and Syria, and Al Shabab in Somalia.

When Mr. Biden took office, he imposed new limits on counterterrorism drone strikes and commando raids away from conventional battlefields — places like Somalia and Yemen — by generally requiring advance White House permission. And in April, he ordered a withdrawal of American ground forces from Afghanistan, saying that “it is time to end the forever war.”

But after a six-month lull in American drone strikes in Somalia, the Pentagon in recent weeks has carried out three of them. Each time, it has claimed that the justification was “collective” self-defense of Somali partner forces battling Al Shabab, invoking an exception to Mr. Biden’s general policy requirement to seek White House permission ahead of time.

The Biden White House has signaled no discontent with the Pentagon’s use of that “self-defense” exception to justify a practice of essentially providing close air support for partner forces that go out on missions and then get into trouble, even if no

Americans are present and at risk.

The domestic legal basis for airstrikes in both Somalia and Afghanistan is the 2001 war law, known as the Authorization for Use of Military Force, or A.U.M.F. While the Taliban, as Al Qaeda's hosts, were always understood to be covered by it, the Obama administration in 2016 added Al Shabab to the war by deeming it an associated force of Al Qaeda.

In opening Tuesday's hearing, the Foreign Relations Committee chairman, Senator Bob Menendez, Democrat of New Jersey, noted that he had voted for the 2001 law after the Sept. 11 attacks and said, "We never could have imagined it being used as a justification for airstrikes in Somalia or against groups that did not even exist at the time."

The 2001 war law is broadly worded and contains no geographical limits. But efforts in Congress to update it have faltered for years amid sharp disagreements over how to replace it. Some lawmakers have been unwilling to vote for anything that would reduce the government's authority to battle Islamist groups, while others have been unwilling to vote for anything that could be interpreted as entrenching the "forever war" or that could serve as a new blank check.

Against that backdrop, Senator Mitt Romney, Republican of Utah, voiced skepticism that any new counterterrorism war law would pass Congress. And multiple Republican senators expressed skepticism about repealing even the 2002 Iraq war law, suggesting that it might signal weakness in the Middle East, including to Iran.

While the 1991 war law is regarded as long obsolete, the executive branch has in recent years cited the 2002 war law as purported standing authorization from Congress to undertake very different combat operations in the Middle East than fighting Hussein: The Obama administration cited it in 2014 when it started bombing the Islamic State, and the Trump administration cited it in 2020 when it killed Iran's most important general, Maj. Gen. Qassim Suleimani.

Both claims were disputed. But Caroline Krass, the Pentagon's general counsel, noted that in both instances the executive branch portrayed the 2002 law as merely providing additional — rather than necessary — domestic legal authorization for those military operations.

Memorandums by the Justice Department's Office of Legal Counsel approving both operations separately cited President Barack Obama's and President Donald J. Trump's constitutional powers as commander in chief as providing a sufficient domestic legal basis.

Both administrations also claimed the 2001 war law provided domestic legal authority to battle the Islamic State, which had grown out of Al Qaeda's affiliate in Iraq, even though the two groups had split. By claiming it already had such authorization, the executive branch avoided problems with the War Powers Resolution — a Vietnam-era law that requires terminating hostilities after 60 days unless approved by Congress — while Congress has avoided having to cast tough votes.

Since taking office, the Biden administration has carried out airstrikes on Iranian-backed militias in February in Syria, and in June in Syria and in Iraq. Both times, the Biden legal team cited his constitutional authority as commander in chief to defend American troops in the region, rather than the 2002 Iraq war law.

Even as some senators cited Mr. Biden's powers under the 2001 war law and the Constitution as a reason not to fear that repealing the 2002 war law would limit what the government could do, Mr. Menendez said it was hard to constrain the scope of executive authority.

The Justice Department's expansive interpretation of presidential war powers, he said, "is a self-serving, one-way ratchet."

"Over time, it has enabled the executive branch to justify large-scale uses of military force without any congressional involvement, stretching the Constitution in ways that would be unrecognizable to the framers," he added. "A rebalancing is in order."

**Gold Star Families Accuse Major Banks of Aiding Terrorists (The New York Times)** By Emily Flitter  
August 5, 2021

**Anne Smedinghoff, a Foreign Service officer at the U.S. Embassy in Kabul, was escorting Afghan journalists on an outing when a roadside bomb killed her in 2013. The bomb's design relied on fertilizer made in Pakistan, at two factories that regularly supplied a nearby Taliban bomb-making operation — a fact that U.S. authorities had publicized.**

The factories, Fatima Fertilizer and Pakarab Fertilizers, were not fly-by-night organizations. Both did business in U.S. dollars through accounts at the London-based bank Standard Chartered.

Now Ms. Smedinghoff's family and a group of nearly 500 others — including soldiers and civilians who were severely wounded in Afghanistan and their families, along with the families of victims who were killed — are accusing some of the world's largest banks of helping terrorists carry out their attacks. Among the defendants are Deutsche Bank, Standard Chartered and Danske Bank.

Plaintiffs in the lawsuit, filed on Thursday in federal court in Brooklyn, include 115 Gold Star families — relatives of American military service members killed in the war — as well as relatives of noncombatants like Ms. Smedinghoff, who was killed while taking the journalists to watch U.S. officials donate books to a school. They are seeking billions of dollars in damages, arguing that the banks provided accounts, transfers and other routine services to companies and individuals who they knew were helping terrorist networks responsible for hundreds of deadly attacks.

The lawsuit will be a powerful test of the reach of a 2016 antiterrorism law, the Justice Against Sponsors of Terrorism Act. It allows terrorism victims and their families to seek relief from people, entities and countries that have provided “material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.”

Victims and their families have sued banks under the law before, with mixed results. The suit filed on Thursday is notable because it takes a broad approach: Some of the relationships it cites are ones that banks had with people and companies that dealt with the attackers, rather than services provided directly to known terrorists.

This single degree of remove could allow the banks to argue that their activities were not directly related to the bombings that the lawsuit describes because their customers were legitimate businesses, even if those customers had dealings with criminals. If successful, the suit could open the door to a flood of similar cases.

A representative of Danske Bank had no immediate comment. Representatives of Deutsche Bank and Standard Chartered declined to comment.

The 2016 law was passed to give terrorism victims more leeway to sue governments and other entities that they believe have aided terrorism. Before it passed, such suits could go forward only against entities that the U.S. government had designated as state sponsors of terror. The law was written to help families of victims of the Sept. 11, 2001, attacks pursue legal claims against Saudi Arabia for its role in aiding their architect, Osama bin Laden.

Although federal law makes it a criminal matter for banks to knowingly participate in illegal activities, including by transferring money or providing other banking services, prosecutors have been reluctant to bring such cases, especially where they are linked to terrorism. If successful, such cases would carry such steep penalties that they could force banks out of business. Instead, prosecutors have relied on victims and their families to pursue claims in civil courts.

The lawsuit draws heavily on publicly reported warnings that U.S. authorities gave about companies and people with ties to terrorist networks. In 2013, for example, a senior Defense Department official, Lt. Gen. Michael Barbero, met with Standard Chartered executives to describe the U.S. government's efforts to tamp down on the flow of fertilizer to bomb makers, specifically citing the bank's fertilizer production clients, *The Mail on Sunday* reported in 2019.

The plaintiffs say the banks' treatment of some of their clients indicated that they understood how their services were connected to illegal activities. The suit alleges that Deutsche Bank, for instance, charged higher-than-normal rates to move money around the world for some of its clients, including a Pakistani man whom the U.S. government had flagged as a money launderer for terrorists. In 2016, the government said the man, Altaf Khanani, laundered money for drug traffickers and other criminal organizations.

Deutsche Bank used a complex series of stock trades in the United States and Russia, called mirror trades, that allowed him to move money around the world on behalf of Al Qaeda and the Taliban, *Buzzfeed News* reported last year.

Deutsche Bank's use of mirror trades have attracted government scrutiny before: U.S. state authorities and British regulators have fined the bank, and the Justice Department is conducting a criminal investigation.

