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War Crimes Prosecution
Watch

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

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AFRICA

NORTH AFRICA

Libya

UNSMIL concerned about increased kidnappings in Libya (Libya Herald) By Sami Zaptia

March 18, 2020

UNSMIL today expressed its deep concerns over the recent increase in abductions and enforced disappearances in towns and cities across Libya conducted by armed groups with total impunity. It renewed its call for the full respect of international human rights law and international humanitarian law by parties to this conflict.

UNSMIL reported that since April 2019, it has received reports of hundreds of enforced disappearances, torture, killings and displacement of entire families in Tarhuna city by the 9th Brigade “al-Kaniyat” of a wide variety of persons, including private individuals, state officials, captured fighters and civil society activists. In particular, it reported that it has verified numerous summary executions at Tarhuna prison on 13 September by the 9th Brigade. UNSMIL has also received dozens of reports of enforced disappearances and torture of civilians, including, but not limited to, civil society activists, journalists, migrants, and state officials by the “Nawasi” and the Special Deterrence Force (SDF) based in Tripoli.

Nawasi and Special Deterrence Force (SDF) are militias aligned to the internationally recognized Libyan government based in Tripoli and led by Faiez Serraj. The 9th Brigade al-Kaniyat / Kany 9th Brigade is aligned to Khalifa Hafter and his Libyan National Army (LNA).

In addition, UNSMIL added that it has documented many other cases of enforced disappearances. On 12 June 2019, the 9th Brigade “al-Kaniyat” abducted the Mayor of Qasser Bin Ghasheir municipality from his office, reportedly for refusing to handover his post to an individual nominated for the same position by the Brigade. On 17 July, 2019 Siham Sergewa an elected member of the House of Representatives was abducted from her home in Benghazi by armed men. On 29 February this year, the Libyan National Army (LNA) forces abducted a lawyer from the Budizira area in Benghazi, reportedly for publishing an anti-LNA video on social media. He was detained at the military wing of al-Kuweifya prison, in the city.

The Afriqiyah airlines General Manager was abducted on 1 March in Tripoli by the Special Deterrence Force (SDF) and was released on 5 March but abducted again two days later by the SDF. On 2 March, armed men from the “Security Operations Room” of the LNA in Derna arrested the General Manager of al-Harish hospital from his home at al-Sahil al-Shargi, who was reportedly subsequently released. On 11 March an engineer, working on the Great Man Made River was abducted from work, in Brak al-Shati, by an armed group, believed to be the Combatting Terrorism Unit. He was transferred to the Internal Security Unit in Benghazi where he has been reportedly tortured. As of today, the whereabouts of the aforementioned missing abductees remain unknown.

UNSMIL recalled that torture, enforced disappearances and extrajudicial killings are a violation of international law, the Constitutional Declaration of 2011, domestic applicable law and, depending on the precise circumstances, may constitute war crimes and crimes against humanity. UNSMIL also called for the establishment of an investigative mechanism by the UN Human Rights Council, as the simplest and strongest basis for promoting accountability in Libya.

It said that it will continue to monitor and document on human rights violations committed across Libya and report them to relevant international entities.

Haftar’s forces continue indiscriminate shelling on Tripoli’s civilian neighborhoods (The Libya Observer) By Abdulkader Assad

March 25, 2020

Khalifa Haftar's forces have carried out artillery shelling on different densely populated civilian neighborhoods in Tripoli causing several casualties and damages to people's properties.

The attacks started Tuesday night and continued to Wednesday, hitting civilian areas in Assaba, Bab Benghashir, Ras Hassan, Tariq Al-Soor, Abu Salim and Al-Hadba neighborhoods in Tripoli.

The spokesman for the emergency and ambulance apparatus Osama Ali said two people had been injured and sent to Tripoli Central Hospital, adding that a separate shell had fallen on a house in Al-Gergenî causing damage and injuries.

Meanwhile, the media adviser of the Libyan Health Ministry Ameen Al-Hashimi said four people, including two Tunisian nationals, were injured in Assaba on Wednesday, while four others, including a child, were injured as a rocket had fallen on their house.

According to sources, the main target of the attack on Tariq Al-Soor was the building of Libyan Post and Ministry of Telecommunication.

The sources added that the shelling on Assaba set a massive contraction factory building at the Industrial Neighborhood on fire. Burkan Al-Ghadab Operation's media office said the main target in the area was Emergency and Ambulance Apparatus building.

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CENTRAL AFRICA

Central African Republic

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

UN condemns peacekeeper killing in Central African Republic (Associated Press) By Edith M. Lederer
March 16, 2020

The U.N. Security Council and the secretary-general on Monday strongly condemned the killing of a U.N. peacekeeper in the Central African Republic during an attack by members of the mainly Christian anti-Balaka group.

The U.N. peacekeeping mission in the country said the peacekeeper from Burundi was killed on Sunday when troops were trying to stop an attack in Grimari in the center of the country that began when anti-Balaka fighters under the command of Dimitri Ayoloma opened fire on the homes of the mayor and a regional official.

The mission said U.N. peacekeepers in Grimari, in Ouaka province, immediately intervened trying to end the assault, and the rebels deliberately opened fire against them, fatally injuring the soldier from Burundi.

Mankeur Ndiaye, who heads the peacekeeping mission, condemned the "heinous act" that cost his life.

"This attack on the city of Grimari and the peacekeepers is unacceptable and constitutes a serious crime under the jurisdiction of national and international courts," he said.

The Security Council, Secretary-General Antonio Guterres and Ndiaye all stressed that any attack on a U.N. peacekeeper may constitute a war crime.

The mineral-rich Central African Republic has faced deadly inter-religious and inter-communal fighting since 2013, when predominantly Muslim Seleka rebels seized power in the capital, Bangui. Mostly Christian anti-Balaka militias fought back, resulting in the killing of thousands and the displacement of thousands more.

The country saw a period of relative peace in late 2015 and 2016, but violence intensified and spread afterward. In February 2019, the government signed a peace agreement with 14 armed groups, but some armed groups did not sign and since then there have been intermittent serious incidents.

Secretary-General Guterres also strongly condemned a separate attack by two suspected rebel groups against a U.N. patrol on the Ndele-Birao axis in northern Bamingui-Bangoran province on Sunday that injured a Pakistani peacekeeper, U.N.

spokesman Stephane Dujarric said.

The U.N. Mission said civilians found the bullet-ridden body of a U.N. peacekeeper from the U.N. mission in Ndele in the same province on March 7. The peacekeeper had reportedly been killed by fighters from the Popular Front for the Renaissance in the Central African Republic (FPRC), an ex-Seleka faction, the mission said.

The Security Council strongly condemned that killing.

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Sudan & South Sudan

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

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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 'sect' wreaks havoc in remote DR Congo region (TRT News)

March 18, 2020

With three fingers chopped off his left hand, Father Guy-Robert Mandro bears physical witness to a resurgence of violence in Democratic Republic of the Congo that has gone widely unnoticed in a world fixated by the coronavirus pandemic.

Since the start of the month, around 50 people have been killed in the eastern province of Ituri, 15 of them overnight Sunday alone, according to local sources.

Bloodletting in this troubled region has already claimed some 700 lives since late 2017 –a tale of trauma and sexual violence blamed on a little-known militia.

Mandro, the parish priest in Fataki, about 80 kilometres (50 miles) north of the provincial capital Bunia, said he was attacked after mass about a week ago.

"A group of young people came up to me. They hit me about the head with machetes. I protected myself and that's how I lost three fingers," he said.

The injured man was flown by helicopter to Bunia, where he underwent lengthy surgery. A local priest gave him a room on the bishop's premises to convalesce, with both hands bandaged.

Rape

Valerie, a Fataki woman of 44 going by an assumed name for her safety, said she cowered beneath a parish building as the priest was assaulted.

But the young men found her. "Three of the attackers raped me, taking turns," she told AFP.

One of Bunia's many displaced people, Valerie spoke at the headquarters of the Sofepadi, a medical non-governmental organisation that "repairs women" victims of sexual violence.

It is modelled on the famous Panzi clinic in Bukavu, in South Kivu province, managed by gynaecologist Denis Mukwege, the 2018 Nobel Peace laureate.

The Bunia clinic, however, is so poorly equipped that it even lacks an operating theatre.

Another rape victim, Tania, 34, said she gave birth on February 16, just a week after her eldest daughter Sofia, a schoolgirl of 17. Again the names have been changed.

Tania said that she and her daughter were both made pregnant during a gang rape near Bunia. The assailants beheaded her nephew in front of their eyes.

"Sofia wanted to kill herself when she was told that she was pregnant," Tania said.

The young girl recovered the strength to resume her last year in school and gave birth to a boy "whom she looks after really well", said her mother, who has four other children.

Tania does not remember the precise day of the attack, but places it in late May or early June 2019, during a long spell of violence that resumed in December 2017.

In addition to more than 700 dead, thousands of people have been displaced in the region, according to the United Nations, which has condemned a potential "crime against humanity".

Bloody past

The violence is being blamed on an armed group called the Cooperation for the Development of the Congo (Codeco), which claims to defend the Lendu, an ethnic group that mainly comprises farmers.

Its militiamen roam in small groups, mainly targeting members of the Hema, a herder and trading community.

But Codeco's motives are obscure, and some say it wields religious power over its followers.

"The bishop has said it's a religious sect," said Father Eric, a friend of the mutilated priest.

An official in the territory of Djugu, the epicentre of the violence, said Codeco's adherents worship every Monday and Thursday, when they do no farming.

He added that they ban certain vegetables and pork.

Thousands were killed when militias from the two communities took up arms between 1999 and 2003 – part of the mosaic of conflict known as the Second Congo War that sucked in several foreign armies and created havoc in parts of the east.

When the latest violence erupted, the Hema community did not revive its militias – instead, it chose to defer to the authority of the state.

Congolese President Felix Tshisekedi pledged last July to eliminate Codeco.

On Saturday, the army said it had killed several more militiamen – but this is hardly an announcement on a scale to reassure people, who continue to flee to the safety of Bunia.

"The militias are dispersed across the whole territory," said the official in Djugu. "Atrocities are being committed everywhere."

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WEST AFRICA

Côte d'Ivoire (Ivory Coast)

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

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Mali

'Crime against humanity': UN expert calls on Australia to stop selling weapons to war-torn Mali (The Guardian) By: Christopher Klaus and Ben Doherty

March 11, 2020

The independent United Nations human rights expert in Mali has called on Australia to cease selling arms to the war-torn country and urged the international community to do more to stop nations “actively producing and selling weapons” in conflict zones.

The Guardian revealed on Wednesday that the Australian government had issued 16 permits to arms manufacturers to export weapons or military technology to Mali in 2019.

Mali has been in near-perpetual conflict for eight years. Last year, while Australia was approving the weapons sales, the UN warned that internal conflict was causing an “unprecedented humanitarian crisis” in Mali, displacing hundreds of thousands of people and putting millions of civilians at risk.

Alioune Tine is currently monitoring the deteriorating human rights situation in Mali as the UN’s independent expert. Just last month, Tine warned the multiple failures of the state – in administration, justice and security – were facilitating “mass violence with impunity” in central Mali.

He told the Guardian that Australia should stop exporting arms to Mali.

Tine said the diffusion of arms in the region should be considered a crime against humanity, and urged the international community, including the UN security council and African Union, to do more to pressure those nations exporting arms to conflict zones.

“What solutions exist to stop the spread of weapons, end violence and its tragic consequences in the Sahel, which actively poses a threat to the existence of states, results in millions of deaths and precipitates humanitarian catastrophes?” Tine said.

“The international community, notably the security council of the United Nations and the African Union, must hold countries which are actively producing and selling weapons accountable, and pressure them to cease these practices in all conflict zones, including the Sahel.”

“The democratisation and the diffusion of weapons must be considered to be a crime against humanity.”

The Australian government says its export licences are only issued after thorough assessments on whether arms will be used to breach human rights or any of Australia’s international obligations. If there is an overriding risk that the weapons could be used to commit or facilitate a serious violation of humanitarian law, defence says it will not issue an export permit.

The department has, however, refused to say what it is exporting, to whom, and for what purpose. Requests under freedom of information law for such details have been refused.

Human Rights Watch, Oxfam and Save the Children have all called for greater transparency on Australia's arms sales.

Tine said the African Union's Agenda 2063 seeks to put an end to the use of weapons, as well as controlling the quantity of weapons circulating in the Sahel, a massive stretch of Africa that incorporates central Mali.

"In the Sahel, the intent behind the possession of weapons and the practice of violence has never been democratic in nature," he said.

"Today, no less than 20 million weapons circulate in the Sahel (including kalashnikovs, heavy machine guns, rocket propelled grenades, and surface to air missiles)."

"In Libya, between 800,000 and 1 million weapons are estimated to be in circulation."

Nikita White, from Amnesty International, said the organisation had repeatedly called on the Australian government to publicly report the details of its international arms transfers.

"As we approach the fifth anniversary of the conflict in Yemen it would behove our government to remember that Australia is obliged under the Arms Trade Treaty not to authorise weapons transfers to countries where there is an overriding risk these weapons could be used to commit or facilitate serious violations of international human rights or humanitarian law."

White said Australians had a right to know whether weapons from Australia were being sent to countries where they risked being used to commit war crimes.

"All parties to the conflict in Yemen, including the coalition led by Saudi Arabia and the UAE, have committed serious violations of international humanitarian law. The coalition has carried out indiscriminate attacks, killing and injuring civilians and the conflict has displaced millions and put up to half of Yemen's population at risk of starvation."

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Liberia

Sierra Leone Rebel Official Arrested in Finland over War Crimes in Liberia (Daily Observer) By Robin

Dopoe

March 12, 2020

A former rebel of the Revolutionary United Front (RUF) of Sierra Leone Gibril Massaquoi, has been arrested in Tampere, Finland over an allegation that he committed war crimes and crimes against humanity in Liberia between 1999 and 2003.

Massaquoi's crimes, according to Civitas Maxima and its Liberian sister organization, the Global Justice and Research Project (GJRP) include homicide, sexual violence, and the recruitment and use of child soldiers.

The former Sierra Leonean warlord who during the civil war in his country was a Lieutenant-Colonel and spokesman of the RUF rebel group was arrested by Finnish police after Civitas Maxima and the GJRP informed them about the warlord's alleged involvement in mass atrocities in Liberia.

In 2005, Massaquoi testified in open session before the Special Court for Sierra Leone (SCSL) in the case against members of Sierra Leone's former Armed Forces Revolutionary Council (AFRC)— a rebel group that allied itself with the RUF rebels in the late 1990s.

"As part of their regular investigation and documentation efforts, Civitas Maxima and its Liberian sister organization—GJRP found evidence that Massaquoi had allegedly committed, overseen, and ordered international crimes in Liberia during the Second Civil War. Thereafter, Civitas Maxima and the GJRP submitted information regarding his alleged involvement in mass atrocities in Liberia to the authorities in Finland, where he resides," Civitas Maxima said in a press release said.

Meanwhile, Civitas Maxima has applauded the Liberian government for its support towards the process "as they collaborated

with the Finnish authorities during the investigation and the Finnish authorities on their diligence and commitment to this investigation.”

In brief remarks, Fayah Williams, Deputy Director of the GJRP said: “The latest news regarding the arrest of Gibril Massaquoi in Finland is a huge step towards addressing the issue of accountability for past crimes committed during the two bloody civil wars in Liberia. It brings hope to all those who were victimized as a result of the civil wars. This arrest also indicates that justice does not discriminate based on nationality.”

The arrest of Massaquoi comes at a time when several Liberians both at home and abroad have been pushing for the establishing of war crimes court in Liberia.

And it is the 7th arrest of an alleged war criminal by authorities in 6 different countries on two continents that was prompted by information collected by Civitas Maxima and the GJRP – whose work has also contributed to two convictions of Liberian war criminals in the U.S. Nobody however been tried for war-related crimes on Liberian soil.

The historic trial of Alieu Kosiah, a former commander of the United Liberation Movement of Liberia for Democracy (ULIMO) rebel group, is scheduled to commence on April 14 and conclude on April 30 2020 in Bellinzona, Switzerland.

According to Civitas Maxima, two of their lawyers will directly represent 4 plaintiffs in the case, which will be the first trial for war crimes in front of the Swiss Federal Criminal Court.

Liberia saw two consecutive civil wars (1989-1996 and 1999-2003), the first of which was initiated when Charles Taylor’s National Patriotic Front of Liberia (NPFL) invaded the country in December 1989.

In March 1991, the fighting spilled over into neighboring Sierra Leone when the RUF, with support from the NPFL, invaded Sierra Leone in an attempt to overthrow the government. The civil war in Sierra Leone ended in 2002.

During the Liberian and Sierra Leonean civil wars, hundreds of thousands of civilians were killed. These conflicts were characterized by mass atrocities against the civilian population, including rampant sexual violence, mass killings, amputations and mutilations, slavery, torture, cannibalism, and the widespread use of child soldiers.

Despite some fallout between the two groups, the NPFL and RUF stayed closely connected throughout the Sierra Leonean Civil War – exchanging arms and ammunition for diamonds – especially once Charles Taylor was elected President of Liberia in 1997.

There was also a continuous exchange of fighters and leaders between the two rebel groups. Charles Taylor was convicted by the Special Court for Sierra Leone (SCSL) in 2012 for aiding, abetting, and planning the commission of war crimes and crimes against humanity in Sierra Leone by the RUF.

Chiefs Want Law Barring Ex-Warlords from Public Service (Front Page Africa)

March 13, 2020

People who played major roles in the Liberia Civil War should be barred from participating in elections in Liberia and occupying any positions of public service, traditional leaders from western Liberia have urged.

The Chiefs, elders and tribal governors of Grand Cape Mount, Gbarpolu, and Gbarpolu and Bomi, in a recent resolution at a regional consultation on a war crimes court for Liberia, called for an amendment of the elections law to bar ex-warlords from running for posts, and the creation of other laws to bar them from public service. The consultation was organized by the Civil Society Human Rights Advocacy Platform and the National Council of Chiefs and Elders of Liberia.

The chiefs said their call was in fulfillment of an earlier resolution at the close of last year’s National Economic Dialogue, where they pledged full support for the court and the implementation of the Truth and Reconciliation Commission (TRC) report. They included Chief Siafa M. Barmadia, Chief Koisee Gahn and Chief Haji A. Sombai, chairpersons of the Chiefs and Elders Council of Bomi, Gbarpolu and Cape Mount. Chief Momo Kiazulu, Vice Chair for Chiefs Affairs of the Council, attested their resolution.

