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Muzzled And Threatened, Central African Opposition Struggles To Survive (Barrons)
March 6, 2024

> **One leading opposition figure faces a trial for defamation and an MP sits in jail over an alleged coup attempt in the Central African Republic where politicians who do not support the government are muzzled, face threats and say they feel abandoned by the West.**

President Faustin Archange Touadera won a 2016 election during a lull in a seemingly endless civil war. Last July he pushed through a new constitution enabling him to run for a third term in office at next year's election.

The capital Bangui is already covered in posters lauding his achievements. There is not one poster in the name of the divided opposition.

The are "systematically torn down," said Nicolas Tiangaye, president of the main BRDC opposition grouping, the Republican Bloc for the Defence of the Constitution

Tiangaye is calling for a boycott of the election, following a boycott of the referendum on the constitution.

Crepin Mboli Goumba, coordinator for the PATRIE party, a major BRDC partner, wants the opposition to fight the election. First he has to deal with the high court where he faces a defamation hearing on March 13.

Mboli Goumba, also a lawyer, was this week released on bail after three days in detention, accused of defamation and contempt of court. He was arrested after accusing some magistrates of corruption.

"People no longer dare to talk for fear of being treated as 'enemies of the state'," said a leading human rights activist, asking to remain anonymous.

Enemy of the state is a favourite moniker deployed by groups close to the pro-Russian authorities, such as Galaxie Panafricaine. It often posts names, addresses and photographs of supposed state enemies on social media.

Others, like Les Requins, or The Sharks, organise patrols, sometimes armed, and beat up suspects. A former Shark leader, Heritier Doneng, was appointed the minister for youth in January.

The government denies there is any harrasment. "Members of the opposition can go about their business freely," said Fidele Gouandjika, a minister adviser to Touadera.

"The opposition is in the National Assembly, deputies are free to express themselves," he added.

Fewer than a dozen of the 140 deputies are opposition members. Parliament is dominated by the president's all-powerful United Hearts Movement (MCU).

Opposition deputy Dominique Yandocka has been in detention since December 15, despite his parliamentary immunity, accused of an attempted coup d'Etat.

Details of the accusation have never been made public and no date has been set for him to appear in court.

"When we try to demonstrate, we get battered," said Yannick, a fisherman on the Oubangui river, who refused to give his full name.

"Whoever you vote for, Touadera will win," he told AFP.

PATRIE leader Mboli Goumba recently told AFP that daily life was marked by "intimidation, surveillance, death threats".

He also pointed a finger at Russia and the Wagner mercenary group.

"I was followed by Wagner vehicles and they monitor opposition officials, sometimes with drones," he said.

Opposition gatherings are nearly always banned and those who defy the authorities are warned.

A Galaxie Panafricaine leader Blaise Kossimatchi, who is also an official in the ruling party, had threatened in December 2022 to "crush with 50,000 baseball bats the legs" of any protesters.

Since 2020, "the intimidation has worsened and the opposition is resigned", said Paul-Crescent Beninga, head of the Central African Institute of Social Sciences.

Central Africa specialist Thierry Vircoulon, noted a history full of rebellion and coups "between authoritarian rulers and armed groups".

"The opposition has never really been able to develop," said Vircoulon, from The French Institute of International Relations (IFRI).

"We feel abandoned by the international community in the face of an authoritarian regime," Mboli Goumba said in December.

France had remained very influential in Bangui and maintained a military presence following independence in 1960.

But it pulled back after a large number of Wagner troops arrived in 2020 and probably saved Touadera from rebels who were at the gates of the capital.

In exchange Wagner is allowed to mine gold, diamonds and African wood.

France withdrew its last troops from CAR in December 2022.

US issues sanctions on Russian, Central African Republic entities over Wagner ties (Reuters) By Daphne Psaledakis and Kanishka Singh
March 8, 2024

> **WASHINGTON, March 8 (Reuters) - The United States on Friday imposed sanctions on two entities it accused of advancing Russia's "malign activities" in the Central African Republic (CAR) and enabling the Wagner mercenary group, the U.S. Treasury Department said in a statement.**

The entities, a CAR-based timber company and a Russia-based company, sought to benefit financially "from illicit natural resource extraction and provided material and financial support to the Wagner Group and other organizations" tied to Wagner's former owner Yevgeniy Prigozhin, who died in a 2023 plane explosion in Russia, the Treasury said.

The action targets CAR-based Bois Rouge SARLU for its ties to Wagner and St. Petersburg-based Broker Expert for its support of Bois Rouge, it said in a statement. "Russia has sought to leverage these Wagner-affiliated companies in its efforts both to secure additional revenue from abroad and to advance its interests in Africa, often at the expense of the host countries, their institutions, and their citizens," Treasury's Under Secretary for Terrorism and Financial Intelligence Brian Nelson said in the statement.

"The United States remains focused on disrupting the networks that enable Russia's illicit and destabilizing activities in Africa."

The Central African Republic, a former French colony, has become one of Russia's closest African allies in recent years, playing host to one of the Wagner Group mercenary army's largest foreign operations.