**What do many terrorists have in common? They abuse women (The Guardian)** By Joan Smith  
August 5, 2021

**Five years ago, I began to notice that the perpetrators of some of the worst terrorist attacks had something in common. A high proportion shared a history of assaulting wives, girlfriends and other female relatives, sometimes involving a whole series of victims, long before they attacked total strangers.**

In the summer of 2016, for example, when just two terrorist attacks in Florida and the south of France left 135 people dead and hundreds injured, both perpetrators claimed to be Islamists. But I was struck by the fact that each had a horrific record of

domestic violence.

A year later, there were four fatal attacks in the UK and all six perpetrators turned out either to have abused women or, in one case, to have witnessed his father abusing his mother and sister. There were striking similarities between the histories of Darren Osborne, the rightwing extremist who drove a van into worshippers leaving a mosque in north London, and Khalid Masood, the Islamist who staged an attack on Westminster Bridge. Both men had criminal records for violent offences – and both had abused women.

I thought these cases challenged conventional wisdom about terrorism, which holds that it is all about ideology. Many fatal terrorist attacks actually appeared to be an escalation of violence that had been going on, sometimes for years, against members of the perpetrator's family. I was convinced that the police and MI5 needed to change the way they assessed the risk posed by suspects, treating a history of domestic violence as a very significant red flag.

When I raised this with the authorities, however, I encountered scepticism and disbelief. So I decided to write a book, using published sources to piece together a woeful catalogue of men who had humiliated, beaten and sexually assaulted women long before they became notorious as terrorists. It was published in 2019 and this time senior figures at counter-terrorism policing and the Home Office listened.

They commissioned groundbreaking research using data on just over 3,000 referrals to the Prevent programme in England and Wales in 2019 – adults and children who had caused concern to teachers, social workers and family members because of a possible vulnerability to radicalisation (V2R). The results of what came to be called Project Starlight have not yet been published, but I have been given access to them – and they are stunning.

Almost 40% of adult referrals had a history of domestic abuse either as perpetrators, witnesses or victims – or a combination of all three. This is likely to be an underestimate, given that domestic violence is one of the most under-reported crimes, but it provides some idea of prevalence for the first time. The comparable figure for children is 30%, another likely underestimate because under-16s were not routinely questioned about domestic abuse in the home.

There were many more men than women among the sample and the research showed another significant difference between the sexes: male referrals were more likely to be perpetrators of domestic abuse, while the women were more likely to be victims. But what is really shocking is the extent and seriousness of the violence disclosed in family histories. "Incidents recorded ranged from children witnessing domestic abuse in their households to people being convicted of the attempted murder of their partner."

As I expected, the link is visible across ideologies, from Islamists and rightwing extremists to the fifth of the sample where no known ideology was identified. This confirms my theory that terrorism is at least as much about male violence as ideology, suggesting that angry young men are attracted to extremist ideas that appear to "justify" their grievances. The route from victim to perpetrator is not inevitable but it is well known, and the research reveals that almost 16% of adult V2R referrals had been victims of domestic abuse, nearly three times higher than the estimated national figure.

Take the tragic case of the Deghayes brothers from Brighton. After enduring years of violence at the hands of their father, 18-year-old Amer Deghayes fled to Syria where he joined a terrorist organisation, the al-Nusra Front, in 2013. Two younger brothers followed and were killed within months of their arrival. Another brother, who had remained in Brighton, was convicted of drugs offences and stabbed to death in 2019. The cost of violence in the home is unacceptably high.

Another reason why extremist organisations appeal to aggrieved men is, I'm afraid, their misogyny. When the Project Starlight researchers looked for a link between V2R referrals and hate crime, they did not find it – but they did find one with woman-hating. Indeed so-called incels – bitter young men who blame women for their inability to get sex – have carried out fatal attacks in the US and Canada.

A recent horrific case suggests that counter-terrorism officials need to be alert to the possibility that extreme misogyny is in itself a form of radicalisation. Last month a 19-year-old man was convicted of the murders of two sisters, Bibaa Henry and Nicole Smallman, in north London. At his trial, it emerged that Danyal Hussein had been referred to Prevent in 2017 after using school computers to access far-right material.

He appeared in front of a Channel panel, the statutory body that assesses the risk posed by individuals, but was discharged a few months later with no continuing concerns in relation to extremism or terrorism. Yet Hussein would later draw up a "contract" with a "demon" in which he promised to kill six women – and only women – in six months in return for winning the lottery. He refused to give detectives his passwords, so it is impossible to confirm a suspicion that he may have accessed incel sites on the web. But in a note that echoes the incel obsession with not feeling sufficiently attractive to women, he pledged to "offer some blood" in exchange for making a girl fall in love with him.

All this demands a revolution in how we think about terrorism, domestic violence and misogyny. The Project Starlight report

rightly includes a raft of recommendations, calling for much wider awareness of the link between violent extremism and a history of domestic violence. "All counter-terrorism case officers should consider checking for potential links to a domestic abuse-related incident," it says.

But this may not be straightforward when so few incidents lead to convictions. A recent report revealed that three-quarters of domestic abuse cases reported to the police in England were closed without the perpetrator being charged. Some organisations have come up with welcome innovations – Croydon in south London, for instance, has a specialist social worker sitting on Channel panels, leading to the disclosure of previously unsuspected domestic abuse in the history of V2R referrals.

But the Cinderella status of crimes against women can no longer be tolerated. The connection between private and public violence is now crystal clear – and the cost of continuing to ignore it is way too high.

**U.S. State Department announces five additions to global terrorist list (Reuters) August 7, 2021**

**The State Department on Friday announced the addition of five alleged Islamist militants to its Specially Designated Global Terrorist list, requiring the blocking of any ownership or interests in U.S. properties they hold.**

The designations also expose to possible U.S. sanctions individuals or foreign financial institutions who engage in certain transactions with the five.

They include Bonomade Machude Omar, the senior military commander of Islamic State's affiliate in Mozambique, U.S. Secretary of State Antony Blinken said in a statement. Omar led a group of extremists who killed dozens of people in an attack on the Amarula Hotel in the town of Palma in March, Blinken said.

He also is responsible for attacks elsewhere in Mozambique and in Tanzania, Blinken said.

Sidang Hitta and Salem Ould al-Hasan, senior leaders of Mali-based al Qaeda-linked Jama'at Nusrat al-Islam wal-Muslimin, also were designated, as were Ali Mohamed Rage and Abdikadir Mohamed Abdikadir, leaders of the al Shabaab group of Somalia, Blinken said.

**Malta: The teenagers pulled from the sea and accused of terrorism (BBC News) By Jean Mackenzie August 9, 2021**

**It is where he was handcuffed by Maltese soldiers and led away to a maximum-security prison. He was only 15 at the time and, unknown to him, a suspected terrorist.**

It was just a misunderstanding, he thought. Once everyone realised what had happened, he would be freed. But that was two years ago. Today Lamin, from Guinea in West Africa, stands accused of hijacking the ship that rescued him at sea and brought him to Europe.

This alleged act of terrorism could put him in jail for the rest of his life.

So how did a child refugee end up in Malta facing accusations of such a crime? For six months I have been investigating this curious case. It is a story of fear, desperation and of being in the wrong place at the wrong time - as a small country decided to take an almighty stand.

Perilous journey

Lamin had never envisaged making the treacherous journey across the Mediterranean. He ran away from home aged 13 because of a family feud. After making it through the baking Algerian desert - passing the bodies of others who hadn't survived - he was convinced by a friend he'd find work in Libya. There, he cleaned houses for three months for no pay, until his boss offered to help him travel to Europe.

As they set off from the Libyan coast, Lamin remembers the dinghy in which he was travelling deflating. But it was too late to back out, and smugglers were shooting from the shore at him and the other 100-plus people on board. Soon, there was no air left inside the dinghy.