An estimated 250,000 people were killed in Liberia’s 14-year civil war, one of Africa’s bloodiest conflicts.

TRC listed 50 people it recommended to be barred from public office, more than a hundred ex-rebel leaders and former fighters to face prosecution as well as scores of politicians to be investigated over economic crimes in its 2009 report. and However, those—like majority of the commission’s recommendations—have not happened. A number of former rebel commanders still hold key positions in the Liberian government, including Senator Prince Johnson of Nimba, and

Representative George Boley and Superintendent Kai Farley of Grand Gedeh County.

The 17 chiefs, elders and tribal governors gave a 90-day ultimatum—beginning March 5—to lawmakers representing their counties to push for the passage into law of a resolution already before the House Representatives for the court and a separate court for economic crimes. Fifty-two lawmakers have already signed that resolution.

Despite majority of the House supports the court, the chiefs' call for the law barring those who bear the greatest responsibilities of the war is expected to face opposition, with a large portion of the TRC report having gone more than a decade unimplemented.

Swiss court postpones Liberia war crimes trial over coronavirus (Swiss Info)

March 18, 2020

Switzerland's Federal Criminal Court has postponed the long-awaited war crimes trial of former Liberian rebel leader Alieu Kosiah due to the rapid spread of Covid-19.

The trial had been scheduled to take place from April 14-30 in Bellinzona, capital of Switzerland's southern, Italian speaking canton of Ticino. It will be the first international criminal trial in a non-military Swiss court and "historic" according to Swiss group Civitas Maxima, one of the NGOs representing Liberian victims in the case.

The Federal Criminal Court hopes to reschedule the trial between June and July 2020, according to a recent press release from Civitas Maxima and its Liberian partner, the Global Justice and Research Project (GJRP). They said the decision taken by the Swiss court was appropriate to "safeguard the health of all the trial participants, including the victims who reside abroad", since Liberian witnesses are being called to testify in the trial.

Kosiah, a former commander of the United Liberation Movement of Liberia for Democracy (ULIMO), is charged with war crimes committed during the first Liberian civil war (1989-1996). He was arrested in Switzerland in November 2014 and has been in pre-trial detention ever since, as Swiss authorities conducted investigations.

"This is a historical case for both Liberia and Switzerland," says Civitas Maxima director Alain Werner, one of the two lawyers representing four of the seven plaintiffs who will testify in the trial.

"This and other cases abroad will encourage victims to come forward, and hopefully encourage the Government of Liberia to establish a domestic war crimes court," says Hassan Bility, Director of the GJRP.

Liberia has not so far held anyone to account for serious international crimes committed during its civil wars, although there are some cases also in other European countries under the principle of "universal jurisdiction". Former Liberian president Charles Taylor was convicted by the Special Court for Sierra Leone for crimes committed in that neighbouring country, and is currently serving a 50-year sentence in a British jail.

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EAST AFRICA

Uganda

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

Prosecutor wants Ongwen convicted on sex crimes (Daily Monitor) By: Bill Oketch
March 12, 2020

Prosecution has asked judges of the International Criminal Court (ICC) to convict Dominic Ongwen based on evidence of sexual gender-based crimes he allegedly committed in northern Uganda.

The compelling evidence of crimes allegedly committed by Ongwen between July 1, 2002 and December 31, 2005 (charge

period), was presented before The Hague-based war crimes tribunal on Tuesday.

The evidence in the case, “The Prosecutor (Fatou Bensouda) versus Dominic Ongwen (Defence),” includes testimonies of Ongwen’s alleged seven wives that he reportedly forced into relationships.

“He shut the door... he undressed me as well. He asked me to spread all my legs... and he started forcefully having sex with me. I started crying, I was screaming and my voice was really loud,” one of Ongwen’s alleged forced wives told court.

In her testimony, protected witness P227 said when Ongwen was sexually abusing her, she felt like her whole body was being torn apart.

“He was actually having sex with me in the [backside] as well – for a very long time,” she claimed.

During closing statements on Tuesday, the prosecution team told the judges in a fully-packed courtroom that Ongwen is indeed “guilty” as charged.

The Trial Chamber will have to determine whether Ongwen, who faces 70 charges of war crimes and crimes against humanity, is innocent or guilty of the charges.

The prosecution further said the Lord’s Resistance Army (LRA) rebel group led by Joseph Kony was engaged in known international armed conflict with the aim of overthrowing the government of Uganda.

“The LRA had a long-standing policy of abducting and conscripting children, including children under the age of 15 years, into its ranks, and also implemented in all its units and in the Sinia Brigade between July 1, 2002 and December 31, 2005,” Mr Benjamin Gumpert, a trial lawyer, said.

Ongwen, among other things, the prosecution said, ordered abductions, monitored the training of children, used children under 15 as escorts and deployed children on military operations.

Attack on Pajule

On charges relating to the attack on Pajule internally displaced people’s camp (counts 1-10), the prosecution said the evidence in this attack proved beyond reasonable doubt that Ongwen committed heinous crimes.

Prosecution said in the days leading up to the attack, Vincent Otti (deputy commander of the LRA), ordered Ongwen and other commanders to meet him in Pader District, northern Uganda. Ongwen responded to that call and he joined Otti on October 5, 2003.

Shortly, before October 10, 2003, Otti, Ongwen and other senior commanders agreed to attack Pajule. Ongwen then allegedly instructed some of his subordinates to select LRA fighters to form part of the attacking force, the prosecution said.

At dawn on October 10, 2003, LRA rebels attacked Pajule IDP camp.

Background

In 2003, Uganda petitioned the ICC to indict Ongwen, his former boss Joseph Kony and three other LRA senior commanders Vincent Otti, Raska Lukwiya and Okot Odhiambo for war crimes and crimes against humanity.

Ongwen was captured on January 3, 2015, in the Central African Republic jungles by the largely Muslim Seleka rebels in Kotétroi village, Sam Ouandja province, in the northeastern region of Haute Kotto. The rebels then handed him over to the American troops hunting the LRA in CAR on January 5.

He was on January 17, 2015, handed over to the ICC for trial on war crimes and crimes against humanity.

ICC closes hearing of Ugandan warlord’s trial to visitors amid COVID-19 fear (Anadolu Agency) By:

Hazma Kyeyune

March 13, 2020

The second day of closing statements at the International Criminal Court (ICC) in the trial of Dominic Ongwen, a former commander of the Uganda-based Lord’s Resistance Army (LRA), was closed to visitors Wednesday due to concerns over the novel coronavirus.

The ICC usually make its activities public and accessible, including court proceedings, to ensure transparency and

accountability.

However, it issued a statement, saying: “Due to the current health situation, and as part of the measures taken by the International Criminal Court (ICC) to reduce the general risk of transmission of the COVID-19 virus, the ICC will welcome visitors solely for the purpose of attending public sessions of Court hearings.

“The Visitors' Centre is closed and all ICC group visits are cancelled until further notice,” it said.

Legal representatives of victims made their submissions today as the closing statements neared an end. The victims who are involved in the Ongwen trial are different from witnesses. This forms another important part of the case.

ICC prosecutors at the end of their closing arguments asked judges to convict Ongwen on all 70 counts of crimes against humanity and war crimes allegedly committed in Uganda between 2002 and 2005.

The prosecution put forward 69 witnesses, including insiders from the LRA, experts and victims of the crimes, which included sexual violence and gender-based crimes.

The case is important in pursuing justice for atrocities committed in northern Uganda by the infamous LRA, in which thousands of civilians were killed and nearly two million displaced by the conflict.

The ICC Outreach Program in northern Uganda, where atrocities were committed, partnered with non-governmental organizations and live-streamed the proceedings of the closing statements in the trial for the victims to see justice being served.

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Kenya

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

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

US, Rwanda In Renewed Call To Arrest Wanted Genocide Suspects (KT Press) By: Daniel Sabiiti
March 23, 2020

Next month, Rwandans and the rest of the world will begin commemorating 26 years since the 1994 genocide against Tutsi was committed in Rwanda claiming over one million lives.

Several genocide suspects have been arrested and brought to justice locally and in other countries, but majority of the genocide masterminds remain at large, a concern that genocide survivors are not at peace with.

As the April commemoration approaches, the War Crimes Rewards Program, a US government State Department is again reminding the general public to grab a \$5million reward by giving information on the whereabouts of most wanted suspects.

“The genocide in Rwanda occurred 25 years ago, and some of those responsible are still at large. Submit a tip that leads to arrest and get paid (Up to \$5 million reward),” the program said on twitter.

The program said it will handle the information 100% confidentiality and the whistle blowers or informants can use wcrp@state.gov, WhatsApp +1 202 975 5468 to contact them with a tip.

“With this coronavirus lockdown around the world, it is probably going to be easy for the suspects to be found, since they cannot travel easily and escape justice as we have seen in the case of Kabuga,” said Aboubakar Karamba, a genocide survivor.

The genocide suspects who are wanted by the Mechanism for the International Criminal Tribunal (MICT) and on the reward list of the War Crimes Rewards Program include: Felicien Kabuga (last whereabouts in Kenya), Protais Mpiranya (not known but suspected to be in DRC or Zimbabwe), Augustin Bizimana (suspected to be in DRC), Fulgence kayishema (suspected to be in South Africa), Pheneas Munyarugarama , Aloys Ndimbati, Charles Sikubwabo, Charles Ryandikayo- whose whereabouts are not known till today.

Since its initiation 16 years ago, the War Crimes Rewards Program has managed to nab and transferred to relevant courts nine Rwandans who featured on the wanted list and rewards were also given out to the informants.

They include Augustin Bizimungu, Yusuf John Munyakazi, Tharcisse Renzah, Idelphonse Hategekimana and Jean-Baptiste Gatete.

Others like Jean Uwinkindi and Bernard Munyagishari have since been transferred to Rwanda from ICTR and faced the hand of Justice.

In the meantime, Rwanda has submitted over 1000 indictments for the arrest and extradition of other Rwandan genocide suspects who are known to be largely in the southern African countries and in Europe.

Genocide survivors told KTPress that some of the suspects have changed their names, and there is need for a robust renewed political will from host countries to have the suspects arrested.

Rwanda’s Justice Minister and State Attorney, Johnston Busingye said Monday that as Rwanda enters into the commemoration period government insists the suspects should be arrested and brought to justice in Rwanda or their current respective countries of residence.

“We call for their arrest they (genocide suspects) are not living in space, under water or in the forest but in countries where someone or some people know where they are hiding and these suspects are not lost like a needle in a haystack instead someone is protecting them,” Busingye said.

Busingye said that Rwanda will not give up on searching for the suspects and reminded everyone involved in hiding the suspects that genocide is a lifetime crime of which Rwanda’s efforts to seek justice have been renewed more than ever.

“Whoever is doing this is not different from them. Let them not think that genocide is a Rwandan issue but instead a world affair of which efforts and political will have been increased to follow them up forever,” Busingye said.

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Somalia

Al Qaeda Branch in Somalia Threatens Americans in East Africa — and Even the U.S. (N.Y. Times)

By Eric Schmitt and Abdi Latif Dahir

March 21, 2020

Al Qaeda’s branch in Somalia, the terrorist group’s largest and most active global affiliate, has issued specific new threats against Americans in East Africa and even the United States, U.S. commandos, counterterrorism officials and intelligence analysts say.

Several ominous signs indicate that the Qaeda affiliate, the Shabab, is seeking to expand its lethal mayhem well beyond its home base, and attack Americans wherever it can — threats that have prompted a recent flurry of American drone strikes in Somalia to snuff out the plotters.

In recent months, two Shabab operatives have been arrested while taking flying lessons — one last summer in the Philippines and another more recently in an African country, intelligence officials say. Those arrests carried eerie echoes of the original Sept. 11 plotters, who trained to fly jetliners. Shabab fighters are seeking to acquire Chinese-made, shoulder-fired antiaircraft missiles, which could pose a deadly new risk to U.S. helicopters and other aircraft in Somalia.

American commanders are hardening defenses at bases in the region after a Shabab attack in January at Manda Bay, Kenya, killed three Americans and revealed serious security vulnerabilities. That attack came about a week after an explosives-laden truck blew up at a busy intersection in Mogadishu, the Somali capital, killing 82 people. The Shabab also claimed responsibility for that attack.

The strike in Kenya came two months after the Shabab released a 52-minute video narrated by the group's leader, Abu Ubaidah, in which he called for attacks against Americans wherever they are, saying the American public is a legitimate target. The statement mirrored Osama bin Laden's declaration of war against the United States in 1996.

"Shabab is a very real threat to Somalia, the region, the international community and even the U.S. homeland," Gen. Stephen J. Townsend, the head of the military's Africa Command, told a House committee in Washington this month.

The Shabab control large parts of Somalia and raise considerable funds through local taxation and extortion. Despite intensified American airstrikes and a long-running offensive against the African Union, the group has carried out deadly attacks not only in Somalia but also in neighboring Kenya and Uganda.

American and other Western intelligence analysts and Special Operations officers express fears that Shabab militants could threaten the 3,500 personnel at the Pentagon's largest permanent base on the continent, in Djibouti, as well as international shipping in the critical Bab al Mandab waterway off the southern Yemeni coast.

And last month, the United States Embassy in Nairobi warned of a possible terrorist attack against a major hotel in the Kenyan capital that is popular with tourists and business travelers. The warning did not specifically mention the Shabab, but intelligence officials said the threat bore the hallmarks of such an operation.

The Defense Intelligence Agency told the Pentagon's inspector general in a recent report that the chances of the Shabab attacking the United States remained relatively low, but the analysts noted that the group had made clear its intentions to kill Americans at any location.

One threat could be home grown, from radicalized Somali-Americans living in cities like Minneapolis or Columbus, Ohio, which have large Somali-American communities, analysts said. Another could be from Shabab militants in East Africa, who have pilot training and might be able to slip into the United States — a much more difficult feat now than when the original Sept. 11 plotters entered the country in 2001.

For now, Shabab threats against Americans remain highest in East Africa.

In September, a suicide bomber detonated a car packed with explosives at the gate of a military airfield in Bale Dogle, Somalia, injuring one American service member. Afterward, according to the Pentagon's inspector general report, the Shabab and other Qaeda-related groups released near-simultaneous messages on social media, suggesting a coordinated media strategy among the Qaeda branches.

"This is what we struggle with," Brig. Gen. Dagvin R.M. Anderson, the commander of American Special Operations forces in Africa, said in an interview last month on the sidelines of a counterterrorism exercise in Mauritania. "Their intent is clearly stated. The question is, are they able to develop a safe haven to plan, fund and plot these attacks against the U.S.? What's their timeline? How do we and our partners keep them off balance?"

It is unclear how the Shabab might try to exploit the spread of the coronavirus pandemic on the continent, where many countries face huge challenges responding to the crisis, General Anderson said on Friday in a separate telephone interview from his headquarters in Germany.

There are also now about 500 American troops in Somalia. Most are Special Operations forces stationed at a small number of bases across the country. Their missions include training and advising Somali army and counterterrorism troops and conducting kill-or-capture raids of their own.

The threat from the Shabab has increased so sharply that last November, General Townsend created a Special Operations task force with about 100 troops and analysts to focus on shoring up security in Somalia and countering the Shabab. But the weapon of choice against the Shabab is drone strikes. The United States has carried out 31 strikes against Shabab militants already this year, and is on pace to nearly double the previous high of 63 last year — almost all against Shabab militants, with a few against a branch of the Islamic State. That compares with 47 strikes against the Shabab in 2018.

Several recent strikes have focused on targets near Jilib, about 220 miles south of Mogadishu, which American and Somali officials say is a major hub for the Shabab's operations cell that plots attacks outside Somalia. Other drone attacks have targeted fighters in Shabab strongholds such as Jamame, Sakow, Bu'aale and Janaale.

The Africa Command, also called Africom, said that a strike on Feb. 22 in the vicinity of Sakow killed Bashir Mohamed Mahamoud, who the military says was a senior Shabab commander responsible for planning and directing the deadly Manda Bay attack.

"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," General Townsend told reporters after the House hearing last week. "That's exactly why you've seen this increase in strike activity."

The air campaign, however, has been shrouded in secrecy, and an investigation by Amnesty International last year reported on evidence that these airstrikes had killed or wounded more than two dozen civilians since 2017. A recent report by Airwars, a conflict-monitoring group, also challenged the military's findings that its strikes had resulted in very few civilian casualties.

The Shabab formally pledged allegiance to Al Qaeda in 2012. But long before that, its members fought Western-backed governments in Mogadishu as the group sought to impose its extremist interpretation of Islam across Somalia. In defending the fragile government, the United States has largely relied on proxy forces, including about 20,000 African Union peacekeepers from Uganda, Kenya and other East African nations.

The United States estimates that the Shabab have about 5,000 to 7,000 fighters in Somalia, but the group's ranks are fluid.

In recent years, the Shabab have proved adept at transforming itself into an agile and adaptive guerrilla force that has developed fiendishly sophisticated homemade bombs, including improvised explosives devices, or I.E.D.s.

"Now more than ever, Al Shabab effectively deploys I.E.D.s, complex attacks on both civilian and military targets, blockades to disrupt access, devises sophisticated extortion generating schemes, and utilizes intimidation tactics to afford itself invincibility status aimed at destabilizing Somalia and threatening neighboring countries," said Abdisaid Muse Ali, Somalia's national security adviser.

Mr. Ali said the Shabab had expanded its popular base by building on the issues that afflicted Somalia, including the influence of warlords, tribalism, regional meddling, and the lack of a government to expand and deliver services.

"Ensuring that we deliver services, register and pay civil-service and soldiers, and properly register weapons coming into the country, these are important," he said of the government's priorities.

Mr. Ali said Shabab leaders also sought to broaden their global jihadist appeal by striking American targets. "Al Shabab tries to internationalize their aggression by saying they are fighting America while seeking attention from Al Qaeda leaders," he said.

Indeed, the authorities in the Philippines last July arrested a person accused of being a Shabab operative from Kenya who was studying to be a pilot at a local aviation academy. In announcing the arrest of the suspect, Cholo Abdi Abdullah, local reports in the news media said that he had been accused of conducting research on "aviation threats, aircraft hijacking and falsifying travel documents."

"Al Shabab is a prime lesson in the Al Qaeda movement's stubborn resiliency," said Bruce Hoffman, a terrorism scholar at the Council on Foreign Relations. "The group has suffered leadership losses, loss of territory and revenue; and the attrition of its fighters, but keeps on fighting — and escalating and expanding its operations elsewhere."