Wagner has also battled in Libya, Syria, Mali and other countries, and has fought some of the bloodiest clashes of the war in Ukraine. It was founded in 2014 after Russia annexed Ukraine's Crimea peninsula and started supporting pro-Russia separatists in Ukraine's eastern Donbas region.

The United States has previously imposed sanctions on Wagner and has repeatedly warned of what it says are Wagner's destabilizing activities and human rights abuses as Washington has ramped up sanctions against the private army following Russia's invasion of Ukraine last year.

Sudan & South Sudan

Does the ICC Have Jurisdiction Over the Starvation War Crime in Sudan? (Just Security) By Tom Dannenbaum
March 19, 2024

> **Amidst a devastating civil war, the food crisis in Sudan is deteriorating rapidly.**

According to the World Food Programme (WFP), 18 million people are enduring acute food insecurity, with nearly 5 million suffering at emergency levels—the highest number ever recorded during the harvest season. The Nutrition Cluster in Sudan has assessed that 729,000 children under five are suffering from severe acute malnutrition, the deadliest form of extreme hunger. Clingendael reports that deaths from malnutrition or starvation have been recorded in central Darfur and parts of Khartoum.

An even deeper catastrophe looms. As Anette Hoffman writes in the Clingendael policy brief, "this is usually the season when food is more available and affordable than during the remainder of the year. The current food crisis is therefore expected to become much worse in the coming months." Save the Children has warned that nearly "230,000 children, pregnant women and new mothers could die" in that period. According to Clingendael's most optimistic assessment, most of the population will face extreme hunger by July, with 6 percent facing catastrophic hunger, including possible famine conditions in Khartoum and Darfur. In more pessimistic scenarios, there may be famine in much of the country or even across its entirety. In sum, "Sudan's trajectory towards a catastrophe is certain; the risk of famine is very high." The WFP has warned that the situation risks becoming "the world's worst hunger crisis." The United Nations (UN) Secretary-General is poised to alert the Security Council to the gravity of the situation, pursuant to his responsibility under paragraph 12 of Security Council Resolution 2417, the Council's framing resolution for oversight and enforcement regarding starvation in armed conflict.

There is no doubt that the civil war between the Sudanese Armed Forces (SAF), led by General Abdel Fattah al-Burhan, and the Rapid Support Forces (RSF), led by General Mohamed Hamdan 'Hemedti' Dagalo, is a key driver of the crisis. But hunger is not simply a collateral consequence of the conflict. It is the product of those belligerents' choices about how to conduct it.

"Food and hunger have undeniably become weapons," with both the SAF and the RSF "destroying and looting food infrastructure and preventing people from accessing food." Deprivation is also being inflicted through the deliberate impediment of humanitarian access. A WFP spokesperson explained, "[W]e are not able to deliver assistance across conflict lines. … We are not getting security guarantees and the approvals to move commodities freely."

The strategy is not covert. In February, General al-Burhan promised to cut off RSF-controlled areas completely, explaining that humanitarian access:

will not happen until we end this war and defeat these criminal rebels and drive them from the homes of citizens, government and service institutions, and from all the cities they have plundered—Nyala, El Geneina, Madani, and Khartoum.

In early March, Foreign Minister Ali El Sadig resisted calls for cross-border humanitarian aid delivery from Chad. The government ultimately bowed to intense pressure on that point. However, Médecins Sans Frontières insists that the government's framework for access continues to "leave vast areas in Darfur, Kordofan, Khartoum and Jazeera states still inaccessible," including due to its "systematically withhold[ing] authorisations for movements across frontlines."

To be clear, as with other modalities of deprivation, the problem of siege starvation is not specific to the SAF—the RSF is also reported to have employed the tactic. Although focusing primarily on the policy of encirclement deprivation articulated in al-Burhan's declaration, the analysis below applies equally to starvation crimes on both sides. It is axiomatic that the atrocities of one party have no bearing on either the rules applicable to their adversaries or the civilian status of the populations under their control.

Ultimately, it is clear that starvation war crimes are being committed in Sudan. However, for the reasons discussed below, the International Criminal Court's (ICC's) jurisdiction over them is not straightforward. Referrals by a suitably representative coalition of States parties could bolster the Court's legitimacy in this context, but given enduring jurisdictional limits and uncertainties, it is also worth exploring alternative routes to accountability.

The Starvation War Crime

The starvation war crime is codified in article 8(2)(b)(xxv) of the ICC Statute for international armed conflicts (IACs) and, by amendment, article 8(2)(e)(xix) for non-international armed conflicts (NIACS), such as the ongoing conflict in Sudan (notwithstanding its transnational connections). It is also a customary war crime (see Part III). The crux of the prohibition is the intentional use of starvation of civilians as a method of warfare by depriving them of food, water, and other objects indispensable to their survival.