Lamin sat with the women and other children. One woman was wailing and asking Lamin if she was going to die. "I couldn't bear to tell her the answer, I was crying so hard. There wasn't a single person who wasn't crying."

By the time I meet Lamin in Malta, he's 17. He speaks softly, in near-perfect English. His mother sent him to an English-speaking school in Guinea, hoping it would give him more opportunities. But this gift would turn out to be his curse.

The sinking dinghy was spotted by an EU patrol plane, which asked a passing oil tanker - en route from Turkey to Libya - to assist. Lamin was the first to climb up the ropes and board the tanker. It was immediately clear this was not a rescue ship. The Arabic writing on deck made people nervous. "Where are you taking us?" they asked. "To Europe?"

The ship and its captain shared the same name. The tanker was called El Hiblu 1 - and a Libyan man, Nadar El-Hiblu, was at the helm. In English, he told the migrants he had been instructed to wait and that more boats would come to take them to Europe. But the migrants didn't understand what he was saying. Lamin was the only one of them who spoke English, and ended up becoming the translator.

As he relayed the news, people started dancing and singing. But the other boats never came and, in the middle of the night, for reasons that are unclear, Nadar set off for Libya.

As dawn broke, land was in sight. At first people were excited - they thought they had reached Europe. But then someone recognised the harbourside lights of the Libyan capital, Tripoli. People started to panic. "No Libya, no Libya," they screamed. Some threatened to jump overboard, saying they would rather drown than go back.

Lamin recalls how Nadar came out of his cabin to confront the commotion and to search for "the boy who speaks English". But Lamin didn't want to get involved. Some of the other migrants had turned on him, accusing him of lying about going to Europe.

Meanwhile, two other teenagers - 19-year-old Abdalla from Guinea and 16-year-old Abdul from Ivory Coast - were trying to calm down others. Eventually, says Lamin, all three of them agreed to speak to the captain in his cabin. Lamin says he explained why people were so distressed. If they were sent back to Libya, some of them would certainly die.

The horrors facing migrants in Libya have been well-documented, with cases of rape and torture in notorious detention centres. Under international maritime law, ships must take those they rescue to a safe place. Many organisations have declared Libya unsafe.

"Maybe he felt sorry for us," Lamin says, "but at this point he agreed that if people calmed down, he would take us to Europe. He said he didn't have enough fuel to get to Italy, but he would take us to Malta instead."

#### The 'terrorists' arrive

Lamin had never heard of Malta, but he delivered the message to the other migrants. Captain Nadar set sail for the Mediterranean island, 220 miles (355km) north of Tripoli. But when he approached, he reportedly told the Maltese authorities across his radio that he was not in control of his ship.

A frenzy was building in Valletta - Malta's capital. There was talk of pirates and then of terrorists. When the ship arrived, TV cameras and the military were waiting. Preliminary terrorism charges were made against Lamin, Abdalla and Abdul. Together, they would soon become known as "the El Hiblu three". The 100-plus other migrants, and the captain and crew, were free to go.

Malta is often the first place in Europe that migrants coming from Libya reach and, in spring 2019, the attitude towards them was particularly hostile. In the preceding years, it had taken in thousands of people, but the hospitality had dried up. At the same time, the EU's search-and-rescue boats had disappeared from the sea. The strategy was to co-operate with the Libyan coastguards, to prevent and deter people from making the journey.

What exactly happened on board the oil tanker has not been proved. In a court hearing, Nadar maintained he had not been in control of the vessel. Lamin has not been given the chance to explain in court what happened, and all three of the young men are yet to be formally charged. The authorities are still gathering evidence.

Lamin spent eight months in prison, before being released on bail. He now has a room in a centre for young migrants. He cannot leave the island and has found work on a construction site, getting up at 05:00 each day to be there on time.

Twice a day, he has to check in at a police station or faces being put back into detention - one of his many strict bail conditions. Lamin calls out "129" to the officer behind the counter. She calls back, repeating his official number without turning around. "That's my name now," he laughs.

Those close to Lamin say his mental health has deteriorated since arriving in Malta. He is plagued by the thought of spending his life behind bars.



"How am I a terrorist?" he pleads. "I didn't fight, I didn't shout. Terrorists kill innocent people, I only wanted to help people understand each other.

"There were a lot of people on that boat bigger and stronger than us three. If this had been a hijack, they would have been the ones inside the cabin - but the captain chose us."

### Slow justice

In the days after the rescue in 2019, the prosecution rushed to take evidence from the captain and crew, before letting them leave Malta. But neither the three young men, nor a single one of the other 100-plus migrants on board, were called to give their versions of events.

It wasn't until March 2021, after continued complaints from the trio's defence lawyer, Neil Falzon, that the prosecution summoned the first migrant witness.

"There are more than 100 people with crucial information about what happened, but as time goes by it is getting harder to find them and memories have faded," he says. Many are no longer in Malta.

Abdul is now 19. He is full of energy but broke his leg badly last year falling from a construction site. He's teaching himself driving theory in the hope one day he can learn for real. He says staying busy and cheerful is the only way he can stop the authorities taking what little is left of his life, because they already have his freedom.

Abdalla is more reserved. He and his wife, who crossed the Mediterranean with him, now have an eight-month-old daughter. They made the journey after his father died. He'd quit his sociology degree to support his family, but struggled to provide enough. Europe seemed the only hope. He doesn't like to talk about the case or his future, and says he can't think past tomorrow.

There are so many unanswered questions about this case.

I tried for months to get someone from the Maltese police or prosecution to talk to me, either on or off the record, without success. I asked time and again for simple answers to questions.

For how much longer will they be gathering evidence? When will the trio be able to give evidence? Why was there a two-year gap between taking evidence from the captain and crew, to hearing from the first migrant?

But whenever I mentioned the case of the El Hiblu three, all I got was, "no comment".

### What the others saw

I track down some of the other migrants picked up by the El Hiblu. They are nervous at first, but then agree to tell me their version of events.

They tell me the captain had sworn on the Koran that they would be taken to Europe. People were angry and desperate. Some picked up metal scraps and started banging them against the cabin windows in protest. The scene they paint is an intimidating one, of 108 distressed people hell-bent on not returning to Libya.

But, clearly, they describe Lamin, Abdul and Abdalla as peacekeepers. They say Abdalla and Abdul managed to calm the group and convince people not to cause any harm. It was then the captain came out to invite them and Lamin into the cabin to make a plan.

"These three boys, they saved us all. If they hadn't been there with us, I doubt any one of us would be here now," one of them, Bakary, says.

Kammisoko, who was the first on board to realise they were being taken back to Libya, starts to weep. They are tears of shame, he says. The lives of three children are being destroyed for the sake of theirs. He says he has gone to the court twice begging to give evidence, but hasn't been allowed to.

Whatever happened on the tanker, human rights organisations say that to label these three young men as terrorists is a serious overstretch. Even the one police officer I managed to get on the phone admitted as much, before insisting he wasn't very involved in the case.

The UN office of the High Commissioner for Human Rights has called the preliminary charges disproportionate and asked the Maltese authorities to reconsider. The Catholic Church has also publicly criticised the case, with the archbishop of Malta calling for the charges to be dropped.

"We believe this is a case of injustice, that these charges are an exaggeration," Reverend Anton D'Amato says, speaking on behalf of the archbishop.

"We can't understand why three teenagers, who were trying to escape somewhere terrible, and who were acting as interpreters, could be accused of terrorism.

"Migration is not a crime and we hope they are freed as soon as possible."

Back in court

When I try to find out why Malta is taking such a tough line and why no-one official will talk to me about the case, there are a few theories.

The most likely, I'm told, is that the authorities know they were too heavy-handed. They acted too fast, before the facts had been established, determined to prove Malta's might. Now they have backed themselves into a corner.

But, without talking to them, I can't know if this is true.

"So far we haven't seen evidence of terrorism and we question the ability of the prosecution to bring such evidence," Mr Falzon tells me, as he gathers the trio outside court in the capital Valetta for a rare hearing.