Somalia: Bomb blast kills 4, including police chief (Anadolu Agency) By Mohammed Dhaysane
March 22, 2020

At least four people, including a town police chief, were killed after a bomb blast in Somalia on Sunday afternoon, the officials said.

Ismail Mukhtar Orongo, a Somali government spokesman, told Anadolu Agency over the phone that Abdikadir Osman Nuunow, Afgoye district police chief was killed alongside his three bodyguards.

Two others were also wounded.

"Abdukadir Osman Mursal Nunow and his three bodyguards were killed while two others were wounded after a roadside bomb blast targeted his vehicle in Hawa Abdi [outskirts of Afgoye town] this afternoon," Mukhtar said.

Police officers reached the scene and transported the wounded to Mogadishu hospitals for treatment, he added.

Hawa Abdi is located 20.5 kilometers (12 miles) southwest of the capital Mogadishu.

No group has yet claimed responsibility for the bomb blast attack on Sunday but Somali-based al-Qaeda ally group al-Shabaab had carried out recent attacks in the Horn of the African country.

Mogadishu's refugees 'waiting for death' as Covid-19 reaches Somalia (The Guardian) By Jason Burke and Abdalle Ahmed Mumin
March 24, 2020

In the Nabadoon camp on the outskirts of Mogadishu, Asho Abdullahi Hassan, a 40-year-old mother of seven, has heard about the coronavirus on the radio.

“I am very scared about this deadly virus. I only heard about it from the news. It is like we are waiting for death to come,” she says.

The camp hosts about 3,000 families, most recently displaced from Somalia’s Lower Shabelle region following an intensification of fighting and US airstrikes.

Humanitarian activists are warning that it may be impossible to stop the spread of the virus in such places, where sanitary precautions are difficult and social distancing impossible. In Nabadoon, few can afford soap and water is rare.

“This can get very bad. It will be hard,” said Patrick Youssef, deputy director for Africa at the International Committee of the Red Cross. “Our fear is that governments will seek to protect those they see as their own populations and people ... in refugee camps will be left to fend for themselves.”

The spread of coronavirus in Africa has been much slower than in Europe and Asia, but the World Health Organization is concerned about a steep rise in cases across the continent in recent days.

The WHO’s Africa region – sub-Saharan countries plus Algeria – had recorded 990 confirmed cases and 23 deaths as of Tuesday morning.

Tedros Adhanom Ghebreyesus, director general of the WHO, has warned that official numbers may underestimate the scale of infection on the continent. “Probably we have undetected cases or unreported cases,” he said. “In other countries we have seen how the virus actually accelerates after a certain tipping point, so the best advice for Africa is to prepare for the worst and prepare today.”

South Africa, Senegal and Rwanda are the most recent countries to impose stringent new restrictions on movement. President Cyril Ramaphosa said police and army would enforce a three week lockdown from Friday.

But little attention has yet been paid to the 6.5 million refugees in sub-Saharan Africa, many living in precarious conditions, often already weakened by malnutrition and disease.

Health officials across Africa know that hospitals can deal with only a fraction of those needing care if the virus spreads through overcrowded cities, remote villages and among vulnerable populations such as those suffering from HIV and other chronic conditions.

Authorities are already moving to protect some sites. In north-east Nigeria, visitors have been banned from camps housing tens of thousands of people displaced by the Boko Haram insurgency, in a bid to prevent the spread of coronavirus.

Nigeria, Africa’s most populous nation, on Monday reported its first death from Covid-19, as the country’s overall number of confirmed cases rose to 36.

Prisoners and other detainees, such as those in detention centres for migrants, are also a concern, said Youssef.

Uganda, which has nine confirmed cases, hosts more than 1.4 million refugees, with more arriving every day from South Sudan, the Democratic Republic of the Congo and, to a lesser extent, Rwanda and Burundi.

Professor Pauline Byakika, a specialist in infectious diseases at Uganda’s Makerere University, said prevention and control were key to fighting the virus in the crowded conditions of most refugee camps.

“This is a highly infectious disease,” Byakika said. “They are crowded, they don’t have handwash facilities – they don’t even have hand sanitisers – [and] distance between one patient and the other is so close.”

Jane Ruth Aceng, Uganda's minister of health, said that any case of Covid-19 in refugee camps would be treated like outbreaks elsewhere.

"We have tents that we have procured, and [which are] ready to be set up to manage people who may get infected wherever," she said. "For those who are severely ill, they will be referred and managed in the regional referral hospitals whose capacities are being built to handle Covid-19."

The UNHCR, the UN refugee agency, has launched a campaign to educate refugees in Uganda about hygiene and sanitation, increase distributions of soap and hand sanitiser, and train health workers.

Experts believe some camps might be shielded to a degree by their distance from urban areas that are the usual entry points of the virus to countries. The age profile of many refugee settlements – with a very high proportion of young people and children – may also boost their resilience.

But a significant risk is that the focus on the threat of coronavirus will distract from other needs.

Ma'ow Ali Mohamud, a 56-year-old father of eight in a displacement camp in the Hodan area of Mogadishu, said his priority was food. "We only eat one meal every day. I am not bothered about coronavirus. We are lacking food. We do not have clean drinking water. That is my first priority," he said.

A neighbour, Maryan Abdi Yarow, 70, said she and her family were without protection against the disease. "My children are malnourished. We do not have access to basic healthcare and now they are saying coronavirus has been confirmed in Somalia. If someone is infected then what can they do? Nothing at all.

"The government cannot even provide us clean water for drinking in this displacement camp. There are only six toilets for 1,000 families here. We are praying to God to help us."

Many refugees and displaced people live in villages or cities, not in camps. These include some vulnerable communities. Across Africa, LGBT men and women face discrimination and may be reluctant to seek medical help or inform the authorities about infection. In most African countries gay sex is illegal and potentially punished by long prison sentences, or even death.

"We are in the midst of a public health emergency causing panic, death and fear on an international and widespread level," the Refugee Coalition of East Africa, which represents a number of LGBT refugee organisations in the region, said in a statement.

"It merits the attention of the world and its leaders. [But] at the same time, we implore humankind to not let us slip from your consciousness."

Somalia suicide bomber detonates in tea shop, killing 2 (ABC News) By Abdi Guled

March 25, 2020

A Somali police officer says a suicide bomber has walked into a tea shop in Somalia's capital and detonated, killing at least two people.

Capt. Mohamed Hussein says the bomber, posing as a pedestrian, entered the shop and detonated his vest among the crowd.

Wednesday's blast in Mogadishu was the first since the country confirmed its lone case of the coronavirus on March 16.

The al-Qaida-linked al-Shabab extremist group claimed responsibility. It often targets the capital.

The blast shattered a period of calm amid a large security presence in Mogadishu that officials had said prevented al-Shabab from smuggling explosives-rigged vehicles into the city.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Missouri Man Faces Extradition to Bosnia on War Crime Charge (New York Times) By Associated Press
March 23, 2020

A federal judge has approved the extradition of a St. Louis County man to Bosnia, where he faces a war crime charge for allegedly raping a female prisoner.

The St. Louis Post-Dispatch reports that U.S. Magistrate Judge Patricia Cohen's order on Friday won't result in Adem Kostjerevac's immediate extradition, but finds that federal prosecutors provided "sufficient competent evidence" to allow extradition. The final decision on extradition is up to the Secretary of State.

The government of Bosnia-Herzegovina has accused Kostjerevac of raping a pregnant Serbian prisoner in 1992. Kostjerevac was a military policeman at the time. He was indicted there in 2015 and a prosecutor sought an order to arrest him in April 2017.

Kostjerevac's lawyer, in a hearing last year in St. Louis, challenged a witness identification of Kostjerevac and argued in court filings that he had been charged too long after the alleged crime.

The extradition request says the woman was arrested in 1992 after Muslim forces surrounded her village. She was held for two weeks. She told investigators that she had been pregnant and that the multiple assaults caused her to miscarry. She was later raped multiple times by a guard in a different location, court documents say, and released as part of a prisoner exchange in 1993, weighing just 81 pounds (36 kilograms).

Kostjerevac denied the allegations during an interview with FBI agents at his St. Louis County home in 2014. He said he sent her food and prevented others from killing her.

Court documents show Kostjerevac came to the U.S. about 17 years ago with his wife. He has five adult children.

Court of Bosnia and Herzegovina confirmed Radomir Susnjar's 20-year Sentence for War Crimes (Sarajevo Times)

March 25, 2020

The Appellate Panel of the Court of Bosnia and Herzegovina confirmed Radomir Susnjar's 20-year sentence for crimes committed in Pionirska Street in Višegrad, Dejan Bogdanovic, his defense lawyer, confirmed for the Balkan Investigation Network in Bosnia and Herzegovina.

"The defense appeal was dismissed and the first instance verdict confirmed. That verdict came to me on March 20th, Bogdanovic said.

Having completed a trial in the case of Radomir Šušnjar, on 30 October 2019 the Court of Bosnia and Herzegovina, Section I for War Crimes, pronounced a trial judgment finding the accused Radomir Šušnjar guilty of the criminal offense of War Crimes against Civilians under Article 142 of the Criminal Code of the Socialist Federative Republic of Yugoslavia (SFRY) as read with Article 22 of the Code. The Court sentenced him to 20 years of imprisonment.

The time the accused spent in pre-trial custody from 24 June 2018 onwards shall be credited towards his sentence of imprisonment, as well as the time he spent in extradition custody from 18 June 2018 to 23 June 2018, as well as his arrest in relation to the criminal offense at issue by the French authorities on 4 March 2014.

The accused Radomir Šušnjar is guilty that, during the armed conflict and war in Bosnia and Herzegovina between the Army of the Republic of Bosnia and Herzegovina and the Army of the Serb Republic of Bosnia and Herzegovina, in the territory of the Višegrad municipality, from early April 1992 to December 1995, he acted in violation of international humanitarian law, specifically Article 3(1), Subparagraphs a) and c), of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which prohibits injuries to life and limb, in particular any kind of murder, mutilation, cruelty and torture.

On 14 June 1992 in Višegrad, on Pionirska street, together with Milan Lukić and Sredoje Lukić, as members of a paramilitary

group (convicted by final judgments for the same crimes before the International Criminal Tribunal for the former Yugoslavia), all of them armed with automatic rifles, the accused Radomir Šušnjartook part in an attack, inhuman treatment and looting of civilian property. They came to the Memić family house, to which Bosniak civilians from the village of Koritnik had been previously brought, where Milan Lukić and Sredoje Lukić, while threatening to kill them all, with the intention to appropriate their money, gold and other valuables, ordered them to hand over such valuables, which they did, fearing for their lives. After that, the accused Radomir Šušnjar frisked the civilians in an adjacent room in a particularly cruel and degrading manner to make sure they did not hide anything.

In the evening hours, with the intention to kill them, under the pretext that their safety was at risk, they ordered the civilians to leave the Memić family house and move to Adem Omeragić's house, some 30 meters away, where they forced them into the ground-floor room. After the accused Radomir Šušnjar pushed into the room the last of the civilians he locked the door, thus preventing them from getting out and escaping. That is when Milan Lukić threw an inflammable explosive device into the room, thus causing fire, while they kept shooting at the house from their automatic rifles in order to prevent the civilians from fleeing, although aware that by so doing they could cause heavy injuries.

The attack resulted in the killing of 25 civilians and a 2-month-old baby whose mortal remains have never been found. As a consequence of the rounds shot, a civilian suffered heavy and light bodily injuries, while five of the civilians managed to escape. Also destroyed by the fire was Adem Omeragić's property.

Pursuant to Article 198(2) of the Criminal Procedure Code of Bosnia and Herzegovina, the injured parties in the case are referred to pursue their redress claims in civil proceedings.

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International Criminal Tribunal for the Former Yugoslavia (ICTY)

Official Website of the ICTY

U.N. court delays Mladic appeals hearing for health reasons (WIBQ)

March 11, 2020

The U.N. court for the former Yugoslavia said on Wednesday the appeals hearing of former Bosnian Serb military leader Ratko Mladic had been delayed on health grounds.

Mladic, who was sentenced in 2017 to life in prison on charges of genocide, war crimes and crimes against humanity for his key role in the 1990s war in Bosnia, is due to have surgery to remove a benign polyp from his colon, court documents said.

The appeal is to be rescheduled some six weeks after the surgery, but no precise date was given.

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Domestic Prosecutions In The Former Yugoslavia

Serbia's Progress on War Crimes Cases 'Negligible': Report (Balkan Transitional Justice) By Milica

Stojanovic

March 25, 2020

The Belgrade-based Humanitarian Law Centre NGO said in a report published on Wednesday that Serbian war crimes prosecutors are continuing to issue only a small number of indictments, most of them in cases transferred from Bosnia and Herzegovina,

and none of them charging high-ranking suspects.

“Bearing in mind that according to the War Crimes Prosecution Office’s data from November 2019, 2,557 cases are in the preliminary investigation stage, but only 15 cases are in the [active] investigation stage, such a work rate will solve a negligible percentage of war crimes cases in the coming period,” the report said.

The Humanitarian Law Centre noted in the report that prosecutors issued three indictments in 2019, two in cases from Bosnia and Herzegovina. The third indictment charges a suspect with war crimes in Kosovo as part of a case that is already ongoing in court.

All three indictments issued in 2019 are related to direct perpetrators of war crimes, not ranking officers.

“This continued the practice of non-prosecution of perpetrators in senior positions in the former military, police and political hierarchy of Serbia and the Federal Republic of Yugoslavia,” the report said.

“Non-prosecution of high-ranking perpetrators is contrary to the adopted National Strategy for War Crimes Prosecution, which states that the Republic of Serbia has decided that ‘cases against suspects of high rank, de jure or de facto, should be given priority in the work of prosecutors in the period 2016-2020’,” it added.

The Humanitarian Law Centre also noted that in 2019, prosecutors did not issue a single fresh indictment for crimes against ethnic Albanian civilians in the Kosovo war.

“Since the beginning of 2013, the HLC has filed nine criminal complaints about crimes committed in Kosovo; in Pec, Mala Krusa, Savine Vode, Vucitrn, Goden, Kraljani, Landovica, Poklek and Djakovica. However, up until the end of 2019, the Prosecution Office did not start an investigation into a single one of the listed suspects,” the report said.

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Turkey

On ninth anniversary of Syria's civil war, children freeze to death in unheated tents (Telegraph) By

James Rothwell

March 15, 2020

A ceasefire in Idlib has done little to ease the dire conditions of refugees fleeing the violence of Syria's civil war.

Syrian children are freezing to death in unheated tents and abandoned buildings in Idlib province, sources in the region have warned on the ninth anniversary of the bloody civil war.

In a message passed to the Sunday Telegraph, a Syrian man assisting families in Idlib said he had witnessed the deaths of seven children from exposure and that the constant fear of bombing has driven refugees to despair.

“The father of one of these children took his daughter from their unheated tent to the nearest doctor, not knowing that she had died,” said the man, an aid worker for the International Rescue Committee (IRC) who cannot be named due to the risk of reprisals from the Syrian regime.

“It was only when he reached the hospital that the doctor told him she had died two hours earlier.”

Sunday marks nine years since widespread peaceful protests were met with a brutal crackdown by the regime, after the murder of a 13-year-old boy who was one of 15 students detained and tortured by security forces over anti-government graffiti.

An estimated 400,000 have died in violence in the intervening years, mostly at the hands of the Assad regime and Russian forces, who stepped in to prop up the Syrian government in 2015.

Idlib and the surrounding area have suffered heavy bombardment since December, as the regime and its Russian allies make the final push to defeat rebel forces.

Hundreds have been killed in indiscriminate bombing, including reports of strikes on civilian camps, while thousands have gathered at Syria’s border with Turkey seeking protection.

A fragile ceasefire was announced on March 6, prompting some refugees to return home and attempt to recover their belongings. But many more are still living in unheated abandoned buildings and tents in makeshift camps around Idlib.

"Others are out in the open with no shelter at all because there have been so many people coming so quickly over the past few months, that it hasn't been possible for humanitarian agencies to keep up," said the IRC worker. He added that although the ceasefire was a welcome respite from bombing, parents were now only beginning to address the trauma endured by their children.

"People in Idlib heaved a huge sigh of relief when it was announced, but we don't really know what it's going to mean long-term," he said.

"At least, for now, we're getting some respite from the fighting. But people have been through a lot. Children, in particular, are showing severe signs of trauma and they need support to help them overcome their fears."

The IRC has been giving out cash supplies to refugees so they can buy food and tents.

The Department for International Development (Dfid) has announced that an RAF C-17 carrying 37 tonnes of UK aid, including shelter, hygiene kits and cooking equipment has been sent to the Syrian-Turkish border region.

"Nine years of conflict is nine years too long. A generation of Syrians have known nothing other than life in a war zone, living with the constant fear of Assad's bombs and the daily threat of losing loved ones," said Dfid secretary Anne-Marie Trevelyan.

"The ceasefire in North West Syria must hold. The British people continue to stand by Syrians even though their leader does not. We are committed to saving lives, providing shelter, food, medicine and warm blankets. Their suffering must end now."

There are also fears that the coronavirus may have already spread into Idlib, piling yet more death and misery on refugees.

The charity Islamic Relief has warned that Idlib's hospitals are "overwhelmed, under-resourced and lacking in essential life-saving equipment and medicines to treat even basic illnesses such as flu and diarrhoea."

Several aid groups are providing support on the ground, such as Partners Relief & Development, which has set up a mobile medical facility for refugees.

"Whether we are speaking about COVID-19, or whether we are speaking about any other health crisis, women often sacrifice their own health for the health of others," warned Luay Shabaneh from the UN's sexual and reproduction health agency.

"Because during crises, women shoulder not only their usual roles, but also often take on the role of men."

Kurdish Crackdown Continues in Turkey, Despite Health Emergency (Voice of America) By Dorian Jones
March 23, 2020

Turkish security forces detained five elected Kurdish mayors Monday in anti-terror raids, a move that was condemned by human rights groups, as Turkey is grappling with the coronavirus pandemic.

The mayors are members of the pro-Kurdish Peoples' Democratic Party (HDP), which swiftly attacked the detentions.

"We reject with hatred this vile attempt that does not shy away from showing enmity against Kurds, even in these difficult days when the whole world is battling an epidemic," said Mithat Sancar, co-leader of the HDP.

Sancar told reporters Monday that security forces seized municipal offices in the city of Batman and in the towns of Egil, Silvan, Lice and Ergani. Local media broadcast images of public workers locked out of their workplaces.

The HDP said the municipalities were in the forefront of trying to contain the virus. The detentions occurred across Turkey's predominantly Kurdish southeast, the center of a decades-long war by the separatist Kurdistan Workers' Party (PKK) against the Turkish state.