In clarifying what it means to starve civilians as a method of warfare, it is critical to emphasize that the presence of combatants does not change the civilian character of a population that is predominantly composed of civilians (e.g. Additional Protocol I, article 50(3); ICTY Prosecutor v. Karadžić Trial Judgment 2016, paras. 474, 4610 n.5510). As such, the population in each of the areas currently under RSF control is a civilian population, notwithstanding RSF presence and control. It is also important to clarify that "starvation" has transitive and intransitive meanings—referring both to the transitive act of deliberate sustenance denial and to the intransitive state of severe malnutrition at which life becomes impossible to sustain (see Part V). A final point worth clarifying is that "intent" in the ICC regime can also take alternative forms, including either seeking a particular outcome or acting in the knowledge that it will occur with a virtual certainty (ICC Statute, article 30(2)).

Taking these points together (for more detail, see here), impeding aid to RSF-controlled areas for the purpose of sustenance denial is a deliberate denial of sustenance to a civilian population. Even when undertaken with a view to squeezing embedded adversary forces, directing that kind of deprivation at a population that is properly characterized as civilian necessarily implicates the war crime of starvation of civilians as a method of warfare. Put another way, the motive for directing sustenance denial at a civilian population cannot recharacterize, and should not obscure, the intentionality of that directed sustenance denial. In the current case, available information suggests the crime is implicated on that basis.

Even if the purpose of impeding aid, obstructing coping mechanisms, or destroying food systems were something other than sustenance denial, engaging in such acts in the knowledge that civilians are virtually certain to be left in a state of starvation would itself implicate the starvation war crime. Given current levels of food insecurity, and the real prospect of famine, this too appears to be a sufficient basis for the crime to attach in Sudan.

ICC Jurisdiction

Sudan is not an ICC State Party, but the UN Security Council referred the situation in Darfur to the Court in 2005, thereby triggering the latter's jurisdiction (via article 13(b) of the ICC Statute) and avoiding the ordinary imperative to establish that the relevant crimes either occurred on State Party territory or were perpetrated by State Party nationals.

However, absent an unlikely second and updated Security Council referral, ICC jurisdiction is not straightforward in the current context. First, the temporal scope of the Court's jurisdiction in Security-Council-referred situations requires clarification. Second, the territorial scope of the specific referral relating to Darfur may exclude some of the starvation (and other) crimes occurring in the Sudanese conflict. Third, and most vexing, material jurisdiction over the starvation crime is complicated by the fact that the relevant Security Council referral occurred long before the amendment incorporating that crime into the ICC Statute.

The Temporal Jurisdiction of Security Council Referrals

Last July, in his periodic report to the Security Council, ICC Prosecutor Karim Khan invoked the 2005 referral to assert continuing ICC jurisdiction over international crimes committed in the region today. Specifically, he stated:

I do wish to be very clear that our mandate pursuant to Security Council Resolution 1593 is ongoing with respect of crimes within our jurisdiction: the crimes of genocide, crimes against humanity, and war crimes. …. We have already started investigating[.]

He has since declared "grounds to believe" that crimes are being committed by both the SAF and the RSF.

When the Court approved an arrest warrant in the Libyan context for conduct occurring half a decade after the relevant Security Council referral, it emphasized that the crimes were "associated with the ongoing armed conflict underlying the referral by the Security Council." (para. 23) A similar line of analysis may prevail in the Darfur situation, where the fact of an ongoing NIAC in the region since prior to the 2005 referral (RULAC) may be deemed sufficient for continuing jurisdiction. A potential complication here is that the NIAC between the previously allied SAF and RSF began only in 2023, and is a distinct dyad, demanding its own analysis (RULAC). Nonetheless, it would not be surprising if the Court were to affirm ongoing temporal jurisdiction on the grounds that the situation of insecurity that prompted the referral has not yet been resolved. Across both Security Council-referred situations, the Prosecutor has consistently maintained the enduring effect of the referrals, notwithstanding changed conditions on the ground.

The Territorial Scope of the Darfur Referral

Most ICC situations are defined with reference to a specific state. However, in this context, the Security Council referred "the situation in Darfur," not the situation in Sudan as a whole (para. 1). Even understood in narrow terms, this would cover many of the recent and ongoing starvation crimes. For example, al-Burhan's promise of encirclement deprivation included specific cities in Darfur (Nyala and El Geneina) in addition to much of Darfur under the general category of "RSF-controlled areas." Darfur has also been the location of many alleged RSF starvation crimes (Clingendael Brief, p.3). However, neither party's war crimes appear to have been limited to Darfur. Al-Burhan's declaration denying humanitarian access included Khartoum and Madani.

On the issue of territorial jurisdiction, the Pre-Trial Chamber in Abd-Al-Rahman ('Ali Kushayb') authorized that case to proceed on the basis that the alleged events took "place within the perimeters of the territory of Darfur, Sudan." (para. 8) In assessing what it means for a crime to take place in a location, it is important to note that the ICC has elsewhere declined to rule out the possibility that this may include part of the crime occurring on that territory "irrespective of whether the part occurring on the territory is a constitutive element of the crime." (Bangladesh/Myanmar authorization, paras. 56, 62). Nonetheless, even on that approach, the Court would seem not to have jurisdiction over crimes that occur in Sudan, but entirely outside of Darfur. This would entail a significant jurisdictional gap in the current conflict.