"What these people were fleeing from is a hell-hole. What they did was the natural thing anyone would have done to save themselves and get away from Libya."

In the 40C heat, Lamin helps Abdul with his tie, before tucking his shirt into his jeans. As they head into court, they are noticeably nervous.

The court hears from one of the other rescued migrants. He explains how the captain called the accused into his cabin after a commotion broke out, that the three were not violent, had no weapons, and were the ones to calm down the situation.

For Lamin, Abdul and Abdalla this is one step in the right direction. But as the magistrate dismisses the court, she sets the next hearing for October. Lamin's face falls. "They are killing us slowly," he whispers as we leave.

With more than 100 witnesses potentially to still call, as Mr Falzon points out, it could be years before the case is taken to trial.

I manage to secure an interview with Malta's foreign minister, Evarist Bartolo, but he won't be drawn on the specifics of the case. He denies though that it is being used to make a political point.

But he's clearly frustrated. "Can you try to empathise with such a small state trying to cope with this?" he snaps when pushed. As he sees it, Malta has been abandoned by other EU countries to deal with migration alone.

"I think it's unfair to focus on a case which deals with three people - and paint Malta as a rogue, insensitive state and we don't care about these people. We've done our bit, we have saved thousands of people."

He insists it would be different if there was international help, but says there is no appetite from other European countries to relocate those who arrive.

The one person I wanted to speak to more than anyone was the captain, Nadar, but he has not been heard from since he was allowed to leave Malta.

Why did he take the migrants back to Libya? And why did he then change his mind? Was he scared or did he feel sorry for them?

I was given a number for his brother, Saleh El-Hiblu, the owner of El Hiblu 1. Saleh answers and tells me to call back later, when he will be with Nadar. I do as he says, and send messages, but Saleh then tells me that Nadar is unavailable.

After the hearing, Lamin, Abdalla and Abdul head to Abdul's apartment, where three enormous sacks of letters are waiting. They sit on Abdul's bed and begin to open them, one at a time. Lamin reads them out loud.

"Dear El Hiblu three, I know you guys did the right thing. You can be called heroes. I believe in you..."

"Dear El Hiblu three, please hold on to hope and stay positive. Many people across the world support you. I wish for you to be set free..."

Hundreds of these letters arrive every week from around the world. Lamin says reading them is what stops him from giving up entirely.

The names of some of those we spoke to have been changed

**Muse Muse, The First Of Three Lansing Men To Be Sentenced For Conspiring To Provide Material Support To Isis, Receives 78 Months In Prison (Department of Justice)** By US Attorney's Office Western District of Michigan  
August 10, 2021

**United States Attorney Andrew Birge announced today that Chief United States District Judge Robert J. Jonker sentenced Muse Muse, age 22, of Lansing, Michigan to serve 78 months in federal prison for conspiring to provide material support to the Islamic State of Iraq and al-Sham ("ISIS"), a designated foreign terrorist organization. Following his release from prison, Muse Muse was ordered to serve 10 years of supervised release. The government sought a sentence of 178 months (nearly 15 years) in prison consistent with the sentence recommended by the United States Sentencing Guidelines.**

On January 21, 2019, special agents of the Federal Bureau of Investigation and members of its Joint Terrorism Task Force arrested Muse Muse at the Gerald R. Ford International Airport in Grand Rapids, Michigan, after he checked in for a flight to the first of a series of destinations on his way to Mogadishu, Somalia, with the goal of joining ISIS. Shortly thereafter, his brother Mohamud Muse and cousin Mohamed Haji were arrested as co-conspirators. Immediately following his arrest, Muse Muse adopted a handwritten statement prepared for him by an FBI special agent that summarized his interest in ISIS and end goal regarding his support of ISIS. In part, Defendant admitted that he "wanted to join ISIS in Somalia so I wouldn't have to do an attack in the United States."

According to court documents, between December 2018 and January 2019, Muse Muse coordinated with an individual he believed to be a Somali ISIS fighter to wire funds to be used to purchase airline tickets for travel to Mogadishu, Somalia, where he believed he would meet an ISIS representative. All three defendants picked up money to provide Muse Muse the funds to travel to join ISIS, all three defendants pledged allegiance to ISIS in recorded videos, and all three submitted their videos to individuals they believed were associated with ISIS.

Additionally, records provided to the Court at sentencing demonstrated that throughout the conspiracy, all three defendants participated in numerous conversations during which they discussed traveling overseas to join ISIS and even adopted fighter aliases by which they would be known when fighting for ISIS. In one conversation between Muse Muse and Mohamed Haji on November 1, 2017, the two celebrated the deadly vehicle attack in New York City that occurred on October 31, 2017. Muse Muse sent the following image to Haji, who responded "Real civil war":

Later, Haji and Defendant celebrated Defendant's recent acquisition of a Michigan driver's license. Haji began, "You're a driver now" and "that's good so you can drive that [martyrdom] car right." Muse Muse responded, "Yes [God willing]." Muse Muse also said, "I've been thinking about getting a rifle and something" and "I'm starting to entertain these thoughts." In March 2018, Muse Muse sent a message to a relative declaring: "I'm a terrorist" and "I'm going to Somalia [God willing]." In January 2020, Muse Muse admitted that he: (1) agreed with one or more individuals to provide material support or resources (which includes personnel) to ISIS, a foreign terrorist organization; (2) knew that ISIS was a designated foreign terrorist organization or had engaged or engages in terrorist activity or terrorism; and (3) is a U.S. national and that part of the offense occurred in the United States. Muse Muse further admitted that the individuals he conspired with were his relatives and co-defendants, Mohamud Muse and Mohamed Haji. Mohamud Muse and Haji have each also pled guilty in connection with the plot and await sentencing.

In sentencing Muse Muse, the Court found that his age at the time of the offense, his lack of personal financial resources to finance overseas travel, and the potential for rehabilitation were among the factors considered by the Court in imposing the 78-month sentence. Due to the Court's disagreement with the Sentencing Guidelines and because Muse Muse did not have a prior criminal history, the Court departed downward an additional 52 months from the applicable Sentencing Guideline sentence.

United States Attorney Andrew Birge stated, "Although we are disappointed and respectfully disagree with the sentence imposed by the Court, we applaud the FBI's successful efforts to prevent this defendant from assisting a dangerous international terrorist organization to carry out attacks here or overseas. This sentence will ensure that, at least for the next six and one-half years, Muse Muse will not be able to join ISIS overseas to assist its members with committing violence. Detecting, preventing, and prosecuting terrorism offenses remains the highest priority for the Department of Justice and my office."

“Muse Muse’s determination to join ISIS and harm Americans in Michigan and overseas was well documented during the investigation,” said Timothy Waters, Special Agent in Charge of the FBI’s Detroit Division. “The FBI’s Joint Terrorism Task Force works every day to prevent violence before it occurs, and once again I commend the outstanding work of our partners on the JTTF who work 24/7 to keep the citizens of Michigan safe.”

The FBI’s investigation was assisted by the Michigan State Police, Kent County Sheriff’s Office, Eaton County Sheriff’s Office, Michigan State University Police Department, Lansing Police Department, Grand Rapids Police Department, Gerald R. Ford Airport Police, the U.S. Marshals Service, and the Department of Homeland Security Transportation Security Administration, Federal Air Marshals, and Customs and Border Protection.

Assistant United States Attorneys Clay West and Christopher O’Connor are prosecuting the case with assistance from the National Security Division Counterterrorism Section.

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## **Piracy**

**Two crew killed in attack on Israeli-managed tanker off Oman (Aljazeera) July 30, 2021**

**Two crew members, a Briton and a Romanian, were killed when a petroleum products tanker managed by Israeli-owned Zodiac Maritime came under attack on Thursday off Oman’s coast, the company said on Friday.**

London-based Zodiac said on its website that the attack in the Arabian Sea on Mercer Street, a Liberian-flagged Japanese-owned ship, was still being investigated.