The government accuses the HDP of providing logistic and tacit support to the PKK through its network of mayors, a charge the party denies.

In an ongoing crackdown, over 30 elected HDP mayors have been removed from office under anti-terror legislation and replaced with government-appointed trustees.

But with Turkey facing a health emergency over the coronavirus, the latest detentions are drawing widespread criticism.

"In the midst of this coronavirus pandemic, the interior minister is intent on hounding the HDP by removing the mayors of the Southeast and therefore depriving thousands of voters of their choice," said Emma Sinclair-Webb, Turkey researcher for the New York-based Human Rights Watch.

"The grounds of imprisonment are very vague assertions, scant evidence," Sinclair-Webb said. "Much of the evidence is based on secret witnesses. There is a pattern of complete misuse of the charge of terrorism against people. There is no proof."

"In fear of Allah, in this period, we need unity and to work," said Sezgin Tanrikulu, deputy leader of the main opposition Republican People's Party (CHP).

Neither the ruling AKP or state officials have so far commented on the detentions.

The latest crackdown on the HDP comes as the AKP indicated it was considering a mass release of prisoners.

Turkey's prison population has more than doubled since ongoing crackdowns on the country's pro-Kurdish movement, and in the aftermath of the 2016 failed coup.

Earlier this month, national and international human rights groups called for action to ease prison overcrowding, given fears over COVID-19.

"We are extremely concerned about Turkish prisons, because they are very overcrowded. The prison population is almost 300,000, which is very high for a country the size of Turkey,"

Sinclair-Webb said. "There are a lot of worries of access to medical help in prisons at the best of the times, let alone the worst of times."

Mehmet Mus, deputy parliamentary head of the AKP, confirmed his party was looking into legal steps to ease the prison population.

"The government has accelerated an important plan to provide early parole for some prisoners," Sinclair-Webb said. "Now, that is welcome."

She added, "But the government has so far said they will exempt prisoners charged under terrorism charges and crimes against the state. (In) reality, that includes many journalists, mayors, politicians and human rights defenders."

According to international media watchdogs, Turkey is one of the biggest jailers of journalists in the world.

A local newspaper editor in the Kocaeli province was detained by police over the weekend for reporting on the coronavirus. He was released after questioning.

Police have also held several people for social media posts about the coronavirus. The government insists it is determined to prevent people from spreading panic.

On Sunday, Health Minister Fahrettin Koca said that nine people had died from COVID-19, bringing the total number of deaths to 30. The number of confirmed cases rose from 289 to 1,236.

Turkish authorities stepped up restrictions to contain the virus. In a presidential decree issued Sunday, some civil servant workers were allowed to work at home.

Interior Minister Suleyman Soylu stepped up pressure on medical product manufacturers and accused some companies of hoarding. "Some of the manufacturers stockpile the masks. We warned them again on Sunday night to sign contracts with the Ministry of Health," he said.

Soylu announced Sunday that the first raids on manufacturers had begun and that authorities will seize mask-producing factories if they don't agree to sell to the state.

On Monday, banking hours were restricted. Istanbul's world-renowned Grand Bazaar was temporarily closed. All entertainment venues, including restaurants and cinemas, are closed, along with schools and universities. Prayers are no longer held in mosques.

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Syria

War in Syria: 'Carnage', flouting of rights and international law, must stop: Guterres (UN News)

March 12, 2020

UN Secretary-General Antonio Guterres on Thursday highlighted the need for a peaceful solution to the crisis in a message posted on his Twitter account.

"The conflict in Syria is entering its tenth year. A decade of fighting has brought nothing but ruin and misery. And civilians are paying the gravest price. There is no military solution. Now it is the time to give diplomacy a chance to work", he wrote.

Overall, more than 11 million people across Syria require aid relief, nearly half of them children, according to latest estimates.

Fighting has displaced more than six million people inside Syria, sometimes repeatedly, while another five million Syrians are living as refugees in neighbouring countries.

"The Syrian conflict has entered its tenth year, yet peace still remains far too elusive. The brutal conflict has exacted an unconscionable human cost and caused a humanitarian crisis of monumental proportions", said Mr. Guterres.

"Millions of civilians continue to face protection risks...We have seen nine years of horrific atrocities, including war crimes. Nine years of human rights abuses on a massive and systematic scale, eroding international norms to new depths of cruelty and suffering.

"Tens of thousands are missing, disappeared, detained, subjected to ill-treatment and torture. Untold numbers have been killed and injured. There must be no impunity for such horrific crimes", the UN chief said.

The "brutal simplicity" of these numbers belies the complexity of the crisis, according to UN Humanitarian Coordinator, Mark Lowcock.

"In the northwest, women and children are sleeping in the open and fleeing bombs. In the northeast, children have spent their entire lives in camps. Elsewhere across the country, people's prospects and hope for the future are being gradually eroded in the face of economic crisis", he said, ahead of the anniversary.

Healthcare under attack

The situation in Idlib governorate, in northwest Syria, remains a pressing concern for the humanitarian community.

A Government assault against terrorist groups, launched in December, has pushed nearly one million people out of their homes and into ever-shrinking safer areas near the border with Turkey. The World Health Organization (WHO) reported that only half of the 550 health facilities in the region remain open nearly a decade after the war began.

Syria represents one of the worst cases of healthcare being affected by conflict, according to the agency, with a total of 494 attacks

recorded between 2016-2019, mainly in the northwest.

During that same period, 470 people were killed in attacks on health facilities.

“What is troubling is that we’ve come to a point where attacks on health – something the international community shouldn’t tolerate - are now taken for granted; something we have become accustomed to.”, said Richard Brennan, WHO Regional Emergency Director in the Eastern Mediterranean.

“And they are still taking place”.

Cross-border aid ‘lifeline’

Aid is delivered into Idlib through a cross-border operation from Turkey which has been scaled up as needs increase.

The UN Security Council first authorized the cross-border mechanism in 2014 and this past January, trucks carried enough food assistance for roughly 1.4 million people. They also transported health supplies for nearly half a million people, and non-food items for 230,000: more than any other month since the process began.

While in Turkey last week, the head of the UN children’s agency, UNICEF, visited the humanitarian logistics hub in Bab Al Hawa, located on the border with Syria.

“Sending aid across Syria’s borders has been a lifeline for vulnerable families,” UNICEF Executive Director Henrietta Fore said on Saturday at the conclusion of her two-day visit.

Funding saves lives

The UN and its partners are seeking \$3.3 billion for the humanitarian response in Syria this year.

They also will require an additional \$5.2 billion to support Syrian refugees and host communities across the region.

Last year, humanitarians reached over six million people each month throughout Syria. They pledge that with support, they will reach as many people as possible this year.

“The people of Syria need international humanitarian law to be respected”, said Mr. Lowcock, who underscored the UN position that a political solution is the only way to resolve the conflict.

“In the meantime, the UN will continue to help as many people as possible, wherever they are located. Lives can be saved and suffering alleviated when funding is in place.”

Syria: Government Forces Apparently Abuse Civilians (Human Rights Watch)

March 16, 2020

Syrian government forces appear to have retaliated against civilians who chose to remain behind in areas retaken in Idlib, Human Rights Watch said today. Images provided to Human Rights Watch show that government forces may have shot at civilians and despoiled their bodies in towns where the government retook control in Idlib and Aleppo governorates.

The Syrian-Russian military alliance escalated an offensive on the last anti-government held areas in Idlib and western Aleppo governorate in April 2019. Human Rights Watch obtained images that appeared to show members of the 25th Special Forces Division, a Russian-backed elite Syrian government force formerly known as the Tiger Forces, standing atop the body of a man they appear to have killed after taking control of Maaret al-Nu’man city. The Tiger Forces, led by General Suheil al-Hassan, have received Russian training and military equipment and Russian forces say they are closely integrated within Russian operations.

“Syrian-Russian forces have indiscriminately bombed areas to force civilians to flee en masse, and now appear to be terrorizing civilians who remain behind,” said Michael Page, deputy Middle East director at Human Rights Watch, “The abusive troops, and the commanders who fail to stop them, should be held accountable.”

Human Rights Watch had previously documented indiscriminate attacks on civilian infrastructure, and the use of unlawful weapons, including cluster munitions, incendiary weapons, and improvised explosives in the course of the offensive. As of December 1, the continued violence resulted in the displacement of almost 1 million people, in horrific humanitarian conditions, while Turkey maintains a closed border.

On January 28, 2020, Syrian forces retook Maaret al-Nu’man, a key city in Idlib governorate originally home to 85,000 people,

following a two-month offensive.

On January 31, a media activist who chose to remain anonymous for security reasons provided Human Rights Watch with a screenshot and screen recording of a Facebook story apparently from the account of a government soldier, appearing to show that soldier and another one standing over a partially burned body. The screenshot was tagged with “Al-Maaret” indicating Maaret al-Nu’man. Facebook Stories are only visible for 24 hours, so this image is no longer available online.

Human Rights Watch spoke to three people who identified the body as Ahmed al-Jaffal, a long-time Maaret al-Nu’man resident who had refused to leave. One was al-Jaffal’s neighbor and two were part of the Syrian Civil Defense team who knew him and said they had seen him alive two days before the Tiger Forces entered the area.

Obeida Zikra, the head of Syrian Civil Defense in Maaret al-Nu’man and one of the last to evacuate the city, said al-Jaffal had come to the group’s center for food and assistance.

“He’s a simple man, but he used to come around to the center and we would give him food,” Zikra said. “At the end of January, the situation had gotten so bad – strikes and artillery everywhere, and we were evacuating everyone. I and two others went to the location where Ahmed usually stayed, and asked him to evacuate with us. He refused, said he was not leaving.”

On January 27, Zikra and his colleague, who chose to remain anonymous, said they returned to the city: “I looked everywhere for Ahmed, but couldn’t find him,” Zikra said. “We left. There was still shelling. The next day, Syrian [government] forces entered the city.”

When shown the picture, all three said they recognized the body as al-Jaffal, based on his clothing and the area where the picture was taken. Human Rights Watch also compared the body in the photo with prior videos and pictures available online in the days before his death, where he seems to be wearing the same clothes. Two people interviewed provided details of where the picture was taken.

Human Rights Watch reviewed the image and through matching several visible landmarks with satellite imagery could confirm that it was captured in Maaret al-Nu’man where the people interviewed said it was. In addition, the government soldier posting the image added “Al-Maaret” as a location tag, along with a peace sign emoji.

Human Rights Watch also compared the body in the photo with prior videos and pictures provided by witnesses and available online.

Local news reports said that members of the 25th division killed al-Jaffal at 10 a.m. in Maaret al-Nu’man. A media center says its sources have said that the members of the armed group executed al-Jaffal with a Kalashnikov rifle, then put him in a rubber/plastic tire, and burned his body. Human Rights Watch has not been able to verify the details of the killing but can confirm that the body appears to be burned and the soldiers standing atop it are from the 25th division.

Human Rights Watch tracked the soldier’s Facebook account and found that it appears to be the same on which the story was posted, although the story no longer exists. On the Facebook page, he lists himself as working for Air Force Intelligence, and pictures on the account dating back to September 2018 show that he has been to Idlib. In a September 2018 photo, he is standing next to a van with markings similar to those on the van in the original photo, indicating that it is the same vehicle. The van in the September 2018 photo also has markings showing that it belongs to the “Tiger Forces,” and the logo of a subdivision of the Tiger Forces called “Yasser Suleiman Group.”

This would not be the only incident in which Syrian government forces have retaliated against residents after they took control of an area. On February 11, the Tiger Forces also opened fire on older women as they prepared to flee from advancing troops in western Aleppo, media reported. Video recordings obtained by the United Kingdom’s Daily Telegraph newspaper show the older women gathering their belongings and preparing to escape when they appear to come under attack. Human Rights Watch had previously interviewed people who said that Suheil al-Hassan, now the head of the Tiger Forces, gave orders to shoot directly at protestors in 2011.

Under international law, parties must take all possible measures to prevent the dead from being despoiled, and the mutilation of dead bodies is prohibited. In September 2017, Swedish prosecutors charged another soldier with violating the laws of war under their domestic criminal law, based on the legal principle known as “universal jurisdiction,” which allows for investigating certain international crimes that take place outside a country’s jurisdiction.

The charge was based on a photograph of that soldier smiling victoriously over the body of a civilian. The indictment used that and other evidence to charge him with “outrage upon personal dignity,” defined to include humiliating, degrading, or otherwise violating the dignity of a dead body.

The Syrian government and Russia should immediately suspend members of government forces against whom there are credible

allegations of human rights abuse. Military commanders and intelligence officials should be placed under targeted sanctions until they stop abuses committed by their forces. They should also be investigated and held accountable for violations by units under their command, in accordance with the command responsibility doctrine.

“Syrian government forces have abused civilians for a long time and have never been held responsible,” Page said. “But these soldiers should take heed that as history shows, those who violate international law will be brought to justice when they least expect it.”

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Yemen

Health workers targeted at least 120 times in Yemen conflict – report (The Guardian) By Bethan McKernan
March 18, 2020

Hospitals and doctors in Yemen have been targeted at least 120 times by the conflict’s warring parties, according to a report that gives the most comprehensive analysis to date of the devastating effect of war on the country’s healthcare system.

There were 120 incidents across 20 of Yemen’s 22 governorates between March 2015 and December 2018, including airstrikes, ground attacks, military occupation, assaults on health workers and other violations such as looting and restrictions on humanitarian aid, according to analysis co-published by Physicians for Human Rights (PHR) and the Yemeni human rights group Mwatana on Wednesday.

The findings come as a relative lull in the violence appears to have ended and Yemen’s already decimated medical sector is bracing for the possibility of a coronavirus outbreak.

The collapse of Yemen’s healthcare system has been a major contributing factor in creating what the UN says is the worst humanitarian crisis in the world, with two thirds of the 28 million-strong population dependent on aid to survive, widespread hunger and outbreaks of cholera and diphtheria.

“What our report shows is how blatantly international humanitarian law has been ignored in Yemen’s conflict and how in particular attacking healthcare facilities has a long-term and wide-reaching impact,” said Osamah Alfakih, Mwatana’s advocacy director, who co-authored the report.

“All the warring parties have displayed a sustained recklessness for civilian life.”

Interviews with nearly 200 survivors and eyewitnesses identified patterns of attacks and specific violations that killed at least 96 civilians and healthcare workers and injured 230 more.

The report could be used in future war crimes investigations against the Saudi- and Emirati-led coalition fighting to restore the exiled Yemeni government, the Iran-backed Houthi rebels and various other armed groups.

Mwatana documented 35 coalition aerial attacks on hospitals, clinics and vaccination centres, which it says is “evidence of [the coalition’s] disregard for these structures’ protected status and apparent unwillingness or inability to comply with the principles of distinction and proportionality”.

The report also criticises the coalition for a lack of transparency in its operations, adding that “it remains unclear what precautions the coalition has adopted to minimise harm to Yemen’s health facilities and personnel”.

Among its recommendations the investigation says the UK, US, Canada, France and other countries currently facilitating weaponry and support to the coalition should immediately suspend sales contingent on respect for international humanitarian law in the coalition’s Yemen operations and comprehensive efforts to investigate alleged crimes and violations.

The use of mortars and artillery by the Houthis and other non-state actors in Yemen in densely populated areas has also damaged and destroyed healthcare facilities, the report said, while Houthi occupation of such buildings pointed to a more deliberate violation of their protected status.

Attacks on hospitals and clinics have closed more than half of Yemen's pre-war facilities and the constant threat of being targeted makes it very difficult for doctors and nurses to work, Alfakih said.

Al-Thawra hospital in Taiz was the target of at least 45 documented attacks by several parties, including ground-launched attacks, armed incursions and looting. In August 2015, the facility was targeted eight times and hit with 22 shells in two days.

"Even those hospitals that remain open lack specialists, equipment and medicine. We currently only have 10 healthcare workers per 10,000 people instead of the standard 22. If one medical worker is arrested, injured or killed that has a huge knock-on effect," Alfakih said.

"There are very brave healthcare professionals working in Yemen right now. Even if they don't talk about how tired they are, the toll is clear in their faces and their eyes."

The analysis of the state of Yemen's healthcare infrastructure comes amid heavy fighting in al-Jawf province after months of relative quiet that many hoped could lead to a more permanent de-escalation in the conflict.

Coalition airstrikes in al-Jawf launched in retaliation after the Houthis shot down a warplane killed more than 30 civilians last month. On 1 March, the Houthis seized al-Jawf's capital, al-Hazm, sending tens of thousands of people fleeing to neighbouring Marib.

On Tuesday, Saudi state media reported that the coalition destroyed two explosive-laden boats in the Red Sea launched and remotely controlled by the Houthis from the coastal region of Hodeidah.

Worries are also mounting that Covid-19 could have a catastrophic impact if it reaches vulnerable communities in Yemen.

This week the International Rescue Committee (IRC) launched an emergency campaign to raise \$30m (£25m) to help refugees, people displaced in their own countries and those living in nations with weak health systems respond to the coronavirus pandemic.

The virus could "thrive in active war zones like Yemen and Syria, putting the lives of thousands of civilians in even more danger," said the IRC president, David Miliband.

Yemen conflict leaves impact on judiciary (Al-Monitor) By Ammar al-Ashwal

March 21, 2020

The conflict in Yemen is no longer limited to political and military parties. It now includes the judiciary, which is being used to execute political agendas between the warring sides.

On March 3, the Houthi-controlled Specialized Criminal Court in Sanaa sentenced to death 35 parliamentarians in absentia on charges of treason, ordered the confiscation of their movable and real estate property inside and outside the country, and put them in the hands of the Houthi government.

This is not the first time the same court has passed sentences of execution.

In July 2019, 30 academics and political opposition figures were sentenced to death following a trial Amnesty International described as a "sham," saying those people "are facing trumped-up charges, including espionage for the Saudi Arabia-led coalition, following a fundamentally flawed legal process." None of the accused have been executed, and they are still being detained in Houthi prisons in Sanaa.

The list of figures recently sentenced includes parliament Speaker Sultan al-Barkani and his deputy, Abdul-Aziz Jubari, in addition to parliamentarians in the General People's Congress that was formerly led by ex-President Ali Abdullah Saleh, and the Yemeni Congregation for Reform — known as al-Islah, the Yemeni Muslim Brotherhood arm. All of the sentenced reside outside Yemen or in areas controlled by the internationally recognized government.

The death sentence came after the public prosecutor put the accused parliamentarians on trial in September after their immunity was lifted. Charges include threatening the independence and safety of Yemeni territories and collaborating with foreign countries, like Saudi Arabia and the Arab coalition states.