Material Jurisdiction and the Starvation Crime

On the issue of material jurisdiction, things get even trickier. As applied to IACs, the starvation war crime has been part of the ICC's jurisdiction from its founding. However, the crime was only incorporated for NIACs via a 2019 amendment, which entered into force in 2021. Pursuant to article 121(5) of the ICC Statute, amendments to ICC crimes operate under a distinct jurisdictional regime from the crimes as codified in the original 1998 Statute. Specifically:

Any amendment to articles 5, 6, 7, and 8 [the substantive crimes] of this Statute shall enter into force for those States Parties which have accepted the amendment one year after the deposit of their instruments of ratification or acceptance. In respect of a State Party which has not accepted the amendment, the Court shall not exercise its jurisdiction regarding a crime covered by the amendment when committed by that State Party's nationals or on its territory.

Given this, it is not clear how to think about ICC jurisdiction vis-à-vis amendment crimes in situations in which that jurisdiction is predicated on a Security Council referral.

A reasonable argument can be made that referrals incorporate amendment crimes. A decade ago, Dapo Akande outlined the key points of such an argument as applied to a hypothetical Security Council referral of the situation in Syria and the possibility of a chemical weapons prosecution under articles 8(2)(e)(xiii) and 8(2)(e)(xiv)—themselves amendment crimes. The key elements of that argument were as follows.

First, when an amendment is adopted, it becomes part of the ICC Statute, notwithstanding the fact that its jurisdictional implications depend on specific State Party ratifications. Second, the purpose of Security Council referrals to the ICC is to expand ICC jurisdiction where its ordinary territorial or nationality jurisdiction is lacking. In other words, the point is to create jurisdiction in the absence of state consent. There is no consent-based distinction between original ICC Statute crimes and amendment crimes, so it stands to reason that a referral would bring the full Statute to bear, without differentiating between the two categories. Third, in article 15ter of the Statute, the aggression amendments provide for Security Council referral as a basis for jurisdiction over that crime. Consistency would militate in favor of the same approach to amendments to articles 6, 7, or 8. Fourth, notwithstanding the specification in article 121(5) that the Court "shall not" exercise territorial or national jurisdiction over amendment crimes where the State Party in question has not ratified the amendment, the point of that framing was to put non-ratifying States Parties on a par with states that are not party to the Statute at all. That, one might think, should have no bearing on Security Council referrals, as the latter underpin a distinct form of jurisdiction that is not predicated on direct state consent.

Akande's analysis strikes me as likely to prevail in the kind of situation to which he was responding. The situation in Sudan, however, raises a further difficulty. How should the Court understand its material jurisdiction when that jurisdiction is predicated on a Security Council referral that predated the incorporation of the relevant amendment, or even any prospect of that amendment?

One might argue that the Council refers situations, not crimes. If the Prosecutor is correct that the referral continues to underpin ICC jurisdiction vis-à-vis crimes today and if Akande is correct that referrals include amendment crimes, why would the situation in Darfur not be governed by the ICC crimes that are applicable to Council-referred situations today? Particularly given that the amendment would apply only to crimes occurring after its entry into force (thus disposing of any objection with respect to the principle of legality) (ICC Statute, article 22(1))?

On the other hand, a standard articulation of the relationship between the ICC and the territorial state of a Security Council referral is that the referral causes the latter to function as a State Party for the purposes of the referred situation. Perhaps, per Akande's analysis, the analogue ought to be a State Party that has ratified all components of the Statute in the moment of the referral, or at least a state that has accepted Court jurisdiction over all components of the ICC Statute (per article 12(3) of the Statute). But even if that is how one should understand what happened to Sudan in 2005 (a moment at which there were no newly incorporated crimes), a State Party from 2005 would have retained discretion over whether to ratify new amendments as and when they have been agreed. That might be thought to militate against automatically accumulating material jurisdiction in Security Council referred situations.

Two points might be raised in response to that concern. First, Resolution 1593 imposed on Sudan the duty to "cooperate fully with" the Court (para. 2). Perhaps this might be understood to include the kind of cooperation that would be equivalent to accepting the applicability of new ICC crimes as they are added to the Statute. The difficulty with this line of argument is that States Parties are all under an obligation to "cooperate fully" with the Court under article 86, and yet they clearly have freedom to decide whether to ratify amendments.

A second response might emphasize that, notwithstanding common use of the State Party analogy, Sudan is fundamentally unlike actual States Parties in several respects, one of which goes to the relevance of consent over time. Specifically, it is not just that it was brought into the Court's ambit without consent; it also has no option to withdraw (as former States Parties, the Philippines and Burundi, have done) and thereby bring an end to the Court's jurisdiction over its territory and nationals. With the initial referral now almost two decades old, this distinction between entry and exit is a meaningful one. If the Prosecutor is correct that the Court's authority endures in such circumstances, it is not much of a leap to suggest that it covers the full list of statutory crimes at the moment of any particular impugned act.

