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Watch

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AFRICA

NORTH AFRICA

Libya

Libya: Abducted Politician Missing 4 Weeks (Human Rights Watch)

August 16, 2019

(Beirut) – The Interim Government in eastern Libya should exert all possible efforts to ensure the safe return of Seham Sergewa, a member of parliament who was abducted from her home in the eastern city of Benghazi on July 17, 2019, Human Rights Watch said today.

The Interim Government, which controls Benghazi and is one of two governments that claim legitimacy in Libya, denied that it or any forces linked to the Libyan National Army (LNA), an armed group that supports it, had any role in Sergewa's abduction. Its interior minister blamed unidentified "terrorist groups who infiltrated Benghazi" for the abduction. However, relatives and Benghazi residents with knowledge of the incident said that they believed LNA-affiliated groups were behind the abduction and that some cars used in the abduction identified the groups.

"Blaming the kidnapping of an outspoken sitting member of parliament on unidentified terrorists is not helping find out where she is," said Eric Goldstein, deputy Middle East and North Africa director at Human Rights Watch. "The authorities need to do everything they can now to identify the kidnappers and locate Sergewa, and to ensure protection for her family."

Interior Minister Ibrahim Boushnaf said the attackers also shot Sergewa's husband and one other person whom he did not identify. Sergewa's United States-based family has said that Sergewa's husband had gunshot wounds to his eye and leg. He is in a Benghazi hospital and his health status remains unclear.

Sergewa has been outspoken in opposing the continuing military assault by the LNA commander, General Khalifa Hiftar, on the capital, Tripoli, where the internationally recognized rival government, the Government of National Accord (GNA), is based. In an interview on July 16, the night before she was abducted, with a pro-LNA TV station, Al-Hadath, she reiterated her opposition to the ongoing armed conflict in Tripoli. She stated her support for a unity government in Libya and denounced "extremists" on both sides of the conflict.

The two rival governments have been embroiled in an armed conflict since April 4, when Hiftar's forces and allied armed groups attacked the southern suburbs of Tripoli. More than 1,000 people have been killed, including more than 100 civilians, and hundreds of thousands of people from Tripoli and environs have fled their homes as a result of the fighting, according to the United Nations Mission in Libya. The LNA is allied with the Interim Government and the House of Representatives, both based in eastern Libya, and exercises effective control over eastern Libya and parts of the southern region. The Tripoli-based GNA has alliances with groups in western Libya, where it exercises nominal control.

Human Rights Watch communicated by phone with relatives of Sergewa in the United States and with Benghazi residents who were in the vicinity of Sergewa's family home during the attack and who witnessed the events. They asked to remain anonymous for fear of retaliation. Two residents said that at around 2 a.m. on July 17, dozens of white Sport Utility Vehicles (SUVs) commonly used by armed groups in Benghazi arrived and closed off the entire neighborhood.

They said that all the men wore face masks and while some were wearing green army fatigues, the majority wore black uniforms. An account of the incident shared by US-based relatives of Sergewa said that some of the cars used were linked to an LNA-affiliated group known as 106th Battalion. One of the two residents who spoke with Human Rights Watch said that one of the cars was blue and red and was a type of car typically used by the military police in eastern Libya.

Both residents said they heard shooting and observed that Sergewa's house was completely dark, as if the electricity had been cut. They said no one was allowed to go near the house during the incident as the attackers locked down the whole neighborhood. They said that cars from the Interior Ministry's Criminal Investigation Department and other police cars arrived only after the assailants had departed. This contradicts statements by the interior minister that his forces engaged in a firefight with the assailants.

One resident said that after the cars had left, in the early hours of the morning, the resident noted that the house had been damaged by fire. One resident said the attackers had spray painted in black at the main entrance of the house, "The army is a red line," and "Avengers of Blood." This is a reference to an LNA-affiliated armed group that is responsible for human rights violations in the east and that largely consists of relatives of people who were killed by purported terrorists.

The kidnapping of Sergewa and violence against her family as well as the burning of her home follows a well-documented pattern of violence, reprisal, and intimidation by the LNA-affiliated armed groups in Benghazi amid total impunity for their actions, Human Rights Watch said.

There have been dozens of cases of enforced disappearances and killings of journalists, activists, and politicians in eastern Libya since 2014, including the killing of Salwa Bughaighis, a prominent human rights lawyer and women's rights activist, on June 25, 2014 by unidentified assailants.

Enforced disappearance – the deprivation of liberty by agents of the state or affiliated groups, and concealment of the fate or whereabouts of the person in custody – is prohibited under international law. The authorities are required to investigate and take appropriate measures to protect relatives from any ill-treatment or intimidation during the search for a disappeared person.

Since the start of the so-called Karama operation led by Hiftar in Benghazi to "root out terrorism" in May 2014, scores of opponents or suspected opponents of the LNA have fled their homes in Benghazi and remain displaced in other parts of the country, prevented by the LNA and affiliated groups from returning. Human Rights Watch has documented among those forcibly displaced cases of enforced disappearances of relatives, torture and other ill treatment, harassment and intimidation, destruction of property, and appropriation of real estate by forces loyal to or affiliated with the LNA in eastern Libya.

All parties to a conflict are required to abide by the laws of war. Certain serious violations of those laws, when committed with criminal intent, are war crimes.

Anyone who commits, orders, assists, or has command responsibility for war crimes can be prosecuted by domestic or international courts. LNA commanders, including senior LNA leadership, may be criminally liable for war crimes of their subordinates if they knew or should have known of the crimes and failed to take measures to prevent them or hand over those responsible for prosecution.

The International Criminal Court prosecutor, Fatou Bensouda, has a mandate to investigate crimes against humanity, war crimes, and genocide committed in Libya since February 15, 2011. Human Rights Watch research in Libya since 2011 has found rampant violations by all parties to the conflict of international human rights and humanitarian law, including mass long-term arbitrary detention, torture and other ill-treatment, forced displacement, enforced disappearances, and unlawful killings.

"Senior Libyan government officials, both civilian and military, need to know that they can and should be held accountable by local or international courts if they fail to make serious efforts to end the violations," Goldstein said.

Libya's General Staff calls for probing torture marks on bodies returned by Haftar's forces (The Libya Observer) By Abdulkader Assad
August 18, 2019

The Libyan General Staff called on all judicial authorities and the public prosecutor as well as the military prosecutor to start investigating the torture marks on the bodies returned by Khalifa Haftar's forces to the Red Crescent, asking them to bring the perpetrators to justice in local and international courts.

The General Staff condemned in a statement the crime that said was a violation of all laws, including Islamic Sharia law.

"We blame the attacking forces' commanders for the crime of killing those people and torturing them, saying the forensic evidence showed the bestiality of the ones who tortured them and then killed them." The statement reads.

The General Staff confirmed that the torture tools used by Khalifa Haftar's forces hadn't stopped since the start of their Dignity Operation in 2014, saying their crimes are not different from ISIS killings of the innocent in Sirte.

The Libyan Red Crescent received last week 12 bodies, including civilians, who were captured by Haftar's forces after being brutally tortured (removing genitals and cutting hands) and then killed in detention places by Al-Kani militias of Tarhouna.

Deadly airstrikes and drone hits displace thousands of civilians in Libya oasis town (UN News)

August 20, 2019

Intensifying clashes in the southern Libyan town of Murzuq involving air and drone strikes in recent days have left at least 90 people dead and displaced thousands of “terrified” civilians, the UN said on Tuesday.

“Casualties on all sides of the fighting have continued as a result of airstrikes by planes and drones, indiscriminate rocket attacks and shelling, and direct fighting on the ground,” said Jens Laerke, spokesperson for the Office for the Coordination of Humanitarian Affairs (OCHA).

OCHA’s warning over the small oasis town echoes concerns by the UN Support Mission in Libya (UNSMIL) and other UN agencies.

The alert follows reports by local media that the clashes involved tribal opponents of the self-styled Libyan National Army (LNA) of commander Khalifa Haftar, which began an offensive on the southern outskirts of Libya’s capital, Tripoli, in April.

Asked about the identities of the victims in Murzuq, Mr. Laerke replied that they included children.

“It is a civilian area, it’s in a country where people tend - families tend - to be big and there are many children,” he said, before highlighting a deadly mortar strike on a house for displaced people in the Bendalwah neighbourhood earlier this month.

“We know for a fact at least (of) six children, two of them were killed, four of them were injured in a strike that hit a house, hosting internally displaced people on 8 August,” Mr. Laerke added.

According to the UN migration agency, IOM, 9,450 people have been displaced by the violence in and around Murzuq since the beginning of August.

At least 3,000 of them have been uprooted since violence intensified last week, IOM said.

“Most families previously displaced within neighbourhoods of Murzuq City have also left the town to nearby communities,” an IOM statement read. “Reported displacements include around 300 migrants from Niger, Chad and Nigeria.”

Families ‘too terrified to seek safety’

Nonetheless, many “are of course terrified that if they move, they will be perceived as affiliated to one side of the other and maybe targeted”, Mr. Laerke said. “Some families are reluctant to leave the affected areas because they are afraid of reprisals.”

To respond to urgent needs, the UN and partner humanitarian organizations “are responding with emergency health care, food distribution, shelter and non-food items”, Mr. Laerke added, noting that access remains difficult, “due to the active fighting”.

Earlier this month, the World Health Organization (WHO) shipped medical supplies to support health facilities in Murzuq’s conflict zone, with enough supplies to help 60,000 people for three months and 600 surgical procedures.

Access is far more limited inside Murzuq itself, “with many roads damaged and many roadblocks,” Mr. Laerke said.

Amid growing humanitarian needs, the OCHA spokesperson appealed to all parties involved in the fighting to “allow people to leave if they so wish, so they can reach a place where they can be assisted, and of course to spare civilians and civilian infrastructure in the first place, according to international humanitarian law.”

Additional support from the international community is needed to help the vulnerable, Mr. Laerke said, noting that the \$202 million Humanitarian Response Plan for Libya is currently only 30 per cent funded.

Eastern Libyan forces kill eight in advance south of Tripoli (Reuters)

August 26, 2019

Eight fighters allied to Libya’s internationally recognized government were killed in air strikes as rival eastern forces stepped up an offensive to retake a strategic city south of Tripoli, officials said on Monday.

Another 10 members of the Tripoli-based Government of National Accord’s (GNA) forces were wounded, their spokesman Mustafa Majae said, and the rival Libyan National Army (LNA) had taken control of “some military points” near Gharyan, some 90 km (56 miles) south of the capital.

"Our forces are still fighting to repel them," Majae told Reuters.

The city's council said Gharyan had been under attack from drone-propelled air strikes since Sunday morning.

The third-largest oil producer in Africa, Libya has descended into chaos since the ouster and death of long-time leader Muammar Gaddafi in NATO-backed uprising in 2011.

The LNA, which took control of the country's east in 2017, lost Gharyan at the end of June, after having made the city its main forward base for an offensive on the capital.

That offensive was launched in April, hindering efforts by a U.N. Mission to hold a national conference in the city with a view to organizing nationwide elections.

The LNA has not advanced beyond Tripoli's southern suburbs, and the front line had not changed significantly for weeks.

Gharyan mayor Yousef Ibderi told local TV channels the casualties were from air strikes targeting GNA forces at the southern outskirts of the city.

The LNA said three areas adjacent to Gharyan were under their control and that they had destroyed Kornet missiles and 12 armored vehicles.

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WEST AFRICA

Côte d'Ivoire (Ivory Coast)

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

ICC-acquitted 'general of the streets' Blé Goudé heads Ivorian youth movement (France 24)
August 19, 2019

Former Ivorian youth minister, Charles Blé Goudé, who acquitted this year of alleged crimes against humanity, was on Sunday chosen to head the Cojep youth movement in Ivory Coast, which he promised to turn into a political party.

Goudé was "elected unanimously" by the 1,250 delegates to the group's congress in the Ivorian commercial capital, Abidjan, and will serve as its president for four years, according to a statement released after the decision.

"My priority is peace and reconciliation for the sons and daughters of Ivory Coast," he told AFP by telephone from The Hague where he has been living since being acquitted by the International Criminal Court (ICC) there earlier this year.

The former youth minister -- dubbed the "general of the streets" -- has made no secret of his political ambitions since he was acquitted for crimes against humanity in January.

In his first TV interview in The Hague since his acquittal, Goudé told FRANCE 24 his "final goal" was to "go back to my country when the time comes and I think it's waiting for me". When asked if he had presidential ambitions, the 47-year-old politician replied, "Yes of course," adding, "I am not a simple and mere Ivorian citizen. You know that. I have been here in the ICC. I am one of the leaders in my country. Yes I will go back to take part in the politics of my country. I will go back as a leader with my ambition."

Goudé spent several years behind bars at the ICC after he was charged with crimes against humanity committed during his country's violent 2010-11 post-electoral crisis, which killed around 3,000 people.

Youth movement to turn into political party

In February, Goudé and former president Laurent Gbagbo were found not guilty by the ICC on four counts of murder, rape, and other "inhumane acts".

Prosecutors had alleged the crimes were part of a wave of violence sparked when Gbagbo refused to concede an election that vote counters and observers said was won by his rival Alassane Ouattara.

The deadly violence following the election lasted until Ouattara, backed by the international community, assumed power in April 2011. Gbagbo was arrested in Abidjan with the backing of French forces.

On Saturday, Goudé, in a video conference, spoke of his wish to "construct a major party" in Ivory Coast out of the Cojep .

He had created the Congress of Young Patriots (Cojep) in 2001. The group violently backed Gbagbo's victory claim and clashed with Ouattara supporters

In 2015 it was renamed "the Panafrican Congress for Justice and Equality" but kept its old initials, vowing to fight for peace while steering clear of extremists.

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

Cameroon: Separatist leader and followers handed life sentences (Deutsche Welle) By Ineke Mules
August 20, 2019

A military court in Cameroon has sentenced Anglophone separatist leader Julius Sisiku Ayuk Tabe (pictured above) and nine of his followers to life in prison.

The group was convicted on a number of charges, including "terrorism and secession" and "hostility against the state," according to a press release. They were also asked to pay a joint fine of 250 billion CFA francs (\$422 million, €381 million) to the state.

Ayuk Tabe is the first self-proclaimed president of the breakaway Anglophone state, "Ambazonia," which covers Cameroon's predominately English-speaking Northwest and Southwest Regions.

The so-called state of Ambazonia was declared by separatists in October 2017, prompting a swift military crackdown from the government. Ongoing violence from both sides has since left 1,850 dead, according to the International Crisis Group (ICG), and has forced at least 500,000 to flee their homes.

Trial quickly branded unfair

Lawyers defending Ayuk Tabe and his supporters were quick to accuse the judge of bias.

"We went to court at 9 a.m. yesterday and left at 6:30 this morning," barrister Ayukotang Ndep Nkongho Tifuh told DW. "The attitude of the judge does not only confirm his bias and personal interest in sentencing the accused persons, but equally reveals the presumed outcome of the proceedings."

Many Cameroonians expressed their frustration over the outcome of the trial.

"It's a very big mistake," broadcaster Elvis Macathy told DW. "It just tells the international [community] that the government is not ready for peace...This sentence is politically motivated."

"We have to speed up the process of dialogue and this can only happen if President [Paul] Biya's regime is able to grant amnesty to all those detained," said human rights campaigner Mbaku Jude.

Agbor Balla Nkongho, a lawyer and chairman of the Center of Human Rights and Democracy in Central Africa (CHRDA), is still optimistic that the government may change its approach following the backlash towards the ruling.

"I am hoping it will lead to an appeal within the next ten days as the law provides," he told DW. "It might also be an

opportunity for [President Paul Biya] to grant clemency because [in Cameroon] everything is done to make the president look good."

Ayuk Tabe was arrested alongside 46 other separatists in January 2018 in Nigeria's capital Abuja. Their swift extradition to Cameroon was ruled illegal by a Nigerian court in March this year.

Ayuk Tabe is viewed as one of the more moderate voices in the separatist movement and his arrest prompted more hardline leaders to emerge who are less likely to promote dialogue over violence.

In May, Ayuk Tabe said he was willing to take part in peace talks with the government on the condition that they take place abroad and that all those who had been detained since the beginning of the crisis were released.

We need to continue the dialogue'

The verdict is also likely to have a negative impact on peace negotiations between the separatists and the government which are currently being mediated by Switzerland.

"We are now back to a stalemate so we don't know whether we are moving forward or we are going backward or we are in the same position," said Agbor Balla.

The Geneva-based Center for Humanitarian Dialogue is also playing a role in the talks in addition to providing humanitarian assistance.

"We are doing it because we have a certain expertise," Switzerland's ambassador to Cameroon, Pietro Lazzeri, told Cameroonian state media in July. "We are referees, we are not the players. We need the willingness of the parties in order to build the dialogue."

Agbor Balla believes the peace talks should continue in light of the latest setback, with a focus on those who have already been arrested and tried in court.

"We need to see how we can move from here, we need to continue the dialogue of the peace process and see how those who have been illegally and unjustly sentenced should be released," he said. "Because [those arrested] are supposed to be part of the peace process. So if you keep them in jail, it doesn't help the situation...Most people are tired of fighting and they really saw [the peace talks] as a way out of the crisis."

Fears latent tensions have been stoked

Agbor Balla is also concerned about the immediate impact of the ruling and believes it is likely to have a negative impact on the ground where steps towards peace are slowly being made.

"On the ground, it will radicalize a lot of people," he said. "There has been an ongoing back-to-school campaign by most moderate activists and organizations that has been gaining momentum. This verdict will take us back."

Many schools in the Anglophone region have been closed due to ongoing attacks and kidnappings linked to the violence between separatists and government forces. In recent months, moderates made up of traditional rulers, the clergy and members of Cameroon's national assembly have been urging young people to return to school. Some have not attended in over two years.

"The schools are supposed to start in about two weeks...It will increase the threat to students, teachers and moderate voices," said Agbor Balla. "I will not be surprised if in the next few days the separatist leaders will call for another lockdown — they have planned one for September — and there will be sporadic attacks."

A persistent crisis

The current Anglophone crisis erupted in September 2017 after separatists declared the independence of 'Ambazonia' and the Ambazonia Defense Forces (ADF) began fighting against the Cameroonian government. The government subsequently rejected the separatists' demands for autonomy and sent thousands of troops to the region, resulting in a prolonged conflict with accusations of war crimes on both sides.

English speakers in Cameroon account for approximately a fifth of the population of 24 million. Since being incorporated into the French speaking state of Cameroon in 1961, Anglophones have accused the government of treating them like secondhand citizens, particularly in areas such as education, law and economics.

The conflict has severely damaged the economy across the country, with more than one in six Cameroonians now in need of

humanitarian aid, according to the United Nations, an increase of 30% from 2018.

Human Rights Watch (HRW) last month accused authorities of committing "brazen crimes" against citizens in the Anglophone region. On Tuesday they again accused security forces of torturing over 100 detainees and holding them incommunicado at a detention facility in Yaounde between July 23 and August 4.

The authorities have acknowledged a small number of alleged abuses and frequently arrest journalists on the accusation of spreading false information.

Twelve dead in Boko Haram Niger attack: Official (Al Jazeera)
August 24, 2019

A night raid blamed on Boko Haram has left a dozen villagers dead in southeast Niger on the frontier with Nigeria, according to a local official.

The attack on Friday night in the border district of Gueskerou is the latest to hit the Diffa region near Lake Chad, which is crisscrossed by fighter groups and traffickers.

"Twelve villagers were killed on Friday at around 8:00pm (19:00 GMT) by Boko Haram elements," a local elected official told AFP on Saturday.

He said 11 of those killed had been shot but did not give further details.

The Gueskerou area, abutting the Komadougou Yobe river that provides a natural frontier between Niger and Nigeria, has been exposed to years of killings and kidnappings at the hands of the Boko Haram.

In March, two attacks in the area left eight civilians and seven police dead.

Boko Haram, whose name roughly translates to "Western education is forbidden", has waged an armed campaign in northeast Nigeria since 2009.

The group wants to establish an Islamic state which will follow a strict interpretation of Islamic law.

Some 30,000 people have been killed and more than two million displaced since Boko Haram launched its armed campaign. The fighting has since spilled over to neighbouring Niger, Cameroon and Chad.

The group has repeatedly attacked schools, churches, mosques and markets, but state institutions such as police stations and military facilities have remained its primary targets.

Boko Haram allegedly operates its largest camp in the vast Sambisa forest in Nigeria's northeast.

Nigerian President Muhammadu Buhari promised to crush Boko Haram during his first term election campaign in 2015.

But his administration has failed to end the 10-year violence, with increasing attacks on strategic towns.

Boko Haram burns 73 houses, 28 shops in Konduga —Borno Govt (The Punch) By Kayode Idowu
August 24, 2019

Boko Haram insurgents have set ablaze 73 houses and 28 shops in Thursday's attack on three Borno State villages, the state government revealed on Saturday.

The governor of Borno State, Prof. Babagana Umara Zulum, had on Friday complained to President Muhammadu Buhari about the increased attacks by insurgents in the state.

The governor had said three Local Government Areas; Gubio, Magumeri and Konduga, were attacked in the last one week.

The governor, who arrived the state capital, Maiduguri on Friday evening after meeting with Buhari, revealed he was informed of the loss by the chairperson of the State Emergency Management Agency, Hajjiya Yabawa Kolo.

Kolo said that a total of 73 houses and 28 shops were torched in the attack by Boko Haram in three villages of Konduga LGA on Thursday night.

In Borri, one of the three villages torched by the insurgents, Kolo told Zulum that around 8:00 p.m. of August 22, the insurgents attacked and set ablaze 17 houses and four shops in the village.

Kolo also told the governor that in Wanori Village, 34 houses and 18 shops were set ablaze and in Kaleri-Abdule Village, 22 houses and six shops were torched.

The Governor, who went round to see things before meeting residents and community leaders affected by the attack, promised the immediate reconstruction of houses destroyed.

He said modern houses will replace those destroyed, he disclosed that he had received assurances from President Buhari on Friday with respect to concerted efforts by the Federal Government to enhance security in Borno State.

During the visit, the governor held discussions with youth volunteers under the Civilian JTF, who have been helping with community policing.

The volunteers told the Governor they were short of patrol vehicles. The Governor promised to give them two brand new patrol vehicles immediately.

Boko Haram/ISWAP: Gunmen Kill 11 Construction Workers In Nigeria (Sahara Reporters)
August 28, 2019

Gunmen from an IS-affiliated jihadist group on Tuesday shot dead 11 local construction workers in the North-East, a militia leader and resident said.

The fighters belonging to Islamic State West Africa Province (ISWAP) opened fire on the workers as they were laying telecom fibre optic cables in Wajirko village, 150 kilometres (93 miles) outside Borno state capital Maiduguri, they said.

"The insurgents came in the morning and opened fire on the workers, killing 11 and injuring many," militia leader Mustapha Karimbe told Agence France Presse.

He said the victims were locals contracted as casual labourers by a telecom firm.

"The attackers had warned the labourers to stop working on laying the cables but they ignored the warning because they needed money to feed their families," Karimbe said from the town of Biu, 50 km away.

Those injured were taken to a hospital in the nearby town of Damboa, he said.

The jihadists "came around" on three separate occasions and warned the men to stop the work which the group saw as a threat, said resident Bukar Maduye.

"Our people are starving and the laying of the cables provides some of us a good source of income which was why we ignored the warning," said Maduye, who gave the same toll.

ISWAP is known to have a strong presence in Wajirko and neighbouring areas although it is close to Sambisa forest, the major enclave of rival Boko Haram jihadists.

The IS-supported jihadists have carried out several attacks targeting Nigerian troops in the area.

In April, the militants looted and burnt a military base in Wajirko, after fierce fighting with soldiers who were forced to withdraw.

Since then, troops have abandoned the base and the village was left without protection save sporadic military patrols which are prone to jihadist attacks.

In June, three soldiers were killed in an ISWAP ambush on a military patrol near the village.

ISWAP split from Boko Haram in 2016 over ideological differences and the latter's indiscriminate attacks on civilians.

ISWAP focuses its attacks on military targets.

However, the group has in recent months been accused of raiding villages and looting food supplies.

The killing of the construction workers could be the group's first such attack on civilians and it was unclear if it was an isolated case or a shift in tactics.

The decade-long violence which has spilled into neighbouring Niger, Chad, and Cameroon, has killed 35,000 people and displaced about two million in Nigeria alone, prompting a regional military coalition to fight the jihadist groups, reports AF

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Mali

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Liberia

Liberia: ‘Captain Marvel’ and War Victim Lawmaker Support Establishment of War Crimes Court (Front Page Africa) By Alpha Daffae Senkpeni
August 27, 2019

Monrovia – Oscar Cooper and Ivar Jones are lawmakers who are shaping the future of Margibi County. But they both played different roles in its bloody past: Cooper supported a warring faction during the first phase of the Liberian civil war, while Jones was a victim of the conflict.

Today both of them have shown some level of support for the establishment of war and economic crimes court in the country.

Code Name: ‘Captain Marvel’

Cooper is used to receiving criticisms from political opponents for his ties to rebel forces loyal to former president Charles Taylor during the Liberian Civil War.

The criticisms against him heightened when he ran for the county’s senate seat in 2011, at which time his opponents referenced a damning Global Witness Report called Bankrolling Brutality. The report released in 2010, accused Cooper’s logging enterprise, Inland Logging Company of benefiting from the conflict.

The Truth and Reconciliation Report recommended prosecution for he and his logging companies’ alleged involvement in economic crimes.

Cooper doesn’t shy away from admitting his affiliation with the Taylor-led rebel group, the National Patriotic Front of Liberia (NPFL), which was responsible for tens-of-thousands of killings, rapes and a number of massacres throughout the conflict that lasted for 14 years and ended in 2003.

Dubbed ‘Captain Marvel’ during the 1990s, Cooper said he adopted the code name because of the risks associated with traveling at the time, and he “didn’t want to fall into an ambush.”

The NPFL topped as the worst violator among 11 warring factions, yet Cooper denies involvement in any atrocities.

“We supported the NPFL and I am not running away from that, but I didn’t commit any atrocities,” Cooper said.

“Before the war, I was already developed; my mind, my value system was already developed,” he added.

Now a Senator, he says “nobody should go away with impunity” for committing war crimes.

“If the Liberian people want the war and economic crimes court, I will support them,” says Cooper, during an interview in his Capitol Hill office in May 2019.

“I feel nobody should go away with impunity – even myself, and I have nothing to fear about the coming of the war or economic crimes court to Liberia because I know I have not violated any human rights, and I know I have not committed economic sabotage and I will be willing to put myself up.”

Beyond Settling Scores

For Jones, he spent every second of Liberia's 14-year-of-civil war in the country. As a boy, he stood by and watched his father's house in Margibi County ravaged by rebel forces

He said that his advocacy for the establishment of war and economic crimes courts go beyond settling personal scores.

Now a Representative of Margibi County District #1, Jones said the court would provide an "antidote to lawlessness and the culture of impunity to move the country forward."

"There were wrongs committed, there were crimes committed against humanity – I want to say it is based upon that I am supporting the war crimes court," he said.

"Today, you see a lot of crimes and [drug] addiction of young people, and it is because of the war... if we cannot do something now when will be able to do something?"

He says that prosecuting war criminals would avert a relapse of the country into chaos "put Liberia on a good trajectory to move forward."

"It is better for us to correct it now because if they are not corrected, maybe the generation after us will use us as examples ... which means our generation will be setting a bad precedent," said Jones.

Heal the Wounds

According to the Truth and Reconciliation Commission's report, there were 620 statements taken from Margibi County – 254 males and 365 females – with 3,394 victims recorded from 5,154 violations.

