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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 **warcrimeswatch@pilpg.org** and type "subscribe" in the subject line.

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On Anniversary of Reporter's Death, Diplomats Urge South Sudan Probe (Voice of America) By Charlton Doki
August 28, 2023

> **Diplomatic representatives from the United States and the United Kingdom are calling upon the South Sudanese government to initiate a thorough investigation of the 2017 death of British-American journalist Christopher Allen.**

A 26-year-old freelance journalist who held British and American nationality, Allen was shot and killed on August 26 of that year while covering a confrontation between the South Sudan People's Defense Forces and the former rebels of the Sudan People's Liberation Army-in-Opposition, SPLA-IO, in Central Equatoria state along the South Sudanese-Ugandan border.

American and British embassies in South Sudan recently issued a joint statement marking the sixth anniversary of Allen's passing, urging South Sudanese officials to probe and release the findings of what led to his killing.

South Sudan has refused all prior calls to hold an investigation. Allen's family has been unsuccessful in calling on the FBI to investigate his death as a possible war crime.

In an audio recording shared with VOA by the U.S. embassy in Juba, U.S. ambassador to South Sudan Michael J. Adler emphasized the importance of transparency from the South Sudanese government.

"On this somber anniversary, the U.S. and U.K. Embassies renew calls for the transitional government of South Sudan to conduct a credible investigation into the death of Christopher Allen, to make the results public, and to ensure accountability," Adler said. "After six years, Mr. Allen's family, friends, and colleagues deserve answers."

South Sudan's information minister and government spokesperson Michael Makuei initially labeled Allen as a "white rebel," which suggests he was with the SPLA-IO when he met his end in the skirmishes. However, Makuei later altered the narrative, asserting that Allen fell victim to crossfire as government troops battled SPLA-IO rebels.

John Wuhu, a South Sudanese journalist, highlighted the chilling impact of Allen's death on the state of press freedom in the region.

"Working as a journalist in South Sudan within a conflict zone is perilous. Our country lacks professionalism, and amidst the numerous conflicts, it's often unclear who is fighting whom," he told VOA. "This uncertainty extends to our safety."

Maj. Gen. Lul Ruai Koang, a spokesperson for the South Sudan People's Defense Forces, attributed the responsibility for investigating Allen's death to the SPLA-IO. Koang argued that Allen was a guest of the SPLA-IO.

At the time of his death, Allen was embedded with the SPLA-IO when the former rebel fighters attacked the defense forces in the government-held town of Kaya in Central Equatoria state.

"The SPLA-IO should be responsible for the investigation. He entered the country illegally, associated with hostile forces, and they attacked us. We're not accountable.

"Those who misled him and embedded him with their forces should conduct the inquiry into his demise," Koang added. "Our forces were attacked, and they retaliated in self-defense. We have no reason to investigate a death that occurred on the other side. Had he been killed on our side, we'd have undertaken the investigation."

Col. Lam Paul Gabriel, spokesperson for the SPLA-IO, countered Koang's stance, asserting that his group does not bear responsibility for investigating Allen's killers.

"The American government is likely asking for the unity government to take responsibility, provide strong policies against such incidents, and possibly issue a statement to the late journalist's family," Gabriel said.

Adler underscored that the demand for a credible investigation and accountability regarding Allen's death is integral to the safety of journalists in South Sudan. The U.S. envoy to South Sudan said that an independent and uninhibited press is a cornerstone of healthy democracies worldwide.

"This issue concerns the right of journalists to work without endangerment and the eradication of impunity for acts of violence and crimes against them," Adler said.

Former oil firm executives go on trial in Sweden over Sudan war crimes (Reuters) By Anna Ringstrom
September 5, 2023

> **The former CEO and the former chairman of a Swedish oil firm went on trial in Sweden on Tuesday, accused of complicity in war crimes in Sudan between 1999 and 2003 - charges that they both flatly deny.**

Prosecutors say that the former Lundin Oil - which has changed its name several times and in 2022 sold most of its business - asked Khartoum to secure a potential oilfield in what is now South Sudan, knowing that this would mean seizing the area by force.

This made the executives complicit in war crimes that were then carried out by the Sudanese army and allied militia against civilians, according to the 2021 indictment.

The company's former chairman Ian Lundin, who is on trial alongside former CEO Alex Schneiter, said on Tuesday the accusations made against the pair were false, Swedish news agency TT reported.

"We look forward to defending ourselves in court," he told reporters at the Stockholm district court, according to TT . The case is expected to run until early 2026, according to the court's schedule.

"What constitutes complicity in a criminal sense is that they made these demands despite understanding or, in any case being indifferent to, the military and the militia carrying out the war in a way that was forbidden according to international humanitarian law," the prosecution agency said in 2021.

The company has rejected the allegations, as did Schneiter.

The prosecution is also asking the court to confiscate 2.4 billion Swedish crowns ($217 million) from the company, now known as Orron Energy (ORRON.ST), up from an initial claim of 1.4 billion made in 2021.

The company has said it will contest the claim. Sweden launched the probe in 2010 following a report on the company's presence in Sudan by Dutch non-governmental organization PAX.

Sudan waged war for decades in South Sudan, which became independent in 2011, and elsewhere in the country. Former president Omar al-Bashir, who ruled between 1989 and 2019, is wanted by the International Criminal Court in the Hague for genocide and other war crimes, which he denies.

U.S. imposes sanctions on Sudanese paramilitary leader for human rights abuses in monthslong conflict (PBS) By Associated Press, Samy Magdy and Edith Lederer
September 6, 2023

> **The United States imposed sanctions Wednesday on Sudanese paramilitary commander Abdelrahim Hamdan Dagalo for acts of violence and human rights abuses committed by his troops in their monthslong conflict with Sudan's army.**

In a lengthy statement, the U.S. Treasury said it had sanctioned Abdelrahim — a senior military commander and brother of Mohammed Hamdan Daglo, who is the head of the paramilitary Rapid Support Forces — accusing him of leading a group of soldiers responsible for "the massacre of civilians, ethnic killings, and use of sexual violence."

Sudan plunged into chaos almost five months ago when long-simmering tensions between the military, led by Gen. Abdel Fattah Burhan, and the RSF escalated into open warfare.

According to Wednesday's statement, the sanctions will block all U.S. property and entities owned by Abdelrahim. They are the first sanctions targeting an individual and made public by the U.S. since the conflict broke out.

In a parallel statement, U.S. Secretary of State Antony Blinken said Wednesday that the U.S. was also imposing visa restrictions on fellow RSF commander, Abdul Rahman Juma, barring him from entering the country.

Blinken said forces led by Juma were likewise responsible for rights abuses, including the kidnap and murder of the former governor of West Darfur province, Khamis Abbakar, and his brother, in June. Khamis was killed hours after he accused the paramilitary and allied militias of attacking local communities across West Darfur's capital, Genena, during a telephone interview with the Saudi-owned television station, Al-Hadath.

In June, the U.S. imposed sanctions against four key companies either linked to or owned by the army and the RSF. It also placed visa restrictions on officials from both Sudanese sides, as well as leaders from the former government led by ousted President Omar al-Bashir. It did not specify which individuals were affected.

There was no immediate comment from the RSF. A spokesman for the paramilitary force, when contacted by the Associated Press, said they would send a written statement later.

More than 5 million people have been displaced by the fighting in Sudan, the United Nations' migration agency said Wednesday as clashes showed no sign of easing.

According to the International Organization for Migration, over 4 million people have been internally displaced since the conflict erupted in mid-April while another 1.1 million have fled to neighboring countries. More than 750,000 have traveled to either Egypt or Chad, the agency said.

The U.S. also announced on Wednesday it will give $163 million in funding to respond to the humanitarian crisis created by the conflict. The State Department said in a statement that, with this addition, the country will have committed $710 million to helping those effected by the fighting, including refugees in neighboring countries.

International efforts to mediate between the two sides have so far failed. There have been at least nine cease-fire agreements since the outbreak and all have broken down. Some observers praised the sanctions by Washington, saying the international community should follow suit.

John Prendergast, co-founder of The Sentry, an organization that tracks corruption and rights abuses said that sanctions are a way to get leverage over the warring parties.

"Quick follow-up is required, sanctioning broader networks on both sides who stand to profit from the conflict and who are responsible for massive human rights abuses," he said.

The fighting has reduced Sudan's capital, Khartoum, to an urban battlefield, with neither side managing to gain control of the city. Across the city, RSF troops have commandeered civilian homes and turned them into operational bases. The army responded by bombing residential areas, rights groups and activists say.

Formal peace negations mediated by the United States and Saudi Arabia in the kingdom's coastal town of Jeddah were adjourned in late June with both mediators publicly calling out the RSF and the army for continually violating truces they had agreed to.

Meanwhile, in the western Darfur region — the scene of a genocidal campaign in the early 2000s — the conflict has morphed into ethnic violence, with the RSF and allied Arab militias attacking ethnic African groups, according to rights groups and the U.N.

Last month, Amnesty International said both sides have committed extensive war crimes in the ongoing conflict.

Also Wednesday, Alice Wairimu Nderitu, the U.N. special adviser on the prevention of genocide, expressed concern at ongoing "identity-based attacks" across the country.

"Innocent civilians are being targeted on the basis of race" in Darfur, Nderitu said in a statement. These attacks could amount to war crimes, she added. In July, Karim Khan, the International Criminal Court's prosecutor, said he was investigating alleged new war crimes and crimes against humanity in Darfur.

US imposes sanctions on leaders in Sudan's RSF over 'extensive' abuses (Al Jazeera) September 6, 2023

> **The United States has imposed sanctions on top commanders in Sudan's Rapid Support Forces (RSF), accusing the group of committing "extensive" rights violations during its months-long conflict with the Sudanese military.**

The measures on Wednesday targeted Abdelrahim Dagalo, the RSF's deputy commander and brother of the group's chief Mohamed Hamdan "Hemedti" Dagalo, as well as Abdul Rahman Juma, the paramilitary organisation's top general in West Darfur.

The US Treasury froze Abdelrahim Dagalo's assets in the country while the State Department imposed visa restrictions on Juma.

The two are the most senior RSF leaders to face direct US sanctions since the fighting in Sudan broke out earlier this year.

"The United States continues to call on all external actors to avoid fueling the conflict," US Secretary of State Antony Blinken said in a statement outlining the moves.

"We will not hesitate to use the tools at our disposal to hinder the ability of the RSF and Sudanese Armed Forces (SAF) to further prolong this war, and we will also use such tools to deter any actor from undermining the Sudanese people's aspiration for peace and civilian, democratic rule."

The violence has killed thousands and displaced more than four million people, prompting warnings from the United Nations that the country faces a "humanitarian emergency of epic proportions".

Efforts to end the conflict, including mediation by the US and Saudi Arabia, have only produced short-lived ceasefires.

Meanwhile, civilians continue to be caught in the crossfire. The crisis also has spurred ethnically targeted attacks against African, non-Arab communities in the western region of Darfur, which rights groups have blamed on the RSF and its allies.

"Since the beginning of conflict between the RSF and Sudanese Armed Forces on April 15, 2023, both sides have failed to implement a ceasefire, and the RSF and allied militias have been credibly accused of extensive human rights abuses in Darfur and elsewhere," the US Treasury said on Wednesday.

Washington also said RSF members had committed gross human rights abuses, including "conflict-related sexual violence and killings based on ethnicity".

The State Department accused forces led by Juma of abducting and killing Khamis Abbakar, the governor of West Darfur, and his brother in June. Abbakar had alleged that the RSF killed civilians in the region.

The RSF has denied allegations of abuse and accused the army of bombing civilian areas.

The Sudanese Armed Forces, which are led by General Abdel Fattah al-Burhan, also have denied wrongdoing during the conflict and in turn accused the RSF of war crimes.

The US says its primary aim in Sudan is to reduce the violence before working towards a permanent end to the fighting and a return to civilian rule.

In June, Washington sanctioned companies controlled by RSF chief Hemedti and two defence firms linked to the military as part of that push.

On Wednesday, Blinken called on all sides to "comply with their obligations under international humanitarian law to protect civilians, hold accountable those responsible for atrocities or other abuses, allow unhindered humanitarian access, and negotiate an end to the conflict".

After years of animosity, ties between Khartoum and Washington had been warming since the Sudanese military removed longtime President Omar al-Bashir from power in 2019 following antigovernment protests.

The two countries re-established diplomatic ties in 2020, and in the following months, Sudan also agreed to normalise relations with Israel and was removedfrom the US's list of "State Sponsors of Terrorism".

But in October 2021, the Sudanese military staged a coup against the civilian government of Prime Minister Abdalla Hamdok, leading to his resignation in early 2022.

Al-Burhan, the head of the military-dominated Sovereign Council, has practically governed the country since Hamdok's departure.

Hemedti served as his deputy, but he was removed from that position after his fallout with the army.

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Democratic Republic of the Congo

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Two military officers are arrested in Congo for leading a protest crackdown that killed 43 people (Yahoo News) By Justin Kabumba, Associated Press
September 4, 2023

> **Two high-ranking military officers in northeast Congo were arrested Monday for taking part in a crackdown on protests last week that left 43 people dead and another 56 severely injured, authorities said.**

Interior Minister Peter Kazadi said police arrested Commanders Mike Mikombe and Donat Bawili, who respectively headed the Republican Guard unit and the Congolese armed forces regiment in Goma, the eastern city where the violence unfolded. Defense and security forces in the Central African nation used lethal force last Wednesday to repress planned anti-U.N. protests in the city. A government delegation arrived in Goma on Monday to hold hearings and other proceedings "to establish responsibility," the interior minister said. "We have no interest in hiding anything. The whole truth will be known,"Kazadi said. Authorities called on families of the people killed in Goma to come forward with information for the inquiry. On Aug. 23, Goma's mayor banned a protest organized by a sect called the Natural Judaic and Messianic Faith Towards the Nations, known colloquially as Wazalendo. Its supporters planned to demonstrate against the regional East African Community organization and the United Nations peacekeeping mission in Congo. The U.N. mission, which is known by its French acronym of MONUSCO, has faced increased pressure to withdraw from Congo after more than two decades in the conflict-burdened country. Advocacy group Human Rights Watch said Thursday that before the protests could take place, armed forces fired on Wazalendo demonstrators in the streets, kicking off an "apparent massacre" in the city. National authorities said 43 civilians died and 56 were badly hurt. The U.N. human rights office said more than 220 people were arrested in connection with the planned protests and the subsequent crackdown. "After expressing his anger and dismay at the tragic events in Goma, (President Felix Tshisekedi) called on the judiciary to shed light on the tragedy and establish who was responsible," presidential spokesperson Tina Salama said on the social media platform X, formerly known as Twitter. Voicing their outrage at the killings, young protesters in Goma barricaded roads on Monday morning. The city remained paralyzed into the afternoon, when police succeeded in dispersing the protesters without major incident and reopened roads.