Elected in 2003, the current parliament was divided between Houthis and the government after the pro-government members met in Seyon and elected new leadership in April of last year, headed by Barkani. Meanwhile, Yahya al-Rai continued to head the Sanaa-based parliament. The pro-government parliament is the one recognized internationally and represents the government in regional and international platforms.

The social implications of these charges will lead to divisions and tensions between the tribes supporting them and those opposing them, and among the people who voted in favor of the sentenced parliamentarians. In Yemen, generally, tribal ardency rather than democracy or civil dedication prevails in supporting parliamentarians. Besides, if Houthis face military defeat in the Yemen war, the tribes opposing the sentences will likely retaliate against prominent Houthi figures, especially since most parliamentarians belong to well-known and influential tribes in Yemen or are traders and large capital owners.

According to the Human Rights Office in Geneva, “Following the issue of the sentences in Sanaa, we received reports that the homes of some parliamentarians in Sanaa were ransacked by a group of female Houthi police. The police gave the family members inside the homes 24 hours to leave their properties.”

In a March 6 statement, the Human Rights Office called on the sentences to be revoked and said the trials are “politically motivated [and fail] to comply with international norms and standards.”

Noura al-Jarwi, director of the Coalition of Women for Peace in Yemen, told Al-Monitor the “Houthis had a racial and linear approach to the case.” She expects a “reaction from the parliamentarians’ supporters, especially if the balance of power changes in favor of Houthis’ rivals. This will only lead to further division in Yemeni society.”

One of the sentenced members of parliament told Al-Monitor on condition of anonymity for the safety of his relatives in Sanaa, “The houses and belongings of several sentenced members of parliament were confiscated, including some real estate assets. Their families in Sanaa were also harmed and threatened.”

The member of parliament said, “The verdict is political and has absolutely no relation to the constitution or law. Many do not recognize it and consider it a terrorist act.” He blamed “the United Nations and its special envoy to Yemen, Martin Griffiths, for what happened.”

Meanwhile, some prominent figures known for their opposition to Houthis were not sentenced, such as tribal Sheikh Hamid al-Ahmar, who is close to Qatar and lives in Turkey. Some observers believe those were excluded based on political arrangements involving countries in the region like Qatar, Turkey and Iran.

Mohammad Abdul Quddus, deputy editor of the Houthi-run SABA news agency, told Al-Monitor, “The verdicts are legitimate based on the Law of Criminal Procedure, and those parliamentarians are fugitives. The prosecution met all legal conditions in filing the lawsuits after proving the accused jeopardized the independence of the state and the safety of its territories by asking the aggressing countries to attack Yemeni territories.”

He added, “Ansar Allah [Houthis] have nothing to do with this, and the verdict was an implementation of the law. The parliament in Sanaa lifted the immunity of the sentenced members of parliament.”

On Nov. 13, 2019, the Yemeni government had called on the UN to prevent Houthis from conducting illegal and arbitrary trials against rights activists, journalists, women and members of parliament.

In December, the Supreme Judicial Council in Aden issued a decision ordering “the illegitimacy of courts in Houthi-controlled areas and their subsequent illegal verdicts and considered them a form of extortion and money collection.”

Yehya al-Shouaibi, a lawyer, told Al-Monitor, “The so-called Specialized Criminal Court in Sanaa does not have constitutional legitimacy, and its sentences are null and void.”

The conflict in Yemen has undoubtedly taken dimensions other than the political and military ones. If the judiciary is not kept out of it, society will be largely divided and the UN-led peace process will face another hiccup.

Yemen: Illegal detention remains rife after five years of war (Amnesty International)

March 24, 2020

Unlawful detention during the ongoing conflict in Yemen - ranging from politically-motivated death sentences, to forcibly disappearing and torturing detainees in ‘black sites’ - remain rife ahead on the fifth anniversary of the war, Amnesty International said today.

Since the current conflict erupted in March 2015, scores of people – including journalists, academics and members of the Baha’i faith – have been disappeared and detained, primarily because of their human rights activism, political affiliation or their conscientiously-held beliefs.

“The last five years of relentless conflict have been a breeding ground for serious violations against detainees on both sides – in some cases amounting to war crimes,” said Lynn Maalouf, Amnesty International’s Middle East Research Director.

“Huthi forces have detained dozens of people – including those of the Baha’i faith – on trumped-up charges and many have been sentenced to death. It is absolutely abhorrent that so many members of the Baha’i community remain at risk of execution for their conscientiously-held beliefs and peaceful activities.

“We call for the immediate and unconditional release of all prisoners of conscience in Yemen, and for truth and justice in the many cases of enforced disappearance and torture linked to unlawful detention.”

In the past year alone, the Huthis and their allied forces have stepped up their use of an anti-terrorism court as a way to settle political scores, often handing down death sentences on spurious accusations of espionage and “aiding an enemy country” following grossly unfair trials. Meanwhile, UAE forces and their allies in southern Yemen have been running a network of secret detention sites where they forcibly disappeared and tortured dozens of individuals, in what amount to war crimes.

To mark the anniversary, Amnesty International will launch a year-long campaign focusing on arbitrary detentions, specifically on cases that constitute violations of freedom of expression, association and religion.

Last month, representatives of the parties to the conflict agreed to what would be the largest UN-sponsored prisoner exchange.

Huthi targeting of religious minorities and others

In a new public statement, Amnesty International has documented the cases of 66 individuals whose proceedings are all ongoing, bar one. All were brought before the Sana’a-based Specialized Criminal Court (SCC) – a court traditionally reserved for terrorism-related cases – in the last five years. Journalists, human rights defenders, political opponents and members of religious minorities are among those subjected to unfair trial on spurious or trumped-up charges by this court. All of the individuals are being tried on charges of spying, which are mandatorily punishable by death under Yemeni law.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime; the guilt, innocence or other characteristics of the offender; or the method used by the state to carry out the execution. The death penalty is the ultimate cruel, inhuman, and degrading punishment.

Civilian suffering

Since 2015, all parties to the conflict in Yemen committed repeated and serious violations of international humanitarian law.

Huthi forces, which control large parts of the country, have indiscriminately shelled residential neighbourhoods and launched missiles indiscriminately into Saudi Arabia. The coalition led by Saudi Arabia and the United Arab Emirates (UAE), which support the internationally-recognized Yemeni government, continue to bomb civilian infrastructure and carry out indiscriminate attacks, killing and injuring hundreds of civilians. All parties have also suppressed freedom of expression through arbitrary detention, enforced disappearance and torture and other ill-treatment in custody.

Civilians are trapped in the middle of the conflict, and bear the brunt of the violence. To date, more than 233,000 people have been killed and injured. The spiralling humanitarian crisis has left approximately 14 million people on the brink of famine. The situation has been exacerbated by years of poor governance, resulting in poverty and causing immense suffering.

Inevitably, given the prolonged nature of the conflict and the use of unlawful tactics by all parties, coping mechanisms for the civilian population are at breaking point. An estimated 22 million Yemenis currently require humanitarian assistance to survive.

HRW: Saudi forces torture, disappear Yemeni civilians (Al Jazeera)

March 25, 2020

Human Rights Watch (HRW) has condemned Saudi Arabia and Saudi-backed forces in war-torn Yemen for carrying out a series of abuses against Yemeni civilians in the furthestmost eastern province of al-Mahra.

In a report published on Wednesday, the New York-based group said the abuses included arbitrary arrests, forced disappearances and illegal transfers of detainees from Yemen to Saudi Arabia.

"Saudi forces and their Yemeni allies' serious abuses against local-Mahra residents is another horror to add to the list of the Saudi-led coalition's unlawful conduct in Yemen," said Michael Page, HRW's deputy Middle East director.

"Saudi Arabia is severely harming its reputation with Yemenis when it carries out these abusive practices and holds no one accountable for them."

The report comes on the eve of the fifth anniversary on Thursday since a Saudi-UAE-led coalition began in March 2015 an air

campaign against the Houthi rebels following their takeover of the capital, Sanaa, and other northern areas. Tens of thousands have been killed in the war, and the UN calls the situation in Yemen as the world's worst humanitarian disaster.

Demonstrators arrested

The isolated, eastern al-Mahra province, bordering Oman and Saudi Arabia, is the second-largest in terms of area in Yemen. It has largely escaped the worst of the fighting that has engulfed the rest of the country.

However, in December 2017, Saudi troops arrived at al-Mahra and took control of the airport in the provincial capital of al-Ghaydah.

Residents, however, opposed what they repeatedly called the "Saudi" occupation. In May 2018, Yemeni community leaders in the province began organising peaceful demonstrations against the presence of Saudi forces, eventually establishing a group they called "the committee of peaceful sit-in".

Journalists and activists present at these sit-ins have been targeted by Saudi and Saudi-backed Yemeni forces, and were subjected to torture in the form of beatings, electric shocks, and threats to harm their family members, inside a detention facility in the airport in al-Ghaydah, according to HRW.

One protester, using the pseudonym "Farouq", was arrested by Saudi-backed Yemeni forces last June and taken to the detention centre in the airport.

"I was interrogated in a room by a member of the Saudi military," he told HRW. "He said that they knew who I was because they filmed me in the demonstrations and recognised my face."

Farouq said the Saudis tried to force him to sign a pledge that he and his family members would not participate in anti-coalition protests.

"I refused to sign because, as I told them, our demonstrations were peaceful," he told the rights group.

Accountability

Activists, families and Yemeni officials from the internationally recognised government of President Abd-Rabbu Mansour Hadi have corroborated to HRW the illegal transfer of at least five Yemeni detainees to Saudi Arabia.

One mother told the rights group her husband and two sons were detained by Yemeni security forces in al-Ghaydah in June 2019, before Saudi officials transferred them to a prison in Abha, southwest Saudi Arabia.

The mother found out the location of her family after they called her from the prison in Abha, where they remain held without charge.

"The Saudi and Yemeni governments should immediately release any Yemenis wrongfully detained or transferred to Saudi Arabia and investigate alleged torture and enforced disappearance by their forces in al-Mahrah," Page said. "The UN Group of Eminent Experts on Yemen should also investigate these abuses, with a view to holding those responsible to account."

Under international law, the transfer of detained civilians from their country to another state is illegal.

HRW has also called on Saudi forces in Yemen to abide by international humanitarian and international human rights law.

"They must treat people taken into custody for security reasons humanely, and if they detain someone on suspicion of committing a criminal offense, transfer them to the custody of the Yemeni government for investigation and prosecution," the report said.

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Special Tribunal for Lebanon

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

Israel and Palestine

An unlikely nemesis: maverick lawyer sues Israel supporters over human rights (Mondoweiss) By

Steve France

March 20, 2020

Maybe it figures that the people who successfully sold otherwise-intelligent Americans on the notion that their army (the Israeli Defense Force) was “the most moral army in history” could in the end be brought down by a maverick lawyer such as Martin McMahon. McMahon is an iconoclastic character you might meet in the pages of Tom Wolfe’s catastrophic comedy, “The Bonfire of the Vanities.” Although very old to play the role, he is the boy who piped up to say — albeit in Martin’s case in legalese acceptable to federal judges — “but the Emperor has no clothes!”...

Specifically, he just sued Benjamin Netanyahu, Miriam Adelson, AIPAC (and assorted AIPAC operatives), David Friedman, Jared Kushner, Jason Greenblatt, Donald Trump, Mike Huckabee, Rudy Giuliani, Andrew Cuomo, Newt Gingrich, Mitch McConnell and a few other adherents of Zionism in the U.S. District Court for the District of Columbia, alleging they are “war criminals” or aiders and abettors of war criminals.

Before you note that it’s easy to file a piece of paper in court, you need to know a couple more things:

First, the complaint in *Dawabsheh v. Netanyahu* is 175 pieces of paper. They carefully describe a very long “pattern and practice” of violence and theft against Palestinians and specify a century’s worth of International Law defining such acts as war crimes and crimes against humanity. The lead plaintiff among a baker’s dozen of Palestinians and Americans is the personal representative of the three Dawabsheh family members, 18-month-old Ali Sa’ad and his mom and dad, killed in July 2015, when Israeli settlers firebombed their home in a village in the northern West Bank.

Moreover, McMahon won a unanimous ruling last year in the U.S. Court of Appeals for the DC Circuit upholding the viability of a similar complaint he filed in 2017. In fact, the trial court in that case (the same court as for the new case) will hold a hearing April 21 in *Al Tamimi v. Adelson* to schedule the trial process. That case (against Sheldon Adelson et al.) seeks \$1 billion in damages from a Who’s Who of 40 wealthy and influential “charitable” benefactors of Israel for war crimes, including genocide, extra-territorial killings and ethnic cleansing allegedly intended to rid the Occupied Palestinian Territories of its Palestinian inhabitants.

The new complaint against Netanyahu et al. also invokes the Alien Tort Statute 18 U.S.C. § 1350 (ATS), as well as the Torture Victim Protection Act 28 U.S.C. § 1350 (TVPA). It alleges the defendants “have aided and abetted the commission of numerous war crimes and crimes against humanity i.e. the denationalization and dehumanization of the Palestinian people and aiding and abetting the establishment of an apartheid regime in the OPT [Occupied Palestinian Territories].” Many of the alleged crimes were perpetrated by “belligerent settlers” said to be financed by the defendants and protected by “rogue Israeli soldiers” at the behest of Israel’s political leaders, the complaint says. Why another case, when the first one is still unfolding? “The new case broadens the challenge,” McMahon told Mondoweiss. “We’re going beyond mere financial contributors to the ethnic cleansing settlement project, which injured the plaintiffs by stealing their property. This case zeroes in on the war crime of denationalization. It holds accountable masterminds like Netanyahu, AIPAC, Kushner and key Israel supporters like Giuliani, Gingrich and Huckabee, who knowingly gave material support to crimes against the Palestinians.”

Among the many claims detailed in the complaint, McMahon includes the charge of installing an Apartheid regime in the OPT, drawing on the groundbreaking opinion of federal judge Shira Scheindlin in a case relating to South African Apartheid that denationalization and dehumanization are war crimes and non-state actors can abet those crimes. Regarding Netanyahu personally, the lawsuit seeks declaratory relief, namely, an order declaring that he is a war criminal. A deeply ironic touch is that McMahon cites a Jerusalem court’s ruling in 1961 granting Israeli prosecutors jurisdiction over Nazi war criminal Adolph Eichmann, though his crimes were in eastern Europe and he was abducted from Argentina.

Defendants Kushner, Friedman, Greenblatt and Trump are the target of the complaint’s fourth cause of action based on their part in promoting the so-called “Deal of the Century” peace plan for Israel-Palestine. The complaint charges that the plan seeks to

legitimize the theft of thousands of square miles of Palestinian property, extinguishing “any and all property claims” belonging to the Palestinian and Palestinian-American plaintiffs, and implicitly abolishing Palestinians’ right under international law to return to places from which they fled during episodes of Israeli ethnic cleansing. The court is asked for an order to stop the land transfer component of the “peace plan” and refer the issue to the UN General Assembly, as well as referring to that body “the issue as to whether Israel owes the state of Palestine the sum of \$50 billion for the intentional destruction of the OPT.”

In all, the sprawling new complaint covers a vast swath of the bloody history of Israeli aggression against the Palestinians, always focusing the stories down into legal causes of action against the specific named defendants. It’s quite a read.

“A big reason we won the earlier decision in the D.C. Circuit,” McMahon said, “was that the judges saw that we had a lot of facts. So, why not let us prove them in court?”

The 2017 case has dozens of plaintiffs, including activists in the village of Nabi Saleh: Bassem Tamimi, his daughter Ahed, and on behalf of the late Mustafa Tamimi, who was killed by Israeli occupying soldiers in 2011. The hearing next month will set a trial date, but discovery in the case is likely to be a lengthy process.

How worried should the defendants be? It seems incredible that McMahon’s lawsuits could really succeed in getting a verdict. If they did, there’s no telling what impact they would have on Israel’s standing in the world. But the sudden emergence of a magic bullet from such an unlikely nemesis is scarcely more incredible than the fact that the State of Israel has been committing the deeds McMahon alleges for decades in plain sight of the “community of nations” and with the emphatic blessing and support of the “leader of the Free World,” aka, the United States.

In any event, the cases still have a long way to go. So far, despite the D.C. Circuit’s 2019 vindication of the Al-Tamimi complaint, the defendants have not even endured the substantial negative publicity one might have anticipated. What if the boy in the story piped up about the Emperor’s nakedness but nobody listened? Even as social media has exposed Israel’s brutality as never before, most people have learned not to see that and not to hear the daily din of protest. What’s different about Little Boy Martin, however, is that he is being heard in federal court. Until his voice in that venue is eliminated, the many powerful defendants perhaps should not sleep at night in their accustomed serenity.

Australia argues the ICC should not be investigating the “situation in Palestine” (AIJAC) By Sharyn Mittelman

March 20, 2020

As it has been flagging since December, the Australian Government this week provided a formal submission to the Pre-Trial Chamber (PTC) of the International Criminal Court (ICC), outlining legal “Observations” that suggest the ICC does not have territorial jurisdiction to consider “The situation in Palestine”.

Australia has consistently argued that the ICC does not have jurisdiction to investigate alleged Israeli war crimes in the West Bank, Gaza and east Jerusalem, because “Palestine” is not a sovereign state according to international law.

In December Australia’s Prime Minister Scott Morrison sent a letter to Israeli Prime Minister Benjamin Netanyahu conveying the Australian Government’s view that “Palestine” is not a party to the ICC, and in February, the Australian Government formally requested that it be allowed to provide a submission to the ICC on this issue (https://www.icc-cpi.int/CourtRecords/CR2020_00465.PDF), a request which was granted.

The submission notes that Australia does not recognise a State of Palestine, and argues that ICC efforts to assert jurisdiction over this “state” are both legally incorrect and risk jeopardising any hopes of negotiating a two-state Israeli-Palestinian peace. Australia explained its stance on the “State of Palestine” as follows:

“(10) Australia is a longstanding supporter of a two-state solution to the conflict between Israel and the Palestinians. Australia is committed to an outcome in which Israel and a future Palestinian state coexist, in peace and security, within internationally recognised borders...

“(11) Australia’s position is that a two-state solution must be advanced through direct negotiations between the parties. The resolution of ‘final status issues’ is key to a negotiated peace settlement. These final status issues include the status of Jerusalem, the right of return for refugees, the provision of security and future borders, including the status of Israeli settlements.

“(12) The question of Palestinian statehood cannot be resolved prior to a negotiated peace settlement and therefore Australia’s position is clear: Australia does not recognise a ‘State of Palestine’.”