But it is still unclear which warring faction committed most of these atrocities within the county.

Advocates calling for the establishment of the court say prosecuting perpetrators would help heal the wounds of the past and reinforce the country's judicial system.

"I have analyzed over the time that in order to address current human rights issues – challenges that have been faced by society – we must be able to address the past abuses or violations," said Adama Dempster, head of the Civil Society Human Rights Advocacy Platform.

"Those who allegedly committed those atrocities are seated at the top of power and enjoying at the expense of the victims, at the expense of the common people," he added.

Court Will 'Correct Some Wrongs'

Despite having fingers pointed at him, Cooper agrees with the activists.

"The coming of the war crimes court will show that people cannot go with impunity and it will start correcting some wrongs and it will put people on the mark that you can't do what you want to do without giving account," he says.

"It will help us to move forward – will hold our feet to the fire for us the present and future political leaders."

Jones says a culture of impunity still reigns.

"Even up to today, there are a lot of economic crimes we have experienced in our country and the only way is to punish the wrongdoers,"

Lobby or People's Power?

Political lobbying for the passage of a bill at the Legislature to establish the court is still a far cry although it has gained some traction so far this year.

Nine out of 73 representatives, who are members of the House's Claims and Petition Committee, in July this year signed a resolution supporting a war crimes court.

Many more votes are required to pass the bill at the lower house before it then goes to the Senate for concurrence and signed into law by the President.

Representative Rostonlyn Dennis, who chairs the committee, says they have also cemented a partnership with the Liberia Bar

Association to draft a bill calling for the establishment of the court.

“We are in the process now of soliciting signatures and we need 49 signatures for the resolution,” says Dennis, adding at this stage the resolution has a moderate level of political support.

While the backing of lawmakers remains the lifeline of any piece of legislation that would pave the way for a court, Representative Jones thinks popular support from Liberians could ultimately affect the final decision.

“If the people decide that they want a war and economic crimes court, that will be done. It doesn’t have to be dependent on any lobby on the floor,” added Jones, who was elected in 2017.

“For my time I’ve worked in this house, there are some things that come on the floor that doesn’t require lobbying because if the people say we want XYZ definitely it will pass,” he said.

On the other hand, he’s cognizant of the power of legislative maneuvering characterized by lobbying, voting and the numbers.

“There will always be divided views on these issues, but at the end of the day democracy is about the number – and so the majority will have the day,” he says.

For a bill to be passed into law, it must first survive a majority vote in the House and then gets to the Liberian Senate.

However, Senator Cooper is optimistic that when “the bill hits the floor of the Senate and with my people support,” he will back it because “this is a controversial issue but it represents the people, [so] we shouldn’t be hiding from a controversial issue like this.”

Liberia ‘Is not an Island’

The two Margibi County lawmakers have, in separate comments, rejected criticisms linking the support for war crimes court in the country to the work of western countries.

“Liberians should stop depending on the international community,” stressed Senator Cooper. “Let’s depend on ourselves; what is right for ourselves before we start thinking about foreigners and what they say – if the majority of Liberians want the courts it should be done – not to be worried about the influence, let’s do the right things for our people”.

Jones argues that part of the challenges in Liberia’s failure to see its self as part of the international community and its laws and conventions.

“The world is a global village and all countries are interdependent – so we cannot say we as a nation [that is] part of the United Nations and then act as an Island,” said Jones.

Jones said any decision to punish war criminals will send a message that “we are serious about the business of justice in this country.”

Liberia: Town Wants Kromah Tried Like His Ex-Generals (Front Page Africa) By Mae Azango
August 27, 2019

GBESSEH TOWN, GRAND CAPE MOUNT COUNTY – In 1995 ULIMO-K stormed Gbesseh Town in Grand Cape Mount County and killed at least 25 people, including two relatives of 49-year old Duaman Konteh, who was present at the time of the attack. Konteh’s relatives and other villagers were hacked, and many others shot while they slept in that midnight raid on this fisherman’s town on the shore of the Lake Piso, some 45 miles north of Monrovia.

Konteh says he and other villagers escaped into the nearby bushes, some standing in a swamp surrounding the town until morning. He says they had to bury the dead in several mass graves because the ULIMO-J rival faction attacked the town again that same day, accusing the residents of supporting ULIMO-K.

Fourteen years after the Gbesseh Town Massacre, Konteh and other survivors want to see Alhaji G.V. Kromah, who led ULIMO, prosecuted in a war crimes court. Liberia’s Truth and Reconciliation Commission (TRC) recommended in 2009 that Kromah, and more than 100 members of warring factions face the court. Former President Ellen Johnson Sirleaf did not follow this recommendation nor has President George Weah supported it.

Three ex-generals of ULIMO have been sentenced and indicted in Europe and America in connection for crimes they allegedly committed during the Liberian Civil War (1989-2003). However, Kromah has yet to be tried. Mohammed Jabbateh, alias

“Jungle Jabbah”, who commanded ULIMO in Cape Mount, is serving a 30-year sentence in the United States for lying about his role in the war when he applied for asylum in 1998. Kunti Kamara and Alieu Kosiah have been indicted in France and Switzerland, respectively, over their alleged roles in the war.

“Let Kromah face justice for what he did, because there is no concert reason Alhaji Kromah ordered his soldiers to slaughter our people because we were only [unarmed] civilians...” “If I have the power now, for a war crimes court to come here, I will bring it, because there is no reason why those people would kill our people and be passing around here boasting of doing it.”

According to the TRC, ULIMO and other warring factions carried out 24 massacres (including this one) in Grand Cape Mount County, the third most it recorded. Only Lofa, with 32 massacres and River Cess, with 30, recorded more according to the TRC. ULIMO also ravaged towns and villages Bomi, Gbarpolu and Bong, where it operated during the war, the report said.

Kromah and the late Raleigh Seekie, a former Deputy Minister in the Samuel K. Doe regime, founded United Liberation Movement of Liberia for Democracy, in May 1991. Predominantly made of members of the Krahn and Mandingo ethnic groups, the rebel group entered Liberia in September that same year and fought the National Patriotic Front of Liberia (NPFL), led by Charles Taylor. In 1994, internal division split the group into ULIMO-K, led by Kromah and ULIMO-J, led by the late Roosevelt Johnson.

According to the TRC, ULIMO committed 11,564 crimes during the war, the fifth most atrocities committed by any warring faction according to the TRC. Among ULIMO’s crimes were massacres, rapes, murder, torture, recruitment of child soldiers and slave labor. The TRC also reported that ULIMO-K committed 6,049 crimes, while its ULIMO-J rival committed 2,646 of the crimes.

Kromah denies that his forces ever committed atrocities during the war.

“Let me tell you about my soldiers, whenever they were smoking and saw me coming, they used to put the cigarettes into their pockets, so I could not see it,” he tells FrontPage Africa in a weak, low voice in the livingroom of his Congo Town residence.

Kromah’s yard, which was once packed with people, when it hosted Kromah’s party headquarters during his 2005 presidential campaign, is now deserted. A concrete pavement runs from the black gate that enters the yard that leads to the stairway of his run-down house. A palaver hut to the right side of the yard is surrounded by overgrown grass.

“That is how disciplined they were. Let me tell you something, there were a lot of stories during the war, but most of my people were Muslim and if it was difficult for them to kill chicken then how much about killing a human being?” says Kromah, who appears frail and hands seem curved in, as two men had helped him walk and to sit for the interview.

Kromah says he remembers one of his rebels only known as Senegalese, who Konteh and other villagers say led the Gbesseh Town Massacre and ate the heart of his victims, with a preference for the hearts of those who were light skinned. Witnesses in the trial of Mohammed Jabbateh also told a Philadelphia court that ULIMO rebels had eaten the hearts of their relatives. Senegalese is one of the war’s “most notorious perpetrators” whom the TRC recommended to be tried for war crimes.

Asking about allegations leveled against Senegalese by the Gbesseh Town people, Kromah said his soldiers never ate human hearts.

“This eating heart business is a fake story,” claims Kromah. “I am a Muslim, and we usually say prayers before slaughtering chicken or any animal, because we feel sorry for the animal, so just imagine if we do that to chicken, how much more to kill a human? I am not saying my soldiers were 100 percent perfect, but the statement they are making is far from the doing of my soldiers.”

Unless he travels outside of Liberia, Kromah can only be tried for war crimes by a war crimes court for Liberia, says Hassan Bility of Global Justice and Research Project (GJRP). Jabbateh was tried by a U.S. federal court for immigration offenses, and Kosiah and Karmara indicted for war crimes under the legal doctrine of Universal Jurisdiction in Europe, he adds.

Bility and other local, and international advocates are calling on the Liberian government to set up the court to try Kromah and others listed in the TRC report a decade ago.

That advocacy is gaining momentum at the Legislature as just over a week ago, Representative Rustorlyn Suacoco Dennis, Chairman of the House of Representatives’ Committee on Claims and Petitions, disclosed that nine of 73 representatives have signed a resolution for the establishment of the court.

Bility urges survivors of the Gbesseh Town Massacre to rally their lawmakers for the court. “Those who are calling for the court should bring pressure to bear on their lawmaker, and the time is now. Tomorrow will be late”.

Back in Gbesseh Town, other villagers, like Konteh, remember the massacre and demand justice.

“When the bullet hit my eight-year-old son, his intestine came outside and he died later because there was no hospital,” recalls Koikor Fahnbulleh, 67. “If he was living, he would have been 32 years old. So if they bring the war crime court to Liberia, I will be satisfied, because the killers will face justice,” he says.

Old lady Majama, who sat in front of her fire hearth, trapping her chin in one hand that rests on her knee says, speaking about the massacre saddens her heart.

“My father, my son and my daughter, I lost all of them. My father’s heart was taken out of him, as for my daughter, they shot her and my son, so my heart is still hurting up to now,” she says. “If everybody supports war crimes, I will also support it,” she says of the war crimes court.

Mustapha Rogers, a youth leader, who was a boy at the time when the massacre happened, says the town will never forget.

“Even when you go behind the school building in the savanna, you will still find bones of dead people who were killed that day and were not buried,” Rogers says.

“Therefore we the youth are saying we want war crimes court to come to Liberia,” he says. “ULIMO-K did all that killing, they were wicked. Therefore, let the people bring the war crime court, so those people who did all the killing would face justice.”

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EAST AFRICA

Somalia

Al-Shabaab attacks Somalia army base near Mogadishu (The Defense Post)

August 14, 2019

An army base in southern Somalia was struck by car bombs and gunfire on Wednesday, a military official and witnesses said, in an attack claimed by the al-Shabaab militant group.

The attack in Awdheegle, about 70 km (43 miles) south of the capital Mogadishu, also killed a Somali reporter embedded with the army, a journalist federation said.

General Yusuf Rageh, commander of the Somali infantry regiments, said the assailants struck with vehicle bombs before gunmen surged forward.

“After the blasts they tried to attack the army defenses but were defeated. We are still pursuing them. Some soldiers sustained minor injuries from blast shrapnel but nothing major,” he told reporters in Awdheegle.

The Shabaab, a jihadist group that controls swathes of Somali countryside, claimed responsibility for the attack, saying they launched two car bombs and “killed many soldiers.”

It is not unusual for the government and the Shabaab to offer differing accounts of casualties from attacks.

Somali security forces and troops from the African Union peacekeeping mission in Somalia (AMISOM) had only retaken Awdheegle, in the Lower Shabelle district, from the al-Qaeda-linked militants last week.

Witnesses in Awdheegle they heard blasts and heavy gunfire.

“The first blast struck the main entrance of the base, and the second followed a few minutes later. They were huge explosions,” said Muktar Dinle, who spoke to AFP by phone.

Another resident, Mohamed Isak, said the firefight lasted more than a hour after the initial explosions.

“We are still trapped inside our houses, and we don’t know who is exactly in control of the situation,” he said by phone.

A journalist embedded with the army also died in circumstances that remain unclear, the Federation of Somali Journalists said.

Gacal Abdulle Gacal, 23, was working with the army's radio channel and is the third journalist to be killed in Somalia this year, the federation said.

"We condemn radio journalist Gacal's murder in the strongest terms as it is a serious press freedom violation. We demand an investigation how the journalist is killed," the federation's president, Abdadir Abdulkadir Elmi, said in a statement.

The attack is the latest in a long line of bombing and assaults claimed by the Shabaab, which has fought for more than a decade to topple the Somali government.

The army, which relies on AMISOM forces for military support, is regularly targeted in attacks.

In January, heavily-armed jihadists overran a military camp on the outskirts of Kismayo in the country's south, killing at least eight soldiers.

Somalia: Airstrike kills 21 al-Shabaab militants (AA) By Mohammed Dhaysane
August 16, 2019

At least 21 al-Shabaab militants are reported killed in Somalia's southern province of Lower Shabelle late Thursday, as part of a renewed military campaign, the military sources said.

Quoting military officials, the Somali National Army (SNA) radio network, reported that Somalian forces backed by the African Union Mission in Somalia (AMISOM) launched two airstrikes, on the al-Qaeda affiliate, al-Shabaab bases, in the towns of Mubarak and Janale in the region.

"The first airstrike targeted the al-Shabaab base in the town of Mubarak, Lower Shabelle region, killing at least 21 militants, including foreign fighters" the radio network claimed. The airstrike also wounded 37 fighters.

The second airstrike hit another militant camp in the town of Janale, in the same region, according to the radio.

Janale, is an agricultural town, located some 80 kilometers (49 miles) south of the capital Mogadishu.

In a fresh military thrust, backed by both ground and air capability, Somali forces recently liberated the strategic agricultural town of Awdhegle from al-Shabaab.

On Wednesday, at least nine people were killed and 13 others wounded after a suicide bomber, exploded a car targeting a military base in Awdhegle. The terror group al-Shabaab claimed responsibility.

Somalia, located in the Horn of Africa and bordered by Ethiopia to the west, and the Gulf of Aden to the north, has witnessed multiple terror attacks, over past two decades.

In October 2017, hundreds of people were killed in two car bombing attacks in Mogadishu, the deadliest attack in the country's history so far.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosnia Upholds Serb Ex-Soldier's Wartime Rape Conviction (Balkan Insight) By Lamija Grebo
August 16, 2019

The appeals chamber of the Bosnian state court on Friday upheld the verdict convicting Milomir Davidovic of raping a Bosniak woman in Foca during the war in July 1992 and sentencing him to seven years in prison.

The initial verdict in February this year found that another Bosnian Serb soldier, Dragan Zelenovic, took the Bosniak victim from the secondary school in Foca on an undetermined date between July 3 and 18, 1992 to an apartment in the so-called 'Lepa Brena' building, where she was raped by defendant Davidovic and other soldiers.

The Hague Tribunal in 2007 sentenced Zelenovic to 15 years in prison for taking part in the rape and abuse of women and girls at temporary detention centres in Foca in 1992.

The Hague court said at the time that his crimes were "part of a pattern of sexual abuse" of Bosniak women by Serb troops in the Foca area.

In February's first-instance verdict, Davidovic was acquitted of raping three women in an abandoned house in the village of Dobro Polje during the same period.

The state court's appeals chamber confirmed this part of the first-instance verdict on Friday as well.

The court ordered the defendant to pay the victim 10,000 Bosnian marks (about 5,100 euros) in compensation.

Friday's verdict cannot be appealed.

Sentences Cut for Bosnian Serbs Behind Teslic Massacre (Balkan Insight) By Lamija Grebo
August 21, 2019

Under a first instance verdict in July last year, Dragan Marjanovic, Sasa Gavranovic, Vitomir Devic and Zoran Sljuka were each sentenced to 17 years in prison for the murders. Dragomir Kezunovic was sentenced to 14 years.

The Appeals Chamber revised the prison terms for Marjanovic to 14 years, and for Gavranovic, Devic and Sljuka to 15 years each.

Twenty-eight civilians were killed on Mount Borje near Teslic in 1992 by Bosnian Serb soldiers.

A prison sentence of 14 years was confirmed for Kezunovic, against whom an arrest warrant was issued after he had failed to attend the reading of the first instance verdict, when the Chamber had announced he would be placed in custody.

The five men were found guilty, as co-perpetrators, of taking 28 civilians – who had been detained at the police station in Teslic and Pribinic prison – to Mount Borje during the night of June 17-18, 1992 and killing them.

Marjanovic was commander of the Military Police Squad of the Teslicka Brigade with the Bosnian Serb Army, VRS, while the other defendants were members of that Squad and, at the same time, members of the military part of the 'Mice' formation.

This decision by the Appeals Chamber may not be appealed.

Bosnian Court Confirms Verdict for Wartime Rape (Balkan Insight) By Nermina Kuloglija
August 22, 2019

The appeals chamber of the Bosnian state court on Thursday confirmed a verdict under which former Bosnian Serb Interior Ministry employee Milisav Ikonic was sentenced to nine years in prison for the rape of a woman in Rogatica in July 1992. Former Bosnian Serb soldier Zoran Ilic was acquitted of raping another woman.

In 2018, Ikonic was found guilty in the first instance of taking the woman from a wartime camp in a school in Rogatica to a nearby apartment and raping her over a period of six days.

“Having held a session, the Appellate Division Panel delivered a judgment dismissing as ill-founded the appeal filed by defense for the accused Milisav Ikonic, so the trial judgment delivered by this Court is upheld,” the court said in a statement.

“The injured party [codenamed] S-1 convincingly and consistently described the traumatic situation in which she found herself, as well as the things that happened to her,” the presiding judge in the original trial, Halil Lagumdzija, said in September 2018.

The appeals chamber also confirmed the acquittal of Ilic because of “insufficient evidence”.

The verdict is final and cannot be appealed.

Bosnia Court Confirms Six-Year Sentence for Rogatica Crimes (Balkan Insight) By Albina Sorguc
August 23, 2019

The Appeals Chamber of the Court of Bosnia and Herzegovina has confirmed a verdict under which Bosnian Serb former soldier Zdravko Lubarda was sentenced to six years for participation in the persecution of Bosniak civilians in the eastern Rogatica area and former police reservist Ozren Planojevic was acquitted.

The Court of Bosnia and Herzegovina announced on Friday it rejected the appeals filed by the State Prosecution and Lubarda's defense as unfounded and confirmed the first instance verdict passed down by the Bosnian State Court on December 24 last year.

Under the first instance verdict, Lubarda was found guilty, as a former member of the Bosnian Serb Army, VRS, of having committed a crime against humanity. Planojevic, a former member of the reserve police forces, was acquitted of the charges.

In a separate case, the Appeals Chamber cut from 10 years to five the prison sentence handed down in September 2018 against Bosnian Serb former soldier Petar Tasic for crimes against civilians in the eastern Visegrad area while fellow former soldier Momir Tasic had his 14-year sentence confirmed.

Under the first instance verdict, Petar Tasic was found guilty of removing Bosniak civilians while Momir Tasic was convicted of the forcible disappearance of civilians and rape.

“After holding a session, the Chamber of the Appeals Section with the Court of Bosnia and Herzegovina passed down a verdict, rejecting an appeal filed by the defense of defendant Momir Tasic as unfounded and partially upholding an appeal filed by the defense attorney of Petar Tasic and sentencing him to five years' imprisonment,” the State Court said. “The Chamber confirmed the remaining part of the first instance verdict,” it added.

In the same case, a third man, Mirko Tasic, a former member of the Public Safety Station in Visegrad, was acquitted of the charges in the first instance, but the Prosecution did not appeal that part of the verdict so it became final in 2018.

Momir, Petar and Mirko Tasic were charged with having participated, in June 1992, in the forced disappearance of six Bosniak victims, whom they arrested, tortured and abused, and then took in the direction of the western Serbian town of Uzice, after which they went missing without trace.

Mirko and Momir Tasic were also charged with having raped two Bosniak persons.

All the verdicts passed down by the Appeals Section are final and may not be appealed.

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International Criminal Tribunal for the Former Yugoslavia (ICTY)

Official Website of the ICTY

Witness Denies Serbian SDB Behind Rebel Camp in Croatia (Balkan Insight) By Milica Stojanovic
August 20, 2019

A defence witness in the war crimes retrial of former Serbian state security officials Jovica Stanisic and Franko Simatovic said on Tuesday that the State Security Service, SDB, that they led was not involved in establishing a training camp in a Serb breakaway statelet in Croatia in 1991.

Prosecutors say the camp in Golubic, near the former rebel Serb stronghold of Knin, was one of a number set up by Serbia's SDB to train special forces troops in the Belgrade-backed rebel war against Croatian forces following Croatia's secession from federal Yugoslavia.

Stanisic and Simatovic are being retried at the Mechanism for International Criminal Tribunals in The Hague, created to handle cases left over from the International Criminal Tribunal for the former Yugoslavia, ICTY.

Stanisic, who led the SDB, and his former assistant 'Frenki' Simatovic, were acquitted in 2013 of war crimes against non-Serbs in Croatia and Bosnia, but the decision was overturned on appeal and a retrial ordered. Both pleaded not guilty again in December 2015. Simatovic headed the SDB's Special Operations Unit.

Mile Bosnic, a former official in the self-proclaimed rebel statelet in Krajina, said the SDB had no involvement in setting up the Golubic camp.

"No," he said. "The Serbian National Council asked for help from Serbian Interior Ministry, the request was addressed to the Ministry."

"We realised that we could not resist unless we have at least one mobile and well-trained unit that would be capable of intervening quickly in the territory of SAO Krajina if there was a raid by the special forces of Croatia," Bosnic told the hearing. "It was then decided to request assistance from Belgrade."

Bosnic, who also testified in the first trial, said the camp was set up to train locals to defend their villages.

Stanisic has been on provisional release in the Serbian capital, Belgrade, since July 2017 due to illness.

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Domestic Prosecutions In The Former Yugoslavia

North Macedonia Frees Kosovo Ex-Guerrilla Wanted by Serbia (Balkan) By Sinisa Jakov Marusic
August 15, 2019

Former KLA fighter Tomor Morina was released from detention and returned to Kosovo on Wednesday afternoon after North Macedonia's Supreme Court earlier the same day ruled that there were no legal grounds for his extradition to Serbia.

Kosovo's Foreign Minister Behgjet Pacolli welcomed the release. "I am thankful to authorities of North Macedonia for principled decision on this issue and the cooperation we had to resolve this in the best possible way," Pacolli said. Morina's lawyer, Naser Raufi told media that his client used his Kosovo passport to cross the border, as his British passport is still held by the North Macedonia authorities. Morina was arrested in North Macedonia in July 24 on a Serbian warrant as he was entering the country from Kosovo. The Serbian War Crimes Prosecutor's Office told BIRN after the arrest that it suspects him of involvement in war crimes against civilians in the Djakovica/Gjakova area of Kosovo from January to June 1999. The failure to extradite Morina angered the Serbian authorities. "This is a great shame for international law, but it is an even bigger blow and a great sadness for the families of the victims, who have been waiting for justice for their loved ones for decades," Serbian Justice Minister Nela Kuburovic said on Wednesday. "Although all the necessary supporting evidence was provided to the authorities of North Macedonia, the decision was made contrary to the truth and the facts," she added. After Morina was arrested, North Macedonian Prime Minister Zoran Zaev insisted that he would not get involved in the case, leaving it up to the courts to reach a decision on the extradition request. However, government ministers from the ranks of the junior party in the ruling coalition, the Democratic Union for Integration, the biggest ethnic Albanian party in North Macedonia, had called for Morina's release.

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Turkey

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MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

Explosion in Iraq near Shiite mosque kills 3, wounds dozens (New York Post)
August 24, 2019

Iraqi security officials say a motorcycle rigged with explosives went off near a Shiite mosque south of the capital Baghdad, killing three people and wounding 34.

The officials said Saturday that the blast occurred the previous evening on a commercial street in the village of Mussayyib. They spoke on condition of anonymity in line with regulations.

The Islamic State group claimed responsibility for the attack, saying it targeted "gatherings of Shiites" near a Shiite mosque.

Iraq declared victory against IS in late 2017, but the group continues to carry out attacks through sleeper cells, particularly in the country's north.

Iraq's military announced it started a new operation early Saturday targeting IS hideouts and sleeper cells in the western Anbar province.

IS mortar attack on soccer field kills 6 in Iraq (Miami Herald) By Qassim Abdul
August 25, 2019

Police in Iraq say Islamic State militants have fired mortar rounds at a soccer field near a Shiite shrine, killing six civilians and wounding nine others.

The attack occurred late Saturday in the village of Daquq, in Iraq's northern Kirkuk province, as people were exercising.

Police officials confirmed the attack, speaking on condition of anonymity in line with regulations.

The area of the attack, southeast of the city of Kirkuk, is controlled by Iran-supported militias known as the Popular Mobilization Forces.

IS, which once ruled a self-styled Islamic caliphate sprawling across Iraq and Syria, no longer controls territory in either country but has continued to stage sporadic attacks.

Nearly 40 injured in motorcycle bombing in Iraq's Babil (Kurdistan 24) By John J. Catherine
August 23, 2019

A bombing at a market in Iraq's province of Babil caused almost 40 casualties on Friday.

The deadly explosion came from the detonation of a bomb-laden motorcycle in a popular marketplace in the town of al-Musayib, located in northern Babil province, about 60 kilometers south of the capital city of Baghdad.

Local media quoted security sources as saying that 39 individuals were wounded in the blast.

A health official said the government had mobilized the province's hospitals to be able to effectively deal with the large number of incoming wounded. Security forces "cordoned off the scene and transported those injured to a nearby hospital," Director General of Babil Health Department Haider al-Asadi told Alsumaria.

A video said to have been taken at the scene and posted on social media showed extensive damage to shops and restaurants.

No group has yet claimed responsibility for the attack.

On Thursday, Iraqi security forces announced that they had killed six Islamic State militants in the province of Diyala.

"Our forces managed to besiege and killed all of them," read a statement. "Among them were four militants who were wearing suicide vest and their so-called journalist, who was found in possession of a camera."

During the clashes, two Iraqi soldiers were killed and one more wounded, a local security source told Kurdistan 24.

In mid-July, a twin explosion claimed by the Islamic State rocked a place of worship located on the outskirts of Baghdad, with Iraqi media reporting that five people had been killed and 17 injured.

That same day, another media outlet quoted security sources saying a third explosion was set off to the north of Baghdad that "killed one person and injured a number" of others. On May 9, a deadly suicide bombing in the capital's sprawling neighborhood of Sadr City claimed the lives of at least eight people and wounded another 15.

Although Iraq declared the military defeat of the Islamic State in December 2017, the terrorist group continues to carry out insurgency-style attacks in formerly liberated areas like Mosul, which it once declared its de-facto capital and also places it never controlled like Baghdad.

Iraq: 31 unidentified bodies found buried in Karbala (AlJazeera) By Natasha Ghoneim
August 20, 2019

There are calls for an investigation in Iraq after more than 31 unidentified bodies were found buried in Karbala province.

The dead included women, children and elderly people.

Human rights groups are accusing the government of covering up evidence of possible sectarian violence.

Iraq has executed 100 since January, 8,000 on death row: official (Rudaw) By Lawk Ghafuri
August 19, 2019

More than 100 individuals have been executed in Iraq since January, with a staggering 8,000 more on death row, according to Iraq's UN-approved human rights body.

The execution figures came from Iraqi Ministry of Justice data that was reviewed by the Iraqi High Commission for Human Rights, according to one commission member.

"According to the data of the Iraqi Justice Ministry that have been reviewed by the Iraqi High Commission for Human Rights, over 100 people have been executed in Iraq," Hemin Bajalan told Rudaw English on Sunday. "There are 8,022 prisoners in Iraq convicted with execution."