The US Navy rushed to the scene following the attack and was escorting the tanker to a safe harbor, a London-based ship management company said Friday.

The assault represented the worst-known maritime violence so far in regional attacks on shipping since 2019. The US, Israel and others have blamed the attacks on Iran amid the unraveling of Tehran’s nuclear deal with world powers.

Iran now already appears poised to take an even tougher approach with the West as the country prepares to inaugurate a hard-line protégé of Supreme Leader Ayatollah Ali Khamenei as president next week.

Earlier on Friday, it had described the incident as suspected piracy but the United Kingdom Maritime Trade Operations (UKMTO), which provides maritime security information, says it was not piracy. “Details of the incident are still being established and an investigation into the incident is currently underway. We continue to work closely with the UKMTO and other relevant authorities,” said Zodiac, which is owned by the wealthy Israeli Ofer family.

It said it was “not aware of harm to any other personnel” than the British and Romanian crew members who were killed.

The UKMTO said the vessel was about 152 nautical miles (280 km) northeast of the Omani port of Duqm when it was attacked. It gave no more details on the type of vessel, any cargo, to whom it belonged or about possible casualties.

In an advisory note, UKMTO said it had been informed that regional search and rescue authorities and coalition forces have been tasked to assist the vessel.

According to Refinitiv ship tracking, Mercer Street, a medium-sized tanker, was headed to Fujairah, a bunkering port and oil terminal in the United Arab Emirates, from Dar es Salaam in Tanzania.

In a statement to Al Jazeera later on Friday, a UK Ministry of Defence spokesperson said: “We are aware of reports of an attack on a merchant vessel off the coast of Oman. UK military headquarters in the region are currently conducting investigations.”

The ministry had earlier misidentified the ship’s owners.

Israel blames Iran

Israeli Foreign Minister Yair Lapid blamed the incident Iran, adding that he had told Britain's foreign secretary of the need for a tough response to the incident.

"Iran is not just an Israeli problem, but an exporter of terrorism, destruction and instability that harms us all. The world must not be silent in the face of Iranian terrorism that also harms freedom of shipping," Lapid said in a statement.

US and European sources familiar with intelligence reporting said Iran was their leading suspect for the incident, which a U.S. defense official said appeared to have been carried out by a drone, but stressed their governments were seeking conclusive evidence.

Al Alam TV, the Iranian government's Arabic-language television network, cited unnamed sources as saying the attack on the ship came in response to a suspected, unspecified Israeli attack on Dabaa airport in Syria.

There was no immediate official reaction from Iran to the accusation that it may have been responsible. Israeli news website Ynet said the assessment in Israel was that there were two attacks on the ship, spaced several hours apart. The first caused no damage, and the second hit the bridge, causing the casualties.

It quoted an unnamed Israeli official as saying: "Israel will find it hard to turn a blind eye" to the attack. Oman did not immediately acknowledge the attack.

US response

A US official, speaking on condition of anonymity to discuss the ongoing investigation, told The Associated Press that the attack appeared to have been carried out by a "one-way" drone and other drones took part. The official said it wasn't immediately known who launched the attack and declined to elaborate.

The official's remark came after an earlier report from private maritime intelligence firm Dryad Global referred to a drone sighting involving the vessel prior to the attack. Iran and Yemen's Tehran-backed Houthi rebels have employed suicide drones in the past, unmanned aircraft loaded with explosives that detonate on impact with a target.

Other Israel-linked ships have been targeted in recent months as well amid a shadow war between the two nations, with Israeli officials blaming the Islamic Republic for the assaults.

Israel meanwhile has been suspected in a series of major attacks targeting Iran's nuclear program. Iran also saw its largest warship recently sink under mysterious circumstances in the nearby Gulf of Oman. Tensions have risen in the Gulf region since the United States re-imposed sanctions on Iran in 2018 after then-President Donald Trump withdrew Washington from Tehran's 2015 nuclear deal with major powers.

Washington has blamed Iran for a number of attacks on shipping in strategic Gulf waters, including on four vessels, two of them Saudi oil tankers, in May 2019. Iran distanced itself from those attacks. In recent months, Iran and Israel have traded accusations of attacking each other's vessels.

**'Potential hijack' of ship off UAE coast: UK maritime security agency (France 24) August 3, 2021**

**A UK maritime security agency said on Tuesday that a ship may have been hijacked off the coast of the United Arab Emirates, five days after an attack on a tanker left two dead./p>**

United Kingdom Maritime Trade Operations initially reported a "non-piracy" incident on the unidentified ship before upgrading its description to a "potential hijack".

Maritime security analysts at Dryad Global and Aurora Intelligence identified the endangered ship as the Panama-flagged Asphalt Princess.

The MarineTraffic website, which categorises the vessel as an asphalt and bitumen tanker, said it was travelling to Sohar, a port on Oman's northern coast.

The incident at the opening of the Strait of Hormuz -- one of the world's busiest waterways -- comes days after an attack on an Israeli-linked tanker bound for the UAE, which the United States and its allies blamed on Iran.

Iranian foreign ministry spokesman Saeed Khatibzadeh said on Tuesday that "reported 'incidents' in the Persian Gulf and broader region appear utterly suspicious".

"Reaffirming our strong commitment to regional stability and maritime security, Iran stands ready to offer assistance in case

of any maritime accidents," Khatibzadeh wrote on Twitter.

The United States stopped short of assigning blame for the latest episode but State Department spokesman Ned Price said there has been "a very disturbing pattern of belligerence from Iran".

"When it comes to this specific incident, it's too early for us to offer a judgement just yet," Price told reporters.

White House spokeswoman Jen Psaki said the United States was in close touch with Britain over the "deeply concerning" incident.

Iran has denied any involvement in the blast Thursday on the MT Mercer Street but the United States and Iran's arch-enemy Israel both said that an Iranian drone caused the explosion.

Two crew members, from Britain and Romania, died on the Liberian-flagged ship, which was managed by prominent Israeli billionaire Eyal Ofer.

US Secretary of State Antony Blinken earlier vowed a collective response against Iran over the incident, which he called a "direct threat" to freedom of navigation in the oil-rich waters.

US Navy forces who came to the aid of the crew in response to an emergency distress call saw evidence of the attack, according to the US military.

The tensions come as Iran on Tuesday inaugurated the Islamic republic's eighth president, the ultraconservative cleric and prosecutor Ebrahim Raisi.

He succeeded Hassan Rouhani, considered a moderate, who sought to repair relations with the West and whose administration unsuccessfully sought to negotiate a revival of a nuclear accord with the United States.

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## **Gender-Based Violence**

**Ethiopia: Troops and militia rape, abduct women and girls in Tigray conflict – new report (Amnesty International)** August 10, 2021

**Women and girls in Tigray were targeted for rape and other sexual violence by fighting forces aligned to the Ethiopian government, Amnesty International said today in a new report into the ongoing Tigray conflict.**

The report, 'I Don't Know If They Realized I Was A Person': Rape and Other Sexual Violence in the Conflict in Tigray, Ethiopia, reveals how women and girls were subjected to sexual violence by members of the Ethiopian National Defense Force (ENDF), the Eritrean Defense Force (EDF), the Amhara Regional Police Special Force (ASF), and Fano, an Amhara militia group.

"It's clear that rape and sexual violence have been used as a weapon of war to inflict lasting physical and psychological damage on women and girls in Tigray" - Agnès Callamard

Soldiers and militias subjected Tigrayan women and girls to rape, gang rape, sexual slavery, sexual mutilation and other forms of torture, often using ethnic slurs and death threats.

"It's clear that rape and sexual violence have been used as a weapon of war to inflict lasting physical and psychological damage on women and girls in Tigray. Hundreds have been subjected to brutal treatment aimed at degrading and dehumanizing them," said Agnès Callamard, Amnesty International's Secretary General.

"The severity and scale of the sexual crimes committed are particularly shocking, amounting to war crimes and possible crimes against humanity. It makes a mockery of the central tenets of humanity. It must stop.

