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War Crimes Prosecution
Watch

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

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NORTH AFRICA

Libya

Declaring commitment to 'peace and stability' for Libya, top UN envoy steps down as stress takes its toll (UN News)

March 2, 2020

After serving more than two years as the UN's Special Representative in charge of finding a way to a lasting peace in war-torn Libya, Ghassan Salamé—who also heads up the UN Support Mission in Libya (UNSMIL)—handed in his resignation on Monday, citing failing health caused by the immense stress of the job.

Ghassan Salamé tweeted that he had sought "to reunite the Libyans, curb the interference of the outside, and preserve the unity of the country".

He pointed out that the Berlin Summit, followed by Security Council resolution 2510, adopted on 12 February, had insisted on the need for a nationwide ceasefire and the enforcement of an arms embargo and seen the launch of a promising new three track process to bring the UN-backed Government and opposition backed by rebel militia, together.

But just last week the UN envoy brought representatives of the two warring sides to Geneva for peace talks – only to see negotiations break down once again, amidst further major ceasefire breaches.

"My health no longer allows this rate of stress", Mr Salamé tweeted. "So I asked the Secretary-General to relieve me from my mission, wishing Libya peace and stability".

'Full confidence' of the Secretary-General

Following Mr. Salamé's announcement, UN Spokesperson Stéphane Dujarric briefed reporters at UN Headquarters in New York, saying that Secretary-General António Guterres "has always had full confidence in Mr. Salamé's work and the great efforts he has made to bring peace to Libya."

Mr. Dujarric said the UN chief would be discussing with Mr. Salamé the way to ensure a smooth transition "so as not lose any momentum on the gains that have been made".

Since the fall of President Muammar Gaddafi in 2011, Libya has been in the throes of ongoing instability and economic collapse, despite its large oil reserves.

Thousands have been killed in fighting around the capital since last April, following an offensive by the self-styled Libyan National Army (LNA) commanded by Khalifa Haftar, based in the east, and pro-Government forces.

Indiscriminate bombing

Meanwhile, over the weekend, Mr. Dujarric issued a statement saying that the Secretary-General strongly condemned the "indiscriminate bombing" of several parts of Tripoli, including residential areas and the airport, 15 miles from the capital's centre.

"The Secretary-General emphasizes that civilians must be protected at all times in line with international humanitarian law", the statement spelled out while also echoing the UN chief's call for "an immediate cessation of hostilities" and urging that Security Council resolution 2510 be fully implemented.

Libyan Crimes Watch documents violations against judiciary officials in eastern region (The Libya Observer) By Abdulkader Assad

March 8, 2020

Libyan Crimes Watch said the legal advisor Salah Beltamer was arrested by gunmen in Marj town on Saturday, adding that relatives said the reason of the arrest was Beltamer's criticism of arbitrary detention of judiciary officials and personnel.

Libyan Crimes Watch added in a statement that lawyer Seraj Al-Fitouri had been also arrested and prevented from entering Benghazi' military court for work, saying another lawyer named Adnan Al-Erifi was also arrested.

It also said that the military prosecutor Faraj Al-Sosae, head of military court in Benghazi Salim Al-Firjani are responsible for the violations against judiciary personnel in the city, calling for the immediate release of all the detainees without any preconditions.

Libyan Crimes Watch said such violations in Benghazi are crimes punishable by local and international laws.

Meanwhile, a lawyer from Benghazi named Hanan Al-Burasi had been kidnapped from her house after appearing on Saturday in a video criticizing the violations, arbitrary detention and kidnapping in Benghazi, warning Haftar of a similar fate to that of Gaddafi as Libyans would revolt against him any time soon if his wrongdoing continued.

Haftar's rocket attack kills two, injures four in Libya's capital (The Libya Observer) By Abdulkader Assad

March 8, 2020

Two civilians have been killed and four others wounded in renewed Grad and Mortar rockets' shelling by Khalifa Haftar's forces on Souq Al-Jumua and Arada in Tripoli.

The media office of Volcano of Rage Operation of the Government of National Accord (GNA) confirmed on Sunday the number of casualties, saying the deaths were a man and a woman.

Earlier on Sunday, the media office said GNA forces had destroyed an ammunition depot for Haftar's forces in Souq Al-Ahad in south Tripoli in response to Haftar forces' attacks on civilians in the Libyan capital, saying their forces will respond mercilessly to any attacks by "Haftar's militias".

Meanwhile, the spokesman for the Libyan Army Mohammed Gununu said on Saturday that they had destroyed an ammunition depot for Haftar's forces in Qasir Benghazi, where heavy weapons used to bb Tripoli's civilian areas were stored.

Haftar's forces have been increasing their attacks on civilians in Tripoli, especially in Souq Al-Jumua, Sherfat Al-Mallaha and Mitiga Airport's surroundings; hence, causing a massive wave of displacement.

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CENTRAL AFRICA

Central African Republic

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

Secretary-General Strongly Condemns Killing of United Nations Stabilization Mission Staff Member in Central African Republic (Relief Web)

March 9, 2020

The following statement was issued today by the Spokesman for UN Secretary-General António Guterres:

The Secretary-General strongly condemns the killing of a colleague serving with the United Nations stabilization mission in Ndélé, Central African Republic, allegedly by the Front Populaire pour la Renaissance de Centrafrique (FPRC) combatants. He expresses his deepest condolences to the family of the victim.

The Secretary-General calls on the Central African authorities to spare no effort in identifying and swiftly bringing to justice the perpetrators of this killing.

The Secretary-General reaffirms his support to the leadership and personnel of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), and commends their tireless efforts to protect civilians and stabilize the Central African Republic.

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Sudan & South Sudan

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

Sudan central bank announces US sanctions lifted on 157 companies (France 24)

March 4, 2020

Sudan's central bank said on Wednesday that the United States had informed Khartoum it was lifting sanctions on 157 Sudanese firms, in line with a policy shift by Washington in late 2017.

Central bank governor Badreddine Abdelrahim said in a statement that "only a few Sudanese individuals and entities remain under US sanctions for their links to the conflict in Darfur", a region hit by a protracted conflict that began in 2003.

The US announced an end to its 20-year-old trade embargo against Sudan in October 2017, but retained the country on its state sponsors of terrorism list.

Abdelrahim did not indicate why Washington's latest move had come so long after it declared it was ending its sanctions regime.

The announcement comes as Sudan is working to revive its economy and re-enter the international arena following the ouster in April 2019 of longtime autocrat Omar al-Bashir.

The ex-leader is wanted by the International Criminal Court for genocide, war crimes and crimes against humanity for his role in the conflict in the western Darfur region, which left 300,000 people dead and displaced 2.5 million others, according to United Nations data.

Sudan's transitional authorities agreed last month to transfer him to stand trial before the Hague based court.

International transactions possible

According to Abdelrahim, the lifting of the sanctions means that the firms concerned—including banking institutions—can now undertake international transactions.

A central bank official recently announced that several Sudanese banks were close to reaching agreements to start issuing US credit cards.

Sudan's economy was dealt a devastating blow by the two decades of US sanctions levied over human rights violations and alleged support for "terrorist" groups.

Relations deteriorated shortly after Bashir came to power through an Islamist-supported coup in 1989.

Sudan has been on Washington's list of state sponsors of terrorism since 1993 -- a status the country's transitional authorities are lobbying to overturn.

The founder of Al-Qaeda, Osama Bin Laden, lived in Khartoum between 1992 and 1996. Spiralling inflation and acute hardship were the main triggers for a protest movement that erupted in December 2018 and led to the overthrow of Bashir.

ACPJS director: 'Mixed Sudanese-ICC tribunal on Darfur war crimes impossible' (Dabanga Sudan)
March 4, 2020

The New York-based African Centre for Justice and Peace Studies (ACPJS) calls on the Sudanese government to hand over those wanted by the International Criminal Court (ICC) as it deems a mixed Sudanese-ICC tribunal impossible.

"Surrendering the suspects wanted by the ICC is the only way that justice can be done to the victims and their relatives, and that the perpetrators will be punished for the terrible crimes they have committed in Darfur," lawyer and ACPJS Executive Director Musad Mohamed Ali told Radio Dabanga in an interview.

"A trial in Sudanese courts for those wanted by the ICC for war crimes, crimes against humanity and genocide is out of the question," he added.

He explained that the law in Sudan in the period 2003-2005, when the genocide in Darfur took place, did not include crimes as war crimes, crimes against humanity and genocide. "It is a legal principle that the law cannot be applied retroactively. It is therefore clear that those wanted by the ICC can't be brought before Sudanese courts on accusations of genocide, war crimes and crimes against humanity."

Ali valued the statement of Sovereign Council member Mohamed El Taayshi, spokesman for the Sudanese government at the peace negotiations in Juba, who agreed with the armed rebel movements to hand over all those wanted to the ICC, including ousted president Omar Al Bashir.

He stressed that Sudan's transitional government can be expected to have a real desire to cooperate with the ICC "as it reflects the voice of the Sudanese on the streets and the forces that carried out the glorious December Revolution".

He said there are two options when involving the ICC.

The first scenario is handing over those wanted to the ICC in The Hague (the Netherlands), in accordance with Security Council Resolution No 1593 (2005). The Court has the authority to deal with crimes like war crimes committed in Sudan, when these were not included in Sudanese law at the time these crimes were committed.

The second scenario is to transfer the cases to the ICC, which will then sit in Sudan or in another country that is a party to the

Rome Charter. The ICC judges will in that case apply the ICC (Rome Charter) law.

ACJPS Executive Director Musad Mohamed Ali (ACJPS) Mixed court

On the possibility of having a mixed court of Sudanese judges and ICC judges, Ali pointed out that this faces such challenges that it will be difficult to realise. He explained that Sudan has not had an independent, impartial and transparent judiciary for the past 30 years.

He also indicated that the Sudanese judiciary does not have any practical experience in international humanitarian law and human rights violations, and has not dealt with any trial on this type of crimes.

He added that Sudan does have an honest and impartial judiciary and that Sudanese judges may have theoretical knowledge on cases of an international nature. According to him, this is not enough to make it possible to have a mixed Sudanese-ICC tribunal on those suspected of committing war crimes, crimes against humanity and genocide in Darfur in the period 2003-2005.

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Democratic Republic of the Congo

Official Website of the International Criminal Court

ICC Public Documents - Situation in the Democratic Republic of the Congo

Militia kills 24 people in northeastern DR Congo (Vanguard Media)

February 29, 2020

Militia fighters in Democratic Republic of Congo killed 24 people and injured 12 others, local officials said Saturday, the latest attack in the restive northeastern province of Ituri.

The killings took place late Friday in a region where some 700 people have died since a surge in intercommunal violence in 2017. Dozens of militia groups are active in eastern DR Congo, a legacy of the two Congo wars in the 1990s that dragged in its neighbours Uganda and Rwanda.

Friday's latest massacre was attributed to a militia active in northern Ituri, bordering Uganda and South Sudan, known as Cooperative for the Development of Congo, or CODECO by its French initials.

"A total of 24 people were killed by gunshots" by militiamen from CODECO, said local administrative official Innocent Madukadala in the Djugu territory.

Alfred Alingi, another local administrator in Djugu, confirmed details of the attack.

The assailants were dressed in military uniform and "were shooting civilians in their way," he said.

CODECO are a militia tied to the Lendu ethnic group.

The Ituri region has returned to violence since the end of 2017, mainly in its northern part.

Conflict between two ethnic groups from 1999 to 2003 caused tens of thousands of deaths there, ending only with the dispatch of a European force — the first rapid-reaction military mission by the European Union outside Europe.

The conflict erupted between the Lendu, mainly farmers, and the Hema, herders and traders, in the gold-mining and oil-rich province.

The government on Friday signed a peace deal with another local armed groups, the FRPI (Patriotic Resistance Forces in Ituri), who have been active in the area for two decades.

In a separate attack on Friday, five more civilians were killed in the Beni region in North-Kivu province in an attack blamed on

the Allied Democratic Forces (ADF) militia.

The victims were executed as they returned from the fields in the Manzalawi-Halungupa area, said local official John Kambale Sibendire.

Already accused in hundreds of civilian deaths in the Beni region since 2014, the ADF been blamed for a series of massacres after the army launched a crackdown in October.

The ADF began as an Islamist-rooted rebel group in Uganda that opposed President Yoweri Museveni.

It then fell back to North Kivu, DR Congo's border province with Uganda, during the Congo Wars.

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WEST AFRICA

Côte d'Ivoire (Ivory Coast)

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ICC Public Documents - Situation in the Republic of Côte d'Ivoire**

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

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Mali

Violence Continues in Mali Despite Negotiation Efforts (Voice Of America News) By Sirwan Kajjo
March 3, 2020

Attacks carried out by Islamist militants against military personnel in central Mali could hamper government efforts to start a dialogue process with jihadist groups in the country, experts say.

On Sunday, at least six Malian soldiers were killed and a dozen wounded when jihadist militants attacked their checkpoint in the town of Mondoro in central Mali, local officials said.

“They came into the city ... to attack the army base,” said Moulage Angoiba, the mayor of Mondoro.

Mondoro is the largest town in the Mopti region of central Mali. The area has often come under attacks by different Islamist insurgents that have increasingly been active in the region.

“The government knew about the presence [militants] in that area, because we had warned them,” Angoiba told VOA, adding that the civilian population has been “suffering because of several attacks” in recent weeks.

Military officials said Malian armed forces responded to the attack by targeting “two convoys of vehicles and motorcycles belonging to the terrorists.”

Mali has been struggling to contain a jihadist rebellion that erupted in the country in 2012. Since then, thousands of civilians and military personnel have died in the conflict.

The weekend attack comes as the government of Malian President Ibrahim Boubacar Keita is seeking to begin a dialogue process, which involves the main jihadist groups in the West African country.

Keita recently announced that his government was ready to hold talks with al-Qaida-linked militants who have been operating in northern and central Mali since 2012. He said government representatives have already been in contact with militant leaders.

No groundwork

But some experts charge that there is no groundwork of effective dialogue between the Malian government and Islamist insurgents, arguing that recent jihadist attacks would only dispel any prospect of trust-building between the two sides.

“Terrorist groups see violence as the only means to achieve the objectives,” said Jasmine Opperman, an Africa associate at the Islamic Theology of Counter Terrorism, a U.K.-based think tank.

She told VOA that jihadist groups would not fully trust the government “as their enemy number one, all the foreigners on the soil fighting the terrorists and being the primary target of attacks.”

“We are seeing a persistent militarization of the conflict area with foreign troops being deployed as recently as the UK coming in,” Opperman added.

France has about 4,500 troops stationed in the Sahel region, who are primarily focused on fighting the insurgency in Mali.

The United Kingdom also this week announced that 250 British troops will be deployed to Mali later this year to help fight extremism in the Sahel region.

Different groups

The Jama'at Nasr al-Islam wal Muslimin (JNIM), an alliance between several jihadist groups, is the main group that is active in parts of Mali. JNIM has pledged allegiance to al-Qaida.

As part of the dialogue initiative, the Malian government hopes to engage with two influential leaders of the JNIM.

The Islamic State in the Greater Sahara, an IS affiliate, is also active in Mali and other countries in the Sahel region such as Burkina Faso and Niger. But the government has no plans to negotiate with this group.

Officials say instability is also attributed to inter-communal violence between various militias in Mali.

“We have a number of militias that are active in the center of the country, like the Dan Na Ambassagou, but also others that are trying to revenge often what has been done to their population,” said Ute Kollies, head of the U.N. Office for the Coordination of Humanitarian Affairs in Mali.

She told VOA that “the underlying causes need to be addressed ... and if you look at that it's often revenge killing, so it is the issue of impunity, the return of justice is extremely important.”

Kollies added that is equally important “to resolve issues around how to access land and water, because different populations are living under different conditions.”

Deteriorating situation

U.N. experts say the situation has deteriorated in the central region due to transnational criminal organizations, terrorist groups and armed militias, some of which are increasingly asserting their control on the region.

“In central Mali, I observed an accumulation of security, judicial and administrative failures that facilitates mass violence with impunity,” Alioune Tine, the U.N. Independent Expert on the human rights situation in Mali, said following a recent visit to the country.

He added that the Malian military and U.N. peacekeeping forces “have failed to provide adequate security for the civilians of

the region.”

The U.N. Mission in Mali (MINUSMA) has about 14,000 peacekeeping troops in Mali.

Protests

On Monday, protests broke out in parts of central Mali after a recent government decision to remove all checkpoints manned by local militias.

Protesters said that checkpoints have been instrumental in protecting villagers from jihadist attacks.

“If those who are responsible for our security and defense are absent, then we are obliged to provide our own security,” Amadou Lougue, a youth leader who participated in a protest, told VOA.

Aboye Djimde, another youth leader, says that since the decision has been implemented there have been “many attacks and many people have lost their lives.”

“We don’t agree with his action. This is not the right time, security-wise. The situation has escalated ever since,” he told VOA.

Dozens killed in Burkina Faso as unrest spreads across Sahel (Irish Times) By Sally Hayden
March 4, 2020

UN high commissioner for refugees: People being killed, women raped, children cannot go to school

Militants killed 43 people during attacks in Burkina Faso this week, turning attention back on the restive Sahel region.

The Ouagadougou government said the attacks took place in Dingoula and Barga, two villages in Yatenga province in the country’s north, near the border with Mali.

Unrest has been spreading across the region in the years since Islamist groups took control of northern Mali in 2012.

UN high commissioner for refugees Filippo Grandi visited Burkina Faso in February, calling the situation an “emergency”.

“People are suffering, are being killed, women are being raped, children cannot go to school,” said Mr Grandi. “[The] Sahel is the place where we must intervene before this crisis becomes unmanageable.”

The UN high commissioner said the number of people displaced from their homes in Burkina Faso has risen tenfold in 2019 alone, reaching 560,000. The landlocked West African country has a population of roughly 20 million.

More than a million refugees in Mali, another 70,000 people were displaced, meaning the total number of people pushed from their homes because of conflict has topped 200,000. There are more than a million refugees and displaced people in the central Sahel, according to UNHCR.

In January, New York-headquartered Human Rights Watch said armed Islamist groups in Burkina Faso had killed more than 250 civilians in nine months, including by carrying out summary executions.

The Armed Conflict Location and Event Data Project, which tracks violence in the region, tallied the total number of civilian deaths in 2019 at nearly 1,300.

Those responsible include the Islamic State in Greater Sahara (ISGS) and local militant group Ansaroul Islam. “Armed Islamist groups in Burkina Faso have attacked civilians with unmitigated cruelty and utter disregard for human life,” said Corinne Dufka, West Africa director at Human Rights Watch. “Deliberately targeting farmers, worshippers, mine workers, displaced people and traders are war crimes.” Burkina Faso’s own security forces have also been accused of perpetrating abuses, executing people they accuse of supporting Islamic groups without charges or a trial.

Risk of violence

Last year, Unicef said there had been a sixfold increase in school closures in two years in central Sahel countries – Burkina Faso, Mali and Niger – because of attacks and the risk of violence. By June 2019, at least 3,005 schools remained closed.

The Trump administration in the US, which has been criticised for neglecting Africa in its diplomacy, last week appointed academic and writer J Peter Pham as the first US special envoy for the Sahel.

A biography on the Trump administration’s website says Mr Pham will be responsible for co-ordinating America’s engagement

with international and regional partners to address the threat from extremist organisations.

“There are certain situations that are so complicated and require so much coordination that a special envoy makes sense,” explained Tibor Nagy, US assistant secretary of state for African affairs.

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Liberia

War Crimes Court Advocates Arrested (Daily Observer) By Alvin Worzi and David S. Menjor
March 4, 2020

Emmanuel Savice, a campaigner for the establishment of a war crimes tribunal in Liberia, yesterday suffered the wrath of officers of the Executive Protection Service (EPS, also known as the presidential guard) and the Liberia National Police.

Reports have it that Savice and some of his strong supporters, including former Montserrado Electoral District #9 Representative candidate, Fubbi Henries and former Ulimo J. general, Pasty Joshua Milton Blahyi (formerly known by his wartime alias, ‘General Butt Naked’) were pursued from the grounds of the Capitol by some EPS officers, arrested and turned over to the LNP for investigation.

Whatever must have been responsible for the arrest and detention of Savice and his colleagues is yet to be known. However, over time, he has led and continues to lead the campaign for the establishment of a war and economic crimes court in Liberia so that perpetrators of the many heinous crimes during the civil war face justice.

In a press statement, the Executive Mansion confirmed that several persons have been arrested by the Liberian National Police for breach of security at the Ministry of Foreign Affairs, where the office of President George M. Weah is also housed.

The statement noted: “The group led by Justice advocate Emmanuel Savice reportedly broke into the perimeter demarcated by officers of the Executive Protection Service (EPS) and blocked the entrance with a vehicle.”

“Savice and his followers, who had earlier gone to the Capitol Building to petition lawmakers for the establishment of a war crimes court, used their vehicle to block the exit route of the Presidential convoy,” the release said.

Some members of the group, including Savice, were subsequently arrested by LNP officers who had gone to ensure protection of the rights of the protesters to gather and petition their government.

“I was beaten mercilessly by EPS and turned over for charges,” Savice posted on his Facebook wall yesterday. “I am presently at the LNP. The beating style included putting a blanket around my face to stop on my side of my ears while being kicked by many of the EPS security. Representatives from the House, my lawyer and a UN representative is seeking my release to go to hospital. My wallet and my phone were taken away. A total of 1,800 stolen from me. All this for the fight for War and Economic Crimes Court.”

Both the EPS and LNP denied beating Savice and his followers. The police authorities, however, acknowledged having Savice and companions in their custody and announced that they will be duly charged and forwarded to court.

According to the Executive Mansion release, the George Weah Administration says it remains committed to ensuring that the constitutional rights of all Liberians to free assembly and association is respected but, at the same time, cognizant that the exercise of such right is done in a civil manner in keeping with law.

Emmanuel Savice has been one of those Liberians calling on the George Manneh Weah administration to see reason and take interest in the establishment of a court to try perpetrators of war and economic crimes in order to deter others from orchestrating any plan that may take the country back to its dark days.

International Criminal Court Sees No Basis to Prosecute Jefferson Koijee (Front Page Africa) By Lennart Dodoo
March 5, 2020

The International Criminal Court will initiate any prosecution on Monrovia City Mayor Jefferson Kojee primarily because the allegations leveled against him fall outside the jurisdiction and mandate of the court.

Cllr. Jerome Verdier, former Commissioner of the Truth and Reconciliation Commission (TRC) had written the Court calling for the prosecution of the Kojee for alleged atrocities committed during the Liberian civil war – an allegation his fellow Commissioners on the TRC vehemently debunked.

In a February 25, 2020 communication from Mark P. Dillon, Head of the Information and Evidence Unit, Office of the Prosecutor, the ICC states that “Based on the information currently available, the conduct described in your communication appears to have occurred prior to 1 July 2002. Accordingly, as the matter falls outside the jurisdiction of the Court, the Prosecutor has confirmed that there is not a basis at this time to proceed with further analysis.”

The ICC stated that its mandate is designed to complement, not to replace national jurisdiction.

Speaking to FrontPageAfrica Mayor Kojee said the ICC’s decision does not come as a relief to him as the allegations were “impregnated with falsehood and maliciously calculated against y personality.”

“There is nowhere you can every go and authenticate and substantiate some of those claims that were meted against me by the former Commissioner of the TRC, Jerome Verdier,” he said.

Kojee said he believes Cllr. Verdier’s action which is now “undermining his integrity” is because he has fallen short of meeting his expectations in the government.

The Monrovia City Mayor recalled that he was one of the young fellows who were actively supporting the works of the TRC.

“For Cllr. Verdier to just wake and begin to level such accusations against me, I just knew that he was politically motivated, it was a propaganda spree, it was just a matter of time that the truth crushed to the ground will surely rise again,” Kojee said.

He, however, said U.S. Congressman Chris Smith’s communication in which he alleged Kojee is a war criminal and had committed human rights abuses came as a surprise to him wherein the Congressman failed to ascertain the facts.

According to the Monrovia City Mayor, during his recent visit to Washington, he had the opportunity to furnish the office of Representative Smith with the facts relating to his role with the TRC.

He said it is now up to the U.S. Congressman to render an apology and recall his earlier communication.

Kojee said the condemnation of the Verdier by other former Commissioners did not come from him, yet he believes their action was intended to safeguard the integrity of the TRC.

“The actions of the former Commissioner, if care was not taken, it was geared toward undermining the TRC,” he asserted.

He said the TRC must be seen as a national tool on which the hopes and aspirations of all Liberians hinges.

According to the City Mayor, he believes the culture of impunity in Liberia must be brought to an end.

“I grew up here as a national youth and student activist, in my generation, there was no young person whose voice was loud enough to champion the cause of the TRC that could be compared to what we did her. Some of us went to prison here because our views were strong enough,” he said.

Kojee welcomed the works of the advocates of the implementation of the TRC recommendations but said they have to do so void of politics. According to him, the implementation of the TRC must be done in a way that it does not appear to be a witch hunt against a particular sect or ethnic group.

This, according to him, is the reason for which the President has consulted the Legislature on the implementation of the TRC recommendations and the establishment of war and economic crimes court.

Liberia: Former Rebel Leader “Butt-Naked” Urges Former Warlords to Embrace War Crimes Court (Front Page Africa) By Obediah Johnson

March 9, 2020

Former notorious rebel general turned Evangelist, Joshua Milton Blayhi, says greater consequences await ex-war perpetrators if they continue to shun the establishment of war crimes court in Liberia.

Evangelist Blahy who was notoriously known as General “Butt Naked” was a fierce and fearless warlord during the civil unrest in Liberia which claimed the lives of an estimated 250,000 Liberians.

He attributed the growing wave of violence in Liberia to the high level of impunity, noting that, war perpetrators should wholeheartedly accept the formation of the court to pay the price for the heinous crimes they committed during the warring days in Liberia.

He made these assertions recently when he spoke to a cross-section of Liberians in Monrovia.

Evangelist Blahyi added that the sons and daughters of former warlords who committed heinous crimes and atrocities during the country’s 14-year civil conflict will be targeted by victims or their relatives in the future if they failed to embrace the establishment of the court.

Evangelist Blahyi maintained that violence would subside to a larger extent if perpetrators are made to bear the full weight or consequences of their actions.

He observed that for too long, the culture of impunity has been embraced by Liberians, especially ex-warlords.

“If I reject the International Criminal Court or justice today, it is a recipe for my children to be brutalized one day and the people who brutalize them would insist for impunity because Joshua Blayhi brutalized other families and was given pardon. If I will be remembered in the future that I accepted and took full responsibility for my actions, if any man should hurt my children in the future, they will take full responsibility”.

“I see the establishment of the war crime court as a support against violence. I am here to give me and my organization support for justice in this country. Many people may think that I am confused or crazy. But if this step is a step of confusion, then I will embrace it. I have a parable that I always project-If a man went out to steal and angry crowd is running behind him; if he had his wife and children home; running to his house is not the best place because the angry crowd will kill he and his children. The best thing is to give yourself so that the anger of the people you have hurt will not reach your children”.

No freedom without justice

Speaking further, the ex-warlord underscored the need for justice to prevail if lawlessness is to be curtailed in Liberia.