The matter is before the ICC’s Pre-Trial Chamber following an announcement in December by the Court’s Chief Prosecutor Fatou Bensouda that she wanted to launch a formal investigation into the “Situation in Palestine” because there was “reasonable basis to

believe that war crimes were committed” by the Israel Defence Forces, Hamas and other “Palestinian armed groups.” Bensouda said she believes the ICC has jurisdiction to consider the matter given that “Palestine” acceded to the Rome Statute which governs the ICC in 2015 after being accepted as an “observer state” at the UN General Assembly. However, she asked the Pre-Trial Chamber to determine the scope of the court’s territorial jurisdiction. The PTC consists of three judges: Péter Kovács of Hungary, Marc Perrin de Brichambaut of France and Reine Adélaïde Sophie Alapini-Gansou of Benin.

Israel, which is not a party to the ICC, has strongly criticised the decision, arguing the Court does not have jurisdiction to consider the matter, as “Palestine” is not a sovereign state and certainly does not have a defined territory which the ICC can claim jurisdiction over.

The decision has also been criticised by many observers as being politicised because Israel is a democracy that conducts its own independent investigations into any war crimes allegations, because the claim Palestine is a state able to join the Rome Statue [sic.] relies on a non-binding decision of the heavily politicised UN General Assembly, and because there are other much more bloody global conflicts which are being ignored by the ICC – including the Syrian civil war which has raged since 2011 and killed around 500,000, and created millions of refugees.

The US – which is also not a party to the ICC – stands with Israel against the ICC having jurisdiction on this matter. US Secretary of State Mike Pompeo recently accused the ICC of being a “nakedly political body” following the Court’s ruling that its Chief Prosecutor can open an investigation into possible war crimes in Afghanistan by US troops, as well as by the Taliban and the Afghan government forces. Pompeo stated on March 17:

“As I said the last time I stood before you, we oppose any effort by the ICC to exercise jurisdiction over US personnel. We will not tolerate its inappropriate and unjust attempts to investigate or prosecute Americans. When our personnel are accused of a crime, they face justice in our country.”

Australia joined several other state members of the Court that have made submissions to the Court, as amicus curiae – a “friend of the court” that is not a party to the case but seeks to offers its perspective – arguing that the ICC does not have jurisdiction to consider the “Situation in Palestine”. These include Germany, Austria, Hungary, the Czech Republic, Brazil and Uganda.

Australia’s submission was signed by Australia’s Ambassador to the Netherlands H. E. Matthew E K Neuhaus, on behalf of the Australian Government. The submission’s key conclusions are:

“a. Australia does not recognise a ‘State of Palestine’ and does not have a treaty with it under the Rome statute.

“b. The purported accession of the ‘State of Palestine’ to the Rome statute is separate to the question of the Court’s territorial jurisdiction under Article 12(2)(a); and

“c. The court should not exercise its jurisdiction in respect of ‘the situation in Palestine’ as the jurisdictional preconditions have not been met. To presuppose questions on the status of the ‘State of Palestine’ and its territory could prejudice accepted international processes...

“Accordingly, the PTC should rule that the Court does not have jurisdiction over the situation and the PTC should decline the Prosecutor’s request to confirm that the ‘territory’ over which the court may exercise its jurisdiction under Article 12(2)(a) comprises the West Bank, including East Jerusalem and Gaza.

Any resolution to the ICC’s jurisdictional dispute over the “State of Palestine” is likely to be delayed, because the Court announced yesterday that it would be suspending all deliberations for at least a month in view of the Coronavirus crisis.

Australia’s complete submission to the ICC can be viewed here.

Palestinian rights groups to ICC Prosecutor: Proceed directly to a formal investigation (Wafa)

March 21, 2020

Four Palestinian human rights organisations submitted last week an amicus on territorial jurisdiction of the State of Palestine to the Pre Trial Chamber of the International Criminal Court (ICC) in which they called for an immediate investigation into Israeli war crimes in the occupied Palestinian territories.

In their joint observations submitted to the Pre-Trial Chamber, the Palestinian Center for Human Rights (PCHR), Al-Haq Law in the Service of Man (Al-Haq), Al Mezan Center for Human Rights (Al Mezan), and Al-Dameer Association for Human Rights (Al-Dameer), called on the ICC Prosecutor to proceed directly to a formal investigation into the situation in Palestine.

“In December 2019, the Office of the Prosecutor of the ICC published a document announcing that it had concluded its

Preliminary Investigation stage in the Situation in Palestine. The announcement came in the form of a Request from the Prosecutor, that the Pre-Trial Chamber provide confirmation of the position that 'the Court's territorial jurisdiction extends to the Palestinian territory occupied by Israel' since June 1967, 'namely the West Bank, including East Jerusalem, and Gaza,' they said.

"As international crimes have clearly been committed in the occupied State of Palestine comprising the West Bank, including East Jerusalem and the Gaza Strip, our organisations believe it would have been appropriate for the Prosecutor to proceed directly to a formal investigation, and that the current process was not a necessary one. Once a State becomes party to the Rome Statute, 'the ICC is automatically entitled to exercise jurisdiction over article 5 crimes committed on its territory. No additional consent or separate assessment is needed'."

In affirming Palestine's status as a state, the Palestinian human rights organizations stressed that Palestine has existed as a State prior to the British Mandate started in 1920 and that the State of Palestine has been recognised by 139 member states of the United Nations and accorded a non-member observer State status in the UN General Assembly by Resolution 67/19 of 29 November 2012.

"On the question as to the scope of the territory of Palestine, we recall that the State of Palestine has been categorical in maintaining that its territory is that within the recognised boundaries demarcated by the 1949 Armistice Line known as the Green Line. Together, the territory of the State of Palestine comprises the West Bank, including East Jerusalem, and the Gaza Strip, forming 'a single territorial unit', they said, adding, "Our observation further stressed that Israel's purported annexation of occupied East Jerusalem is illegal."

The human rights organizations mentioned several cases in which "foreign occupation of territory of a State party was found to be no bar to the exercise and application of the Court's territorial jurisdiction' by a Pre-Trial Chamber of the ICC."

In conclusion, said the Palestinian human rights organisations, "there is a compelling and urgent need for the opening of a formal investigation into the Situation in Palestine. Should the Pre-Trial Chamber find it appropriate to provide an answer to the Prosecutor's question then we would conclude that the answer to the questions be 1) that the territory of the State of Palestine is that deed by the Green Line, and 2) that the scope of the Court's territorial jurisdiction over the Situation in Palestine is interpreted in line with international practice such as the human rights treaty bodies, to recognise the State of Palestine's territorial jurisdiction over the West Bank, including East Jerusalem and the Gaza Strip."

ICC postpones procedures against Israel due to coronavirus (MEMO)

March 24, 2020

The International Criminal Court (ICC) has postponed its procedures against Israel due to the coronavirus outbreak, ICC's chief prosecutor announced on Sunday.

According to the Israeli newspaper Israel Hayom, the ICC's Chief Prosecutor Fatou Bensouda said that the procedures against Israel would be delayed for at least a month, citing the global coronavirus pandemic.

Bensouda, the Israeli newspaper said, was slated to file her responses to several issues on 30 March.

Due to the pandemic, which has forced the Hague to shut down, she has asked the court for give her one extra month to complete her full brief, which could be 1,800 pages long.

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Gulf Region

Human Rights Group Accuses Saudi Forces in Yemen of Abuses (New York Times)

March 25, 2020

Saudi military forces have committed grave abuses against civilians in an eastern province of Yemen over the past year, including torture, forced disappearances and arbitrary detention, Human Rights Watch said in a report released Wednesday.

The New York-based watchdog presented chilling testimony from former detainees in Yemen's remote eastern province of al-Mahrah, which borders Oman and Saudi Arabia. Several Yemenis told HRW they were held and tortured at a secret detention center in the provincial capital. The report documented 16 cases of arbitrary detention and at least five cases of detainees who had been "forcibly disappeared" for months, transferred illegally to neighboring Saudi Arabia.

"Saudi forces and their Yemeni allies' serious abuses against local al-Mahra residents is another horror to add to the list of the Saudi-led coalition's unlawful conduct in Yemen," said Michael Page, deputy Middle East director for HRW. It's the latest report of civilian abuse in the regional proxy war in Yemen that has killed more than 100,000 people over five years and pushed the Arab world's poorest country to the brink of famine.

Yemen's internationally recognized government, which is backed by Saudi Arabia, was driven from power in 2014 as the Shiite Houthi rebels captured the capital, Sanaa, and much of the country's north. A U.S.-backed Arab military coalition launched an air offensive against the Iran-backed Houthis to restore the government. Rights groups have accused both parties of systematic rights violations, as well as war crimes.

HRW did not receive a response from the Saudi-led coalition about the alleged abuses.

Al-Mahrah, although located far from the heavy fighting in the country, has recently become a flashpoint between local residents and Saudi troops. Saudi and Saudi-backed forces have arrested scores of Yemenis who have thronged the streets in the province to protest the growing Saudi military presence in the area. The demonstrations frequently devolve into violence as troops disperse people with live bullets.

Former detainees told HRW that Saudi-backed Yemeni troops had snatched them from the streets and taken them to informal detention centers. There, they were beaten and tortured with electric shocks until they confessed to fabricated charges and pledged to cease all opposition activities.

Many described harsh conditions in detention. One journalist, identified in the report only as Bassem, said that Saudi officers tortured him with electric shocks and deprived him of food in a filthy cell that was "like a garbage dump."

Mothers of men who were abducted and transferred to Saudi Arabia said that months had passed without word of their sons. Then they suddenly received calls from prison phones in Saudi Arabia, where numerous Yemenis continue to be held without charge.

Page, the deputy regional director, urged the Saudi and Yemeni governments to release civilians wrongfully detained and investigate the accusations of widespread abuse, as required by international law.

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ASIA

Afghanistan

Witnesses say Australian SAS soldiers killed unarmed Afghan civilians in potential war crimes (ABC News) By Mark Willacy, Rory Callinan, and Alexandra Blucher
March 16, 2020

A Four Corners investigation has uncovered new allegations that unarmed civilians were unlawfully killed by Australian special forces in Afghanistan.

The revelations, to be detailed on tonight's Four Corners program, involve multiple incidents in which Afghans were killed after surrendering or while they were detained by the Special Air Service Regiment (SAS).

A former SAS soldier told Four Corners he witnessed three incidents involving what he said was the murder of Afghans.

"You can't shoot unarmed people and not call that murder," he said.

The SAS veteran said some of his former colleagues should face charges.

"I think certain people will go to jail," he said.

"If they go to a criminal trial, I do believe they'll be found guilty."

Four Corners has investigated a series of killings. One is the alleged unlawful killing of Afghan men in the village of Sola, in Uruzgan province, during a raid by 2 Squadron SAS on August 31, 2012.

The raid left two men — a father and son — dead.

'They shot him with another bullet in the heart'

The dead men were Abdul Jalil and his father Haji Raz Mohammad, a local imam.

Villagers told Four Corners Haji Raz Mohammad was leading night prayers at a Sola mosque when the Australians arrived.

"When my father finished his prayer, they kicked him in the head while he was trying to stand up," said one of his sons, Rafiullah.

"His turban fell down, and they stood him up. They ... tied up the hands of the other people in the mosque."

Just a few days before the raid on Sola, a rogue Afghan soldier had killed three Australian troops, and 2 Squadron SAS was on a mission to find him.

The men rounded up by the SAS had their heads covered and hands bound as the special forces went house to house looking for the Afghan soldier.

Juma Jan was one of a number of Sola villagers who were blindfolded and detained by the SAS on that night.

"They were firing shots and kicking doors, so people didn't know whether it was a shot, or the door being kicked," he said.

It wasn't until the SAS left in the early hours of the morning that the people of Sola learned of the deaths.

"We found the son in the night after the Australians left at four o'clock, and we found the father in the morning," Juma Jan said.

Another son of the imam, Mohammad Qasim, was told by others how his brother and father were killed.

"A soldier was waiting at [the] corner, and he shot my brother in the mouth from a distance. They shot him with another bullet in his heart. My father was shot with one bullet in the side of the head and another in the side of his body."

Video supplied to Four Corners by the Sola villagers appears to show the father with a head wound, and the son shot through the mouth and the chest.

An Australian Defence Force (ADF) investigation found both men were lawfully killed: the son was shot after reaching for an SAS soldier's weapon, and the father was shot after allegedly being seen talking on a radio.

Investigators later recommended the three SAS soldiers involved in the killings be monitored for psychological injury, and the men continued to serve in the special forces.

The Inspector-General of the ADF has spent almost four years investigating allegations of unlawful killings and war crimes by Australian special forces in Afghanistan.

If the villagers are proved right, charges could be laid against Australian soldiers.

Glenn Kolomeitz served in Afghanistan with the Australian military as a special operations lawyer working with SAS soldiers and commandos.

He said if soldiers were found to have acted unlawfully, charges could be laid under the war crime provisions in the Commonwealth criminal code.

"If a case is made and if the prosecution is successful ... war crimes murder carries imprisonment for life as a potential maximum penalty," he said.

Defence did not answer Four Corners' questions about the Sola raid and other allegations of war crimes.

In a statement, it said the ADF Inspector-General was investigating "whether there is any substance to rumour and allegations" about possible war crimes committed by Australian special forces in Afghanistan.

It said the inquiry was ongoing.

Afghanistan conflict: Militants in deadly attack on Sikh temple in Kabul (BBC)

March 25, 2020

At least 25 people have been killed in a militant attack on a Sikh temple in the Afghan capital Kabul.

The interior ministry said a gunman had burst into the complex early in the morning, firing on worshippers.

He was killed in an exchange of fire lasting six hours with security forces. Earlier reports said a group of assailants had carried out the attack.

About 150 people were trapped in the complex in the Shorbazar area. The Islamic State group claimed the attack.

IS has targeted Sikhs and other religious minorities before in Afghanistan. The country's main militant group, the Taliban, denied any involvement.

Nato in Afghanistan called it an outrage.

IS is less powerful than the Taliban in Afghanistan and has lost much of the territory it once controlled - but it has not been part of recent negotiations with the US and retains the ability to carry out deadly attacks, reports the BBC's Secunder Kermani.

What do we know about the attack?

About 150 people were inside the temple, which houses families and regularly hosts morning prayers, said Anarkali Kaur Honaryar, a Sikh MP in the Afghan parliament.

People switched off their phones and tried to hide when the attack began, she said.

Another Sikh MP, Narender Singh Khalsa, put the number of people inside at 200.

"Three suicide bombers entered a dharamsala [sanctuary area]," he told Reuters. "The gunmen started their attack at a time when the dharamsala was full of worshippers."

Photos from the scene show security forces carrying people away on stretchers.

How vulnerable are Sikhs in Afghanistan?

Afghanistan's dwindling Sikh population, now said to number fewer than 10,000, has long complained of discrimination and harassment by the Muslim majority.

In July 2018, IS said it had bombed a gathering of Sikhs and Hindus in the eastern city of Jalalabad, killing 19 people and injuring 20. Awtar Singh Khalsa, one of the country's best-known Sikh politicians at the time, was among those killed.

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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

New Reserve International Co-Prosecutor of ECCC named (Khmer Times) By Taing Vida

March 13, 2020

King Norodom Sihamoni has appointed Fergal Gaynor from Ireland as the new Reserve International Co-Prosecutor of the Extraordinary Chambers in the Courts of Cambodia (ECCC), said in a statement issued today.

The appointment was made upon nomination by the UN Secretary-General Antonio Guterres and the approval of the Supreme council of the Magistracy.

According to the ECCC, Mr Gaynor served as a Trial Attorney in the Office of the Prosecutor at the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY) between 2005 and 2013 before serving as a Senior Assistant Prosecutor at the ECCC in 2015 and 2016.

Since 2012, Mr Gaynor has been the lead counsel for victims at the International Criminal Court (ICC) in the case against Kenyan President Uhuru Kenyatta. As well, he has since 2019 represented a group of victims of war crimes and crimes against humanity in Afghanistan, which are currently under investigation at the ICC.

Mr Gaynor holds a Bachelor of Laws from Trinity College Dublin and a Master of Philosophy from Cambridge University. He is a member of the Bar of Ireland and the editorial committee of the Journal of International Criminal Justice.

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Bangladesh International Crimes Tribunal

War crimes: Death warrant read out to Jamaat leader Azhar (Dhaka Tribune) By Raihanul Islam Akand

March 17, 2020

The death warrant for war crimes convict Jamaat-e-Islami leader ATM Azharul Islam has been read out to him at Kashimpur High Security Prison in Gazipur.

The warrant reached the prison early Tuesday and it was read out to him in the morning, Bikash Raihan, superintendent of the prison said.

However, Azhar, former assistant secretary general of Jamaat, said he would file a petition seeking review of the Appellate Division verdict that upheld the death sentence handed down to him by the International Crimes Tribunal (ICT), he said.

"He [Azhar] has to submit the petition within one week, otherwise, the verdict will be executed in the stipulated time," the jail superintendent added.

On Monday, the tribunal sent the death warrant to the senior jail superintendent of Dhaka Central Jail in Keraniganj, which was then forwarded to the authorities of Kashimpur jail.

The warrant, however, triggered the countdown to the execution of the war criminal.

ICT Prosecutor Razia Sultana Chaman said if the convict filed a review petition, the countdown would be paused. After disposing of the petition, the government might take steps to carry out the verdict.

Meanwhile, Advocate Mohammad Shishir Monir, defence counsel for Azhar, said they would file a petition, as per law, upon receiving the certified copy of the verdict.

On October 31, 2019, the Appellate Division of the Supreme Court upheld the death sentence of Azharul Islam on charges of crimes against humanity he had committed during the 1971 Liberation War.

The apex court, based on a majority decision, upheld the death sentence handed down by the ICT on charges of involvement in murder and genocide, along with a five-year imprisonment on different charges relating to abduction and torture.

The Appellate Division, however, acquitted Azhar of the charges of abetting the Pakistani military in detaining, raping, and torturing women in Rangpur town, for which he had been sentenced to 25 years of rigorous imprisonment by the tribunal.

On December 30, 2014, the International Crimes Tribunal 1 convicted Azharul in the war crimes case, after finding him guilty in five of the six charges levelled against him.

Azhar, who was arrested from his Moghbazar home in Dhaka in 2012 on war crimes charges, had filed the appeal against his death sentence on January 28, 2015.