Iraq has one of the highest rates of execution in the world, and is ranked in the top four along with Iran, Saudi Arabia and China, according to Human Rights Watch's 2019 report, which documented the year prior.

Prime Minister Adel Abdul Mahdi's government has not made public the number of executions it carried out this year, according to the watchdog.

"Iraqi authorities handed down hundreds of death sentences to those convicted under counterterrorism legislation and carried out executions without publicizing any official numbers or sharing this information with international actors," Human Rights Watch report read.

The trials were also rushed and were sometimes based on a single confession or missing victims' testimonies, according to the report.

The 100 plus figure marks a big increase in Iraqi executions. In 2018, more than 52 recorded executions took place in Iraq, according to a report from Amnesty International.

The more than 8,000 people with death sentences is also a striking increase from 2018. At the end of that year, Amnesty reported that there were more than 285 people with death sentence.

Iraqi security forces captured Mosul from the Islamic State (ISIS) in late 2017, and subsequently put its alleged members and affiliates on trial. The US-backed and Kurdish-led Syrian Democratic Forces (SDF) in Syria have also transferred hundreds of ISIS fighters into Iraqi custody.

Iraq is known to have conducted fast trials for ISIS members, often without sufficient evidence.

One member of parliament said Iraq is asking Western countries to take back their citizens who joined ISIS.

"There are many foreign ISIS fighters in Iraqi prisons, and Iraq is frequently demanding the western countries to take back their citizens who are Daesh militants," Bakhtiyar Shawis, a member of the parliament's human rights committee, told Rudaw English, referring to ISIS by its Arabic acronym.

Shawis said Iraq is currently negotiating with some countries on the repatriation of ISIS fighters. Parliament, however, has yet to deliberate on the issue, according to him.

"We have not discussed the execution issue in the parliament until now," said Shawis.

There are 26 prisons throughout Iraq that contain at least 37,113 prisoners. Of those, 18,306 are imprisoned on terrorism charges, according to an August report by the Iraqi High Commission for Human Rights.

Two officials from the Iraqi Ministry of Justice Rudaw spoke to declined to discuss the execution figures.

In the Kurdistan Region, Sulaimani authorities confirmed in May that they executed an ISIS militant from Baghdad after he was detained in Kirkuk in May.

At present, there is not enough room in the Iraqi penal system to accommodate all those locked up, according to Bajalan.

"Due to the bad conditions prisons in Iraq are facing, the prisoners are finding it difficult to fit into one prison," he said. "For that reason, Iraq should deliver more facilities to the prisons."

Other observers have noted poor conditions in Iraqi prisons as well. According to a July report also by Human Rights Watch, prisons in the Nineveh province feature overcrowding and "degrading conditions." Some of the prisons in Nineveh are supposed to house a maximum capacity of 2,500 people, but are holding around 4,500 prisoners and detainees. Women and

children are among those in the prisons, according to the organization.

Nineveh police have denied inhumane conditions in the prisons and rejected the Human Rights Watch report, calling it "not true."

Iraqi lawmakers visited the prisons in July, and described the overcrowding and conditions there as "tragic" and "catastrophic."

Iraq arrests two IS terrorists implicated in car bomb attack (Iraqi News) By Mohammed Ebraheem
August 18, 2019

An Iraqi paramilitary force announced on Sunday that two Islamic State terrorists had been arrested for their involvement in a deadly car bomb attack in Nineveh province.

The paramilitary Popular Mobilization Forces said in a press statement that the two IS militants were arrested during a counter-terrorism operation in al Baaj district in Tel Afar.

According to the statement, the pair were involved in a deadly car bomb attack in Tel Afar district a few months ago, which left scores of citizens dead and wounded.

Former Iraqi prime minister Haider al-Abadi announced in August 2017 that Nineveh province was fully liberated from Islamic State after the district of Tal Afar was recaptured.

The announcement came after the defeat of the jihadist group in the town of Ayadiya, where the militants had fled to from Tal Afar. Islamic State militants seized control of much of Nineveh, including the provincial capital of Mosul, in June 2014.

The Iraqi government launched an operation to retake Tal Afar on 20 August involving some 50,000 personnel from the army, air force, federal police, special forces and the Shia Muslim-led paramilitary Popular Mobilisation Forces.

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Syria

Syria opens 'humanitarian corridor' for civilians to leave Idlib (Al Jazeera)
August 22, 2019

Syria's Foreign Ministry has said it is opening a "humanitarian corridor" for civilians to leave the rebel-held northwestern region of Idlib and northern Hama, where the army has advanced against armed fighters with fierce air and ground attacks.

The ministry, in a statement carried out by Sana news agency on Thursday, said that the corridor was opened in the village of Soran on the southern edge of the rebel-held area, which Syrian troops laid siege to a day earlier.

The corridor will be used to evacuate "civilians who want to leave areas controlled by terrorists in northern Hama and the southern countryside of Idlib" province, the statement added.

The besieged area is home to tens of thousands of civilians, as well as armed rebel fighters and Turkish troops.

Opposition fighters withdrew from a key town in Idlib on Tuesday amid a government offensive launched in late April to retake the country's last major rebel stronghold.

The withdrawal from Khan Sheikhoun, one of the northwestern province's largest towns that has been in rebel hands since 2014, came after days of fierce fighting between rebel factions and Russia-backed forces loyal to President Bashar al-Assad.

Earlier this week, air raids struck a Turkish military convoy making its way through Idlib. The convoy was heading to an observation post in Morek, one of the 12 that Turkey has maintained in and around Idlib province since a deal with Russia last year.

According to the Turkish defence ministry, the convoy had been sent to keep open supply routes, ensure the safety of the observation post and protect civilians in the region.

But Damascus denounced what it said was a Turkish attempt to save routed rebels.

Ankara backs some of the rebels in northwest Syria and has deployed forces in the Idlib region under deals with Moscow.

On Wednesday, Turkish presidential spokesman Ibrahim Kalin said all of Turkey's observation posts will remain in place and support will continue to be provided to the posts.

Speaking to reporters after a cabinet meeting, Kalin said President Recep Tayyip Erdogan would have phone calls with US President Donald Trump and Russia's Vladimir Putin in the coming days to discuss developments in Syria.

He also said there will be a trilateral summit between Turkey, Russia and Iran on September 16 in Ankara.

The Astana peace process, aimed at ending the Syrian conflict, was launched in January 2017 by Russia and Iran, allies of the Syrian government, as well as Turkey.

In September 2018, Turkey and Russia agreed to turn Idlib into a de-escalation zone, but ceasefire attempts have been consistently broken, especially in recent weeks.

After a short-lived ceasefire, the area has seen intense bombardment as the Syrian army gained ground against the weakened rebels.

Idlib is home to about three million people, half of whom were transferred there en masse from other areas that were taken by pro-government forces.

According to the United Nations, more than 500 civilians have been killed, while hundreds more have been wounded since the start of the offensive. Some 400,000 people have been forced to leave their homes.

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Yemen

New report alleges Saudi Arabia covered up war crimes in Yemen (The Independent) By Richard Hall
August 15, 2019

A team of international lawyers and a Yemeni human rights group have submitted new evidence of alleged Saudi war crimes to the UK government in a bid to stop the sale of British weapons to the kingdom.

The nearly 300-page report alleges a litany of international law violations by the Saudi-led coalition in Yemen. It further claims that the Riyadh covered up evidence of war crimes in subsequent investigations into deadly airstrikes.

The evidence was collected by researchers from the independent Yemeni rights group Mwatana and submitted to the international trade secretary, Liz Truss, by the Global Legal Action Network (GLAN) and UK law firm Bindmans. It involved extensive on-the-ground research and analysis of airstrikes in which civilians were killed.

“The coalition has continued to carry out apparently unlawful attacks throughout the course of the conflict, failed to credibly investigate, and whitewashed significant civilian harm,” the two organisations said in a statement.

The report specifically takes aim at the coalition's own mechanism for investigating claims of civilian casualties – the Joint Incidents Assessment Team (JIAT).

The British government has repeatedly used the existence of the team to justify continued weapons sales.

Former prime minister Theresa May said of the process in 2018: “Where there are allegations that activity has taken place that is not in line with international humanitarian law, they [the Saudis] investigate that and they learn the lessons from it.”

But researchers detail at least 12 incidents in which civilians were killed and where the JIAT denied the coalition had carried out an airstrike, despite those claims being “directly contradicted by witness and photographic evidence”.

One such incident was an attack by the coalition on a funeral in the rebel-held city of Hodeidah on 21 September 2016, which killed 23 people, including 5 children.

The new report comes as the British government prepares to respond to a Court of Appeal judgement that forced it to freeze sales of UK arms to Saudi Arabia while it reconsidered whether they could be used to violate international humanitarian law.

The court found in June that the government “made no concluded assessments of whether the Saudi-led coalition had committed violations of international humanitarian law in the past, during the Yemen conflict, and made no attempt to do so”.

Judges said that it was “irrational and therefore unlawful” for the international trade secretary to license weapons exports without assessing past allegations and whether there was a “clear risk” of future breaches.

Riyadh intervened in Yemen’s civil war in 2015 to reinstate the internationally recognised government of Abd Rabbu Mansour Hadi, who was ousted by Iran-backed Houthi rebels.

The United Nations has accused the Saudi coalition of “widespread and systematic” strikes on civilian targets.

The coalition, led by Saudi Arabia and the United Arab Emirates, has admitted to causing civilian casualties in the past, but attributes the deaths to “unintentional mistakes”, and says it is committed to upholding international law.

Together with the US, the UK has played a major role in supporting the coalition’s military campaign against the Houthis – who have also been accused of war crimes by the UN.

The organisations behind the report that they hoped the new evidence would lead the British government to halt all arms sales to Saudi Arabia.

“This evidence will assist the UK government in deciding whether to grant further arms sales licenses for Saudi Arabia,” said GLAN director Dr Gearoid O Cuinn.

“They can either continue to rely on discredited Saudi/UAE-led coalition assurances, or listen to those who have painstakingly documented the constant civilian deaths caused by coalition airstrikes. Multiple European states have already suspended arms sales and now the case for the UK doing the same could not be stronger,” he added.

Labour MP Lloyd Russell-Moyle, who sits on the Committees on Arms Controls in the Commons, accused the government of breaking the law in granting arms export licences for Saudi Arabia.

“Boris Johnson and Sajid Javid both illegally signed off arms export licences according to the Court of Appeal because they failed to consider Saudi Arabia’s record deliberately or recklessly attacking civilians in Yemen,” he told The Independent.

“This new evidence shows a pattern of international humanitarian law violations by the Saudi-led coalition which means, under UK law, all extant licences should be rescinded immediately.” Yemen: Coalition Warships Attack Fishing Boats (Human Rights Watch) August 21, 2019 <https://www.hrw.org/news/2019/08/21/yemen-coalition-warships-attack-fishing-boats>

Saudi-led coalition naval forces have carried out at least five deadly attacks on Yemeni fishing boats since 2018, Human Rights Watch said today. Coalition warships and helicopters have been involved in attacks that killed at least 47 Yemeni fishermen, including seven children, and the detention of more than 100 others, some of whom were tortured in custody in Saudi Arabia.

The coalition attacks on fishermen and fishing boats appear to be deliberate attacks on civilians and civilian objects in violation of the laws of war. Coalition officials who ordered or carried out the attacks or tortured detainees are most likely responsible for war crimes.

“Coalition naval forces repeatedly attacked Yemeni fishing boats and Yemeni fishermen without any apparent determination that they were valid military targets,” said Priyanka Motaparthi, acting emergencies director at Human Rights Watch. “Gunning down fishermen waving white cloths or leaving shipwrecked crew members to drown are war crimes.”

Human Rights Watch interviewed survivors, witnesses, and knowledgeable sources about seven fishing boat attacks: six in 2018 and one in 2016. Civilians died in five of them. Coalition forces carried out the attacks using small arms and heavy weapons. Warships and helicopters were involved in the attacks from short distances away, so the civilian nature of the fishing boats should have been clear. The fishermen waved white cloths, raised their hands, or otherwise showed they posed no threat. In three attacks, coalition forces did not attempt to rescue survivors adrift at sea, and many drowned.

A fisherman described the attack on his boat: “The helicopter was close, about three meters up. They said [over a megaphone] ‘go forward,’ and four or five [fishermen] went forward, and the rest were near the [boat’s] stern. I was in the middle. Then they hit us with the big gun with bullets.” Seven fishermen died.

The coalition also detained, apparently without charge, at least 115 fishermen, including 3 children, in Saudi Arabia for between 40 days and more than two-and-a-half years. Seven former detainees said that Saudi authorities tortured and ill-treated apprehended fishermen and boat crew members and denied them contact with their families, legal counsel, and Yemeni government representatives.

The attacks and detentions severely affected remote fishing communities that lost the primary earners for dozens of families. They have also deterred other fishermen from going to sea. “Before the war, fishing was good,” said the wife of a fisherman. “But we heard that eight men from the neighborhood next to us were killed...so [my husband] stopped going.”

The San Remo Manual on Armed Conflict at Sea, which is widely viewed as reflecting customary laws of war at sea, requires attacking forces to do everything feasible to limit attacks to military targets. Vessels are presumed to be civilian unless they are carrying military equipment or presenting an immediate threat to the attacking vessel. “Small coastal fishing vessels” are specifically exempt from attacks. These vessels must submit to identification and inspection when required, and follow orders, including orders to stop or move out of the way. The laws of war also place a duty on parties to the conflict, whenever circumstances permit but particularly after an engagement, to take all possible measures to search for and collect the wounded and shipwrecked.

The Saudi-led coalition has consistently failed to investigate alleged war crimes and other unlawful attacks, including the attacks on fishing boats, Human Rights Watch said. No coalition personnel are known to have been disciplined or prosecuted for attacking Yemeni fishing boats.

The coalition body that reviews alleged laws of war violations by coalition forces, the Joint Incident Assessments Team (JIAT), has investigated fewer than 10 alleged attacks on civilians at sea, none of which appear to correspond with the attacks Human Rights Watch investigated. The JIAT did not find coalition wrongdoing in any of these cases or recommend payments to victims.

The fishermen and their relatives interviewed said that the JIAT had never contacted them. Saudi authorities gave monetary and equipment “assistance” to families of fishermen killed in only one case that Human Rights Watch investigated, and money to released crew members in another.

Human Rights Watch wrote to the coalition on June 21 about the incidents investigated, but has received no reply.

Houthi forces, who control much of northern Yemen and are the target of the coalition forces, have unlawfully attacked commercial traffic in the Red Sea. In its 2018 final report, the UN Panel of Experts noted Houthi attacks on a crude oil tanker, a bulk cargo carrier, and a World Food Program charter vessel. Houthi forces launched attacks with anti-ship cruise missiles, remote-controlled boats filled with explosives, and skiffs carrying armed men. Houthi forces have also announced their use of sea mines, which pose a grave risk to civilian vessels.

The UN Panel of Experts should investigate the attacks at sea and other attacks on civilians and recommend that the UN Security Council impose sanctions on officers and commanders responsible for violations of the laws of war.

Countries such as the United States, United Kingdom, and France should immediately cease all sales and transfers of weapons, including warships and helicopters, to Saudi Arabia, and should carefully review sales to coalition members given the possibility they could be used in committing violations, Human Rights Watch said.

“The naval attacks on Yemeni fishing boats make it clear that the Saudi-led coalition is not only killing civilians through countless illegal airstrikes, but also while conducting operations at sea,” Motaparthy said. “How much more proof do countries continuing to sell weapons to Saudi Arabia need to stop all sales, including of warships, or risk becoming complicit in war crimes.”

Human Rights Watch documented 5 coalition naval attacks on Yemeni fishing boats in the Red Sea in 2018 that left 47 fishermen dead and 14 injured. In three of the attacks, coalition forces left the scene without trying to help fishermen who were wounded or adrift at sea. The coalition also detained without charge more than 100 fishermen in Saudi detention centers between 40 days and more than two-and-a-half years. Human Rights Watch documented an additional incident from 2016.

Witnesses to attacks and former detainees who spoke to Human Rights Watch are identified by pseudonyms because of fear of reprisals against them or their families. Human Rights Watch also reviewed media reports on the attacks, documents from Yemeni coast guard and local fishing authorities, and a Saudi deportation request confirming the transfer of Yemeni citizens.

The incidents investigated are not a complete accounting of coalition attacks on Yemeni fishermen. The Civilian Impact Monitoring Project, which monitors civilian casualties in Yemen's armed conflict, reported at least 12 coalition attacks on fishing boats that killed or injured fishermen between January 2018 and January 2019, including 9 reported as airstrikes. Two match incidents that Human Rights Watch documented. Given the isolated nature of maritime incidents and poor communication networks on Yemen's western coast, the number of attacks may be much higher.

All of the attacks documented appear to be violations of the laws of war applicable to the armed conflict in Yemen. In every incident, coalition forces appeared to deliberately attack fishing boats and fishermen that could clearly be identified as civilian. Human Rights Watch found no evidence that any of these boats posed a military threat to the coalition forces. Warships left the scene while fishermen were floating in the sea. The prolonged detention of fisherman and boat crews and torture and ill-treatment in custody also violated the laws of war and international human rights standards.

Commanders who willfully ordered or carried out unlawful attacks, failed without justification to rescue shipwrecked fishermen, or mistreated detainees are responsible for war crimes. Commanders responsible for the attacking units may be criminally liable as a matter of command responsibility.

Eritrean Coast, September 15, 2018: 18 killed, 1 injured

On September 15, 2018, coalition naval forces off the coast of Eritrea attacked the fishing boat Faris carrying 19 fishermen, apparently killing 14 men and 4 children. One man, Nafea Khadem Zayd Hurbi, survived but died in a motorbike accident about a month after the New York Times published an article that included his account. Human Rights Watch interviewed a person who knew the fishermen killed, a local human rights activist, and two fishing community members who said they had spoken to Hurbi about the attack.

Based on Hurbi's account to community members and the New York Times, a naval ship approached the fishing boat at about 6 p.m. A man on the ship using a megaphone ordered the fishermen to move to their boat's bow. After they gathered there, coalition forces opened fire with light weapons, killing or wounding several men and boys. The naval ship then left the area without assisting the wounded, Hurbi reportedly said. He told the New York Times that he floated in the water for four days, clinging to an ice box, before being rescued by a passing boat. He received treatment at a hospital in al-Khawkha, on Yemen's west coast.

After news of the incident spread on social media, coalition representatives at the al-Khawkha military base gave 100,000 Saudi riyals (US\$26,600) to the families of the 18 fishermen for each of their relatives that was killed, plus a boat and outboard engine, but did not admit to any wrongdoing. The coalition's Joint Incident Assessment Team did not list the incident in any of its public reporting.

Eritrean Coast, August 21, 2018: 7 killed, 4 injured, 12 detained

On August 21, 2018, at about 3 p.m., Saudi naval and air forces attacked a fishing boat carrying 19 fishermen off the coast of Eritrea. Seven fishermen died in the attack and Saudi forces detained the remaining 12, 3 of whom had burns and another who was severely wounded. The fishing boat had left the Yemeni port of Qatabah about a week earlier with permission from the Eritrean government to fish in Eritrean waters.

Three survivors, interviewed separately, said they saw a gray and black helicopter with a Saudi flag painted on the side approach their boat. The men waved a white cloth and raised their hands to indicate they were unarmed. A man using the helicopter's loudspeaker ordered them to move toward the boat's bow. Some of the men did, but a gunman in the helicopter opened fire with an automatic weapon.

One fisherman, "Bassam," described the attack:

At that point, a coalition warship approached the fishing boat. It fired a munition that struck the boat's stern and caused an explosion, setting the boat on fire. The 12 surviving fishermen jumped into the water, clinging to empty tanks to stay afloat. A rubber dinghy with several armed men approached the survivors.

Two witnesses said that the officers nearly executed one of the badly injured fishermen. "They yelled, 'He is wounded. Kill him! Kill him!'" said "Shihab." The wounded man shouted, "I am Muslim like you!" and started reciting the shahaada [prayer said before death]. At that point, the officers dragged him onto their boat.

After bringing the surviving fisherman aboard the naval ship, also marked with a Saudi flag, officers beat the fishing boat's captain, one witness said.

The badly wounded fisherman was transported by helicopter to a military hospital for treatment and the 11 others were taken by ship and vehicle to a medical clinic in Saudi Arabia, and then to a detention facility near the Jizan port, in the country's

southwest. Three of them were burned severely, two witnesses said, but it was six days before they saw a doctor.

“The soldiers [in the detention facility] would cover their faces because of the smell [of the burns],” said “Hossam.” “[After] five to six days, they brought us pills and ointment and gauze.” Prison authorities did not transfer the burn victims to a hospital for treatment.

The men faced mistreatment during interrogation that amounted to torture. “Bassam” said:

They blindfolded and handcuffed us and hit us with a cable...[I] lost consciousness every night for 15 days. Every one of us was investigated and hit...there was blood...We were interrogated for a few hours. I would go by myself. I felt from the beating and the voices that three or four people were hitting me in different ways and in different places – on my leg, and my chest, and my waist and bottom. They also hung me from a pipe from my arm and leg, and then they dropped me. They said, “You are Houthis...[C]onfess you are Houthis and we will stop doing this.” So I put my thumb print on a piece of paper [but] didn’t read it.

Three months later, Saudi authorities transferred eight of the detainees to a deportation detention center, where they spent nine days. Guards then put them on a bus to the al-Wadia crossing at the Yemen border. They said they were given 5,000 Saudi Riyals (US\$1,333), which guards told them was “from King Salman,” and warned them not to speak about what happened to them after returning to Yemen. Once they crossed the border, Yemeni authorities gave men money to return home, and they made their way back to Khawkha. Another detainee was released 29 days later. The situation of the three remaining detainees, including the boat’s captain, remains unknown.

Zuqer Island, mid-August 2018: 15 killed in 2 attacks, 6 injured

In mid-August 2018, coalition naval forces attacked two fishing boats on the same day near Zuqer Island off the coast of Yemen, in seas controlled by the Yemeni government. Human Rights Watch spoke with two survivors of one attack, one of whom witnessed the other attack.

One fishing boat had set off from Khawkha port with a crew of nine men and five boys. “Ramzi,” a crew member, said they received permission to fish from the political security office in al-Khawkha, which coordinated these requests with the Yemeni coast guard and coalition forces.

On the fifth day at sea, between 2:30 p.m. and 4 p.m., when they were fishing near Zuqer Island, a coalition warship approached the boat, “Ramzi” said. The warship began shooting over the fishing boat, while the men onboard shouted that they were fishermen and waved at the warship to stop firing. The warship then fired at the boat, killing and injuring some of the crew.

Another fisherman, “Yousef,” gave a similar account. “I tried to hide in the boat but then I jumped,” he said. “I was injured in the head – one bullet penetrated the boat and nicked my head. I saw Ibrahim Abdo Saeed dying in front of me.”

The attack started a fire on the fishing boat, causing the surviving crew members to jump into the water. Ramzi saw the current carry two fishermen away, one a 13-year-old boy, though he later learned that they survived. Some died immediately and many others were wounded, he said. Ramzi managed to connect a cluster of jerry cans with rope, which he and four others, one of them a 13 or 14-year-old boy, used to stay afloat.

Ramzi said he saw a helicopter on the warship take off and fly toward another fishing boat about two nautical miles away, manned by fishermen whom he knew. He later learned that this boat was also attacked, and 4 of the 10 crew members died.

Ramzi and the others holding onto the bound jerrycans drifted for four days without food or water. On the fifth morning, at about 3 a.m., he said, the others began to drown, and by 5 a.m., Ramzi was the sole survivor.

Later that morning, an Eritrean boat passing by rescued him, and took him to Eritrea, where he stayed for four days before finding passage back to Yemen on another fishing vessel.

Yousef said he stayed alive by holding onto a jerrycan together with a 13-year-old boy for a day and a night before they were rescued by a passing boat. “We were new to fishing and didn’t know how to swim well,” he said.

Khawkha, August 1, 2018: 7 killed, 2 injured

On August 1, 2018, at about 5:30 a.m., three fishing boats set off from the Yemeni port of Khawkha. Human Rights Watch did not speak with any of the men aboard the vessels but interviewed “Amr,” whose relatives were killed in the incident, and who had a detailed account from two survivors. The account he provided is consistent with the New York Times reporting on the incident.

Amr said that 1 of the boats, with a crew of 9 men, together with the other 2 boats traveled approximately 22 nautical miles from Khawkha. The crew had received travel permission from the fishing institute of the Yemeni Coast Guard, which operates under coalition control, he said.

At about 10 or 11 a.m., a helicopter suddenly flew toward the boats and hovered for a few minutes overhead. The helicopter left but soon afterward, a munition apparently struck the stern of the boat, setting it ablaze.

Amr said the two survivors described hearing a warplane overhead, then a whistling sound before the munition exploded, suggesting that this attack might have been an airstrike.

The two said they remained in the water until 4 p.m., when another Yemeni boat passing by rescued them and took them back to Khawkha.

“The people whom we lost had kids and families,” Amr said. “[Now] all of them are on the brink of starvation.”

Al-Zubair Islands, mid-March 2018: 1 injured, 91 detained

In mid-March 2018, a group of six fishing boats set out from the Hodeida port, with a seventh boat joining them seven days later. The 7 boats with 91 men were fishing in a loose cluster near al-Zubair Islands, a small archipelago about 45 nautical miles from Hodeida. Human Rights Watch interviewed the captain of one of the boats. A Houthi-affiliated news channel aired interviews with four men from the group, who said that coalition forces had arrested them and detained them in Jizan, subjecting them to beatings and other treatment they described as torture.

The boat captain, “Saeed,” said that shortly before noon he saw a large, gray warship coming toward them. Warning shots struck the water near the boats, then more shots flew over their heads, he said. Someone on the ship ordered the boats by loudspeaker to move closer to each other, and for the fishermen to raise their hands.

At that point, a rubber dinghy came toward the boats from the warship, carrying five or six armed men in uniform, Saeed said. The men boarded the fishing boats, separated the captains from the other crew members, and began searching the boats. Three armed men searched Saeed’s boat, he said, and checked the crew’s documents. He overheard one officer radio the warship and say, “They are fishermen...they are clear.” The man on the other end replied, “Bring the captains.” The coalition forces blindfolded the captains of the seven boats, including Saeed, and cuffed their arms and legs, then took them to the warship.

On board the warship, officers removed the leg cuffs and blindfolds and gave the men water but berated them for supporting the Houthis. “You are working with the Houthis, you are Houthis, you are terrorists,” Saeed recalled they said. Officers on the ship ordered the seven boats to follow their vessel. They sailed for three days, then arrived at Jizan port in Saudi Arabia. Saudi authorities held them there at a detention facility, splitting the group between two cells. Saeed said that he and other detainees were beaten during interrogations. He was interrogated twice and others up to five times, he said.

Saeed said that none of the group had access to legal counsel, and none of them spoke to a representative of the Yemeni government. One fisherman, injured in his leg by a gunshot, received medical treatment at a nearby hospital for 10 days. After he was transferred to the detention facility, guards took the injured man to the hospital for treatment every five days, Saeed said. After about 40 days, all 91 men were released.

Difnen Island, mid-October 2016: 12 detained

Around October 16, 2016, about 70 fishermen on a small boat and 2 large dhows, or sambuk, were fishing off the coast of Eritrea near Difnen Island. Six people interviewed separately, including fishermen who witnessed the arrests and relatives of detainees, said that coalition naval forces had stopped the boats. Over the course of the day, coalition forces detained 12 people – 9 men and 3 children – and held them for between 17 months and more than two-and-a-half years. Eight fishermen remain in detention. A local activist who investigated the case and conducted additional interviews corroborated the details that witnesses and family members provided to Human Rights Watch.