According to him, true and lasting freedom can only be actualized in Liberia if people are made to pay for their unlawful actions perpetrated against peaceful citizens.

“Over the years, I have watched violence grew in this nation. I am suspecting that violence will continue to grow because of the culture of impunity that we have embraced. And so, I want to admonished every Liberia that the only way we can enjoy true freedom is to embrace justice,”

“God in his power redeemed his children from Egypt. He fed and led them through the Red Sea with his miraculous powers. But they could go no further until the ten (10) commandments were constituted. I want to tell Liberia; if we don’t respect the Lord, we can go no further.

TRC

The establishment of the Truth and Reconciliation Commission (TRC) in Liberia was enacted in May 2005.

The Commission worked throughout the first mandate of Ellen Johnson Sirleaf after her election as President of Liberia in November 2005.

The Liberian TRC came to a conclusion in 2010, filing a final report and recommending relevant actions by national authorities to ensure responsibility and reparations.

The Liberian TRC has garnered much criticism for its inability to address Charles Taylor and Ellen Johnson Sirleaf.

At the time of the TRC formation, the Special Court for Sierra Leone indicted Charles Taylor, the leader of the rebel group the National Patriotic Front of Liberia that many of the crimes against humanity are attributed.

This indictment prevented the Liberian TRC from hearing any testimony from Taylor. Sirleaf, on the other hand, was placed on a list of persons that should be barred from public office, a ruling which was later overturned by the Liberian Supreme Court.

Dressed in white suit, ex-General “Butt Naked” took responsibility for about 20,000 citizens who lost their lives during the

Liberian civil conflict at a TRC hearing held on January 15, 2008.

“If I were to calculate; if you’re talking about April 6th or throughout the war or every evil I have done-it should not be less than 20, 000. I want to say sorry to this nation. I want to thank the TRC for giving me the opportunity to openly come and say I am sorry” he responded to an inquiry from one of the commissioners.

He told citizens in Monrovia recently that his open confession at the TRC hearing was for biblical reasons.

“I didn’t go to the TRC 2008 because I understood they were going to recommend amnesty for me. I went there because I know that no sin goes unpunished. I went there also because I know that no one prospers when their sins were covered. I went there because I know it is only the truth that sets you free. From my faith as I Christain, I think truth is the only way forward”.

About “Butt Naked”

Joshua Milton Blahyi alias General Butt Naked, is a former commander of forces under the wider control of Liberian warlord Roosevelt Johnson.

He was known for his violence and atrocities during the First Liberian Civil War in the early 1990s. Once described as “the most evil man in the world”, Blahyi claimed to have also carried out regular human sacrifice and cannibalism of children.

He led his troops naked except for shoes and a gun and believed that his nakedness was a source of protection from bullets.

During the First Liberian Civil War he led a mercenary unit, many of whom were child soldiers, which was known as the Butt Naked Brigade.

They were funded by Roosevelt Johnson and fought alongside the ULIMO militia against militias led by Charles Taylor and Prince Yormie Johnson.

ULIMO was loyal to Samuel Doe, who was captured and executed—personally—by Prince Johnson. Taylor eventually took control of the country.

Blahyi’s rampage ended in 1996, when the civil war in Liberia was coming to an end.

He stated that his conversion was bolstered by a church in Liberia where Bishop Kun Kun is a pastor.

He is now the President of the End Time Train Evangelistic Ministries Inc., with headquarters in Liberia.

The former notorious rebel general is also fighting the war against drugs in Liberia through his Journey Against Violence (JAV) project under his ministry.

The specific mission of JAV is to help decrease drug trafficking and abuse among the youths and provide them with drug treatment, housing and job training, among others.

Liberia: UN Human Rights Office Urges Legislature to Pass Bill Seeking War and Economic Crimes Court in Liberia (Front Page Africa) By Gerald C. Koinyeneh

March 9, 2020

The office of the United Nations High Commissioner for Human Rights (OHCHR) in Liberia has called on the Legislature to pass into law a bill seeking the establishment of war and economic crimes court in Liberia.

The draft bill was crafted by the Liberia National Bar Association (LNBA) and is seeking the establishment of the court to prosecute individuals accused of gross violations of human rights, serious humanitarian law violations and certain domestic crimes.

The OHCHR-Liberia made the appeal at the start of a nationwide consultation with traditional and local leaders in Tubmanburg, Bomi County, which was aimed at garnering support toward the establishment of the court in Liberia to ensure accountability and justice for crimes committed during Liberia’s civil strife.

Speaking on behalf the OHCHR -Liberia Country Representative, Uchenna Emelonye, the Head of Programs, Dr. Sonny Onyegbula thanked the LNBA for the level of patriotism in carving the bill and pledged the UN Human Rights office’s unflinching support to the process leading to the full implementation of the Truth and Reconciliation Commission’s recommendations, especially the establishment of a war and economic crimes court in Liberia.

“Since Liberians have decided among other things for the establishment of Economic and War Crimes Court, OHCHR will support the process as long as it meets international human rights standards,” Dr. Onyegbula said.

“At this point, we thank the LNBA for their patriotism in producing the draft bill for the establishment of Economic and War Crimes Court. We use this opportunity to appeal to the honorable members of the legislature to review the draft bill and adapt it to their legislative process. This is important because Liberians have spoken loud and clear that it is what they want. It behooves on the legislature to carry out the mandate of Liberia people.”

Gov't Laissez-fair Approach

Although President George Weah continues to renege on his promise of holding those who committed heinous crimes during the war accountable, the call for justice and accountability continue to reverberate throughout every nook and cranny of the Liberian society- from Capitol Hill to city halls, and from coffee shops to street corners.

Long before his election in 2018, and in his capacity as UNICEF Ambassador, President Weah called for creating a court to try crimes committed during the civil war.

At a conference in 2004, Ambassador Weah said, “Those who armed the children and committed heinous crimes against them should be brought to book.”

Such a court, Weah said should identify, locate, arrest, and prosecute the warlords who were responsible for crimes against humanity.

And before becoming President, Weah's political party, the Coalition for Democratic Change (CDC), backed the prosecution of people responsible for grave crimes.

Ironically, since his ascendancy as President of Liberia, Weah has not taken any action to ensure justice for past war crimes.

Efforts to initiate the process suffered a major setback when the Speaker of the House of Representatives, Bhofal Chambers ceased a resolution calling for the establishment of a war and economic crimes court in Liberia.

The resolution had already met the required two-thirds majority signature and was set to be passed when the Speaker took the unprecedented decision, much to the dismay of several lawmakers who including Rep. Rustonlyn Suacoco Dennis (District #4, Montserrado County) and Larry Younquoi (District #8, Nimba County) who were among those who championed the legislative piece.

Despite these setbacks, significant strides are being made to ensure that justice is served.

At the Legislature, several influential lawmakers including Deputy Speaker Prince Moye and former House Speaker, Edwin M. Snowe are backing the move to set up the court in Liberia.

Receiving a petition by a group of war crimes court and human rights advocates recently at the Capitol Building, Deputy Speaker Moye vowed to work with the champions of the resolution calling for the setting up of a war crimes court to ensure it is placed on the House's agenda for action.

“This is just a reminder because we have received more than 50 signatures to put back that resolution on the agenda for possible actions,” he told the petitioners.

Rep. Dennis, who is credited for being one of the lawmakers pushing for the court, vowed to spearhead the reintroduction of the resolution on the agenda for approval by plenary.

It is glaring that the Liberian people want to end the culture of impunity, and nothing can stop that,” she said.

Several mass gatherings have been held recently in support of the court, while the Legislature has flooded with petitions from citizens calling for the establishment of the court.

Evidence is the recent petition submitted to the Legislature by a group of citizens led by war and economic crimes court advocates Emmanuel Savice, Fubi Henries.

“We are not begging, we are demanding [the establishment of war crimes court] because if not, there will be another war in Liberia. And we don't want that,” he said.

“We came to remind you of the civil war and, impunity because when I look left I see the office of Senator Prince Johnson, when I look right, I see the office of Rep. George Bolley. I see economic Vampires. The House of Representatives has done

nothing about the war crimes court.”

Senator Johnson and Rep. Bolley of Grand Gedeh County are two of several Liberians indicted by the Truth and Reconciliation Commission to face prosecution for atrocities they committed during the war.

Savice, who was later arrested and detained for breaching Presidential Security protocols, vowed to assemble at the Legislature every two months until the legislature yields to their request.

The National Council of Chiefs and Elders of Liberia (NACCEL), headed by Chief Zanzan Kawor, in September 2019 also petitioned President Weah and his Government to establish a war and economic crimes court in Liberia to prosecute perpetrators of war and economic crimes to deter future occurrence.

History of the Draft Economic and War Crimes Bill

Meanwhile, the sustained call for justice and accountability come at the time the UN Human Rights Office opened in Liberia, and under its ‘Accountability’ pillar, OHCHR-Liberia has been providing support to ensure that the recommendations of Liberia’s Truth and Reconciliation Commission (TRC) are implemented.

These supports are given through the Independent National Commission on Human Rights (INCHR), CSO-HRAPF, Transitional Justice Working group (TJWG) and the Liberia National Bar Association (LNBA).

OHCHR, in 2018 and 2019 provided financial assistance to the LNBA in its conferences in Buchanan and Kakata, where members of Liberian Bar discussed issues of accountability and the TRC recommendations.

LNBA members in these conferences voted overwhelmingly in support of the establishment of Economic and War Crimes Court, pledging their professional service for its realization.

Similarly, OHCHR, in collaboration with the Center for Development and Democracy (CDD), supported INCHR in May 2019 to conduct a two-day national colloquium that brought Liberians from all backgrounds to discuss the way forward on implementation of the 207 TRC recommendations.

This colloquium proved to be a significant milestone as Liberians at the event unanimously agreed that the Government should implement the TRC recommendations including establishing Economic and War Crimes Court.

The LNBA was mandated by Liberians to develop a draft bill for the establishment of the Economic and War Crimes Court. The bill has been drafted by the LNBA and is awaiting enactment into law by the Legislature.

The Tubmanburg Dialogue

Meanwhile, the two-day consultation in Tubmanburg, Bomi County brought together cross-session of local chiefs and traditional leaders from Bomi, Gbarpolu, Grand Cape Mount and Montserrado Counties, and focused on ensuring accountability and justice for past crimes.

The event, held under the theme; “Effects to Address Past Human Rights Violation at Regional Levels in Liberia,” was organized by the CSO Human Rights Platform and the National Council of Chiefs and Elders of Liberia, with support from OHCHR-Liberia.

Organizers say the public outreach is the first of five regional consultations that are expected to take place across Liberia to get the traditional people’s views and understanding on the culture of impunity.

Dr. Onyegbula welcomed the public consultation and said it will be pivotal in dispelling the myths and misconceptions associated with the establishment of Economic and War Crime Courts.

“Among the falsehood are that once the court is established anyone that took part in the Liberian war will be sent to prison and that such establishment will plunge Liberia into another civil war. These are not true statements as only persons that bear the greatest responsibilities for atrocities committed during the time will face justice, he debunked.

“Similarly, child soldiers do not bear any responsibility because they were under direction of a Commander who should account for their action. Many countries have established similar courts and underwent justice processes but it did not lead to any war. Sierra Leone is a very good example.”

Speaking earlier, Adama K. Dempster, Secretary-general of the Civil Society Organizations and Human Rights Advocacy Platform, said the inclusion of the traditional leaders and local chiefs in the process of ending the culture of impunity in Liberia was vital as they represent a large segment of the society.

Dempster added that since the TRC ended its work ten years ago, nothing has been done to address the culture of impunity.

Man arrested in Finland for deploying child soldiers during Liberian civil war (Punch)

March 11, 2020

A man suspected of murder, rape and deploying child soldiers during Liberia's civil war two decades ago has been arrested in Finland, police said on Wednesday.

The Sierra Leonean citizen, born in 1969, is alleged to have carried out "aggravated war crimes and crimes against humanity" while he held a senior position in the Revolutionary United Front, a Sierra Leonean rebel army that fought in Liberia's brutal civil war between 1999 and 2003.

The man, who has lived in Finland for the past 10 years, is suspected of crimes including "homicide and sexual violence, as well as recruitment and deployment of child soldiers," detective superintendent Thomas Elfgrén from Finland's National Bureau of Investigation said in a statement.

He is suspected of both committing the offences and inciting others to commit them, police said.

An estimated quarter of a million people were killed in Liberia's conflict, which in total lasted for over a decade and was marked by the widespread use of mutilation and rape, often carried out by child soldiers overseen by bloodthirsty warlords.

Finnish police opened their investigation, which involved interviewing several dozen people in Liberia and Sierra Leone, in 2018.

Judges in Pirkanmaa district court will decide on Thursday whether to remand the man in custody.

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EAST AFRICA

Uganda

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

Ongwen trial: ICC Prosecutor wants him convicted (New Vision)

March 5, 2020

According to the International Justice Monitor (IJM), noted that Ongwen was in the position of authority and hand effective command and control over his subordinates during the period under which he is charged.

The International Criminal Court (ICC) Prosecutor, Fatou Bensouda, wants the Trial Chamber XI to find LRA former commander Dominic Ongwen guilty of all the charges of war crimes and crimes against humanity brought against him.

In her closing brief dated February 24, Bensouda observed that Ongwen was an effective commander in the Lord's Resistance Army (LRA), who committed the crimes he has been charged with despite him suffering serious injury and being arrested within the LRA.

She, according to the International Justice Monitor (IJM), noted that Ongwen was in the position of authority and hand effective command and control over his subordinates during the period under which he is charged.

"He mobilized his authority and power in the LRA to secure compliance with his orders and cause his subordinates to carry out the underlying charges in this case. This allowed him to exert control over the crimes charged, and to prevent or repress any misconduct by his subordinates if he wished to do so," she said.

Bensouda filed her 200-page closing brief following the closure of the trial of Ongwen. The trial began in December 2016, and

Presiding Judge Bertram Schmitt formally declared the submission of evidence closed on December 12, 2019.

This was after the defense gave notice that they had closed their case on December 6, 2019. The prosecution closed their case in April 2018, and the two legal teams representing victims closed their cases in May 2018. As the defense phase of the trial neared its end, Presiding Judge Bertram Schmitt scheduled hearings, starting March 10, during which Trial Chamber IX will listen to closing statements. Judge Schmitt also set February 24 as the deadline for all legal teams to file their closing briefs.

The prosecution charged Ongwen with 70 counts of war crimes and crimes against humanity he is alleged to have committed as an LRA commander between July 2002 and December 2005 in northern Uganda.

Ongwen has also been charged with eight modes of liability. These are provisions in the Rome Statute, the ICC's founding treaty, which specify how an individual is criminally liable for the crimes that he or she has been charged with. Ongwen has pleaded not guilty to all counts and modes of liability.

The crimes Ongwen has been charged with fall into three categories: attacks on what are now former camps for internally displaced people (IDP); sexual and gender-based crimes; and conscription of child soldiers. Ongwen is alleged to have had a role in attacks on the Pajule IDP camp (October 10, 2003); the Odek IDP camp (April 29, 2004); Lukodi (May 19, 2004); and Abok (June 8, 2004).

In her closing brief, Bensouda said records of intercepts of LRA radio communications by Ugandan security agencies show LRA leader Joseph Kony promoted Ongwen several times between July 2002 and December 2005. She said this was an indication of the position and authority Ongwen had in the LRA to commit the charged crimes.

"On 27 September 2003, Kony singled Ongwen out from among commanders in Sinia [brigade] for praise as a hardworking commander," she said, referring in a footnote to a logbook of LRA radio communications intercepts of the Internal Security Organization, Uganda's internal intelligence agency.

Bensouda said Ongwen was promoted through three ranks to Brigadier-General, from Major, between July 1, 2002, and December 4, 2004. During this period, she said Ongwen was also promoted twice in the LRA's command structure to become commander of Sinia brigade, from the commander of Oka battalion.

She said these promotions occurred during the same period when Ongwen suffered a serious injury and was arrested within the LRA.

"The fact that Ongwen was in sickbay during a certain period does not mean that he was incapable of securing compliance with his orders and causing his subordinates to carry out the conduct underlying the charges in this case. That is because Ongwen retained control over a number of Sinia fighters, and he was operational again by at least December 6, 2002," she noted.

She said around April 20, 2003, Ongwen was briefly arrested reportedly over contact with Salim Saleh, a senior UPDF commander.

She rebuffed the defense claim that Ongwen was under arrest and did not have command of any fighters for most of 2003, including the time of the attack on Pajule in October 2003, noting that after two days of arrest Ongwen was back in action and promoted to second-in-command of Sinia Brigade in September 2003.

She also disputed the defense's argument that during the attacks on Pajule, Odek, Lukodi, and Abok the civilians who were killed died in the crossfire between LRA fighters and the UPDF or government-backed militias.

Bensouda said that during these attacks the LRA deliberately targeted civilians and provided, for each attack, a table of scores of each civilian killed. The tables include names of the civilians and a sentence describing how and where they were killed. Camp leaders, who recorded the deaths a day or more after the attacks, provided some of the names.

ICC hears closing remarks in trial of Ugandan warlord (Anadolu Agency) By Hamza Kyeyune
March 11, 2020

The International Criminal Court (ICC) heard closing statements Tuesday in the trial of a former commander of the Uganda-based Lord's Resistance Army (LRA).

Dominic Ongwen, the first LRA member to appear before the court, denied all the charges.

"I was abducted in 1988 and was taken to the bush when I was 14 years old," he said.

Long before he was a feared and notorious commander, Ongwen became a child victim of the LRA when he was abducted

while walking to school. He was indoctrinated and forced to commit unspeakable atrocities at 14 years old. He was told that he was doing God's work by being a soldier, cleansing his country by killing and defending his family and neighbors from southern aggressors.

His trial is one of the most momentous in the ICC's 14-year history and raises difficult questions of responsibility and blame. He is the first defendant to be both an alleged perpetrator and victim of the same crimes.

Ongwen was directly involved in many attacks on civilians and allegedly played a crucial role in the abduction of children in order to maintain the fighting strength of the LRA, according to ICC Chief Prosecutor Fatou Bensouda. He faces a total of 70 counts of crimes against humanity and war crimes, including murder and enslavement. If convicted, he faces up to 30 years in prison, or a life sentence could be imposed.

Out of the four senior LRA leaders indicted by the ICC more than a decade ago, including Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen, only Kony and Ongwen are still alive. Kony remains elusive despite a \$5 million reward for information leading to his capture.

The LRA rebel outfit terrorized communities in northern Uganda, South Sudan, the Democratic Republic of the Congo and the Central African Republic.

It ravaged northern Uganda for two decades, killing tens of thousands, raping women, abducting children and displacing thousands.

The group has been blamed for the deaths of around 100,000 people and the abduction of 60,000 children. It relied on the abduction of largely defenseless villagers and refugees, including children, to provide labor and combatants. Girls were forced into sexual and domestic slavery while boys were forced to take up arms.

Lakareber Eunice, a victim of LRA atrocities in the northern Ugandan city of Gulu, said justice must be delivered.

"Ongwen's role in the atrocities committed against us is not in question. What could be clearer than demanding justice in the face of these crimes against humanity? We need to know whether he is guilty or not," Eunice said.

The ICC will hear more closing statements in the case on Wednesday.

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Kenya

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

Schools close in north-east Kenya after al-Shabaab targets teachers (The Guardian) By Moulid Hujale
March 10, 2020

A series of targeted killings of schoolteachers by a militia group in Kenya has seen an exodus of staff and the closure of hundreds of schools across the north-east of the country.

Thousands of teachers have left their posts in the past two months following several suspected al-Shabaab attacks in the region.

Schools in rural areas near the Somali border have been badly hit. On 13 January, suspected members of the Somalia-based terrorist group al-Shabaab attacked the village of Kamuthe in Garissa county and killed three non-local teachers and destroyed a communication mast.

A few days earlier, a boarding school in another remote village in the Dadaab area of Garissa was targeted by al-Shabaab attackers, according to the Kenyan police. They killed three students and a teacher.

Predominantly inhabited by ethnic Somalis, north-eastern Kenya shares a long, porous border with Somalia and it is one of

the country's most marginalised areas. It is inhabited mostly by nomadic pastoralists whose access to education has been limited.

The local community had already lost hope, it would be difficult to win them back even if we get new teachers Ahmed Abdi Mohamed, headteacher "When the teachers leave, the students go back to their nomadic lifestyle," said Ahmed Abdi Mohamed, headteacher of Balambala boarding school, Garissa county, where seven non-local teachers have left in recent weeks.

"I see my students looking after animals every day in the village, it pains me but there is nothing I can do. When I ask the parents they tell me why waste their children's time in an empty school when they can utilise them to look after their livestock.

"The local community had already lost hope, it would be difficult to win them back even if we get new teachers because of the nomadic lifestyle. Many of them would have gone to far places with their livestock in search of pasture."

Advertisement

Local leaders and members of parliament argue the mass transfer of teachers by the government is an indication of the continued marginalisation of the region's people.

"We have non-locals in various other sectors who are still working in their respective areas, why [are] only public teachers being transferred in one move?" said Abdullahi Hassan Maalim, a Wajir county official, where 100 primary schools are closing. "The Teachers Service Commission (TSC) should have done a thorough consultation with the local authorities to find ways of protecting the teachers instead of acting on their own. This is unacceptable, the rights of a whole generation have been denied.

"The insecurity problem has been going on for many years, but the national government did not take the matter seriously," he said.

Al-Shabaab has staged frequent attacks inside Kenya. In 2015 an attack on Garissa University College killed 148 students.

"The national government forced us to keep the schools open symbolically because shutting them down means al-Shabaab would win," said Mohamed. "But they are not doing anything practical on the ground to help with the continuity of learning."

Leaders have criticised the TSC, the national body responsible for teachers' employment, for creating an "education crisis" in the region by pulling non-local staff out of schools in the area.

The TSC has insisted that teachers will not be posted to the north-eastern region until their safety is assured.

"We appreciate the security challenges we are facing but the decision to transfer all non-local teachers from public schools was reckless," said Maalim. "This jeopardises the future of children in north-eastern Kenya, who have long struggled to meet the national average standards in exams."

Abdinoor Alimahadi, an education technologist who comes from the region, has been campaigning with local governors to adopt available technology to fill the gap.

"The need for technology has never been greater," he said. "Digital learning can not only resolve the issue of [the] teacher shortage but would also improve the performance of students. I have been presenting affordable e-learning technologies to the local leadership which they all welcomed. It is time we scaled it to the whole region."

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

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Somalia

Kenya accuses Somali army of 'unwarranted attack' on border town (Aljazeera)

March 4, 2020

Kenya on Wednesday accused Somalia of an "unwarranted attack" on the frontier town of Mandera during heavy fighting over the border between government and regional forces.

Already fraught tensions between Nairobi and Mogadishu have soared in recent days, with both sides issuing strongly worded statements accusing each other of encroaching on border territory.

Temperatures rose further after heavy fighting erupted on Monday in the Somali border town of Bulohawo between Somali government troops and forces from the semi-autonomous region of Jubaland.

Legislators from the nearby Kenyan town of Mandera said the fighting was so intense it caused residents there to flee and take shelter.

A Kenyan government statement condemning "violations of the country's territorial integrity and sovereignty" appeared to indicate that Somali forces had crossed into Mandera during the battle.

"Foreign soldiers - in flagrant breach and total disregard of international laws and conventions - engaged in aggressive and belligerent activities by harassing and destroying properties of Kenyan citizens living in the border town of Mandera," it said.

"This action amounts to an unwarranted attack by foreign soldiers with the intention of provoking Kenya."

Increase control

The fighting in Somalia is the latest instance of tensions between Mogadishu and its regional governments.

Jubaland authorities in August accused Mogadishu of interfering in its election and seeking to remove President Ahmed Madobe and get a loyalist in power to increase its control.

Madobe is a key ally of Kenya, which sees Jubaland as a buffer against al-Shabab fighters who have staged several bloody attacks across the border.

Kenya has been further drawn in, as it is accused of harbouring a fugitive Jubaland minister who was arrested by Mogadishu for "serious crimes" but fled from prison in January.

Tensions between the neighbouring countries are also high because of a spat over maritime borders, with possibly lucrative Indian Ocean oil and gas reserves at stake.

The Kenyan government dismissed a Somali foreign ministry statement last month that it was interfering in Mogadishu's internal affairs.

Nairobi said this was "part of a growing and persistent pattern of ill intent to use Kenya as a scapegoat and a tool to justify challenges in Somalia for political reasons."

Kenya urged Somalia's federal and regional governments to focus on defeating the al-Qaeda-linked al-Shabab.

Observers say the myriad feuds between the fragile government in Mogadishu and its federal states is a major obstacle to fighting the armed group.

Senior al-Shabaab Leader Killed by US Strike in Somalia, Pentagon Says (Military.com) By Aishwarya

Airy

March 9, 2020

Bashir Mohamed Mahamoud, a senior leader of the al-Shabaab terrorist group, was killed in an airstrike conducted by U.S. Africa Command on Feb. 22, a Pentagon statement confirmed Monday.

Mahamoud, alias Bashir Qoorgaab, worked with al-Shabaab for more than a decade and was "responsible for exporting terror in Somalia as well as attacks into Kenya," the statement said.

"This airstrike helped make Somalia safer, and eliminated an individual responsible for creating as well as exporting violence," according to the statement.

Mahamoud, who had a bounty of up to \$5 million on his head, was also suspected of being involved in an attack against U.S. and Kenyan forces at the Manda Bay Airfield that killed one U.S. service member and two Defense Department contractors in January, it added.

On Feb. 25, AFRICOM said in a separate statement that the two terrorists killed in the Feb. 22 airstrikes "were an individual associated with the attack on Manda Bay and his wife, who was also a known al-Shabaab member."

Harakat Shabaab al-Mujahidin, more commonly known as al-Shabaab, is an al-Qaida affiliate based in Somalia. One of the largest militant organizations in East Africa, the group has been fighting to oust the Somali government since the early 2000s. According to the Council on Foreign Relations, a think tank specializing in U.S. foreign policy, al-Shabaab had between 7,000 and 9,000 fighters in 2017.

Al-Shabaab has been conducting deadly bombings and attacks throughout Somalia and also targets the African Union Mission in Somalia, a peacekeeping mission.

The State Department named al-Shabaab a Foreign Terrorist Organization and a Specially Designated Global Terrorist entity in 2008.

In the recent years, the United States has ramped up efforts against al-Shabaab, conducting regular airstrikes to combat the rising threat of the group in the region.

On Saturday, AFRICOM's latest airstrike killed four terrorists in the Gandarshe region of Somalia, officials said.

US warplanes pummeling al-Shabab fighters in Somalia as jihadi group poses increasing threat (Military Times) By Shawn Snow and Diana Stancy Correll

March 11, 2020

With concerns that al-Shabab is a growing threat to the U.S. and its interests, U.S. Africa Command is increasing the pace of strikes in Somalia.

There have been 26 strikes in Somalia so far this year. Navy Lt. Christina Gibson, a spokeswoman for AFRICOM, told Military Times that the current pace of strikes "lightly exceeds last year's pace."

Between January and March of 2019 AFRICOM carried out 28 strikes.