An alarming humanitarian crisis and massive sexual violence wrack eastern Congo, UN official says (Yahoo News) By Edith M. Lederer, Associated Pres
September 5, 2023

> **The humanitarian situation in conflict-wracked eastern Congo has deteriorated alarmingly in the past 18 months with 8 million people in urgent need of assistance and women and girls subjected to sexual violence on a massive scale -- just in three provinces, a senior U.N. official said Tuesday.**

Edem Wosornu, the U.N. humanitarian office's operations director who just returned from a trip to Congo with emergency directors from U.N. agencies and humanitarian organizations, said that what they saw and heard "was shocking, heartbreaking and sobering."

She said the situation in North Kivu, South Kivu and Ituri provinces "is frankly the worst situation we have ever seen," and that's in a country where more than 26 million people are hungry and need food.

Wosornu told a news conference that gender-based violence is "being perpetrated on a massive and distressing scale" with more than 35,000 survivors seeking access to treatment and services after attacks in just the first six months of 2023 in the three provinces. Given that only a fraction of survivors report gender-based violence, she said, "the number is likely to be higher."

Conflict has been simmering for decades in mineral-rich eastern Congo,where Wosornu said more than 130 armed groups are fighting mainly for control of land and mines though some groups are trying to protect their communities.

Fighting spiked in late 2021 when M23, a rebel group linked to neighboring Rwanda which was largely dormant for nearly a decade, resurfaced and started capturing territory. M23 rose to prominence in 2012 when its fighters seized Goma, eastern Congo's largest city on the border with Rwanda.

Recently, attacks by the Allied Democratic Forces, which is believed to have ties to the Islamic State extremist group, have also spiked along with intercommunal violence.

Gabriella Waaijman, global humanitarian director at London-based Save the Children International who was also on the trip, said Congo has the highest number of grave violations against children and.one of the highest number of displaced people in the world — and the number of internally displaced people grew by a further one million this year.

The scale of suffering and insufficient funding have left humanitarian workers in the impossible situation every day of deciding whether to prioritize water, shelter or medical support for the constant stream of newly displaced people. And one result of the overwhelming needs is that thousands and thousands of children aren't able to go to school, she said.

The U.N. appealed for $2.3 billion for humanitarian assistance for Congo this year but has received just one-third, $764 million, Wosornu said, and it has been able to help just 1.4 million people, "a fraction of the number of people in need."

The executive directors group met with Congo's minister of humanitarian affairs and the military governors of Ituri and North Kivu and stressed the need to improve protection and security for civilians, the responsibility of national authorities to address escalating gender-based violence, and the critical importance of restoring peace which is what every person they met asked for, she said.

Waaijman said money is needed urgently to scale up humanitarian help and save lives, but what people really need is peace "and their government to step up and help them to return home safely or else provide them land so that they can be settled elsewhere and start anew."

Congo's vast mineral wealth has fueled war, displacement and hunger, she said, and particularly heartbreaking was to see the impact on eastern Congo's pygmy community, "one of the last hunter-gatherer communities left on earth."

"This community has lived in the equatorial jungle for thousands of years, taking from the land only what they need to survive nothing more," but the fight for cobalt, a key mineral for electric vehicle batteries, and diamonds for engagement rings in jungle areas is destroying their way of life "for good," Waaijman said.

The emergency directors met with pygmy members in displacement sites where she said they are struggling to survive, with not enough to eat in an unfamiliar environment, and "their rights completely trampled and no accountability."

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Mali

UN sanctions in Mali to end after Russia blocks renewal (Reuters) By Michelle Nichols
August 30, 2023

> **United Nations sanctions in Mali will end on Thursday after Russia vetoed a renewal of the regime that targeted anyone violating or obstructing a 2015 peace deal, hindering aid delivery, committing rights abuses or recruiting child soldiers.**

Independent U.N. sanctions monitors reported to the Security Council this month that Mali's troops and its foreign security partners, believed to be Russia's Wagner mercenary group, are using violence against women and other "grave human rights abuses" to spread terror.

Thirteen Security Council members voted in favor of a resolution, drafted by France and the United Arab Emirates, to extend the U.N. sanctions and independent monitoring for another year. Russia cast a veto, while China abstained from the vote.

Russia then instead proposed extending U.N. sanctions in Mali for one final year, but immediately ending the independent monitoring now. It was the only country to vote yes, while Japan voted no and the remaining 13 members abstained.

Deputy U.S. Ambassador to the U.N. Robert Wood told the council that Russia wanted to eliminate the independent monitoring "to stifle publication of uncomfortable truths about Wagner's actions in Mali, which require attention."

In response, Russia's Deputy U.N. Ambassador Dmitry Polyanskiy told Reuters that was speculation and resembled "paranoia," adding that Russia was "upholding the interests of the affected country - Mali, as the council is supposed to do."

The U.S. has also accused Wagner, which has about 1,000 fighters in Mali, of engineering an abrupt request by the junta for a 13,000-strong U.N. peacekeeping force to leave. The decade-long operation is due to shutdown by the end of the year.

Mali's junta, which seized power in coups in 2020 and 2021, teamed up with Wagner in 2021 to fight an Islamist insurgency. Wagner chief Yevgeny Prigozhin died in a plane crash in Russia last week and President Vladimir Putin then ordered Wagner fighters to sign an oath of allegiance to the Russian state.

Mali's military junta wrote to the Security Council earlier this month to ask for the sanctions to be lifted.

The current annual mandate for the U.N. sanctions regime and independent monitoring will expire on Thursday. Russian U.N. Ambassador Vassily Nebenzia made clear that Russia would not discuss the issue any further after the two votes on Wednesday.

The council established the Mali sanctions regime in 2017, which allowed it to impose travel bans and asset freezes. There are currently eight people subjected to the U.N. sanctions measures. The independent monitors reported to the council twice a year on implementation and potential new designations.

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

U.S Sanctions Rwanda Army, FDLR, M23 Commanders Over DRC Conflict (Chimp Reports) By Dickens H Okello
August 24, 2023

> **The United States Government on Thursday sanctioned the Rwanda Defense Force (Head of Operations and Training), Brig. Andrew Nyamvumba, commanders of the Democratic Forces for the Liberation of Rwanda (FDLR), Congolese rebel army M23, and Rwandan and Congolese nationals over the escalating conflict in the eastern DRC.**

The announcement made on Thursday by the U.S. Departments of State and Treasury said the six sanctioned individuals contributed to the escalation of conflict in the restive eastern DRC.

"Today, the United States is imposing sanctions on six individuals contributing to the most recent escalation of conflict in the eastern Democratic Republic of the Congo (DRC)," said part of the statement.

The individuals are Brig. Andrew Nyamvumba and FDLR leaders Ruvugayimikore Protogene, Apollinaire Hakizimana, and Sebastian Uwimbabazi.

They also include Congolese nationals Bernard Byamungu, a leader in the M23 militia group, and Salomon Tokolonga of the armed forces of the Democratic Republic of the Congo.

The above individuals, according to Washington, also contributed to perpetrating human rights abuses and other accusations.

"Each of these individuals is contributing to instability in the eastern DRC and, in many cases, perpetrating human rights abuses, including sexual violence and violence against children," said the statement.

Adding: "The United States stands on the side of civilians and survivors against those who perpetrate violence against the people of the DRC. Rwanda accuses the DRC of helping the FDLR, a militia accused of perpetrating the 1994 genocide in Rwanda, carry out attacks on Rwandan territory. On the other hand, the DRC says Rwaba has been arming M23 to destabilize Eastern Congo. Both countries deny the counter accusations.

Tensions between the two countries continue to rise over the support of rival armed movements in the region.

The United States Secretary of State, Antony Blinken, recently phoned Rwandan President Paul Kagame over the volatile situation along the border between Rwanda and the Democratic Republic of Congo (DRC).

The call followed the recent visit of Acting Deputy Secretary Victoria Nuland to Kinshasa to meet with President Felix Tshisekedi.

Blinken also conveyed the U.S.'s strong call for a "diplomatic solution to the tensions between the two countries" and requested each side to "take measures to de-escalate the situation."

Lawyers Call Out 'Hate' Trial Against DR Congo MP (Barron's) August 28,2023

Lawyers Call Out 'Hate' Trial Against DR Congo MP (Barron's) August 28, 2023 https://www.barrons.com/news/lawyers-call-out-hate-trial-against-dr-congo-mp-5a3d39f Lawyers defending an MP accused of treason and contact with M23 rebels on Monday called out a "hate" trial linked to discrimination against Tutsis in the Democratic Republic of Congo.

> **Lawyers defending an MP accused of treason and contact with M23 rebels on Monday called out a "hate" trial linked to discrimination against Tutsis in the Democratic Republic of Congo.**

Taken in for questioning in early March, Edouard Mwangachuchu, who represents the province's Masisi constituency in the national assembly and owns a mining society, is being tried by a military court in Kinshasa.

The prosecution on Friday called for the 70-year-old to be jailed for life.

The defence said Monday that the evidence being used in court against Mwangachuchu "centres around him belonging to the Tutsi ethnic group".

"We condemn a trial of hatred and stigmatisation based on stereotypes and exclusion, a trial of discrimination," Thomas Gamakolo, spokesman for a group of defence lawyers, told a press conference.

"The 30 days of hearing for this trial have been fuelled by anti-Tutsi and anti-Rwanda sentiments skilfully sustained by the prosecution."

According to the defence group, the case against Mwangachuchu started with "people calling themselves 'Hutu peasants' from the Nyatura armed group claiming to have discovered an arms cache", at a mine.

Mwangachuchu, who has visited Rwanda, "has a Rwandan soul", Gamakolo said.

"That's serious. Assimilating an individual with a Rwandan these days, as the prosecution is doing, is to vilify them, if not condemn them to death in the eyes of public opinion," he said.

The Tutsi-led M23 militia has captured swathes of territory in North Kivu province since emerging from dormancy in 2021.

Independent UN experts, the Kinshasa government and several Western nations including the United States and France accuse Rwanda of actively backing the M23.

Kigali strongly denies the charge and counters that Kinshasa backs the ethnic Hutu FDLR (Democratic Forces for the Liberation of Rwanda) which includes members accused of leading the 1994 Rwanda genocide.

"Our client is being made a sacrificial offering for all the supposed crimes and errors committed by Tutsis," Gamakolo said.

Numerous Congolese politicians and security officials have in recent months been accused of contact with the M23 enemy.

Genocide survivors seek RWF50.6 BN compensation from Félicien Kabuga (KT Press) By Daniel Sabiiti
August 29, 2023

> **A court in Kigali intends to try top Rwandan genocide suspect, Félicien Kabuga whose genocide case at the UN International Residual Mechanism for Criminal Tribunals (IRMCT) was recently put on hold indefinitel**

Kabuga, 90, is alleged to be one of Rwanda's top financiers of the 1994 genocide against Tutsi, who has since 2020 been facing genocide crimes.

The IRMCT appeals court at The Hague decided on Monday, August 7, 2023, to indefinitely halt Kabuga's trial on= grounds of alleged illness and incompetence to face trial, a move which triggered genocide survivors to accuse the UN Court of failure to meet its mandate.

According to the Rwanda national broadcaster, the Gasabo Intermediate Court today said it had received a case file against Kabuga in which the Umbrella Organization of genocide survivors' Associations (IBUKA) had sued the suspect over damages caused during the genocide that is calculated to be over Rwf50.6 billion.

The court judge asked IBUKA lawyers Janvier Bayingana and Jean Bosco Ndubumwe to present their proof of the case and affirm if it was done within the legal process.

IBUKA said that their case followed legal procedures and in time to inform the suspect, a move that has been in the pipeline following the alleged damage of property and lives caused by Kabuga's actions during the genocide.

The court took a decision to inform Kabuga about the case, its charges and stated that he can be tried in person or through his legal representatives in case he is not available.

The presiding judge also said that the court will make another decision on the way forward- to try the case or not, a decision that was accepted by both IBUKA lawyers.

The court will rule on this case on September 22.

Seven arrested over concealing information on bodies of genocide victims (KT Press) eath a house that was intentionally built to hid information about their whereabouts. By Jean De La Croix Tabaro
August 29, 2023

> **Seven people from Manwali cell of Mbazi sector in Nyamagabe, Southern Rwanda are answering questions in relation to a yet unidentified number of bodies that were found in a pit latrine beneath a house that was intentionally built to hid information about their whereabouts.**

The house was built by Mbonyumukiza Felicien, a resident of the area since several decades now and was using it for commercial purposes.

News about the bodies started leaking when the area residents started seeing the house presenting cracks, until they noted that it was built on a pit latrine.

This information reminded them the complaint of one Mukaryimbwiye Consolée, a genocide survivor of the area who used to maintain that, from a roadblock in that area, her parents and brothers were killed and dumped to a yet unidentified pit.

"Mukaryibwiye used to plead the area residents to tell her the whereabouts of her father and two brothers who were killed at the roadblock, in vain," the executive secretary of Mbazi Valens Ndagijimana told kigali today, our sister website.

On August 26, when the leaks about the house cracking reached the executive secretary, they reached out to the filed and indeed, found bodies in a deep pit latrine, which, suggests the official, was dug for the intention of dumping the Tutsi during the 1994 Genocide.

"When he asked why he concealed this information, he denied having known that there were bodies in his plot. Yet, information that were gathered earlier can show that before the Genocide, he had a house in ten minutes from that new house. Worse, his home was adjacent to the roadblock where many tutsi were killed," the Mbazi official said.

Nkurikiyimana 53, was therefore arrested alongside six other people who are former convicts on genocide crimes, including: Nsengimana Isaie 51, Nteziryayo Faustin 60, Murigande André 69, Munyambuga Gaspard 55, Bizimana Innocent 55, and Mbonyumukiza Félicien 67.

Another one, Faustin Nkurunziza is still at large.

According to the Executive secretary, the bodies were damaged to an extent that it is still difficult to establish the number of the victims in the pit.

Search of more bodies in the pit proceeds, and does the investigation on the people suspected to be behind the death of the victims.

Transfer to UN of Rwandan genocide suspect delayed in South Africa (Africa News) August 30, 2023

Transfer to UN of Rwandan genocide suspect delayed in South Africa (Africa News) August 30, 2023 https://www.africanews.com/2023/08/30/transfer-to-un-of-rwandan-genocide-suspect-delayed-in-south-africa/ The process to have Rwandan genocide suspect Fulgence Kayishema tried by a UN court was delayed on Wednesday, after a judge in South Africa postponed a transfer hearing.

> **The process to have Rwandan genocide suspect Fulgence Kayishema tried by a UN court was delayed on Wednesday, after a judge in South Africa postponed a transfer hearing.**

Kayishema, who allegedly took part in one of the 1994 genocide's bloodiest episodes, was detained in May on a wine farm outside Cape Town after more than 20 years on the run.

In June, he applied for asylum in South Africa in a bid to stall a possible request for him to stand trial abroad. The United Nations International Residual Mechanism for Criminal Tribunals eventually requested that he be handed over to its branch in Tanzania.