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War Crimes Investigation in Myanmar

Myanmar Rakhine Flare-up Kills 21 Civilians, Displaces 1,000 in Chin State (Radio Free Asia) By Phyu Phyu Khine and Kan Thar
March 16, 2020

Intense clashes and airstrikes by government forces in western Myanmar's Chin state over the weekend killed 21 civilians, injured more than two dozen others, and prompted more than 1,000 villagers to flee their homes, local lawmakers said Monday.

The casualties were reported in four villages Paletwa township, according to the online journal The Irrawaddy, which put the number of those who fled their homes at 2,000 from 10 villages.

The four villages — Meiksa Wa Village 2, Meiksa Wa Village 3, Wetma and Pyaing Tain — sit near Meewa hill, where Myanmar forces said they fought back against rebel Arakan Army (AA) soldiers who tried to capture a government military outpost on the hill.

Residents of Wetma along with those from nearby Pharwa and Pyanwa villages fled to the town of Samee, about 20 miles away, by land and water, said Chin state parliamentarian Salai Myo Htike from the ruling National League for Democracy (NLD) party.

Some elderly residents who could not flee on foot are being transported by small motorboats, he said.

“Shelling hit the village yesterday, and people are now too afraid to live in the area,” he said. “People from most villages in the area are fleeing to safe places in the region.”

The lawmaker also said he had asked the state government to provide assistance to the internally displaced persons (IDPs) and that a primary school in Samee has been designated as a safe haven for them.

“We are now making plans to provide food supplies and other assistance to these IDPs,” Zo Bwe, chairman of the Chin state parliament, told RFA's Myanmar Service.

Paletwa township resident Kyaw Win said that local residents who work as day laborers are now at a loss because phone service has gone dead and public transportation has ground to a halt amid the fighting. The township is also under an internet service blackout imposed by the Myanmar government.

“We have to stay at home, and we cannot go out hunting,” he told RFA. “Because we are short on cash, we are eating only rice. Usually for meals, we either buy meat or get it by hunting. Now, we can't do either.”

Myanmar forces and the AA have been engaged in fierce fighting in northern Rakhine state and Chin's Paletwa township for more than a year, as the mostly ethnic Rakhine army seeks greater autonomy in the region.

Dozens of civilians have died during the uptick in hostilities, which began in late 2018, and about 110,000 have been displaced, according to a local NGO tallying IDPs.

Mutual fire

RFA was unable to reach Myanmar military spokesman Brigadier General Zaw Min Tun for comment on the civilians killed during the clashes.

But he told The Irrawaddy that it was difficult to determine which side caused the casualties during the AA's offensive which forced Myanmar soldiers to defend themselves.

He also cited a statement issued by the military commander-in-chief's office that said AA insurgents surrounded the Myanmar military outpost on Meewa hill, giving government forces no choice but to fire back.

"Because of the mutual fire, some of the villagers died and [were] injured," the statement said

AA spokesman Khine Thukha said there had been continued fighting near Pyinetine, Kyauktan, and Monethying Pyin villages which sit between Paletwa and Rakhine's Kyauktaw township, but that no battles had occurred in Wetma, Pharwa, and Pyanwa villages.

"I conclude that the [Myanmar] military must have specific intentions because it is intentionally attacking the villages from aircraft and forcing the villagers to flee."

"The military is assuming that AA troops are getting food supplies as long as there are villagers in the village," he said. "That's why the military is trying to eliminate them all."

An AA statement issued Monday said Arakan fighters had clashed with government troops near Meewa for more than 40 days since Feb. 5, according to The Irrawaddy.

Militiamen fire on TNLA

Amid ongoing hostilities in Myanmar's northern Shan state, the rebel Ta'ang National Liberation Army (TNLA) on Sunday captured eight government-backed militiamen with a large amount of narcotic drugs during fighting in Namhkam that killed one person, area residents and a TNLA spokesman said.

The TNLA also seized five militia camps in villages controlled by the Pingsay militia along a roadway connecting Namhkam and Nant Phat Kar, locals told RFA.

TNLA officials said the militiamen began shooting at its soldiers while they conducted a drug-eradication campaign.

"The Pingsay militia and a [Myanmar] light infantry battalion started shooting at us, and we engaged in the battle," said TNLA spokesman Major Mai Aik Kyaw. "The battle lasted from the morning until 2 p.m. We found the body of a militiaman and arrested eight others."

TNLA soldiers also confiscated 778 pounds of raw opium, more than 40,000 tablets, and guns, and destroyed about 10 acres of opium plants after the battle, he said.

Local villagers disputed the TNLA's casualty figure, saying that two fighters were killed.

TNLA troops have attacked militia camps in Manpan, Kyaukkhonetan, Pingsay, and Mengmei villages along the Namhkam-Nant Phat Kar highway. Mostly ethnic Lisu, Palaung, and Kholon Lishaw people reside in these villages.

'Fabricating stories'

An information officer for the Pingsay militia group who gave her name as Thein said there are no opium plantations in the immediate area, and it is currently not opium-growing season.

"I don't know when they took these photos," she said about images taken by the military of the bags of drugs.

"They show a large quantity of drugs in the photo. It's not possible that the militias have that many drugs at their camps," she said.

"I think the [TNLA] has taken the photos in their controlled territory using their own drugs and is trying to make it appear as if it is ours. They have grudge against us," Thein added.

Former militiaman Myint Kyaw said he was surprised by the news that the TNLA discovered large quantities of drugs held by local militias.

Local militias "don't engage in business activities," he said. "They are fabricating stories that we are involved in activities that we are not involved in."

The battle on Sunday continued in Manaung and Phadae villages and edged closer to Namhkam town by evening, locals said.

Manaung resident Mei Nawrein said Myanmar soldiers and the militiamen searched some homes in Phadae village after the battle.

“They searched two or three houses in the villages,” she said. “The houses were empty. They broke in and stayed there. They searched them and then ransacked property in the houses.”

Both the Pengsay and Namhkam Myoma militia groups are active in Namhkam township, where drug abuse is rife among young people, residents said.

“Many young people in the area use drugs,” Myint Kyaw said. “Most users are [ethnic] Palaung people.”

A senior citizen from Namhkam town who declined to be identified out of safety concerns said Shan armed groups have been working on local drug eradication campaigns for a long time, but they have had little success because government forces and the militias they back attack them in an effort to gain control of their territory.

Military Landmine Kills a Rohingya Refugee from Zero Point (Rohingya Vision) By Naf Sailor

March 17, 2020

A Rohingya refugee from Zero Point camps in the Bangladesh-Myanmar border has been killed Sunday at around 12:30 p.m. by a landmine explosion in the nearby mountain of No-Man’s Land.

The victim identified as Monir Ullah, 25, son of Hala Miah went to collect firewood in the morning for his daily survival, from where he could not come back alive. When he didn’t come back in the evening, some of his family members and friends went to the bushes nearby the next morning and found his dead body with blood and injuries believed to be of a landmine explosion.

Myanmar military planted landmines along the border in No-Man’s Land that from time to time take the lives of Rohingya moving around.

Ullah is one of the refugees stuck in the Zero Point since 2017 who were forced out by the cleansing operation of the Myanmar military.

Rakhine Forcefully Builds Structure On Rohingya-Owned Property in Buthidaung (Rohingya Vision) By Naf Sailor

March 23, 2020

A Buddhist Rakhine has invaded a plot of land owned by a Rohingya Hpa Yar Pyin Aung Pa, Nyaung Chaing, Buthidaung South and forcefully built structure without proper permission on the property to open shops enjoying complete silence from the authorities, Rohingya Today reported.

Nyaung Chaung Market was built by Rohingya on their personal lands, and since the first day of its foundation, people regardless of their faith and ethnicity have been engaged in trade there peacefully until the situation has changed nowadays.

Recently U Maung Nyunt, a close relative of the village administrator U Maung Gyi, built a structure with a size of length 12 ft × width 10 ft after forcefully grabbing land belonging to Rohingya owner of the market, RT said citing some locals.

When the owner objected, the invader responded to have permission from the township administration.

Reportedly the township administration gave Nyunt permission to sell fuel temporarily on the public road beside the market, not on other’s private property, as he applied claiming falsely that there is a shortage of fuel in the market.

Exploiting his relationship to the village administration, he built the shop where he is not allowed to overstepping his permission.

The villagers fear that the irresponsible permission of township administration will lead to the interruption of Nyaung Chaung Market stability that the people around have been enjoying for a long time demanding justice for the original owner and solution of the problem newly created, according to the source.

Fresh Fighting Adds 1,000 to Displaced Population in Myanmar’s Rakhine (Radio Free Asia) By Min Thein Aung

March 25, 2020

More than 1,000 civilians in Minbya township have been displaced by fighting between

Myanmar forces and the rebel Arakan Army in the latest flare-up in a conflict that has raged in Rakhine state for more than a year and uprooted 140,000 people, local villagers said Wednesday.

Villagers from five communities in the township fled when Myanmar soldiers open fire in their areas, they said.

“People from Kyautmaw, Phone Thar Paletaung, Kwa Sone, Taung Pauk Kay and Sattara villages fled from their homes to other villages” said an area resident who declined to give his name out of fear for his safety.

“We don’t want the military to open fire on villages,” he said. “The villagers are worried about getting into trouble [but] people don’t know anything.”

Both the AA and Myanmar soldiers have apprehended villagers they believe may be abetting the enemy. Civilians have reported that government troops have interrogated and at times tortured villagers in an effort to find civilians who are helping the AA.

Myanmar soldiers “opened fire on Kyautmaw and Taung Pauk Kay villages, and the villagers ran away,” said a resident of Kyautmaw who also declined to give his name out of fear for his safety.

“A military convoy is near Phone Thar Kwa Sone village,” he added. “We don’t know where they were shooting, but bullets landed on our house in Kyautmaw village. We didn’t leave when we heard that the military convoy was coming, but we fled when they opened fire on the villages.”

Thursday marks the second time that residents of the villages have been forced to flee their homes amid the 15-month-old conflict. They also left their homes in June 2019, local residents said.

Myanmar military spokesman Brigadier General Zaw Min Tun said that the government army was not engaged in any battles in Minbya township.

“There is no fighting in that area. We had fighting in the Paletwa area,” he told RFA’s Myanmar Service, referring to hostilities in a township in neighboring Chin state.

On Monday, a Myanmar military airstrike following fierce fighting killed a child and wounded 15 people in a village in Minbya township, hours after the government formally branded the AA an unlawful association and a terrorist group.

The Myanmar military confirmed the use of helicopters to return fire against the AA, which has conducted an attack on a military training school, but denied that soldiers bombed the village.

Armed conflict intensified in late 2018 as the AA ramped up its efforts to gain greater autonomy for the ethnic Rakhine people in the state.

‘Many difficulties, obstacles’

Clashes between Myanmar and Arakan forces have recently increased in other areas of the state and in Chin’s Paletwa township, said Zaw Zaw Tun, secretary of the Rakhine Ethnic Congress (REC), a Sittwe-based NGO that tracks the number of displaced civilians.

“There has been more fighting along the river road from Kyauktaw township to Paletwa and in villages in Rathedaung, Buthidaung, Myebon, and Minbya townships,” he said.

“Many villagers have been fleeing because of the fighting and the government army’s use of Air Force and Navy units,” he added.

More than 50 people have been killed amid the fighting between Feb. 26 and March 24, and more than 150 others have been injured, according to the REC.

The REC puts the number of displaced civilians at more than 140,000, counting people who are in displacement camps as well as those who have taken shelter in Buddhist monasteries or in the homes of friends and relatives.

The Rakhine state government list says there are about 60,000 displaced civilians living temporarily in 131 camps in the northern part of the state.

Kyaw Min, director of Rakhine state’s Disaster Management Department, said his team is doing the best it can to assist displaced civilians despite obstacles.

“We have many difficulties and challenges in our department,” he said. “We are doing our best, although transportation is bad and

the security situation is not safe.”

Kyaw Min also said his department has asked the state’s General Administration Department to distribute aid to locals who go to its offices.

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AMERICAS

North & Central America

International Criminal Court says Pompeo is threatening its staff (Public Radio International) By Rupa Shenoy
March 23, 2020

Diplomats and international officials are expressing outrage after Secretary of State Mike Pompeo last week threatened members of the International Criminal Court prosecutor’s staff members by name. It’s the latest development in a long dispute between the US and the ICC over an investigation of war crimes in Afghanistan that may implicate American members of the military and the CIA.

“We want to identify those responsible for this partisan investigation and their family members who may want to travel to the United States or engage in activity that’s inconsistent with making sure we protect Americans,” Pompeo said on March 17.

Pompeo said two members of the ICC prosecutor’s staff were driving a political effort to use the ICC to investigate Americans. In response, the ICC released a statement March 19 that pointedly called those comments by Pompeo “threats.” Human rights groups also expressed outrage, and six former US officials who have handled questions of war crimes released a joint statement signaling their alarm.

“This is an international court, and here you have the secretary of state literally singling out staff members of that court publicly and threatening them,” said David Scheffer, the Clinton administration’s ambassador for war crimes issues, who was among the signatories to the statement. “It is just beyond the pale.”

He said the US could have shown the ICC that it has done its own internal investigation of potential war crimes in Afghanistan.

“We constantly tell everyone that we investigate our own,” Scheffer said. “So, let’s demonstrate that we have done that.”

Instead, he said, Pompeo has put the court staffers and their families in danger.

“The fact that they are threatening named staff and their families is something that dictatorships do,” said Katherine Gallagher, who is working with the ICC prosecutor. She represents two individuals who remain detained at Guantanamo without charge.

“I think it’s really important to step back and remember why it is that the International Criminal Court is investigating, and that is because the Bush administration established a global torture program after 9/11,” Gallagher said. “And under three administrations, no one has been held accountable.”

Gallagher said that if people don’t speak out, the Trump administration’s intimidation campaign will escalate. The State Department didn’t respond to The World’s requests for comment. On March 5, the ICC met at its headquarters in The Hague in the Netherlands and overturned a decision made by a lower court. It gave the ICC prosecutor’s office permission to investigate possible war crimes committed in Afghanistan by Afghan fighters, members of the Taliban and American forces.

“The many victims of atrocious crimes committed in the context of the conflict in Afghanistan deserve to finally have justice,” said ICC chief prosecutor Fatou Bensouda. “Today, they are one step closer to that coveted outcome.”

She has said there is a “reasonable basis to believe” members of the US military and the CIA tortured and raped detainees. Last year, when Bensouda asked permission to begin the probe, the US revoked her visa.

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South America

Colombia’s war crimes tribunal to investigate Uribe’s former security chief (Colombia Reports) By Adriaan Alsema

March 12, 2020

Colombia’s war crimes tribunal assumed the investigation into the role of the former security chief of former President Alvaro Uribe in the killing of human rights defenders.

The Special Jurisdiction for Peace (JEP) took over the investigation from the Prosecutor General’s Office into the disappearances of two human rights defenders in 2000 when General Mauricio Santoyo was the chief of anti-kidnapping unit GAULA in Medellin.

The investigation could not just clarify the forced disappearances of human rights defenders Angel Quintero and Claudia Monsalve, but how the Medellin Police Department and public utilities company EPM got to work for local crime lord “Don Berna” and now-defunct paramilitary organization AUC when Uribe was governor in the late 1990s.

After being extradited to the US on drug trafficking charges, a New York court convicted Uribe’s close ally in 2012 for assisting a designated terrorist organization, the AUC.

According to the US Justice Department (DOJ), “Santoyo abused his position in law enforcement, he broke the public trust with the people of Colombia and he empowered a terrorist organization,” the AUC.

“Santoyo pleaded guilty on Aug. 20, 2012, to providing material support to a designated terrorist organization... Privy to sensitive information about law enforcement activities targeting groups that engaged in kidnappings, such as AUC, he accepted bribes in exchange for information and assistance that allowed AUC members and allies to carry out their illegal activities. US Department of Justice

While the DOJ focused on Santoyo’s support for the drug trafficking activities of “El Tuso” and the “Oficina de Envigado,” the war crimes tribunal wants to know about the police’s involvement in the political persecution and presumed killing of human rights defenders.

While investigating the disappearance of Quintero and Monsalve, the prosecution discovered in 2000 that the GAULA was illegally intercepting more than 2,000 phone lines with the help of EPM.

The investigation got stuck after the murder of two police officers and the 2001 appointment of alleged paramilitary associate Luis Camilo Osorio who was elected Prosecutor General.

Former members of the AUC told the court that Santoyo was spying on the human rights defenders for the paramilitaries ahead of their kidnapping by heavily armed men.

Disregarding, the general’s extradition on drug trafficking charges was a major embarrassment for Uribe, who had promoted him several times.

Following a six-year sentence, the US last year returned Santoyo to Colombia against his will, reportedly because he was fearing for his life.

The JEP was asked to take over the case because Santoyo is accused of crimes against humanity carried out as a member of the security forces.

The transitional justice tribunal agreed and gave the general 10 days to submit and promise to tell the truth about the Medellin Police Department’s collusion with paramilitaries and the city’s public utilities company.

'Love for Medellin': how state propaganda and terrorism instilled a culture of fear in Colombia's 2nd largest city (Colombia Reports) By Adriaan Alsema

March 13, 2020

Pablo Escobar never made Medellin the world's most dangerous city. Local authorities and media who turned a public relations campaign into a terrorism campaign did, according to multiple studies.

There is no doubt that the late drug lord was a terrorist, but Escobar never invented the "for every dead cop at least 10 dead young people" policy that ended up killing more residents of Colombia's second largest city than the Medellin Cartel between 1988 and Escobar's death in 1993.

The terrorism practices became particularly common after newspaper El Colombiano's owner Juan Gomez became mayor in 1988 and late army General Harold Bedoya embarked on "Plan Genesis."

Multiple studies of the violence in Medellin indicate that most homicides committed during the city's most traumatic years were not committed by the Medellin Cartel, but death squads with ties to the security forces and the local elite.

"In the nineties, also a "dark" sector of the National Police activated a hit squad, to respond to police killings... The order of these uniformed killers was: "For every policeman killed, no less than 10 young people should be killed." Historian John Jairo Gonzalez

El Colombiano has been in on this for decades. Initially, the local rag echoed the stigmatization of the city's poor and those criticizing their stranglehold on power while making the terrorism of Medellin's residents invisible or blaming Escobar.

The state terror supported by the local newspaper created a culture of fear in Medellin that persists until this day.

A pattern of retaliatory massacres

On April 4, 1990, alleged Medellin Cartel assassin Julian Sosa was killed in a reported attack on police that left at least one injured. Later that day, 14 people were massacred in the northeastern Manrique district.

One day later, one policeman and an army official were assassinated by presumed cartel assassins. This attack was followed by two massacres that killed 22 civilians on April 6.