Legitimacy at the ICC

At the same time, the notion of forever referrals and the prospect that they include automatically accumulating material jurisdiction is not without its costs. Indeed, even absent those exceptional features of Council-referred situations, the latter have always raised significant (and in my view well founded) legitimacy objections. The force of those objections is especially strong in the current moment, given the real possibility of the direct or indirect implication in international crimes of the three permanent Security Council members not to have ratified the ICC Statute (the members uniquely able to limit their own officials' vulnerability to ICC authority). Moreover, the legacy on this issue is particularly raw in the Darfur context, with the Court's arrest warrants for Omar al-Bashir the crux of its years-long standoff with the African Union (AU) and its member states.

One might object that such concerns are perfectionist and that the current imperative is for ICC action in the Sudan situation, with a view to reversing the current trajectory towards famine. The crime, after all, has customary status, so the material jurisdiction obstacle is a technicality, rather than a deep legality concern.

There is undeniable force to that objection. At the same time, the strongest evidence of the ICC's deterrent effect indicates that it is derivative of the Court's capacity to stigmatize, which is itself contingent on the institution's legitimacy.

With that in mind, the Court might benefit from either a genuinely cross-regional coalition, or perhaps a robust regional coalition, of States Parties building on the practice in the Venezuela, Ukraine, and Palestine situations by supplementing the Security Council's 2005 referral with their own current referrals under article 14 of the Statute.

Under article 14, a State Party referral would ordinarily activate the jurisdictional trigger in article 13(a), pursuant to which the Court can proceed with an investigation grounded in its ordinary jurisdiction under article 12 (i.e. on the grounds that the alleged crimes were perpetrated on the territory, or by the nationals, of a State Party or other state accepting ICC jurisdiction). In other words, unlike Security Council referrals (which activate the jurisdictional trigger in article 13(b) and are not constrained by article 12), State Party referrals cannot create jurisdiction in contexts in which the Court otherwise lacks it. In that sense, they would ordinarily be unavailable in response to situations on non-party territory involving non-party nationals, such as in Sudan. However, the only technical limit on article 14 referrals is that the situation is one in which "one or more crimes within the jurisdiction of the Court appear to have been committed." (article 14(1)). As the Council's referral has already created the jurisdictional basis in Darfur, that threshold is satisfied.

One might object that, for precisely that reason, State Party referrals would be legally redundant. But that is equally true of all but one referral in the each of the Venezuela, Ukraine, and Palestine situations. In those contexts, redundancy did not deter collective action. Indeed, in the latter two situations, technically redundant referrals continued to be issued even after the Prosecutor had opened the investigation. States Parties appear to have engaged in that activity in part to express solidarity with victims and bolster the Court's legitimacy and authority in the context at hand. A similar use of expressive collective referrals by an appropriately representative coalition of states could strengthen the Court's standing in the Sudan situation.

This is not to say such action would be politically easy. Although the AU suspended Sudan in 2021 (with ongoing effect), the legacy of the organization's standoff with the Court over al-Bashir may preclude affirmative regional support for ICC authority in Sudan today. At the same time, the fact of that history emphasizes the heightened need for the Court to act with legitimacy in this context. Moreover, if such collective action were forthcoming, its impact would be all the greater for the fact of those past tensions.

Alternative Criminal Categories under the Rome Statute Legitimacy aside, it may be that uncertainty regarding jurisdiction over post-referral amendments, will deter the Prosecutor from pursuing charges under the starvation war crime in Sudan. Here, the crimes against humanity of extermination and other inhumane acts, and possibly genocide, may offer an alternative jurisdictional route for prosecuting starvation crimes.

Extermination includes mass killing through the infliction of lethal conditions of life, such as through impeding aid and destroying food systems (article 7(2)(b), ICC Statute). The residual crime against humanity category of other inhumane acts attaches to operations that "intentionally caus[e] great suffering, or serious injury to body or to mental or physical health" (article 7(1)(k)). A strong case could be made for the applicability of either provision in the current context, although the latter has the advantage of avoiding the need to prove that the impugned acts caused death. To the extent it can be established that the purpose of deprivation is to destroy a racial, religious, national, or ethnic group, genocide may also apply in the form of "inflicting conditions of life calculated to bring about" that physical destruction (article 6(c)).

Alternative Jurisdictions

Finally, it may also be worth contemplating alternative criminal justice mechanisms. Most obviously, domestic courts could exercise universal jurisdiction, including over the starvation war crime. In so doing, they would be on a strong legal footing. A key motivation for the ICC amendment in 2019 was that the starvation war crime already had customary status in both IACs and NIACs (Swiss non-paper, ASP Working Group, Annex IV, paras. 3-5). Similarly, when they agreed the Malabo Protocol in 2014, African Union (AU) states included the crime for both conflict classifications (articles 28D(b)(xxvi), 28D(e)(xvi)). The Protocol recently received its first ratification.

More generally, concerns with the Security Council's role at the ICC call for bolstering regional criminal justice efforts in response to such situations. For example, Owiso Owiso has pointed to the AU Assembly's capacity to set up ad hoc tribunals pursuant to its authority under article 4(h) of the AU Constitutive Act—an authority the Assembly invoked in mandating Senegal to "prosecute and ensure that Hissène Habré is tried, on behalf of Africa" for crimes committed in Chad. Here, too, any such tribunal could rely securely on the customary status of starvation crimes. In a sense, this AU authority parallels that of the UN Security Council under Chapter VII of the UN Charter. However, comprising all AU member states and operating pursuant to consensus or two-thirds majority, the AU Assembly avoids some of the Security Council's most significant legitimacy vulnerabilities.