But the legal procedure, which is different from a typical extradition, was the cause of some confusion, with prosecutors on Wednesday failing to file an application to start the transfer process.

"This is not a criminal case nor a civil case. So, we are treading new terrain," said Eric Ntabazalila, a spokesman for South Africa's National Prosecuting Authority.

"Our understanding was that the matter was postponed to today so that he'll have his own legal representative coming on board and then we'd plan a way forward."

Kayishema, who did not appear in court, is accused of overseeing the slaughter of more than 2,000 men, women, and children at the height of the 1994 genocide.

Around 800,000 people, most of them ethnic Tutsis, were slaughtered by Hutu extremists in over 100 days of sectarian violence.

Friends of the 62-year-old former police chief believe he is innocent.

"We have proof that is a mistaken identity. The Kayishema they have here, Fulgence, is not the Kayishema who was wanted by the justice," said family friend, Joseph Habinshuti outside the court.

The judge did not immediately set a new date for the next hearing.

Kayishema is separately facing 54 fraud and immigration-related charges in South Africa.

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Somalia

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Ethiopia

The U.N. says at least 183 people have been killed in Ethiopia over Amhara region unrest since July (The Hamilton Spectator) By Cara Anna
August 29, 2023

> **The United Nations human rights office says at least 183 people have been killed in clashes in Ethiopia's Amhara region since July as Amhara fighters resist efforts by the federal government to disband them.**

The U.N. office on Tuesday also said the human rights situation in Ethiopia is deteriorating, with more than 1,000 people reportedly arrested under a state of emergency declared early this month over the unrest.

"Many of those detained were reported to be young people of Amhara ethnic origin suspected of being Fano supporters," the U.N. office said, referring to the name of the Amhara militia. "Since early August, mass house-to-house searches have reportedly been taking place, and at least three Ethiopian journalists covering the situation in the Amhara region have been detained."

The U.N. statement said detainees have reportedly been held in improvised detention centres without basic amenities. It called for those arbitrarily detained to be released and for authorities to stop "mass arrests."

The human rights office called for an end to the fighting as the military retakes towns that had been seized by the Amhara fighters and militia members flee into rural areas.

In one of the deadliest incidents, a health official earlier this month told The Associated Press that an airstrike on a crowded town square in the Finote Selam community killed at least 26 people. The federal government didn't comment.

Amhara fighters had fought alongside the military in the two-year conflict in Ethiopia's northern Tigray region that ended in November with a peace agreement. The conflict spilled into the Amhara region when Tigray forces at one point tried to approach the capital, Addis Ababa.

Ethiopia's government of Prime Minister Abiy Ahmed has struggled for years to contain various conflicts often along ethnic lines. The country, Africa's second most populous, has long been seen as an important security partner in the Horn of Africa, but the government has criticized or limited outside efforts — including by U.N. investigators — to understand the toll of abuses in the conflicts.

Ethiopia: Eritrean soldiers committed war crimes and crimes against humanity despite truce - New Report (Amnesty International) September 4, 2023

> **Atrocities against civilians in Tigray have continued since signing of the Cessation of Hostilities Agreement**

Eritrea and Ethiopia are obliged to investigate and, where there is sufficient evidence, prosecute crimes under international law

'They told me, "Whether you shout or not, no one is going to come and rescue you". And then they raped me for around three months. They were taking turns on me, just like a doorkeeper' – victim testimony

'Eritrean soldiers [have subjected] women to horrific abuse including rape, gang rape and sexual enslavement, while civilian men were extrajudicially executed' - Tigere Chagutah

The Eritrean Defense Forces (EDF) have committed war crimes and possibly crimes against humanity in the Tigray region, immediately before and after the signing of a Cessation of Hostilities Agreement (CoHA) between Ethiopia's federal government and the Tigray People's Liberation Front (TPLF) in November last year, Amnesty International said in a new report released today.

The 46-page report, "Today or Tomorrow, They Should Be Brought Before Justice" – Rape, Sexual Slavery, Extra-Judicial Executions and Pillage by Eritrean Forces in Tigray, documents how EDF soldiers, allied to the Ethiopian government, have been responsible for rape and sexual slavery, extra-judicial executions and pillage.

Tigere Chagutah, Amnesty International's Regional Director for East and Southern Africa, said:

"Despite the signing of the Cessation of Hostilities Agreement, atrocities against civilians in Tigray continued with Eritrean soldiers subjecting women to horrific abuse including rape, gang rape and sexual enslavement, while civilian men were extrajudicially executed."

Harrowing testimony Amnesty interviewed witnesses, survivors and family members, who testified on the extra-judicial execution of at least 20 civilians by the EDF in Mariam Shewito district between 25 October and 1 November 2022. In addition to this, a social worker in the district provided a list of more than 100 names of people who had been extra-judicially executed within this period, although Amnesty was unable to independently corroborate all these cases remotely.

Testimonies were also collected from the Kokob Tsibah district. Here, for nearly three months after the signing of the agreement, EDF soldiers raped and sexually enslaved women, and extra-judicially executed 24 civilians.

Survivors of sexual violence and witnesses to killings told Amnesty they identified perpetrators through their camouflage, the Tigrigna dialect the soldiers spoke, and the type of interrogation questions they asked. The districts of Kokob Tsibah and Mariam Shewito are near the Eritrean border, and survivors say they could easily identify Eritrean soldiers.

Testimonies of survivors and witnesses were corroborated with satellite imagery and further information from social workers, medical experts who treated victims and survivors, local government officials, and civil society organisations.

Amnesty shared preliminary research findings with the Ethiopian and Eritrean governments on 17 August, but at the time of writing this, the organisation had not received a response.

Rape and sexual slavery of women Amnesty interviewed 11 survivors of rape and sexual slavery in Kokob Tsibah district, where more than 40 women told a local civil society group that they had been subjected to rape and sexual slavery after the truce had been signed.

Some women were raped inside an EDF military camp, others in their own homes or inside homes taken over by the EDF. Amnesty interviewed four survivors of sexual violence who were held in an EDF camp in Kokob Tsibah district for nearly three months.

All names of victims have been changed to protect their identities.

One survivor named Fanta told Amnesty that five EDF soldiers gang-raped her for three consecutive days from 1 to 3 November.

She was kept in a house the EDF had occupied, before being moved to the EDF military camp where she was held captive with 14 other women.

Fanta said:

"They kept taking turns raping me for the entire three months. They never left me for the entire three months. When one of them leaves, the other will come. Is there anything that EDF didn't do? We were locked [inside the camp] since the day they [EDF] took us to the camp. We could not go out and get medical support. We could not visit our family. There were many women detained with me."

According to survivors, a social worker and local interim government officials, EDF detained the women in the camp under suspicion of their spouses, sons, or relatives being members of the Tigrayan forces.

Bezawit, a 37-year-old mother of two, was forced into a nearby forest by EDF soldiers after they entered Kokob Tsibah district on 2 November 2022. She was raped by three EDF soldiers and held captive in her own house for nearly three months.

She said:

"They told me, 'Whether you shout or not, no one is going to come and rescue you.' And then they raped me for around three months since then. They were taking turns on me, just like a doorkeeper."

Post-sexual violence care must be administered within 72 hours to provide preventive measures for sexually transmitted infections and pregnancy. Despite suffering numerous injuries, survivors of rape and sexual slavery interviewed for this research did not receive any medical care. Most of them only obtained medical treatment after the EDF left Kokob Tsibah on 19 January.

Together with previous documentation by Amnesty, the cases of rape and sexual slavery documented in Kokob Tsibah can be considered as part of a widespread and systematic attack directed against the civilian population and may amount to crimes against humanity.

Extrajudicial execution of civilians and pillage Eritrean soldiers stationed in Mariam Shewito and Kokob Tsibah districts intentionally killed civilians while conducting house-to-house searches - allegedly in pursuit of members of the Tigrayan forces and their supporters.

Priest Meheretab, a member of the clergy, was sheltering with his wife, children and other residents in St Michael Church in Kokob Tsibah district on 2 November, when EDF soldiers entered the building looking for Tigrayan forces. The soldiers forced everyone to lie on the ground and beat them while interrogating them about their identities.He said a 70-year-old priest was shot dead by the EDF during the assault.

Yemane, 58, who was in the same room as the victim, and witnessed the incident, described the killing to Amnesty and said:

"I do not know what the priest said to one of the soldiers, but he shot the old man in the chest point blank. Then, [the EDF soldier] came to us and said, 'If anyone tries to pick the body or try to bury him, you will all be killed.'"

Most of the 49 survivors, witnesses, and family members of victims interviewed by Amnesty said Eritrean soldiers also looted their properties and livestock. Many have been forced to depend on family members for shelter and food, while some have resorted to begging to survive.

Effective investigations into violations are critical Since the outbreak of the Tigray conflict in November 2020, Amnesty has documented crimes under international law and other human rights abuses by all parties to the conflict, including Eritrean forces.

Eritrea and Ethiopia have an obligation to effectively investigate and, where there is sufficient evidence, prosecute crimes under international law, including alleged war crimes and crimes against humanity. This must be done in line with international standards on the right to a fair trial and without resort to the death penalty.

Amnesty is calling for the mandate of the International Commission of Human Rights Experts on Ethiopia (ICHREE) to be renewed during the upcoming UN Human Rights Council's 54th session starting on 11 September.

Amnesty is also calling on the African Commission on Human and Peoples' Rights to rescind its decision to terminate the mandate of the Commission of Inquiry on the Situation in the Tigray Region of the Federal Republic of Ethiopia established in May 2021. In June this year, the mandate was terminated before the Commission of Inquiry had produced a final report.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Court of BiH confirmed Indictment against One Person for War Crimes (Sarajevo Times) Auguat 25, 2023

> **On August 4, the Court of Bosnia and Herzegovina confirmed the indictment in the Nedžad Ćehić case, which accuses him of having committed the criminal offense of war crimes against prisoners of war by the actions described in the indictment.**

Accused Ćehić is accused of being a member of the military police platoon of the 511th Glorious Mountain Brigade of the Army of the Republic of Bosnia and Herzegovina, during the war in Bosnia and Herzegovina and the armed conflict between the Army of the Republic of Bosnia and Herzegovina and the Army of the Republika Srpska, in the area of the municipality of Bosanska Krupa. during the ARBiH attack on VRS positions in the area of Kobiljnjak, Osmača and Ćojluk, municipality of Bosanska Krupa, from the second half of May 1995 to the middle of July 1995, together with other members of the ARBiH, he captured at least twenty-five members of the VRS in the mentioned localities.

Immediately after being captured and incapacitated for combat, four members of the VRS were killed by the use of firearms, while the remaining at least twenty-one prisoners of war members of the VRS were taken away, imprisoned and held in military custody of the 511th Glorious Mountain Brigade of the ARBiH.

From there, as stated, on three occasions in the summer of 1995, they were taken out in groups and deprived of their lives at three locations in the Bosanska Krupa municipality, the Court of Bosnia and Herzegovina announced.

Indictment brought against 15 Persons in the "Bosnalijek" Case (Sarajevo Times) By [AUTHOR]
August 31, 2023

> **The prosecutor of the Prosecutor's Office of Bosnia and Herzegovina, in the case of high corruption and organized crime, filed an indictment that refers to criminal acts of organized crime, abuse of position or authority, conclusion of a harmful contract and money laundering, which were committed between 2005 and 2016, for which 11 individuals and 4 legal entities are charged.**

The indictment states that the first defendant, Nedim Uzunović, in his capacity as an organizer, together with several other persons with whom he is connected by family ties or in another way, acting as an organized group, according to mutual agreements, planned and executed criminal acts, in order to achieve illegal property benefits, and contrary to the interests of the company Bosnalijek d.d., carried out financial transactions through several off-shore companies, registered in the British Virgin Islands and Seychelles, in favor of company accounts in Latvia, Cyprus and other countries and for alleged marketing or consulting services that were not performed.

The indictment states that the first defendant Uzunović Nedim, as the actual owner of off-shore companies and director of the representative office of the company Bosnalijek d.d. in Moscow, with the intention of concealing the real source, nature and origin of the money and illegally injecting it into legal financial flows, paid large sums of money into accounts at his disposal, as well as the accounts of persons close to him, which were then used for various purposes, including and purchase of real estate, shares, vehicles and other valuables.

According to the collected evidence, the defendants damaged the company Bosnalijek d.d. Sarajevo for the amount of 10,849,609.43 BAM and obtained illegal property benefits in the amount of 9,984,508.01 BAM, which money they then disposed of and used in business operations, buying movable and immovable property in Bosnia and Herzegovina and the Republic of Croatia , placing money they knew to be the proceeds of crime into legal financial flows.

The BiH Prosecutor's Office and partner institutions and agencies that participated in the investigation in BiH and abroad, especially the State Agency for Investigations and Protection, documented hundreds of foreign and domestic financial transactions in large amounts, and over certain funds and assets, during the procedure the prohibition of disposal was executed, and within the framework of the indictment, the confiscation of multimillion-dollar illegal property benefits, in individually determined amounts, will be requested.

The prosecution will prove the allegations of the indictment by calling 24 witnesses, an expert witness, as well as by attaching hundreds of evidentiary materials, including international legal aid documents obtained from the judicial institutions of Latvia, Cyprus, Croatia, Slovenia, etc.

The indictment has been forwarded to the Court of Bosnia and Herzegovina for confirmation, the Prosecutor's Office of Bosnia and Herzegovina announced.

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Domestic Prosecutions In The Former Yugoslavia

Confirmed Verdict for the War Crime in Strpci (Sarajevo Times) August 29, 2023

> **The Appellate Panel of the Court of Bosnia and Herzegovina confirmed the first-instance verdict by which seven former members of the Army of**

> **the Republika Srpska (VRS) were sentenced to 91 years in prison for participating in the kidnapping of 20 civilians from a train in Štrpci on February 27, 1993, who were killed in the Višegrad area, while Luka Dragičević was acquitted of the charge that he had issued an order for the removal of civilians.**

Miodrag Stojanović, Dragičević's defense attorney, Petko Pavlović, Obrad Poluga's defense attorney, and Slaviša Prodanović, Oliver Krsmanović's defense attorney, confirmed for Detektor that the Court of Bosnia and Herzegovina fully confirmed the first-instance verdict.

Obrad and Novak Poluga, Petko Inđić, Radojica Ristić, Dragan Šekarić, Oliver Krsmanović and Miodrag Mitrašinović were each sentenced to 13 years in prison by the first-instance verdict because they participated as co-perpetrators in the murders of 20 civilians taken from a train traveling on the Belgrade-Bar line, while Dragičević was acquitted of the charge that, as the commander of the Second Podrinj Brigade from Višegrad, he gave the order to take the civilians away.

The verdict states that the accused and other members of the armed formation drove a truck to the station in Štrpci, where some of them got on the train and, after identification, took out 20 passengers, among whom was the conductor of the train, who were taken by truck to school in Prelovu, where the command of the First Battalion of the Second Podrinj Brigade was located.