"There are no leads to the perpetrators," Gomez's family newspaper reported.

While El Colombiano regularly attributed the police killings to the Medellin Cartel, the perpetrators of the countless massacres remained anonymous.

Multiple academic studies have since attributed these systematic retaliatory massacres to "Love for Medellin," a state-sponsored terrorist group, which did not target Escobar associates like "Los Pepes," but sought to eliminate even the possibility of opposition through "social cleansing."

"The death rates in the city of Medellin are higher every day, it is noted that no actions have been taken in the city of Medellin. Unfortunately, every day our brother, our neighbor, our friend dies... I have some information here at this moment, I don't know if in this city, Mr. Secretary, crimes are committed by action or by omission. Because from this honorable town hall, we become accomplices where these kinds of things continue to happen. Former council member Jesus María Velasquez in 1991

El Colombiano's active involvement in the cover-up

In Medellin, many locals still believe the terror imposed on their city was the responsibility of Escobar, a myth actively promoted by Gomez's newspaper.

Despite the shocking amount of evidence of state terrorism, local historian Jorge Orlando Melo insisted in December last year that "Love for Medellin" was a public relations campaign to educate the poor in an interview with El Colombiano.

The historian was Medellin's Human Rights secretary between 1990 and 1993, the years that the police and members of the 4th Brigade made the Medellin Cartel look like amateurs.

"In order for the people from the rural areas who were arriving to learn to live together in the city in a proper way, with regulations, cleanliness rules were issued, such as not throwing bedpans out of the window or tying the horses in specific places. Those rules of civility were written by Tulio Ospina Vasquez. This idea of educating the peasants came from the rich people of Medellin. Historian Jorge Orlando Melo

The evidence is piling up, but ignored

In one of his studies, historian Giovanni Restrepo said the mass killing of Medellin citizen portrayed as a public relations campaign by Melo was a de-facto policy “to control sectors of the city” that used terror to dissuade any kind of opposition or disobedience from both Medellin’s poor and intellectuals.

“We can conclude that the city authorities (mayors, councilmen, governors, police commanders and the generals of the 4th Brigade of Medellin) acted with omission when the homicides caused by “Love for Medellin” occurred, we can affirm that they are not only responsible, but that they allowed the illegal activity of this group with the objective of controlling sectors of the city. Historian Giovanni Restrepo

The local police’s anti-terrorism unit, COPEC, as well as Bedoya’s Battalion of Intelligence and Counterintelligence unit have been tied to several of these massacres most of which were covered up.

Retired police General Oscar Pelaez, who commanded the COPEC at the time, was charged with the 1989 homicide of late Presidential candidate Luis Carlos Galan in 2017, but never with the reported terrorist activities of his men.

The alleged terrorism accomplices still endorsed by the government

Gomez is still writing incendiary editorials in his newspaper despite his alleged complicity in the terror he allegedly has subjected his city to. His sister is a powerful mogul in the ruling Democratic Center party.

Then Foreign Minister Carlos Holmes Trujillo proposed Maria Mejia, who was the presidential adviser for Medellin during the terrorism campaign, as the director of the United Nations’ Office on Drugs and Crime earlier this year.

The alleged terrorism accomplice was rejected.

Meanwhile, many Medellin locals are not only unaware of their elite’s’ alleged involvement in terrorism, any opposition to them continues to be met by death threats, assassination attempts and other forms of terrorism.

It wasn’t until the war crimes tribunal began investigating and began exhuming the bodies of Medellin residents who had been murdered with the alleged complicity of the local elite, which has been complicit in terrorism just as much as Escobar.

Colombia Reports sent the Special Jurisdiction for Peace, which investigates war crimes, the scholarly reports sustaining claims made in this report.

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Venezuela

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TOPICS

Truth and Reconciliation Commission

Sweden: Truth and Reconciliation for Crimes against Meankieli Speakers (UNPO)

March 20, 2020

Sweden is creating a truth and reconciliation commission to investigate historic abuses against speakers of the Meankieli language, the Tornedalians. The Commission's work will be based on a 2018 study with interviews detailing violations against the linguistic minority under an assimilation policy in Sweden. Active from the 19th century till the mid 20th century, the policy sought to suppress linguistic and cultural diversity by prohibiting the use of Meankieli, which is related to Finnish. Today, the approximately 75,000 Tornedalians are recognised as a national minority and Meankieli as an official minority language in Sweden. Importantly, the truth and reconciliation commission is not going to examine questions of individual responsibility and compensation for victims. It will investigate more generally into crimes under the assimilation policy and their consequences for the Tornedalians.

Sweden said on Thursday that it was creating a truth and reconciliation commission to examine abuses against the speakers of the minority language Meankieli, following the country's 19th- and 20th-century assimilation policy.

"History can not, and will not, be repeated," Minister for Culture and Democracy Amanda Lind said in a statement.

Meankieli, meaning "our language," is a Finnic minority language spoken in Sweden's far north, along the valley of the Torne river near the Finnish border. The language is related to Finnish and an estimated 75,000 people speak or understand it at least partially, according to the National Association of Swedish Tornedalians.

In 1999, the Swedish government named Meankieli an official minority language, and its speakers Tornedalians were recognised as a national minority. Some of its speakers however refer to themselves as Kven or Lantalaïset.

During the 19th and well into the mid-20th century, the Swedish state, operating under an assimilation policy, made attempts to suppress the language and make Tornedalians "more Swedish."

The commission will base its work on a preliminary study into the abuses, initiated in 2016 and published in 2018 by the National Association of Swedish Tornedalians.

Based on interviews with victims, it detailed stories about children who were not allowed to speak Meankieli in school, race biology studies, and abuses at special vocational boarding schools — originally set up for poor children in the early 20th century.

Kerstin Salomonsson, president of the association, said she was glad that the government had acted so quickly to set up a commission.

"We're used to everything concerning national minorities being mulled and debated for years, but this went surprisingly fast," Salomonsson told AFP.

The new commission will be tasked with examining the Swedish assimilation policy and its consequences for the minority.

It will however not evaluate questions of responsibility in individual cases or give compensation to those affected.

Sweden's government also announced last year that it was intending to create a truth commission for Sweden's Sami minority, which also live in the country's north and suffered similar abuses, and was in dialogue with the Sami parliament.

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Terrorism

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Piracy

Sea robbery attempt in Singapore Strait foiled by Singapore and Indonesian navies (The Straits Times) By Lester Wong
March 16, 2020

A daring robbery attempt by three pirates in the Singapore Strait on Monday (March 16) morning was foiled by the close cooperation between the Republic of Singapore Navy (RSN) and the Indonesian navy (TNI-AL).

The Maritime Port and Authority of Singapore's (MPA) Port Operations Command Centre received a report from a Liberian-flagged shipping vessel Sam Jaguar at 5.11am that pirates had boarded the ship, and had been locked in the engine room by the ship's crew.

The RSN's Maritime Security Task Force immediately began to monitor the vessel closely and dispatched its littoral mission vessel RSS Independence and police coast guard craft to the location.

At the same time, the RSN's Information Fusion Centre shared real-time information on the incident with Indonesian authorities.

This information helped TNI-AL to eventually apprehend the pirates in Indonesian waters after deploying two ships and a helicopter to hail and board Sam Jaguar.

Sam Jaguar's crew were safe and unharmed.

"Today's operational outcome is due to the good cooperation and quick response between Singaporean and Indonesian enforcement agencies," said Information Fusion Centre head Lieutenant-Colonel Gary Ow.

"By working closely together with the shipping community and littoral states to monitor our waters and share information, we can quickly cue operational responses and keep up the pressure on sea robbers to bring sea robbery incidents down."

Eight piracy attempts in the Singapore Strait have been reported this year as of February.

There was a marked uptick last year in the number of such incidents in the Singapore Strait, with 31 attempts reported.

In 2018, there were just eight cases in both the Singapore Strait and the Strait of Malacca, nine in 2017 and two in 2016.

According to the MPA, the maritime sector contributes about 7 per cent of Singapore's gross domestic product, with more than 130,000 ships calling here every year.

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Gender-Based Violence

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Commentary and Perspectives

Geneva Conventions for Cyber Warriors Long Overdue (National Defense) By Steve Waugh
March 18, 2020

Cyber warfare is a fact of the modern world. However, there is no clear international law that distinguishes between warfare, terrorism, crime or vandalism. As a result, U.S. military cyber warriors are operating without the protections and restrictions their kinetic brethren enjoy under the Geneva Conventions.

The road to those agreements was long, but necessary and it needs to be trod again — before civilians suffer the consequences of unrestricted cyber warfare.

In the last decade, U.S. and international leaders have recognized the military implications of the growing threat. The United States established Cyber Command in 2009 and the Navy stood up the 10th Fleet in 2010 to direct cyber operations and defense. Ret. Adm. James Stavridis, the supreme allied commander for Europe and commander of NATO from 2009 to 2013, argued further for a separate service branch, a cyber force. However, a U.S. cyber force would be a service branch and combatant with no directly applicable international law of warfare.

After years of study, NATO only applies pre-cyber era international law to cyber operations, both conducted by and directed against states.

In 2008, NATO established the Cooperative Cyber Defence Centre of Excellence, originally proposed by Estonia following a growing awareness of the vulnerability of NATO allies and partners to cyber attack, particularly by Russia. In 2009, the center hosted a conference in Tallinn, Estonia, with 20 international experts — almost exclusively from NATO countries — to seek a way to apply existing industrial-age international law to cyber warfare, resulting in the Tallinn Manual. While a laudable attempt to make progress, Russia has yet to endorse the NATO-developed rules on many issues but the Tallinn Manual process continues.

After every great war, there have been calls to ameliorate its new horrors. Can the United States and other developed nations see the potential danger of cyber warfare enough to contain it before a cyber Dresden? During World War II, the Allies bombed the war industry, railroad and communications center in the German city of Dresden. The incendiary attack of valid military targets resulted in massive collateral damage and over 20,000 dead. At that time, the most recent Geneva Convention had been signed in 1929, extending protections of soldiers and sailors in battle to prisoners of war. Air warfare had not yet been covered in spite of the experiences of World War I.

The world was horrified by the human catastrophe of World War II, particularly the massive civilian devastation from strategic bombing — the ultimate forcing function to draft international law protecting civilians in armed conflicts in addition to protecting servicemen. Conventions were added outlawing chemical warfare, biological warfare and anti-personnel mines, and outlining protocols to address guerilla and civil warfare, but not yet cyber warfare.

While some international law may be applicable, the remaining ambiguity on cyber warfare leaves individuals and organizations vulnerable. NATO's original founding treaty, designed to safeguard the freedom of member states, identified the trigger for a collective response in Article 5 as "an armed attack against one or more of them in Europe or North America." NATO Article 5 protection may be applied against a cyber attack, but has not been yet.

Nations, rebels and guerillas know the difference between a legitimate military target and a hospital, but cyber warfare has no bounds. Responding to insurance claims for the NotPetya attacks, a global professional services firm Marsh & McLennan created a three-factor standard to determine if a cyber attack is an act of war and could be excluded from payment, based on the effects, the victims and the purpose of the attack. By that standard, uniformed Russian military hackers could shut down the New York Stock Exchange and NASDAQ for a month and not consider it an act of war.

While some confuse cyber operations with information warfare, they are different. The U.S. Military Universal Joint Task List is a common language which serves as the foundation for joint operations planning across the range of military and interagency operations. The list defines "Coordinate Offensive Cyberspace Operations" as a separate and distinct task from "Coordinate Strategic Information Operations." Offensive cyber is "the application of force in and through cyberspace. [It] may target adversary cyberspace functions or use first-order effects in cyberspace to initiate cascading effects into the physical domains." On the other hand, information operations are "the integrated employment of ... electronic warfare, military deception, and operations security, in concert with ... cyberspace operations and public affairs."

Any international law or future convention must recognize such distinctions.

Even with the existing definitions around cyber operations and the damage caused by cyber attacks to date, both the public and private sector have failed to identify and act upon a tangible solution to existing threats. Books on the trauma of cyber warfare are plentiful because the risks to individuals are real and immediate. Cyber attacks threaten all forms of critical infrastructure and governmental service institutions, including power grids, police and hospitals.

During 2017, even state legislatures became concerned about the cybersecurity of U.S. elections. The City of Baltimore was held hostage for months by a ransomware attack, which raises several concerns considering a ransomware attack on only one major city the day of a presidential election could flip the outcome of a state and the nation.

Industry is so concerned that Microsoft's president and chief legal officer took a bold step proposing a "Digital Geneva Convention" and outlined such a protocol as the urgent threat of cyber warfare is discussed around the world.

The complications remain monumental. Not only have the UN and other groups failed to reach consensus, but they are also arguably diverging because of the depth and breadth of the issue.

Further, while international governments fear the effects of cyber attacks, there is a clear lack of incentive for governments to disarm what some consider a critical offensive capability.

One of the advantages of cyber warfare is that it gives the president and combatant commanders an option short of kinetic warfare. Traditionally, U.S. leaders think of the national instruments of power in terms of diplomacy, information, military and economy, better known as DIME. There is something to be said for measures more effective than Twitter and economic sanctions, but less destructive than high explosives. After the Iranian Revolutionary Guard Corps shot down a U.S. Global Hawk drone, the expected response was to plan a massive kinetic reprisal. However, the president chose a cyber response instead. Other cyber attacks were reported to have slowed Iranian nuclear developments.

While U.S. cyber warfare is planned in a targeted, precise and surgical manner, less scrupulous practitioners have demonstrated the potential for collateral damage on a vast scale from a misdirected or errant attack.

Where governments have failed, an independent international group may be able to hammer out the basics of a convention on cyber warfare, if the right people come together with the right mindset and reasonable expectations. Business leaders and local officials could establish a framework with the help of international lawyers, under the expectation that when it was acceptable and politically necessary, diplomats would have to pick up the torch.

This is how the Red Cross completely replaced the Geneva Conventions after World War II.

Setting the conditions to negotiate a final diplomatic agreement acceptable to even 20 of 200 nations will require exceptional management and leadership. This is a design thinking exercise for a global problem: first create empathy, define the problem, ideate solutions, prototype answers and test them. The solution must be considerably more effective than a communique; it must hold the force of international law.

Protecting civilians from future cyber warfare is a lofty purpose when considering how difficult it would have been in 1910 for nations to predict the nature of submarine or air warfare by the end of World War I. In 2010, few could have comprehended the ubiquitous 2020 Internet of Things given the first iPhone was sold in 2007 and the World Wide Web had only been proposed in 1989.

France's President Emmanuel Macron launched an effort at the 2018 UNESCO Internet Governance Forum to address cybersecurity. It resulted in a strongly worded memo, the Paris Call for Trust and Security in Cyberspace, endorsed by 370 actors, including corporations, non-governmental organizations and nations.

An independent international organization supported by independent citizens and businesses can succeed with the help of international lawyers, where governments have failed. Because cyber attacks do not draw blood, an international business association with global vision may be the more appropriate group to address the protection of civilians.

Defining belligerents may be radical. A great deal of literature contemplates the ethics and impact of governmental cyber warfare attacks on foreign civilian systems, but fails to consider the inverse: can Google commit an act of war? While it is unlawful to bomb a mosque, there is no law to prevent patriotic citizen hackers from launching a cyber attack.

Developing ethical solutions to questions like these will be unprecedented because of the complexity of modern society: could Amazon Web Services be considered a cyber combatant? There must be distinguishing factors between government contracts, criminal acts and casus belli — an act or event that provokes or is used to justify war — for a business.

Extending the Geneva Conventions to guerilla and civil wars, or non-international warfare, was not easy. Facebook might one day possess the power to initiate a civil war, just as Twitter users could evolve into a subversive guerilla force.

The post-World War II Geneva Conventions were only signed by 18 nations in 1949; the rest came slowly over decades. Given the high number of non-participating nations, even this example demands scrutiny around who must initially participate to succeed.

What are the cyber threats to individuals, businesses, or governments not already governed by treaty? Where would jurisdiction to resolve disputes rest? Who signs — France, Vodaphone or Apple? Can entities distinguish between cyber crime, espionage, intelligence and attack?

Can a cyber convention establish rules that prevent cyber collateral damage? Would valid military cyber targets be required to mark themselves with a fixed distinctive sign to distinguish them from civilian targets?

The ICRC model can work again. This requires leaders to announce clear intent, inspire others to collaborate, create a first draft of

a convention, revise and edit the articles, then bring social pressure to bear on governments to adopt a negotiated treaty. A preliminary conference gives the opportunity to identify the issues to address, then articles can be proposed and crafted for each at the convention.

The UN has failed, nations have failed, and corporations have failed while the trends in cyber warfare have been consistently if not exponentially negative. A cyber Pearl Harbor remains a threat and perhaps it is time to declare cyber a domain; it is certainly time to recognize that military personnel and civilians can all be gravely harmed by non-kinetic forces.

Failing to act leaves U.S. servicemen and women at risk: nothing stops a foreign nation from declaring the 10th Fleet “Yankee Cyber Pirates” and indicting them for cyber war crimes even in the absence of explicit international law.

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WORTH READING

To Believe or Not to Believe: Current History Textbooks in Bosnia and Herzegovina

Goran Šimić

In: Ognjenović G., Jozelić J. (eds) *Nationhood and Politicization of History in School Textbooks*. Palgrave Macmillan, Cham, 2020

March 16, 2020

Schools have one characteristic that media and family do not. A “state-sponsored” means of promoting perceptions of the past, they are obligatory to attend in most countries. That means students don’t have a choice but to be exposed to a certain interpretation of facts and values. Among other classes, history class involves this exposure. Ideally, history textbooks should offer open-minded views, diverse perspectives on certain experiences, developments, events, and processes stemming from national and general history that carry messages corresponding to content based on science and established facts. Since in most cases of the demanding task of writing history textbooks there is room for numerous controversies, is it problematic when children are taught different “truths,” “facts,” and “values”? When they are taught that diversity is a major problem in multicultural societies? That the “others” are always perpetrators of the crimes? That there cannot be reconciliation with “them”? Because Bosnia and Herzegovina (BiH) never established official truth about events from the most recent war, this space for manipulation is wide open. Ironically, even if writers of history textbooks in BiH wish to include established facts, that would be not possible, since there is no such a thing. The only facts established according to the legal standards – “beyond reasonable doubt” – would be those in the final decision of the international and domestic courts dealing with war crimes committed in BiH between 1992 and 1995. What happens, then, if one brings together all the history textbooks in schools in BiH? What can found in them? And, most important, are they to be trusted?

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