At about 8 a.m., a boat carrying eight armed uniformed military personnel approached one of the sambuks, said “Omar,” a crew member. Omar said the men were Saudi based on their uniform and accent. The forces accused the fishermen of being armed and of being Houthis, he said. The men replied that they were fishermen with permission to fish from both Yemeni and Eritrean government authorities.

The military personnel ordered the captain on one of the sambuks to sail in a particular direction, with the armed patrol boat alongside it, until about 4 p.m., Omar said.

“We arrived next to a large gray warship...with a helicopter on board,” Omar said. He saw other fishing boats in the water

nearby, also apparently in coalition custody. The boats stayed next to the warship for 3 days while authorities detained and interrogated several crew members: 2 of the captains, 7 other men, and 3 boys ages 15 and under. On the third day, the Saudi authorities ordered the fishermen to return to Hodeida with their boats, but without the 2 sambuk captains and 10 other crew members from the various boats.

Saudi authorities have returned four of the detainees to Yemen. Several people familiar with the detainees' experience said that the group had spent 17 days in a detention facility in Jizan, where they were temporarily separated from the boat captains, who were placed in solitary confinement. When the captains were reunited with the rest of the group, bruises were evident on their bodies.

The entire group of 12 was then transferred to Abu Arish prison, where they were held for about 52 days. Then they were transferred to Khamis Mashit prison. In early 2018, authorities released the three boys and returned them to the Marib governorate, where they stayed in a local detention facility for an additional month. Another man was released in late May 2019. The rest remain missing, last seen in Saudi custody. Human Rights Watch interviewed relatives of four of the missing fishermen to confirm their continued detention.

Arbitrary Detention, Torture, and Mistreatment in Saudi Custody

Saudi forces detained without apparent legal basis at least 115 fishermen and crew members for 40 days to more than two-and-a-half years in detention centers and prisons in Saudi Arabia. Some detainees reported torture and other ill-treatment in custody. None were known to have been brought before a judicial authority. None had access to their family, lawyers, or Yemeni government representatives.

Two former detainees said that Saudi security personnel beat them with cables and wooden sticks, in one case causing unconsciousness, and hung them in the air while tied by an arm and a leg. The men described seeing other detainees who appear to have been tortured, including a fellow fisherman held in Jizan:

He was in a very difficult condition. He was crawling and...couldn't stand. His whole back was bleeding from the beating, [and] his whole mattress was covered with blood. He wasn't talking at all. Even when I talked to him, he didn't answer me.

Three other former detainees said that they were held in solitary confinement for periods ranging from a few days to three weeks, and said that they observed other crew members also held in solitary confinement. They said Saudi authorities did not provide adequate medical care to those who were injured or ill. The authorities also did not separate child detainees from adults as international law requires.

Detainees' families said they did not know where their relatives were until others from their area were released. At least 10 fishermen last seen in Saudi detention facilities in these cases remain missing.

The Saudi government should immediately release all Yemeni fishermen and civilian boat crews detained without any lawful basis. Those detained should have access to a representative of their government, legal counsel, and contact with their families.

The UN Panel of Experts should review the roles and actions of naval captains of coalition warships operating in the Red Sea during the period of the above incidents. Investigations should also review the role of naval commanders, including Adm. Fahd bin Abdullah Al-Ghafili, current commander of the Saudi Royal Navy.

Human Rights Watch compiled this list of 47 fishermen and crew members killed in the incidents it documented:

September 15, 2018: Amr Yahya Radwan

Mansour Yahya Radwan

Ayash Saeed Dunini

Ahmed Saeed Dunini

Yahya Soliman Dunini

Ibrahim Soliman Dunini

Abdulla Muhammad Mussa

Saeed Muhammad Mussa

Abdul-Malik Thabit Murad

Anis Talib Hadhrami

Shaker Ali Yahya Nahari

Abdo Ali Bukiri

Hussain Muhammad Munubi

Fajri Ahmed Hassan

Abdo Ahmed Mahlbi

Muhammad Khadem Harbi

Abdulla Ali Hafez

Yasser Wahb-Allah Bazaz

August 21, 2018:

Salman Ahmad Abdo Muhammad Hassani

Ahmed Ghalib Salem Foufli

Ahmed Abdo Dabaj Qulia'b

Mahmmoud Thabit Salman Ahmdi

Muhammad Saleh Ali Hassani

Muhammad Abdo Muhammad Hassani

Magdi Abdo Ali Hassani

Mid-August 2018: 2 attacks

Ahmed bin Ahmed Thabit

Abdul-Rahman Abdo

Ahmad Ibrahim Qassim

Esam Ali Saleh Atyia

Bashir Ghalib Qassim

Murshid Rashid Thabit

Ibrahim Abdo Saeed

Muhammad Ahmad Abdu-Hamid

Ali Ghalib Abdli

Saeed Salman Muhammad Alili

Emad Ibrahim Ahmad

Najib Ibrahim Muhammad Afda

Ali Suliman Ibrahim

Abbas Muhammad Afda

Nasser Yousef Afda

August 1, 2018:

Murtadha Zayd Murshid Zaid Bujiri

Mahyoub Saeed Saleh Bujiri

Abdulla Ibrahim Ahmed Bujiri

Adnan Bagash Ibrahim Ahmed Bujiri

Hameed Saif Saleh Bujiri

Muhammad Abdulla Hizam Afdah

Hayel Abdulla Afdah

Houthis 'fire 10 ballistic missiles' at Saudi airport (Al Jazeera)

August 25, 2019

Houthi rebels have fired several ballistic missiles at an airport in southwest Saudi Arabia, the group has said in statement.

The rebels fired 10 Badr-1 ballistic missiles at Jizan airport, killing and wounding dozens, the group's military spokesperson said in a statement on Sunday.

The Saudi-led coalition fighting the Houthis said that it had intercepted and destroyed at least six ballistic missiles fired by the group targeting civilians in the city of Jizan in the southwest of the kingdom.

"The Houthi militias continued targeting of civilians through drones and ballistic missiles ... is an act of aggression and terrorism and a war crime according to international human law," the coalition spokesman, Colonel Turki al-Malki, said in a statement carried by Saudi state news agency SPA.

There were no immediate details about any casualties or damage.

The Houthi attack is part of an escalation of cross-border assaults in the four-year-old conflict between the Houthis and the coalition, led by Saudi Arabia and the United Arab Emirates and backed by Western powers.

The Houthi rebels, who control most urban areas of Yemen including the capital, Sanaa, have in recent months stepped up attacks against targets in Saudi Arabia.

In response, the coalition has targeted military sites belonging to the group, especially around Sanaa.

The coalition intervened in Yemen in 2015 in a bid to restore the internationally recognised Yemeni government that had been overthrown by the Houthis in late 2014.

Since then, the conflict has killed tens of thousands of people and pushed millions to the brink of famine. The United Nations has described the conflict in Yemen as the world's worst humanitarian crisis.

The escalation of violence threatens a UN-sponsored deal for a ceasefire and troop withdrawal from the port city of Hodeidah, which became the focus of the war last year when the coalition tried to seize the port, the Houthis' main supply line and a lifeline for millions of Yemenis.

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Special Tribunal for Lebanon

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

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Israel and Palestine

Following pressure from KKL, Israel razes Palestinian buildings near Bethlehem (The Times of Israel) By Jacob Magid
August 27, 2019

Israeli security forces demolished a family's home and restaurant near Bethlehem on Monday, ending a nearly 15 year-long legal battle against the Palestinian locals led by a subsidiary organization of KKL-JNF Jewish National Fund.

The razing of the Cassia family's compound followed a High Court of Justice ruling last month that rejected the Palestinians' last ditch petition against the demolition orders.

The property, located between the villages of Battir and Beit Jala south of Jerusalem, are located in Area C of the West Bank, where Israel exercises civilian and military control.

The Cassia family claims to have owned the property for generations. To prove ownership, they provided Israeli authorities with a so-called malia document, which shows property tax payment from when Jordan controlled the West Bank.

However, the Defense Ministry on several occasions over the past two decades rejected their requests for building permits, saying the tax paper was not enough to prove ownership under Israeli law.

Nonetheless, the family went ahead and built on what long had been agricultural lands in 2005, constructing a large home as well as a restaurant and a farm. The Civil Administration – the Defense Ministry body that authorizes construction in Israel-controlled Area C of the West Bank, issued demolition orders and razed several structures in the decade and a half that followed, but the home and restaurant had remained standing as the Cassia's fought the orders in court.

In 2017, Himanuta, a KKL-JNF branch organization known for purchasing lands in the West Bank and East Jerusalem, joined the state's legal efforts against the Cassias, coming forward with documents showing that they purchased the land in 1969, which the court accepted as legitimate.

The Peace Now settlement watchdog cast doubt on Himanuta's purchase, citing the family's insistence that they never sold the land to anyone. Moreover, the left-wing NGO argued in a Sunday statement that the area between Bethlehem and Jerusalem does not have land registration records and the rare real estate transactions that have taken place in recent decades have been done according to inaccurate listings, which often result in errors in delineating property borders.

Blasting KKL-JNF's role in the Monday demolitions, Peace Now said in a statement that "the interest of evicting the Palestinian family that has been living in the area for decades, and destroying the restaurant from which it subsists, is not in the interest of the Jewish National Fund and does not reflect the desire of thousands of Jews in the world who donate their money to it."

This was not the first time that Himanuta had petitioned for the demolition of Palestinian property. In 2017, the KKL-JNF subsidiary petitioned to demolish the entire village of Arab a-Ramadin, which straddles the security barrier in the northern West Bank. However, the organization only proved ownership of a small part of the village and the High Court denied their petition.

In a statement responding [sic] to a query from The Times of Israel, KKL-JNF said it would "continue in protecting its rights over land that it owns.

"In a series of Israeli court rulings, the last of which given just over a week ago on August 18th, it was unequivocally determined that these properties were built illegally and without permits on privately owned, KKL-JNF lands. KKL-JNF stands its ground in protecting its lawful rights," the statement concluded.

The pro-settlement Regavim NGO lauded the security forces execution of the court's ruling, explaining that the Cassia family "takeover" was part of the Palestinian Authority's broader effort to gain control of thousands of dunams of land located in Area C.

"This is a clear example of Israel's burning need to complete land registration in Judea and Samaria — a first and necessary step in curbing the Palestinians' massive takeover of land in Judea and Samaria," Regavim said in a statement.

Palestinians Decry Talk About Gaza Emigration (The Jerusalem Post) By Khaled Abu Toameh
August 20, 2019

Palestinians on Tuesday warned against Israel's intention to encourage residents of the Gaza Strip to emigrate and held the Israeli government responsible for the "suffering" of the nearly 2,000,000 Palestinians living in the Hamas-ruled coastal enclave.

Hamas condemned as an "illusion" and "Zionist dream" reports that the Israeli government has been actively encouraging Palestinian residents of the Gaza Strip to move abroad.

The Palestinian Authority also condemned the reports and held Israel fully responsible for the "suffering" of the Palestinians in the Gaza Strip.

The PA Foreign Ministry accused Israel of seeking to drive the Palestinians out of the Gaza Strip by keeping the blockade and "committing crimes" against Palestinians living there. It pointed out that the talk about encouraging Palestinians to emigrate "coincided with Israeli threats to launch a large-scale military operation against the Gaza Strip."

"The Israeli occupation violations amount to war crimes against humanity, and what the occupation is doing is a grave repetition of the 1948 Nakba (catastrophe)," the ministry said in a statement.

An unnamed senior Israeli official was quoted on Monday as saying that the government is currently in talks with countries in the Middle East and Europe to absorb Palestinians willing to leave the Gaza Strip, but no country has agreed.

The official said that more than 35,000 Palestinians left the Gaza Strip last year. According to the official, Israel is willing to finance flights for those interested in leaving.

A senior PA official in Ramallah said that instead of helping Palestinians leave the Gaza Strip, Israel needs to "stop punishing the two million residents living there." He said that the talk about encouraging Palestinians to emigrate was "extremely dangerous and requires a strong response from the international community."

The official said that Hamas was also responsible for the economic and humanitarian crisis in the Gaza Strip and called on the leaders of Hamas to allow the PA to assume its full responsibilities there.

"This is an old-new Zionist dream," said Hamas spokesperson Hazem Qassem. "They want the Palestinians to leave and give up their land."

Qassem said that the Palestinians have already proven that they are prepared to make sacrifices to preserve their land, and not abandon it.

"Hamas and the resistance factions are fighting to strengthen the steadfastness of our people and to recover our land," he said. "We seek to bring back displaced Palestinians."

The Hamas spokesperson said that despite the humanitarian crisis, the blockade and wars in the Gaza Strip, Palestinians have chosen to stay on their land.

"Hamas seeks to improve the humanitarian situation in the Gaza Strip," Qassem added. "The talk about emigration won't happen. We are fully confident that the Palestinian people won't leave their land to the occupier, and will continue to work toward lifting the siege imposed on them."

Mahmoud Aloul, deputy chairman of the Palestinian ruling Fatah faction, said that Israeli attempts to encourage Palestinians to leave the Gaza Strip won't succeed. He told the PA's Palestine Radio station that Israel was making every effort to push Palestinians to leave their land.

Aloul accused Israel of seeking to exploit the harsh humanitarian situation in the Gaza Strip to encourage Palestinians to emigrate. The Palestinians, he stressed, are categorically opposed to this attempt.

The PLO's Democratic Front for the Liberation of Palestine (DFLP) said that the "suspicious talk" about emigration from the Gaza Strip was in the context of efforts to "liquidate the Palestinian cause and national rights."

The DFLP warned Palestinians against dealing with the reports and said they serve the schemes of US President Donald Trump and Prime Minister Benjamin Netanyahu.

Walid Awad, a senior official with the Palestinian People's Party (formerly the Palestinian Communist Party), said that Israeli efforts to encourage Palestinians to emigrate from the Gaza Strip were "part of a series of conspiracies" against the Palestinians.

He warned that the Israeli scheme may extend to the West Bank in the context of Israel's "transfer plan, which is in accordance with the racist Nation-State Law that was passed by the Knesset last year."

Awad pointed out that statistics have shown that thousands of Palestinians left the Gaza Strip in the past two years, and only a small number of them have returned.

Israel kills three Palestinians in besieged Gaza Strip (Al Jazeera)

August 18, 2019

At least three Palestinians have been killed by Israeli forces in the north of the Gaza Strip, according to Palestinian health officials and local media, hours after three rockets were allegedly fired from the blockaded enclave.

Maan news agency said on Sunday at least one other Palestinian suffered "critical" injuries following the overnight attack.

Palestinian Health Ministry Spokesman Ashraf al-Qidra said that three bodies had been brought to the Al-Andalusi hospital in the Gaza Strip on Sunday morning, as well as one person with a serious injury.

He identified the three dead as: Mahmoud Adel al-Walaidah, 24, Mohammed Farid Abu Namous, 27, and Mohammed Samir al-Taramsi, 26.

Medics said that Israeli forces only allowed Palestinian ambulances to enter the area hours after the attacks.

In a statement issued late on Saturday, the Israeli army said an attack helicopter and tank had fired at "armed suspects" along the fence that separates Israel from the besieged Gaza Strip, home to more than two million Palestinians.

In an earlier incident on Saturday night, Israeli air raids hit parts of the northern Gaza Strip, including an open field used to grow crops, as well as a position belonging to a Gaza-based resistance movement, according to local media reports.

The Israeli military said three rockets were fired from Gaza towards Israel, two of which had been intercepted by its Iron Dome aerial defence system. No Israelis were hurt.

Al Jazeera's Harry Fawcett, citing sources within the Hamas movement, said the three men killed - two of whom were members of the Islamic Jihad and one from Hamas - had acted "in some kind of freelance individual operation" that was not sanctioned by the two groups.

"That has been the narrative coming from Hamas for a number of these sorts of incidents that we've seen in recent weeks," Fawcett said, speaking from West Jerusalem.

"Just last weekend, there were four armed men who were killed in a similar area near the border fence by Israeli fire," he continued.

"The narrative from Hamas has been that this is a case of angry armed men who are acting by themselves out of a sense of anger and frustration with the current situation inside the Gaza Strip."

Dawood Shihab, spokesman for Islamic Jihad, blamed continuous Israeli aggression for the anger among Palestinian youth.

"There is anger among the Palestinian youth over the Israeli aggression and crimes, including the crimes in dealing with Palestinian prisoners, arrest and attacks on West Bankers, and the siege on Gaza," he told Al Jazeera.

Israel has waged three wars on Gaza since 2008.

The Gaza Health Ministry said that since the start of the weekly Great March of Return protests last year, the Israeli army has killed more than 300 demonstrators and wounded 17,000 others, who were officially referred to hospitals.

The protests that began on March 30, 2018, demanding the right of Palestinian refugees to return to their homes, from which they were expelled during the 1948 founding of Israel, and for a complete lifting of the 12-year Israeli blockade of Gaza.

The intensity of the protests has decreased since Israel and Hamas reached an informal ceasefire in May, following the worst round of fighting since a 2014 war between them.

Under the truce - brokered by the United Nations and Egypt - Israel agreed to take steps to ease aspects of its crippling blockade on Gaza. However, Palestinians have accused it of slowing implementation and not taking enough measures to ease the crippling economic conditions in the coastal enclave.

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Gulf Region

New report alleges Saudi Arabia covered up war crimes in Yemen (Independent) By Richard Hall
August 15, 2019

A team of international lawyers and a Yemeni human rights group have submitted new evidence of alleged Saudi war crimes to the UK government in a bid to stop the sale of British weapons to the kingdom.

The nearly 300-page report alleges a litany of international law violations by the Saudi-led coalition in Yemen. It further claims that the Riyadh covered up evidence of war crimes in subsequent investigations into deadly airstrikes.

The evidence was collected by researchers from the independent Yemeni rights group Mwatana and submitted to the international trade secretary, Liz Truss, by the Global Legal Action Network (GLAN) and UK law firm Bindmans. It involved extensive on-the-ground research and analysis of airstrikes in which civilians were killed.

“The coalition has continued to carry out apparently unlawful attacks throughout the course of the conflict, failed to credibly investigate, and whitewashed significant civilian harm,” the two organisations said in a statement.

The report specifically takes aim at the coalition’s own mechanism for investigating claims of civilian casualties – the Joint Incidents Assessment Team (JIAT).

The British government has repeatedly used the existence of the team to justify continued weapons sales.

Former prime minister Theresa May said of the process in 2018: “Where there are allegations that activity has taken place that is not in line with international humanitarian law, they [the Saudis] investigate that and they learn the lessons from it.”

But researchers detail at least 12 incidents in which civilians were killed and where the JIAT denied the coalition had carried out an airstrike, despite those claims being “directly contradicted by witness and photographic evidence”.

One such incident was an attack by the coalition on a funeral in the rebel-held city of Hodeidah on 21 September 2016, which killed 23 people, including 5 children.

The new report comes as the British government prepares to respond to a Court of Appeal judgement that forced it to freeze sales of UK arms to Saudi Arabia while it reconsidered whether they could be used to violate international humanitarian law.

The court found in June that the government “made no concluded assessments of whether the Saudi-led coalition had committed violations of international humanitarian law in the past, during the Yemen conflict, and made no attempt to do so”.

Judges said that it was “irrational and therefore unlawful” for the international trade secretary to license weapons exports without assessing past allegations and whether there was a “clear risk” of future breaches.

Riyadh intervened in Yemen’s civil war in 2015 to reinstate the internationally recognised government of Abd Rabbu Mansour Hadi, who was ousted by Iran-backed Houthi rebels.

The United Nations has accused the Saudi coalition of “widespread and systematic” strikes on civilian targets.

The coalition, led by Saudi Arabia and the United Arab Emirates, has admitted to causing civilian casualties in the past, but attributes the deaths to “unintentional mistakes”, and says it is committed to upholding international law.

Together with the US, the UK has played a major role in supporting the coalition’s military campaign against the Houthis – who have also been accused of war crimes by the UN.

The organisations behind the report that they hoped the new evidence would lead the British government to halt all arms sales to Saudi Arabia.

“This evidence will assist the UK government in deciding whether to grant further arms sales licenses for Saudi Arabia,” said GLAN director Dr Gearoid O Cuinn.

“They can either continue to rely on discredited Saudi/UAE-led coalition assurances, or listen to those who have painstakingly documented the constant civilian deaths caused by coalition airstrikes. Multiple European states have already suspended arms sales and now the case for the UK doing the same could not be stronger,” he added.

Labour MP Lloyd Russell-Moyle, who sits on the Committees on Arms Controls in the Commons, accused the government of breaking the law in granting arms export licences for Saudi Arabia.

“Boris Johnson and Sajid Javid both illegally signed off arms export licences according to the Court of Appeal because they failed to consider Saudi Arabia’s record deliberately or recklessly attacking civilians in Yemen,” he told The Independent.

“This new evidence shows a pattern of international humanitarian law violations by the Saudi-led coalition which means, under UK law, all extant licences should be rescinded immediately.”

Billions of pounds worth of weapons have been licensed by the UK to Saudi Arabia since start of Yemen war (Independent) By Lizzie Dearden
August 21, 2019

The UK has licensed the sale of £6.2bn worth of arms to the Saudi-led coalition bombing Yemen, new statistics show.

Fighter jets, bombs and missiles made in Britain are believed to have been used in the war, sparking a court battle over the legality of sales.

Research estimates that Saudi-led bombing has killed more than 8,000 civilians, while driving a deadly cholera outbreak and famine that the United Nations has called the worst humanitarian crisis in the world.

Government figures show that export licences worth £6.2bn have been granted to members of the Saudi-led coalition in the four years since the conflict began in March 2015.

The figure includes £5.3bn to Saudi Arabia, £657m to United Arab Emirates, £85m to Egypt, £72m to Bahrain, £40m to Kuwait and £142m to Qatar before it withdrew from the coalition in 2017.

The Campaign Against the Arms Trade (Caat) group said the real total was “likely to be a great deal higher” because many bombs and missiles used by Saudi forces were approved through a separate licensing system that offers no public breakdown.

Andrew Smith, of Caat, said: “Thousands of people have been killed in the Saudi-led bombardment of Yemen, but that has done nothing to deter the arms dealers.

“The bombing has created the worst humanitarian crisis in the world, and it wouldn’t have been possible without the complicity and support of Downing Street. These arms sales are immoral and illegal.”

Saudi Arabia leads a coalition conducting airstrikes in support of president Abdrabbuh Mansour Hadi in Yemen, and the British government has supported the intervention as a means of “fighting to restore Yemen’s legitimate government”.

In June, Court of Appeal judges found that the UK’s decision to continue selling arms to Saudi Arabia for use in the war was “irrational and therefore unlawful”.

A ruling said it “made no concluded assessments of whether the Saudi-led coalition had committed violations of international humanitarian law in the past, during the Yemen conflict, and made no attempt to do so”.

Judges found that although the UK had “engaged closely” with Riyadh in an attempt to minimise civilian casualties in Yemen, the efforts fell short of the legal obligation to assess the risk of war crimes.

In the wake of the ruling, former international trade secretary Liam Fox said the government would not grant any new export licences for weapons that may be used in Yemen.

But while seeking to appeal, the government is attempting to stay the Court of Appeal ruling and continue sales under pre-existing agreements.

Last month, it was revealed that the government had invited a Saudi delegation to the controversial Defence and Security Equipment International (DSEI) arms fair.

Protests are expected to greet DSEI when it arrives at London’s Excel Centre in September, with organisers boasting of its “unrivalled scale”.

The United Arab Emirates, which is part of the Saudi-led coalition in Yemen, is listed as an “international partner” on DSEI’s official website.

It says the state-owned Saudi Arabian Military Industries firm will also be among exhibitors.

Mr Smith called the invite “disgraceful”, adding: “This only goes to show that no matter how dire the humanitarian crisis in Yemen has become, the government will continue to prioritise arms sales over the rights and lives of Yemeni people.”

The government said it disagreed with the Court of Appeal’s judgment and has submitted a challenge to the Supreme Court.

A spokesperson said: “The UK operates one of the most robust export control regimes in the world. Licensing decisions are based on the most up-to-date information and analysis available at the time, including advice from those with diplomatic and military expertise and reports from our overseas network and NGOs.

“We welcome any further information NGOs can provide regarding compliance with international humanitarian law.

“The government undertakes a stringent process of scrutiny and approval before issuing any formal invitations to foreign governments to attend a major UK defence exhibition like DSEI.”

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ASIA

Afghanistan

Afghan Files Whistleblower Accuses His Accusers of Covering Up Crimes (Green Left) By Paul Oboohov and Peter Boyle
August 23, 2019

David McBride, a former Australian military lawyer and whistleblower on alleged war crimes by Australian soldiers in Afghanistan spoke to media outside the ACT Courts on August 22. He was there for a preliminary hearing on charges he is facing for theft of commonwealth property, breaching the Defence Act and unauthorised disclosure of information. If convicted, this 55-year-old could spend the rest of his life in jail.

In June this year, the Australian Federal Police raided the ABC's Sydney offices in relation to the "Afghan Files" reports two

years ago. McBride admits to being the source of those reports.

McBride accuses his accusers of enabling war crimes and seeking to cover up these crimes:

"The government should justify why after five to ten years these documents [which McBride admits he leaked] could hold anything the public don't deserve to know. I'd say it is the opposite. They do deserve to know what went on in Afghanistan. There's nothing secret about it and we need an open trial but at the moment it is not."

In the same ACT court complex, another whistleblower trial is taking place – also in secret: that of former Australian secret agent "Witness K" and his lawyer Bernard Collaery. They are being persecuted for blowing the whistle on Australia's bugging of Timor-Leste Prime Minister and Cabinet offices during critical negotiations over offshore oil and the maritime boundary between Australia and Timor-Leste.

"The former secretary of defence has come out and said that we need to protect our secrets or the Americans won't give us secrets. But that is a smokescreen. There are no secrets but there is shame," McBride said.

"If we kill our own soldiers, if we experiment on them illegally, bug offices of other countries for oil companies, that's not a secret, that's a crime."

US Brags About How It 'Stopped International Courts' Trying to Charge Troops with War Crimes (Newsweek) By Tom O'Connor
August 27, 2019

The United States' top diplomat has bragged about the government's decision to defy an international court's attempts to investigate potential U.S. war crimes in Afghanistan.

In a speech delivered Tuesday to veterans at the Indiana Convention Center in Indianapolis, Secretary of State Mike Pompeo listed the various ways that President Donald Trump's administration has instilled a sense of "Americanism" in his foreign policy. In addition to taking a hard-line against adversaries abroad, Pompeo said that "Americanism means taking care of our own" overseas.

"We've stopped international courts from prosecuting our service members," Pompeo said. "It was an outrage."

The remark was a likely reference to the Hague's International Criminal Court (ICC) Prosecutor Fatou Bensouda ill-fated attempts "to initiate an investigation into alleged war crimes and crimes against humanity" committed by all sides of the ongoing conflict in Afghanistan, including by U.S. troops, allied Afghan forces and their mutual foe, the Taliban Islamist militant group.

The U.S. first got involved in Afghanistan in covert support of mujahideen rebels battling Soviet forces backing a communist government in Kabul in the 1980s, helping the insurgents achieve a victory but setting the stage for the rise of Islamist groups such as Al-Qaeda and later the Taliban. The U.S. staged a direct intervention in 2001 following the 9/11 attacks claimed by Al-Qaeda and has been active in the country ever since.