They ordered the civilians to enter the school hall and take off their clothes, after which they beat them, tied their hands with wire and took them, covered in blood, by truck to the demolished house of Rasima Polje in Mušići, where they were shot dead, and their bodies were then dumped in Drina. Later, the remains of only four victims were found and identified in Lake Perućac.

During the first-instance verdict, it was stated that Milan Lukić participated in the liquidation of 18 captured civilians, and that two of them were killed during an attempt to escape, of which one was killed by the convicted Nebojša Ranisavljević, and the other by an unknown soldier.

Lukić was sentenced to life imprisonment by the International Criminal Court for the former Yugoslavia for the crimes committed in Visegrad, and in early 2020 the Court of Bosnia and Herzegovina brought an indictment against him for the crimes in Štrpci, which he refused to accept while serving his sentence in Estonia, while Ranisavljević is on 15 year of imprisonment sentenced in Montenegro, Fena reports.

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Turkey

Swedish solidarity group challenges Turkey's influence, maintains support for Kurdish cause (Medya News) September 6, 2023

> **The Rojava Committees, a Swedish solidarity group, outlined their actions to demonstrate that support for Syrian Kurdish groups remains legitimate in Sweden in an article published in the Swedish magazine ETC on Wednesday.**

To prove that Sweden is still free to support these Kurdish groups, the Rojava Committees organised two different actions in recent days. Firstly, they have organised a big demonstration that will take place in Stockholm on 30 September. This protest follows an earlier demonstration, which Erdoğan denounced as "unacceptable" and damaging to the relations between Sweden and Turkey.

Secondly, the Rojava Committees, in cooperation with the Left Party in Malmö, openly collected 114,541 SEK (over $10,000) for the YPG and the Women's Protection Units (YPJ). The funds have already reached the Kurdish forces, and the YPJ spokesperson expressed gratitude for the support, stressing the importance of supporting their efforts to promote women's rights and grassroots democracy.

In the article, the Rojava committees also stressed the urgent need for support against Turkish military offensives in the region. The solidarity group alleged that Salafist militias, some with links to extremist groups such as al-Qaeda, have been trained, led and equipped by Turkey, citing UN reports that have raised concerns about alleged war crimes committed in areas under their control, including rape, ethnic cleansing, torture and abductions.

While maintaining their support for the Kurdish-led North and East Syria, the Rojava Committees stressed the right to "self-defence" for those "facing invasion".

"If Erdoğan still sends his troops across the border to violate international law, it's clear to us who deserves everyone's support," the solidarity group said.

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Kosovo Specialist Chambers

Kosovo's Thaci Gives First Interview from Detention in The Hague (BalkanInsight) By Xhorxhina Bami
September 5, 2023

> **In an unexpectedly personal interview conducted in writing from the detention centre at the Kosovo Specialist Chambers war crimes court in The Hague, Hashim Thaci told Kosovo media outlet Nacionale that he is missing "people, not politics" — particularly his family.**

"We miss each other every day, but that's the price of freedom," the former Kosovo president and wartime Kosovo Liberation Army guerrilla leader said in the interview that was published on Monday evening. "I know that longing is somewhat of a weakness, but it is also a very basic human emotion: we are human beings," he added.

Thaci did not discuss the charges against him during the interview, or the ongoing trial process that started in April this year, focusing instead on his views about Kosovo's future.

"United, we succeeded in the process of freedom and independence, and we must continue in the same way in the phase of Euro-Atlantic integration," he said.

"Permanent peace with Serbia must be achieved, with mutual recognition, a legally binding agreement. The more this agreement is delayed, the more delayed Kosovo will be in NATO and the EU, and the weaker the support of the USA will be," he also argued.

Thaci has been in detention in The Hague since November 2020, when he stepped down as president after war crimes and crimes against humanity charges against him were confirmed by a pre-trial judge at the Kosovo Specialist Chambers.

He and his co-defendants, Kadri Veseli, Jakup Krasniqi, and Rexhep Selimi, all former guerrilla leaders turned politicians, are accused of bearing individual and command responsibility for crimes that were mainly committed against prisoners held at KLA detention facilities in Kosovo and neighbouring Albania, including 102 murders. The defendants, who have all pleaded not guilty, allegedly committed the crimes between at least March 1998 and September 1999, during and just after the war with Serbian forces.

Thaci has been allowed to visit his family twice since he has been in detention, on May 29, 2023, and September 2, 2023.

"My visit home some months ago, on May 29, 2023, which lasted only few hours and was carried out under the protection and accompaniment of detention authorities, in our hometown in Brojë, the conversation with my parents, for several hours, represented an extraordinary little miracle for me," he told Nacionale, describing the conversation as "the most special in my life".

"I miss people, not politics," he emphasised.

The Kosovo Specialist Chambers were set up to try crimes allegedly committed during and just after the Kosovo war from 1998 to 2000. They are part of Kosovo's judicial system but located in the Netherlands and staffed by internationals.

They were set up under pressure from Kosovo's Western allies, who feared that Kosovo's justice system was not robust enough to try KLA cases and protect witnesses from interference.

The so-called 'special court' is widely resented by Kosovo Albanians who see it as an insult to the KLA's war for liberation from Serbian rule.

Thaci himself was one of the main supporters of the court's establishment, arguing that it would show that the KLA's war was righteous.

Rights Activists Weren't Able to Fully Probe Kosovo Crimes: Witness (BalkanInsight) By Xhorxhina Bami
September 6, 2023

> **Fred Abrahams from the campaign group Human Rights Watch, who worked on reports about Kosovo during the conflict, told the war crimes and crimes against humanity trial of former Kosovo President Hashim Thaci and three co-defendants at the Kosovo Specialist Chambers in The Hague on Wednesday that the organisation wasn't able to conduct a detailed probe of alleged crimes committed by the Kosovo Liberation Army, KLA in 1998 due to a lack of access to crime scenes and to witnesses.**

"We did not conduct an in-depth investigation," Abrahams told the court in response to a question from defendant Kadri Veseli's defence lawyer, Ben Emmerson.

Emmerson was asking about a Human Rights Watch report that claimed the KLA had murdered people in Glogjan in September 1998, although it was later that the bodies of victims murdered elsewhere were dumped in Lake Radoniq in Glogjan.

"We attempted to visit the site," Abrahams said, but added that Human Rights Watch investigators did not manage to get there in time because when they arrived, the bodies had been removed and taken to a "hotel, as a makeshift morgue", which the NGO visited.

Abrahams said that the information in the report had been received by "Serbian officials" and was not supported by other first-hand sources, admitting that he would have changed the wording. However, Abrahams insisted that the KLA's operational zone commanders could have taken steps to stop any alleged crime committed by their guerrillas due to their effective control on the ground.

During questioning by the prosecution on Tuesday, Abrahams said Human Rights Watch investigators' methodology involved interviewing first-hand witnesses of family members, and they had tried to back up the testimonies with supporting material such as autopsy reports, medical reports or court decisions. However, he admitted that interviewing witnesses for alleged crimes committed by KLA fighters had proven hard. His testimony will continue on Thursday.

Thaci, Veseli, Rexhep Selimi and Jakup Krasniqi are accused of bearing individual and command responsibility for crimes that were mainly committed against prisoners held at KLA detention facilities in Kosovo and neighbouring Albania, including 102 murders.

The defendants allegedly committed the crimes between at least March 1998 and September 1999, during and just after the war with Serbian forces. They have pleaded not guilty to all charges.

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Azerbaijan

Another Ethnic Cleansing Could Be Underway — and We're Not Paying Attention (The New York Times) By: Nicholas Kristof
September 2, 2023

> **With its Russian torture chambers and slaughter of civilians, the war in Ukraine is horrifying enough. But what if another country is taking advantage of the distraction to commit its own crimes against humanity?**

Meet Azerbaijan.

You probably haven't heard of Azerbaijan's brutality toward an ethnic Armenian enclave called Nagorno-Karabakh, but it deserves scrutiny. The former chief prosecutor of the International Criminal Court, Luis Moreno Ocampo, whom I got to know years ago when he sought accountability for the genocide in Sudan's Darfur region, now describes what is happening in Nagorno-Karabakh in a similar fashion.

"There is an ongoing genocide against 120,000 Armenians living in Nagorno-Karabakh," he wrote in a recent report.

We tend to think of genocide as the slaughter of an ethnic group. But the legal definition in the 1948 Genocide Convention is broader and doesn't require mass killing, so long as there are certain "acts committed with intent to destroy" a particular ethnic, racial or religious group.

That is what Azerbaijan is doing, Moreno Ocampo argued, by blockading Nagorno-Karabakh so that people die or flee, thus destroying an ancient community.

"Starvation is the invisible genocide weapon," he wrote. "Without immediate dramatic change, this group of Armenians will be destroyed in a few weeks."

"It is critically important to label this as genocide," Moreno Ocampo told me, and also crucial that the United States and other world powers — including Britain, which has been too quiet — step up pressure on Azerbaijan.

The concept of genocide was developed in part as a reaction to the Ottoman Empire's mass killing of Armenians in 1915 and 1916, so Azerbaijan's starvation of Armenians today suggests that history risks coming full circle. The group Genocide Watch has declared a "genocide emergency," the Lemkin Institute for Genocide Prevention recently issued an "active genocide alert," and the International Association of Genocide Scholars warned of "the risk of genocide" and called for Azerbaijan to be held accountable for crimes against humanity.

The current crisis began late last year, when Azerbaijanis began blockading the only road into Nagorno-Karabakh, the Lachin corridor to Armenia, on which the territory depends for food and medicine.

The International Court of Justice ordered Azerbaijan to remove the blockade. Instead, the Azerbaijani government established a checkpoint on the road and began blocking even humanitarian aid carried by the International Committee of the Red Cross.

"People are fainting in the bread queues," the BBC quoted a local journalist as saying from Nagorno-Karabakh. The report added that the Halo Trust, a nonprofit that works to clear minefields, has had to suspend operations "because its staff are too exhausted to work after queuing for bread all night and returning home empty-handed."

A third of deaths in Nagorno-Karabakh are attributed by the local authorities to malnutrition, the BBC said. I have no way of verifying these reports, but every indication is that the situation is dire — and getting worse by the day. Yet I fear that the West is fatigued and looking inward, for it has likewise paid little attention to other global crises other than Ukraine, from horrendous atrocities in Ethiopia to Sudan's warlords' slaughtering of civilians. For dictators, tragically, this isn't a bad time to commit war crimes.

The backdrop is that authoritarian Azerbaijan has a mostly Muslim population speaking a Turkic language, while Nagorno-Karabakh has a mostly Christian population that speaks Armenian. When the Soviet Union collapsed, Nagorno-Karabakh sought independence; a war ended with a stalemate in which the enclave operated autonomously but with close links to neighboring Armenia. In 2020, Azerbaijan fought a brief war in which it reclaimed most of the enclave, and it now wants to recover the rest — and, I suspect, to push out much of the ethnic Armenian population.

The world, including Armenia's prime minister, acknowledges that sovereignty over Nagorno-Karabakh belongs to Azerbaijan. Azerbaijan feels it has a right to integrate Nagorno-Karabakh politically and economically with the rest of the country. Though this is not integration but starvation, and the one point even countries as far apart as the United States and Russia agree on is that Azerbaijan should reopen the Lachin corridor and end the suffering.

One possible compromise to end the looming catastrophe is outlined by Benyamin Poghosyan of the Applied Policy Research Institute of Armenia: Azerbaijan would open the Lachin road and Nagorno-Karabakh would simultaneously open one or more roads into Azerbaijan (which Azerbaijan seeks). The U.S. State Department hinted at this approach in a statement denouncing the blockade. As part of that compromise, Azerbaijan would guarantee the freedom of Armenians in Nagorno-Karabakh.

This would be unsatisfying, for it rewards Azerbaijan for starving civilians, and no one could much trust promises from Azerbaijan. But the sad job of diplomats is to devise flawed, much-hated agreements that are better than any alternative outcome, and in this case a defective deal is preferable to the mass starvation and ethnic cleansing of Armenians, again.

'We are starving to death:' Residents of Nagorno-Karabakh fear for future under blockade (CNN) By: Caolán Magee
September 6, 2023

> **Ani Kirakosyani found out she was pregnant a month after the blockade of Nagorno-Karabakh began.**

In her village of Haterk, tucked in a valley between the Caucasus hills, food supplies ran out quickly and the shops started to close, Kirakosyani told CNN. The only food available was what she could pick from her garden, mainly tomatoes and beans.

Throughout her pregnancy, Kirakosyani could not attend her hospital consultations as public transport was cancelled due to fuel shortages — instead she walked for miles to the local medical clinic, which did not have the capacity to detect early problems with her pregnancy, she said, speaking to CNN by telephone.

Kirakosyani is one of the 120,000 inhabitants of Nagorno-Karabakh — known as the Republic of Artsakh by locals — a disputed territory home to a majority ethnic Armenian population that is internationally recognized as being a part of Azerbaijan. The region has been blockaded since December 2022, when the only road connecting the landlocked region to the outside world, the Lachin corridor, was blocked by "eco-activists" backed by the Azerbaijani government, which has since installed a military checkpoint along the corridor. This prompted the International Association of Genocide Scholars (IAGS) to warn of the risk of genocide against the Armenian population of Nagorno-Karabakh.

Six months into her pregnancy, Kirakosyani felt a pain in her abdomen and was taken to the hospital. On the way, the ambulance had to stop and collect six other patients, as the driver had to ration its fuel. When Kirakosyani finally arrived in hospital, she was told her pregnancy was in jeopardy and she would have to give birth three months early.

Her husband was away working with the military, and he could not get fuel to make the 100-mile car ride to support her in the hospital. She was alone when the doctors told her she had had a stillbirth brought on by malnutrition and stress, she said.

"If not for the blockade, I would be playing with my child today," Kirakosyani told CNN.

According to statistics provided exclusively to CNN by the Ombudsman of the Artsakh Republic — a public official who monitors protection of human rights by state and local self-government bodies — the number of recorded miscarriages has increased fourfold from this time last year.

And, as shortages of food, fuel and medicines caused by the months-long blockade take an increasing toll on the region's population, officials there have reported the first death from malnutrition on August 15, according to Gegham Stepanyan, the ombudsman of Artsakh, who CNN reached by phone.

International media have been refused entry into the territory since the blockade was imposed. The Tom Lantos Human Rights Commission, a bipartisan US congressional body, has scheduled a Wednesday hearing on the situation in Nagorno-Karabakh.

'The road of life'

The Lachin corridor is known locally as "the road of life," as 90% of the food consumed in Nagorno-Karabakh previously came into the region from Armenia via that route, according to figures provided by the elected president of Nagorno-Karabakh.

The International Committee of the Red Cross (ICRC), which was previously the only NGO allowed to bring humanitarian aid across the Lachin corridor, last delivered desperately needed food supplies to the region on June 14, according to an ICRC press release from August 18.