On Tuesday, Army Gen. Stephen J. Townsend, the commander of U.S. Africa Command, told Voice of America reporter Carla Babb that the Shabab threat has increased.

"I would say that the threat is higher, has been higher in the last few months than it was eight months ago when I first got to AFRICOM. That's exactly why you've seen this increase in strike activity," Townsend told VOA.

American warplanes are pummeling al-Shabab following a brazen raid on the Manda Bay, Kenya, airfield in January and an attack on the Baledogle air base in Somalia, which houses American commandos.

Three Americans were killed in the Manda Bay attack including a U.S. soldier. Marine Raiders whisked to the airfield beat back the attackers in an intense gun battle. The Pentagon has since decided to beef up security around the base.

Over the last several years the U.S. has steadily increased its air campaign targeting Shabab — suggesting the group is on the rise and worrying military commanders the Islamic militants may pose a significant threat outside of Somalia and the Horn of Africa.

During a House Armed Services Committee Hearing on Capitol Hill Tuesday, Townsend warned that Shabab poses a "significant threat to American interests in the region," and if "left unchecked" Shabab "would manifest into an international threat."

In 2019, American warplanes launched 63 airstrikes. Air Force Maj. Karl Wiest, a spokesman for AFRICOM, told Military Times the airstrike totals in 2019 was a record for the command. Only 47 strikes were carried out in 2018.

Strikes in 2020 have already taken out a key leader responsible for the the Manda Bay raid.

Bashir Mohamed Mahamoud, a senior al-Shabab leader suspected of involvement in the attack on U.S. and Kenyan forces in Manda Bay, Kenya, was killed in a late February airstrike in Somalia, according to AFRICOM.

Mahamoud, also known as Bashir Qoorgaab, was a member of al-Shabab for more than a decade and had coordinated al-Qaida activity within Somalia, according to the U.S. State Department, which had offered up to a \$5 million reward for information leading to his capture. AFRICOM officials believe he was involved in terrorist plots within Somalia and neighboring Kenya.

But airstrikes are not the only way the U.S. is keeping pressure on Shabab, according to Gibson.

"U.S. military activities in Somalia include remote or accompanied advise and assist missions, the building, training, and equipping of Somali combat units, and when necessary, kinetic action," Gibson said.

Townsend told lawmakers Tuesday that "al-Shabaab is the largest and most connectedly violent arm of al Qaeda. And they are a serious threat to not only the Somali people, but the entire region."

"We continue to relentlessly pursue this enemy," Gibson said.

US air strike in Somalia killed civilians: MP (Aljazeera) By Hamza Mohamed
March 11, 2020

A US air strike in southern Somalia killed civilians, not al-Shabab fighters as claimed by Washington, family members and a politician told Al Jazeera.

Washington carried out the air strike near the farming town of Janaale, 95km south of Mogadishu, on Monday claiming the attack killed "five terrorists".

The victims were civilians travelling in a minibus heading to the capital Mogadishu, Abdullahi Abdirahman Ali, who lost his father in the air strike, said.

"The Americans are lying. They killed my elderly father. He is 70 years old and can barely move. He can't walk without the help of a walking stick. He is not al-Shabab," Abdullahi told Al Jazeera.

"They killed these civilians because they know no one will take action against them," he added, anger palpable in his voice.

One of the other victims was a 13-year-old boy, relatives said. Photos posted online show some of the bodies burned beyond recognition and the wreckage of a blood-soaked vehicle.

"The minibus was going to Mogadishu. If the Americans suspected anything, they could have waited for them there. For them it is easier to kill civilians than to question them," Abdullahi added.

The Somali government controls Mogadishu after pushing the al-Qaeda-linked group out of the capital in 2011. The US military has a base in the seaside city.

Mahad Dhoore, a Member of Parliament, also confirmed the victims of the air strike were civilians.

"They killed civilians. They are not telling the truth when they say they killed terrorists. These people are my constituents," Mahad told Al Jazeera.

"Civilians are paying a heavy price. On one hand they are been punished by al-Shabab. On the other American drone strikes are killing them."

Washington has carried out at least 25 air strikes in Somalia this year, according to figures released by the US military.

Last year, the United States conducted more than 60 air raids in the Horn of Africa country. "Our air strikes are a key effort to combating terror and helping to bring stability and security to Somalia," Chris Karns, US Africa Command director of public affairs, said in a statement following the latest attack.

"Not only do they degrade al-Shabab's ability to conduct violent activities in the region, but they place relentless pressure on their fighter network and impede their ability to export terrorism," he added.

Mahad said US air strikes could be empowering the same group they are intended to weaken.

"Al-Shabab will use these attacks for recruitment and for propaganda. America is playing into the hands of al-Qaeda by killing civilians and then denying," Mahad said.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosnian Serb War Rape Defendant Absconds from Trial (Balkan Transitional Justice) By Emina Dizdarevic
March 3, 2020

A hearing in the case against wartime Territorial Defence fighter Dusan Spasojevic at the Bosnian state court in Sarajevo was cancelled on Tuesday as his lawyer said he had received a message from the defendant's relatives saying that he had absconded.

"On Friday I got a text message from the relatives: 'He has left,'" said defence lawyer Nenad Rubez.

"They asked me whether they should report to the Ministry of Internal Affairs that he has gone, that he is considered missing... My opinion is that he is in Serbia," Rubez added.

He said that he hoped the defendant would change his mind and come back to stand trial.

Spasojevic went on trial in February last year, accused of raping a Bosniak woman at an elementary school that was being used as a detention facility in the village of Malesici in the Zvornik municipality in May 1992.

He allegedly entered a classroom in which detainees were being held and took the woman out under the pretext of bringing food for her baby. He then raped her behind the school building, the indictment claims.

Spasojevic has also been charged in a separate case, along with six other people, accused of committing crimes against humanity in the village of Jusici, near Zvornik.

Bosnian Deported from US Faces Crimes Against Humanity Trial (Balkan Transitional Justice) By Emina Dizdarevic
March 10, 2020

Former Territorial Defence fighter Milan Trisic will go on trial on March 23 for crimes including murders, expulsions, unlawful arrests and pillage, the Bosnian state court decided on Tuesday.

Trisic is charged with having participated in the persecution of the Bosniak civilian population from the village of Hranca and the town of Bratunac during a widespread and systematic attack by the Bosnian Serb Army and police between April and October 1992.

The indictment alleges that, as a member of the Territorial Defence force, he participated in several attacks on the village of Hranca during which people were unlawfully arrested and more than 250 local residents were forcibly relocated.

He is also accused of participating in the pillaging of houses which were then set on fire.

Trisic is further charged with having participated in the murders of several Bosniak civilians detained at several locations in the Bratunac area in May 1992.

Trisic was deported to Bosnia and Herzegovina in October 2019 from the US, where he was prosecuted for having given false data about his involvement in the war while applying for a 'green card'.

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

Official Website of the ICTY

Bosnian Serb War Criminal Denied Early Release from Jail (Balkan Insight) By Semir Mujkic
March 2, 2020

The Mechanism for International Criminal Tribunals in The Hague said on Monday that it has decided not to grant early release to Radoslav Brdjanin, who is serving a 30-year sentence for committing crimes against humanity during the war in Bosnia and Herzegovina.

"In particular, the high gravity of his crimes militates against releasing him early," said the president of the Mechanism for International Criminal Tribunals, Carmel Agius.

Agius also said that Brdjanin had "failed to demonstrate that he has been sufficiently rehabilitated".

Brdjanin, now 72, was the political leader of the short-lived, Serb-run Autonomous Region of Krajina in north-western Bosnia and Herzegovina.

He was sentenced to 30 years in prison by the Hague Tribunal in 2007 for crimes against non-Serbs including persecution, torture and deportations.

Brdjanin has been in prison in Denmark since 2008.

Appeal Hearing for Ratko Mladic to be held on Tuesday (Sarajevo Times)
March 7, 2020

Appeal Hearing for Ratko Mladic will be held on Tuesday, 17 March 2020, 9:20 (CET) in The Hague.

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

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

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

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

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

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

On 18 December 2017, Ratko Mladić filed a motion seeking an extension of time to file his notice of appeal against the ICTY Trial Judgement. Mladić argued that, inter alia, the breadth and complexity of the ICTY Trial Judgement, as well as the extensive underlying record, warrant an extension of time by 150 days beyond the original date upon which his notice of appeal would have been due, namely 22 December 2017.

On 19 December 2017, the then-President of the Mechanism, Judge Theodor Meron, assigned a bench of five Judges to this case before the Appeals Chamber. On 20 December 2017, Judge Meron designated himself as the Pre-Appeal Judge in the case. On 21 December 2017, the Pre-Appeal Judge granted an extension of time for the filing of the notices of appeal and, on 22 March 2018, both parties filed their respective notices of appeal. Following a further extension of time granted on 22 May 2018 for the filing of the appellant's and respondent's briefs, the parties filed confidentially their respective appellant's briefs on 6 August 2018. On 7 August 2018 and 11 September 2018, respectively, the Prosecution and Mladić filed public redacted versions of their appellant's briefs.

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A hearing on the appeals in the case is scheduled to take place on 17 and 18 March 2020.

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Domestic Prosecutions In The Former Yugoslavia

Croatia Awards €6,700 to Wartime Sexual Violence Victim (Balkan Transitional Justice) By Anja Vladislavljevic
March 4, 2020

Croatian media reported on Wednesday that a victim of serious and sustained sexual violence by Croatian Army soldiers at the Kerestinec military prison near Zagreb in 1992 has been awarded compensation of just 50,000 kunas, or 6,700 euros.

The amount, awarded under a first-instance verdict handed down by the Municipal Civil Court of Zagreb in mid-February, was only half as much as the victim had claimed.

Media reported that the court's verdict said that the compensation of 100,000 kunas that the victim requested in compensation for the serious abuse that she suffered was too much.

Some media noted that the money she was awarded is only slightly higher than the amount that politicians or public figures

get when given compensation for mental anguish caused by an article published about them in the media.

At the time of the crime in 1992, the woman was living in the town of Sisak in central Croatia and was 39 years old.

“The Croatian Army arrested me in 1992 in Sisak. They took me to Kerestinec war camp. For three-and-a-half months, I was systematically, mentally, physically and sexually abused by the Croatian Army,” media quoted her as saying in court.

“I still have scars on my arms, legs and neck. I was beaten, slapped and raped. They all had Croatian Army uniforms,” she was reported to have said.

While in captivity, Croatian soldiers repeatedly raped her, burned her with electrical current, beat her, intimidated her, made her dance naked, and put a gun in her mouth, she testified.

In March 2016, Zagreb county court convicted five former military policemen from Kerestinec of war crimes.

The men were convicted of appeal of torturing and sexually abusing 34 Serb prisoners of war and civilians, some of them women.

In 2017, the sentence was partially reversed by the Supreme Court.

According to the Supreme Court decision, the commander of the prison, Stjepan Klaric, was sentenced to four-and-a-half years in prison.

Four of his military police subordinates were also jailed – Viktor Ivancin for three years, Drazen Pavlovic and Zeljko Zivec for two years, and Goran Strukelj for a year and a half.

Croatia Convicts Bosnian Croats of Detention Camp Crimes (Balkan Transitional Justice) By Anja Vladislavljevic
March 9, 2020

Croatian media reported that Split county court found former Croatian Defence Council fighters Marinko Maric and Zeljko Rodin guilty of war crimes against Bosniak civilians and prisoners of war held at detention camps in the Western Herzegovina area from July to September 1993.

The court, which handed down the verdict on Thursday, sentenced Maric to four-and-a-half years in prison and Rodin to three years and ten months.

“Unfortunately, in all wars, those who are supposed to be the most protected – civilians – are suffering,” judge Vladimir Zivaljic was quoted as saying by Slobodna Dalmacija newspaper.

The judge said that although the prescribed sentence for such crimes is five to 20 years, he believed the shorter sentences handed down to both men were legitimate.

“Maric even apologised to a few witnesses, he displayed sorrow and said he was sorry even though he did not admit to the acts,” Zivaljic said, according to Slobodna Dalmacija reported.

Croatian media reported that from July to September 1993, the defendants beat Bosniak civilians with poles and kicked them in the genitals, and forced them to drink their own urine, lick their blood from the floor, stand in the sun at high temperatures in thick winter uniforms and lie naked on hot asphalt.

One civilian died from his injuries after being beaten. The defendants also took valuables such as watches from prisoners.

Maric and Rodin are former members of the Knez Domagoj unit of the Croatian Defence Council, HVO, which was the Bosnian Croat armed force during the war.

They also worked as agents of the Croatian Security-Information Service, SIS, in the HVO-run Gabela, Silos and Dretelj prison camps in the western Herzegovina area.

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

The defendants were tried in Split after the case was transferred from Bosnia and Herzegovina on the basis of a protocol on war crimes prosecutions signed by the Zagreb and Sarajevo authorities.

Croatian Serb Rebel Leader Convicted of Rocket Attack (Balkan Insight) By Anja Vladislavljevic
March 10, 2020

Zagreb County Court on Tuesday convicted Milan Martić, the former president of an unrecognised wartime Serb rebel statelet called the Republic of Serbian Krajina, and his military chief-of-staff, Milan Celeketić, of staging rocket attacks on Croatian cities in 1995.

Under the first-instance verdict, Martić was sentenced to seven years in prison and Celeketić to 20 years.

Martić was convicted of a rocket attack on the city of Karlovac and Celeketić of attacks on Karlovac and the capital Zagreb.

Seven civilians were killed in the attacks on Zagreb, but there were no fatalities in Karlovac, only damage to buildings.

The indictment said the attacks were staged in reprisal for the Croatian military's Operation Flash against rebel Croatian Serbs in the Western Slavonia area of the country in May 1995.

Both men were acquitted of another attack on the town of Jastrebarsko because it was not established that the attack was commanded by them, and there were no casualties.

Martić had already been found guilty of the attacks on Zagreb by the Hague Tribunal, amongst other crimes.

He was convicted by the Hague court in 2008 of murder, persecution on political, racial and religious grounds, imprisonment, deportations, the plunder of property, the wanton destruction of villages and attacks on civilians during the war in Croatia.

The trial in Zagreb was held in their absence because Martić is currently serving his Hague-imposed war crimes sentence in Estonia, while Celeketić lives in Serbia and the Belgrade authorities refused to extradite him.

During the trial, the court in Zagreb was shown a video of a well-known televised statement made by Martić immediately after the incidents, in which he admitted ordering the rocket attacks.

"For what [1990s Croatian President Franjo] Tuđman did, as a counter-measure, we bombed their cities – Sisak more than once, and Karlovac and Zagreb, yesterday and today... If they continue to attack our forces, which are surrounded, we'll continue to hit Zagreb, and to destroy their towns," Martić said in the footage.

Serbian Man Wanted for War Crimes Arrested in Budapest (Hungary Today)

March 11, 2020

An international arrest warrant for the man had been issued by Kosovan authorities, the court said in a statement.

The man is accused of hitting and raping a pregnant woman in the village of Vidanje in June 1999, said the court.

The suspect had not consented to a simplified extradition procedure, prompting the court to order his arrest for a period of 40 days. The court will assess conditions for the man's extradition once it receives the full extradition request, it said.

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Turkey

Dozens of Turkish soldiers killed in strike in Idlib in Syria (The Guardian) By Bethan McKernan

February 28, 2020

Dozens of Turkish soldiers have been killed in an airstrike in Syria's Idlib province, in a dramatic escalation in the battle for control of the country's last opposition stronghold.

Turkish officials said at least 33 of its military personnel were killed in the attack on Thursday night, and more than 30 others injured. Military sources among moderate and jihadist rebel factions fighting in the north-western province bordering Turkey said the deaths followed a precision strike on a two-storey building in the village of Balioun.

A Turkish convoy, part of reinforcements sent to the area to aid rebel groups earlier this month, was subjected to heavy shelling on Thursday morning. The soldiers had taken cover in Balioun, basing themselves in the local council building.

Rahmi Dogan, the local governor of the south-eastern Turkish province of Hatay on the border with Idlib, said ambulances streamed from a Syrian border crossing to a hospital in the nearby town of Reyhanli on Thursday night.

Turkish officials have blamed the Syrian regime for the attack, but several sources in Idlib and unverified footage of the nighttime strike suggested it had been carried out by the Russian air force, which has helped Damascus conduct a ferocious three-month-old offensive on Idlib.

Russia's defence ministry denied on Friday that its planes had carried out the strike but said Turkish troops should not have been in the Idlib area and had given no warning of their presence to the Syrian government.

In a further escalation, Russia said it was sending two frigates armed with cruise missiles to the Mediterranean Sea off the Syrian coast, the Interfax news agency reported on Friday.

After the attack in Idlib, the United Nations called for urgent action in north-west Syria, warning that "the risk of greater escalation grows by the hour".

Nearly a million civilians have been displaced in Idlib near the Turkish border since December as Syrian government forces push to retake territory from rebels and jihadist groups, marking the worst humanitarian crisis of the country's nine-year war.

Although Ankara and Moscow share important trade, energy and defence links, the relationship has already been sorely tested by the recent violence in Syria, where they back opposing sides.

Turkey responded with airstrikes on "all known" Syrian government targets, said the country's communications director, Fahrettin Altun, early on Friday. Altun said authorities had decided to respond in kind to the attack.

"We urge the international community to fulfil its responsibilities" to stop the regime's "crimes against humanity", he said. "We cannot stand by and watch as past events in Rwanda, and Bosnia and Herzegovina are repeated today in Idlib."

Turkey's activities on the ground in Syria would continue, he added.

The US state department expressed concern over the attack on its Nato ally. Nato said it was calling a meeting of the North Atlantic Council at the request of Turkey to discuss the Syria situation.

The Turkish president, Recep Tayyip Erdoğan, chaired an emergency security meeting overnight, at the same time Turkish officials briefed reporters that Ankara had decided it would no longer stop Syrian refugees from reaching Europe by land and sea – a move calibrated to win EU and Nato support for its operation in Idlib.

Turkish police, coastguard and border security officials have already been ordered to stand down, Turkish officials added.

Around 170,000 people are camped out in desperate conditions on Idlib's border with Turkey in winter weather as they flee the swift advance of Bashar al-Assad's army and allied militias backed by Russian airpower.

Turkey is unwilling to take in any more Syrians on top of the 3.6 million refugees it already hosts. In an effort to secure its southern border, Ankara took the unprecedented step of sending thousands of troops and convoys of equipment to Idlib in the past three weeks, leading to direct clashes with regime forces for the first time.

While Idlib province and the surrounding countryside are technically protected by a de-escalation deal brokered in 2018, the agreement broke down last year after control of most of the area was wrested from more moderate rebel groups by Hayat Tahrir al-Sham (HTS), formerly al-Qaida's Syrian affiliate.

Despite warnings from the UN and aid agencies that fighting in Idlib would put 3 million civilians at risk, Damascus launched an attritional and then full-scale campaign on the province, arguing that HTS was not covered by the de-escalation deal.

Turkey has helped rebels to retake one town but had already lost 17 military personnel in the campaign before a strike on Thursday morning killed three, and the evening strike killed at least 22, marking the biggest single day of losses for the country's forces.

Turkish attempts to broker a ceasefire, and growing international calls for a halt to the violence, have so far been met with indifference from the Kremlin. Erdoğan has vowed Ankara will not take the "smallest step back" in the standoff with Damascus and Moscow over Idlib, giving the regime until the end of the month to pull back.

The US senator Lindsey Graham called on Thursday for the establishment of a no-fly zone over Idlib and called on Donald Trump to help stop the violence against civilians there.

“The world is sitting on its hands and watching the destruction of Idlib by Assad, Iran, and the Russians,” Graham, a Republican and an ally of the US president, said in a statement. “I am confident if the world, led by the US, pushed back against Iran, Russia, and Assad that they would stand down, paving the way for political negotiations to end this war in Syria.”

Kay Bailey Hutchison, the US ambassador to Nato, said Thursday’s events should show Turkey “who is their reliable partner and who isn’t” and prompt it to drop its purchase of a major Russian missile defence system, which Washington says threatens the western alliance.

Turkey, Syria fighting escalates; refugees mass at EU border (AP News) By Costas Kantouris and Andrew Wilks
March 1, 2020

Thousands of migrants and refugees massed at Turkey’s western frontier Sunday, trying to enter Greece by land and sea after Turkey said its borders were open to those hoping to head to Europe. In Syria, Turkish troops shot down two Syrian warplanes after the Syrian military downed a Turkish drone, a major escalation in the direct conflict between Syrian and Turkish forces.

Turkey’s decision to ease border restrictions came amid a Russia-backed Syrian government offensive into Syria’s northwestern Idlib province. That offensive has killed dozens of Turkish troops and led to a surge of nearly a million Syrian civilians fleeing the fighting toward Turkey’s sealed border.

Turkey backs the Syrian rebels fighting in Idlib province, and has sent thousands of troops into the area. Idlib is the last opposition-held stronghold in Syria, and is dominated by al-Qaida linked fighters.

A Turkish official said the fighting in Idlib was directly linked to Turkey’s decision to open the gates for refugees to Europe. He said Ankara had changed its focus to preparing for the possibility of new arrivals from Syria “instead of preventing refugees who intend to migrate to Europe.”

“Europe and others must take robust action to address this monumental challenge,” said Fahrettin Altun, the communications director for Turkey’s President Recep Tayyip Erdogan. “We can’t be expected to do this on our own.”

Erdogan’s decision open his country’s borders with Europe made good on a longstanding threat to let refugees into the continent. His announcement marked a dramatic departure from a previous policy of containment, an apparent attempt to pressure Europe into offering Turkey more support in dealing with the fallout from the Syrian war to its south.

Under a 6 billion euro deal in 2016, Turkey agreed to stem the tide of refugees to Europe in return for financial aid, after more than a million people entered Europe in 2015. Turkey has since accused the EU of failing to honor the agreement, and Erdogan has frequently threatened to allow refugees into Europe unless more international support was provided.

Turkey already hosts 3.6 million Syrian refugees, as well as many others from Africa, Asia and the Middle East. Turkey borders Greece and Bulgaria, both European Union members. On the Greek-Turkish land border, Greek army and police patrols using tear gas and stun grenades to thwart attempts by thousands to push into the country overnight.

Officials said the situation was much calmer Sunday morning. But in the afternoon, authorities used tear gas and water cannons to push back another crowd attempting to cross. Migrants threw rocks and other objects, and one policeman was injured. Greek authorities said they stopped about 10,000 crossing attempts Saturday, and another 5,500 on Sunday.

Greek Prime Minister Kyriakos Mitsotakis convened the defense and foreign affairs committee Sunday evening. Afterward, a government spokesman said Greece was starting a one-month freeze on accepting asylum applications from migrants who enter illegally.

Europe’s border agency Frontex said it was “redeploying equipment and additional officers to Greece.”

A Greek government official said the Turkish authorities also fired teargas at the Greek border, using drones flying close to the border. The official spoke on condition of anonymity because he wasn’t authorized to discuss the matter with the media.

Stavros Zamalides, the president of the Greek border community of Kastanies, said Turkish soldiers used wire cutters to actively help people cross.

The United Nations migration organization reported at least 13,000 people had massed on Turkey’s land border by Saturday

night, the vast majority apparently from Afghanistan. In Istanbul, a steady stream of buses, taxis, cars and minibuses were ferrying hundreds more throughout Sunday to Edirne, a town near the border with Greece. The vehicles weren't part of any regular bus route.

Those boarding the buses — the vast majority Afghans — said they were heading to Greece and eventually hoped to get to Germany.

On the Greek islands, more than 500 people had arrived from the nearby Turkish coast by Sunday evening, a clear increase in the usual number of people who arrive on eastern Aegean islands from Turkey.

Existing migrant camps on the islands are already dramatically overcrowded, and tensions there have mounted.

In a small harbor on Lesbos, angry local residents refused to allow migrants — including families with young children and babies — to disembark from a dinghy that had just arrived. Groups who arrived on other parts of the island remained there for hours because locals prevented buses from reaching them to transport them to the main camp.

On Sunday night, a former staging area used for new arrivals on Lesbos was set on fire.

More than 19,300 people already live in and around island's migrant camp, which has a capacity of 2,840. Protests by island residents last week over the situation degenerated into clashes with riot police on Lesbos and Chios.

Greece said it was using "all available means" to tell migrants that the country's borders were closed, including text messages to foreign mobile phones in the border area. In Syria, fighting escalated on the ground and in the skies between Turkish and Syrian troops. Russia, a key ally of Syrian President Bashar Assad's government, remained largely on the sidelines through the weekend even as a Turkish-led counter offensive blunted and in some cases reversed Syrian government advances.

But the head of the Russian military's Reconciliation Center in Syria, Rear Adm. Oleg Zhuravlev,, warned Turkey that its aircraft could be in danger if they fly over Syria.

"In view of the sharp exacerbation of tensions in the air space over Idlib, the Syrian government was forced to declare it closed," Zhuravlev said in a statement released late Sunday. "In this situation, the Russian troops' command can't guarantee security of flights of Turkish aircraft in the skies over Syria."

Syria's official news agency SANA said the four pilots in the two jets shot down Sunday had ejected and landed safely. Turkey's Defense Ministry said it had hit the two SU-24 aircraft as well as Syrian air defense systems after one of its aerial drones was downed.

Earlier Sunday, Syria said northwestern airspace was closed and any aircraft or drone that entered "will be treated as hostile and shot down."

The Syrian announcement followed two days of Turkish drone strikes in Idlib province. Syrian activists said the strikes killed more than 50 Syrian government forces and allied fighters. Turkey has lost 54 soldiers in February, including 33 killed Thursday in a single airstrike. Outraged, Erdogan announced his country's European borders were open Saturday.

The crisis in Idlib stems from a Syrian government offensive with Russian military support, which began Dec. 1. Turkey is worried it might come under renewed international pressure to open its now-sealed border with Syria and offer refuge to hundreds of thousands more Syrian civilians.

Turkish Defense Minister Hulusi Akar, speaking from a military headquarters near the Syrian border, said Turkey aimed to confront Syrian government forces rather than Russian troops. He called on Moscow to persuade Assad to withdraw to 2018 cease-fire lines on the edges of Idlib.

Referring to losses inflicted on Syria, he said Turkey had "neutralized" more than 2,200 Syrian troops, 103 tanks and eight helicopters. The operation is Turkey's fourth in the war-torn country since 2016.

Altun, the Turkish communications director, claimed 80,888 migrants had left Turkey for Europe "in the past several days." There was no evidence to support his claim. Greece's Foreign Ministry tweeted that these numbers were "false and misleading."

Russia, Turkey may have committed war crimes in Syria, U.N. says (Reuters) By Stephanie Nebehay
March 2, 2020

Russia killed civilians in air strikes in Syria last year while rebels allied to Turkey carried out murder and pillage in Kurdish areas, U.N. investigators said on Monday -

actions it said could amount to war crimes by both Moscow and Ankara.

A report by a U.N. commission found that Russia - the Syrian government's main ally against rebels and militants - conducted air strikes on a popular market and a camp for displaced people that killed dozens of civilians in July and August.