Bensouda first made her request to the ICC in November 2017 after a lengthy preliminary investigation. In a press release at the time, the court said she was authorized to begin looking "to independently, impartially and objectively investigate and prosecute alleged war crimes and crimes against humanity, committed in the context of the conflict in Afghanistan" since 2003.

The statement said Bensouda "has determined that there is a reasonable basis to proceed with an investigation" into relevant abuse committed by these three parties, specifically noting in one category "War crimes by members of the United States ("US") armed forces on the territory of Afghanistan, and by members of the US Central Intelligence Agency ("CIA") in secret detention facilities in Afghanistan and on the territory of other States Parties to the Rome Statute, principally in the period of 2003-2004."

In September, however, White House national security adviser John Bolton cited the ongoing investigation and another probe into alleged crimes committed by Israel against Palestinians as signs that the court was "ineffective, unaccountable, and indeed, outright dangerous" in a speech to the Federalist Society in Washington. He rejected "any attempts to constrain the United States," highlighting that the U.S. had "un-signed" the 2002 Rome Statute under former President George W. Bush, whom Bolton served as United Nations ambassador.

"We will not cooperate with the ICC. We will provide no assistance to the ICC. We will not join the ICC. We will let the ICC die on its own. After all, for all intents and purposes, the ICC is already dead to us," Bolton argued, adding that the "the U.S. will

use any means necessary to protect our citizens and those of our allies from unjust prosecution by this illegitimate court." Former judge Christoph Flügge cited these comments and U.S. threats to restrict the visas of ICC judges as one of the reasons he felt the need to resign from his decade-long post on the International Criminal Tribunal for the former Yugoslavia in a January interview with The Guardian. In March, Pompeo announced "a policy of U.S. visa restrictions on those individuals directly responsible for any ICC investigation of U.S. personnel."

The following month, ICC judges "rejected unanimously" Bensouda's request, claiming that "an investigation into the situation in Afghanistan at this stage would not serve the interests of justice." Reasons provided included "the time elapsed since the opening of the preliminary examination in 2006 and the political changing scene in Afghanistan since then, the lack of cooperation that the Prosecutor has received and which is likely to go scarcer should an investigation be authorized hampering the chances of successful investigation and prosecution, as well as the need for the Court to use its resources prioritizing activities that would have better chances to succeed."

Bensouda's office has said it "will further analyze the decision and its implications, and consider all available legal remedies." The State Department noted the timing between its visa restrictions and the decision, while the White House called the ruling "a major international victory, not only for these patriots, but for the rule of law."

"We welcome this decision and reiterate our position that the United States holds American citizens to the highest legal and ethical standards," the White House added, criticizing the court's "broad, unaccountable prosecutorial powers; the threat it poses to American national sovereignty; and other deficiencies that render it illegitimate." The U.S. also warned that "any attempt to target American, Israeli, or allied personnel for prosecution will be met with a swift and vigorous response."

Bensouda has pressed on with attempts to open the investigation by appealing the ICC judges' decision, while a report issued last month by the U.N. Assistance Mission in Afghanistan found that the U.S. and its Afghan allies were responsible for more civilian casualties than the Taliban in the first half of 2019.

Trump's special Afghanistan envoy Zalmay Khalilzad has returned to the Qatari capital of Doha for another round of peace talks with the Taliban, which have so far refused to speak with the Kabul government they view as illegitimate. Senior Pentagon officials have told Newsweek that the U.S. was trying to strike a final agreement designed to establish an inter-Afghan dialogue before September 28, when the country is set to hold elections that the Taliban have vowed to disrupt.

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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

The Death of Nuon Chea and Cambodia's Failed Khmer Rouge Tribunal (World Politics Review) By Joshua Kurlantzick
August 15, 2019

He died in a hospital in Phnom Penh, 93 years-old and still portraying himself as a Cambodian hero. Nuon Chea was the senior-most surviving member of the genocidal Khmer Rouge, having served as Brother No. 2, as he was known, under its leader Pol Pot. He was widely seen as one of the major planners of the regime's rapid, brutal overhaul of Cambodian society from 1975 to 1979, which included emptying Phnom Penh of citizens, murdering a sizable portion of the population, and torturing and killing some 14,000 people at an infamous prison called Tuol Sleng.

Nuon Chea was also one of the only leaders of the Khmer Rouge who ever faced trial for the regime's horrific crimes. After the Cambodian civil war ended in 1991, he was later indicted along with four compatriots at a tribunal, officially called the Extraordinary Chambers in the Courts of Cambodia. Despite securing genocide convictions against Nuon Chea and Khieu Samphan, the Khmer Rouge's head of state, the tribunal, which cost around \$300 million and has lasted for more a decade,

has been mostly a bust.

Set up in the mid-2000s with backing from the United Nations and a mix of foreign and Cambodian judges, the tribunal had a mandate to try former senior Khmer Rouge officials for serious abuses and violations of international law. The trials attracted top legal talent from Cambodia and abroad, including devoted foreign and Cambodian experts who conducted a very thorough investigation to set the stage for indictments. But from the beginning, Cambodian strongman Hun Sen—who had been a low-level Khmer Rouge cadre before fleeing to Vietnam and then returning with the Vietnamese military when it removed the Khmer Rouge from power—worked to stymie the tribunal.

Although Hun Sen never would have fallen under the tribunal's mandate to indict top former Khmer Rouge officials, he and his government handicapped the court at nearly every turn. Why they did is not completely clear. Hun Sen may have simply wanted to undermine any court in Cambodia that took a stand against impunity, since his own government operates with near-total impunity. In recent years, Hun Sen has eviscerated the local media and Cambodian opposition parties, and he and his family have reportedly amassed a massive personal fortune, despite the prime minister's modest official government salary. He may have worried that broadening the number of indictments would have sparked conflict within Cambodian society, or that officials in his government could have been implicated in Khmer Rouge-era crimes. The Khmer Rouge tribunal likely will shut down without any further indictments, having done little to challenge the culture of impunity that still pervades Cambodian society. For whatever reason, Hun Sen took several steps to undermine the proceedings. The court was already hobbled from the start, as the U.N. deal with the Cambodian government to establish it left its mandate vague and its workings unwieldy. Human Rights Watch has reported that some judges, prosecutors and other court personnel installed at the tribunal by the Cambodian government blocked trials for other alleged senior former Khmer Rouge figures beyond the five who were indicted. International prosecuting judges still want to charge three other individuals, but Cambodian judges disagree, and Hun Sen has made clear he does not want to see any more trials. Facing these obstacles, some of the foreign judges have simply quit. At the same time, Hun Sen's government has mostly downplayed the years under the Khmer Rouge within Cambodia's education system, creating generations of younger Cambodians who know little about the genocidal era.

Yet even with Hun Sen's resistance, the outside actors that backed and mostly paid for the tribunal could have done more to expand the number of indictments, speed up the process of getting suspects to court, and use the tribunal to deliver a firmer message against impunity. Despite the tribunal's flaws, there was significant interest among Cambodians in its workings; people lined up outside the court in Phnom Penh to get in to the trials. The tribunal's foreign supporters had some leverage over Hun Sen when it got started. In the late 2000s, Cambodia's government was still heavily dependent on aid from a group of Western donors, and Hun Sen was still, at least occasionally, pretending to oversee a democratic system. But in the decade since, China's aid and investment in Cambodia have made Western donors less important, and Hun Sen has ended any pretense that Cambodia is a democracy.

The result was a narrow tribunal that came too late after the Khmer Rouge era to achieve much and moved painfully slowly. As Peter Maguire noted in *The Diplomat*, "the \$300 million dollar court took longer to convict three defendants than it did for the United States, England, and France to try nearly 5,000 war criminals after World War II." By the time Nuon Chea and others actually appeared before the tribunal, they were too frail and too old to face real jail time. Some were too old to have a trial at all. Pol Pot was put before a show trial by some of his Khmer Rouge colleagues in 1997 while hiding in the Cambodian jungle, where he died the next year under house arrest.

Of the five leaders indicted by the tribunal, two never stood trial at all. Ieng Thirith, a former senior official who was the Khmer Rouge's minister of social affairs, was arrested by the tribunal in 2007 for crimes against humanity and other charges. But by 2011, as her case proceeded, she was ruled unfit to stand trial, because of Alzheimer's disease. Her husband, Ieng Sary, who had been the regime's foreign minister and its third-ranking leader after Pol Pot and Nuon Chea, was also arrested by the tribunal in 2007. But he died of a heart attack before he could face trial.

Now, the tribunal likely will shut down without any further indictments, having done little to challenge the culture of impunity that still pervades Cambodian society, or to promote any reconciliation or healing. Its mandate will likely end next year, and in an environment where Hun Sen is far more powerful domestically than he was in 2007, it is almost impossible to imagine that his government will allow anyone else to come before the court. The last surviving figures convicted by the tribunal are 88-year-old Khieu Samphan and 76-year-old Kaing Guek Eav, known as Duch, who ran the notorious Tuol Sleng prison camp. Khieu Samphan has suffered from a range of ailments, and Duch was admitted to intensive care late last year. They will almost surely be the last Khmer Rouge leaders to face justice.

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Bangladesh International Crimes Tribunal

War crimes: Verdict on Rajshahi Jamaat man tomorrow (The Daily Star) August 26, 2019

The International Crimes Tribunal will deliver verdict tomorrow in a case filed against a Jamaat activist of Rajshahi for allegedly committing crimes during the Liberation War.

Abdus Samad Musa, 62, was allegedly involved in killings of 15 people, abduction and torture of 21 people and looting and arson in Puthia and Durgapur upazilas of the district during 1971.

The three-member tribunal led by Justice Md Shahinur Islam fixed the date today, Prosecutor Zahid Imam told The Daily Star.

On July 8, the tribunal kept the verdict waiting after both the prosecution and defence counsels completed their closing argument.

Musa, who was arrested on January 24, 2017 is facing four charges and now is in jail.

War crimes '71: Rajshahi Jamaat man sentenced to death (The Daily Star) August 28, 2019

The International Crimes Tribunal-1 yesterday sentenced a Jamaat-e-Islami man from Rajshahi to death for committing crimes against humanity during the Liberation War in 1971.

Abdus Samad Musa alias Firoz Kha, 62, was “directly involved” in abduction, confinement, torture and murder of at least 15 people in the district’s Puthia upazila.

“He [Musa] got engaged in committing atrocious acts directing civilians as a notorious loyal activist of Pakistani occupation army and later on got enrolled in locally formed Razakar Bahini,” the tribunal said.

According to the investigators, Musa was involved with the Muslim League before the war but joined Jamaat and then Razakar Bahini, an auxiliary force of Pakistan army, as the war broke out.

He went into hiding after the war, most probably in India, but returned to Bangladesh after the political changeover in 1975, the investigators also said.

“Crimes against humanity are the offences which detriment not only the victims and their own communities, but all human beings. Such crimes indisputably cut deep, violating the core humanity.

“The offences committed by the accused therefore gravely aggrieved all human beings, we conclude,” it added.

Tribunal’s Chairman Justice Md Shahinur Islam and members Justice Amir Hossain and Justice Md Abu Ahmed Jamadar read out the summary of the 174-page verdict in presence of Musa, the prosecution team, investigators, defence and journalists.

Prosecutor Zahid Imam expressed satisfaction as they were able to prove all four charges.

Mofizul Khalifa, son of a victim, said “We have been waiting for this day. We are happy now.”

Defence counsel Abdus Sattar Palwan, however, said his client did not get justice and would file an appeal with the higher court.

According to the International Crimes (Tribunals) Act, 1973, a war crimes convict can file an appeal with the Supreme Court within 30 days from the date when the verdict is pronounced.

With the latest judgement, the war crimes tribunals have so far delivered 39 verdicts against 89 people. Of them, 63 have been sentenced to death.

The tribunal found him guilty in four charges and sentenced him to death for all the charges. However, death sentences would naturally be merged, the tribunal said.

According to the first charge, the convict was involved in looting, arson, abduction, confinement, torture and murder of four people of Damdoma, Shukdebpur, Bashbari and Gotia in Puthia.

Musa took part in the abduction, confinement, torture and murder of six civilians of Gondogohali, Chakpolashi, Bairagibazar and Bashbari in the same upazila, reads the second charge.

According to the third charge, Musa directly took part in the killing of four Santal men at Santal Para of Paschimbhag in the same upazila.

Musa was involved in the killing of one person in Dhokrakul village of the upazila, reads the last charge.

It's Been Two Years Since 730,000 Rohingya Were Forced to Flee. There's No End in Sight to the Crisis (Time) By Tun Khin
August 25, 2019

It was exactly two years ago today, on August 25 2017, that the Myanmar military launched a murderous "clearance operation" in Rakhine State. In the space of a few months, the security forces and their proxies killed thousands of Rohingya people, torched villages to the ground, engaged in widespread sexual violence, and drove almost 750,000 women, men and children to flee into Bangladesh.

Among those who fled, or who saw family members killed, were my relatives and friends. For their sake, I wish we were able to reflect on some good news on this second anniversary. Unfortunately, the opposite is true — conditions for Rohingya continue to be desperate on both sides of the Naf, the river separating Bangladesh and Myanmar.

With the plight of the Rohingya fading from global headlines, international action is needed now more than ever. The very future of our community depends on it.

Two years ago, the government of Bangladesh generously opened its border to Myanmar and allowed desperate people to flee the military's violence. Many came with little more than the clothes on their back, literally dodging bullets as they ran from the carnage in Arakan (Rakhine) State, the region in Myanmar that is my people's ancestral homeland.

Today, almost one million Rohingya refugees live in squalid refugee camps in Cox's Bazar, Bangladesh's southeastern-most tip. They are dependent on aid handouts to eke out a living, while being denied the opportunity to enter the job market or to gain an education. When I speak to friends in the camps, a sense of hopelessness prevails. They see little future for themselves in Bangladesh, and no path to returning home in the near future.

Across the border in Rakhine State, Rohingya continue to live in what amounts to an open-air prison where all aspects of their lives are controlled. Decades of systematic, state-sponsored discrimination has denied Rohingya citizenship and their freedom of movement, meaning people have to apply for special permission to leave their villages, earn a living, or even to seek healthcare. Education — in particular beyond primary level — is essentially blocked to most Rohingya. Levels of poverty and malnutrition are shockingly high.

While Myanmar's leaders have since 2017 often promised the international community to tackle such root causes, the reality is there is no political will to do so. If anything, repression has grown more severe in the past two years. This is a humiliating system deliberately imposed by the Myanmar government to dehumanize and drive people to despair — as much part of the ongoing genocide against Rohingya as the military's brutal violence.

Since January this year, fighting in Rakhine State between the Myanmar military and the Arakan Army — an armed group belonging to the Rakhine ethnic minority — has also intensified. The military has again been accused of war crimes during the conflict, and tens of thousands of people have been driven from their homes. The government has imposed an Internet blackout on the region and restricted humanitarian access even further.

This all underlines that conditions are simply not safe for Rohingya in Rakhine State. In light of this, it is worrying that just last week, the governments of Myanmar and Bangladesh again floated the prospect of beginning the refugee repatriation process back to Rakhine State. Additionally, Myanmar still refuses to grant returning Rohingya citizenship, but instead insist they must accept a so-called National Verification Card which will cement our status as stateless. The international community must ensure that this does not happen, and that no Rohingya refugees are returned to Myanmar before they can be guaranteed a life of safety and dignity.

What must happen for this to become reality? First of all, the Myanmar authorities must dismantle the dehumanizing system of repression facing Rohingya in Rakhine State. Rohingya should be granted citizenship of our native country, and we should

be allowed to travel, access services and make a living without restrictions.

Those responsible for the vicious violence against Rohingya two years ago must be held to account, to ensure that perpetrators do not feel emboldened to commit the same abuses again. Last year, a group of U.N. experts called on the Myanmar military top brass to be investigated and prosecuted for war crimes, crimes against humanity and genocide. With Myanmar refusing to investigate its own security forces, the international community must step in. Specifically, it is up to members of the U.N. Security Council to stop playing politics and immediately refer the situation in Myanmar to the International Criminal Court.

Finally, for Rohingya to truly feel safe in Rakhine State, we need an international security presence there to protect us. The violence in 2017 is not new: the Myanmar military has launched similarly brutal campaigns against the Rohingya in the past, including in 1978, when my parents were among those who fled across the border into Bangladesh. There is every chance history will repeat itself again unless our protection can be guaranteed by the international community.

As Rohingya, the only thing we want is to be able to live in safety and dignity in our homeland, without the threat of violence, or humiliating and crippling restrictions on our rights. Two years ago, the brutality of the Myanmar military thrust our plight into the global spotlight. Today, we need the world's help to end the ongoing genocide against us more than ever.

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War Crimes Investigation in Myanmar

War Crimes and Ethnic Cleansing Were Committed Against the Rohingya of Myanmar. They Deserve Justice. But How? (UN Dispatch) By Mark Leon Goldberg
August 15, 2019

In August 2017, hundreds of thousands of ethnic Rohingya Muslims from Myanmar fled across the border to Bangladesh. The Rohingya are a minority population that have long faced discrimination by the Buddhist Burmese majority. In the summer of 2017, things got very bad, very quickly.

A Rohingya militant group attacked some police outposts in Myanmar. The government and military responded by attacking Rohingya towns and villages, unleashing massive violence against a civilian population. This drove over 600,000 Rohingya to refugee camps in a region of Bangladesh known as Cox's Bazar.

Some 700,000 Rohingya refugees remain there to this day.

The violence that drove these people from their home was certainly a crime against humanity — a UN official called it “a text book example of an ethnic cleansing.” It could also have been a genocide.

That of course demands the question: who will pay for these crimes? What does accountability look like in a situation like this? And can perpetrators of these crimes even be brought to justice in the first place?

On the line with me to discuss these questions in the context of the current plight of the Rohingya refugees is Param-Preet Singh, Associate Director, International Justice Program of Human Rights Watch.

We kick off discussing the events of August 2017 before having a longer conversation about possible avenues for justice for these crimes.

UN report: Myanmar military committed war crimes against Rohingya minority (PBS) By Grant Peck
August 22, 2019

Sexual violence carried out by Myanmar's security forces against the country's Muslim Rohingya minority was so widespread and severe that it demonstrates intent to commit genocide as well as warrants prosecution for war crimes and crimes against humanity, a U.N. report charged Thursday.

The U.N. Independent International Fact-Finding Mission on Myanmar said it found the country's soldiers "routinely and systematically employed rape, gang rape and other violent and forced sexual acts against women, girls, boys, men and transgender people in blatant violation of international human rights law."

Its report on sexual and gender-based violence in Myanmar covers the Kachin and Shan ethnic minorities in northern Myanmar as well as the Rohingya in the western state of Rakhine.

The report, released in New York, charges that the genocidal intent of Myanmar's military toward the Rohingya was demonstrated "by means of killing female members of the Rohingya community, causing Rohingya women and girls serious bodily or mental harm, deliberately inflicting on the Rohingya women and girls conditions of life calculated to bring about the destruction of the Rohingya in whole or in part, and imposing measures that prevented births within the group."

Many human rights groups have accused Myanmar of carrying out genocide or ethnic cleansing against the Rohingya. In an earlier report, the U.N. mission documented other major abuses in Rakhine since 2016, including widespread killings and torching of villages, and found that similar abuses were carried out in Kachin and Shan states.

The fact-finding mission, led by Indonesian human rights lawyer Marzuki Darusman, was established by the U.N.'s Human Rights Council in 2017 in reaction to increasing repression of the Rohingya, an ostracized minority in Buddhist-dominated Myanmar. Violence against the Rohingya increased markedly in August that year, when security forces launched a brutal counterinsurgency campaign that drove more than 700,000 Rohingya villagers into neighboring Bangladesh.

The Rohingya refugees still live in squalid camps in Bangladesh, and a planned effort Thursday to repatriate an initial large group to Myanmar collapsed when none showed up to be taken back.

The new report condemns Myanmar's failure to hold accountable the perpetrators of the abuses, noting that "such violence was only possible in a climate of long-standing tolerance and impunity, where military personnel had no reasonable fear of punishment or disciplinary action."

The report says its finding of genocidal intent toward the Rohingya was supported by "the widespread and systematic killing of women and girls, the systematic selection of women and girls of reproductive ages for rape, attacks on pregnant women and on babies, the mutilation and other injures to their reproductive organs, the physical branding of their bodies by bite marks on their cheeks, neck, breast and thigh, and so severely injuring victims that they may be unable to have sexual intercourse with their husbands or to conceive and leaving them concerned that they would no longer be able to have children."

A less detailed 2018 report by the fact-finding mission also tied sexual and gender-based violence to genocidal intent, citing the statements of Myanmar officials and what was described as an "organized plan of destruction that included the targeting of women and girls of reproductive age for rape, gang rape and other forms of sexual violence" and the military's "extreme brutality, including attacks on pregnant mothers and on babies."

Myanmar's government and military have consistently denied carrying out human rights violations, and said its military operations in Rakhine were justified in response to attacks by Rohingya insurgents.

In reaction to another report by the mission earlier this month about the alleged corporate enablers of the military, Myanmar's foreign ministry said that in establishing the fact-finding mission, the U.N. Human Rights Council "exceeded its mandate and contravened the terms and practices of International Law. We do not recognize either the Fact-Finding Mission or the report that it produced. The Government of Myanmar categorically rejects the latest report and its conclusions."

It's Been Two Years Since 730,000 Rohingya Were Forced to Flee. There's No End in Sight to the Crisis (Time) By Tun Khin
August 25, 2019

It was exactly two years ago today, on August 25 2017, that the Myanmar military launched a murderous "clearance operation" in Rakhine State. In the space of a few months, the security forces and their proxies killed thousands of Rohingya people, torched villages to the ground, engaged in widespread sexual violence, and drove almost 750,000 women, men and children to flee into Bangladesh.

Among those who fled, or who saw family members killed, were my relatives and friends. For their sake, I wish we were able to reflect on some good news on this second anniversary. Unfortunately, the opposite is true — conditions for Rohingya continue to be desperate on both sides of the Naf, the river separating Bangladesh and Myanmar.

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Two years ago, the government of Bangladesh generously opened its border to Myanmar and allowed desperate people to flee the military's violence. Many came with little more than the clothes on their back, literally dodging bullets as they ran from the carnage in Arakan (Rakhine) State, the region in Myanmar that is my people's ancestral homeland.

Today, almost one million Rohingya refugees live in squalid refugee camps in Cox's Bazar, Bangladesh's southeastern-most tip. They are dependent on aid handouts to eke out a living, while being denied the opportunity to enter the job market or to gain an education. When I speak to friends in the camps, a sense of hopelessness prevails. They see little future for themselves in Bangladesh, and no path to returning home in the near future.

Across the border in Rakhine State, Rohingya continue to live in what amounts to an open-air prison where all aspects of their lives are controlled. Decades of systematic, state-sponsored discrimination has denied Rohingya citizenship and their freedom of movement, meaning people have to apply for special permission to leave their villages, earn a living, or even to seek healthcare. Education — in particular beyond primary level — is essentially blocked to most Rohingya. Levels of poverty and malnutrition are shockingly high.

While Myanmar's leaders have since 2017 often promised the international community to tackle such root causes, the reality is there is no political will to do so. If anything, repression has grown more severe in the past two years. This is a humiliating system deliberately imposed by the Myanmar government to dehumanize and drive people to despair — as much part of the ongoing genocide against Rohingya as the military's brutal violence.

Since January this year, fighting in Rakhine State between the Myanmar military and the Arakan Army — an armed group belonging to the Rakhine ethnic minority — has also intensified. The military has again been accused of war crimes during the conflict, and tens of thousands of people have been driven from their homes. The government has imposed an Internet blackout on the region and restricted humanitarian access even further.

This all underlines that conditions are simply not safe for Rohingya in Rakhine State. In light of this, it is worrying that just last week, the governments of Myanmar and Bangladesh again floated the prospect of beginning the refugee repatriation process back to Rakhine State. Additionally, Myanmar still refuses to grant returning Rohingya citizenship, but instead insist they must accept a so-called National Verification Card which will cement our status as stateless. The international community must ensure that this does not happen, and that no Rohingya refugees are returned to Myanmar before they can be guaranteed a life of safety and dignity.

What must happen for this to become reality? First of all, the Myanmar authorities must dismantle the dehumanizing system of repression facing Rohingya in Rakhine State. Rohingya should be granted citizenship of our native country, and we should be allowed to travel, access services and make a living without restrictions.

Those responsible for the vicious violence against Rohingya two years ago must be held to account, to ensure that perpetrators do not feel emboldened to commit the same abuses again. Last year, a group of U.N. experts called on the Myanmar military top brass to be investigated and prosecuted for war crimes, crimes against humanity and genocide. With Myanmar refusing to investigate its own security forces, the international community must step in. Specifically, it is up to members of the U.N. Security Council to stop playing politics and immediately refer the situation in Myanmar to the International Criminal Court.

Finally, for Rohingya to truly feel safe in Rakhine State, we need an international security presence there to protect us. The violence in 2017 is not new: the Myanmar military has launched similarly brutal campaigns against the Rohingya in the past, including in 1978, when my parents were among those who fled across the border into Bangladesh. There is every chance history will repeat itself again unless our protection can be guaranteed by the international community.

As Rohingya, the only thing we want is to be able to live in safety and dignity in our homeland, without the threat of violence, or humiliating and crippling restrictions on our rights. Two years ago, the brutality of the Myanmar military thrust our plight into the global spotlight. Today, we need the world's help to end the ongoing genocide against us more than ever.

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AMERICAS

North & Central America

2 more El Salvador ex-officers to face trial in '81 massacre (The Washington Post)

August 22, 2019

Two ex-military officers were notified Thursday that they will join more than a dozen others in being prosecuted for the 1981 El Mozote massacre, a particularly infamous moment from El Salvador's nation's civil war.

A judge in San Francisco Gotera, about 100 miles (170 kilometers) east of the capital, summoned former Cols. Roberto Antonio Garay and José Antonio Rodríguez to inform them they will be tried on the charges of torture, forced disappearance and forced displacement.

Lawyers for the two could not immediately be located for comment.

Nearly 1,000 rural dwellers were slain by soldiers in the El Mozote massacre over three December days.

Soldiers trained by the U.S. in counterinsurgency tactics entered the area looking for guerrillas but killed civilians. Many of the bodies were put inside a church that was then burned. In one mass grave, the remains of 136 children were found with an average age of 6.

During Thursday's hearing, the judge said crimes against humanity were committed at El Mozote. The judge reopened the investigation after El Salvador's Supreme Court threw out a 1993 amnesty law that had shielded perpetrators of offenses during the civil war.

Others facing charges related to what was dubbed at the time "Operation Rescue" include high-ranking military leaders.

Some have said they did not participate in the operation and noted that many records from the war were lost or destroyed.

U.S. Brags About how it 'Stopped International Courts' Trying to Charge Troops with War Crimes

(Newsweek) By Tim O'Connor

August 27, 2019

The United States' top diplomat has bragged about the government's decision to defy an international court's attempts to investigate potential U.S. war crimes in Afghanistan.

In a speech delivered Tuesday to veterans at the Indiana Convention Center in Indianapolis, Secretary of State Mike Pompeo listed the various ways that President Donald Trump's administration has instilled a sense of "Americanism" in his foreign policy. In addition to taking a hard-line against adversaries abroad, Pompeo said that "Americanism means taking care of our own" overseas.

"We've stopped international courts from prosecuting our service members," Pompeo said. "It was an outrage."

The remark was a likely reference to the Hague's International Criminal Court (ICC) Prosecutor Fatou Bensouda ill-fated attempts "to initiate an investigation into alleged war crimes and crimes against humanity" committed by all sides of the ongoing conflict in Afghanistan, including by U.S. troops, allied Afghan forces and their mutual foe, the Taliban Islamist militant group.