In August, UN experts urged Azerbaijan to end "the dire humanitarian crisis" in the enclave by lifting the blockade, while former International Criminal Court chief prosecutor Luis Moreno Ocampo said there was "reasonable basis to believe that genocide is being committed against Armenians." Responding to Ocampo's comments, a lawyer hired by Azerbaijan called the claim of genocide "a groundless and very dangerous allegation."

Artsakh President Arayik Harutyunyan, who was elected in 2020, told CNN by email: "Azerbaijan has blockaded the Republic of Artsakh with the ultimate goal of committing genocide against our people." Asked by CNN for comment, the Armenian government shared remarks made by Armenian Prime Minister Nikol Pashinyan in a cabinet meeting, in which he said: "Azerbaijan is subjecting the Armenians of Nagorno-Karabakh to genocide by subjecting them to starvation."

CNN reached out to the Azerbaijani foreign ministry for comment but has not heard back. As food, medicine, water and fuel are prevented from entering the territory, local supplies are dwindling. According to the administration for the Artsakh Republic, dairy products, cereal, fish, chicken, cooking oil, sugar, salt, fruit and vegetables, as well as fuel and hygiene products, are unavailable inside the territory.

Max Mkhitaryan, a shopkeeper, took CNN on a video tour of his shop in the capital, Stepanakert.

He told CNN that before the blockade he had received most of his produce from Armenia. The only things now left on the shelves were packets of bread, locally produced honey, and a few bottles of vodka. With most shelves empty, he says he can now only serve one in 10 customers.

"Before I used to serve 250 customers per day — now I can barely serve my family. I only have one week left until the shop closes and I am jobless," he told CNN.

Outside his shop, queues for bread meander through the unkempt streets. Garbage collections are regularly postponed due to fuel shortages, while in the local pharmacy, supplies are rapidly diminishing.

The fuel shortages also mean electricity is rationed, with power cuts for eight hours each day, and drinking water is no longer treated, leading to a spike in related illnesses, according to Stepanyan.

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The separatist territory was left with the main city of Stepanakert and a few surrounding towns, as well as a population still reeling from the losses of the bloody 2020 conflict, which was followed by sporadic skirmishes along the border. Amid the latest flare-up of tensions, Baku claims it will fully retake and integrate the territory into Azerbaijan — while ethnic Armenians refuse to be uprooted from a region they claim is their homeland.

Ronald Suny, a professor of political science at the University of Michigan, told CNN: "Now that it has won the 2020 war with Armenia, Azerbaijan's ultimate goal is to drive the Armenians of Artsakh out of Azerbaijan. "Rather than use direct violence, which would incite opposition from abroad... Baku is determined to make the Armenians' lives impossible, starve them out, and pressure them to leave," he said.

To make matters more complicated, Azerbaijan — a one-party state headed by President Ilham Aliyev for the past two decades — has offered to supply the breakaway region via a crossing at the nearby Azerbaijani city of Aghdam.

"Given Azerbaijan's genocidal intentions and their systematic state policy of long-standing anti-Armenian hatred, our people hold legitimate concerns about the safety of any products originating from Azerbaijan," Harutyunyan, the elected Nagorno-Karabakh leader, told CNN "Instead of feigning attempts to deliver humanitarian assistance, Azerbaijan must unblock the Lachin corridor," he said.

As the blockade carries on with no end in sight, Peter Stano, an EU foreign affairs spokesperson, told CNN of his "deep concern over the serious humanitarian situation" and called for the full resumption of traffic through the Lachin corridor, including medical evacuations and humanitarian supplies.

A United States State Department spokesperson told CNN by email: "We urge the government of Azerbaijan to restore free transit of commercial, humanitarian, and private vehicles through the Lachin corridor expeditiously."

But Harutyunyan told CNN he was "disappointed with the reactions of the EU and the US so far" and argued the "reasons behind the European and American inaction and failures are purely geopolitical." "These reasons include energy reliance on Azerbaijan," he added.

According to Reuters, the European Union agreed in July 2022 to double gas imports from Azerbaijan by 2027. Meanwhile Russia, which brokered the ceasefire in 2020, has peacekeepers along the Lachin corridor but has refrained from intervening further.

CNN has reached out to the Russian Foreign Ministry but has yet to hear back.

Russian Foreign Ministry spokeswoman Maria Zakharova said in a briefing on August 2 that Russia dismissed any claim of inaction against the Russian peacekeepers "as counterproductive and non-reflective of their real contribution to the effort to stabilize the situation on the ground."

Artyom Tonoyan, a professor of global studies at Hamline University in the United States, told CNN that the Russians, who usually exert influence over the Caucasus, are "so engaged with Ukraine they do not have the willpower to mitigate the conflict."

'Running out of hope'

As co-ordinated international action to end the blockade appears unlikely anytime soon, the people of Nagorno-Karabakh are left focusing on short-term solutions: gathering firewood, collecting water and foraging for food. This time last year, Anahit Gharaghazaryan, a schoolteacher and mother of three, told CNN she was preparing lessons for her pupils as they return from the summer holidays.

Next week was meant to be her five-year-old son's first day of school. Instead, she is wondering how he will survive the winter.

According to a report given to CNN by Stepanyan, doctors consider it unacceptable for children to continue their studies after suffering malnutrition, while a lack of public transport and an inability to access stationery, books and clothing make it impossible for children to attend school this year.

At a UN Security Council meeting in August, the Deputy Foreign Minister of Armenia, Vahe Gevorgyan, warned that Azerbaijan's blockade "has impacted 2,000 pregnant women, around 30,000 children, 20,000 older persons, and 9,000 persons with disabilities."

"If the blockade does not end soon — more people will starve. I cannot sleep thinking about how I will feed my three sons," Gharaghazaryan said. "We are all running out of hope. How many more people will have to die before the world takes notice?"

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Russia

Russian Army Rape and Sex Violence Prosecuted by Kyiv Only the Tip of the Iceberg (Kyiv Post) September 4, 2023

> **In the 18 months since Russia's full-scale invasion, Ukraine's National Police has received more than 93,000 phone calls from Ukrainians reporting they were sexually assaulted by a member or members of the Russian military.**

In all likelihood, that statistic understates actual number case by orders of magnitude, Ukrainian officials and social workers said.

Serhii Nizhynsky, the public advisor of the Office of the Deputy Prime Minister for European and Euro-Atlantic Integration, said in a Wednesday interview with the nationally broadcast Ukrainian Radio station that Russian troops started committing acts of sexual violence against Ukrainian civilians on the first day of the invasion, and those criminal acts are continuing unabated.

Of the formal complaints fielded by national help agencies and law enforcement over the past 18 months, Nizhynsky said, Ukraine's national criminal investigative agency has developed and referred to court slightly more than 200 separate cases against Russian service members for sexual assault or other sexual violence-related crimes.

A variety of sexual crimes

Rape or attempted rape were the most common crimes reported, he said, but sexual crimes and sexual violence committed by Russian troops in Ukraine identified in the investigations nonetheless varied dramatically. Nizhynsky singled out forcing civilians, including children, to undress in public — at times outside in temperatures down to 15 degrees Centigrade below freezing — as very widely practiced by Russian troops, particularly at checkpoints.

According to longstanding Kremlin messaging on state-controlled media, a dangerous portion of the Ukrainian population is violently Fascist and intent on "terrorist" acts against Russian troops, who conduct themselves according to the rules of war and diligently avoid harming civilians.

Nizhynsky said Ukrainian law enforcers have collected overwhelming evidence contradicting that Moscow narrative. Russian law enforcers and military security staff as a matter of policy use sexual violence, threat of violence and intentional sexual humiliation as tools for pressuring Ukrainian detainees, he said.

Some of the worst incidents of sexual violence tactics employed by Russian interrogators and security troops, and documented by Ukrainian prosecutors, include cases when boys were raped by Russian soldiers in front of their parents, public torture by genetic mutilation of selected village residents to intimidate neighbors into cooperating with occupation authorities — particularly in Kyiv's Brovary region, he said.

Russian soldiers and police also have used genital electric shock, forced sexual intercourse with another person, forcing detainees to watch sexual intercourse or sexual abuse, and recording the rape of a prisoner and then threatening the survivor with publication of the video in social media, Ukrainian prosecutors claim.

Russian jailors, according to evidence developed by Prosecutor General investigators, commonly leave detainees without access to food, water or medicine, and then grant access in exchange for sexual favors. In most cases, Russian jail and prison officers were under the influence of drugs or intoxicated.

Iryna Kalabukha, Director of the Department for Monitoring the Rights of Citizens Victims of Armed Aggression Against Ukraine in an estimate published by the Ukrinform news agency said that her group estimates that 78 percent of survivors of sexual violence by Russian troops or state employees did not contact law enforcement agencies.

A major impediment to wider reporting, Kalabukha said, is a de facto 96-hour deadline for reporting a rape, because a doctor's examination outside that window cannot, in medical terms, determine whether or not a rape actually took place. Without definitive medical evidence, a rape charge is still possible, but effective prosecution is difficult, she said.

Children born following rapes of Ukrainian women by Russian soldiers, some orphaned because their mothers abandoned them and others now being raised as Ukrainian children, are now, in some cases, nine months old, she said. The Ukrainian government is trying to identify Russian national fathers of Ukrainian children conceived in rape with the goal of forcing them to pay child support, so far with little success, Kalabukha said.

Just how many

The real scale of sexual crimes and violence committed by Russian troops — who number at least 300,000 soldiers occupying Ukrainian territory according to most estimates — almost certainly dwarfs the Prosecutor General office's current count of 225 confirmed cases, experts said.

"We cannot yet talk about the scale of criminal activity of Russians in the field of sexual violence. First of all, because we do not have accurate statistics on appeals to law enforcement agencies and charitable organizations," Nadiya Volchenska, a Ukrainian psychotherapist and co-founder of the charity foundation Sylni, told Kyiv Post.

"The number of requests is increasing, but people still do not immediately seek help. Survivors must first meet such basic needs as moving to a safe place, finding housing, receiving medical assistance, etc... Also, fear and shame play a big role in the appeal, both before society and before the offender," Volchenska said. A 2023 national opinion poll conducted by the Ukrainian Women Lawyers Association found that 40 percent of respondents who personally encountered sexual violence did not tell anyone about the crime committed against them. The three main reasons given for not wanting to go to authorities included belief police would ignore the complaint (78 percent), fears of public condemnation (72 percent), and worries law enforcers would breach confidentiality (68 percent).

The survey conducted from May to early June focused on sexual harassment and crime nationwide, not just at the hands of Russian troops. An estimated 59.4 percent of respondents said they had personally encountered cases of sexual violence (rape, sexual harassment, etc.), and 39.5 percent said their relatives, friends or acquaintances faced sexual violence. In total, 95 percent of respondents were women.

A Donbas resident attacked and violated by Russian soldiers, who is currently a social worker helping sexual violence survivors, told Kyiv Post: "It's critical never to forget that every rape is horrible and a person undergoing that never stops experiencing it. Every woman carries it with her forever." Kyiv Post has chosen not to make her identity public.

Ukraine war: 17 killed during attack on market in 'peaceful city' (BBC) By Paul Adams and Sam Hancock
September 6, 2023

> **President Zelensky has condemned a "deliberate" attack on Ukraine's "peaceful city" of Kostyantynivka.**

At least 17 people, including a child, were killed in the blast, which took place on a busy market street in the middle of the day - a rarity.

Kostyantynivka, in Ukraine's eastern Donetsk region, is near the front line.

Videos on social media show a bright orange explosion at the far end of a street where people were out shopping. Russia is yet to comment on the attack.

Volodymyr Zelensky, who has blamed Moscow, said those killed were "people who did nothing wrong" - and warned the death toll could increase.

Dealing with Russia, he said, meant turning a blind eye to the audacity of evil.

At least 33 people are thought to be injured. A market, pharmacy and shops are all reported to have been hit, resulting in a now-contained fire.

Footage and images circulating online appeared to show the moment of the explosion and its graphic aftermath. It was one of the worst attacks on Ukrainian civilians since the spring, and took place in a busy street at around 14:00 local time (12:00 BST) as people flocked to market stalls and café terraces.

Ukraine's Interior Minister Ihor Klymenko said a few hours later that the search and rescue operation had been completed.

Diana Khodak, a local shopkeeper, recalled the moment a "flash" of light appeared and she told colleagues and customers to "lie on the floor".

Speaking to Reuters news agency, she described seeing soldiers carrying a woman afterwards who "had an open fracture and her bone was sticking out from her leg".

Mr Zelensky described the attack as "utter inhumanity", while his wife Olena Zelenska said it showed "horrific cruelty".

An investigation has been launched by Ukraine's prosecutor-general, whose office said it was in pursuit of "criminal proceedings for violation of the laws and customs of war".

"Prosecutors are taking all possible and appropriate measures to record war crimes committed by the Russian Federation," a statement added.

Officials in Russia have not yet claimed responsibility for the attack. They have previously denied targeting citizens as part of their offensive.

Kostyantynivka sits close to the battlefield and has been hit on various occasions this year as a result:

On 2 April: Six civilians were killed, with missiles and rockets damaging 16 apartment blocks and a nursery school

On 13 May: Two people - including a 15-year-old old girl - were killed in an attack using Smerch rockets that hit high-rise buildings, houses, a petrol station, a pharmacy and shops

On 24 July: Three children were killed in an attack, which Ukraine said Russian officials used cluster munitions to carry out

It is also about 17 miles (27km) from the city of Bakhmut - in the Donetsk region as well - where fighting is known to have been intense for some time.

The city of Donetsk has been controlled by Russia's proxy authorities since 2014, who have repeatedly accused Ukrainian forces of targeting it since the war with Russia began last February.

The attack on Wednesday coincided with a visit by US Secretary of State Antony Blinken to Ukraine, where he met Mr Zelensky and other officials.

In the hours before he arrived, sirens wailed across the country and Kyiv's air defence system was busy intercepting missiles aimed at the capital.

Mr Blinken used the trip - his fourth to the Ukrainian capital in 18 months - to announce another US aid package for the war-torn country. It totals more than $1bn (£799.6m), he said.

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MIDDLE-EAST

Former ISIS member who kept girl, 5, as a slave before she died sentenced to 14 years (Express) By Jacob Kessler
August 31, 2023

> **A Munich court has sentenced a German woman associated with the Islamic State (ISIS) to 14 years in jail.**

Jennifer W. (her last name isn't used in accordance with German privacy regulations) was found responsible for the tragic demise of a five-year-old Yazidi girl who was kept in captivity as a slave by her and her husband in Iraq.

The young girl, subjected to inhumane treatment, perished due to dehydration and exposure to the scorching sun.

The revised verdict supersedes a prior 10-year prison term which was meted out in 2021 when she was found guilty of membership of a terrorist organization abroad, attempted war crimes and crimes against humanity, among other charges.

In the new verdict, the Munich state court convicted 32-year-old Jennifer W. on charges of enslavement leading to the tragic demise of the young girl.