"In both incidents, the Russian Air Force did not direct the attacks at a specific military objective, amounting to the war crime of launching indiscriminate attacks in civilian areas," the report said.

It also described abuses by rebels allied to Turkey during an assault on Kurdish-held areas, and said that if the rebels were acting under the control of Turkish military forces, those commanders may be liable for war crimes.

Paulo Pinheiro, the commission's chairman, said it had added names linked to the latest crimes to its confidential list of suspected perpetrators. It has received 200 requests from judicial authorities worldwide for information on crimes committed during Syria's nine-year war, he told a news briefing.

In the report, which covered the period from July 2019 to February 2020, investigators denounced "deliberate" attacks by the Syrian government and allied forces on protected civilian sites, including hospitals and schools.

"There is a war crime of intentionally terrorizing a population to force it to move. We are seeing that picture emerging very clearly for example in Idlib where, because these places are being bombed, people are having to move out," said panel member Hanny Megally.

Russian-backed Syrian government forces have thrust deep into Idlib province in the far northwest in a campaign to retake the last country's significant rebel pocket. The onslaught has forced around one million civilians to flee.

Up to 10 children have died from the cold in the last weeks due to living in the open at the Turkish border, Megally said.

The U.N. report blamed Russia for an air strike in the city of Maarat al-Numan on July 22 when at least 43 civilians were killed. Two residential buildings and 25 shops were destroyed after at least two Russian planes left Hmeimim air base and circled the area, it said. Weeks later, an attack on the Haas compound for displaced killed at least 20 people, including eight women and six children, and injured 40 others, the report said.

It also called on Turkey to investigate whether it was responsible for an air strike on a civilian convoy near Ras al Ain that killed 11 people last October. Turkey has denied a role in the strike, which the Syrian Observatory for Human Rights, a monitoring group, said was conducted by Turkish aircraft.

Child dies as migrant and refugee crisis escalates on Greek-Turkish border (ABC News) By Alexandra Svokos
March 2, 2020

Chaos has been escalating on land and sea at the border between Greece and Turkey this week as refugees and migrants make a push into Europe, resulting in the death of at least one child.

Last week Turkey announced it was opening its borders, allowing refugees and migrants who were held there to move on toward Europe. The decision by Turkish President Recep Tayyip Erdogan has increased pressure on Europe to action.

Between Erdogan's announcement and Saturday evening, at least 13,000 people were observed by the International Organization for Migration (IOM) along the land border between Turkey and Greece.

In response, Greece sent military forces to the border and maintained that its border is closed. Greece also announced it would not be accepting asylum applications for a month from migrants who enter illegally.

This has led to violence at the land border, with Greek riot police physically blocking the passageway, including with tear gas.

People are also attempting to cross into Greece via the sea, which is where a child died when a boat carrying 48 people was deliberately capsized by its passengers, according to the Hellenic Coast Guard. The coast guard said in a statement that overturning a boat is "a commonly used tactic ... recommended by traffickers to instigate a rescue operation."

A police source on Lesbos told The Guardian that capsizing a dinghy is "customary" so the coast guard can rescue the people inside to be "allowed to come ashore."

After a coast guard rescue operation, two children were taken to the hospital in Lesbos. One was unconscious and "resuscitation efforts had no result," the coast guard said. The other child is "hospitalized and out of danger."

About 1,200 people arrived on the Greek islands of Lesbos, Chios and Samos -- which are very close to the Turkish mainland and already have overcrowded migrant and refugee camps -- between Sunday and Monday morning, according to the UNHCR, the UN Refugee Agency.

In a Monday statement, UNHCR called for "calm and an easing of tensions," saying nations "should refrain from the use of excessive or disproportionate force and maintain systems for handling asylum requests in an orderly manner."

"Greece, and other States on the EU external border, should not be left alone. Continued European resources, capacity and solidarity are needed to boost Greece's response," the statement said. "At the same time, international support to Turkey, which already hosts millions of refugees, as well as other countries neighboring Syria, must be sustained and stepped up."

Tensions are rising between Greece and Turkey, which already have a tense relationship after centuries of occupations and wars. This has included Greek officials accusing Turkish authorities and soldiers of helping push migrants toward the border, even by using wire cutters, drones and tear gas, according to The Associated Press.

Turkey and Greece have been bearing the brunt of this migrant crisis for years as people -- many from war-stricken Syria, but also many from Afghanistan, Iraq and other countries -- have been piling up in overcrowding camps and centers. Turkey hosts about 4.1 million refugees -- the largest number worldwide -- according to the UNHCR.

Countries in Europe have largely closed their borders to migrants and refugees, instead making agreements with the eastern Mediterranean nations to handle the situation. Erdogan, however, said the European Union was not honoring its side of a 6 billion euro deal made in 2016 that stipulated that Turkey would handle the people in exchange for financial aid, according to the AP.

"Denying asylum is not a solution. Refugees and all of those seeking asylum have a right to international protection and should be given assistance regardless of whether they are in Turkey or Europe," Karen Mets, Save the Children's European Migration senior advocacy adviser, said in a statement Monday. "The European Union must take responsibility by stepping up its resettlement commitments and ensuring humanitarian aid can reach the most vulnerable."

"Most of those on the move are men but we are also seeing many family groups traveling with young children," IOM Turkey Chief of Mission Lado Gvilava said in a Sunday statement. "We're distributing meal boxes and other basic supplies in the city but the temperatures are dropping to nearly zero and the wind is quite bad so we're concerned about these vulnerable people who are exposed to the elements."

In its statement, the UNHCR noted that while this situation is "of concern," a potentially larger "humanitarian disaster" is brewing in northwest Syria -- particularly Idlib -- "for some 950,000 of internally displaced people."

Russia And Turkey Agree To Syria Cease-Fire, But Idlib's Agony Is Far From Over (NPR) By Alice Fordham
March 5, 2020

Turkey and Russia agreed to a cease-fire Thursday, to begin at midnight in northwestern Syria's Idlib region. Five Turkish soldiers were killed in Idlib earlier this week and nearly a million people have been displaced in fierce fighting since December, as forces loyal to Syrian President Bashar Assad have made gains in the opposition's last redoubt.

"I express hope that these agreements will serve as a good basis for a cessation of military activity in the Idlib de-escalation zone [and] stop the suffering of the peaceful population and the growing humanitarian crisis," Russian President Vladimir Putin said Thursday, after talks with Turkish President Recep Tayyip Erdogan in Moscow. Erdogan pledged support for "Syrians in need."

The agreement, however, is unlikely to mark an end to the region's terrible suffering.

"A new deal does not mean a solution," says Turkey analyst Galip Dalay. It is "a temporary freezing of the conflict."

Dalay, a fellow at the German Institute for International and Security Affairs, does not believe there is even a medium-term plan. "What will happen three months from now is anyone's guess."

The question of the long term is even more difficult. Here are some key points to consider.

How did the situation in Idlib get so bad?

The problem has been simmering for years. The intensified fighting and displacement of the last few weeks were predictable, even if the timing was not. Before Syria's popular uprising turned into civil war in 2011, the province was a largely agricultural area. It became a center of opposition, but not a priority for Assad and his supporters.

First, government forces and their allies retook Syria's major urban and strategic areas, with years of hard fighting. As each area was retaken — the suburbs of Damascus, the city of Homs, areas of Aleppo — deals were done that saw opposition fighters and civilians who were afraid to live under Assad's rule sent to Idlib.

The province's population more than doubled, to about 3 million people. Most are civilians, of whom many live in camps or rely on some form of humanitarian aid. Some are opposition fighters, among whom jihadist groups are powerful.

Assad and his allies, especially Russia, are now pushing to retake Idlib. The conundrum, says Dalay, is "the Syrian regime does want the strategic location of Idlib. But it does not want the population of Idlib." The prospects for that population are grim. They are mostly impoverished, and have been devastated by violence. This week, for the first time, a United Nations body directly accused Russia of the "war crime of launching indiscriminate attacks in civilian areas." The U.N. also says the recent mass movement of people "represents the single largest volume of displacement since the Syrian crisis began in 2011."

Another conundrum: The displaced have nowhere to go. Idlib borders Turkey, which has already taken in about 4 million Syrian refugees. As the Turkish economy has weakened, anti-refugee sentiment has bubbled up. Erdogan has said Turkey cannot take in any more people and has built a border wall. European leaders, too, have no stomach to accept a large number of Syrians, even those fleeing state-sponsored violence.

What is Assad's goal in Idlib, and how close is he to achieving it?

Assad has said that he will retake "every inch" of Syria. Although it has taken him years and come at untold cost, this seems exactly his policy in Idlib.

It may be that his recent gains happened faster than he expected. "We were surprised to see the rapid advance," says a diplomat in Lebanon, who spoke on the condition of anonymity because he was not authorized to speak on the record. "A game-changer was the intervention of Iran in western Aleppo."

Assad's Iranian allies have been largely disengaged from Idlib, says the diplomat, preferring to focus on neighboring Aleppo province, a commercial center. But when Iranian forces expanded into western Aleppo and beyond at the beginning of this year, the setback to rebels allowed Assad loyalists to retake key roads and towns in neighboring Idlib, with Russian air support.

But then, alarmed by the prospect of people approaching the border as they fled the advance, Turkey increased its support for rebels, who pushed back and retook territory. Russia, in turn, doubled down on its air campaign in support of Assad.

Fighting has been ferocious in the last week, with Syria and Turkey taking and inflicting casualties and coming closer to all-out war with one another. The diplomat says Assad may want to retake Idlib and kill or expel a significant portion of the people there — but, "I have always assumed that the fate of Idlib will depend on the Russians and the Turks. Assad wants it, but can't take it without Russian air support."

What do Presidents Putin and Erdogan want?

"Turkey's most immediate goal is to make sure that another wave of refugees does not cross into Turkey," says Dalay.

Erdogan also wants to maintain Turkey's present level of influence in Idlib, where it has troops and observation posts and de facto control over areas along the border where many displaced people are. Turkey controls much of the aid that enters. Strategically, Turkey's grip on Idlib also helps it maintain a presence in other enclaves in Syria, where it is keeping Kurdish forces — which it considers terrorists — away from its border.

Turkey once imagined a powerful role for itself in a post-Assad Syria. Now it only has a "plethora of bad options," says Dalay. He believes Turkey's best-case scenario now would be to succeed in persuading Western powers to enforce a no-fly zone over part of Idlib and create an enclave or buffer zone where Syrians who believe they cannot return to Assad-held areas would live under Turkey's protection, without actually crossing its borders. Some analysts have compared this scenario to the Gaza Strip — a restricted and difficult life for a large number of people.

As for Russia, it wants to keep Assad in power.

"Russian policy — you might like it or not — but it has been very consistent from the beginning," says Fyodor Lukyanov, an analyst at the Russian International Affairs Council. He says that for Putin, "Any preservation of regime is better for regional

and national security and stability than any change of regime."

This conclusion was reached, he says, after the Kremlin watched the impact of regime change in Iraq and Libya, and that Russia is seeking to support Assad in retaking territory as close to pre-war Syria as possible. Additionally, Lukyanov says, there are several hundred jihadist fighters from Russia and post-Soviet states in Idlib, and Russia wants them "eliminated completely."

How realistic are these scenarios?

The ultimate outcome could depend on the relationship between Turkey and Russia, which is "very strange, paradoxical," says Lukyanov. "It's not based on trust. It's not based on sympathy. It is based on the understanding that without at least coordination with the other side, neither of them is able to achieve any of their goals."

The two countries have many interests beyond Syria — ranging from the conflict in Libya, where they back opposing sides, to a recently opened gas pipeline from Russia to Turkey, and arms deals. So they are prepared to negotiate and might someday reach a sustainable agreement.

Although years of talks on Syria have yielded various agreements, there have also been many complaints of violations. Russia claims Turkey has failed to "neutralize" al-Qaida-linked groups among rebels, while Turkey says Russia targets civilians. Russia had already offered Turkey control of an area within Idlib, but it was much smaller than Turkey would have liked.

Other outcomes are possible. Some observers believe people in Idlib, armed with tanks and bulldozers, could possibly breach the border. Others fear a catastrophic massacre of civilians by Assad loyalists.

Meanwhile, Western governments, not militarily involved, have limited influence. American officials have so far ruled out helping Turkey create a no-fly zone. NATO and European leaders, too, have offered solidarity but not game-changing military support to Turkey. Some think cycles of violence are likely to continue in Idlib.

"Turkey manipulates the issue of refugees. Russia essentially behaves as if it wanted to create a new wave of refugees," says Emile Hokayem of the International Institute for Security Studies. Although Europe has limited leverage in the negotiations, Hokayem says, it could find itself dealing with fallout from a fresh wave of refugees.

"We're not approaching the end of the Syrian conflict," he says, "and I think we have to brace ourselves for more of this bloody instability."

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Syria

Syrian rebels retake key town in Idlib from Assad forces (The Guardian) By Bethan McKernan
February 27, 2020

Turkish-backed Syrian rebels have retaken a key town from Bashar al-Assad's forces in the country's last opposition-held territory of Idlib as fighting continues despite growing international calls for a ceasefire.

Videos sent by rebel fighters in the town of Saraqib on Thursday showed men cheering and waving the flag of the Syrian opposition on otherwise empty streets strewn with rubble and other debris.

The loss of the town, which is strategically located at the crossroads of Syria's main two highways, is the first major setback for advancing Syrian government troops since Turkey decided to deploy soldiers and equipment to bolster rebel groups earlier this month.

However, the counteroffensive could be short-lived as the Syrian army and allied militias, accompanied by Russian airpower, continue a ferocious three-month assault on rebels and jihadist factions in the last part of the country that remains outside Assad's de facto control.

The regime has retaken almost the entire southern part of Idlib province after the capture of more than 20 villages on Thursday, state media and opposition activists said.

Turkish attempts to hold a four-way summit with the leaders of Russia, France and Germany next week to address the escalating violence have been met with indifference by the Kremlin. The UN security council, where Moscow has systematically vetoed truce initiatives in the Syrian war, is due to meet again on Thursday to discuss Idlib, which has become the worst humanitarian crisis to date in Syria's nine-year war.

More than 400 civilians have been killed and almost 1 million people have fled north towards the relative safety of areas closest to the Turkish border since December, according to the UN. About 80% of that number are women and children.

About 170,000 people are sleeping rough in abysmal winter conditions as aid agencies struggle to provide enough food, tents, fuel and medicine. Schools, mosques, sports centres and even building sites are all full to bursting with displaced families, many of whom have already fled violence elsewhere in the country. With the Turkish border closed to refugees, there is nowhere else left to go.

Bombing of Idlib city and nearby towns earlier this week killed 20 civilians, including nine children and three teachers, after Syrian and Russian airstrikes hit eight schools and nurseries, among other targets, in a single day.

"Some of the injuries were amputations, neurological injuries, and many other injuries. It was a hysterical situation in the city. Along with the sound of bombings and the sound of sirens, people had panic attacks. It was a difficult, bloody day," said a surgeon at Idlib surgical hospital, which is supported by Médecins Sans Frontières.

Two more hospitals – Idlib Central and Mareet Misirin – also experienced near misses, as missiles and artillery shells fell less than 100 metres away from the facilities.

At least one internationally funded educational centre in the area has suspended its work as a result of Tuesday's airstrikes on schools, said Máiréad Collins, Christian Aid's senior advocacy adviser for Syria.

Idlib province and the surrounding countryside are technically protected by a de-escalation deal brokered by Ankara and Moscow in 2018. The agreement began to break down last year, after control of most of the area was wrested from more moderate rebel groups by Hayat Tahrir al-Sham (HTS), formerly al-Qaida's Syrian affiliate.

Despite warnings from the UN and aid agencies that fighting in Idlib would put 3 million civilians at risk, Damascus launched an attritional and then full-scale campaign on the province, arguing that HTS was not covered by the de-escalation deal.

In early February Turkey took the unprecedented step of deploying approximately 12,000 troops to shore up the deal and protect the border, leading to the first direct clashes between Turkish and Syrian government forces in the war.

Twenty Turkish military personnel have been killed in the counteroffensive, the Turkish defence ministry said on Thursday. Ankara and Moscow are discussing opening Idlib's airspace to both armed and unarmed Turkish drones, the Turkish defence minister, Hulusi Akar, was quoted as saying, but he added that problems over the issue persisted.

The Turkish president, Recep Tayyip Erdoğan, has vowed Ankara will not take the "smallest step back" in the standoff with Damascus and Moscow over Idlib, giving the regime until the end of the month to pull back.

Syria war: Alarm after 33 Turkish soldiers killed in attack in Idlib (BBC)

February 28, 2020

At least 33 Turkish soldiers have died in a Syrian government attack in opposition-held north-western Syria, in a major escalation of the conflict.

Turkey, which backs the opposition, says it hit 200 government targets in response, "neutralising" 309 soldiers.

Russia, Syria's key military ally, says Turkish troops were attacked in Idlib province by Syrian forces while operating alongside jihadist fighters.

The EU has warned the crisis could escalate further.

"There is a risk of sliding into a major open international military confrontation," EU foreign policy chief Josep Borrell tweeted. "It is also causing unbearable humanitarian suffering and putting civilians in danger."

How is Turkey reacting?

The Turkish and Russian presidents spoke by phone on Friday. Recep Tayyip Erdogan and Vladimir Putin both expressed concern and agreed on the need for "additional measures" to normalise the situation, with the possibility of a summit in the near future, the Kremlin says.

Russian and Turkish officials are due to meet at the Turkish foreign ministry. Russia also says top Russian and US military officials have discussed the situation in Idlib.

Russia denies its own forces were involved in the fighting in the Balyun area.

Government forces, supported by Russia, have been trying to retake Idlib from jihadist groups and Turkish-backed rebel factions based there. The attack came after Turkish-backed rebels retook the key town of Saraqeb, north-east of Balyun. Idlib is the last Syrian province where Syrian rebel groups still control significant territory.

Meanwhile, Turkey says it is opening its western land and sea borders so some of the millions of refugees and migrants it hosts can travel onwards towards Europe.

Turkey's communications director Fahrettin Altun said the migrants were now also Europe and the world's problem. He said Turkey had "no choice" but to relax border controls because it had not received enough support in hosting about 3.7 million Syrian refugees, Reuters reported.

Mr Altun had earlier said Turkey did not have the capacity to allow entry to the nearly 1 million Syrians fleeing the fighting in Idlib. He called for the international community to protect civilians in Idlib from "genocide" by imposing a no-fly zone.

What do we know about the attack?

"Thirty-three of our soldiers were martyred as a result of the air strike... by the forces of the [Bashar al-] Assad regime," said Rahmi Dogan, the governor of Turkey's neighbouring Hatay province.

After President Erdogan held an urgent top-level security meeting in Ankara, Turkish forces began conducting ground and air strikes.

Defence Minister Hulusi Akar said that in addition to the casualties inflicted, five Syrian government helicopters, 23 tanks, 23 howitzers, and two air defence systems had been destroyed.

According to the Russian defence ministry, the Turkish soldiers had been killed in a "bombardment" while operating alongside "terrorists" in the Balyun area where, it said, fighters from the Hayat Tahrir al-Sham alliance (formerly the Nusra Front) were attacking Syrian government forces.

Russia said it was in constant contact with Turkey to ensure Turkish troops were not targeted in Idlib and had not been informed that Turkish forces were active at Balyun.

But Mr Akar insisted the Russians had been informed about the locations of Turkish troops and said no armed groups had been present near the soldiers who were attacked. He also said ambulances had been hit in the attack.

Two Russian warships equipped with cruise missiles have passed through Istanbul's Bosphorus Strait on their way to the Syrian coast.

President Erdogan wants Syrian government forces to pull back from positions where Turkey has set up military observation posts and earlier threatened to attack them if they did not halt their advance.

But Syria's government and Russia have rejected his demand to pull back to ceasefire lines agreed in 2018. Russia has also accused Turkey of violating the 2018 ceasefire by backing rebels with artillery fire.

In reaction to the crisis:

- Nato Secretary General Jens Stoltenberg promised "strong political support and... practical support" for Turkey, and urged Syria and Russia to engage fully with UN-led efforts to find a peaceful solution
- A spokesman for the US state department said: "We stand by our Nato ally Turkey and continue to call for an immediate end to this despicable offensive by the Assad regime, Russia and Iranian-backed forces. We are looking at options on how we can best support Turkey in this crisis"
- UN Secretary General António Guterres expressed "grave concern" over the latest escalation, calling for an immediate ceasefire.

Is the EU facing a new migrant crisis?

News that Turkey would let migrants cross into Europe prompted several hundred people to gather at the border with Greece. But Greece has sent extra police to the crossing to prevent them entering.

Other migrants have been boarding boats to make the crossing to the Greek island of Lesbos.

The European Commission said it expected Turkey to uphold its commitments to control the flow of migrants to the EU.

Under a 2016 agreement with the EU, which followed a wave of Syrian refugees and refugees and migrants from other countries to Europe, Turkey imposed stronger controls to curb the flow.

The deal involved an EU pledge to provide €6bn (£5.4bn; \$6.6bn) in aid to Turkey to house Syrian refugees.

What about Syrian civilians in Idlib?

At least 948,000 people have been displaced in north-west Syria since a government offensive began on 1 December, the UN says.

At least 465 civilians, including 145 children, have been killed during that period, the vast majority of them victims of attacks by the Syrian government and its allies, according to the UN. Children are also dying from the cold.

Russia has rejected calls in the UN Security Council for a humanitarian ceasefire in northern Syria, saying the only solution is to chase what it calls terrorists from the country.

The Syrian government, which has regularly been accused of committing atrocities against civilians during the country's civil war, says it is liberating Idlib from "terrorism".

Why is Turkey so deeply involved in Syria?

Its long border with Syria has brought it into close contact with the civil war and its strong opposition to the Assad government has made it a natural destination for refugees.

But Turkey is also actively trying to prevent Syria's Kurdish community establishing control over the border region, fearing that this would encourage Kurdish separatism within Turkey itself.

It has been accused of seeking to drive Kurds away from the border in order to establish a safe area within Syria to rehouse two million of the refugees it is hosting.

Erdogan, Putin announce Idlib ceasefire after Moscow meeting (Al Jazeera)

March 5, 2020

Turkish President Recep Tayyip Erdogan and his Russian counterpart Vladimir Putin have announced a military ceasefire in Idlib, after a meeting in Moscow that lasted six hours.

Idlib, the last rebel stronghold in Syria, has witnessed increased violence and bloodshed since last December, the start of a

Russia-backed Syrian offensive to regain control over the region.

"At 00.01 tonight, as in, from midnight, the ceasefire will be put in place," Erdogan told reporters on Thursday in the Russian capital.

Erdogan added that Turkey, which has sent thousands of troops into Idlib to repel the Syrian army, would not "remain silent" if Syrian government forces continued attacks and warned that Ankara would retaliate with full force.

Putin said Russia did not always agree with its Turkish partners but hoped the deal will serve as a "good basis for ending the fighting in the Idlib de-escalation zone, put an end to [the] suffering of [the] civilian population and contain a growing humanitarian crisis."

Even as the ceasefire came into effect, Turkey's state-owned Anadolu news agency reported early on Friday that Turkish forces killed 21 Syrian troops and destroyed two artillery pieces and two missile launchers, in retaliation of the killing of two Turkish soldiers in Idlib earlier on Thursday.

Since last December, more than 300 civilians, including at least 100 children, have been killed in Idlib.

Nearly one million people have been internally displaced to the border with Turkey, most of them forced to camp out in the open - the worst humanitarian crisis in Syria's nine-year-old civil war, according to the United Nations.

Erdogan on Thursday said the two leaders agreed to help these refugees return to their homes.

Turkey and Russia on Thursday also agreed to establish a secure corridor along a key east-west highway in Syria's Idlib and hold joint patrols on it as of March 15.

In a joint statement read out by the Turkish and Russian foreign ministers, the two sides said the secure corridor would stretch 6km (3.7 miles) to the north and 6km to the south of the M4 highway.

They said their defence ministers would agree on the parameters of the corridor within a week.

Until the latest crisis, Putin and Erdogan had managed to coordinate their interests in Syria even though Moscow backed Syrian President Bashar al-Assad, while Ankara supported the opposition forces.

Earlier on Thursday, al-Assad accused Turkey's president of "supporting terrorists".

"Erdogan is unable to tell the Turks why he is sending his army to fight in Syria and why his soldiers are being killed there because the issue has nothing to do with Turkish interests but with his Muslim Brotherhood ideology," he told the state-owned Russia 24 channel.

The Idlib crisis marks the first time Ankara has launched a direct offensive against al-Assad's forces.

Al Jazeera's Hashem Ahelbarra, reporting from Hatay on the Turkish-Syrian border, said Erdogan managed to get some "huge concessions" in the talks with Putin.

"I think this is going to be seen as a massive victory for Erdogan," Ahelbarra said. They got the ceasefire plus the safe corridors and also resettlement of the civilians back into their areas.

"Erdogan won't have to be concerned about his soldiers. Also, Turkey has been very concerned about a protracted conflict in Idlib that would pave the way for four million civilians to cross into Turkey. I think now those are some of the people that will be able to go back to their villages."

After dozens of his troops were killed in Syria, Erdogan has threatened Europe with a fresh migratory crisis by allowing refugees to travel on to Europe from Turkey, which he said can no longer handle new waves of people fleeing war-torn Syria.

On Thursday, Putin offered his condolences to Erdogan over Turkish losses in a Syrian air attack but noted there were also deaths among Syrian forces.

The two Turkish soldiers who were killed in an attack in Idlib on Thursday raised the number of Turkish soldiers killed since the beginning of February to 60.

After Turkey downed several Syrian jets, Moscow warned Ankara its aircraft would be unsafe if they enter Syrian airspace - a veiled threat to engage Russian military assets in Syria.

Fighting continued on Thursday in Idlib during the talks in Russia. Opposition activists there blamed Russian aircraft for an

attack on a rebel-held village, which they said killed at least 15 people, including children, and wounded several others.

The Russian military had no immediate comment on the claim, but it has staunchly denied similar previous claims, insisting it has not singled out residential areas.

'Ceasefire agreed is very shaky'

Despite Thursday's breakthrough, hopes for peace among some Syrians remain low.

Raja Androon, a 65-year-old Syrian from Idlib whose two sons were killed by Syrian government forces, now lives in Antakya in southern Turkey.

"The talks may result in less fighting, but I'm not holding my breath for the Syrian regime to get out of Idlib," she told Al Jazeera. "I hope Idlib will come under autonomous rule, and not fall under Assad's control."

Mustafa Sejari, an analyst and member of the Syrian opposition Mutasim Brigades, was also sceptical, saying that Erdogan and Putin were trying to save face regarding their interests on the ground, "and nothing more".

He told Al Jazeera: "The regime will not withdraw from Idlib ... The ceasefire agreed upon is a very shaky one, and from the first violation of it the battles will resume once again.

"According to the press conference, safe passage will be allowed for the displaced civilians to return to their homes. However, where will they return to if the Syrian regime forces are still on the ground? Previous examples have shown that opening a humanitarian corridor to allow aid through will not stop Russia from continuing to bomb civilians."

According to the volunteer organisation White Helmets, 612 Syrian civilians have been killed by government forces and their allies since the beginning of this year.