The U.S. first got involved in Afghanistan in covert support of mujahideen rebels battling Soviet forces backing a communist government in Kabul in the 1980s, helping the insurgents achieve a victory but setting the stage for the rise of Islamist groups such as Al-Qaeda and later the Taliban. The U.S. staged a direct intervention in 2001 following the 9/11 attacks claimed by Al-Qaeda and has been active in the country ever since.

Bensouda first made her request to the ICC in November 2017 after a lengthy preliminary investigation. In a press release at the time, the court said she was authorized to begin looking "to independently, impartially and objectively investigate and prosecute alleged war crimes and crimes against humanity, committed in the context of the conflict in Afghanistan" since 2003.

The statement said Bensouda "has determined that there is a reasonable basis to proceed with an investigation" into relevant

abuse committed by these three parties, specifically noting in one category "War crimes by members of the United States ("US") armed forces on the territory of Afghanistan, and by members of the US Central Intelligence Agency ("CIA") in secret detention facilities in Afghanistan and on the territory of other States Parties to the Rome Statute, principally in the period of 2003-2004."

In September, however, White House national security adviser John Bolton cited the ongoing investigation and another probe into alleged crimes committed by Israel against Palestinians as signs that the court was "ineffective, unaccountable, and indeed, outright dangerous" in a speech to the Federalist Society in Washington. He rejected "any attempts to constrain the United States," highlighting that the U.S. had "un-signed" the 2002 Rome Statute under former President George W. Bush, whom Bolton served as United Nations ambassador.

"We will not cooperate with the ICC. We will provide no assistance to the ICC. We will not join the ICC. We will let the ICC die on its own. After all, for all intents and purposes, the ICC is already dead to us," Bolton argued, adding that the "the U.S. will use any means necessary to protect our citizens and those of our allies from unjust prosecution by this illegitimate court."

Former judge Christoph Flügge cited these comments and U.S. threats to restrict the visas of ICC judges as one of the reasons he felt the need to resign from his decade-long post on the International Criminal Tribunal for the former Yugoslavia in a January interview with *The Guardian*. In March, Pompeo announced "a policy of U.S. visa restrictions on those individuals directly responsible for any ICC investigation of U.S. personnel."

The following month, ICC judges "rejected unanimously" Bensouda's request, claiming that "an investigation into the situation in Afghanistan at this stage would not serve the interests of justice." Reasons provided included "the time elapsed since the opening of the preliminary examination in 2006 and the political changing scene in Afghanistan since then, the lack of cooperation that the Prosecutor has received and which is likely to go scarcer should an investigation be authorized hampering the chances of successful investigation and prosecution, as well as the need for the Court to use its resources prioritizing activities that would have better chances to succeed."

Bensouda's office has said it "will further analyze the decision and its implications, and consider all available legal remedies." The State Department noted the timing between its visa restrictions and the decision, while the White House called the ruling "a major international victory, not only for these patriots, but for the rule of law."

"We welcome this decision and reiterate our position that the United States holds American citizens to the highest legal and ethical standards," the White House added, criticizing the court's "broad, unaccountable prosecutorial powers; the threat it poses to American national sovereignty; and other deficiencies that render it illegitimate." The U.S. also warned that "any attempt to target American, Israeli, or allied personnel for prosecution will be met with a swift and vigorous response."

Bensouda has pressed on with attempts to open the investigation by appealing the ICC judges' decision, while a report issued last month by the U.N. Assistance Mission in Afghanistan found that the U.S. and its Afghan allies were responsible for more civilian casualties than the Taliban in the first half of 2019.

Trump's special Afghanistan envoy Zalmay Khalilzad has returned to the Qatari capital of Doha for another round of peace talks with the Taliban, which have so far refused to speak with the Kabul government they view as illegitimate. Senior Pentagon officials have told *Newsweek* that the U.S. was trying to strike a final agreement designed to establish an inter-Afghan dialogue before September 28, when the country is set to hold elections that the Taliban have vowed to disrupt.

Guatemala in grip of 'mafia coalition', says UN body in scathing corruption report (*The Guardian*)

[DATE (Month #, Year)]

A UN commission that spent the last 12 years investigating graft in Guatemala has described the country as "captured" by corruption in its final report, days before it is set to wrap up operations after President Jimmy Morales refused to renew its mandate.

The commission, known as Ciciq for its initials in Spanish, said in its final report that there is a "mafia coalition" among members of government, the business community and private individuals that is "willing to sacrifice Guatemala's present and future to guarantee impunity and preserve the status quo".

The commission chief Iván Velásquez, a Colombian lawyer who has been barred by Morales' government from entering Guatemala, said via video conference from Colombia that the report would be the commission's last public act.

"We almost got to the nucleus of the structures that have captured the state," Velásquez said. "This cannot be solved without a profound restructuring of the state."

The commission began its work in Guatemala in 2007 at the request of then-president Óscar Berger and was given responsibility for dismantling illegality in the wake of the country's 1960-1996 civil war.

Morales accused the body of overreaching its authority last year, after the commission brought investigations against him, some of his relatives and his inner circle. He was protected from prosecution as a sitting president and has denied wrongdoing.

While many observers praised the commission for its work, which resulted in the prosecution of more than 400 people, including the former president Otto Pérez Molina, his vice-president and much of his cabinet, Morales decided that Cicig had run its course, setting up its impending departure on 3 September.

Critics saw Morales' refusal to renew the commission's mandate as an attempt to protect himself and those close to him.

The report said the "impunity of power" in Guatemala dates to colonial times. One of the reasons why corruption networks persist today, it said, is that "they have distorted democratic institutionality in their favor and they have molded the political system and designed mechanisms that allow them to occupy positions of power, manipulating legislation."

"Between 2012 and 2015, an illicit, political-economic network took over the executive (branch), subordinated the legislative, manipulated and interfered in the election of judges to high courts and, in addition to looting the state, promoted laws and policies favoring private companies to the detriment of competition and the citizenry," the report continued.

All that benefited drug trafficking networks, it added.

Together with Guatemalan prosecutors, the commission took down 70 organized crime networks. Those targeted for prosecution have included public officials, lawmakers, judges, businesspeople and other civilians.

It also investigated Morales' National Convergence Front for alleged illegal political financing.

The report said illicit political money is "present in the majority of campaigns and parties" and comes from criminal organizations including drug traffickers seeking territorial control and political protection, as well as businesspeople seeking influence.

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South America

Colombia's former child rebels try to rebuild their lives (BBC News) By Matthew Charles
August 26, 2019

"There were battles and I didn't know what to do. You had to fire your gun like a crazy person to stop yourself getting killed," says 15-year-old Luis.

Recruited just days before his 14th birthday, Luis (not his real name) spent 12 months inside the Popular Liberation Army (EPL), a Colombian guerrilla group involved in drug trafficking and other illicit activities that operates mainly along the northern border with Venezuela.

For Luis, one of the hardest things to get used to as a young fighter were the long night walks through the mountains.

"They go out a lot at night. They leave at 20:00 in total darkness and without torches. They keep a distance of 10m to 15m (30-45ft) between each other and walk for two hours," he recalls.

'How did I get here?'

Luis was given a uniform and two weeks of basic firearms training before he and other recruits faced an initiation test. They were told they would be killed if they failed to open fire when ordered to.

"The [guerrilla] officers said we were going to attack a police station and so they took all the new guys to attack it. And we opened fire until a plane arrived and we retreated," he says.

"I was scared because it was the first time. I had only been with them for a couple of weeks."

It was then he realised he had made a mistake and decided to run away. "I thought to myself: how did I get here? To the point that I am shooting a weapon?"

Luis escaped from the EPL with the help of a guerrilla commander who took pity on him back in February.

At the time, he never thought he would be given the chance to turn his life around. But after six months studying at Benposta, a home and school for ex-combatants, he has decided he wants to go to university and become a chef.

Seduced by false promises

Benposta, which is set in the tranquil mountains overlooking the Colombian capital, Bogotá, houses about 100 children and teenagers from mostly poor, lawless communities.

The children are not usually physically abducted by guerrilla groups, but are instead seduced by false promises. Often just the offer of a motorbike or a regular hot meal can be enough to convince them.

Luis grew up on a farm surrounded by violence. He left school when he was nine to harvest coca leaves, the raw ingredient for cocaine. He says his parents put him to work to put food on the table.

It was in the clandestine coca plantations that he made his first contact with the EPL. They would pay him extra to run their errands. He would move drugs around and work for them as a lookout.

"The rebels said I should go with them because it was beautiful, that there were weapons, that there were women, that there was money, food and everything," recalls Luis.

"So you delude yourself and you go. But then you realise that it's actually bad."

Tip of the iceberg

Once inside the armed group, children and teenagers are put to work in a number of roles, from carrying out basic errands to cooking, working in drugs labs run by the armed groups, collecting extortion fees, cleaning weapons and in some cases, working as sex slaves.

The United Nations says the number of children and teenagers being forcibly recruited by armed groups in Colombia has risen since 2016 when the government signed a peace deal with the largest of Colombia's rebel group, the Revolutionary Armed Forces of Colombia (Farc).

The UN special representative for children and armed conflict, Virginia Gamba, warned that these numbers were only "the tip of the iceberg".

Most of the young people arriving at Benposta are from Colombia's troubled Catatumbo region.

The region has become one of the country's most violent following the demobilisation of the Farc rebels. Now the EPL and the National Liberation Army (ELN) battle for control of this northern section of the border with Venezuela.

And this area is not alone in seeing a rise in violence. Across Colombia, where the Farc have retreated from the cocaine trade that helped finance their operations, other groups are competing for their share of hefty profits.

As they expand, these groups set out to recruit new members.

Luis told the BBC that the EPL was offering children two million pesos (about \$600; £400) to join its ranks, a small fortune in this part of the world.

He also said that they offered bonuses to those who could persuade their peers to take up arms, or identify their friends that might have joined the EPL's rivals, the ELN.

Luis says he has turned his back on the violence for good. He is now enjoying school for the first time: "It's really good because they're helping to rehabilitate me and to get over what I went through," he says.

"They support me through the good and the bad."

Murder of hundreds of Colombian activists casts shadow over peace process (Reuters) By Luis Jaime Acosta
August 25, 2019

Indigenous leader Edwin Mauricio Capaz pulls on a bulletproof vest every day before getting into the armored car he uses to travel around the restive part of southwest Colombia he calls home.

Despite this protection, the 34-year-old worries he could soon join hundreds of human rights activists and community leaders assassinated since a 2016 peace deal, many of them for confronting drug trafficking or illegal mining.

“If they haven’t threatened us already we are certain that one day they will - or that one day our lives will be at risk,” said Capaz, who lives in the Pacific province of Cauca and has been getting threats from different armed groups since 2014.

The 2016 peace accord with the Revolutionary Armed Forces of Colombia (FARC) rebels ended more than 50 years of war between the government and the group. But though violence fell overall after the deal, so-called “social leaders” continue to be threatened, attacked and killed – many in cases which remain unsolved.

The murders have become a political headache for right-wing President Ivan Duque, who is coming under pressure internationally to stop them.

The government attributes the killings to still-active National Liberation Army (ELN) rebels along with crime gangs and dissident FARC guerrillas who refused to demobilize after the peace accord. All are fighting for control of lucrative drug production and illegal mining areas previously ruled by the FARC.

Community leaders and activists involved in efforts to protect the environment, stem illegal mining, oppose the presence of armed groups or promote the eradication of coca - the base ingredient in cocaine - risk the ire of multiple armed groups, human rights organizations say.

“The drug trafficking economy is very powerful and is the principal threat because they’re using indigenous land,” said Capaz, the father of a 9-year-old son, as he prepares to travel the steep mountains of his community in the company of a driver and a bodyguard.

Though Duque says the number of assassinations fell by more than a third since he took office just over a year ago, he was greeted during a June visit to London by protesters yelling “killer!”

In the late 2000s, U.S. lawmakers pushed back against a trade deal with Colombia to protest the killing of union leaders. If outrage over the new wave of killings grows loud enough, it could hurt the Andean nation’s ties with the United States and the European Union, which help finance the reintegration of former rebels, coca substitution and other programs.

There is no definitive tally of how many activists and community leaders have been murdered since the peace deal. The attorney general’s office pegs the figure at 292, between the start of 2016 and June of this year, while the office of the country’s human rights ombudsman says the number is at least 486.

Think-tank INDEPAZ says 734 activists have been killed in the same January 2016-June 2019 period.

Those figures do not include the FARC tally of 138 former guerrillas it says have been killed since the peace deal, in assassinations the group attributes to crime gangs formed by former members of right-wing paramilitary groups.

“When you threaten or kill a leader or human rights defender, you attack democracy,” said human rights ombudsman Carlos Alfonso Negret. “Without social leaders there is no democracy, so this is supremely serious. We don’t want to repeat these assassinations.”

The killings have sparked fears of an organized assassination campaign like the one carried out against the left-wing Patriotic Union (UP) party in the late 1980s.

The UP, the FARC’s first attempt at forming a political party, lost more than 3,000 members and two presidential candidates to assassinations carried out by paramilitary gunmen sometimes backed by members of the Colombian military.

Duque denies the killings since 2016 are part of a systematic plan to eliminate activists or community leaders.

But the government’s failure to occupy former FARC territory after the peace accord has allowed for the proliferation of armed groups with no qualms about killing people like human rights advocates, said Alberto Brunori, who represents the United Nations High Commissioner for Human Rights in Colombia.

“These groups that kill, that threaten - what they want is to silence free voices,” he said. “Human rights defenders are bastions of democracy - silencing these voices puts an end - a limit - to freedom of expression, among other freedoms.”

Duque says the killing of activists fell 35% during his first year in office and has made repeated promises to confront threats and murders.

“We want to completely end this tragedy and confront all the criminals that are behind it,” Duque told Congress last month. “Not one more, not one more!”

The numbers appear stacked against Duque. Some 7 million Colombians, just over 14% of the population, are considered social leaders - including the presidents of more than 1,100 neighborhood organizations.

The sheer number of activists makes individual protection nearly impossible - just 4,500 have bodyguards or other protection schemes.

Some activists are among more than 100,000 candidates running in October’s local and regional elections, complicating protection efforts.

Despite the threats, leaders like Capaz - who carries a walkie-talkie so he can notify authorities and other activists of any attack - continue their work.

“The feeling of insecurity is permanent - these security arrangements can isolate you from risky areas, from risky moments, but they don’t take the risk away.”

Former intelligence chief wants to submit to Colombia’s war crimes tribunal (Colombia Reports) By Adriaan Alsema
August 21, 2019

The former deputy director of Colombia’s now-defunct intelligence agency DAS has requested to submit to the war crimes tribunal, offering a lot of secrets, according to local media.

Former DAS intelligence chief Jose Miguel Narvaez, reportedly a man with a photographic memory, is believed to have key information about the ties between ranchers federation Fedegan, the military and paramilitary organization AUC.

The former intelligence executive is currently serving a more than 24 years in prison for the murder of journalist and comedian Jaime Garzon in 1999 and eight years for his role in the wiretapping of anyone deemed a political liability to former President Alvaro Uribe, including the Supreme Court.

But Narvaez could be allowed to leave prison if he tells the truth and the former intelligence chief has a lot to tell, a lot that could get some of the most powerful people in Colombia in big trouble.

Narvaez allegedly met regularly with AUC founder Carlos Castaño between 1996 and 2001 and allegedly gave masterclasses like “Why It Is Legal To Kill Communists” to paramilitary forces.

His name has been mentioned in investigation into the 1994 assassination of Senator Manuel Cepeda, the harassment of former Senator Piedad Cordoba and the psychological torture of journalist Claudia Duque.

Under the leadership of imprisoned DAS director Jorge Noguera, Narvaez in 2003 set up the covert G3 spy unit that spent the next two years intimidating and fabricating criminal charges against left-wing politicians and peace advocates.

After the dismantling of G3, Narvaez set up the “National and International Observation Group” (GONI), which spied on the Supreme Court, former presidents, international human rights organization, journalists and even the United Nations.

The true reach of GONI’s activities was never fully clarified. When prosecutors first searched the agency’s office in 2008, agents refused cooperation and security footage from January 2009 showed how computers and boxes were removed from the office.

If Narvaez is allowed to submit to the JEP this does not automatically mean he will be released from prison. First he will have to demonstrate his sincere intention to tell the truth and repair his victims.

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Venezuela

Venezuelan activist urges Raab to back ICC Maduro torture case (The Guardian) By Patrick Wintour
August 12, 2019

The UK foreign secretary, Dominic Raab, has been urged to draw on his experience as a former Foreign Office human rights lawyer to press the legal case that the Venezuelan government of Nicolás Maduro has systematically tortured its people.

The call was led by the prominent Venezuela human rights defender Tamara Sujú who visited London to persuade the UK to join six non-European countries in pressuring the international criminal court (ICC) to pursue a case against the Venezuelan leadership.

Raab worked as a lawyer for the FCO, including at the ICC in The Hague, from 2000 to 2006.

In theory the case could end with Maduro arraigned in front of the court, but progress with the ICC case has the potential to play into the various indirect talks currently under way between supporters of Maduro – who succeeded the leftwing Hugo Chavez as Venezuela's president – and Juan Guaidó, the self-proclaimed interim leader recognised by most EU countries and backed by the US.

British backing for the ICC investigation would be a further blow for Maduro. The ICC referral was initially backed by Argentina, Chile, Colombia, Paraguay, Peru and Canada at the end of last year, becoming the first state referral to the ICC by other states.

The ICC launched a preliminary investigation in September 2018.

Sujú, executive director of the Casla Institute and a Guaidó supporter, said: "We need a European country, preferably Britain, with sufficiently solid institutions, a democratic tradition and commitment to human rights to join us in the ICC not just with words but to subscribe formally to the case.

"We also need Great Britain to impose personal and economic sanctions against the Maduro regime and to close their spaces."

The Trump administration tightened economic sanctions against Maduro again this week.

Sujú has compiled more than 600 detailed cases of alleged human rights abuses. Her critics say she is part of an army of Maduro opponents who use human rights to denounce the leftwing government.

An ICC case has four initial stages, including a case to answer, identification of the victims, assessment of whether the crimes are eligible as crimes against humanity and whether the government has sought to prosecute the cases.

Sujú's chief claim is that the arrests of demonstrators and, increasingly, of figures in the military, are systematically directed by the Maduro government, indicating the leadership would have to face justice at the ICC.

"There are not random accidents of violence," she said. "What has stood out is that they group masses of protesters 40 or 50 at the time, take them to the station and torture them as a group. We have cases where families were taken. They made the father watch as his child was tortured and then the child would watch his father be tortured. They tortured a mother and daughter, took off their clothes off before they applied electricity."

She highlighted the death of the military captain Rafael Acosta Arévalo, who was arrested on 26 June and died three days later. At his military tribunal he was unable to stand, hear or understand what was happening and pleaded with his lawyer for help.

The UN high commissioner for human rights, Michelle Bachelet, has visited Venezuela to find political prisoners are tortured, including with electrical currents, simulated drowning, beatings and sexual violence, and is setting up a permanent mission.

Venezuela's Maduro Cracks Down on His Own Military in Bid to Retain Power (The New York Times) By Anatoly Kurmanaev and Isayen Herrera

August 13, 2019

A week after Venezuela's intelligence forces detained a retired navy captain, he appeared in a military tribunal a broken man, in a wheelchair and showing signs of torture.

"Help me," he mouthed to his lawyer.

The captain, Rafael Acosta, died that day. He was buried three weeks later, on July 10, against his wife's wishes, surrounded by security guards, in a plot assigned by the government. The five family members allowed to attend could not see him: The body was wrapped in brown plastic.

Captain Acosta suffered blunt force trauma and electrocution, according to leaked portions of his autopsy report, and the government admits excessive force was used against him. His death is an indication of how President Nicolás Maduro's embattled government has turned a brutal apparatus of repression against its own military, in a no-holds-barred effort to retain control of the armed forces — and through them, the state.

Top military leaders have repeatedly declared their allegiance to the Maduro administration. But over the past two years, as the oil-rich economy crumbled and a majority of Venezuelans were left without sufficient food and medicine, factions within the security forces have staged at least five attempts to overthrow or assassinate the president.

The government claims to have foiled at least a dozen more plots in that period, including a scheme in which Captain Acosta and five others under arrest were accused of participating.

The Venezuelan state media calls the stream of real and imagined threats "a continuous coup." Mr. Maduro's Socialist Party is resorting to this siege mentality to justify ubiquitous surveillance, arbitrary detentions and the torture of perceived enemies, including those inside Venezuela's 160,000-strong armed forces, according to the United Nations, human rights advocates and victims' families.

"The abuse of military officers has grown because they represent a real threat for Maduro's government," said Gen. Manuel Cristopher Figuera, Venezuela's former head of intelligence, who defected in April and spoke from the United States.

There are now 217 active and retired officers being held in Venezuelan jails, including 12 generals, according to the Coalition for Human Rights and Democracy, a Caracas-based nonprofit that represents several of the men.

The coalition has documented 250 cases of torture committed by Venezuelan security forces against military officers, their relatives and opposition activists since 2017. Many of the victims have spent years in jail without trial. Few have been convicted of crimes and most have not even been charged, according to the organization.

The weaker the government is, "the stronger is the torture against the people they consider dangerous," said Ana Leonor Acosta, a lawyer with the coalition. Ms. Acosta is not related to Captain Acosta.

These abuses were brought to international attention last month, when Michelle Bachelet, the United Nations human rights commissioner, published a scathing report that said the Venezuelan government subjected prisoners seen as political opponents to "electric shocks, suffocation with plastic bags, water boarding, beatings, sexual violence, water and food deprivation, stress positions and exposure to extreme temperatures."

Since Mr. Maduro took office, Venezuela has lost two-thirds of its gross domestic product, according to the International Monetary Fund. Conditions worsened after the Trump administration, angered over Mr. Maduro's rhetoric and repressive tactics, backed the opposition and imposed sanctions that crippled the oil industry.

The United Nations estimates four million Venezuelans have fled the deteriorating conditions. While Mr. Maduro has sought to ensure the loyalty of the military's top brass with promotions and lucrative contracts, middle- and lower-ranking officers and their families are increasingly affected by the crisis. That makes them restless.

"The hunger came to the barracks and the military ranks became infested with dissidence," said Ms. Acosta, the lawyer. "The armed forces are gripped by paranoia, suspicion and division between those that support this government and those who don't."

Venezuela's information ministry did not respond to detailed questions about torture allegations sent by The New York Times for this article. The attorney general's office, which handles criminal and human rights investigations, declined to comment. In the past, the government has denied accusations of systematic torture, blaming specific cases on isolated excesses committed by rank-and-file agents.

In Captain Acosta's case, the government detained the two low-ranking soldiers who signed his detention order. Diosdado Cabello, the head of Venezuela's governing party, said a government investigation found that the two soldiers had used excessive force when the captain resisted arrest.

"These are those responsible, but this is not a state policy," Mr. Cabello said.

Critics of Mr. Maduro's government believe the two soldiers are scapegoats for decisions made in the presidential palace.

"This has been Maduro's decision," said General Figuera, the former head of Venezuelan intelligence. "He's the one giving orders there."

Captain Acosta's family also believes what happened to him falls within a pattern of abuse by the state.

"It's all a smoke screen," said Captain Acosta's wife, Waleswka Pérez, in an interview. "What happened to my husband has been happening for quite a while and there's a lot of fear, because they are capable of doing anything."

Mr. Maduro's growing reliance on torture is a remarkable about-face for a Socialist government that came to power two decades ago promising to eliminate the human rights abuses of its predecessors. Mr. Maduro signed an anti-torture law in 2013, shortly after assuming the presidency following the death of his predecessor and mentor, Hugo Chávez.

"The Socialist government has to be a humanist government, it can't torture anyone," Mr. Chávez said in 2006, during the inauguration of a school named after the leftist politician Jorge Rodríguez, who was tortured and killed by Venezuelan security forces in 1976.

Mr. Rodríguez's children, Jorge and Delcy, have become top advisers to Mr. Maduro, and have taken a leading role in justifying the president's political repression. In a televised address, Jorge Rodríguez claimed Captain Acosta and the other men detained on the same day planned to assassinate government leaders. He also shared a video he said showed Capt. Acosta discussing plans for a coup.

To keep the security forces in check, Mr. Maduro has resorted to increasingly brutal tactics, said Ms. Acosta, the lawyer.

Juan Carlos Caguaripano, a National Guard captain who led a failed assault on a military base in 2017, suffered testicle injuries during beatings in jail, according to his family and lawyers. He told his lawyers he was glad it happened because the heavy bleeding that ensued gave him a respite from interrogations.

Óscar Pérez, a police officer who led a small antigovernment guerrilla unit, was shot at least 15 times at close range by security officers in January 2018 after repeatedly offering to surrender in a shootout he broadcast live on social media.

Andrik Carrizales, a major with the Venezuelan Air Force, was shot in the head by security officers for joining a failed attempt to take over a weapons factory in Maracay on April 30. His lawyer said that after surrendering, Maj. Carrizales was handcuffed, forced to kneel and shot at close range. He survived — only to be detained in a military hospital, despite having gone blind and facing life-threatening injuries.

"He's being tried for rebellion, but no one is persecuting his abusers," said his lawyer, Martín Ríos. "The major is being systematically tortured to criminalize protests, infuse terror and scare people from denouncing or seeking justice."

The climate of fear is most palpable here in Maracay, Venezuela's military capital, home to the nation's main air bases and military academies.

The city's military pedigree has long made it a hotbed of conspiracies. It was from here that Mr. Chávez, a paratrooper commander, staged a coup against Venezuela's democratic government in 1992. He failed, but became president seven years later. In 2002, Maracay's paratroopers rose again, this time in a countercoup to return Mr. Chávez, who had been deposed, to power.

Today, Maracay is the epicenter of Mr. Maduro's barracks purges. Its residents included at least four of the five active and retired security officials detained along with Captain Acosta.

Captain Acosta's cousin, Carmen Acosta, one of the few members of the close-knit family who was allowed to attend his funeral, says they believe he is innocent. "They didn't even charge him," she said. "He died, helpless, innocent and alone."

Human rights lawyers say it's increasingly difficult to document and denounce torture cases in Venezuela. The government's fear campaign spreads far beyond the accused officers, terrorizing family members, legal representatives, associates and entire communities.

In Maracay, Captain Acosta's family says they live in fear. His octogenarian mother has retreated into a terrified seclusion, refusing to see even close relatives out of fear that it could endanger them.

Ms. Acosta, his cousin, said she decided to speak to the press after weeks of anguish.

"If we stay silent, they win," she said, holding back tears. "This is what they want: to make everyone live in fear."

UN appeals for more aid for Venezuelan refugees (Aljazeera)

August 18, 2019

The United Nations has appealed for more humanitarian aid for Venezuelan refugees pouring into neighbouring countries, where they are overwhelming social services and reportedly sparking local tensions.

UN High Commissioner for Refugees, Filippo Grandi, planned to visit the Brazilian border town of Pacaraima, but authorities advised him to cancel due to protests by residents unhappy with the arrival of more than 500 Venezuelans a day, Reuters news agency reported on Sunday.

Pacaraima residents closed shops on Saturday and marched through the streets, raising slogans such as "Out with the Venezuelans", "Pacaraima is ours", "Out with the UN", and "Brazil for Brazilians".

The UN and NGOs put out a humanitarian appeal for \$770m at the start of the year and have received less than \$180m, Grandi said on Sunday after visiting Chile and Brazil.