Conclusion

Ultimately, the use of starvation of civilians as a method of warfare demands accountability. The question in the context of Sudan is how best to pursue it. In the meantime, the key imperative is for all of those with leverage to use it to pressure the SAF and RSF to facilitate humanitarian access, to cease using starvation as a weapon of war, and to reverse the descent into a catastrophic famine. Recognizing the criminality of starvation methods can provide the focal point for mobilizing to that end with the intensity and urgency that the situation demands.

Democratic Republic of the Congo

UN chief condemns attack on peacekeepers in DR Congo (KBC) By Christine Muchira
March 19, 2024

> **The UN chief on Saturday condemned an attack which saw eight peacekeepers from the UN Mission in the Democratic Republic of the Congo, or DRC, wounded during clashes between the powerful M23 rebel movement and Government troops.**

The incident occurred in the vicinity of Sake, just 20 kilometers from Goma, the provincial capital of North Kivu.

The wounded peacekeepers, who were part of Operation Springbok initiated last November to safeguard civilians in the region, sustained their injuries amidst the ongoing fighting, where UN troops have been assisting Government forces in order to protect vulnerable civilians.

In a strongly-worded statement issued by his Spokesperson, UN Secretary-General António Guterres condemned the attack, emphasizing that it could amount to a war crime under international law.

Expressing his wishes for a swift recovery for the injured peacekeepers, he reiterated calls for all armed groups, Congolese and foreign fighters alike, to immediately cease hostilities and engage in the disarmament process.

Furthermore, the UN chief emphasized the necessity for M23 to withdraw entirely from territory it has occupied and conform to the agreements outlined in the Luanda communiqué of November 2022, to uphold the sovereignty and territorial integrity of the DRC.

Bintou Keita, the Special Representative of the UN Secretary-General in the DRC and head of the UN mission MONUSCO, joined in the condemnation, denouncing the attack.

She said that one of the wounded 'blue helmets' had suffered severe injuries and all have been evacuated for appropriate medical care.

The peacekeepers had been deployed for several weeks as part of Operation Springbok in the restive North Kivu area, working jointly with Government troops in military operations. Ms. Keita reaffirmed MONUSCO's commitment to support investigations in the hopes of bringing those responsible to justice.

The Secretary-General and his Special Representative reaffirmed MONUSCO's resolve to further implement its protection of civilians mandate from the Security Council and work alongside Congolese defence and security forces to reinforce joint and unilateral patrols to protect civilians.

WEST AFRICA

Côte d'Ivoire (Ivory Coast)

Former Ivorian president Gbagbo agrees to run in 2025 election (France 24) March 10, 2024

> **Gbagbo, president of the West African country from 2000 to 2011, launched his African People's Party - Cote d'Ivoire (PPA-CI) in 2021 following his acquittal on war crimes charges by the International Criminal Court (ICC) and return from a decade abroad.**

He was acquitted in 2019 by the Netherlands-based ICC on charges relating to his role in a civil war sparked by his refusal to concede defeat in an election.

Gbagbo lost control of the party he previously founded, the Ivorian Popular Front (IPF), to a former ally while imprisoned awaiting trial in the Netherlands for several years, but he retains a large and loyal base of supporters at home.

The election is expected to be held in October 2025. President Alassane Ouattara, who was re-elected in 2020, has not yet said whether he will run again.

Another possible contender is Tidjane Thiam, former chief executive of Swiss bank Credit Suisse, who in December became president of the PDCI, one of Ivory Coast's main opposition parties, though the party has not yet formally designated its chosen candidate.

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

Court documents allege Cameroon counterintelligence spied on murdered journalist Martinez Zogo (Committee to Protect Journalists) March 8, 2024

> **Cameroonian authorities must disclose which journalists, in addition to murdered journalist Martinez Zogo, have been targeted for surveillance by the country's counterintelligence service and ensure that spying on members of the media is immediately discontinued, the Committee to Protect Journalists said Friday.**

The existence of a surveillance operation that allegedly spied on Zogo since at least 2015 was disclosed in a 20-page referral to trial document reviewed by CPJ. The document was part of a judicial investigation into the January 2023 kidnapping, torture, and murder of the popular radio host, which was finalized on February 29, 2024.

Seventeen suspects are expected to stand trial, on a date yet to be set, in a military court in the capital, Yaoundé, on charges including murder, complicity and conspiracy to murder, complicity and conspiracy to torture, complicity to kidnap, and violation of instructions, according to the document and news reports.