Alexey Khlebnikov, Middle East expert at the Russian International Affairs Council, told Al Jazeera: "I think it's pretty obvious that Russia got what it wanted ... Of course it won't guarantee that no violations will occur, but judging by previous deals, this will be more sustainable.

"Both cannot afford a direct confrontation anyway, they've spent years building a relationship. For Turkey, the buffer zone close to their border is the most crucial: they don't want Syrian forces to go further north. The problem in this deal is that Ankara stands alone in the effort - or not - to solve the problem of 'terrorists' in Idlib province. But the pressure on Erdogan is mounting, and I think they'll have to accept to do something about it."

Anton Mardasov, a Moscow-based Middle East analyst, said: "The Kremlin maintains the status quo in Idlib and pressures Turkey to restructure the opposition ... and will control the roads.

"Some points remain unclear, though. In principle, Assad is not supposed to interfere, but we'll see how that goes."

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Yemen

Officials say Yemen's rebels seize strategic northern city (Associated Press) By Maggie Michael and Samy Magdy
March 1, 2020

Yemen's Houthi rebels wrested control of the strategic northern city of Hazm, officials on both sides of the conflict said Sunday, a major blow to the internationally recognized government backed by Saudi Arabia.

Capturing the capital of Jawf province after weeks of fighting could pave the way for the rebels to move toward the central province of Marib, one of the shrinking safe spots for those opposing the Houthis in northern Yemen. It also could cause a new wave of displacement in the war-torn country.

Yemen, the Arab world's poorest nation, has been convulsed by civil war since 2014. That's when the Iran-backed Houthis took control of the country's north including the capital, Sanaa. A Saudi-led military coalition intervened against the Houthis the following year. Despite relentless Saudi airstrikes and a blockade of Yemen, the war has ground to a stalemate.

The conflict has killed over 10,000 people and created the world's worst humanitarian crisis, leaving millions suffering from food and medical care shortages and pushing the country to the brink of famine last year.

A Houthi official said Sunday that the Shiite group had pushed government forces out of Hazm and were "now chasing them in its outskirts."

Two government officials confirmed the city had fallen, but said government forces aided by Saudi coalition airstrikes were attempting to push back.

All the officials spoke on condition of anonymity because they were not authorized to brief the media.

The coalition spokesman's office said their "operations" in Jawf "are still ongoing," but did not elaborate.

The Houthi-run al-Masirah satellite TV reported that the coalition carried out at least three airstrikes in Jawf on Sunday.

The rebels earlier this year seized a key supply line linking Marib with Jawf provinces, located along the border with Saudi Arabia. They also took control of the strategic district of Nehm, some 60 kilometers (37 miles) northeast of the rebel-held capital Sanaa.

"With the seizure of Hazm, the entire Jawf (province) is now considered in their hands, and this would enable them to expand to Marib and even try to take over the south," said Fatima al-Asrar, a non-resident scholar at the Washington-based Middle East Institute.

She said Houthi advances would increase the vulnerability of both civilians, including tribes, allied with the Saudi-backed government of Yemen's president, Abed Rabbo Mansour Hadi.

At least 1,400 families, who were displaced into the district of Gail in Jawf province had moved to Hazm earlier this month. "Now thousands more are expected to leave their homes" because of the Houthi advance, she said.

Oil-rich Jawf province is where the Houthis shot down a coalition warplane last month, raising alarm among the Saudi-led camp that the rebels are acquiring advanced weaponry apparently from Iran, which has long denied arming the Houthis.

The U.S. and the Saudi-led coalition have for years said Iran supplies weapons to the Houthis, ranging from assault rifles to the ballistic missiles fired into the kingdom.

The U.N. Special Envoy for Yemen Martin Griffiths on Friday condemned "the recent military escalation" in Jawf, saying it was "seriously undermining the prospects of peace."

He warned that the warring parties have "no alternative to a negotiated political settlement" for ending the drawn-out conflict.

Houthi Court Sentences 35 Yemeni Deputies To Death (Asharq Al-Awsat)

March 4, 2020

The Houthi-controlled Specialized Criminal Court in the Yemeni capital, Sanaa, sentenced on Tuesday 35 Yemeni pro-government deputies to death after charging them with cooperating with the Saudi-led Arab coalition.

The charged include parliament Speaker Sultan al-Burkani, his deputy Abdulaziz al-Jabari, Jawf governor Amin al-Akimi and Chief of Staff Sagheer bin Aziz.

The Houthis accused them of "treason", supporting the legitimate government and the Saudi-led Arab coalition and demanded that they be executed and that their properties be confiscated.

A lawmaker included in the ruling, MP Mohammad Muqbel Ali Al-Humair, told Asharq Al-Awsat: "I consider it an honor as it asserts that we have hurt the Houthis, helped defeat their agenda and resisted this racist movement that is an extension of the Persian project that is hostile to Arabs and Islam."

He said the Houthis promote a project of death, not of life and development, adding that the death sentence was not only directed against the MPs who oppose them, but the entire Yemeni people.

Al-Humair had quit Sanaa for Taiz in 2015. He had opposed the militias long before their coup against the legitimate government in 2014.

Al-Humair had also called on the UN not to negotiate with the Houthis after they had at one point detained President Abd Rabbu Mansour Hadi.

Last year, the Houthis forced lawmakers under their control in Sanaa to drop the immunity off MPs who support the legitimate government after parliament convened in a landmark session in Seiyun in April.

UN is Keeping Silent about Thousands of Saudi Crimes in Yemen: al-Houthi (Yemen Press)

March 7, 2020

A member of Yemen's Supreme Political Council, Mohammad al-Houthi, said on Twitter on Friday that "What the United Nations usually states and its accusations that are issued unfairly are what must be called into question because of its political and financial motives."

Al-Houthi responded to the call of the Office of the United Nations High Commissioner for Human Rights in Geneva to "repeal the death sentences of 35 parliamentarians," affirming "the independence of the Yemeni judiciary", and criticizing the commission's silence on war crimes against Yemenis.

"Although we don't know the names in the list mentioned by Liza Trusel, the statements are provocative by defending the traitors and keeping silent about thousands of crimes." He added.

"The scandal of the Secretary-General (Ban Ki-moon) is still heard in the world when he give up to political money and removed Saudi Arabia from the black list", he said.

Saudi-backed Yemen forces hit back at Houthi gains (Middle East Monitor)

March 10, 2020

The Saudi-backed forces fighting on behalf of exiled Yemeni President Abd Rabbuh Mansur Hadi yesterday carried out a counter-offensive in the northern Al-Jawf province in an attempt to reverse recent gains made by the joint-forces of the Yemeni army and the Houthi movement.

Supported by Saudi air-power, Hadi's troops have reportedly retaken the Khub and Sha'af districts and, in the process, opened a road linking the areas with the Islah-stronghold province of Marib.

Last week saw Houthi forces seize key areas of the province, including its capital, Al-Hazm city, ending five years under the control of Hadi's fighters. The province is said to be oil-rich and shares a border with Saudi Arabia. It is expected that the Houthi-Army forces will attempt to continue their advances onto neighbouring Marib which would effectively end Hadi's – and therefore Saudi's -efforts on the ground.

AP reported that the battles over the last two days have claimed the lives of at least 35 fighters from both sides and wounded dozens of others. Houthi sources claimed the Saudi-led coalition carried out at least 18 airstrikes on the recently captured areas in a bid to help the counter-offensive.

A recent report by the Arab Gulf States Institute in Washington partially credited the recent military successes of the Houthis to their takeover of Nihm district in Sanaa province, which offered them control over a chain of mountains overlooking Al-Jawf and Marib in addition to the tribal nature of the areas recently captured by the Houthis and the internal divisions among some of the military units operating under Hadi's command.

On Saturday, UN Special Envoy to Yemen Martin Griffiths called for an "immediate and unconditional" freeze on military activities during his first visit to Marib city since the fall of Al-Hazm to the Houthis.

According to the International Committee of the Red Cross, the fighting in Al-Jawf has displaced around 70,000 people to neighbouring Marib.

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Special Tribunal for Lebanon

Official Website of the Special Tribunal for Lebanon

In Focus: Special Tribunal for Lebanon (UN)

The Trial Chamber gives notice of scheduling the public pronouncement of the Judgment in the Ayyash et al. case (Special Tribunal for Lebanon News)

March 5, 2020

The Trial Chamber of the Special Tribunal for Lebanon (STL) has given notice that it will deliver its Judgment in the Ayyash et al. case (STL-11-01) in public session in mid-May 2020.

In the filing issued today, the Judges stated that they would specify the precise date of the public pronouncement of the Judgment as soon as possible.

Accreditation is required for members of the media who wish to cover the hearing at the seat of the Tribunal. Seating in the public gallery is not guaranteed; for this high-level event, permanently accredited journalists will also need to submit a request.

The accreditation procedure for the Judgment hearing will be communicated in due course.

STL Publishes Eleventh Annual Report (Special Tribunal for Lebanon News)

March 11, 2020

The Special Tribunal for Lebanon submitted its eleventh annual report to the United Nations Secretary-General and to the Government of Lebanon.

The annual report details the activities of the Tribunal from 1 March 2019 to 29 February 2020, its objectives for the coming year and highlights the achievements of the four organs: Chambers, Office of the Prosecutor (OTP), Defence Office and Registry.

Specifically, one key milestone was the confirmation of an indictment and commencement of the pre-trial phase in the Ayyash case (STL-18-10). This marked the beginning of proceedings in relation to three other attacks within the Tribunal's jurisdiction, perpetrated on 1 October 2004, 21 June 2005 and 12 July 2005, against Mr Marwan Hamade, Mr Georges Hawi and Mr Elias El-Murr, respectively. The new case led to the creation of a second Trial Chamber dedicated to proceedings in this case, which determined that proceedings could be conducted in absentia.

In addition, the Tribunal is in the final stages of the preparation of the trial judgment in the Ayyash et al. case, which concerns the 14 February 2005 attack, to be followed by its public delivery. On 5 March 2020, the Trial Chamber provided notice that it will deliver its judgment in public session in mid-May 2020 on a date to be specified as soon as possible.

The annual report is available on the tribunal's website.

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Israel and Palestine

Israeli delegation said holding talks in US on countering ICC war crimes probes (Times of Israel)

March 6, 2020

An Israeli delegation traveled to the United States this week for talks on coordinating a joint US-Israeli campaign against the International Criminal Court, Israeli television reported Friday.

According to Channel 13 news, the Israeli team landed in Washington on Thursday and was led by Energy Minister Yuval Steinitz, the cabinet member in charge of Israel's efforts to counter a potential ICC investigation into alleged war crimes in the West Bank and Gaza Strip.

An Israeli official told the network the trip was timed to coincide with the ICC's approval on Thursday of a war crimes probe in Afghanistan, as American anger over the decision would underline that both the US and Israel have a common interest in opposing the court.

Steinitz, who was accompanied by Deputy National Security Adviser Reuven Azar, reportedly met with officials at the White House, State Department and Congress. An Israeli official said some of the meetings were with Democratic lawmakers, as Israel wants bipartisan backing against the court.

"The US has a lot of influence over the countries of the world and we want them to also put pressure on our matter when they are putting pressure on their matter and integrate us into their campaign," the official said.

Fatou Bensouda, the ICC's chief prosecutor, announced in December she had concluded her half-decade long preliminary examination of the "situation in Palestine" and has "reasonable basis to believe that war crimes were committed" by the Israel Defense Forces, Hamas and other "Palestinian armed groups."

At the same time, she acknowledged that The Hague may not have the jurisdiction to deal with Israel/Palestine. Hence, she asked for a ruling by three ICC judges to determine the scope of the court's territorial jurisdiction.

The prosecutor herself believes "Palestine," which acceded to the Rome Statute, the court's foundational document, in early 2015, is enough of a state for the purposes of transferring criminal jurisdiction over its territory to the court.

Israel has long argued that the ICC lacks jurisdiction over the case because there is no sovereign Palestinian state that could delegate to the court criminal jurisdiction over its territory and nationals.

It is now up to a so-called pre-trial chamber to rule on the matter. The three judges of this chamber — Péter Kovács of Hungary, Marc Perrin de Brichambaut of France and Reine Adélaïde Sophie Alapini-Gansou of Benin — invited "Palestine, Israel, and victims in the Situation in the State of Palestine, to submit written observations" on the matter by March 16. Germany, Australia, Austria, Brazil, the Czech Republic, Hungary and Uganda have submitted written documents to court, each asking to become an amicus curiae — a "friend of the court" that is not a party to the case but wants to offer its views. They all posited that Palestine cannot transfer criminal jurisdiction over its territory to the ICC.

Not a single country filed a request to argue the opposite.

The ICC probe in Afghanistan will include investigations of war crimes and crimes against humanity allegedly committed by Afghan government forces, the Taliban, American troops and US foreign intelligence operatives.

The appellate ruling marked the first time the court's prosecutor has been cleared to investigate US forces, and set the global tribunal on a collision course with the Trump administration.

Bensouda pledged to carry out an independent and impartial investigation and called for full support and cooperation from all parties.

Washington, which has long rejected the court's jurisdiction and refuses to cooperate with it, condemned the decision while human rights groups and lawyers for victims applauded it.

"This is a truly breathtaking action by an unaccountable political institution masquerading as a legal body," US Secretary of State Mike Pompeo said at a State Department briefing. "It is all the more reckless for this ruling to come just days after the United States signed a historic peace deal on Afghanistan, which is the best chance for peace in a generation."

Though an investigation has been authorized, the prospect of suspects appearing in court in The Hague any time soon remains dim. Like the United States, Afghanistan also opposed the investigation.

Twitter storm protests ICC delay in investigating Israel crimes (Middle East Monitor)

March 10, 2020

A "Twitter Storm" has been launched by a Palestinian rights organisation in response to the International Criminal Court's decision to delay the investigation into Israel's human rights violations and war crimes in the occupied West Bank.

Despite having found a reasonable basis to mount an investigation of "the situation in Palestine," after a five-year preliminary

examination, the ICC has decided to hear briefs submitted by numerous countries regarding its jurisdiction in the Palestinian territories.

ICC Prosecutor Fatou Bensouda announced on 20 December that she was “satisfied that there is a reasonable basis to proceed with an investigation into the situation in Palestine.”

However, some countries have filed amicus briefs to the ICC asking permission to present legal arguments against the tribunal’s jurisdiction to adjudicate war crime suits against Israel, reported the Jerusalem Post.

Some of the countries include Canada, Germany, Austria, the Czech Republic, Hungary and Brazil.

They argue that the ICC has no jurisdiction over the case because Palestine does not meet the criteria of statehood.

In addition, they also claim that the ICC does not possess the necessary jurisdiction to open criminal investigations and rule on matters related to suspected war crimes and crimes against humanity allegedly committed in the West Bank, East Jerusalem and the Gaza Strip.

Therefore, Al Haq, a Palestinian rights organisation that challenges human rights abuses, launched a Twitter campaign which included “excerpts submitted by civil society, academics and practitioners in support of opening an investigation and ending impunity for war crimes and crimes against humanity committed in the occupied Palestinian territories.”

The Palestinians have asked the ICC to investigate Israeli war crimes committed in the occupied territories, relating to illegal settlements, land expropriation and the killing of civilians during Israeli offensives on Gaza.

The ICC does not investigate states, but officials who are accused of committing war crimes and crimes against humanity.

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Gulf Region

U.N.'s Bachelet urges Saudi to release women activists, uphold rights (Reuters) By Stephanie Nebehay
February 27, 2020

U.N. human rights chief Michelle Bachelet urged Saudi Arabia on Thursday to uphold freedoms of expression and peaceful assembly and review convictions of activists, religious leaders and journalists as it prepares to host a G20 summit this year.

Bachelet, in a speech to the U.N. Human Rights Council, called on Riyadh to release several Saudi women activists jailed for demanding "reforms of discriminatory policies".

"I also call for full transparency in the ongoing judicial proceedings, and comprehensive accountability, regarding the murder of journalist Jamal Khashoggi," she added, referring to the U.S.-based journalist killed by Saudi agents at its Istanbul consulate in October 2018.

"Beggars can't be choosers": Inside the Scottish town built on the arms trade (Prospect Magazine) By Arron Merat
March 3, 2020

"I am investigating a suspicious, potentially illegitimate, call to an employee of a firm on whose behalf I am now calling," said the man with the Scottish accent dialling from an unknown number. He refused to divulge his name or the firm to which he was connected, but it was clear that he was linked to Raytheon. Earlier that day I had placed a call—inadvertently interrupting a Secret Santa exchange—to a worker at the US defence giant's arms factory in Glenrothes, Fife. It is the plant that puts the "smart" in the "smart bombs" that Saudi Arabia is dropping on Yemen.

Raytheon's Scottish factory builds the electronics systems for precision-guided bombs. The factory's signature line is circuit boards for the Paveway IV, a 500-pound, all-weather, laser-and-GPS-guided bomb. Raytheon has all sorts of customers, the RAF included. But since the Saudi Royal Air Force started bombing Yemen in 2015, these Paveways have also been much sought after by the Saudi government.

The war, which has left over 100,000 dead and millions displaced, costs the Saudi government an estimated £50bn a year, a significant chunk of which is spent on US and British weaponry that the UN says is being used to "target civilians... in a widespread and systematic manner." Death, displacement, disease and acute hunger now form the contours of life for the 80 per cent of the Yemeni population—22m people—who are in need of humanitarian assistance. In late 2018, the UN's top official in the Middle East at its children's agency Unicef stated: "Yemen today is a living hell."

Raytheon has used the slogan "strike with creativity," and its precision bombs have been discovered in the wreckage of hundreds of civilian sites in Yemen including hospitals, schools and infrastructure indispensable to the civilian population such as granaries, groundwater pumps and water tanks. While Raytheon is not, of course, responsible for any particular decision to bomb civilian targets, it does have to abide by the law when it comes to the export of weapons to those countries engaged in dirty wars. And responsibility for overseeing those laws lies squarely with the government.

Ministers claim that the British arms trade is regulated by "one of the most robust arms export control regimes in the world." Legally, arms cannot leave Britain if there is a "clear risk" that they could be used to deliberately or recklessly target civilians. As foreign secretary, when being asked about arms exports to Saudi Arabia in October 2016, Boris Johnson insisted "we take our arms export responsibilities very seriously indeed," adding the "most relevant test" in export licensing was the risk of a "violation of international humanitarian law."

But on 20th June 2019 the Court of Appeal found that, for Saudi Arabia, the then-trade secretary Liam Fox had—with the involvement of the former and then serving foreign secretaries, Johnson and Jeremy Hunt—unlawfully signed off on arms exports without properly assessing the risk to civilians. The judgment revealed that in early 2016 a quiet adjustment had been made to licensing procedures, such that hundreds of allegations of Saudi Arabia attacking civilians were not effectively considered in such decisions. The effect was that the export-control laws designed to protect civilians from British weapons were not being properly applied—and Johnson's reassurances to parliament came months after the constraints had been weakened.

The court ruling prompted the government to suspend arms sales to Saudi Arabia. But that has not prevented Raytheon armaments from finding their way into the Saudi war. The export licences issued before the ruling have not been revoked, and the government has continued to issue Raytheon UK, which describes itself as a "fully owned subsidiary of Raytheon in the US," with new licences to export munition components to America. Indeed, in January this year junior trade minister Graham Stuart confirmed in an answer to a parliamentary question that already, in the short period since the court case, "seven Standard Individual Export Licences... [had] been granted to Raytheon UK... for export to the US." The components potentially covered by the category of the two-year licences included missiles, bombs, torpedoes and rockets. Once components reach the US, there is no block on them being incorporated into weapons that can be sold on to Saudi—indeed, the Trump administration recently vetoed Congressional attempts to impose blocks on arms sales to Saudi Arabia.

"Everyone knows that for the Gulf, it's a free for all," a serving manager at Raytheon UK told me, referring to arms exports to Saudi Arabia and other monarchies such as the UAE and Bahrain that constitute its war coalition. The Saudis "have got more money than God. The government is not going to let Yemen get in the way of this."

At last September's DSEI arms fair in London, I asked Adam Fico, Raytheon's head of government relations, how the firm's code of conduct—"do the right thing," "respect human rights"—squares with its products being found in the wreckage of schools and hospitals. After evading the question several times, he said, "I can tell you I certainly didn't kill anybody" and rushed away into a tiny room marked "staff only."

In a statement, Corinne Kovalsky, Raytheon's global relations vice president in the US, told me: "It's not our place to comment on the military actions of our allies, partners and customers. What I can tell you is that prior to exporting military and security items, proposed sales are subject to review by the US Departments of State and Defence and the Congress of the United States. They are charged with advancing US national security and foreign policy by determining if proposed foreign military sales serve US interests."

Back in Glenrothes, inside Raytheon's factory fence, topped with rotating anti-climb spikes, staff are not specifically told the purpose of the product they are manufacturing. One former manager at the site told me his team would be given "a drawing and a set of files that allows you to assemble it," but wouldn't know exactly what the finished product would be. "There's a lot of secrecy around it within the company... the products that we built were just a part number; they were all given codenames." He described the technology that powers the bombs as "the Coca-Cola secret recipe... You have your wee section and you don't know what the final product does." Which is to say, most of those within Raytheon almost certainly do not know what they are

making. The company, after all, manufactures a wide variety of different systems from radar and reconnaissance to precision weapons.

During my week in Glenrothes, and the months spent researching this story, Raytheon—as that mysterious phone call suggests—seems to have done its best to put me off. One Raytheon employee said they had been instructed not to talk to me. MPs on the arms export controls committee have had a similarly tough time getting answers out of Raytheon—its executives declined to appear in front of the committee last year.

But it is clear that this is a town torn by its contribution to a faraway conflict. Some wrestle with it, some ignore it, while for some families in an economically depressed region keeping a job inevitably weighs more heavily than the moral questions of war.

While arms making has declined in Britain since the 1980s, government intervention has kept it more buoyant than other manufacturing industries. Following the Brexit vote, the newly founded Department for International Trade, which licenses arms exports, announced that it would work to expand Britain's arms trade. The government spends up to £1bn a year on subsidising the defence sector and has a team of over 100 civil servants dedicated to promoting arms sales internationally. During the annual government-organised arms shows soldiers are paid to work as “escort officers” to pick up delegations from scores of countries from their hotels and take them shopping. The official pressure to boost exports runs the risk of encouraging sales to governments that use their weapons for repression at home and suppression abroad.

Just south of extinct volcanic features in central Fife lies the ancestral land of a family of Scottish aristocrats named Rothes, whose forebearer John Leslie, the 1st Duke of Rothes, was a confidant of Charles II. At the end of the Second World War, the British government set out to build a town there, and out of the Rothes' estate grew Glenrothes (Rothes' valley), one of around a dozen new towns of the era.

“You'd rather be a lifer than a Fifer,” goes the self-deprecating refrain about life on this fertile peninsula north of Edinburgh. Outsiders have also been known to poke fun at Glenrothes—a Glasgow-based architecture magazine awarded it the Carbuncle Award in 2009 for being “the most dismal town in Scotland.”

The original vision was largely about coal production—it was already falling in Lancashire, and London sought to maintain the UK's independence in energy by developing deposits in Fife. Tinged with utopianism, the Glenrothes Development Corporation (GDC), a quango, built the town from 1948 and helped run it for most of its life. The deep coal mine was opened in 1958 by Queen Elizabeth, dressed in a white boiler suit, a white headscarf and a white miner's helmet. Roundabouts and dual carriageways bisect several unique “precincts,” low-rise cul-de-sacs. One called “Macedonia,” for example, was built according to modernist fashions at the time: flat-roofed houses, overlooking mini-stone henges, engraved with dinosaurs, hippos and crocodiles. Warehouse spaces dotted the town offering work in light manufacturing, from making supermarket trollies to machines for the mines. There was a smart community-owned bowling alley. The hope of work attracted incomers, particularly from declining pits in Ayrshire and Glasgow. However, a second coal boom in Fife was not to be; the Rothes Colliery was forced to close because of flooding in 1964.

The GDC had been looking to California for inspiration as it sought to create skilled electronics jobs in the area. Endowed with millions of pounds by central government to encourage inward investment, it offered major financial inducements to US corporations, marketing Glenrothes on its clean air, necessary for the chemical processes involved in microelectronics fabrication. American electronics companies, which had become giants during the Second World War, came for cheap land, skilled labour and an opportunity to expand into a European economy whose recovery from the war was still picking up pace.

“Beggars can't be choosers,” glibly explained Henry McLeish, the former First Minister of Scotland, who lived in Glenrothes for 30 years. “America was out there. If you could go and impress them you might get significant investment and that would bring jobs.”

Glenrothes became the centre of a Scottish electronics boom, which at its peak brought 100,000 jobs. This boom, that started in the 60s and peaked in the 80s, was drolly named “Silicon Glen.” While most coal towns were dealt a final blow during the 1984-85 miners' strike, Glenrothes had found a new path to prosperity.

But by the end of the 1990s, following US corporate consolidations coupled with the outsourcing of UK manufacturing, Silicon Glen all but vanished. Raytheon UK, which employs around 600 people in Glenrothes, is today the only substantial electronics firm left in Fife. The firm is said to have held onto the Glenrothes factory because it had developed an innovative “wafer fab” technology, a means to fabricate circuit boards that was deemed to have become the “tribal knowledge” of Fife's workers.

The fall of Silicon Glen took an enormous toll on Glenrothes' workforce as people were laid off and forced into the lower paid service sector. Although a strong streak of civil pride runs among many residents, the town has suffered from acute economic decline for the past two decades. The result has been a slowly unfolding tragedy. Food banks have popped up, one with a sign

advising would-be thieves that “there is no lead on this roof.” One in three children live in poverty.

The cheerless Kingdom shopping arcade in the town centre is dominated by bargain stores, betting shops and debt relief agencies. “They open for a month and then they close down,” remarks David, an unemployed 19-year-old, outside the Golden Acorn, the Wetherspoon pub that backs onto the shopping centre. “Glenrothes has suffered big time... There’s no nightlife and the local economy is gone. I’m facing imminent homelessness... Other than the Asda, there’s only one place to buy men’s clothes and it’s crap,” he adds, referring to a Scottish clothing chain store with the tagline: “Spend a little. Get a lot.”

“The great problem of Glenrothes and poverty more generally,” McLeish tells me, “is that it used to be people out of work getting benefits, now its people in work, in poverty and receiving [top-up] benefits. Glenrothes is a microcosm of what is happening across the central belt of Scotland, the north of England and much of the rest of the country.”

Other than Fife Council, Raytheon is the biggest employer in Glenrothes and also seen as the best, which may be why the denizens of the town are mostly reluctant to speak ill of the firm; “It’s the golden goose,” said a retiree drinking at the Golden Acorn. He acknowledged that he has family working at the firm, which sells electronic systems to both civilian buyers and also the RAF in this country. “It’s decent work working on those boards. And there’s not much of that around here anymore.”

Still, there are others in the town who are unhappy about the presence of the Raytheon factory. A pall fell across the face of some locals at the mention of the firm. “It’s not for me to say. I don’t know anything about them,” said a visibly nervous butcher. “We are completely separate to them.” A Muslim nurse told me that Raytheon was committing a sin by supporting Saudi Arabia in a “cruel action against women, children and elderly people in Yemen.” He added that his faith teaches that “he that kills, whatever the faith of the victim, kills all of mankind.”