"The Ethiopian government must take immediate action to stop members of the security forces and allied militia from committing sexual violence, and the African Union should spare no effort to ensure the conflict is tabled at the AU Peace and

Security Council.”

The Ethiopian authorities should also grant access to the African Commission for Human and Peoples’ Rights Commission of Inquiry, and the UN Secretary General should urgently send his Team of Experts on the Rule of Law and Sexual Violence in Conflict to Tigray.

Amnesty International interviewed 63 survivors of sexual violence, as well as medical professionals. Twenty-eight survivors identified Eritrean forces as the sole perpetrators of rape.

#### Widespread sexual violence

The pattern of acts of sexual violence, with many survivors also witnessing rape of other women, indicates that sexual violence was widespread and intended to terrorize and humiliate the victims and their ethnic group.

Twelve survivors said soldiers and militia raped them in front of family members, including children. Five were pregnant at the time.

Letay\*, a 20-year-old woman from Baaker, told Amnesty International she was attacked in her home in November 2020 by armed men who spoke Amharic and wore a mixture of military uniforms and civilian clothing.

She said: “Three men came into the room where I was. It was evening and already dark... I did not scream; they gestured to me not to make any noise or they would kill me. They raped me one after the other... I was four months pregnant; I don’t know if they realized I was pregnant. I don’t know if they realized I was a person.”

Nigist\*, a 35-year-old mother-of-two from Humera said she and four other women were raped by Eritrean soldiers in Sheraro on 21 November 2020.

She said: “Three of them raped me in front of my child. There was an eight-months pregnant lady with us, they raped her too... They gathered like a hyena that saw something to eat... They raped the women and slaughtered the men.”

“I don’t know if they realized I was pregnant. I don’t know if they realized I was a person” - Letay\*

Health facilities in Tigray registered 1,288 cases of gender-based violence from February to April 2021. Adigrat Hospital recorded 376 cases of rape from the beginning of the conflict to 9 June 2021. However, many survivors told Amnesty International they had not visited health facilities, suggesting these figures represent only a small fraction of rapes in the context of the conflict.

Survivors still suffer significant physical and mental health complications. Many complained of physical trauma such as continued bleeding, back pain, immobility and fistula. Some tested positive for HIV after being raped. Sleep deprivation, anxiety and emotional distress are common among survivors and family members who witnessed the violence.

#### Sexual slavery and intention to humiliate

Twelve survivors said they were held captive for days and often weeks, and repeatedly raped, in most cases by several men. Some were held in military camps, others in houses or grounds in rural areas.

Tseday\*, 17, told Amnesty International that she was abducted by eight Eritrean soldiers in Zebangedena and held captive for two weeks. She said: “They took me to a rural area, in a field. There were many soldiers; I was raped by eight of them... Usually, they went out to guard the area in two shifts. When four of them went out, the rest stayed and raped me.”

Blen\*, a 21-year-old from Bademe, said she was abducted by Eritrean and Ethiopian soldiers on 5 November 2020, and held for 40 days alongside an estimated 30 other women. She said: “They raped us and starved us. They were too many who raped us in rounds. We were around 30 women they took... All of us were raped.”

Eight women also told how they had been raped by Ethiopian and Eritrean soldiers and associated militia near the border with Sudan, as they sought shelter.

Two survivors had large nails, gravel, and other types of metal and plastic shrapnel inserted into their vaginas, causing lasting and possibly irreparable damage.

Soldiers and militia repeatedly sought to humiliate their victims, frequently using ethnic slurs, insults, threats, and degrading comments. Several survivors interviewed by Amnesty International said that the rapists had told them, “This is what you deserve” and “You are disgusting”.

## Lack of support for survivors

Survivors and witnesses told Amnesty International that they received limited or no psychosocial and medical support since they arrived in the internally displaced persons camps in the town of Shire in Ethiopia, or in refugee camps in Sudan.

Survivors also suffered because medical facilities were destroyed and restrictions imposed on the movement of people and goods, which hindered access to medical care. Victims and their families said they are short of food, shelter and clothes due to the limited humanitarian aid.

“On top of their suffering and trauma, survivors have been left without adequate support” - Agnès Callamard

Reports of sexual violence were mostly hidden from the outside world during the first two months of the conflict that began in November 2020, largely because of access restrictions imposed by the Ethiopian government and the communications blackout.

“On top of their suffering and trauma, survivors have been left without adequate support. They must be able to access the services they need and are entitled to – including medical treatment, livelihood assistance, mental healthcare and psychosocial support – which are essential aspects of a survivor-centred response,” said Agnès Callamard.

“We must see all allegations of sexual violence effectively, independently and impartially investigated to ensure survivors receive justice, and an effective reparation program must be established. All parties to the conflict should also ensure unfettered humanitarian access.”

## Methodology

Between March and June 2021, Amnesty International interviewed 63 survivors of rape and other sexual violence; 15 in person in Sudan, and 48 remotely on secure telephone lines. Amnesty International also interviewed medical professionals and humanitarian workers involved in treating or assisting survivors in the towns of Shire and Adigrat, and in refugee camps in Sudan, about the scale of sexual violence and for corroborating information on specific cases.

In May, the Ethiopian authorities announced that three Ethiopian soldiers had been convicted and 25 others indicted for rape and other acts of sexual violence. However, no information has been made available about these trials, or other measures to investigate and to bring those responsible to justice.

Amnesty International wrote to Ethiopia’s Office of the Prime Minister, the Office of the Federal Attorney General and the Minister of Women, Children and Youth, to Eritrea’s Information Minister and a senior advisor to President Isaias Afwerki on 26 July 2021 requesting a response to the organization’s preliminary research findings, but had not received a reply at the time of publication.

Since fighting began in the region on 4 November 2020, thousands of civilians have been killed, hundreds of thousands of people have been internally displaced within Tigray, and tens of thousands of refugees have fled to Sudan.

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## **Commentary and Perspectives**

**Mercenaries ‘impede’ peace, must leave Libya to allow elections (U.N. News) July 30, 2021**

**“Nine months after the ceasefire agreement calling for withdrawal of foreign forces and mercenaries from Libya, mercenaries and private military and security contractors continue to operate in the country” said the chair of the UN’s Working Group on the use of mercenaries, Jelena Aparac.**

Destabilizing presence Some of the highly armed and well-trained private contractors operating in the country, hailing from Russia, Syria, Sudan and Chad, meet the criteria for mercenaries, according to the Working Group.

In addition to the dangers they pose within Libya, the independent experts warned that they could also threaten the security and stability of other nations in the region.



The UN experts stressed that these mercenary and mercenary-related actors must leave immediately, and that there must be an immediate end to the transfer of military weapons and supplies into Libya.

“We appeal to the international community to take concrete steps to aid this process”, Ms. Aparac said.

**Precondition to peaceful elections** In the UN-facilitated Libyan Political Dialogue Forum, which took place in Tunisia last November, participants agreed on a roadmap to credible, inclusive and democratic national elections, to be held on 24 December 2021.

The independent experts stress that the removal of all mercenaries is a vital precondition to peaceful elections.

“If elections are to be held in December 2021 as scheduled, Libyans should be able to undertake that process in a safe and secure environment, and the presence of these actors impedes that”, said Ms. Aparac.

**Escalating conflict** In June of last year, the Working Group warned that Libya’s reliance on mercenaries and related actors since 2019 had contributed to an escalation of conflict, undermined the peace process and breached the UN Security Council’s existing arms embargo.

At that time, they urged governments to investigate all allegations of human rights violations and humanitarian law violations.

“A year on, and looking forward to elections, we remain concerned that any political process aiming to establish sustainable peace has to include a genuine commitment to human rights”, the experts said.

“There must be real accountability for abuses committed by mercenaries, mercenary-related actors, and private contractors.”

Since the 2011 fall of former ruler Muammar Gaddafi, oil-rich Libya has descended into crises on multiple fronts.