The suspects include:

Léopold Maxime Eko Eko, former head of the counterintelligence agency General Directorate for External Research (DGRE) Justin Danwe, former DGRE director of operations Jean-Pierre Amougou Belinga, an influential businessman and head of the privately owned media group L'Anecdote Bruno François Bidjang, L'Anecdote managing director and news presenter for privately owned television station Vision 4 "The revelation that a surveillance operation targeted popular radio host Martinez Zogo since at least 2015 raises concerns about which other journalists have been surveilled by Cameroon's counterintelligence agency," said Angela Quintal, head of CPJ's Africa program in New York. "Cameroonian authorities must make a full disclosure and ensure the end to all surveillance, physical or electronically, of journalists. The unfettered practice is not only a violation of journalists' right to privacy but has serious consequences for source protection."

Zogo was found dead on January 22, 2023, after going missing five days earlier. A week before his abduction, Zogo publicly accused Belinga of widespread corruption involving funds from the Cameroonian treasury during his radio show Embouteillage (Gridlock).

The court document reviewed by CPJ was prepared by lead investigating judge, Lieutenant-Colonel Pierrot Narcisse Nzié, the third investigating judge in the case who was appointed in December after the previous judge ordered the controversial release of Belinga and Eko Eko. The pair remained in detention after authorities claimed that the release order was fake.

The document describes how DGRE agents led by Danwe, under the influence of Belinga, allegedly carried out the kidnapping and torture of Zogo in Ebogo, a district of the capital Yaoundé, on January 17, 2023. Part of this team returned to the scene an hour later for a second operation that "resulted in Zogo's death" by "strangulation and torture."

The court document said Eko Eko denied involvement, saying Zogo was never a threat to him and the operation against the journalist was Danwe's personal initiative; however, Nzié said Eko Eko could not claim this, as he had ordered the DGRE to surveil the journalist since 2015 as part of the "Presse" dossier. The court documents did not elaborate further but said the surveillance operation ordered by Eko Eko was confirmed by another witness, Emmanuella Moudie, the chief of the DRGE's electronic surveillance division.

Zogo's surveillance was also corroborated by Yves Saïwang, another suspect facing trial and an officer in the DGRE's electronic surveillance division, who "bluntly" declared during questioning that Zogo was the target of the DGRE's surveillance, according to the court document. Saïwang also said that since 2017, he was responsible for monitoring Zoga. Eko Eko had never taken any measures to prevent this and could not escape responsibility, Nzié said in the court document.

Saïwang also said he sent Danwe geolocation information about Zogo via WhatsApp and then received 20,000 francs (US $33), according to the document. Heudji Guy Serge, another DGRE officer who is also a suspect in the trial, said he, too, provided technical information to Danwe about Zogo and received 15,000 francs (US $25).

Denis Omgba Bomba, director of the media observatory at Cameroon's Ministry of Communication, told CPJ that there was no surveillance "program" dedicated to journalists but that as Zogo was a public figure, the surveillance was a normal intelligence operation. Bomba added that the protection of journalists' sources is not absolute and that the state can ignore this for security reasons.

Authorities charged Bidjang with conspiracy to torture, conspiracy to arrest, and kidnapping in relation to Zogo's murder, according to the court document. He is detained in Yaoundé's Principal Prison on separate charges of revolt, incitement to insurrection, rebellion, and spreading false news, his lawyer, Charles Tchoungang, told CPJ.

Why schoolchildren are being abducted in northern Nigeria amid the region's security crisis (Associated Press) By Taiwo Adebayo
March 8, 2024

> **The kidnapping of 287 grade school students by gunmen in northwestern Nigeria this week was only the latest in a slew of such raids since the infamous Chibok schoolgirls' abduction by the Islamic militant group Boko Haram a decade ago.**

Around 1500 students have been kidnapped in raids since 2014.

The kidnappings take place in the country's troubled northern region, where relentless violence by insurgent Islamic militant organizations and by bandit groups with no particular ideology have crumbled communities and killed thousands of people.

While some of the Chibok school victims were believed to have been forced into marriage with militants, most of the kidnappings since then have been for ransom. Bandits also attack communities to force adults into labor on seized farmlands and mining sites.

Some of the raids have targeted colleges, such as a 2021 attack on Greenfield University in Kaduna State in which at least five students were killed when parents failed to meet ransom demands. But most victims have been schools for younger students.

Here is a closer look at the crisis in Africa's most populous nation:

What is Happening in Northern Nigeria?

The impoverished and educationally disadvantaged northern region of Nigeria has been worst hit by a wave of crime and insecurity.

The government claims progress against Boko Haram and its splinter Islamic State in West African Province, but the groups remain active and have established bases, including in Niger State near Abuja, outside of their original northeastern birthplace.

But an even worse and seemingly intractable problem has arisen in the northwest where large numbers of armed gangs, called bandits, have taken control of swaths of territory, invading schools and communities to conduct mass killings and abductions.

They have seized mining sites and farmlands and forced rural people to labor for them. The Nigerian armed forces, fatigued from fighting endless internal conflicts for more than 10 years, have done little to stop the gangs.

The gangs threaten the country's food security because they control parts of Nigeria where much of the country's homegrown food is produced.

Who are the Bandits Conducting Mass Abductions?

There has been no claim of responsibility in the latest attack, but it happened in an area where bandits are active and have attacked communities in the past.