Her actions were further categorized as a manifestation of a profound disregard for human life. According to reports from the German news agency dpa, the Munich state court found her criminally culpable for the child's death.

These shocking events trace back to the summer of 2015 when the Yazidi girl and her mother fell under the clutches of Jennifer W. and her then-husband. The duo held them captive in their residence in Iraq, subjecting them to inhumane treatment.

Disturbingly, the husband had gone to the extent of chaining the young child under the unrelenting midday sun as a punishment.

Many Yazidi children are still missing or remain in captivity. In the aftermath of the child's death, the court has scrutinized Jennifer W.'s conduct. Reports suggest that she coerced the grieving mother by brandishing a firearm to stifle her anguish after her child's death.

Beyond the immediate aftermath of her child's death, the court also acknowledged the enduring psychological suffering inflicted upon the mother as a result of the horrific ordeal.

Jennifer W.'s arrest took place in 2016 while attempting to renew her identity documents at the German Embassy in Ankara. She was subsequently deported to Germany to face the legal ramifications of her actions. Meanwhile, her former husband, an Iraqi national known only as Taha Al-J., met with his own reckoning.

In November 2021, a Frankfurt court convicted him of an array of grave charges, including genocide, crimes against humanity, war crimes, and causing fatal bodily harm. His sentence, a reflection of the gravity of his actions, was life imprisonment.

Iraqi detained in Monsanto on terrorism charges five days into hunger strike (Portugal Resident) By Natasha Donn
September 01, 2023

> **Ammar Ameen is protesting against harsh prison conditions.**

Ammar Ameen, one of the two Iraqis on trial this month for membership of a terrorist organisation, has been on hunger strike for five days in Lisbon's Monsanto jail, his lawyer tells Lusa.

Defence lawyer Vítor Carreto said that Ammar Ameen is on hunger strike in protest against the harsh prison conditions imposed on him and the fact that he is not allowed contact with people or family members outside.

Contacted by Lusa, the Directorate-General for Prison Services (DGRSP), run by the Ministry of Justice, said that the prisoner in question "has declared himself to be on hunger strike, and the legally established procedures are being followed which, among other things, include daily clinical monitoring, and his vital parameters are within the expected range for someone who is refusing to accept meals".

The start of the trial of the Iraqis accused of war crimes and membership of a terrorist organisation was scheduled for last April at the Lisbon Central Criminal Court, but was postponed due to a request from the defence to remove the judge.

The trial is now scheduled to begin on September 25 at 9:30 am at Campus de Justiça.

In September 2022, the Public Prosecutor's Office (MP) charged the two Iraqi brothers — Ammar Ameen and Yasir Ameen — with the crimes of membership of a terrorist organisation, war crimes against persons and, for one defendant, also the crime of resisting and coercing an official.

The enquiry conducted by the Central Department of Investigation and Criminal Action (DCIAP) investigated the defendants' activities as members of the self-proclaimed Islamic State (IS), in the Al Hisbah (Religious Police) and Al Amniyah (Intelligence Services) departments during that terrorist organisation's occupation of Iraq, specifically between 2014 and 2016.

Having been in Portugal since March 2017 under the European Union's (EU) refugee relocation programme, Ammar Ameen and Yasir Ameen have been in pre-trial detention since September 2021, when they were arrested by PJ Judicial Police.

One of the brothers used to work at the Mezze restaurant in Arroios (Lisbon), recognised for integrating refugees, and often visited by high ranking political figures, including the prime minister António Costa and President of the Republic Marcelo Rebelo de Sousa. It transpires that Yasir Ameen even ended up in a selfie with President Marcelo.

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Syria

Syria: Dozens killed in fighting between SDF and Arab tribesmen (BBC) By David Gritten
September 05, 2023

> **Dozens of people are said to have been killed during days of clashes between a US-backed, Kurdish-led militia and Arab tribal fighters in Syria.**

The fighting erupted after the Syrian Democratic Forces (SDF) arrested the head of a tribal militia backed by Arab clans with which it worked in the eastern province of Deir al-Zour.

The unrest later spread north and west to Hassakeh and Aleppo provinces.

The UN has received unconfirmed reports of 54 civilians dying in attacks.

Critical infrastructure is also said to have been destroyed or damaged, including at least two hospitals and three water treatment facilities.

The US, which has hundreds of troops in SDF-controlled areas to counter the jihadist group Islamic State (IS), has urged all sides to cease fighting immediately and come to a peaceful resolution.

A US-led global coalition relied heavily on the SDF and its allies to drive IS militants out of tens of thousands of square kilometres of northern and eastern Syria between 2015 and 2019.

The Syrian government controls adjoining territory west of the River Euphrates, along with allied militias backed by Iran. The government accuses the SDF of "separatism", but they have largely avoided conflict during the 12-year civil war.

Rebel factions supported by Turkey, meanwhile, control neighbouring stretches of land along Syria's northern border.

The unrest began on 27 August following the arrest of Deir al-Zour Military Council leader Ahmed al-Khubail, also known as Abu Khawla, as part of what the SDF said was an operation targeting IS sleeper cells and drug dealers.

The SDF accused him of complicity in multiple crimes, including drug-trafficking, mismanaging security, failing to stop IS sleeper cells and exploiting his position for personal interests.

Fellow Arab tribesmen angered by Abu Khawla's arrest reportedly set up roadblocks and attacked SDF positions and patrols in a string of towns located along the east bank of the Euphrates.

The SDF, which blamed "elements of the [Syrian] regime and some beneficiaries" of Abu Khawla for the unrest, sent reinforcements to the province in an attempt to regain control.

The UN said most of the clashes were initially reported in Al Busayra, Dhiban and Shahil, and that they continued in Shahil and Hawayij over the weekend.

On Monday, an SDF spokesman told AFP news agency that Dhiban was the last town where fighters loyal to Abu Khawla were still concentrated, and that SDF forces were trying to "settle" the situation there.

The Syrian Observatory for Human Rights (SOHR), a UK-based monitoring group, reported on Tuesday that the SDF was continuing to attack Dhiban and that it was making gains on the town's outskirts.

According to the SOHR, at least 90 people have been killed in Deir al-Zour, including nine civilians, 57 Arab fighters and 24 members of the SDF. Other reports have put the death toll at more than 100.

Other parts of the country have also been affected by the unrest.

On Sunday, 23 Syrian soldiers and Turkish-backed rebels were killed when the latter tried to infiltrate Hassakeh's Tal Tamr area, which is held by the SDF and government forces, according to the SOHR.

And on Friday, first responders from the White Helmets said five children were killed when a shell hit a home in the rebel-held village of Muhsinli during similar clashes near Manbij, in Aleppo province.

The uprising in Sweida will continue until the regime changes in Syria (Atlantic Council) By Rima Flihan
September 05, 2023

> **Since August 20, protests and a general strike in the southern governorate of Sweida, which has a population of approximately 770,000, have persisted. Protesters have closed the headquarters of the Baath Party and removed pictures of dictator Bashar al-Assad from the streets and buildings of the city.**

These demonstrations call for a change in the Syrian regime and the full implementation of United Nations Security Council (UNSC) Resolution 2254, which put forth a road map for the peace process in Syria, including forming a transitional governing body with full powers. Protesters also advocate for political, civil, and human rights for all Syrians: freedom, dignity, justice, equality, the release of detainees, and the ability to live decently, especially given the deteriorating economic situation that has become unbearable.

The regime has implemented failed economic policies and has been unable to secure the needs of its citizens. Additionally, the Syrian people believe that the regime is not interested in integrating a political solution that would lead to a new reality for Syrians—one that would allow for reconstruction and the lifting of sanctions. This conviction is bolstered by the fact that the regime is currently granting contracts that allow Russia and Iran to access the country's resources. Meanwhile, the Syrian people are struggling.

Additionally, the Assad regime and ruling class are drowning in funds looted from the people through a deep network of corruption, which is compounded by the destruction of infrastructure since the beginning of severe military repression in 2011. The regime has displaced nearly half of the Syrian population, killed hundreds of thousands, and detained over a hundred thousand—many of whom have been tortured to death. Despite this dark history looming overhead, Syrians still felt compelled to take to the streets in Sweida to demand regime change: the only practical solution to ending the humanitarian catastrophe they face.

It may be unexpected to witness this scene after all the suppression and war crimes committed by the Assad regime in Syria. However, it signifies that the desire for change in Syria still exists within the Syrian people.

Sweida, a predominantly Druze-majority province, has witnessed scattered and continuous protests throughout the previous years led by its intellectual elite. Nonetheless, the demonstrations were never as widespread and inclusive as today. These protests have been joined by women's movements, religious figures, employees, urban and rural residents, intellectuals, and opposition politicians.

The protests have also occurred in other parts of Syria, including Daraa, Idlib, Raqqa, Deir ez-Zor, and Aleppo. Voices of opposition from the Syrian coast—the heart of the Syrian regime's stronghold—are growing louder, openly calling for change and the departure of the head of the regime: Assad. Moreover, new revolutionary groups, like the Tenth of August Movement, are also forming.

This uprising in Sweida met with media incitement by the regime against the people of Sweida, accusing them of betrayal and profiteering, The regime used this media incitement against demonstrators to create division between Syrians and create a reason to arrest and maybe attack them in the future, as he did in other areas. The government also employed arrests and suppression in other provinces. The people of Sweida—those at home and in the diaspora—are concerned that the regime might use its affiliated militias or groups, such as Lebanese Hezbollah and the Islamic Revolutionary Guard Corps (IRGC), to suppress this movement—just as it has done in other provinces in the past.

The current protests in Sweida come at a sensitive and critical phase after the hopes of Syrians in the West and Arab countries were lost, especially following the normalization of the Assad regime with Arab countries in May.

Nevertheless, the Assad regime has shown no interest in being involved in the Arab initiative or any political solution. The regime has not taken any trust-building steps, responded to the effects of UNSC Resolution 2254, nor committed to the political process. On the contrary, in his recent interview with Sky News Arabia on August 9, Assad appeared indifferent to the reckless policies that have led the country to disintegration and economic and social collapse.

Despite over a decade of carnage, damage, and destruction caused by his rule, during the interview, Assad attempted to falsify history by claiming that the number of Syrians who protested against him did not exceed a hundred thousand. This is a grand historical distortion. Detainees exceed a hundred thousand and protests involving hundreds of thousands have occurred across all Syrian provinces. A few days after his remarks, the people of Sweida—not just the Druze, but Bedouins and others—united to tell him to leave.

Today, Arab countries bear a historic responsibility to reconsider their calculations. The scene in Sweida proves that the only acceptable solution to achieve peace in Syria is by fully implementing political transition and avoiding normalization with the Assad regime. This approach will fully address the refugee problem and security issues by confronting the captagon manufacturers, distributors, and smugglers directly linked to the regime, Hezbollah, and militias in Syria.

As long as the Assad regime is in power, it will not sever its alliance with Tehran. As its history and behavior show, it will remain a rogue regime in the region, unconcerned with the security of neighboring countries or global peace. Changing the regime in Syria by enforcing 2254 and starting the transitional process, as demanded by the protesters, will begin the process of reconstruction and revitalize the economy, leading to stability in the country and the region as a result. With these points in mind, Arab governments should remember that supporting the Syrian regime will not bring stability to the region. Instead, the crisis will perpetuate and the Syrian people will pay the price with their blood and livelihoods.

The international community also bears responsibility for the current state in Syria. It has not seriously addressed the regime's crimes, successfully enforced a political solution, nor implemented UN resolutions. The Assad regime has repeatedly used chemical weapons, practiced systematic torture, extrajudicial killings, forced displacement, enforced disappearances, and bombed civilians, hospitals, schools, and public markets. No serious measures have been taken to implement Resolution 2254. The political solution has been diluted by focusing solely on the constitution—a path that has been dead since birth—and no agreement has been reached on a timetable for it.

The Syrian people pay the price of oppression, bloodshed, and displacement. The root cause of the suffering endured by Syrians is being ignored, which is the ongoing rule of the Assad regime. The international policy that unleashed Russia in Syria is responsible for Moscow's continued audacity in Syria and globally, as demonstrated by its actions in Ukraine. History shows that disregarding war criminals and rogue behavior will inevitably lead to the persistence of their crimes, as well as the expansion and escalation of them.

The Syrian men, women, and children of Sweida and all provinces are taking to the streets, proclaiming with their voices that the people of Syria deserve lasting peace, freedom, dignity, and decent living conditions. They deserve liberation from the tyrannical Assad regime and the provision of the rights stipulated by the Universal Declaration of Human Rights. They earnestly demand serious engagement and the full implementation of UNSC Resolution 2254 to achieve political change in Syria and secure political, civil, and human rights, aiming for a homeland where citizenship and justice are realized for all Syrians without discrimination.

This is the cry of an oppressed people whom the world has let down, abandoned, and disregarded since 2011. The protests are a last flicker of hope for the Syrian people. They are an ethical test for the world in regard to pursuing a comprehensive and sustainable political solution that will bring about genuine change in Syria. Can the world hear the people of Syria?

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ASIA

Afghanistan

Ben Roberts-Smith: judge won't make documents decision in war crimes probe due to bias perception (The Guardian) By Ben Doherty
August 25, 2023

> **The judge who dismissed Ben Roberts-Smith's defamation action will not decide whether criminal investigators probing war crimes allegations against the decorated veteran should have access to sensitive information heard in closed court during the defamation trial.**

Justice Anthony Besanko has recused himself from deciding whether investigators from the government's Office of the Special Investigator (OSI) should be allowed to access information tendered in closed court, over concerns of a potential perception of bias.

"I have made a number of serious findings of fact and credit against the applicant," Besanko ruled on Friday in the federal court.

"An ordinary, right-thinking member of the community would consider (strongly) that such matters should be the subject of a criminal investigation. That is enough to give rise to apprehended bias."

In June, Besanko dismissed in its entirety Roberts-Smith's defamation action against the Age, the Sydney Morning Herald and the Canberra Times.

Roberts-Smith, Australia's most decorated Afghanistan veteran and a recipient of the Victoria Cross, alleged a series of 2018 articles had falsely portrayed him as a criminal who "broke the moral and legal rules of military engagement" and "disgraced" his country and its army. He denied all wrongdoing and said the allegations against him were motivated by spite and jealousy.

But Besanko found the newspapers had proven to a civil standard — on the balance of probabilities — that Roberts-Smith was complicit in the murder of four unarmed prisoners in Afghanistan, including kicking a handcuffed prisoner off a cliff before ordering him shot dead.

The judge also found Roberts-Smith ordered subordinate soldiers under his command to murder civilians, bullied comrades, intimidated other soldiers he thought might testify against him, and threatened a woman with whom he was having an affair.

In his 700-page judgment, Besanko said Roberts-Smith "has no reputation capable of being further harmed" because of the gravity of the offences he had found proved, and said "I have difficulty accepting [Roberts-Smith's] evidence on any disputed issue".