"This is really one of the most underfunded humanitarian appeals in the world for one of the biggest crises," he said.

Grandi said financial institutions such as the World Bank and the Inter-American Development Bank have been engaged, but they need to speed up their aid to help sustain health and education systems.

"We protect the more vulnerable, but the rest has to be done by bigger actors with more money, and I don't see that happening yet anywhere in the region," he said.

The UNHCR estimates 4.3 million Venezuelans fled economic and political turmoil in their country, mainly to Colombia where there are 1.2 million and to Peru, Chile and Ecuador. Some 180,000 have stayed in Brazil.

In June, the Organization of American States said the Venezuelan exodus may exceed eight million people by the end of next year, which would make it the largest migration crisis in the world

The group's projection puts the exodus between 7.5 million and 8.2 million in 2020, far surpassing the 6.7 million people who have fled war-torn Syria in eight years.

Anti-immigrant sentiment Grandi said there were signs of anti-immigrant sentiment spreading across the region, reflected in mounting restrictions on the movement of Venezuelans in Andean countries.

But he praised Chile, which has received 400,000 Venezuelans, for granting safe passage and a guarantee of asylum.

He also lauded the Brazilian Army for a "particularly good and very humane" operation to receive Venezuelan refugees in the northern border state of Roraima, Brazil's poorest, from where they are being relocated to other parts of the country.

Grandi said relocation had to be sped up because the refugee crisis was overburdening fragile services in the Roraima capital of Boa Vista, where thousands sleep in the street every night because shelters have run out of space.

"Millions of people came from Latin American to Venezuela when they escaped war, and now look at us," Fernando Charris Lopez, a Venezuelan refugee in Brazil, told Al Jazeera.

"But it's not easy, because when you go outside, the Brazilians look at us as if they want to kill us," he said.

Without more aid, Grandi warned of growing hostility towards Venezuelans.

"In Boa Vista, I made an appeal for politicians to be balanced and act responsibly, and not use the unrest that could trigger forces bigger than anybody can control," he said.

Venezuela: UN Should Set Commission of Inquiry (Human Rights Watch)

August 22, 2019

The United Nations Human Rights Council should establish a commission of inquiry during its September 2019 session to investigate serious human rights violations in Venezuela, Human Rights Watch said today in a joint document prepared by 11 Venezuelan and international human rights organizations. The groups have been monitoring and documenting Venezuela's spiraling human rights and humanitarian emergency for years.

The UN high commissioner for human rights, Michelle Bachelet, is scheduled to present an oral update on the human rights situation in Venezuela before the UN Human Rights Council on September 10. This presentation, which follows a damning report published by her office in July, is the final step mandated by the council resolution on Venezuela, its first, adopted in September 2018.

"The victims of the dire human rights and humanitarian crisis in Venezuela deserve a thorough and authoritative response from the Human Rights Council to address their right to truth, justice, and reparations," said José Miguel Vivanco, Americas director at Human Rights Watch. "The Human Rights Council has the opportunity and responsibility to create a mechanism to investigate grave violations in Venezuela and to identify those responsible and, where possible, the chain of command."

The report by Bachelet's office documented abuses that are consistent with previous findings by her office and Venezuelan and international human rights organizations, and highlighted the need for accountability. The abuses include arbitrary arrests, torture, extrajudicial executions, and violations to the rights to food and health. A commission of inquiry is needed to identify those responsible and break the cycle of impunity.

The UN Human Rights Council should give a commission of inquiry a strong, clearly defined mandate to investigate reports of violations of international human rights law in Venezuela, including, but not limited to, torture and inhuman treatment, arbitrary detention, discrimination, enforced disappearances, as well as violations of freedom of expression, the right to life, and the rights to health and food, the groups said. It should be provided with adequate resources to investigate and report back to the UN Human Rights Council on these violations within a specific period and be mandated to share its findings with the UN secretary-general and relevant UN bodies, including the UN Security Council and General Assembly.

The UN Human Rights Council is particularly well suited to allow for countries or a group of countries, including on a regional level, to take the lead in mobilizing support to address the human rights crisis. The Lima Group, which currently consists of 10 Latin American countries and Canada, has been leading efforts in Geneva to scrutinize the human rights situation in Venezuela, and could take the lead in establishing a commission of inquiry.

A commission would not be a substitute for criminal investigations into specific crimes. But the information gathered may be relevant for authorities considering criminal proceedings, including the International Criminal Court prosecutor, Fatou Bensouda, who opened a preliminary examination into the situation in Venezuela in February 2018.

If a commission of inquiry is created, Venezuelan authorities should cooperate with it fully, including by giving it access to the country and by responding to requests for relevant documents and interviews with officials. However, a refusal by the government of Venezuela to engage with a commission should not prevent commissioners from carrying out their work. Commissions of inquiry for North Korea, Myanmar, and Syria have successfully produced reports extensively documenting human rights violations and international crimes, despite the refusal of those governments to cooperate.

The joint document was prepared by Acción Solidaria, Amnesty International, Centro Derechos Humanos – Universidad Católica Andrés Bello, CEPAZ, Civilis Derechos Humanos, COFAVIC, Espacio Público, Global Centre for the Responsibility to Protect, Human Rights Watch, the International Commission of Jurists, and PROVEA.

U.S. Offers Amnesty to Venezuelan Leader, if He Leaves Power (The New York Times) By Lara Jakes and Anatoly Kurmanaev
August 28, 2019

A top American diplomat said the United States would not prosecute or otherwise seek to punish President Nicolás Maduro of Venezuela if he voluntarily left power, despite bringing his country to the verge of economic collapse and humanitarian disaster.

Elliott Abrams, the State Department's special envoy for Venezuela, said he had seen no indication that Mr. Maduro was willing to step down. But his offer of amnesty was a message to Mr. Maduro after both countries' leaders described high-level talks that Mr. Abrams unequivocally said did not happen.

"This is not a persecution," Mr. Abrams said of Mr. Maduro on Tuesday evening in an interview. "We're not after him. We want him to have a dignified exit and go."

He added: “We don’t want to prosecute you; we don’t want to persecute you. We want you to leave power.” The Treasury Department last year accused Mr. Maduro of profiting from illegal drug trafficking in Venezuela but did not recommend charges.

The softer, if pragmatic, appeal sharply contrasted with the eight months of sanctions, international isolation and threats by the Trump administration of military intervention against Mr. Maduro and his loyalists, who are accused of hoarding power and manipulating elections last year.

Opposition leaders in Venezuela have not offered immunity to Mr. Maduro, whom they accuse of prospering in a corrupt government that has left many Venezuelans without food, electricity or medical supplies.

In the interview, Mr. Abrams sought to clarify widespread confusion over the Trump administration’s efforts to force Mr. Maduro from his presidency.

Last week, asked about news reports of secret talks between Washington and Caracas, Mr. Trump said the White House was in touch with Mr. Maduro’s government, “at a very high level.” Hours later, Mr. Maduro confirmed that he had directly authorized his officials to engage in secret meetings with the Trump administration. “Sure, there’s been contact and we’ll continue having contact,” he said in a national broadcast.

On Tuesday, Mr. Abrams said that was not true.

“The notion that we are negotiating is just flat-out wrong,” Mr. Abrams said. “And the notion that there is a pattern of communication is wrong. There are intermittent messages and I think people would find the very occasional message sent from Washington to be completely predictable: ‘You need to return to democracy. Maduro needs to leave power.’”

The comments are likely to soothe Venezuela’s opposition leaders, who have privately said Mr. Trump’s statement risked sidelining their own negotiations. A delegation headed by the opposition’s chief political negotiator, Stalin González, traveled to Washington last week to press American officials on the Trump administration’s policy in Venezuela.

Mr. Abrams said he did not currently see any value in talking directly to Mr. Maduro’s government.

He said messages to Washington from intermediaries in Venezuela have been “pretty rare” since last winter, and the information they carried was dubious. Some may have been sent with Mr. Maduro’s knowledge while others were probably not.

All carried the same general message: that Mr. Maduro would continue to resist the international pressure campaign that is led by the Trump administration.

Messages that the United States sends to Mr. Maduro are usually delivered through media statements, on Twitter and in some cases, through European diplomats or religious leaders. Beyond reiterating the Trump administration’s demands that Mr. Maduro step down, those intermediaries have also raised the plight of at least five Americans who are being held in Venezuela, relaying concerns about their health or conditions of their detentions. Any direct contact between Washington and Mr. Maduro would risk sidelining parallel negotiations — that are mediated by Norway and held in the Caribbean island of Barbados — between the Venezuelan government and opposition officials led by Juan Guaidó, whom the United States views as Venezuela’s rightful president.

Those negotiations allow Mr. Maduro to claim he is seeking a peaceful resolution of the crisis and have helped stave off tougher European sanctions. The talks also are the opposition’s best chance to unseat Mr. Maduro after months of diminishing mass rallies and failed attempts to split his government.

The Barbados negotiations began gaining traction in July, after Mr. Maduro offered the opposition new presidential elections in return for the lifting of American sanctions. But he suspended the talks in protest of new American sanctions issued Aug. 5 that blocked all Venezuelan public assets in the United States.

The sanctions, which surprised both Mr. Maduro and opposition leaders, also threaten economic penalties against any foreign company doing business with the Venezuelan government. Mr. Abrams maintained on Tuesday that the United States would not lift sanctions against Venezuela unless Mr. Maduro steps down.

Officials close to both sides of the Venezuelan negotiations said the talks could resume in Barbados as soon as next week, although no date has been set. They discussed sensitive topics on the condition of anonymity.

“The more the United States gets involved in Venezuela, the more problems it creates for the negotiation process,” said Temir Porras, a former chief of staff to Mr. Maduro who now works as a political consultant in Caracas. “The United States pursues a

policy that has a lot of influence on Venezuela's future, but it's unable to resolve the crisis. It can only be resolved by Venezuelans."

Mr. Abrams said the Trump administration would not support new national elections with an incumbent — either Mr. Maduro or Mr. Guaidó — on the ballot. If either man wanted to run for the presidency, Mr. Abrams said, he should first leave office to prevent concerns about election tampering by the government. And he predicted that Mr. Guaidó would formally close the negotiations by Oct. 1 to prevent them from dragging on without resolution.

"It's pretty clear that he has not yet reached the conclusion that it is hopeless," Mr. Abrams said, adding: "He may reach that conclusion tomorrow."

Last winter, the opposition-controlled Parliament in Caracas considered — but then abandoned — a vaguely worded amnesty proposal that sought to convince military officers to leave Mr. Maduro's ranks. Even before it was dropped, opposition officials insisted it would not allow Mr. Maduro or his close advisers to escape criminal charges, nor would it give cover to government loyalists accused of human rights abuses.

The International Criminal Court in The Hague is investigating claims of abuse by Venezuelan security forces beginning in 2014, during Mr. Maduro's first term in office. The United States is not a party to the international court.

Any offer of amnesty by the United States would have limits. A White House official has previously told The New York Times that the Trump administration would be unable to remove any federal drugs charges that several of Mr. Maduro's top confidants and relatives face.

And Mr. Abrams would not comment when asked whether the United States would stop Mr. Maduro from keeping any wealth or other assets were he to step down or leave Venezuela in exile.

Diego Moya-Ocampos, a political risk analyst at IHS Markit in London, said any offer of amnesty to Mr. Maduro would also need to be extended to all top Venezuelan officials and military officers to be successful.

But it would still be a significant step forward to breaking the political impasse in Venezuela, Mr. Moya-Ocampos said. "It could even be a game changer," he said.

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TOPICS

Truth and Reconciliation Commission

TRC Reflections — Ten Years Later (Liberian Daily Observer) By John H. T. Stewart
August 16, 2019

It is now 10 years since the Truth and Reconciliation Commission (TRC) submitted its edited final report to the Legislature in December 2009. While the report was well received by the vast majority of Liberians, received a hostile reception from the Government of Liberia led by its then President Ellen Johnson Sirleaf, who by coincidence was sanctioned in the report. Aside from President Sirleaf, Governance Commission Chairman, Dr. Amos Sawyer, was perhaps the most prominent amongst government officials who trashed the report. It also included then Justice Minister, Phillip A.Z. Banks, who had earlier advised President Sirleaf against an appearance before the TRC.

Others would follow suit, including figures from the international community amongst them, a good friend of President

Sirleaf, American billionaire George Soros, who had flown to Liberia, ostensibly at the behest of his friend and President to meet with Commissioners of the TRC. Elation at the prospects of meeting with such a world-renowned figure, who had appeared sympathetic to this country's imperatives for justice, reconciliation and accountability was to soon turn into consternation and apprehension on the part of most Commissioners.

Billionaire George Soros had actually come to in effect threaten to withhold funding from the TRC if Commissioners did cooperate (play ball) with the International Center for Transitional Justice (ICTJ), an American based non-governmental organization (NGO), which had established offices in Monrovia with the obvious intent to exert a controlling influence on the TRC. When its attempts failed it resorted to the publication of slanderous articles against the TRC flagging internal disagreement amongst members as a precursor to its eventual failure.

But the Liberian TRC process was, like any human endeavor, prone to mistakes, disagreements, and whatever else. And it was by no means surprising that personal perceptions held by Commissioners on the conflict would come into play during and throughout the entire exercise. And it was precisely because of this realization that Commissioners developed and approved "Rules of Procedure" for the conduct of business and decision making on the basis of consensus or by vote in cases where a consensus could not be reached.

Throughout the TRC process, Commissioners found themselves confronted with serious challenges in the face of latent hostility from the Government of Liberia whose fiduciary responsibility to the TRC appeared to have been surrendered to the disposition of the international community to actually take control of it.

For example, there was the perception held by the donor community Liberians (TRC Commissioners) were incapable of writing and producing a report of its activities and in keeping with this perception, a coterie of experts were hired to write the TRC report.

But what the experience showed was that the experts lacked contextual and cultural competence which significantly impaired their ability to perform without requiring long and detailed narratives from Commissioners per sitting. To address this problem, Commissioners were each tasked to write sections of the report which were submitted to the Report Writing Committee chaired by Commissioner John Stewart. Eventually, the TRC was able to generate over twenty-thousand pages of documented material which it had to compile into a comprehensive written report.

Disappointingly, donor support for the preparation of the report remained restricted to 10,000 pages only despite the fact that at least twenty-thousand pages were available for inclusion in the report. They included county investigative reports, reports of in-camera hearings, witness testimonies and other investigative reports including those on war and economic crimes.

Additionally, donors had (owing to security concerns) unilaterally selected Ghana for completion and printing of the report. The TRC Report Writing Committee was accordingly requested to proceed to Ghana with a camera-ready copy of the report for printing. However it was not possible, owing to a host of reasons, to proceed to Ghana as requested, with a camera-ready copy of the report which obviously needed further editing.

But the fees being charged for the editing was exorbitant, in excess of 25,000 US dollars so the Report Writing Committee was left with no alternative but to take on the task of editing the voluminous report which for the most part, fell directly on the shoulders of the Chairman of the Report Writing Committee. To make matters worse, Daily Subsistence Allowance provided to members of the Report Writing Committee covering an 18-day period allotted for completion of the report was about running out with the report still unfinished and the Government of Liberia and the donor community flatly refusing to provide further funding for the upkeep of Commissioners in Ghana.

This development necessitated the return of Commissioners Massa Washington and Gerald Coleman to Monrovia, leaving behind Chairman Jerome Verdier and Commissioner to figure a way out of the predicament. Fortunately, a Liberian friend and sympathizer of the TRC (name withheld) came to our rescue and provided room and board free of charge to help enable us finalize the report. Completion required a little over 3 months. Perhaps such punitive measures were being taken against TRC Commissioners especially members of the Report Writing Committee for daring to sanction President Sirleaf for her role played in the conflict.

Eventually the report was completed and submitted to the Government in December, 2009.

But it (the report) received instant knee-jerk like reaction from the Government of Liberia. And for that, Commissioners of the TRC especially those perceived to have voted to sanction President Sirleaf were denied their deserved salaries and benefits while some received death threats that instigated their flight into self-imposed exile.

If such acts were intended to douse public concerns about implementation of the TRC recommendations and perhaps exculpate President Sirleaf of responsibility, partial or full, for the devastating impact of the conflict arising from resort to the use of extra-constitutional means (force and violence) to usher political change, then they have certainly failed as

evidenced by increasing calls for justice and accountability including full implementation of the TRC recommendations on accountability.

Ten years later, the TRC report, according to the UN High Commission for Human Rights, has now become the accepted accountability frame work for Liberia and it has accordingly ramped up its support for implementation of the TRC recommendations. Even those who once wrote scathing criticisms about the TRC have now become ardent campaigners for implementation of the TRC recommendations.

The Liberian National Bar Association (LNBA) has perhaps added the icing on the cake by completing draft legislation on the establishment of a war and economic crimes court for Liberia.

But there is much more to the TRC report other than recommendations on Lustration and Criminal Accountability which from all indications have not received the deserve treatment in the media to aid and enhance greater public understanding of the TRC report.

Accordingly going forward, this writer by dint of experience as a TRC Commissioner and Editor-in-Chief of the TRC report shall provide regular analysis and interpretation of those tumultuous moments and events associated with the conduct of the TRC process and the outcomes produced therefrom.

Koijee Joins Call for War, Economic Crimes Court (Liberian Daily Observer) By Alvin Worzi
August 16, 2019

The persistent calls for the establishment of economic and war crimes court in the country received a major boost on Thursday, August 15, 2019, when Monrovia City Mayor, Jefferson T. Koijee, added his voice to those who are in the vanguard of the advocacy. Koijee is also the chairman for the Youth League of the ruling Coalition for Democratic Change (CDC).

To further push for the establishment of the court, he said it would address impunity wherein perpetrators would account for their deeds.

Mayor Koijee made the statement at a news conference where he promised to engage President George Weah to support the establishment of war and economic crimes court.

“There should be no room for those, who committed crimes in this country to go scot-free, because as a student leader then, I advocated for the establishment of this court, and today, I am one of the country’s stakeholders, I still feel there is a need that the court is established in the country,” Koijee said.

He added, “Again, if I have the opportunity to engage President Weah on the establishment of the court, I will tell him outrightly that this is something that needs to be done now. We are not prepared to return to those dark days... where people suffered and lives were lost.”

Koijee said that his advocacy for the establishment of the court during the days as a student will continue at the higher levels, even in his position as a mayor. He said his support is due to the many things that occurred during the long crisis in the country.

“This is something that even encouraged me to join the CDC....because there were many or too many impunity in the country. During the hearing at the Truth and Reconciliation Commission (TRC), we took to the streets and engaged stakeholders to ensure that the war and economic crimes court is established,” Mayor Koijee said.

He said that there were days in the country that people were afraid to voice out the truth “even at the TRC hearing, but I was of the many other students, who used various platforms to call for the establishment of the court.”

“Even in our own government, if people are reportedly involved into economic crimes, they should be prosecuted. I will not change my position even as a mayor today,” Koijee assured.

In another development, Mayor Koijee has lauded Monrovia for their support to Monrovia City Corporation (MCC) in recent time.

With their support, he promised to continuously rely on residents to keep the city clean and green.

“We are grateful to World Bank for the initial support, including the trucks they provided to the MCC. It has enhanced our capacity, and ensures that the city is cleaned. We need to empower the community people, but they, too, need to work with us,” he said.

He said that the MCC has launched a program for 500 “city management workers” or the Zogos (a parlance for the destitute) who will be helping to clean the buckets placed at the various locations.

He said that the Zogos, who will be classified as “city management workers,” will wear uniforms to identify them as such, “and so we call on the public to give them their utmost respect while they are contributing to the cleaning of the city.”

PM holds meeting with Deuba, Dahal over transitional justice (The Himalayan Times)

August 18, 2019

Prime Minister KP Sharma Oli held a meeting with Co-chair of the ruling Nepal Communist Party (NCP) Pushpa Kamal Dahal and Nepali Congress President Sher Bahadur Deuba today, on the premises of the Parliament in Baneshwor, to expedite transitional justice process.

The recommendation committee formed to nominate office bearers of the Truth and Reconciliation Commission and the Commission of Investigation of Enforced Disappeared Persons, is yet unable to nominate the office bearers. The committee has not been able to nominate office bearers due to lack of green signal from major political parties.

PM Oli held consultations with Deuba and Dahal after delivering speech in the House of Representatives, where he said he would expedite process of appointing office bearers in the two transitional mechanisms. Deuba’s personal aide Bhanu Deuba said the three leaders met briefly at the Parliament building and decided to discuss the issues in detail on Thursday.

Liberia: ‘Violence a Human Rights Violation’: NPP Faction of Ruling Coalition Cautions After Attack (Front Page Africa) By Rodney Sieh

August 18, 2019

In its first response to Saturday’s violent incident in District No. 15 Montserrado County, the officials and members of the Executive Committee of the party which is a constituent party of the current ruling Coalition for Democratic Change, denounced in the strongest terms, all forms of violence increasing across the country, the most recent being perpetrated in the electoral District 15.

The party, in a statement Sunday urged Liberians to take steps to prevent the current wave of violence and restore sanity to our nation.

The NPP appealed to all Liberians to stop the violence, as it has the potential to reverse the country’s hard-earned democracy and scare those investors in and out of Liberia.

The NPP also calls on the government functionaries, to secure the peace and to launch an immediate investigation into this current wave of electoral violence and bring those perpetrators to justice so as to set the example that violence has no place in our nation.

The ICC is an intergovernmental organization and international tribunal that sits in The Hague, Netherlands. It has jurisdiction to prosecute individuals for the international crimes of genocide against humanity, war crimes and crimes of aggression.

The Office of the Prosecutor has to date conducted eleven preliminary examinations and 44 individuals have been indicted in the ICC.

Saturday’s violent turn is already resurrecting debate over Liberia’s snail pace in pressing for the establishment of a war crimes court in Liberia.

In 2012, former President Taylor became the first African president to be prosecuted at an international court after he was found guilty of aiding and abetting war crimes and crimes against humanity for supporting rebels who carried out atrocities in Sierra Leone in return for “blood diamonds”.

He is currently serving a lengthy term in a British prison in a case that has set a precedent that heads of state can no longer consider themselves immune to international justice. After four years of hearings at the UN-backed special court for Sierra Leone in the Hague, the former warlord was convicted on 11 charges including murder, rape, sexual slavery and enforced amputations.

To date, arrests for crimes committed during the civil war have been made outside Liberia, through the instrumentality of Civitas Maxima and the Global Justice and Research Project (GJRP) which have been documenting crimes allegedly

committed during that period.

Those arrested so far are:

Martina Johnson, Liberian citizen and former artillery commander of the National Patriotic Front of Liberia (NPFL) of Charles Taylor, was arrested in September 2014 in Gent, Belgium, and charged with war crimes and crimes against humanity. She was later released while she is awaiting trial. That arrest was the first time ever a Liberian was criminally charged for international crimes allegedly committed during the 1st civil war in Liberia (1989-1996).

The criminal investigation continues and a decision is likely to be made in the course of 2019 by Belgian judges on whether or not to send Martina Johnson to trial.

Alieu Kosiah, Liberian citizen and former commander of the United Liberation Movement for Democracy in Liberia (ULIMO) was arrested and charged for war crimes in Switzerland in November 2014 and his arrest was made public in January 2015. This was the first time ever a member of the armed group ULIMO which was fighting against Charles Taylor and the NPFL during the Liberian civil war was arrested and charged.

Michel Desaedeleer, a US and Belgian citizen, was arrested in 2011 in Belgium on behalf of several Sierra Leonean plaintiffs. This complaint prompted an official and non-public federal investigation by Belgian authorities against M. Desaedeleer. This is the very first time that someone was arrested and indicted for participation in the trade of blood diamonds, qualified as a war crime – pillage – and crime against humanity – forced labor. In September 2015, after several years of investigation, M. Desaedeleer was arrested in Malaga, Spain, following the issuance of a European arrest warrant against him. He was then transferred to Belgium where he was charged for war crimes and crimes against humanity, being accused of having participated with Charles Taylor and the rebels of the RUF in Sierra Leone in the trade of so-called «blood diamonds». Desaedeleer passed away in Belgian custody on 28 September 2016, a few months before his trial was scheduled to commence.

Agnes Taylor: In June 2017, the Metropolitan Police Service arrested Agnes Taylor, Charles Taylor's ex-wife, charged with torture for her alleged involvement with atrocities committed by Charles Taylor's rebel group, the National Patriotic Front of Liberia (NPFL), during the first Liberian Civil War. The landmark case marks the second time someone formerly associated with the NPFL has been charged with crimes committed during Liberia's civil wars. A trial is on the cards for this year.

Mohammed Jabbateh, aka Jungle Jabbah, was arrested in Pennsylvania, U.S.A in April 2016. On 2 October 2017, the U.S. Government's immigration fraud case against the Liberian citizen, Pennsylvania resident, and alleged war criminal began in Philadelphia. Jabbateh was charged with two counts of fraud in immigration documents and two counts of perjury for having lied to authorities about his war time activities. He was a ULIMO commander, then later ULIMO-K post-faction split, during the First Liberian Civil War and responsible for commanding atrocious wartime crimes including murder, conscription of child soldiers, and cannibalism. A jury convicted Jabbateh on 18 October 2017. On 19 April 2018, Jabbateh was sentenced to 30 years in prison, the maximum possible sentence for his charges. This sentence is also one of the longest sentences for immigration fraud in U.S. history. The trial was the first ever trial against a ULIMO commander and the first time that victims testified in a criminal trial about crimes committed during the First Liberian Civil War.

Jucontee Thomas Woewiyu founded the NPFL with Charles Taylor and served as Spokesman and Defence Minister until political dissonance led him to create and lead the NPFL-CRC during Liberia's First Civil War (1989-1996). In May 2014, Thomas Woewiyu was arrested at the Newark Liberty International Airport in New Jersey, U.S.A, upon his return from a trip to Liberia.

Woewiyu was charged with 2 counts of fraudulently attempting to obtain citizenship, 4 counts of fraud in immigration documents, 3 counts of false statements in relation to naturalization, and 7 counts of perjury. June 11, 2018 marked the start of Woewiyu's immigration fraud trial. Over 35 witnesses testified to his direct and indirect involvement with war crimes during the civil war. After 13 days in court, the jury found Woewiyu guilty on 11 of 16 counts on 3 July 2018; his maximum possible sentence is 75 years in prison. His sentencing has been postponed and is expected in 2019.

Chuckie Taylor, son of former President Taylor was taken into US custody on 30 March 2006 after attempting to enter the United States from Trinidad at Miami International Airport, a day after his father was surrendered to the Special Court for Sierra Leone. He was initially charged with using a United States passport obtained through lying about his father's identity. In September 2006, he pleaded guilty to the violation and was scheduled to be sentenced on 7 December 2006. However, one day prior to the sentencing, he was indicted on torture charges (8 counts). He pleaded not guilty to the allegations.

On 30 October 2008, a jury convicted Chuckie Taylor on six counts of committing acts of torture and conspiracy to commit torture in Liberia and one of possession of a firearm while committing a violent crime. On 9 January 2009, U.S. District Judge, Cecilia Altonaga sentenced Taylor to 97 years in prison. In recent years advocates both at home and abroad have been pushing for the establishment of a war crimes court so as to curb current wave of violence showing its face in Liberia which

endured more than a decade of civil war.

One of those advocates, Cllr. Tiawon Gongloe told a conference addressing the issue in Monrovia recently that those who commit war crimes are cowards. He said they cannot follow normal rules, and they act when laws are weak, and in time of peace, laws are strong. "The only way we can live peacefully, is to exclude war criminals from among us so that this place can be peaceful. There is no way this place can be peaceful when they are among us," Gongloe said.