But mostly people in Glenrothes feel ambivalent. At some point in any Raytheon conversation almost everyone will make the same gesture—two upturned palms symbolising a scale. On the one hand it provides the last, best jobs in a town that has fallen on hard times. On the other it does so through providing the technology that ends up being used to cause the deaths of many civilians 5,000 miles away.

On 20th September 2016, Saudi Arabia claimed it had killed rebel leaders in Al-Jawf Governorate, a remote and hardscrabble corner of Yemen. But when the UN and Mwatana, a Yemeni observation group, made independent visits to the site they discovered who had really been killed. The truck that was hit had been driven by a woman named Hamdah Taghin who was taking her two sisters-in-law to buy animal feed and grain following the harvest. With them were Hamdah’s five children, plus seven other children—the youngest just five months old. All 15 were killed when one of Raytheon’s Paveways struck. Three girls threshing crops nearby were also wounded, sustaining life-changing injuries. “I saw a very horrible sight that is hard to imagine,” a relative of one of the victims told Mwatana. “We would find a hand here and a foot there—all over the surrounding plants and trees—and we started collecting the body parts. People from neighbouring areas came to help us.”

Compelling evidence of atrocities emerged from Yemen almost immediately after the air war began in 2015. A camp for internally displaced people was blown up on day three. Numerous independent reports, from the UN, Human Rights Watch and Amnesty International among others, have since documented fragments of Paveways in hospitals, markets, schools, and civilian houses. Saudi Arabia has an enormous air force, bought from and maintained by the US and Britain, and from early on began taking out Yemeni infrastructure vital to the survival of the civilian population. It did not disguise its illegal tactics. For example, Saada, a town the size of Cambridge, was designated a legitimate military target and in the words of the UN, “effectively, trapped civilians” were subsequently indiscriminately bombed. Incidentally, the general leading the campaign would later earn global notoriety by organising the murder by dismemberment of Saudi royal-court insider-cum-journalist Jamal Khashoggi.

The UN and NGOs published evidence, including geo-located photos and video, of air attacks on civilian targets. Although the UK government did collate the evidence—the MoD last year recorded over 400 alleged international humanitarian law (IHL) violations since the bombing started—ministers responsible for licensing arms appear to have ignored it. Emails released by the courts to Campaign Against Arms Trade, which won a key element of last year’s judicial review against the government, reveal that Sajid Javid, when he was business secretary, ignored concerns about the risk of civilian attacks from Edward Bell, his most senior licensing official. Earlier, Boris Johnson, as foreign secretary, also signalled he “was content” that the licensing of Paveway components should go ahead.

In London, uncomfortable news of atrocities presented ministers with a problem. Arms sales to Saudi Arabia are sold under the 1985 Al-Yamamah arms deal, the terms of which have never been made public. But declassified government memos reveal the deal commits Britain to rearming the Kingdom, during peacetime and—crucially—wartime. The deal—which has long been mired in corruption, and was lubricated with a BAE slush fund which was tapped by senior Saudis for first-class flights, private school fees and rented flats for girlfriends—remains the bedrock of the military relationship between London and Riyadh.

The British government had a choice: obey international humanitarian laws and break lucrative contracts, or sustain the contracts and try their luck with the law. The Conservative government chose the latter, even offloading the RAF's own cache of Paveways to the Kingdom during the intensive early months of bombing.

A month before the court judgment, which would reveal the effective relaxation of arms exports to Saudi Arabia, I met a manager at the government's licencing body, the Export Control Joint Unit, which had—with ministerial oversight—been signing off on Saudi-bound arms shipments for four years. "I'm doing what I'm told and doing my job," the official said, "but I'm uncomfortably aware that Adolf Eichmann said the same thing."

Britain's arming of the Saudi air war in Yemen has produced a moral contagion, flowing from the cabinet office, through Whitehall, all the way to factories in places like Glenrothes.

Three Raytheon staffers employed within the past five years, some with over a decade of service at the Glenrothes site, eventually agreed to speak with me. Scores more declined, suggesting the US International Traffic in Arms Regulations and British rules on official secrets somehow restricted what they could say about potentially politically or commercially sensitive matters.

Two seemed to turn a blind eye to where the bombs they built ended up. One, who worked as a supervisor for Raytheon for over 10 years, sent a reply to questions over email. "The job was taken very seriously by all involved, knew it was important... and I was proud to be a part of it," he wrote. "From a purely personal and somewhat selfish view when it came to the threat of war [and] wherever or whoever the US were selling their merchandise to, I wasn't up or down about it as I reckoned from a business end Raytheon would be kept busy."

"Personally, I don't give it a moment's thought," explained another Raytheon staffer. "If the Arabs want to kill one another that's their business. We just sell the weapons; we don't pull the trigger." I asked whether he recognised the same argument might be applied to a knife salesman who maintains sales to a customer he thinks might use them to kill people. He replied: "That's the government's job. If the government issues the licence, its legal," and then terminated the interview.

"If we didn't arm them, someone else would," is a common justification for exports to dubious customers in both the defence industry and the MoD. But it flies in the face of the realities of the Saudi war machine. "The idea that if we stopped selling to Saudi Arabia, they'd just buy bombs off the Russians and the Chinese is just balderdash," explains John Deverell, a former director of defence diplomacy at the MoD, who has also served as a defence attaché to Saudi Arabia and Yemen. "The Saudi systems are so software dependent—you can't just plug in any old aircraft and any old bombs."

A third former Raytheon worker, this one with over a decade of managerial experience at the Glenrothes factory, was prepared to grapple with the more uncomfortable aspects of his old job. He blamed both his former employer and the government for selling and licensing arms to nations that misuse them. Growing up in Clydebank, his brother had joined the Navy and he had attempted to join the RAF as a younger man. "I wanted to defend," he recalled, "I also wanted to fly fighter planes because it was cool. It was never about killing." Instead, he trained in Glasgow as a mechanical engineer and has worked in Fife's dwindling electronics sector ever since, getting his first job just after Silicon Glen peaked.

"I've always hated war... I know what war does to people, he said. "I had nightmares as a kid, about nuclear war, and I can still visualise [them]. What it felt like. The physical feeling when I woke up." Now he moonlights as a karate instructor and warns his students that if they ever instigate violence, he won't teach them anymore.

He described the "trade off" between the "niggle" he felt as he managed a team to produce 20 "electronic products" vital to the functioning of the Paveway and other Raytheon bombs, and his need to pursue his chosen career, earn a living, support a young family and pay off his mortgage.

"On a personal level it didn't sit great with me," he recalled. "I knew what it was going to end up as. I always thought it's not my job. I'm not a politician. I'm not a commander. I'm not making the decision for when to fire it and where to fire it."

The former manager stressed how consciousness of the economic decline of the Scottish electronics economy cleaves workers closer to their jobs. "You couldn't escape it in Scotland," he said. "[Raytheon] was a good place to work. It was clean, it was warm, and it paid your wages... If anyone did have an issue with the ultimate end product—and there possibly were some over the years—they wouldn't have lasted long.

"There are few people who can live entirely by their principles. It's a trade-off between being a husband or a wife verses your belief, whatever it is. Sometimes you've got to say that my family comes first—I can't just walk away."

Arms dealers have been individually prosecuted for aiding and abetting war crimes overseas through the supply of arms to criminal parties in Sierra Leone, Rwanda and the former Yugoslavia—a principle that was established at the Nuremberg trials.

Drawing on these precedents, the European Center for Constitutional and Human Rights (ECCHR), a German law firm, last year filed a complaint to the prosecutor of the International Criminal Court against executives from European firms involved in the rearmament of Operation Restoring Hope, the ongoing Saudi air campaign in Yemen.

Sat in her Berlin office, in front of a map of Yemen covered in coloured tags denoting strikes and, where possible, the names of the companies that supplied the bombs in each attack, ECCHR lawyer Linde Bryk talked me through the law and some of her evidence.

“For some of the air strikes included in the complaint we submitted to the ICC, there are remnants of Raytheon bombs found on the ground,” she told me. “We have a lot of data.” She adds that it is enough that the arsenal of weapons you supply can be proven to have “furthered, advanced or facilitated the commission of such offences.”

The complaint seeks the prosecution of Raytheon UK and some executives for allegedly aiding and abetting war crimes. The firm declined to comment specifically on the complaint when I mentioned it in an email, but the individual executives can and—if and when the time comes—will undoubtedly dispute the allegations. At issue is the legal principle of intent, or knowledge about the use of what you are selling. If—a big if—the ICC prosecutor could be persuaded that Raytheon’s ultimate Saudi customers were committing war crimes, then there could be a long hard-fought case with sanctions against the company and executives.

There is an increasing spotlight on Saudi sales. The UN and numerous NGOs operating inside Yemen have collected data from hundreds of apparently unlawful attacks. Protestors bearing the flags of Yemen and Palestine have turned up at Raytheon’s factory gates in Glenrothes. Whereas at one time, before the court ruling, Raytheon UK was importing the bombs’ warheads from an Italian subcontractor, RWM Italia, that firm’s own licences for direct exports to Saudi Arabia have been suspended by Rome due to the conduct of the Saudi air war.

It is clear, not least because of RAF purchases, that there are still significant ties between Raytheon UK and the government. The firm has met government officials 84 times since 2010 and the US firm hosts an annual Burns Night in parliament for ministers; Gavin Williamson, as defence secretary, told the 2018 Tory conference: “I love Raytheon.”

And that is true. The government loves the arms export business. Former government insiders populate Raytheon’s board, including members of the House of Lords, former ambassadors and Whitehall mandarins. The business brings in a few million to the Treasury and helps subsidise the cost of domestic procurement, certainly in the aircraft sector. Maintaining a strong arms trade is not only about controlling contracting costs and shoring up the balance of payments, but also about projecting the influence of “Global Britain” into the Saudi royal court. In Johnson’s administration, diplomatic clout seems to count for more than other potential objectives, such as global security, human rights and justice for the poorest people in the world.

Depending on your vantage point, British arms sales to Saudi Arabia have substantially different meanings. For the British government it is about power and influence. For the people of Glenrothes it is about decent—now rare—jobs. For British arms companies, it is about new deals, shareholder returns, management bonuses.

But there is of course another way to see things. From the perspective of the friends and relatives of the 100,000 people killed since 2015, the sense of injustice will never go away.

“I want these innocent victims to have their rights according to... law and justice,” Mohammed Busaibis told a documentary crew who visited him in the remote village of Al-Wahijah shortly after his son’s wedding was hit there on 28th September 2015, killing 131 civilians. “I am suffering sorely from injustice of these arrogant people.”

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ASIA

Afghanistan

Afghanistan: bomb attack kills three as Taliban ends partial truce (The Guardian) By Julian Borger
March 2, 2020

Three people have been killed and 11 injured in a motorcycle bomb attack at a football match in eastern Afghanistan, as the Taliban announced an end to a partial truce two days after signing a deal with the US.

The Taliban had agreed to a week-long “reduction of violence” as a confidence-building measure ahead of the agreement signed on Saturday, in which the US pledged that all foreign forces would leave Afghanistan within 14 months, if the Taliban sat down for talks on Afghanistan’s future with government representatives.

The agreed “reduction in violence” expired on Saturday, but US officials had expressed hope it would be prolonged. The Afghan president, Ashraf Ghani, committed to extending it at least until the scheduled start date for intra-Afghan talks, 10 March.

Those talks appeared to be in jeopardy on Monday, as the Kabul government said it had not agreed to the release of 5,000 Taliban prisoners before the negotiations started, an offer made by the US as part of its agreement with the insurgent.

“The Afghan government has not made any commitment to release 5,000 Taliban prisoners before the start of any potential negotiation,” said Sediq Sediqqi, a spokesman for Ghani, adding that the prisoner exchange “cannot be a requisite for talks”, and instead should be part of the negotiations.

A Taliban spokesman said there would be no peace talks without the release of prisoners.

Critics of the US-Taliban deal had warned it had papered over a serious differences on the prisoner issue. It stipulated that up to 5,000 Taliban prisoners would be released by 10 March in exchange for only 1,000 government soldiers held by the insurgents. A parallel agreement the US signed with the Kabul government had only vague language about prisoner exchanges.

“The reduction in violence ... has ended now and our operations will continue as normal,” the Taliban spokesman Zabihullah Mujahid told the Agence France Press.

“As per the [US-Taliban] agreement, our mujahideen will not attack foreign forces but our operations will continue against the Kabul administration forces.”

Michael Semple, a former European Union envoy to Afghanistan said that the Taliban saw Saturday’s ceremony, appearing on stage with US officials as a recognised group, as a victory.

“In advance of the agreement, the Taliban leadership, were particularly interested in the theatre of the signing ceremony,” Semple, now a professor at Queen’s University Belfast. “And this in itself was a warning signal.” There was no immediate claim of responsibility for the attack in Khost.

“A motorcycle rigged with a bomb exploded during a football match,” said Sayed Ahmad Babazai, the Khost police chief.

Abdul Fatah Wakman, the president of the Khost Football Federation, told AFP that the three people killed were brothers.

The commander of US forces in Afghanistan, Gen Scott Miller, issued a statement saying: “The reduction in violence was a confidence builder. We’re very serious about our obligations and we expect the Taliban will be serious about their obligations. The United States has been very clear about our expectations – the violence must remain low.”

The Pentagon leadership in Washington sought to play down the significance of the attack.

“The Taliban is not a monolithic group. There are multiple terrorist organizations operating ... so we don’t know exactly who did that yet,” Gen Mark Milley, the chairman of the joint chiefs of staff, said on Monday. “Secondly, I would caution everybody that there’s going to be an absolute cessation of violence in Afghanistan ... it’s not going to go to zero.”

Laurel Miller, a former acting US special representative for Afghanistan and Pakistan, said the gaps in expectations over the reduction in violence and the prisoner exchange were evident from the moment the agreements were signed on Saturday.

“It’s not surprising that this is controversial for the Afghan government, because ... these are prisoners that are held by the Afghan government not by the United States,” said Miller, now the director of the Asia programme at the International Crisis Group. “So, it was a bit ... forward-leaning to put the provision on this into a US Taliban deal to which the Afghan government wasn’t part.”

ICC authorises investigation into alleged Afghanistan war crimes (Al Jazeera)

March 5, 2020

The International Criminal Court (ICC) has authorised an investigation into possible war crimes committed in Afghanistan, which would include allegations against United States, Afghan and Taliban armed fighters.

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Laurel Miller, a former acting US special representative for Afghanistan and Pakistan, said the gaps in expectations over the reduction in violence and the prisoner exchange were evident from the moment the agreements were signed on Saturday.

“The Appeals chamber considers it appropriate to ... authorise the investigation,” said presiding Judge Piotr Hofmanski on Thursday.

The decision, which comes days after the US and the Taliban armed group signed a peace deal, overturns a lower court

decision and opens the way for prosecutor Fatou Bensouda to launch a full investigation, despite US government opposition. The US is not a member of the Hague-based court.

Judge Hofmanski noted that Bensouda's preliminary examination found reasonable grounds to believe war crimes had been committed in Afghanistan, which is a member of the court, and that the court has jurisdiction.

Washington rejects the Hague-based court's jurisdiction, and last year, US President Donald Trump's administration imposed travel restrictions and other sanctions on ICC employees.

A pretrial panel last year had rejected Bensouda's 2017 request to open an investigation, arguing that the odds of success were low, given the passage of time, a lack of cooperation from Kabul and Washington, and the panel's conclusion that it would not "serve the interests of justice".

But Hofmanski said Bensouda should proceed and not limit her investigation to preliminary findings, as that would "erroneously inhibit the prosecution's truth-seeking function".

Bensouda believes there are grounds to open an investigation into abuses committed between 2003 and 2014, including alleged mass killings of civilians by the Taliban, as well as the alleged torture of prisoners by Afghan authorities and, to a lesser extent, by the US's forces and its spy agency, the CIA.

'Difficult road ahead'

US forces have been fighting the Taliban armed group, which has waged an armed rebellion since it was toppled from power in a US-led military invasion in 2001.

The Trump administration signed a deal with the Taliban, aimed at ending the longest US war, on February 29.

The deal, signed in the Qatari capital Doha, will see the withdrawal of thousands of US troops from the country in return for a guarantee from Taliban that Afghan soil will not be used for attacks on US interests.

But Washington carried out an air attack on Taliban fighters on Wednesday after West-backed Afghan forces came under deadly attacks.

The violence has cast a pall on the nascent Afghan peace process, with the Taliban demanding that President Ashraf Ghani government should release nearly 5,000 prisoners agreed as part of the deal.

Ghani's refusal to release the prisoners has angered the Taliban, and likely put the so-called intra-Afghan talks slated for March 10 in jeopardy.

Speaking at a news conference at the US Department of State on Thursday, Secretary of State Mike Pompeo said all sides should stop posturing and prepare for the intra-Afghan negotiations, including practical discussions about prisoner releases.

"We know that the road ahead will be difficult. We expected it, we were right," Pompeo said.

"The upsurge in violence in parts of Afghanistan over the last couple of days is unacceptable. In no uncertain terms, violence must be reduced immediately for the peace process to move forward,"

The ICC, which began operations in The Hague in 2002, is a court of last resort for war crimes, genocide and crimes against humanity when committed by nationals of a signatory state, or if they took place on the territory of one of its member states.

Dozens killed in attack on political rally in Kabul (The Guardian)

March 6, 2020

Gunmen opened fire on Friday at a ceremony in Afghanistan's capital attended by prominent political leaders, killing at least 32 people and wounding dozens more before the two attackers were killed by police, officials said.

The Islamic State group claimed responsibility for the attack in a statement on its website.

Militants from Isis have declared war on Afghanistan's Shias, and many of those at the ceremony were from the minority sect. The ceremony commemorated the 1995 slaying of Abdul Ali Mazari, the leader of Afghanistan's ethnic Hazaras, who are mostly Shia Muslims.

The Taliban said they were not involved in the attack, which came less than a week after the US and the group signed an

ambitious peace deal that lays out a path for the withdrawal of American forces from the country.

The interior ministry spokesman Nasrat Rahimi said 32 people were killed and 81 wounded in the attack in the Dasht-e-Barchi neighborhood of Kabul. The health ministry gave the same death toll but said 58 were wounded. All of the casualties were civilians, Rahimi said.

The opposition leader Abdullah Abdullah, who is the country's chief executive and was a candidate in last year's presidential election, was among several prominent political officials who attended the ceremony but left before the attack.

Several TV journalists were covering the ceremony inside a walled compound when the gunmen began shooting, and a reporter and a cameraman for a local broadcaster were among the wounded.

Karim Khalili, the chief of Afghanistan's high peace council, was delivering a speech when the gunfire interrupted him. He was not hurt and later went on TV to denounce the violence.

Several witnesses said that, amid the panic, members of the security forces at the event had fired on civilians in the crowd. "Individuals with military uniforms who were there targeted people, there were casualties, dead and wounded, said Ghulam Mohammad, a witness, according to Associated Press video.

Another survivor, Noor Mohammad, said: "Everyone was running. Three casualties were on the ground in front of me. I ran out of there to save my life."

After opening fire, the two gunmen fled to a half-finished apartment building, leading to a five-hour standoff with security forces. They were eventually killed and security forces cleared the building, Rahimi said. The area was cordoned off by dozens of security forces. The Islamic State group claimed responsibility for the deadliest attack in Kabul last year, when a suicide bomber killed 63 people and wounded 182 at a wedding. All were from the Shia Hazara community.

Any US troop withdrawal from Afghanistan would be tied to promises by the Taliban to fight terrorism and Isis. During the withdrawal, the US would retain the right to continue counter-terrorism operations in the country.

The Taliban have been fighting Islamic State militants in its headquarters in eastern Afghanistan. US military officials have said Isis has been degraded because of US and Afghan operations but also by Taliban assaults. A US defence department official told the AP that there was concern that Isis was expanding its footprint into Kunar province, where the Taliban knows the terrain and could be an asset in tracking down Isis.

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Extraordinary Chambers in the Courts of Cambodia (ECCC)

Official Website of the Extraordinary Chambers [English]

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

Cambodia Tribunal Monitor

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Bangladesh International Crimes Tribunal

Police in Bangladesh arrest 13 war crime suspects (Anadolu Agency) By Najmus Sakib

March 9, 2020

Police have arrested 13 people in northern Bangladesh for alleged involvement in crimes against humanity during Bangladesh's 1971 independence war with Pakistan.

The suspects were arrested in separate operations Saturday night and early Sunday in the northern district of Kurigram.

Local police chief Md. Mohibul Islam Khan told Anadolu Agency that security forces had nabbed the suspects after receiving arrest warrants from the International Crimes Tribunal (ICT), a court formed to try alleged war criminals in the country's independence struggle.

Without confirming the political affiliations of the 13 people, Khan said police would follow legal processes following the arrests.

So far, the local court has handed down verdicts in 39 cases against 97 people. Of these, 89 people have been convicted while 62 received capital punishment. Six suspects died during trials until 2019, according to local media site Bdnews24.com

The ICT is a domestic war crimes tribunal in Bangladesh set up in 2009 in order to investigate and prosecute suspects of war crimes in 1971 allegedly committed by the Pakistani military and local collaborators.

The court has been accused of being used against political opponents under the pretext of punishing war criminals.

Following the formation of the court, international human rights groups including Amnesty International and Human Rights Watch voiced deep concern over "unfair trial" processes.

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War Crimes Investigation in Myanmar

Some 70 More Rohingya Go on Trial For Trying to Leave Myanmar for Malaysia (Radio Free Asia) By Nandar Chan

February 27, 2020

A court in Myanmar's Yangon region began hearing testimony Thursday in a case against roughly 70 Rohingya Muslims arrested a week ago for attempting to flee the country illegally for Malaysia, while the United Nations human rights body issued a report documenting long-standing persecution against the ethnic minority.

The members of the group, which includes children, are being charged with violating Myanmar's nationality laws because Rohingya, who are not one of Myanmar's official ethnic groups, are barred from traveling without permission and because they did not have identification cards, said their attorney Thazin Myat Myat Win.

Myanmar's constitution requires residents to carry a national identification card whenever they travel.

Hlegu township immigration official Than Saung testified about the matter during the hearing at the township courthouse, Thazin Myat Myat Win said.

"The law dictates that they cannot travel without travel documents," he said. "Some of the detained Rohingya have the documents, but others don't since they were not aware of the requirement, and in any case they had left Rakhine state to find better lives elsewhere."

"The underage children have been charged under the Child Rights Law, and they are required to appear in court too," he added.

The Rohingya are from Kyaukphyu, Sittwe, Minbya, and Buthidaung townships in western Myanmar's Rakhine state. About 50 were picked up on Feb. 20 in a wooded area in Yangon's Hlegu township, and another 14 who had fled were arrested the

following day.

On Wednesday, a different set of 15 Rohingya who have been charged with violating nationality statutes went on trial in Minhla township in central Myanmar's Magway region.

Saw Naing, a Yangon region immigration official, told RFA that he knows of no other cases in which nationality laws have been used to charge any members of Myanmar's official ethnic groups, and that the Rohingya are required to adhere to the statutes.

Myanmar's 1982 Citizenship Law recognizes three categories of citizens, namely citizens, associate citizens, and naturalized citizens. It also legally recognizes 135 ethnic groups, but not the Rohingya.

"There have been no such charges against other ethnic groups," Saw Naing said.

"The situation in Rakhine state is different from other parts of country," he said. "There could be illegal immigrants who have entered the state as well as those who have lived there for many generations, so in order to distinguish themselves, they need to carry their ID cards whenever they travel."

Most people from Rakhine state do not want to carry National Verification Cards, he added.

The cards serve as a precursor to applying for citizenship for those who qualify, but are highly unpopular with Rohingya, who say the cards identify them as "Bengali," a term they reject because it implies they are immigrants from Bangladesh.

"As far as we can see, these people left voluntarily," Saw Naing said of the group of Rohingya now on trial. "They may have had hardships living in Rakhine state. Perhaps security is also a reason."

He said the Rohingya came from various villages in Rakhine state and from internal displacement camps where about 120,000 Muslims have lived since their homes were destroyed amid communal violence with ethnic Rakhine Buddhists in 2012.

"It has become impossible [for them] to live in their region, and this has driven them out," Saw Naing said. "We don't intend to limit the migration. We primarily look for those without ID cards to charge."

The Rohingya are subject to systematic discrimination in Myanmar in the form of denials of full citizenship, restrictions on their movement, and refusals to grant them access to public education, quality health services, and employment opportunities.

A military-led crackdown on Rohingya communities in northern Rakhine state in 2017 left thousands dead and drove more than 740,000 others from their torched villages and into Bangladesh. Many were subject to horrific torture and mass rapes.

An estimated 600,000 Rohingya still live in Myanmar. In recent years, thousands of them have fled the conflict-ridden region, paying human traffickers hundreds of dollars each to take them to Muslim-friendly countries in Southeast Asia where they will not face persecution.

OHCHR issues report

Also on Thursday, the Office of the United Nations High Commissioner for Human Rights (OHCHR) issued a report on the situation of rights concerning the Rohingya and other ethnic minorities in Myanmar, which makes recommendations for addressing the root causes of violations.

Rights violations and abuses against minorities are "engrained in the history and fabric of society at large" in Myanmar, according to an advance unedited version of the report.

"In addition to the institutionalized persecution of the Rohingya in Rakhine state, long-standing armed conflicts have continued to lead to serious violations and abuses of human rights of ethnic minorities in other states, including extrajudicial killings, arbitrary arrest and detention, torture, forced labor, and sexual and gender-based violence, and extensive forced displacement," the report said.

"This situation has gravely hampered the ability of minorities to enjoy other rights, including freedom of movement, health, education, and imposed significant limitations on livelihood opportunities, thereby perpetuating a cycle of marginalization and poverty," it said.

The report noted that a U.N. fact-finding mission in 2018 found that serious violations against the Rohingya during the 2017 crackdown amounted to war crimes and crimes against humanity.

The mission also charged that Myanmar had acted with "genocidal intent" against the Rohingya, though the government

denied the accusation, saying that the military had conducted a “clearance operation” in northern Rakhine in response to terrorist attacks by a Muslim militant group.

Myanmar faces legal action on genocide-related charges at the U.N’s International Court of Justice, the International Criminal Court, and an Argentine court.

The OHCHR recommends an end to military impunity for ongoing rights violations and comprehensive state reforms that would remove the army’s power and subject it to oversight by civilian authorities.

It also calls for Myanmar to dismantle the current system of discriminatory laws and policies and to adopt measures promoting equality and rights for ethnic and religious minorities.

The OHCHR suggests a comprehensive reparation program to remedy the harm suffered by aggrieved groups and to signal the state’s commitment to change. The body recommends that Myanmar offer compensation and provisions for education, health, and housing as well as official apologies and commemoration initiatives.

London-based Amnesty International gave an oral statement Thursday to the U.N. Human Rights Council after the OHCHR presented its report.

“The High Commissioner’s report underscores once more the need to end military impunity and the importance of the full realization of the rights of ethnic, religious, and other minorities,” Amnesty said. “Such measures are essential to ensure that all people in Myanmar can live their lives in dignity and security, free from discrimination.”