Roberts-Smith has lodged an appeal against Besanko's decision in the defamation case, to be heard by the full bench of the federal court in February.

Following the judgment, after a 110-day trial which spanned two years and more than 40 witnesses, the OSI sought access to the defamation case's sensitive court file, which includes thousands of classified documents and photographs, the identities of anonymised SAS witnesses, and transcripts of evidence given in closed court sessions of the trial, including by Roberts-Smith.

In an affidavit before the court, the OSI's director of investigations, Ross Barnett, said: "there is an overlap between the subject matter of the investigations and the subject matter of the defamation proceedings".

Lawyers for Roberts-Smith requested Besanko disqualify himself from making the decision about whether OSI investigators should have access to the documents. They did not argue that the judge was biased, but that he might appear that way to a hypothetical "fair and reasonable observer", having presided over the defamation trial and delivered judgment against Roberts-Smith.

Lawyers for the commonwealth government argued Besanko could and should determine access to the documents sought by the investigators.

The judge on Friday chose to recuse himself, ordering that the OSI's request for access to documents "be referred to another judge for hearing and determination".

A joint Australian federal police/OSI taskforce — Operation Emerald — is actively investigating allegations of war crimes against Roberts-Smith, including allegations of two murders in which Roberts-Smith was complicit at a village called Kakarak in 2009, and one allegation of murder, in which Roberts-Smith kicked a handcuffed civilian off a cliff before ordering him shot dead, in the village of Darwan in 2012.

Summarising an affidavit from the OSI, Besanko wrote in his judgment Friday: "Criminal offences of the kind being investigated are extremely grave and their thorough investigation is of national and international importance".

'Afghans want neither international recognition of the Taliban regime nor a new foreign intervention' (El Pais) By Beatriz Lecumberri
August 30, 2023

> **Dorothy Estrada Tanck, co-author of the recent UN report on the situation of women in Afghanistan, trusts that 'gender apartheid' will become a crime against humanity and that those who instigate it will be held accountable.**

Dorothy Estrada Tanck still knows the Dari phrase she used the most during her trip to Kabul and Mazar-i-Sharif last April and May. "We are not going to forget them." She repeated it to dozens of Afghans with whom she met and listened to as they recounted the obstacles and restrictions that were now a part of their daily lives. Weeks later, the expert and Special Rapporteur on the humanitarian situation in Afghanistan, Richard Bennett, presented to the UN Human Rights Council an alarming report on the situation of women and girls in the country. It concludes that the Taliban regime has established gender apartheid and is persecuting women.

Estrada Tanck was born in Mexico 47 years ago and is currently chair of the UN Working Group on discrimination against women and girls. She hopes that this report will pave the way for some of the de facto Taliban state's leaders to be rendered accountable by the courts. Afghanistan "is a wake-up call to the international community" because what happens there can be repeated in other places, warns the lawyer, who is a professor of Public International Law at the University of Murcia (Spain).

Q: In your report, you state that the situation of women in Afghanistan is the worst in the world. A: It certainly is. We have a list of indicators that help us assess whether women's rights are respected or not. There are countries that fail in some, and Afghanistan fails in all. For example, there is no other state where the education of women over the age of 12 is forbidden. But there are places like Iran, where we see that certain practices, such as the use of the veil or the prohibition on women leaving the house unaccompanied, can become law. Afghanistan must be an alarm signal for other countries and for the rest of the world. It is a wake-up call to the international community, because if this does not stop, what has happened in Kabul will happen in other places. What's more, it's already happening. Legal tools must be created to prevent and counteract these situations.

Q: When Afghan women are interviewed, inside and outside the country, their feeling is that the world has forgotten them and has normalized the Taliban regime.

A: We are not going to forget them. Nor are we going to let the [UN member] states, who are the ones that make the decisions, forget them. In the report, we documented and assigned a particular legal category so that the most powerful tools against abuses of this type can be activated. We have put women's voices at the center and the Afghans are speaking very clearly: they do not want the Taliban regime to be given legitimacy internationally or a new foreign intervention. Nor do they want a new conflict worse than the situation they are already experiencing to be justified under the pretext of defending women's rights. Because they are people who have suffered a lot. That is why we must find the right strategy: put women at the heart of any conversation about Afghanistan and find peaceful solutions based on human rights. It will be the only guarantee of a sustainable solution over time.

Q: Is it hard to write the flat-out accusation of gender apartheid in a UN report?

A: Of course, there were many conversations and tests before we were sure that we could use this term. What we are seeing in Afghanistan is not just some rules or practices that discriminate against women and girls, but an institutionalized system with increasingly oppressive rules that is managing to erase them from public life and take away the opportunity to exercise any right in any area, including their private lives. We documented it with dozens of remote interviews, and later we verified in the country how the Taliban's edicts seriously affect Afghans in their daily lives.

Q: In your report, you also mention gender persecution. How does it differ legally from gender apartheid?

A: Both are serious violations of human rights and both are present in Afghanistan. Gender persecution is already a crime against humanity because it is specifically included in the Rome Statute of the International Criminal Court. It is a deprivation of fundamental rights to a group of the population through punitive and restrictive methods by reason of their gender. Apartheid is also a crime against humanity, but not gender apartheid, which still needs to be further developed legally. This is one of our recommendations. Because when an abuse is qualified as a crime against humanity, specific individuals (a minister, for example) can be held accountable in court.

Q: You did not want to report from a distance, from an armchair in Geneva?

A: The first step to show that we are not going to abandon the Afghans was to travel to Kabul. The report was the responsibility of two UN mandates: the special rapporteur and us. It is something rare, and it was very interesting to combine the deep vision of the country that the rapporteur has with our wider gender perspective. Women want their voices to be heard, they wanted to tell us things in person, even if it put them at risk. The Taliban did not hinder the mission's freedom of movement, even though they knew what our job was and that the outcome would be critical of them. There were times when a Taliban vehicle had to make way for our UN car. I saw that and said: what planet am I on? It was surreal.

Q: Was there any testimony that had a particular impact on you?

A: First of all, seeing how Afghans circumvent the regulations in force in unexpected ways to be able to continue to go out or to work. Because resisting is not just protesting in the street. And I was very moved to listen to a girl who was going to start university when the Taliban decreed that women could not go to class and in the end she had to stay at home. She told us: "I put on a veil, I cover myself completely, whatever. I can also go to class with my brother if necessary, but I want to continue studying." And I thought of my students, of my daughter... The strength of that girl and her courage when speaking were impressive.

Q: Your report insists on lesser-known collateral problems derived from the massive discrimination against women: deaths in hospitals due to a lack of female doctors, an increase in mental health issues, more domestic violence, and so on.

A: Yes. We wanted to use the term "femicide" and this caught the attention of the States. If women cannot study, in a few years there will be no female doctors and this condemns Afghans to a slow death due to totally trivial health problems and preventable diseases, because male doctors cannot treat them. During our trip, we visited a gynecology hospital run by a woman, as healthcare is one of the sectors where female workers are still allowed. She told us that if the situation continues like this, soon there will be no health professionals who can attend a birth. On the other hand, mental problems have increased, especially among Afghans, who are condemned to stay at home with no prospects for the future. But women's depression and suicide attempts remain completely invisible. They are the last concern on the list. In other words, all the ingredients for a major disaster are present in Afghanistan today.

Q: In this context, can the accusation of gender apartheid, beyond making striking headlines in the press, contribute to any real change in Afghanistan?

A: The report will help the UN Human Rights Council in its session in September to decide whether to follow our recommendation and commission a report on gender apartheid, to seek ways to prevent and eradicate it, including a proposal to convert it into a crime against humanity. It is a long road, but it is an open possibility. Today, with the instruments we have, there could also be a trial against the state of Afghanistan for gender apartheid, because the extreme marginalization of women violates the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), of which Afghanistan is a part. This would require another state to take up the baton and present a case before the International Court of Justice. There is already a precedent: in 2019 The Gambia filed a case against Myanmar for alleged genocidal acts against the Rohingya minority.

Q: So, legally, steps can be taken?

A: Things are already happening. For example, International Criminal Court (ICC) prosecutors are considering opening cases of gender persecution against people from the de facto government. Another option might be universal jurisdiction: when there are violations that affect mankind in general, a national court can trigger the process even if the alleged crimes have been committed in other parts of the world. In Spain there are precedents. The list of ways for accountability to exist is longer, and we are not in the situation that was experienced under the previous Taliban regime (1996-2001). There is more information and greater mobilization, inside and outside Afghanistan.

Afghanistan: Installing Thousands of cameras risk creating total surveillance state (Amnesty International) August 31, 2023

> **Responding to the Taliban's decision to install 62,000 security cameras across Kabul and other areas, Matt Mahmoudi, Amnesty International's Researcher and Advisor on Artificial Intelligence and Human Rights, said:**

"Implementing such a vast architecture of mass surveillance under the guise of 'national security' sets a template for the Taliban to continue its draconian policies that violate fundamental rights of people in Afghanistan — especially women in public spaces.

"If installed, this surveillance architecture would also erode the rights to privacy and freedom of assembly and expression, which have been under unprecedented attack since the Taliban came to power, resulting in the rule of law fading away."

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Bangladesh International Crimes Tribunal

Bangladesh's Jamaat-e-Islami Thrives Amid Persecution (The Diplomat) By Mubashar Hasan
August 29, 2023

> **In June 2023, the Jamaat-e-Islami held a rally in Bangladesh's capital, Dhaka. News footage shows that hundreds of thousands of people participated in the event, the first rally held by the party in over a decade.**

The rally sent out a strong signal. The Jamaat has survived the pressure and persecution it suffered over the past 15 years or so at the hands of Bangladesh's Awami League government.

The Jamaat is Bangladesh's largest and most organized Islamist party. During the 1971 liberation war, it collaborated with Pakistan. Several of its leaders were allegedly involved in war crimes and genocide during the war.

A former electoral ally of the Bangladesh Nationalist Party (BNP), it was part of the BNP-led government between 2002 and 2006. After the AL came to power in 2009, opposition parties and the Jamaat in particular have been put under immense pressure from the government.

In 2009, the AL government set up a domestic court called the International Crimes Tribunal to put on trial people who participated in the horrific violence unleashed on civilians during the 1971 war. Several Jamaat leaders were found by the ICT to have actively supported the Pakistan military to carry out genocidal crimes against Bengalis of East Pakistan (now Bangladesh). The ICT convicted Jamaat leaders and handed them life sentences or death penalties. The trial was criticized by major international human rights organizations for procedural flaws.

The ICT trials and convictions hit the Jamaat hard. It lost several top leaders.

In addition, the sons of two Jamaat leaders who were convicted by the ICT were "forcibly disappeared." These included Mir Ahmad Bin Quasem, son of late Jamaat leader Mir Quasem Ali, who was convicted by the ICT and later hanged, and former Brigadier General of the Bangladesh military Abdullahil Amaan Azmi, son of Jamaat's former head Ghulam Azam, who was also convicted by ICT, handed life imprisonment, and later died. Their whereabouts are still unknown, although their families allege that government forces picked them up from their homes.

The Jamaat and its student wing, the Islamic Chatro Shibir, also lost many cadres in clashes with police, when it violently protested against the ICT trials and the verdicts against their leaders.

According to Jamaat sources, around 240 of its activists were killed by law enforcement agencies over the past 15 years. Over 14,000 cases were filed against Jamaat leaders and activists and 9,500 cases against the Chatro Shibir, and over 90,000 activists and leaders, including women are in jail. The Diplomat could not independently verify these figures.

Many Jamaat activists went into hiding locally while many more went into exile in countries such as Malaysia, Europe, the United States, Canada, and Australia.

Additionally, the Jamaat was dealt a severe blow when the Bangladesh High Court ordered the cancelation of the party's registration. The verdict came in response to a writ petition filed by an AL ally, the Tariqat Federation, which stated that "Jamaat was a religion-based political party and it did not believe in the independence and sovereignty of Bangladesh." The Jamaat was barred from participating in elections.

The Jamaat appears to have survived the array of assaults on the party and its functioning. Its June 2023 rally shows it still has the capacity to organize massive rallies and protests.

A Daily Star report citing a police intelligence source claimed that the Jamaat's permanent membership has increased threefold in the past 15 years, from 23,863 to 73,046. In other words, the Jamaat thrived amid persecution.

"Jamaat is an ideology-based party. Therefore, it is not going to vanish against the backdrop of persistent persecution," Nakibur Rahman, a U.S.-based scholar, who is a rukon or permanent member of the party, told The Diplomat. Rahman is the son of former Jamaat Chief Motiur Rahman Nizami and holds deep ties with the party.

Researchers on the Jamaat have drawn attention to the party's survival strategies. The party has sought to downplay its political activities, preferring to extend Dawah or inviting people to take the religious path rather than calling on them to join the party for political work. To stay alive electorally, it has fielded candidates as independents in local elections. Its activists are constantly on the move to avoid arrest.

On its website, the Jamaat says that it is working "to implement the Islamic code of life, prescribed by Allah and shown by Prophet Muhammad, with a view to turning Bangladesh into an Islamic welfare state, consequently, achieving the pleasure of Allah and salvation in the life hereafter." In its constitution, it states that "it will create disciplinary and democratic measures and … carry effort to create public opinion in its favor."

Many Bangladeshis have not forgotten the Jamaat's role in the 1971 war. Critics allege that the party is anti-minority and promotes violence, including violence against Hindu minorities. The Jamaat is accused of being regressive in its outlook. At present, only Muslims can become members of the party, and the party holds the view that a woman cannot be head of the state.

The Jamaat denies it is anti-minority. "As Muslims we believe it is our religious duty to protect the minorities," Nakibur said. Its current leaders are trying to distance themselves from previous positions taken by the party, especially with regard to the 1971 war.

In an interview to DW, Jamaat Vice President Abdullah Muhammed Taher said that Jamaat in 2023 is different from what it was in the past. "1971 is an issue of pride for the whole nation including Hindu, Muslims, Christian, Jamaat, Awami League, BNP... for everyone," Taher said. However, he stopped short of apologizing for the Jamaat's collaboration with Pakistan in the 1971 war, which is a long-standing demand of Jamaat's critics.

It is likely that the change in the Jamaat's rhetoric about the 1971 liberation war is strategic.

In 2020, several activists broke away to form the Amar Bangladesh (AB) party. According to Asaduzzaman Fuad, who is in charge of the AB party's international affairs, the Jamaat's role in the 1971 war was a key issue underlying the split. Those who left the Jamaat to form the AB felt it is necessary to apologize to the nation, make the party inclusive by encouraging women and minorities to take on prominent positions, and separate religion from politics, he told The Diplomat.

Although the Jamaat has not lost much ground support due to the AB split, its changing rhetoric on the 1971 war could be aimed at pre-empting further divisions.

Regionally, the Jamaat is strongly opposed by India. As veteran Indian journalist S.N.M. Abdi pointed out, "Successive Indian governments have characterized the Jamaat as nothing but a proxy of Pakistan — and more specifically an ISI puppet." (The ISI, or Inter-Services Intelligence, is Pakistan's intelligence agency.)