He protested that those responsible for some of the worst crimes against humanity should not live among us and hold top positions.

Earlier this year, Mr. Yacoub El Hillo, the United Nations Resident Coordinator made a poignant point of stating at a national colloquium on the Implementation of the Truth and Reconciliation Commission's Recommendations report held in Gbarnga, Bong County, that the implementation of the TRC's findings is one of the essential channels of achieving long lasting peace and fostering full reconciliation.

Mr. Yacoub averred that for the gains that have been realized to be sustainable, grievances from the past must be addressed. "The series of conversations that will take place in the colloquium from today will hopefully contribute to this. I therefore urge all participants to be frank, constructive and solution oriented, bearing in mind that the overarching need for peace, stability, progress and economic development of Liberia can only be sustained if Liberians speak out and dialogue on how to heal the wounds of the past."

Appointment of alleged war criminal to head of Sri Lanka army 'deeply troubling', says UN human rights chief (UN.org) By Daniel Johnson
August 19, 2019

Lieutenant-General Silva commanded Sri Lanka's 58th Division during the final stages of the military campaign against the LTTE rebel Liberation Tigers of Tamil Eelam (LTTE) in 2009, commonly known as the Tamil Tigers, and UN investigations have implicated the division in alleged serious violations of international humanitarian and human rights law.

The UN High Commissioner for Human Rights said that "the promotion of Lieutenant-General General Silva severely compromises Sri Lanka's commitment to promote justice and accountability in the context of Human Rights Council resolution 30/1", which promotes reconciliation, accountability and human rights in Sri Lanka.

She added that the promotion "undermines reconciliation efforts, particularly in the eyes of victims and survivors who suffered greatly in the war. It also sets back security sector reform, and is likely to impact on Sri Lanka's ability to continue contributing to UN peacekeeping efforts."

This is not the first time that Ms. Bachelet has expressed concerns about Lieutenant-General Silva and his role in the Sri Lankan army: in March this year, she described his previous appointment, as Army Chief of Staff, as a "worrying development" in a report to the Human Rights Council.

In March, Ms. Bachelet also warned that there has been "minimal progress" on setting up mechanisms to deal with the worst crimes committed during the conflict during 2009, and called for the establishment of an independent Truth and Reconciliation Commission and a vetting process to remove officers with questionable human rights records.

The Sri Lankan Government declared victory over the LTTE in May 2009, after a conflict that had raged on and off for nearly three decades and killed thousands of people: the final months of fighting before the Sri Lankan Government declared victory over the Tamil Tigers in May, generated concerns about alleged violations of international human rights and humanitarian law.

NCP's choice for TRC chair turns down offer (The Himalayan Times)
August 22, 2019

Former attorney general Raman Kumar Shrestha is the choice of top leaders of both the ruling Nepal Communist Party (NCP) and the main opposition Nepali Congress for the post of chairman of Truth and Reconciliation Commission, but he is not keen to take up the job.

Shrestha is miffed at the ruling party because its leaders didn't support his bid to become Nepal Bar Association's president a few months ago.

Talking to THT, he said he wanted to know why the prime minister, who did not deem him fit for NBA presidency, was trying to make him the TRC chair. “TRC chair’s job requires more proficiency than that of NBA president. What more efficiency did the PM find in me in these three-four months that he now wants to make me the TRC chair?” Shrestha wondered.

Prime Minister KP Sharma Oli, who is also NCP co-chair, discussed transitional justice issues with party Co-chair Pushpa Kamal Dahal this morning.

A source said top leaders of NCP and NC were also thinking of reappointing former office bearers of the Commission of Inquiry on the Enforced Disappeared Persons, as the same old team would conclude the process within next two years as team members were aware of the process. “A new team will take two years only to read more than two thousand files that we had prepared,” the source added.

NC Joint General Secretary Purna Bahadur Khadka, who attended the meeting held in Baluwatar this evening, said the two parties agreed to pass the TRC (Amendment) Bill and appoint office bearers for the two transitional justice mechanisms as soon as possible.

NCP leader Subas Chandra Nembang, who also attended today’s meeting, said they would try to pass the bill in the current session of the Parliament itself after discussing its contents with conflict victims and stakeholders in all the seven provinces and members of international institutions to make the bill compatible with international law.

The SC had directed that the TRC Act be amended to ensure that cases of serious human rights violation don’t get amnesty.

Liberia: ‘Captain Marvel’ and War Victim Lawmaker Support Establishment of War Crimes Court (Front Page Africa) By Alpha Daffae Senkpeni
August 27, 2019

Oscar Cooper and Ivar Jones are lawmakers who are shaping the future of Margibi County. But they both played different roles in its bloody past: Cooper supported a warring faction during the first phase of the Liberian civil war, while Jones was a victim of the conflict.

Cooper is used to receiving criticisms from political opponents for his ties to rebel forces loyal to former president Charles Taylor during the Liberian Civil War.

The criticisms against him heightened when he ran for the county’s senate seat in 2011, at which time his opponents referenced a damning Global Witness Report called Bankrolling Brutality. The report released in 2010, accused Cooper’s logging enterprise, Inland Logging Company of benefiting from the conflict.

The Truth and Reconciliation Report recommended prosecution for he and his logging companies’ alleged involvement in economic crimes.

Cooper doesn’t shy away from admitting his affiliation with the Taylor-led rebel group, the National Patriotic Front of Liberia (NPFL), which was responsible for tens-of-thousands of killings, rapes and a number of massacres throughout the conflict that lasted for 14 years and ended in 2003.

Dubbed ‘Captain Marvel’ during the 1990s, Cooper said he adopted the code name because of the risks associated with traveling at the time, and he “didn’t want to fall into an ambush.”

The NPFL topped as the worst violator among 11 warring factions, yet Cooper denies involvement in any atrocities.

“We supported the NPFL and I am not running away from that, but I didn’t commit any atrocities,” Cooper said.

“Before the war, I was already developed; my mind, my value system was already developed,” he added.

Now a Senator, he says “nobody should go away with impunity” for committing war crimes.

“If the Liberian people want the war and economic crimes court, I will support them,” says Cooper, during an interview in his Capitol Hill office in May 2019.

“I feel nobody should go away with impunity – even myself, and I have nothing to fear about the coming of the war or economic crimes court to Liberia because I know I have not violated any human rights, and I know I have not committed economic sabotage and I will be willing to put myself up.”

For Jones, he spent every second of Liberia’s 14-year-of-civil war in the country. As a boy, he stood by and watched his father’s

house in Margibi County ravaged by rebel forces

He said that his advocacy for the establishment of war and economic crimes courts go beyond settling personal scores.

Now a Representative of Margibi County District #1, Jones said the court would provide an “antidote to lawlessness and the culture of impunity to move the country forward.”

“There were wrongs committed, there were crimes committed against humanity – I want to say it is based upon that I am supporting the war crimes court,” he said.

“Today, you see a lot of crimes and [drug] addiction of young people, and it is because of the war... if we cannot do something now when will be able to do something?”

He says that prosecuting war criminals would avert a relapse of the country into chaos “put Liberia on a good trajectory to move forward.”

“It is better for us to correct it now because if they are not corrected, maybe the generation after us will use us as examples ... which means our generation will be setting a bad precedent,” said Jones.

According to the Truth and Reconciliation Commission’s report, there were 620 statements taken from Margibi County – 254 males and 365 females – with 3,394 victims recorded from 5,154 violations.

But it is still unclear which warring faction committed most of these atrocities within the county.

Advocates calling for the establishment of the court say prosecuting perpetrators would help heal the wounds of the past and reinforce the country’s judicial system.

“I have analyzed over the time that in order to address current human rights issues – challenges that have been faced by society – we must be able to address the past abuses or violations,” said Adama Dempster, head of the Civil Society Human Rights Advocacy Platform.

“Those who allegedly committed those atrocities are seated at the top of power and enjoying at the expense of the victims, at the expense of the common people,” he added.

Despite having fingers pointed at him, Cooper agrees with the activists.

“The coming of the war crimes court will show that people cannot go with impunity and it will start correcting some wrongs and it will put people on the mark that you can’t do what you want to do without giving account,” he says.

“It will help us to move forward – will hold our feet to the fire for us the present and future political leaders.”

Jones says a culture of impunity still reigns.

“Even up to today, there are a lot of economic crimes we have experienced in our country and the only way is to punish the wrongdoers,”

Political lobbying for the passage of a bill at the Legislature to establish the court is still a far cry although it has gained some traction so far this year.

Nine out of 73 representatives, who are members of the House’s Claims and Petition Committee, in July this year signed a resolution supporting a war crimes court.

Many more votes are required to pass the bill at the lower house before it then goes to the Senate for concurrence and signed into law by the President.

Representative Rostonlyn Dennis, who chairs the committee, says they have also cemented a partnership with the Liberia Bar Association to draft a bill calling for the establishment of the court.

“We are in the process now of soliciting signatures and we need 49 signatures for the resolution,” says Dennis, adding at this stage the resolution has a moderate level of political support.

While the backing of lawmakers remains the lifeline of any piece of legislation that would pave the way for a court, Representative Jones thinks popular support from Liberians could ultimately affect the final decision.

“If the people decide that they want a war and economic crimes court, that will be done. It doesn’t have to be dependent on

any lobby on the floor,” added Jones, who was elected in 2017.

“For my time I’ve worked in this house, there are some things that come on the floor that doesn’t require lobbying because if the people say we want XYZ definitely it will pass,” he said.

On the other hand, he’s cognizant of the power of legislative maneuvering characterized by lobbying, voting and the numbers.

“There will always be divided views on these issues, but at the end of the day democracy is about the number – and so the majority will have the day,” he says.

For a bill to be passed into law, it must first survive a majority vote in the House and then gets to the Liberian Senate.

However, Senator Cooper is optimistic that when “the bill hits the floor of the Senate and with my people support,” he will back it because “this is a controversial issue but it represents the people, [so] we shouldn’t be hiding from a controversial issue like this.”

The two Margibi County lawmakers have, in separate comments, rejected criticisms linking the support for war crimes court in the country to the work of western countries.

“Liberians should stop depending on the international community,” stressed Senator Cooper. “Let’s depend on ourselves; what is right for ourselves before we start thinking about foreigners and what they say – if the majority of Liberians want the courts it should be done – not to be worried about the influence, let’s do the right things for our people”.

Jones argues that part of the challenges in Liberia’s failure to see its self as part of the international community and its laws and conventions.

“The world is a global village and all countries are interdependent – so we cannot say we as a nation [that is] part of the United Nations and then act as an Island,” said Jones.

Jones said any decision to punish war criminals will send a message that “we are serious about the business of justice in this country.”

Scotland in Union proposes ‘Truth Commissioner’ for indyref2 (The National) By Kathleen Nutt
August 20, 2019

Scotland in Union have called for a “Truth Commission” to be considered during a second independence referendum campaign.

The anti-independence lobby group said such an initiative could help test the accuracy of claims made by rival sides in the lead up to the vote. It put forward the proposal in its submission to MSPs considering the Scottish Government Referendum Bill.

Writing to members of the constitution committee, Scotland in Union made reference to the 2014 plebiscite, stating: “In 2014, in key areas such as the currency, the future of the NHS, North Sea oil projections and basic economics, the public were let down by some politicians and campaign groups who indulged in ‘post-truth politics.’ Many of these are still disputed.”

It continued: “One solution might be for both campaigns to agree to an independent and qualified ‘Truth Commission’ to act as an unimpeachable factchecker to review and arbitrate on areas of dispute. This independent panel of experts could be agreed by both sides to adjudicate on behalf of the Scottish people.”

Tommy Sheppard, the SNP MP, hit out at the group’s suggestion, pointing out a Truth and Reconciliation Commission was set up after apartheid in South Africa.

He criticised the use of a similar term in the Scottish constitutional debate. “To try and pretend the civic debate in Scotland about how we should be governed is akin to racist apartheid South Africa is shocking really,” he said.

“The point about independence is that people have got political control over their own affairs and over what happens.”

On the promises made by the anti-independence side in 2014 – which included vote No to stay in the EU – he continued: “Pretty much every major promise the Pro-Union side made in 2014 has been betrayed, staying in the European Union being the main one.”

In its submission the Electoral Commission said it must be allowed to assess the question put to voters in any future independence referendum and has urged amendments the bill.

The First Minister has said she wants another independence vote by 2021, but this could be set back by the watchdog wanting to assess the wording “regardless of whether the commission has previously published views on the question proposed”.

The Bill argues if a question has already been analysed by the Electoral Commission then it would not have to be assessed again.

Under the current plans, the commission would be excluded from assessing the question used in 2014: “Should Scotland be an independent country?”

But the watchdog’s submission said: “The commission firmly recommends that it must be required to provide views and advice to the Scottish Parliament on the wording of any referendum question included in legislation under this proposed framework, regardless of whether we have previously published our views on the proposed wording.”

A Scottish Government spokesman said: “The 2014 referendum question was proposed by the Electoral Commission and provides a clear precedent for a simple, straightforward and understandable question.”

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Terrorism

US Closely Monitoring Sudan's Commitment to Human Rights (VOA News) By Nike Ching
August 26, 2019

The United States said Monday it will closely monitor the commitment of Sudan's transitional government to human rights, democracy and peace before Washington decides to remove Khartoum from the U.S. list of countries that sponsor terrorism.

"If both sides are fully engaged, you know, we will proceed as quickly as possible," said a senior State Department official.

Sudan's new Prime Minister Abdalla Hamdok, a well-known economist, was sworn in to head Sudan's transitional government. His appointment came four months after the ousting of former leader Omar al-Bashir, who had ruled for nearly three decades.

"Prime Minister Hamdok has said all the right things, and so we look forward to engaging with the government," said another senior State Department official, adding the U.S. will begin to measure the seriousness of the transitional government's commitments.

"We want to see how the government begins to deliver on its full commitment as a civilian government, respecting human rights, respecting freedom of speech, respecting access for humanitarian access," added that official.

U.S. officials said Washington is encouraged by initial contact with Hamdok and his government. But the U.S. said there were concerns about Gen. Mohamed Hamdan Dagalo, commonly known by his nickname Hemedti, and his role in Sudan's Rapid Support Forces.

"We understand that he has a mixed history and people in Sudan who do not feel he's an appropriate interlocutor," said a senior State Department official, adding that Hemedti is not on the U.S.'s sanction list. So, "we have no legal obstacle preventing us [from] interacting with him."

Hamdok said in an interview that ending Sudan's international pariah status and cutting military spending are prerequisites for recusing a floundering economy.

Abdalla Hamdok, a well-known economist, told The Associated Press on Sunday that he has already talked to US officials about removing Sudan from Washington’s list of countries sponsoring terrorism and portrayed their reaction as positive. As Sudan expressed the need for \$8 billion in foreign aid over the next two years to cover its struggling economy, U.S. officials said there is "an obstacle," and Washington can neither support Sudan in international financial institutions nor provide bilateral assistance, because the country has been labeled as a state that sponsors terrorism.

Earlier this month, Bashir appeared in court to face corruption charges, four months after he was ousted by the military.

Bashir, who ruled Sudan for 30 years, is charged with illegally possessing foreign currency and receiving gifts in an illegal manner.

Human rights organizations said the corruption trial should not overshadow the war crimes committed by Bashir.

The International Criminal Court has charged the former president with war crimes, crimes against humanity and genocide for his actions during the long-running war in Sudan's Darfur region.

"We want to see accountability for atrocities committed in Sudan and all parts of Sudan. But that is up to the people in Sudan to decide how they want to see justice dispensed," said a senior State Department official. "And so, we've not been prescriptive, we've not been dictating, not at all been pushing in any particular direction."

US-Taliban deal 'close', insurgents claim (France 24)

August 28, 2019

[The US and the Taliban are "close" to a deal that would see the Pentagon slash troop numbers in Afghanistan, the insurgents said Wednesday, although the US military insisted that the country must not become a sanctuary for extremists.

The foes have been meeting in Doha to put the final touches on a historic deal that would see the Taliban make various security guarantees in return for a sharp reduction in the 13,000 or so US troops based in Afghanistan.

"We are close to an agreement. We hope to bring good news for our Muslim and freedom seeking nation soon," Taliban spokesman Zabihullah Mujahid tweeted.

In Washington, General Joseph Dunford, chairman of the Joint Chiefs of Staff and America's most senior uniformed officer, sounded a note of caution, telling reporters he was not yet using the word "withdrawal" to describe the deal.

"I'm using 'we're going to make sure that Afghanistan is not a sanctuary, and we're going to try to have an effort to bring peace and stability to Afghanistan,'" he said.

Defense Secretary Mark Esper, standing next to Dunford, also said a deal with the Taliban must guarantee that Afghanistan "is no longer a safe haven for terrorists to attack the United States."

US troops were first sent to Afghanistan after the September 11, 2001 terror attacks on US soil carried out by Al-Qaeda, which was sheltered by the former Taliban regime.

Washington now wants to end its military involvement and has been talking to the Taliban since at least 2018.

The agreement will centre on the US withdrawing troops in exchange for a Taliban guarantee that Afghanistan will not be used as a jihadist safe haven, talks with the Afghan government, and an eventual ceasefire.

Any agreement is going to be "conditions-based," Dunford said, adding that it was premature to talk about how a US counter-terrorism force in Afghanistan might look.

Insurgent leaders were meeting at an undisclosed location along the Afghanistan-Pakistan border to review the proposed agreement, a senior Taliban commander in Pakistan told AFP.

"All the Shura (consultation) members have received the draft and they are reading it carefully, yet no go-ahead signal has been given to the Taliban negotiating team in Doha," the Taliban official said.

"It may take a day or two, as Taliban leadership has to take all the commanders into confidence".

The apparent final phase of talks heaves into view the end of an excruciating few months for Afghans, who have watched on largely voiceless as US negotiators cut a deal with the Taliban while largely sidelining the government of President Ashraf Ghani.

However US special envoy Zalmay Khalilzad will come to Kabul in "one or two" days to brief Ghani on the deal, said Sediq Sediqqi, a spokesman for the Afghan leader.

Most of the US negotiating was led by Afghan-born Khalilzad, a fluent Pashto and Dari speaker who has spent recent months shuttling between world capitals in a bid to build support for a deal with the Islamist hardliners known for their extreme interpretations of Sharia law.

Taliban spokesman Suhail Shaheen told reporters in Doha on Tuesday that a deal could be expected "as soon as the remaining points are finalised", as negotiators wrangled over individual words and phrases in the draft.

Meanwhile Amnesty International called on the United States and the Taliban to also consider human rights.

"Any peace agreement must not ignore (Afghans') voices, the voices of the victims," Omar Waraich, Amnesty's deputy South Asia director, told reporters in Kabul.

"They must not ignore their calls for justice and accountability for war crimes, crimes against humanity and other serious human rights violations."

While the Taliban are notorious for numerous human rights abuses, violations have also been perpetrated by pro-government forces.

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Piracy

Pirates Kidnap Crew Members From Two Ships Off Cameroon (Wall Street Journal) By Costas Paris
August 19, 2019

Armed attackers kidnapped 17 crew members from German and Greek vessels in piracy-troubled waters off the coast of Cameroon in two incidents last week and are seeking "huge sums" for their release, people involved in the matter said.

The first attack, on Aug. 14, involved the German-owned MV MarMalaita, a multipurpose cargo vessel owned by Hamburg-based MC-Schiffahrt, which was anchored near the port of Douala in Cameroon.

"A group of pirates boarded the vessel and abducted eight of our 12 crew members from the vessel," the company said in a statement. "All respective authorities have been informed accordingly and we will fully cooperate with them until the case is resolved."

A day later pirates kidnapped nine seafarers from the Greek-operated Victory C bulk carrier, which was anchored in roughly the same area. Local authorities said the same group of pirates was likely behind both attacks.

"They boarded the ships, forced the crew members on speed boats and fled," a Douala port official said. "It was carbon-copy attacks over two days so the villains are probably the same."

The South Atlantic Ocean region off the West African coast has become a notorious region for piracy, illegal fishing, oil theft and drug trafficking. The International Maritime Bureau, a division of the International Chamber of Commerce, which coordinates efforts against maritime crime, has issued a warning to all ships sailing off Cameroon to take extra precautions against attacks.

"More than 80% of all piracy attacks in the first half of this year have taken place in the sea area off West Africa," said Noel Choong, head of IMB's Kuala Lumpur, Malaysia-based Piracy Reporting Center.

The IMB said in a report in July that 62 of the 75 seafarers taken hostage on ships or kidnapped for ransom worldwide this year were taken in the waters off Nigeria, Guinea, Togo, Benin and Cameroon.

Ship owners say such incidents usually end with the payment of hundreds of thousands of dollars in ransom for crew members, or millions of dollars for seized ships and cargoes.

"If you get hit by something like this, there is basically nobody you can turn to for help," a Greek owner said. "A few days after the incident you get a phone call and you start negotiating. When the ransom is paid, the crew is back on the ship and they head out."

Maritime security in the Gulf of Guinea (The Sun) By Inwalomhe Donald
August 26, 2019

In recent years, the seas off West Africa have become “the world’s worst for pirate attacks,” according to the IMB. Attacks doubled in the Gulf of Guinea in 2018 compared to the previous year — the bulk of them due to piracy. Of the 75 seafarers taken hostage in the first half of this year, 2019, 62 were abducted in the gulf, IMB figures showed. The Gulf of Guinea now accounts for 73 percent of kidnappings and 92 percent of hostage-takings at sea worldwide, particularly off the coast of Nigeria, Guinea, Togo, Benin and Cameroon. The 17 countries bordering the Gulf of Guinea and adjacent coastline have limited surveillance and maritime defence capabilities. They have been trying for several years to bolster their means of intervention and to put in place closer collaboration.

The Gulf of Guinea countries must learn a lesson from Australia’s strong maritime security reputation that would have great symbolic value in demonstrating the significance of the maritime security challenges it share with her neighbours. As the scale and frequency of maritime threats grow in the Gulf of Guinea, there is an increasing need for Gulf of Guinea states to liaise with Australia to promote and preserve good order at sea. The desire to improve maritime security is a necessary step towards stamping out piracy and other maritime crimes. The emerging intra- and extra- regional naval collaborations need to be expanded and sustained. To this end, the Gulf of Guinea states need to evolve an Australian integrated maritime strategy that will comprehensively address the various threats, challenges and opportunities that confront the region.

The Gulf of Guinea countries must learn from the Australian Government who has implemented a maritime security regime to help safeguard Australia’s maritime transport system and offshore facilities from terrorism and unlawful interference. Under this regime all security regulated ports, port facilities, offshore facilities, port and offshore service providers and ships (collectively, maritime industry participants) undertake security risk assessments and implement security plans to address identified risks.

Gulf of Guinea countries must learn from Australia who has played a leading role in maritime security concerns which have featured prominently in ASEAN member states’ individual and collective agendas. Issues as diverse as China’s aggressive maritime strategy, piracy, terrorism, transnational organised crime, and illegal, unreported and unregulated fishing in the Asia–Pacific are consistently challenging sovereignty, the rule of law and regional stability. Australia has highlighted the importance of engagement in the region in response to the Chinese government’s challenge to US primacy in the Asia–Pacific. That thinking also needs to be applied to the broader set of maritime security threats facing Gulf Guinea region.

Gulf of Guinea countries must learn from Australia who is actively involved in naval cooperation programs across the region. Australia’s membership of the Heads of Asian Coast Guards Meeting continues to offer significant promise for coordination on maritime domain awareness. The forum was set up in 2004 to focus on cooperation in combating piracy, but the scope of discussions has since expanded to include law enforcement, maritime security, disaster prevention and relief, and capacity-building.

Gulf of Guinea countries must learn from Australian Defence Force which understands the importance of trust and has established an extensive framework of joint training programs. The Australian Defence Force Academy and the Royal Military College offer great opportunities to build long-term interpersonal and organisational relationships of trust.

The resurgence of pirate attacks in Gulf of Guinea waters is now a subject of serious concern to African states and indeed the international community. For the last decade, piracy in African waters is concentrated in three main regions, namely the Somali coast/the Gulf of Aden along the East African Coast; Nigeria’s territorial waters in West Africa; and the Mozambique Channel/Cape sea route in Southern Africa.

Cost of Piracy in the Gulf of Guinea Region The cost of piracy in the region comes in various shades. The loss of human lives and valuable property as well as infliction of bodily injuries and trauma to innocent crews and their families are the most obvious direct impacts of pirate activities. Piracy makes needed trade and investment in the region more risky and expensive. Given the risk involved in transporting goods through the region, insurance premiums have been escalating as because shippers factor in higher risks into their operating costs. The International Bargaining Forum (a global labour federation for the transportation industry representing 690 labour unions including 600,000 seafaring members) has noted that from April 2012, the territorial waters of Benin and Nigeria will be designated a high risk area. The implication is that these waters will be treated the same as the high risk areas in the Gulf of Aden and near Somalia due to increased pirate attacks. It also entails that seafarers have the right to refuse to enter these waters and are entitled to double the daily basic wage and of death and disability compensation while within the areas of risk. This has impacts on the income of regional ports and the cost of goods destined for the region.

The Gulf of Guinea, whose coastline stretches in a huge arc from Liberia to Gabon, is notorious for piracy as well as oil theft, illegal fishing and human and drugs trafficking. In Malaysia, Noel Choong, who heads the International Maritime Bureau (IMB), a watchdog agency, recently said the 17 seamen were seized from two ships that were attacked within hours of each

other while they were anchored off Douala.

Choong said one of the ships was a multipurpose German-owned ship that flew the flag of Antigua and Barbuda. “Eight crew were kidnapped from the ship, consisting of a total of 12 Asian and European sailors,” he said. The other vessel was a Liberian-flagged bulk carrier managed in Greece with a Greek owner. “There were 21 crew on board. All were Asians. Nine crew were taken. Ten Turkish sailors were freed last week after being kidnapped by “pirates” off Nigeria last month.

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WORTH READING

Hardwiring Accountability for Mass Atrocities

David Mandel-Anthony

11 Drexel L. Rev. 903 (2019)

August 13, 2019

This paper identifies and examines three important trends in the development of the global architecture governing accountability for atrocity crimes. First, U.N. political bodies have increasingly established fact-finding and investigative missions with an explicit mandate to collect evidence for use in criminal prosecutions in a variety of potential jurisdictions. This paper examines such fact-finding and investigative mechanisms created by different U.N. bodies for atrocity situations in Iraq, Myanmar, and Syria. These mechanisms face challenging and novel methodological questions in gathering and sharing evidence.

Second, the recognition by international bodies of the potential value of national courts reflects the urgency of seeking justice for horrific atrocities occurring seemingly without end. The reach toward national jurisdictions by international bodies lays bare the lack of political consensus in the international community on whether to use international courts or create new hybrid or ad hoc courts for the atrocity situations in Syria, Iraq, and Myanmar. But it also reflects a growing recognition at the international level of the normative legitimacy of pursuing justice in foreign, national courts.

Concurrently, a growing number of states are bolstering their ability to pursue justice by establishing specialized national investigation and prosecution units to exercise foreign jurisdiction over atrocity crimes. These units interact with each other and with the new international investigative mechanisms to enhance the possibilities for justice.

Third, a growing milieu of sophisticated, non-governmental actors and organizations are seeking criminal justice and accountability for atrocity crimes by collecting evidence for eventual use in criminal prosecutions, filing cases themselves, or compelling national authorities to prosecute. Some of these groups augment their efforts with advocacy, or complement their litigation-focused work by partnering with grassroots mobilization campaigns that increase the demands on national justice authorities at the domestic level.

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