“Unfortunately, Myanmar’s authorities, including the current administration, have often been among those fostering rather than challenging narratives of hate, intolerance, hostility, and violence,” Amnesty said.

Amal Clooney to pursue Rohingya case at The Hague (The Guardian) By Rebecca Ratcliffe
February 27, 2020

Amal Clooney will represent the Maldives in seeking justice for Rohingya Muslims at the UN’s highest court, where Myanmar faces accusations of genocide.

The Maldivian government has said it will join the Gambia in challenging Myanmar’s treatment of Rohingya people during an army crackdown in Rakhine state in 2017 that forced more than 700,000 people to flee to neighbouring Bangladesh.

In a unanimous decision in January, the international court of justice (ICJ) in The Hague imposed emergency “provisional measures” on Myanmar, instructing it to prevent genocidal violence against its Rohingya minority and preserve any evidence of past crimes.

The ruling was an outright rejection of the defence put forward by Aung San Suu Kyi, who attended court in person to defend the military’s actions. In evidence to the court she urged ICJ judges to dismiss allegations of genocide and instead allow the country’s court martial system to deal with any human rights abuses. A final judgement is expected to take years.

In a statement, Clooney, the human rights lawyer and barrister at Doughty Street Chambers in London, said: “Accountability for genocide in Myanmar is long overdue and I look forward to working on this important effort to seek judicial remedies for Rohingya survivors.”

Clooney successfully represented former the Maldivian president Mohamed Nasheed and secured a UN decision that his 2015 jailing for 13 years was illegal.

She also represented Reuters journalists Wa Lone and Kyaw Soe Oo, who spent more than 500 days in prison in Myanmar convicted of breaking the colonial-era Official Secrets Act. The journalists had been working on a Reuters investigation into the killing of 10 Rohingya Muslim men in Rakhine state. They were freed in May 2019.

The Gambia, a predominantly Muslim west African state, took the lead in the legal action when it submitted an application to the ICJ in 2019 alleging Myanmar breached the genocide convention, which was enacted after the Holocaust.

Myanmar is accused over mass murder, rape and destruction of communities during an army crackdown in 2017. A UN fact-finding mission declared that the violence had “genocidal intent”.

Myanmar army clash with insurgents kills five Rohingya: lawmaker, residents (Reuters) By Yangon Bureau
March 1, 2020

At least five ethnic Rohingya were killed, including a child, and several injured after

troops clashed with insurgents in Myanmar's conflict-torn western state of Rakhine, a lawmaker and two residents said on Sunday.

Saturday's fighting broke out after Arakan Army rebels attacked a military convoy passing the historic temple town of Mrauk U, the regional MP, Tun Thar Sein, and a spokesman for the armed group, Khine Thu Kha, said.

Two military spokesmen did not answer telephone calls from Reuters to seek comment, and the army did not immediately issue a statement on its website.

Khine Thu Kha, the Arakan Army spokesman, blamed government troops for the civilian casualties.

A government spokesman said he could not comment.

Reuters was unable to independently confirm the details of the attack in the remote area, where journalists are barred and internet access curtailed.

Myanmar army artillery shells hit the village of Bu Ta Lone, killing four people, the Arakan Army spokesman said in a message.

The MP, a health worker who treated the injured, and a villager said at least five Rohingya, members of a persecuted Muslim minority, had died. A 12-year-old boy was among them, the villager said.

Military spokesmen did not respond to phone calls from Reuters seeking additional details. A government spokesman sent a text message saying he was in a meeting.

There were conflicting accounts of the number of Rohingya injured, which ranged from six to 11, along with several members of the state's Rakhine ethnic majority.

Rakhine is the state from which more than 730,000 Rohingya were forced to flee for neighboring Bangladesh after a military crackdown in 2017 that the U.N. has said was executed with genocidal intent. Myanmar denies committing genocide.

Several hundred thousand Rohingya remain in Myanmar, many confined to camps and villages where they are caught in the middle of fresh fighting between the military and Arakan Army, which recruits from the mostly Buddhist majority in a drive for greater autonomy from the central government.

That conflict has displaced tens of thousands and killed dozens.

Tun Thar Sein, the Mrauk U MP, said troops responded with gunfire and shelling in two villages on Saturday after rebels attacked their convoy.

"In response to that, the military started firing at suspicious locations," he said.

A local health worker, who asked not to be named for fear of retribution, said three of the Rakhine ethnic majority were also injured and one woman had died of cardiac arrest.

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AMERICAS

North & Central America

El Salvador Approves Law to Prosecute Civil War Crimes, President to Veto (The New York Times) By Stefanie Eschenbacher

February 27, 2020

El Salvador's Congress on Wednesday narrowly approved a controversial law intended to allow the prosecution of crimes committed during the country's bloody civil war, although President Nayib Bukele said he would veto it.

While proponents argue the law is meant to ensure that nobody receives an amnesty or pardon for their crimes during the civil war, opponents, including human rights organizations, argue it will achieve the opposite.

Bukele called it "an amnesty law that protects war criminals" and said he would veto it. If he does not, it will become law within 60 days of being officially announced.

The law covers compensation, reparations, history and access to military and police archives, and makes it illegal to praise disgraced characters for their role during the civil war.

One of the main criticisms, however, is that it allows judges to significantly commute sentences for reasons of health or age, or because alleged perpetrators collaborate. It was approved by 44 out of 84 possible votes.

El Salvador's civil war that pitted the former Farabundo Marti Front for National Liberation (FMLN) against the army lasted from 1980 to 1992 and left 75,000 dead as well as 8,000 missing.

FMLN party members did not vote, arguing the law is not in victims' interest.

El Salvador Reconciliation Law Vetoed Over Impunity Fears (The New York Times)

Feb. 28, 2020

President Nayib Bukele said Friday he has vetoed a national reconciliation bill approved earlier this week by lawmakers, arguing that it would result in impunity for crimes against humanity from El Salvador's 1980-1992 civil war.

In a news conference at the presidential residence, Bukele said he would not support any measure that doesn't contain three fundamental elements: truth, justice and reparations.

"This Special Law for Transitional Justice, Reparation and National Reconciliation is a fraud of a law beginning with its very name, because it is simply an amnesty to make punishments for those who committed war crimes go away," Bukele said.

He added that he considers it "de facto impunity," unconstitutional and in violation of international treaties and accords.

The law was backed by 44 deputies in the 84-seat Legislative Assembly. Eleven voted against it and one deputy abstained. The 23 lawmakers from the leftist FMLN part remained silent, neither supporting nor opposing the vote nor officially abstaining, and five lawmakers were absent when the vote was taken.

Fifty-six votes would be required to override the presidential veto.

In July 2016 the Central American nation's Supreme Court declared unconstitutional an amnesty law that was passed in 1993, five days after a U.N. truth commission documented 22,000 complaints related to the civil war.

The high court held that crimes against humanity can never expire under international law, so investigations and reparations for victims could not be blocked.

It also ordered the Assembly to craft a new reconciliation law that would guarantee truth, justice and reparations — the three elements Bukele cited Friday. The president argued that the bill would have forced prosecutors to close war crimes cases permanently and would not have held offenders accountable through criminal penalties or compensation for victims. He accused lawmakers of failing to heed the mandate from the high court. Congressional President Mario Ponce has defended the law as complying with the court's ruling. Lawmaker Raúl Beltrán of the conservative Concertacion Nacional party said he voted for the bill "despite the fact that it has imperfections." FMLN lawmaker Jorge Schafik Handal said on his Twitter account that the law would "have left the window open for an amnesty."

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South America

Colombia's army adds journalists, war crimes tribunal and even Red Cross to 'opposition' monitoring list (Colombia Reports) By Adriaan Alsema

March 11, 2020

Colombia's national army came under fire after on Tuesday after adding journalists, the war crimes tribunal and even the Red Cross to an "opposition" social media monitoring list.

The "opposition" list was discovered when investigative journalism website Cuestion Publica was added to the list. The website has reported extensively on a scandal linking a drug trafficking organization to President Ivan Duque.

According to Cuestion Publica, the army's "opposition" list on Twitter included members of the political party of the demobilize guerrilla group FARC as well as the war crimes tribunal, human rights organizations and the International Committee of the Red Cross.

The list contained only five opposition politicians.

"Army lists stigmatize media and journalists"

Press freedom foundation FLIP expressed its concern that media were included in an "opposition" list.

Reporters Without Borders spokesperson Fabiola Leon said the "army lists stigmatize media and journalists with critical or different view on the complexity of the country."

Lieutenant Carlos Manosalva told the website that "the list is a monitoring of what the opposition thinks."

In a press release, the army apologized and said that "out of respect for individuals and the accounts of entities and organizations, they were eliminated as an immediate measure" after the criticism.

The FLIP responded that it will begin an investigation "in order to verify that there are no other irregularities that could affect the work of the press."

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Venezuela

Factsheet: Major human rights events in the Americas in 2019 (Amnesty International)

February 27, 2020

Amnesty International has documented grave violations of human rights in 2019 in 24 countries across the Americas. Examples of the major human rights events analyzed include:

BOLIVIA After Evo Morales' resignation amidst a social-political crisis in November, interim president Jeanine Áñez issued a decree granting impunity to Armed Forces, under which security forces repressed protests, causing deaths, dozens of injuries and allegations of excessive use of force. At least 35 people died violently in the context of the protests.

BRAZIL President Bolsonaro's government put his openly anti-human rights rhetoric into practice through administrative and legislative measures. The year also saw an increase in the number of killings by police on active duty; severe environmental crises in the Amazon disproportionately affecting Indigenous peoples, Quilombolas and other local traditional communities; attempts to curtail the activities of civil society organizations; and threats against and killings of human rights defenders.

CHILE Chile ended 2019 with the worst human rights crisis since the regime of General Augusto Pinochet, with mass demonstrations against high levels of inequality. At least 31 people died violently in the context of the protests, which were met with strong repression by state forces.

COLOMBIA Violence from the ongoing internal armed conflict and disputes over territorial control following the signing of the 2016 Peace Agreement raged on. The main victims continued to be Indigenous Peoples, Afro-descendant and campesino (peasant farmer) communities. Colombia was the world's most lethal country for human rights defenders, with 106 killings.

CUBA A year after President Díaz-Canel took office, the Cuban authorities continued to arbitrarily detain and imprison independent artists and journalists, and members of the political opposition. Amnesty International named six people prisoners of conscience, representing only a fraction of those likely to be detained solely because of the peaceful expression of their opinions or beliefs. The island remained mostly closed to independent human rights monitors.

DOMINICAN REPUBLIC The police routinely raped, beat and humiliated women engaged in sex work in acts that may amount to gender-based torture or other ill-treatment. Abortion remained criminalized in all circumstances.

ECUADOR Authorities failed to protect human rights defenders in situations of risk, especially those who defend the environment, as well as making xenophobic statements and hardening entry requirements for Venezuelan asylum-seekers. Security forces used excessive force to repress protests over austerity measures that may affect people's rights. Eight people died in the context of the protests in October and hundreds were injured and detained.

EL SALVADOR High levels of violence continued to provoke internal displacement and forced migration. Local organizations reported concerns over the new government's plan against organized crime, such as the lack of transparency, the use of the military in public security operations, and the plan's impact on prison conditions. A draconian total ban on abortion continued in place.

GUATEMALA The government shut down the International Commission Against Impunity in Guatemala, and Congress discussed regressive bills promoting impunity and restrictions to the work of human rights defenders. Attacks against human rights defenders persisted, including smear campaigns, criminalization and killings. Under a new "Safe Third Country" agreement, US authorities sent Honduran and Salvadoran asylum seekers to pursue their asylum claims in Guatemala instead of in the United States.

HAITI At least 83 people were killed and over 100 injured in the context of protests during in February and September-October. Security forces were responsible for an estimated 19 of those deaths. Amnesty International verified instances in which police armed with semi-automatic rifles fired live ammunition during protests, in violation of international policing and human rights standards. A number of journalists were injured and killed.

HONDURAS Six people died in the context of protests that were brutally repressed by security forces between April and June. Human rights defenders continued to be subjected to attacks, including killings and the misuse of criminal proceedings against them. Despite thousands of people fleeing the country seeking refuge in the United States and Mexico due to violence, impunity and poverty, the governments of Honduras and the United States signed a "Safe Third Country" agreement.

MEXICO The first year under a new administration brought concerning decisions around security, including the creation of a civil National Guard formed mostly by military elements. The number of reported disappearances increased to over 61,637. Violence against women persisted, with 1,006 investigations opened into femicides. Harassment and killings of human rights defenders and journalists continued. Mexico adopted a security-based approach to migration issues, using the National Guard to apprehend migrants.

NICARAGUA The crisis in Nicaragua continued, with arbitrary detentions, targeted killings, limits to freedom of expression and demonstrations and attacks against NGOs, journalists and human rights defenders. Thousands were forced to flee the country and the authorities blocked the entrance of international bodies.

PERU Authorities made xenophobic statements and imposed stricter entry requirements on Venezuelan asylum-seekers. The government also failed to address the exposure of Indigenous communities to toxic metals and the lack of effective regulations affected Indigenous Peoples' rights.

PUERTO RICO Ricardo Rosselló resigned as governor in July, following two weeks of protests in which 20 people were injured and 17 arrested. Governor Wanda Vázquez Garced declared a State of National Alert due to high levels of gender-based violence. Two years after hurricane Maria, tens of thousands of people continued to live under blue tarpaulin sheets.

USA US authorities detained, ill-treated and turned away tens of thousands of asylum-seekers at the US-Mexico border, in violation of national and international laws. As a result, unaccompanied children, families, LGBTI people and others faced

abuses once stranded in northern Mexico, as well as in US immigration detention centers. The Trump administration increasingly misused the criminal justice system to threaten and harass human rights defenders.

VENEZUELA The Maduro government continued its use of extrajudicial executions, arbitrary detentions, excessive use of force and torture as part of a policy of repression to silence dissent. At least 47 people were killed in the context of protests, including 21 who died in January at the hands of security forces and armed civilians acting with their acquiescence, in what may constitute crimes against humanity. Lack of food, medical care, and basic services have forced more than 4.8 million people to flee the country.

US Calls Out Iran, China and Venezuela on Human Rights Abuses (Voice of America) By Nike Ching
March 11, 2020

The United States is accusing authoritarian governments around the world of suppressing people with severe human rights "violations and abuses" to control any activities that might threaten their power.

"Experience teaches that government officials who oppress, abuse, and tolerate the denial of the human rights of their own people are also responsible for creating social environments that are ripe for both economic and humanitarian crises, and that encourage corruption, violent conflict, and terrorism," said U.S. Secretary of State Mike Pompeo in a statement Wednesday unveiling the 2019 Country Reports on Human Rights Practices.

Iran

On Iran, the U.S. report highlighted the widespread protests that began last November after a fuel price increase.

The Tehran government "blocked almost all international and local internet connections for most of a week, and security forces used lethal force to end the protests, killing approximately 1,500 persons and detaining 8,600, according to international media reports. There was no indication government entities were pursuing independent or impartial investigations into protester deaths," said the State Department.

The U.S. report detailed a grim picture in Iran, citing significant human rights abuses including executions for crimes not meeting the international legal standard and without fair trials of individuals.

The State Department also said Iranian government officials materially contributed to human rights abuses in Syria, Iraq and Yemen, through military support for Syrian President Bashar al-Assad and pro-Iran militia groups.

China

On China, the State Department's human rights report focused on Chinese Communist Party officials' intensified campaign of mass detention of members of Muslim minority groups in the Xinjiang Uighur Autonomous Region (Xinjiang).

"In China, the Chinese Communist Party uses high-tech surveillance systems to monitor potential dissidents. It's imprisoning religious minorities in internment camps, part of its historic antipathy to religious believers," Pompeo told reporters at Wednesday's press briefing.

The State Department report says Chinese authorities reportedly have "arbitrarily detained more than one million Uighurs, ethnic Kazakhs, Kyrgyz, and other Muslims in extrajudicial internment camps designed to erase religious and ethnic identities."

The report said official repression of the freedoms of speech, religion, movement, association and assembly of predominantly Uighurs and other ethnic and religious minorities in Xinjiang, and Tibetans in the Tibet Autonomous Region (TAR), was more severe than in other areas of the country.

Washington also notes that in China, human rights issues include arbitrary or unlawful killings, forced disappearances, and arbitrary detention by the government; harsh and life-threatening prison and detention conditions; physical attacks on and criminal prosecution of journalists, lawyers, writers, bloggers, dissidents, petitioners, and others as well as their family members; and the forcible return of asylum-seekers to North Korea.

Saudi Arabia

On Saudi Arabia, while the U.S. rights report expressed concerns about the transparency and accountability of the Saudi government regarding the October 2018 killing of journalist Jamal Khashoggi in Turkey, it did not specifically mention the observations of U.S. embassy personnel attending the suspects' trial.

"Even though there may be high-profile trials in various countries, we tend not to report on them unless they're emblematic of what's going on," said Robert Destro, an assistant secretary of State for democracy, human rights, and labor affairs.

"The murder of Jamal Khashoggi was an unacceptable crime. We have spoken with the Saudi leadership from the king down about our concerns. The position that we have taken hasn't changed," he added.

The U.S. report said the Saudi government, in several cases, did not punish officials accused of committing human rights abuses, contributing to an environment of impunity. For example, following the killing of Khashoggi, a court sentenced five officials to death and three officials to prison on Dec. 23, 2019. The court ruled that guilt could not be established in the case of three other defendants.

Critics said the State Department's human rights report shows a disconnect between facts on the ground and U.S. President Donald Trump's policy.

Although countries highlighted by Pompeo during the release of the report--such as Iran, China, and Venezuela--deserve criticism for their dismal records, senior fellow at the Center for American Progress Elisa Massimino said, "omitting places like Saudi Arabia, Russia, and the Philippines--whose leaders President Trump is courting --sends the damaging signal that the administration cares more about the violations of its adversaries than those of its friends and partners."

Venezuela

On Venezuela, the report cited restrictions on political participation and the stifling of free expression.

"For more than a decade, political power has been concentrated in a single party with an authoritarian executive exercising significant control over the judicial, citizens' power, and electoral branches of government," said the State Department, citing the reelection of Nicolas Maduro as Venezuela's president is "neither free nor fair" and deeply flawed.

The State Department report also pointed to issues including unlawful or arbitrary killings, including extrajudicial killings by security forces of the Maduro regime; forced disappearances; torture by security forces; arbitrary detention by security forces; harsh and life-threatening prison conditions; political prisoners; unlawful interference with privacy; and lack of judicial independence.

The U.S. report said the Maduro government restricts freedom of expression and press by routinely blocking signals and interfering with the operations of, or shutting down, privately owned television, radio and other media outlets.

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TOPICS

Truth and Reconciliation Commission

FM Gyawali reiterates Nepal's commitment to transitional justice (myRepublica)

February 27, 2020

Minister for Foreign Affairs Pradeep Kumar Gyawali has said that the government is firmly committed to address the issues of transitional justice in accordance to the Comprehensive Peace Accord (CPA). He said that the government will also take into account the directives issued by the Supreme Court, relevant international commitments, concerns of the victims, and the ground realities to address the issue.

Speaking at the High-Level Segment of the 43rd Session of Human Rights Council in Geneva on Tuesday, the foreign minister also shared the progress made so far on the issues of the long-delayed transitional justice process.

"Nepal presents a uniquely successful case of nationally led and owned conflict transformation and peace process. We are dealing with the incidences of conflict-era human rights violations through two independent commissions – the Truth and Reconciliation Commission and the Commission for Investigation on Enforced Disappeared Persons. The terms of the commissions have been extended to ensure the completion of their work.

The newly appointed commissioners have started functioning in full swing," Gyawali said.

The foreign minister appreciated the continuous goodwill and understanding of the international community in the country's peace process.

Minister Gyawali also sought UN member states' support in Nepal's bid for the membership of the UN Human Rights Council for the second term of 2021 to 2023.

Minister Gyawali said that Nepal has strong faith in the values of multilateralism to strengthen and sustain the common aspiration of a peaceful, prosperous and just world.

"We remain committed to working together in a balanced and objective manner for the universal protection and promotion of human rights," the minister said.

Nepal firmly believes in the universality, in-divisibility, inter-relatedness, inter-dependence and mutually reinforcing nature of human rights, including the right to development, he said.

The foreign minister said that Nepal believes that the rule of law and human rights must be evenly operational at national, regional and international levels.

"We are a party to all major international human rights instruments including seven of the nine core such instruments. We have internalized those values and standards into our national laws, policies and practices," he said.

Minister Gyawali also shared that Nepal's constitution is founded on universally recognized human rights and such other principles as inclusive multiparty democratic polity, pluralism, the rule of law, and representative and accountable government.

"Independence of judiciary and full freedom of press are the salient features of Nepal's constitution," he said, adding that social justice is integral to the country's democratic process.

"The constitution guarantees special measures for weaker sections of our society to enable them enjoy fundamental rights and receive a fair share of representation in all spheres of national life. Nepal, as a secular state, guarantees freedom of religion as a fundamental right. The religious tolerance in Nepali society is exemplary," he said.

Gyawali said that Nepal recognizes the role of the grassroots community organizations, civil society, human rights defenders, and the media as the indispensable partners in promotion and protection of human rights.

"The National Human Rights Commission of Nepal conforms to the Paris Principles and stands accredited as 'A' category national human rights institution.

As one of the pioneer countries to implement National Human Rights Action Plan since 2004, we are now preparing the 5th National Action Plan," he said during his address to the UNHRC.

Sámi Parliament seeks nominations for Truth and Reconciliation Commission (News Now Finland)

February 28, 2020

The Sámi Parliament in Inari is reaching out to the community for nominations to take part in the Truth and Reconciliation Commission.

In December last year the parliament approved a move to establish such a commission to look at the current and historical relationship between the Finnish State and the Sámi people of northern Finland.

Anyone who wants to be considered for a role in the commission's work – there will be five people on the panel – needs to have specific knowledge of Sámi language, history and culture.

Once it is up and running, the commission will aim to identify and evaluate historical and current discrimination – including state integration policies and human rights violations – and assess their impact on the Sámi people and their community in the current context.

The commission will also be able to propose new ideas of how to improve contact between the Sámi and the state of Finland.

The end date for the commission to submit its report to the government, the Sámi Parliament and the Skolt Village Assembly by the end of November 2022.

How have we reached this point?

Back in October 2017 the Finnish government budgeted €200,000 to look at the issues involved in setting up some sort of truth commission.

The idea of an official reconciliation process raises painful issues for many Sámi, because injustices were not only historical, but also took place in more recent living memory. Other issues around traditional land use and rights continue to cause friction between Sámi communities and the Finnish state.

A year later in autumn 2018 a government report about the sensitivities of addressing historical wrongs by the Finnish state was published in three Sámi languages, Finnish and Swedish, and came after weeks of consultations with Sámi people around the country.

By November 2019 the government decided to appoint a five-person commission tasked with investigating and learning lessons from history. The committee will operate impartially and independently, and its mandate was prepared in cooperation with the Sámi Parliament and the Skolt Village Assembly.

Liberia: Emmanuel Savice Was Arrested for Breaching Security Protocol, Govt Says (Front Page Africa) By Gerald C. Koinyeneh
March 4, 2020

The Executive Mansion has announced that a leading war crimes court advocate, Emmanuel Savice, along with several other persons were on Tuesday arrested by presidential security personnel for breaking through security protocols set to safeguard the President.

Mr. Savice, a leading advocate for the establishment of a war and economic crimes court in Liberia had earlier led a crowd of protesters at the Capitol to resubmit a petition to the Legislature for the setting up of the court.

Moments after the petitioning ceremony, news of his arrest and maltreatment by the Liberia National Police began to emerge.

The LNP confirmed that Savice was in their custody undergoing investigation for breach of the law.

Moments later, a release from the Executive Mansion confirmed his arrest, and accused him and his supporters of crossing the security redline.

Excerpt of the release: “Several persons have been arrested by the Liberian National Police for breach of security at the Foreign Ministry office of President George M. Weah. The group, led by one Emmanuel Savice, broke through the perimeter set by the Executive Protection Service (EPS) and blocked the entrance with a vehicle.”

The release continues: “Savice and his followers, who had earlier gone to the Capitol Building in order to petition lawmakers for the establishment of a war crimes court, used their vehicle to block the exit route of the Presidential convoy. They grossly disregarded instructions by security forces to remove the blockade.”

“Some members of the group, including Savice, were subsequently arrested by LNP officers – who had done all in their powers to ensure the protection of their rights to gather and petition their government. The police authorities have acknowledged having Savice and companions in their custody and announced that they will be duly charged and forwarded to court.”

The government, in the release promised “do all within its power to ensure the constitutional rights of all Liberians to free assembly and association but that the exercise of such rights must be done in a civil manner in keeping with law.”

But on the contrary, Savice, confirming his arrest via his Facebook page alleged that he was maltreated by the LNP.

“Thanks to every one of you that is standing for JUSTICE. At the moment, I am still being detain at the LNP headquarters. I was beaten mercilessly by EPS and turned over for charges. I am presently at the LNP. The beaten style included putting a blanket around my face to step on my side of my ears while been kick by many of the EPS Securities. Representatives from the House, my lawyer and a UN representative is seeking my release to go to hospital. My wallet and my phone or taken away. A total of 1,800 stolen from me. All this for the fight for War and Economic Crimes Court.

Police Spokesperson, Moses Cater was unable to be reached for response. His phone rang with no answer.

Meanwhile, Savice, had earlier joined fellow advocates including Fubi Henriess, Nathan Blayee (alias Butt Naked) and their supporters at the Capitol on Tuesday to present a petition to the House of Representatives for the establishment of war and economic crimes court.

Presenting the petitioned to the Deputy Speaker of the House, Rep. Prince Moye, Savice warned of a possibility of another civil war in Liberia if the court was not established to prosecute those responsible for the heinous crimes that were committed.

“We are not begging, we are demanding [the establishment of war crimes court] because if not, there will be another war in Liberia. And we don’t want that,” he said.

“We came to remind you of the civil war and, impunity because when I look left I see the office of Senator Prince Johnson, when I look right, I see the office of Rep. George Bolley. I see economic Vampires. The House of Representatives has done nothing about the war crimes court.”

Senator Johnson and Rep. Bolley of Grand Gedeh County are two of several Liberians indicted by the Truth and Reconciliation Commission to face prosecution for atrocities they committed during the war.

Savice vowed to assemble at the Legislature every two months until the legislature yields to their request.

Receiving the petition, Deputy Speaker Moye, who lead an array of lawmakers including Reps. Rustonlyn Suacoco Dennis and Acarous Gray welcomed the move, and promised to work with the champions of the resolution calling for the setting up of a war crimes court to ensure it is placed on the House’s agenda for action.

“This is just a reminder because we have received more than 50 signatures to put back that resolution on the agenda for possible actions,” he pledged. Also speaking, Rep. Dennis, who is credited for being one of the lawmakers pushing for the court vowed to spearhead the reintroduction of the resolution on the agenda for approval by plenary.