Avinash Paliwal, a senior lecturer in International Relations at the School of Oriental and African Studies in London, told The Diplomat that "New Delhi views the Jamaat's conservative underpinnings and ideological succor it offers to Islamists in Bangladesh as a security threat. For India, it's critical to contain such forces for both ideological and security-related reasons."

"This often means offering partisan support to the AL, even at the cost of Bangladesh's electoral integrity," Paliwal added.

The Jamaat's acting Secretary General Maulana ATM Masum recently slammed India's "dominance attempt" in Bangladesh and accused the AL of appeasing India over the country's interest.

Ahead of the general election, which is scheduled for January 2024, observers of the Bangladesh political scene are speculating about the nature of the engagement between the BNP and Jamaat. The two have long been allies. Sources in both parties say that there are doubts over further collaboration, although both agree to persist with anti-government protests, even if separately.

The BNP has been organizing massive countrywide rallies without the Jamaat, thus disproving critics who claim that it is dependent on the Jamaat's street power. Its student wing, the Jatiyatabadi Chatro Dal (JCD), recently formed a coalition of 19 student organizations for anti-government demonstrations. The Chatro Shibir was not invited.

How the Jamaat will evolve from this point on is difficult to predict. But it is evident that the party is still organizationally strong. The party may have been hit hard by the AL's crackdowns, but it has also benefited from the anti-AL mood in the country.

The Jamaat has appealed in the Supreme Court against its de-registration. However, it is not optimistic about getting a favorable verdict. Party sources told The Diplomat that they are considering changing the party's name to contest the upcoming elections.

Lavrov's visit: Bangladesh to request Russia for peaceful end to Ukraine war (Dhaka Tribune) By [AUTHOR]
September 5, 2023

> **Foreign Secretary Masud Bin Momen on Tuesday said Dhaka would request Russia during Foreign Minister Sergey Lavrov's upcoming Bangladesh visit to find a peaceful solution to the Ukraine crisis.**

Lavrov will arrive in Dhaka on Thursday afternoon on a short visit before joining the 2023 G20 summit in New Delhi the following day.

The foreign secretary emphasized Dhaka's "long-standing relationship" with Moscow, adding: "We will discuss the complex situations that have arisen across the world in recent times, especially since the Ukraine crisis. We can request Russia to find a peaceful solution as soon as possible."

Momen said issues like food, fertilizers and fuel would come up in the talk with Russia's top diplomat. "We will highlight the problems that we have."

The foreign secretary said Lavrov would have a bilateral meeting with Foreign Minister Dr AK Abdul Momen.

He will also call on Prime Minister Sheikh Hasina.

This is going to be the first visit of a Russian foreign minister to Bangladesh.

The Russian minister was scheduled to visit Bangladesh on November 23 to attend the 22nd Indian Ocean Rim Association (IORA) Council of Ministers meeting held on November 24. Russia is a dialogue partner of the IORA, and Bangladesh is the current chair of the group.

Ahead of that trip, Lavrov rang up his Bangladeshi counterpart and expressed his regret about not being able to come to Dhaka due to "schedule complications."

However, he expressed his intention to make a visit soon.

His current visit comes at a time when the United States is putting pressure on Dhaka as part of its global efforts to isolate Russia over the Ukraine war.

Washington prevented Dhaka from paying back a part of a loan taken out from Moscow for the construction of the Rooppur Nuclear Power Plant.

The government later decided to pay it via Beijing in yuans and again received Washington's objection.

The US recently declared a visa policy against those who would stand in the way of holding the upcoming general election in Bangladesh in a free and fair manner. Russia described it as "another attempt at blatant interference in internal affairs of a sovereign state."

During the 1971 Liberation War, Russia, then called the Soviet Union, helped Bangladesh along with India.

Prime Minister Hasina's visit to Moscow in 2013 was the first by a head of government after 1972 when Bangabandhu Sheikh Mujibur Rahman visited Russia.

After that bilateral relations gained momentum; both sides now have agreements for cooperation in defence, trade and energy.

The Rooppur Nuclear Power Plant is regarded as the "signature" initiative between the two countries.

Russia's state-owned atomic company Rosatom is helping in the construction. This is a $12.65 billion project, 90% of which is financed through a Russian loan repayable within 28 years, with a 10-year grace period.

Lavrov is representing President Vladimir Putin at different summits, including G20, due to an arrest warrant out for the latter, issued by the International Criminal Court, for alleged war crimes in Ukraine.

Nineteen countries - Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, South Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, the UK and the US - and the European Union are members of the G20, founded in 1999.

India is the current president. Bangladesh is also joining the meetings as an invited guest, with Prime Minister Sheikh Hasina set to attend the summit.

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War Crimes Investigation in Myanmar

'ASEAN Emboldening War Criminals' with Meeting of Air Force Chiefs in Myanmar (The Irrawaddy) September 2, 2023

> **Justice for Myanmar (JFM) has condemned the Association of Southeast Asian Nations (ASEAN) for its plan to hold a conference of air force chiefs chaired by a general whose campaign of indiscriminate airstrikes is responsible for the slaughter of civilians in Myanmar.**

The ASEAN Air Chiefs Conference will be chaired by Myanmar junta Air Force Chief General Htun Aung in Naypyitaw from September 12-15.

About 1,000 people were killed in 930 airstrikes under Htun Aung's command between January last year and July 2023, according to data from the Armed Conflict Location and Event Data Project.

By ordering an indiscriminate campaign of aerial terror, the air force chief is responsible for the slaughter of men, women and children, as well as the destruction of entire communities as well as civilian infrastructure, including schools, hospitals and places of worship, JFM said.

ASEAN is legitimizing and emboldening war criminals through its defense and security cooperation with Myanmar, the advocacy group added.

ASEAN and its member states are showing a callous disregard for the lives of Myanmar people and actively undermining their commitments to resolve Myanmar's crisis through the Five Point Consensus by proceeding with the air force conference and other security engagements with the junta, JFM spokesperson Yadanar Maung said in a statement on Thursday.

ASEAN's engagement with the junta "is insulting to the people of Myanmar who are victims of the junta's daily attacks. It is an untenable position [and there is no way to] excuse ASEAN's support for the terrorist junta and complicity in its international crimes," she added.

"There is no denying that ASEAN is legitimizing and emboldening war criminals through its defense and security cooperation, endangering the lives of Myanmar people and worsening the crisis," she said.

JFM demanded that ASEAN cancel the air force conference.

General Htun Aung was in command of the aerial massacre on April 11, 2023, on a civilian gathering at Pazi Gyi Village in Sagaing Region's Kantbalu Township, killing 170 people—including 40 children.

He also commanded the airstrike on an outdoor concert in Kachin State's Hpakant Township in October last year, killing more than 80 people.

He was in command of the aerial attack on a school in Let Yet Kone Village in Sagaing's Depayin Township in last September, killing 12 people, including children.

The junta continued its predawn airstrikes on camps for internally displaced persons in Kayah State's Demoso Township early on Thursday, killing one man and injuring others.

JFM said the evidence of Htun Aung's direct involvement in war crimes and crimes against humanity is extensive. He has been sanctioned by the United States, United Kingdom, European Union and Canada.

It also pointed out that ASEAN strongly condemned the junta's aerial massacre in Pazi Gyi, but it is now honoring one of its main perpetrators.

In August, ASEAN held a counter-terrorism training exercise with junta officials in Naypyitaw.

Myanmar and international civil society organizations have repeatedly denounced ASEAN's defense cooperation with the junta.

Rohingya Genocide Ongoing After Six Years of Injustice (Progressive Voice) By Progressive Voice
September 4, 2023

> **"We stand here before the international community, the [International Criminal Court (ICC)], and the [International Court of Justice (ICJ)] to convey our disappointment in the delayed pursuit of justice." — Maung Sawyeddollah, founder of the Rohingya Students Network**

In light of fresh atrocities committed by the Myanmar military since the 1 February 2021 attempted coup, 25 August marked the sixth anniversary of the Rohingya genocide committed by the same military in 2017. Yet, durable solutions for the Rohingya remain unresolved as long as the military junta is allowed to continue its terror campaign against the people of Myanmar with total impunity. Only until the military junta is held accountable for the crimes they committed and there is full restoration of civil and political rights of the Rohingya will a voluntary, safe, dignified, and sustainable return to their homeland, Myanmar, be assured.

The Rohingya genocide is rooted in successive military regimes employing the same pattern of slaughter, institutional and structural repression, and persecution through policies, laws, and a range of military campaigns. In 1977, one of the campaigns carried out by the ex-dictator, General Ne Win, named "King Dragon Operation" of forced eviction and widespread brutality, rape, and murder, resulted in the exodus of over 280,000 Rohingya. Another terrorizing military campaign in 1992 drove as many as 250,000 Rohingya into Bangladesh, while a number of them were brutally killed and wounded. This was followed by another offensive, crimes against humanity, against the Rohingya in 2012 to drive them from their homes. Again, the "clearance operations" in 2017 forced over 800,000 Rohingya into Bangladesh. About 600,000 Rohingya remain in Rakhine State, Myanmar, confined to squalid camps and villages, living in apartheid-like conditions, being deprived of their rights and freedoms, and having their capacity to survive eroded.

The military's decades-long propaganda campaigns promoting anti-Muslim rhetorics, disinformation tactics, and promotion of ultra-nationalism have sowed hatred, phobia and discrimination against Muslim communities across Myanmar but particularly targeting the Rohingya. However, since the people's Spring Revolution in response to the military's attempted coup, the attitude of the people in Myanmar toward the Rohingya community — and other ethnic communities — has seen a positive shift with many more people standing in solidarity with the Rohingya community.

In remembrance of the Rohingya genocide on 25 August, 356 civil society organizations issued a joint statement reaffirming their solidarity with the Rohingya community in the pursuit of justice and accountability for victims and survivors, and calling for an end to impunity for grave crimes perpetrated by the Myanmar military. Compared to the 45 organizations that signed the 2021 statement, this year's number indicates broader support from communities across Myanmar, including Bamar and Rakhine civil society organizations, who have joined in solidarity with the Rohingya.

The National Unity Government (NUG) has taken an initial step in its policy position on the Rohingya in Rakhine State to replace the discriminatory 1982 Citizenship Law with a new law. While it has not yet been put into action, this is a good start to recognize the Rohingya as an integral part of Myanmar and as Myanmar nationals. Recently, Rohingya representative U Aung Kyaw Moe has been appointed deputy human rights minister to the NUG. While the inclusion of the Rohingya community in ongoing political processes of the Spring Revolution movement has been slow and yet to be comprehensive, it is positive that the movement's leading political forces such as the NUG have taken such concrete and significant steps to ensure inclusivity in decision-making. This type of action will lead it on a path to a better future for all communities in a new federal democratic Myanmar.

Rohingya themselves, as the rights holders, have organized themselves and amplified their voices to make sure they are heard and seen, and to have their rights recognized and respected. They are calling for inclusion, recognition, and changes and improvements in policy and attitude. Their voices remain strong across different channels and platforms, shaping and demanding their own future. This shows that there is always movement and that nothing is ever static. Wai Wai Nu, the founder of Women's Peace Network, called to end impunity in her speech to mark the day, saying, "Calling for an end to all forms of impunity in Burma. That also means genuinely apologizing for denying the Rohingya genocide." Another woman Rohingya human rights activist, Yasmin Ullah, also called on the international community, stating, "Lift up our community, provide comprehensive assistance." Rohingya youth activist Maung Sawyeddollah, founder of the Rohingya Students Network, spoke at a rally of thousands of Rohingya refugees in a Cox's Bazar camp, asserting their determination and demanding justice, "We are not victims; we are survivors demanding accountability." He expressed his disappointment in how slow the international justice mechanisms are, saying, "We stand here before the international community, the [International Criminal Court (ICC)], and the [International Court of Justice (ICJ)] to convey our disappointment in the delayed pursuit of justice." In a statement released by the European Rohingya Council, the group also urged the international community to renew its long-standing commitment to justice and accountability, which has stalled in holding the Myanmar military accountable.

The legal proceedings to find accountability that are currently underway — the lawsuit in the Argentinean Federal Court, the universal jurisdiction submissions in Germany and Turkey, the ongoing Gambia vs Myanmar case at the ICJ and the investigation by the ICC — are hopeful steps, but such international justice processes do not deter the Myanmar military from continuing its crimes against the Rohingya and other communities across Myanmar. Nonetheless, the Myanmar military can no longer sweep its own crimes under the carpet. The activism of the Rohingya community is advancing; what they need is tangible support to realize their aspirations to become an equal and integral part of Myanmar society.

Together with Rohingya brothers and sisters, the people of Myanmar are making efforts to hold the Myanmar military accountable for their crimes of genocide against the Rohingya and crimes against humanity and war crimes against other communities as well as taking necessary steps to build an inclusive federal democratic Myanmar. The ending of the ongoing genocide against the Rohingya in Rakhine and its non-repetition cannot be assured or guaranteed unless the genocidal Myanmar military is held accountable and the international community lives up to their promises of "never again" by lending all support necessary to achieve justice for the Rohingya community.

While such justice and accountability mechanisms are crucial and indispensable and need support, it is also equally important that the international community supports the building of a new political system in Myanmar. This system must guarantee the full restoration of Rohingya's civil, political, economic, and cultural rights including the right to citizenship and identity, and prevent further discrimination and persecution.

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Northern Ireland legacy bill approved by MPs - but legal fight could be coming (Sky News)
Jennifer Scott
September 6, 2023

A controversial law that would effectively end prosecutions related to The Troubles has passed its final hurdle in the Commons - despite anger from all sides on the island of Ireland. MPs today approved the Northern Ireland Troubles (Legacy and Reconciliation) Bill, which will stop new cases and inquests being opened into killings on both sides of the conflict.

Instead, conditional amnesty will be offered to those who reveal information about the incidents to a new truth recovery body.

Inspired by Nelson Mandela's Truth and Reconciliation Commission in South Africa, the Independent Commission for Reconciliation and Information Recovery will also produce a historical record of what is known in relation to every death that occurred during the Troubles. Northern Ireland Secretary Chris Heaton-Harris said he believed the bill - which will now return to the Lords to be approved before becoming law - would "draw a line under the past", and it has received support from a number of veterans' organisations.

However, there is much wider criticism of the plan, with victims groups saying the law would protect the perpetrators of the killings, rather than offering justice. All the political parties in Northern Ireland are also united against the legislation, as well as the government in Dublin.

Irish foreign minister Micheal Martin told the Financial Times this week that ministers were seeking legal advice over whether the bill breaches Article 2 of the European Convention on Human Rights - "right to life" - meaning it could be challenged in the courts. If the Irish government launches a legal battle, it will only be the second time Dublin has taken the UK to court, with the last case over actions in Northern Ireland taking place 52 years ago. More than 3,500 people were killed during the Troubles, including over 1,000 members of the security forces.

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