Up until the recent political breakthroughs, the country had essentially been divided between the UN-recognized Government of National Accord (GNA) based in the capital Tripoli, and a rival administration, led by General Haftar, who commands the western-based self-styled Libyan National Army (LNA).

The Working Group consists of five independent experts: Chair Rapporteur Jelena Aparac, Lilian Bobea, Sorcha MacLeod, Chris Kwaja and Ravindran Daniel, who were appointed by the Geneva-based UN Human Rights Council to examine and report back on the situation in the country. They are neither UN staff nor paid for their work.

The Working Group consists of five independent experts: Chair Rapporteur Jelena Aparac, Lilian Bobea, Sorcha MacLeod, Chris Kwaja and Ravindran Daniel, who were appointed by the Geneva-based UN Human Rights Council to examine and report back on the situation in the country. They are neither UN staff nor paid for their work.

**Historic achievement** Meanwhile, the UN Support Mission in Libya (UNSMIL) welcomed the opening of a key road that stretches along the length of Libya’s coastline, the most populated part of the country, which was cut between the cities of Misrata and Sirte.

In addition to other significant confidence-building measures, such as the resumption of flights and exchange of detainees, Ján Kubiš, Special Envoy for Libya and UNSMIL head, called the road opening “a critical step” to further the implementation of the Ceasefire Agreement of 23 October 2020 and, “equally importantly”, to allow the free movement of commerce, humanitarian support and the people of Libya.

“The next major step in the Ceasefire Agreement’s implementation process is to commence the withdrawal of all mercenaries, foreign fighters, and forces from Libya without delay, starting with the withdrawal of the first groups of foreign mercenaries and fighters from both sides”, he said.

**Amnesty condemns Colombia police brutality after scores of protesters killed (The Guardian)** By Joe Parkin Daniels

August 2, 2021

**Nicolás Guerrero, a 26-year-old artist from the Colombian city of Cali, took to the streets on 2 May to protest against the lack of opportunities he saw in his country. He had a family in Spain that he had hoped one day to bring to South America. But later that night, after riot police launched a brutal crackdown, he was found lying on the pavement, seriously wounded. He died hours later in hospital.**

“He loved Cali, he loved Colombia, and all he wanted was to make life here better,” Laura Guerrero, Nicolás’s mother, told the Guardian at a police kiosk in Cali that was burned out during the protests and has since been converted by locals into a library

in her son's honour. "He died as he lived, resisting."

The police violence that the younger Guerrero found himself swept up in was not an isolated incident, but part of something systemic and institutional, according to a report published by Amnesty International on Friday.

"The incidents documented were not isolated or sporadic, but rather reflect a pattern of violence on the part of the Colombian authorities, who have responded to the protest with stigmatisation, criminalisation, unlawful police repression and militarisation," said the report, titled Cali: In the epicentre of repression. Amnesty also described "acts of urban paramilitarism by armed civilians".

Protests in Colombia began in late April, initially against a tax proposal that has since been axed, though they quickly morphed into a nationwide howl of outrage over entrenched economic disparity. Protesters stayed in the streets for nearly two months, with marches taking place almost every day in major cities. Some protesters put up roadblocks, and some private and public property was damaged.

The police response was brutal, with at least 44 protesters killed and 1,650 injured across the country. A recent human rights commission to Colombia made up of delegates from 13 countries found that the authorities were using counter-insurgency tactics honed in fighting the country's leftist rebel groups against protesters.

"People need to know what is happening here, because we're not making the dead up," Guerrero said. "The dead are real."

Amnesty International said the practices described in its report were representative of hundreds of accounts from protesters and human rights defenders and organisations, and that it had carried out digital verification of audio visual material.

The report comprises analysis of three events that took place during the protests. The first took place in Siloé, a hillside favela in Cali raided by police on 3 May. Then, on 9 May, a caravan of indigenous protesters was attacked by armed civilians as police looked on, with 11 demonstrators wounded. The third was a raid on a neighbourhood near the Valle university, carried out by armed civilians, reportedly in coordination with police.

"Under the pretext of restoring order, terrible injuries were inflicted on hundreds of people and dozens of young people lost their lives," said Erika Guevara-Rosas, Americas director at Amnesty International, in a statement ahead of the report's publication. "What happened in Cali shows the violent response of the authorities and the true objectives behind this repression: to instil fear, discourage peaceful protest and punish those demanding to live in a fairer country."

The fact that Cali – the vibrant, lively and self-professed home of salsa dancing – became the hotspot of such violence and repression did not surprise some analysts, who attribute the unrest there to a cocktail of social tensions.

"Cali has a large youth population and this social uprising has been led by excluded young people," said Alejandro Lanz Sánchez, director of Temblores, a Colombian human rights monitor. He added that Cali also has long been a hub of drug-related violence and inequality, both factors that drove protests.

The reports of police violence are dispiriting for those who hoped for a peaceful future for Colombia when the country signed a historic peace deal with the leftist guerrilla group, the Revolutionary Armed Forces of Colombia (Farc), in 2016.

Many hoped that the deal, alongside formally ending five decades of civil war that killed 260,000 people and forced more than 7 million to flee their homes, would usher in a new chapter in which Colombians would settle their differences with words rather than bullets.

Implementation of the deal has instead faltered during the leadership of president Iván Duque, who took office in 2018 after campaigning on a platform sceptical of the peace accords.

"Let's not forget that these protests are also against violence and favour of implementing the peace deal," Lanz Sánchez said.

Colombia's government has shown steadfast resistance in the face of mounting international criticism. Reforms were announced earlier in July, including new uniforms and human rights training for riot police, though critics say the changes are cosmetic rather than practical.

Earlier this week, border authorities risked diplomatic furore when they moved to expel Rebecca Linda Marlene Sprößer, a German national who took part in protests in Cali and posed for photos with the so-called "Front Line", an amorphous group of protesters that battled with the police. Ahead of marches on 20 July, police launched a crackdown on alleged Front Line members, having previously labelled them "terrorists".

In response to the criticisms, police in Colombia have said they have opened 157 investigations of alleged misconduct by officers, including 11 for homicide, but also complained of "fake news," pointing out that two officers had been killed and

another 35 shot during the protests.

For Laura Guerrero, the findings of human rights watchdogs and the intransigence of the government are hardly surprising.

“We’ve long had to live with the abuse of authority, indiscriminate gunfire, disproportionate use of force, and live rounds [fired] against people who throw some rocks,” Guerrero said, just a few blocks from where her son was killed. “We knew that there was going to be fire and blood, because here it’s easier to rain bullets than put food on tables.”

**Sri Lanka: Police Abuses Surge Amid Covid-19 Pandemic (Human Rights Watch) August 6, 2021**

**Sri Lanka’s police are increasingly killing and abusing people under cover of the Covid-19 pandemic measures and an anti-drug campaign, Human Rights Watch said today.**

Recent police abuses reported in the media include alleged extrajudicial killings, torture, and arbitrary detention. The government should restore independent oversight of the police and meaningfully investigate and prosecute alleged police abuses. International partners, such as the United Nations Office on Drugs and Crime and the United Kingdom’s Police Scotland, should suspend assistance programs until there is progress on accountability and reform.

“Sri Lanka’s police seem intent on building on their past record of serious abuses, instead of cleaning up their act,” said Meenakshi Ganguly, South Asia director at Human Rights Watch. “The UN, UK, and others working with Sri Lankan law enforcement should recognize that without the political will to reform on Sri Lanka’s part, their engagement risks appearing to endorse abusive agencies.”

Since May 2021, the police have been implicated in several unlawful deaths, including some linked to disproportionate and abusive enforcement of Covid-19 quarantines.

On May 17, police allegedly stopped D. Sunil Indrajith, 49, for violating a Covid-19 quarantine in Weligama and ordered a civilian police employee to beat him. He collapsed in the road and was killed by a passing bus. The incident was captured on CCTV, and two policemen and two others were subsequently arrested.