Mass Graves Force Burundi to Confront Its Violent Past (Bloomberg News)

March 4, 2020

Generose Banyankindagiye gazed at the picture of her late husband on the wall of her spartan brick house and remembered the last time she saw him almost 50 years ago.

She decided to hang up the picture after Burundi’s Truth and Reconciliation Commission started exhuming the bodies of victims of several waves of political and ethnic violence since independence from Belgium in 1962. She thought it could help find her husband by recognizing his clothes. And then she might finally be able to mourn him.

“My husband was a trader and had recently purchased a car,” the 70-year-old said in an interview in Gitega, the capital. “One day he left early in the morning to go to Mass — he never came back.”

Burundi, a coffee producer that counts Starbucks Corp. among its customers, is covered in verdant, rolling hills and is one of the most densely populated countries in Africa. It lies in the heart of the Great Lakes region, where political tension is once again surging. Both Burundi and Uganda have traded accusations with neighboring Rwanda, which suffered a genocide in 1994, of backing insurgents. And all three countries participated in conflicts in neighboring Democratic Republic of Congo since the 1990s.

The commission was originally set up in 2014 to investigate ethnic violence that occurred between 1962 and 2008. A year later, a bid by President Pierre Nkurunziza to seek a third mandate triggered a fresh political crisis and a brutal crackdown by security forces. An attempted coup in 2015 unleashed a new round of suppression, and once again, people disappeared, with New York-based Human Rights Watch saying abuses including summary executions and abductions continued into 2018.

But in a country where talk of ethnic groups is extremely sensitive and banned on some occasions, critics say the commission’s work could fuel renewed hatred. They also question the timing, with the government preparing elections in May that will likely hand victory to the ruling CNDD-FDD.

While there are no precise figures on the number of victims of Burundi’s mass killings, analysts put the range in the hundreds of thousands. The commission estimates that there are about 4,700 mass graves across the country about the size of Israel. In January, in the central province of Karusi, it discovered 18 mass graves, opened six, and found 6,032 victims of a 1972 genocide that targeted ethnic Hutus and decimated the educated class.

“Most of the victims in these mass graves came from nearby areas,” Pierre Claver Ndayicariye, head of the commission, said in

an interview in Gitega. “Buried here are army and police officers, men and women of the church, medical doctors, students from various schools, teachers and university lecturers, in addition to citizens who were arrested and taken to jail before they were brought here for execution.”

Victims are often identified by their clothes, or accessories like belts, glasses or rosaries found among the remains. Psychologists are on hand to comfort relatives.

In recent years, the commission has been called in to exhume remains discovered at road and housing projects, but today it's actively started searching for graves by speaking to witnesses and families of victims. It has even sought out excavator drivers who dug some of the graves when the killings occurred or others who were forced to participate in them.

Maximilien Barampama is one such witness. He was detained in 1972 in Gitega prison, when the army, then dominated by ethnic Tutsis, gathered thousands of people for execution.

“Most of them were wounded or had some bones broken because of the torture they faced on their way to the prison. I was among those ordered to handcuff them before they were taken to be killed,” he said as his eyes welled up with tears. “I wasn't able to refuse.”

Today, the commission has an extended mandate that goes as far back as 1885, when colonial powers divided up Africa at the Berlin Conference. It regularly posts pictures of its work on its Twitter accounts, and officials have recounted some of their experiences in parliament.

That has sparked the ire of opposition activists, many of whom fled into exile since the 2015 crackdown. They're calling on Twitter to ban the commission's accounts because they say it's using images of violence as “political manipulation” by what is now effectively a one-party state, said Jeremie Minani, an exiled opposition leader who made a bid for the presidency in 2015. Most commission members are political appointees.

Yet those who lived through the 1972 genocide and subsequent killings say the commission's work is key to finding some closure as time is running out.

“This is as urgent as possible; most witnesses and killers can die at any moment of old age,” said Francois Xavier Nsabimana, head of an association of victims. “It's important to finally start hearing the people who were involved.”

Kosovo Citizens ‘Haven't Heard of President's Reconciliation Initiative (Balkan Insight) By Perparim Isufi
March 4, 2020

A survey by the NGO Integra published on Wednesday suggested that while people in Kosovo believe that it is important that the truth about the 1998-99 war be known, only a minority know about President Hashim Thaci's initiative to set up a truth and reconciliation commission.

Seventy-two per cent of respondents said they had never heard of Thaci's initiative, which aims to provide the basis for dialogue among Kosovo's divided communities two decades after the war. Only 14 per cent of respondents said they knew about the proposed commission.

Despite the figures, Thaci said that Kosovo should not remain hostage to wartime hostilities and that the truth about what happened during the war must be confronted.

“Citizens believe that the truth would build true bridges to reconciliation and peace and would look to the future in peace,” Thaci said.

The US ambassador to Pristina, Philip Kosnett, said that the commission should pursue its work free of any political agenda and that the “stories of all victims from all Kosovo communities must be heard”.

“Reconciliation means different things to different people. The definition I have in mind refers to engaging honestly about the past in order to build a common future,” Kosnett added.

Kathelijne Schenkel, the author of the survey, said that the majority of respondents think that “it is more important for victims to know the truth, no matter about the feelings this could cause to perpetrators”.

However, she added: “The Commission on Truth and Reconciliation has a lot of work to do in clarifying the meaning of transitional justice.”

Thaci announced the establishment of the commission in 2017, arguing that it could help to ensure Kosovo does not remain

trapped by the narratives of the past.

Opposition politicians in Kosovo have claimed however that Thaci launched the initiative for political purposes, not out of a sincere desire for reconciliation.

International Criminal Court Sees No Basis to Prosecute Jefferson Kojjee (Front Page Africa) By Lennart Dodoo
March 5, 2020

The International Criminal Court will initiate any prosecution on Monrovia City Mayor Jefferson Kojjee primarily because the allegations leveled against him fall outside the jurisdiction and mandate of the court.

Cllr. Jerome Verdier, former Commissioner of the Truth and Reconciliation Commission (TRC) had written the Court calling for the prosecution of the Kojjee for alleged atrocities committed during the Liberian civil war – an allegation his fellow Commissioners on the TRC vehemently debunked.

In a February 25, 2020 communication from Mark P. Dillon, Head of the Information and Evidence Unit, Office of the Prosecutor, the ICC states that “Based on the information currently available, the conduct described in your communication appears to have occurred prior to 1 July 2002. Accordingly, as the matter falls outside the jurisdiction of the Court, the Prosecutor has confirmed that there is not a basis at this time to proceed with further analysis.”

The ICC stated that its mandate is designed to complement, not to replace national jurisdiction.

Speaking to FrontPageAfrica Mayor Kojjee said the ICC’s decision does not come as a relief to him as the allegations were “impregnated with falsehood and maliciously calculated against y personality.”

“There is nowhere you can every go and authenticate and substantiate some of those claims that were meted against me by the former Commissioner of the TRC, Jerome Verdier,” he said.

Kojjee said he believes Cllr. Verdier’s action which is now “undermining his integrity” is because he has fallen short of meeting his expectations in the government.

The Monrovia City Mayor recalled that he was one of the young fellows who were actively supporting the works of the TRC.

“For Cllr. Verdier to just wake and begin to level such accusations against me, I just knew that he was politically motivated, it was a propaganda spree, it was just a matter of time that the truth crushed to the ground will surely rise again,” Kojjee said.

He, however, said U.S. Congressman Chris Smith’s communication in which he alleged Kojjee is a war criminal and had committed human rights abuses came as a surprise to him wherein the Congressman failed to ascertain the facts.

Jefferson Kojjee, Mayor of Monrovia

According to the Monrovia City Mayor, during his recent visit to Washington, he had the opportunity to furnish the office of Representative Smith with the facts relating to his role with the TRC.

He said it is now up to the U.S. Congressman to render an apology and recall his earlier communication.

Kojjee said the condemnation of the Verdier by other former Commissioners did not come from him, yet he believes their action was intended to safeguard the integrity of the TRC.

“The actions of the former Commissioner, if care was not taken, it was geared toward undermining the TRC,” he asserted.

He said the TRC must be seen as a national tool on which the hopes and aspirations of all Liberians hinges.

According to the City Mayor, he believes the culture of impunity in Liberia must be brought to an end.

“I grew up here as a national youth and student activist, in my generation, there was no young person whose voice was loud enough to champion the cause of the TRC that could be compared to what we did her. Some of us went to prison here because our views were strong enough,” he said.

Kojjee welcomed the works of the advocates of the implementation of the TRC recommendations but said they have to do so void of politics. According to him, the implementation of the TRC must be done in a way that it does not appear to be a witch hunt against a particular sect or ethnic group.

This, according to him, is the reason for which the President has consulted the Legislature on the implementation of the TRC recommendations and the establishment of war and economic crimes court.

Support for truth commission in North rising, according to survey (The Irish Times) By Gerry Moriarty
March 6, 2020

Support in Northern Ireland for a truth and reconciliation commission is growing, according to a survey published on Friday.

The University of Liverpool study found 45.7 per cent of people agreed or strongly agreed there should be a commission set up to deal with the past, an increase from 31.5 per cent in 2017.

When removing those who did not express an opinion the share wishing for a truth and reconciliation commission rose to 73.6 per cent.

The study, conducted around the time of the December general election in Northern Ireland, examined a wide range of issues, including the rise in the centre-ground Alliance vote and opposition both to a North-South border and one in the Irish Sea. It found that the “undecideds” were key to Northern Ireland’s constitutional future.

The survey of 2,003 people from the North’s 18 constituencies by Social Market Research found that 53.5 per cent favoured remaining in the UK while 28.3 per cent supported Irish unification. The “don’t knows” were at 15.2 per cent.

In analysing the results, some of which were released to the media last month, the university said “those undecided on Northern Ireland’s constitutional future are key to that future”.

Between 2010 and 2019 the share of Protestants who supported remaining in the union grew from 90.3 per cent to 94.5 per cent. In the same period the share of Catholics who supported staying in the union declined from 17.8 per cent to 13.6 per cent.

Victims to cooperate with TRC, CIEDP only after act amendment (The Himalayan Times)
March 10, 2020

As the two newly-formed transitional justice commissions begin their work, victims of the decade-long Maoist insurgency have said they will not cooperate with the commissions unless the Transitional Justice Act is amended.

The commissions —Truth and Reconciliation Commission and Commission of Investigation on Enforced Disappeared Persons — got full shape after their new chairpersons and members took oath of office and secrecy on January 23.

The TRC is led by Chairperson Ganesh Datta Bhatta, while its members include Prachanda Raj Pradhan, Govinda Gautam, Mana Dahal and Bishnu Pokhrel. Similarly, the Yuvaraj Subedi-led CIEDP has Bishwa Prakash Bhandari, Gangadhar Adhikari, Sunil Ranjan Singh and Sarita Thapa Magar.

Both the commissions have begun their work by holding consultations with stakeholders, including conflict victims.

TRC has so far visited the commission’s provincial offices in Biratnagar, Janakpur, Hetauda, Butwal, Birendranagar and Godawari and collected feedback from stakeholders. The commission plans to visit Pokhara soon.

“The visits are mainly preparatory visits that will help us prepare a work plan and ascertain things that we can do before the amendment to the Transitional Justice Act,” said TRC member Mana Dahal. “As far as the amendment is concerned, the government has said it will be done sooner than later. We are positive about it.”

Similarly, the CIEDP has also expedited consultations with stakeholders. It organised a regional consultation event in Janakpur on March 5, with participation of conflict victims, political parties, civil society members, and provincial government representatives. The CIEDP now will visit Rolpa on March 12, according to CIEDP member Sunil Ranjan Singh.

“Besides, we are also holding discussions with law and home ministers on Act amendment and reparations issues,” said Singh. “As far as investigations are concerned, we’ve picked up from where the previous commission had left.”

However, conflict victims say they will continue their non-cooperation unless the act is amended. They have so far not entertained the commissions’ invite for discussion on the issues. The victims also said that they had not institutionally taken part in any of the interactions organised by the TRC and CIEDP so far.

“The commissions are inviting individuals. We’ve not taken part institutionally,” said Conflict Victims Common Platform Chair Bhagiram Chaudhary. “We are firm on our opinion that the commissions cannot deliver results unless the act is

amended. Since the commissions have been formed through political intervention, they cannot deliver.”

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Terrorism

Terrorist groups 'on the march' in West Africa and the Sahel, US general warns (abc News) By Conor Finnegan and Elizabeth McLaughlin
March 10, 2020

Terrorist organizations are "on the march" in West Africa and the Sahel with international efforts failing to curb the increase in violence, a four-star American general in charge of U.S. troops in Africa warned on Tuesday.

The stark message came as the State Department is ramping up its diplomatic efforts in the region by appointing the first-ever U.S. special envoy.

But that high-level engagement may be undermined by a potential cut to the U.S. troop levels on the continent, with the Pentagon still reassessing its force presence there. Lawmakers of both parties and allies including France have warned the Trump administration that a reduction in troops could exacerbate problems and increase the threat of terrorism to the American homeland.

In a hearing on Tuesday, Gen. Stephen Townsend, the head of U.S. Africa Command (AFRICOM), said that in the last year alone there's been a five-fold increase in terrorist activity in the Sahel region -- the stretch of semi-arid land south of the Sahara Desert from Mauritania and Senegal in the west to Sudan and Eritrea in the east.

The region has at least five major terrorist organizations, whose members often flow between them and with weapons flowing south from Libya, according to U.S. officials. At least 2,000 civilians were killed in violent conflict in just 2019 in the largely ungoverned spaces where Mali, Niger and Burkina Faso meet, U.S. Agency for International Development chief Mark Green said Tuesday. There are at least 600,000 people displaced by fighting and humanitarian needs in Burkina Faso alone, according to the United Nations.

The groups, including two ISIS branches that were sanctioned by the United Nations last month, do not have the "capacity" to attack the U.S. homeland, according to Under Secretary of State for Political Affairs David Hale, "but they certainly are ambitious in the long run."

The U.S. military, along with allies, have partnered with local security forces in places like Niger, Mali, and Burkina Faso to contain the growing threat from ISIS and al-Qaida affiliates that have destabilized the region. There are some 1,000 U.S. troops in the Sahel region, largely assisting French forces with intelligence, reconnaissance and surveillance or logistics support. American forces also conduct large- and small-scale training exercises with African partner nations.

"In West Africa and the Sahel region, I think that the Western, international, and African efforts there are not getting the job done," Townsend said. "ISIS and al-Qaida are on the march in West Africa. They're having success, and international efforts are not."

But instead of increasing the U.S. presence, Townsend called on America's European allies to provide more assistance, saying "problems will manifest" in Europe before they reach the United States.

Defense Secretary Mark Esper initiated a review of AFRICOM's posture in order to see if some of its approximately 5,000 troops on the continent can be realigned toward focusing on future fights against Russia and China.

While no decision on a possible reduction in forces has been made and the AFRICOM review is part of a broader look at adjusting U.S. troops globally, the review has been criticized by some lawmakers, including top Republicans, such as Sen. James Inhofe, R-Okla., who are concerned that the U.S. military's presence on the continent is vital to containing the spread of terrorism.

"This is one of the parts of the world you pay now or you pay later, and I'd rather pay smartly now," Sen. Lindsey Graham, R-S.C., said Tuesday. "I would like us to show up, and our assistance programs are, I think, national security in another form."

To that end, the State Department appointed Dr. J. Peter Pham as the first-ever U.S. Special Envoy for the Sahel Region on Sunday. Pham, who had been serving as a special envoy for Africa's Great Lakes region, will "maximize U.S. diplomatic efforts in support of security and stability in the Sahel," State Department spokesperson Morgan Ortagus said in a tweet.

In particular, Pham will focus on combating the growing threat of violent extremism by boosting fragile governments in the region, their security forces and their legitimacy and control over their territory.

Outside of the Sahel, Townsend specifically called out al-Qaida's affiliate in Somalia, al-Shabaab, as a "significant threat to American interests in the region" that could "manifest into an international threat," if left unchecked.

Al-Shabaab was behind the January attack on Manda Bay, Kenya, that killed three Americans.

Townsend said the group is also a threat to embassies in the region. And less than two weeks ago, the U.S. embassy in Kenya said terrorist groups were plotting an attack against a major hotel popular with westerners in Nairobi.

"Al-Shabaab is the largest and most kinetically violent arm of al-Qaida," Townsend said. "And they are a serious threat to not only the Somali people but to the entire region."

The U.S. military has ramped up airstrikes against al-Shabaab over the last several years, with more than two dozen strikes against the group in 2020 alone. According to Voice of America, the pace of strikes is nearly on par with those against the Islamic State in Iraq and Syria.

More support key for counter-terrorism in Africa, where 'misogyny is at the heart of so many' groups (UN News)

March 11, 2020

Members issued a statement strongly condemning terrorism "in all forms and manifestations", and urged stepped up support to countries in areas such as training and in developing regional strategies and action plans.

In her briefing to ambassadors, UN political affairs chief Rosemary DiCarlo outlined the reach of groups such as Al-Shabaab in Somalia and East Africa, but also ISIL and Al Qaida, whose affiliates are collaborating on attacks in Burkina Faso, Mali and Niger.

"We know that women bear a disproportionate burden of this violence, including through sexual slavery. Just as misogyny is at the heart of so many terrorist groups' strategies, so must women be at the centre of our responses", she stated.

Marginalization fuels extremism

Ms. DiCarlo spoke on behalf of the UN Secretary-General who has emphasized the need to address the underlying factors fuelling terrorism.

A 2017 report by the UN Development Programme (UNDP) details findings from interviews with more than 700 former members of extremist groups. Most came from borderland or peripheral areas that have been marginalized for generations.

"In these ungoverned and neglected spaces that are hotspots of violence, communities experienced lack of access to services such as education, health care, justice, security, livelihoods, the opportunity to influence the decisions that affect their lives, and the opportunities they need to thrive. These are the challenges that underpin violent extremism", UNDP Assistant-Secretary General Abdoulaye Mar Dieye told the Council.

Co-opting women's empowerment

Many violent extremist groups in Africa have lured women recruits by co-opting messages about women's empowerment and improved socio-economic status, another UNDP study from 2019 revealed.

"If these root causes of violent extremism are not addressed, the risk of ongoing recruitment of women, including re-recruitment of many thousands of female returnees, will continue", Mr. Mar Dieye warned.

Extremists are also exploiting technology to recruit members and to spread messages via social media and online platforms, as the African Union's representative pointed out.

"We must also recognize that the sophistication of terrorist groups doesn't stop at their radicalization and recruitment strategies", said AU Ambassador Fatima Kyari Mohammed. "Over the years they have morphed into well-organized shadow governments providing services and, in some cases, acting as the judge, jury and executioner."

Terrorism has no borders

Ms. DiCarlo urged international action to address issues such as poverty, weak governance, inter-communal tensions, youth employment and gender inequality.

“As terrorism has no borders, preventing and combatting it requires strong multilateral cooperation”, she said, underlining UN commitment.

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Piracy

Pirates attack merchant ship off Benin (NavyTimes)

March 5, 2020

A Greek-flagged chemical tanker with a crew of 22 has been attacked by pirates in the Gulf of Guinea off western Africa, the ship’s management company said Thursday.

There were no immediate reports of injuries.

A spokeswoman for Minerva Marine said the Minerva Virgo was boarded some 45 miles (72 kilometers) off the coast of Benin on Thursday on its way from The Netherlands to Lagos, Nigeria.

She said most of the crew — including six Greeks — were able to take refuge under standard safety procedures in a safe part of the vessel that, once secured, is inaccessible from the outside.

Greek merchant marine authorities said it appeared that one seaman who didn't make it in time was captured by the attackers, but that was still under investigation.

The Minerva Marine spokeswoman said the company was in contact with officials on shore seeking a vessel to approach the Minerva Virgo and pursue the pirates.

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Gender-Based Violence

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Commentary and Perspectives

Could the U.S. Sanction the International Criminal Court? (Lawfare) By Peter E. Harrell

March 9, 2020

The International Criminal Court’s (ICC’s) March 5 decision to authorize its top prosecutor, Fatou Bensouda, to pursue an investigation into alleged U.S. war crimes in Afghanistan has already triggered a new round of U.S. tensions with the court. Secretary of State Mike Pompeo quickly denounced the ICC’s action and stated that the U.S. “will take all necessary measures to protect our citizens from this renegade,

so-called court.” Trump administration officials will now have to decide whether or not to follow through on the public threat that then-Trump administration National Security Adviser John Bolton made in 2018 to sanction ICC officials and staff if they pursued an investigation into the U.S.—and, if so, what legal authorities they could use for such sanctions.

The U.S. has never joined the ICC and has long opposed ICC investigations of Americans, which U.S. officials view as inconsistent with the ICC’s jurisdiction and mandate. But the current U.S. tensions with the ICC date to late 2017, when Bensouda first announced her intention to investigate alleged war crimes in Afghanistan, which is an ICC member, and that the investigation would include alleged U.S. war crimes as well as war crimes perpetrated by the Taliban and Afghan government. U.S. officials have threatened a steadily escalating set of consequences against the ICC if it pursued the investigation against U.S. service members. Indeed, the State Department already revoked Bensouda’s ability to travel to the U.S. in April 2019, several months after she announced her intention to launch a preliminary investigation into U.S. actions in Afghanistan. Now, the U.S. faces the question of whether to sanction the court, an act that the Trump administration has the legal authority to do, but that would likely trigger a backlash by U.S. allies that would far outweigh any perceived benefits from sanctions.

No existing U.S. sanctions program appears to authorize sanctions against the ICC or its staff. U.S. sanctions impacting Afghanistan are generally implemented through sanctions programs that target terrorist groups, such as Executive Order 13224, which authorizes sanctions against individuals and groups that have engaged in, or which pose a significant risk of engaging in, terrorism or that support terrorist groups. None of these provisions would appear to apply to the ICC, even if the U.S. government sincerely assessed that the threat of ICC prosecution would impede or hinder U.S. counterterrorism operations in Afghanistan (or in other countries), since the ICC itself could not be said to be supporting a terrorist group.

Potentially, if the ICC detained an American, the U.S. might be able to use the existing Global Magnitsky sanctions program to sanction ICC officials or the ICC itself. The Global Magnitsky sanctions program was established to sanction individuals and entities involved in human rights abuses and corruption, and in August 2018 the U.S. used the program to sanction two Turkish government officials involved in the detention of American pastor Andrew Brunson. Specifically, the U.S. found that Turkish Justice Minister Abdulhamit Gul and Turkish Interior Minister Suleyman Soyly could be sanctioned under Executive Order 13818(2)(c)(1) “for being the leader of an entity that has engaged in, or whose members have engaged in, serious human rights abuse.”

Admittedly, there would be a degree of irony in the U.S. using a sanctions program that is designed to punish human rights abuses to sanction individuals involved in investigating alleged human rights abuses. But presumably insofar as the U.S. viewed an ICC detention of U.S. service members as unlawful and illegitimate, it could apply the same rationale to the ICC that it applied to Turkey. Although the Treasury Department never released the specific factual basis for its designation of Gul and Soyly, the Treasury Department likely found that Brunson’s detention under the circumstances amounted to a “serious human rights abuse” for the purposes of the executive order. Having made that determination, should the ICC detain an American, the Trump administration might make a similar determination with respect to the ICC. But it is difficult to see how an ICC investigation, by itself, could reach the Magnitsky sanctions program’s threshold.

More plausibly, President Trump would simply invoke the International Emergency Economic Powers Act (IEEPA) to establish a new sanctions regime against the court. The IEEPA, which is the underlying statutory basis for sanctions programs ranging from U.S. sanctions on terrorist groups to many sanctions on Iran and North Korea, authorizes the president to take a range of actions, including sanctions, “to deal with any unusual and extraordinary threat, which has its source in whole or substantial part outside the United States, to the national security, foreign policy, or economy of the United States, if the President declares a national emergency with respect to such threat.”

To invoke the IEEPA and impose sanctions on the ICC, Trump would first have to identify the scope of the “national emergency” that justifies invoking the statute. While an ICC investigation may not fit within a common-sense understanding of a “national emergency,” in law and practice presidents have broad discretion to interpret the phrase. For example, current declared national emergencies used to underpin U.S. sanctions include ones related to the situation in the Western Balkans, to Belarus, and to transnational crime, as well as more obvious cases like Iran and North Korea. To sanction the ICC, Trump could find that the threat of ICC investigations and prosecutions of U.S. military personnel operating in Afghanistan and other theaters of active combat were a national emergency and constituted an unusual and extraordinary threat against U.S. foreign policy and national security because they threatened to constrain legitimate U.S. military operations internationally, undermining U.S. security. After declaring such a national emergency, President Trump could invoke the IEEPA and issue an executive order that would authorize sanctions on individuals and entities involved in ICC investigations, and then proceed to sanction Bensouda and other ICC officials.

Given judicial deference to the executive branch on issues of national security and foreign policy, and the absence of U.S. citizens who would have standing to challenge such a decision by President Trump, practically speaking there would be few

U.S. legal checks to constrain this action. To date, for example, U.S. courts have never found that the president lacked the authority to establish a sanctions program. And while Congress could try to overturn the president's action, doing so would require Congress to enact a resolution overturning the action by a veto-proof majority, which is extremely unlikely.

That doesn't, however, mean that ICC sanctions would be a good idea.

At a very practical level, sanctions will not stop Bensouda's investigation. They would freeze any of Bensouda's assets in the United States and would freeze the assets of other sanctioned ICC officials. They could also make major banks wary of processing payments related to the ICC. But while this could create some operational headaches for the ICC, the ICC prides itself on its independence, and Bensouda would likely respond to U.S. sanctions by doubling down on her investigation. Bensouda and the ICC were clearly aware of the U.S. threat when they decided to move forward, and they are unlikely to back down in the face of further U.S. pressure.

The U.S. might hope that sanctions would deter other countries from cooperating with the ICC. But the opposite would likely prove true: ICC sanctions would shift the debate in Europe and elsewhere away from the serious underlying flaws in the ICC decision to investigate—including that the U.S. is not a party to the ICC and that Afghanistan, which is a signatory, has not requested such an investigation—to the issue of whether the U.S. response is appropriate. Rather than, for example, having the potential for allies to join the U.S. in an action that might stop the ICC investigation, such as trying to convince the U.N. Security Council to use its powers to stop it, sanctions might just get the ICC's supporters to dig in their heels.

After all, European states generally expressed support for the ICC after Bolton first threatened the court with sanctions in 2018. Implementing U.S. sanctions would trigger an even stronger European show of support, both rhetorically and, potentially, in terms of helping the ICC circumvent any potential practical impacts the sanctions might have on its operations. Indeed, European countries are already engaged in a raging debate about how to respond to perceived U.S. sanctions overreach in other contexts, illustrated most vividly by the establishment of Instex, the European financial mechanism designed to limit the impacts of U.S. sanctions on Iran. ICC sanctions would simply add fuel to this fire and could even get Europe to expand its efforts to blunt the impact of U.S. sanctions generally.

It is fair for the U.S. to criticize the ICC's decision, to refuse to cooperate, and to urge U.S. allies who are members of the ICC to press the court to reverse course. But while the president almost certainly has the legal authority to carry out Bolton's 2018 threat, in practice carrying it out won't serve the administration's objective of stopping the investigation.

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