On June 3, Chandran Vidushan, 22, died in police custody shortly after being arrested in Batticaloa. His family alleged that police tied him to a tree outside their house and severely beat him with poles, then took him away. The authorities said that he died of a drug overdose.

On June 6, Mohamed Ali, 42, died after police arrested him for an alleged quarantine violation in Panadura, near Colombo. The police reported that he was fatally injured jumping from a moving police jeep. Ali’s wife alleged that the police beat him to death. Two policemen are reportedly facing a disciplinary procedure for “negligence.”

Police abuses have also been linked to a government crackdown on “the drug menace.” Police fatally shot Melon Mabula on May 11, and Tharaka Perera Wijesekera, on May 12. Both were in police custody for alleged involvement in organized crime, where lawyers and others had warned that their lives were in danger. In a statement the Bar Association of Sri Lanka said that both cases “have all the hallmarks of extra-judicial killings.”

In 2020, President Gotabaya Rajapaksa established a task force of senior military and police officers to create a “disciplined, virtuous, and lawful society,” and placed the police and National Dangerous Drugs Control Board under the Defense Ministry. In February 2020, the chief of defense staff, Gen. Shavendra Silva, who is banned from visiting the United States due to his alleged involvement in unlawful wartime killings, said, “The security forces, which eradicated terrorism in the country 10 years ago, have been given a new task – to combat –drug trafficking.”

The police crackdown on drug dealers and users has allegedly involved planting drugs on suspects, torture and other ill-treatment in police custody or at “rehabilitation” centers, and invasive body searches of female suspects. Trafficking or possession of drugs in Sri Lanka carries severe penalties, including death or life in prison. No executions have been carried out in Sri Lanka since 1976, although death sentences continue to be handed down and about 1,500 prisoners are on death row.

People accused of using drugs can be arbitrarily detained without charge or trial for “rehabilitation” in facilities run by the army. A new report by Harm Reduction International found that the treatment of inmates in Sri Lanka’s “rehabilitation” centers includes near-daily beatings and other physical abuse amounting to torture.

The UN high commissioner for human rights, Michelle Bachelet, in her report to the UN Human Rights Council in January, wrote that she was “concerned by a recent series of deaths in police custody and in the context of police encounters with alleged criminal gangs” amid a “militarized approach to law and order and drug control.” She highlighted five possible extrajudicial killings involving the Sri Lankan police between June and October 2020.

Police officers who investigate alleged crimes by the security forces face threats and prosecution on trumped-up charges. Senior Superintendent of Police Shani Abeyssekera, who had investigated numerous high-profile cases, including the successful prosecution of a senior police officer for the contract killing of a businessman in 2013, was suspended by the new Rajapaksa administration in January 2020 and arrested in July 2020 for falsifying evidence.

He was released on bail in June 2021 after the Court of Appeal found that the evidence against him was “a fabricated, false version and an exaggerated account or concocted story involving a set of collaborators or conspirators, to unduly cause prejudice and harm.” While in prison he contracted Covid-19 and had a heart attack. He has repeatedly said that, although he has received death threats against him and his family, his police protection has been withdrawn.

The current police abuses come in a context of shrinking civil and political space under the Rajapaksa administration. The Bar Association of Sri Lanka has condemned the police’s use of the Covid-19 pandemic to curtail freedom of expression, including detaining peaceful protesters at a quarantine facility in July.

Sri Lankan law enforcement agencies receive international support from various countries. The UK government through Police Scotland provides police training. The UN Office on Drugs and Crime supports Sri Lankan counterterrorism units, which have long faced allegations of grave rights violations, as well as counter narcotics programs.

International partners should suspend their engagement with abusive Sri Lankan law enforcement agencies until there is demonstrated political will to address the situation, Human Rights Watch said. Such assistance risks appearing to endorse or lend legitimacy to agencies that are unwilling to improve their respect for human rights.

UN agencies should ensure that any engagement with Sri Lankan security forces complies with the “human rights due diligence policy on United Nations support to non-United Nations security forces” and the UN common position on drug policy.

“The Rajapaksa government needs to demonstrate that alleged police abuses will be properly investigated and prosecuted, and the law should promote accountability, not weaken it,” Ganguly said. “Until that happens, international partners should be under no illusions about human rights in Sri Lanka, and they should withhold assistance to abusive law enforcement agencies.

**A Year of Dismantling Civil Society in Belarus (Human Rights Watch)** By Tanya Lokshina  
August 8, 2021

**One year ago, the center of Minsk was teeming with people protesting stolen presidential elections and asserting their voices matter. On that first evening, the mood was festive: women in bright summer dresses, some wearing heels, as if on their way to the theater. Students draped in white-red-and-white Belarusian nationalist flags singing, “Change, we want change!” Hipsters sipping cold drinks. A group of men patiently waiting for the green light to cross the street and join friends on the other side. Thousands clapping and chanting, “Freedom! Long live Belarus.”**

Then, police moved in with flash grenades, rubber bullets, and truncheons. I remember watching it all in horror, shuddering at the violence and brutality against people whose only “crime” was gathering peacefully and daring to speak out.

Over the next four days, close to 7,000 were arbitrarily arrested, thrown into police vehicles like logs, on top of one another, abused at police stations, denied food and water, held for days in suffocating overcrowded cells. Hundreds were beaten, tortured, and subjected to other degrading punishments. Outraged, people continued mass protests through the autumn.

To stifle these voices, the government unleashed a war on civil society. Today, at least 608 people are behind bars on bogus tax, mass rioting, and other charges. Many others served 10 to 15 days in detention or suffered vicious harassment and threats solely for wearing or using the white-red-and-white stripe pattern, singing protest songs, or viewing opposition media on their phones.

The authorities jailed at least 27 media workers over their reporting and changed the country’s media legislation to make it virtually impossible for journalists to report on public protests. At least 17 lawyers have been disbarred in retaliation for speaking out or assisting clients in politically motivated cases. In July, the government moved to “purge” the country of leading civil society groups, at least 53 independent organizations are already under “liquidation procedure” and some of the most prominent Belarusian human rights activists are in jail awaiting trial on unclear charges.

Belarusian rights defenders, journalists, lawyers, and the like are continuing their work in different formats in-country, and in exile. The international community needs to stand in solidarity with them, counter the government’s attempts to eviscerate civil society, provide unwavering, long-term support to Belarusian groups and activists, and ensure accountability for the egregious abuses by the authorities.

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## WORTH READING

### **Human Rights vs Complementarity: the Iraq war, the UK, & the International Criminal Court (UCC Legal Research Papers Centre for Criminal Justice and Human Rights)**

By Giovanni Chiarini

August 9, 2021

On 20th March 2003 a US-led coalition, which included the UK, invaded Iraq initiating an international armed conflict. By 7th April 2003, UK forces had occupied the city of Basra and surrounding areas. Nearly two decades later the role of the UK armed forces in Iraq is still under the scrutiny of the International Criminal Court. Incidents arising out of the UK occupation of southern Iraq were submitted to the Office of the Prosecutor (OTP or Office) by those who believed members of the UK forces committed war crimes within the Court's jurisdiction. On 9th December 2020, the ICC Prosecutor published the Final Report on the "Situation in Iraq/UK", concerning crimes potentially committed by the UK armed forces, classified as war crimes within the jurisdiction of the Court. Due to the principle of complementarity, the OTP closed the preliminary examination without seeking authorisation to initiate an investigation. This case could be considered as a milestone in the evolution of the concept of complementarity in international criminal law. The deep analysis of the national proceedings, in terms of the willingness of the competent UK authorities to carry out the relevant investigations or prosecutions under article 17(2), is a trailblazer of the so-called complementarity assessment. The principles, as well as the methodology adopted in the Iraq/UK Final Report, represents a fundamental step forward, that will influence the ICC Prosecutor on future cases involving questions of pre-existing national legal proceedings and the whole process of complementarity evaluations.

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**Grotian Moment: The International War Crimes Trial Blog:**  
<http://law.case.edu/grotian-moment-blog/>

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