The bandits generally are of the nomadic Fulani community, who initially took up arms to fight the ethnic Hausa communities in Zamfara State over access to land and water resources. But they have now developed into organized armed groups specializing in abduction for ransom and forcibly taking over farmlands and gold mines.

There are believed to be hundreds of gangs, each with scores of armed fighters.

Why are the Abductions Happening?

The abductions generally are aimed at obtaining ransom and have become a lucrative business, according to Shehu Sani, a former federal lawmaker from Kaduna, where the attack occurred on Thursday.

Schoolchildren are targeted because the bandits "know that it will evoke public sympathy for the pupils, and pressure will be mounted on the government to bow to their demands," Sani said in a post on X.

The government does not admit it, but sources close to the negotiations say ransom payments are made by both families and state governments, Sani said.

Ransom payments and other illicit incomes, such as proceeds from seized farms and mines, have helped the gangs amass a massive arsenal of weapons strong enough to even down military planes.

Nnamdi Obasi, an advisor at Brussels-based International Crisis Group, said the willingness of desperate families, embattled communities and even the state governments to pay ransoms has "turned mass kidnapping into arguably the most lucrative criminal enterprise in the northwest zone."

Affected communities often are in remote rural locations where the government is largely absent, making them vulnerable to attacks from bandits based in nearby forests.

How has the Government been Responding?

While the federal government has taken an official position of armed response, some state governments such as those in Zamfara and Katsina have tried softer measures, such as negotiations and amnesty deals with the bandits.

Obasi said the failure of state and federal governments to apprehend kidnappers has added to a "climate of impunity" that "only enables more heinous atrocities."

Some gang leaders have been killed over the years, including one recently in Kaduna, but that has only put a small dent in the problem. Enticing gang members to leave behind the lucrative business of kidnapping has proven difficult.

Are There Threats to Education?

The states in northern Nigeria already have the country's lowest rates of literacy, and high rates of children staying out of school.

The spate of abductions in recent years could affect the efforts of the government and development partners to encourage parents to send their children to school.

"Many parents in rural areas are now afraid of allowing their children to go to school," Sani said. "This is a serious problem for basic education in Northern Nigeria."

EAST AFRICA

Uganda

Press freedom in Kenya, Uganda and Rwanda: what journalists have to say about doing their jobs (The Conversation) By Karen McIntyre and Meghan Sobel Cohen
March 18, 2024

> **A majority of the world's population has experienced a decline in press freedom in recent years, according to a UN report. In east Africa, the results are mixed and debatable.**

In Rwanda, both international press freedom rankings and journalists on the ground say press freedom has increased over the past 10 years. In neighbouring Uganda, both international rankings and local journalists say media freedom has declined. In Kenya, rankings reflect declining freedom over the past decade, but reporters acknowledge they have more freedom than their counterparts in Uganda and Rwanda.

In our roles as associate professors in journalism and mass communication, we interviewed and surveyed more than 500 journalists in Rwanda, Uganda and Kenya. We learned that the evolution and current state of press freedom in the region is complex. In our book, Press Freedom and the (Crooked) Path Toward Democracy: Lessons from Journalists in East Africa, we provide an updated state of press freedom in these three countries.

We argue that much of the academic research that classifies global media systems has overlooked the world's most developing nations, and those that have included developing nations have failed to consider their historical contexts. They have worked from a misguided premise that nations develop in a linear fashion – from non-democracy to democracy – and from a restricted press to a free press. In reality, press freedom and democracy ebb and flow.

Fight back against disinformation. Get your news here, direct from experts We examine the impact of social, political, legal and economic factors on media in Rwanda, Uganda and Kenya to help with understanding media systems outside the western world.

We chose to study these three countries because they represent varying stages of development and democracy building. Rwanda, which experienced a genocide in 1994, is in relatively early (though fast paced) stages of reconstruction. Uganda, which experienced a civil war in the 1980s and unrest in the 1990s but arguably not to the extent of Rwanda's genocide, can be considered in a middle stage of development. Kenya, which has remained largely peaceful, can be understood as being in a more advanced stage of development.

Rwanda In Rwanda, despite 30 years of economic, social and media progress and development, lingering impacts from the 1994 genocide against the Tutsi permeate the country's media. Multiple laws limit free expression in the name of genocide prevention, and international press freedom rankings indicate the nation is not free.

Yet, we found that many Rwandan journalists believe that they have a great deal of freedom and that outsiders don't consider the country's history when evaluating the media. Outsiders, for example, hear that Rwandan journalists cannot criticise the president or high-ranking government officials and immediately think there is no press freedom. But local journalists say they don't feel oppressed. They feel relatively free to choose their story topics. They don't want to publish critical stories because they want to foster peace.

Journalists believe their role is to act as unifiers and right the wrongs of their predecessors who exacerbated the genocide. Public trust in the media remains high, according to focus groups conducted with members of the general public. In Rwanda, there appears to be a relationship between press freedom and distance from conflict. That is, the more time that passes since the country experienced war, the more press freedom it has.

Prioritising social good over media rights has helped the country unify and develop, but over the long term we see signs that Rwanda's linear path towards increasing democracy and press freedom may not continue. Rather, prioritising peace at the cost of press freedom could limit development and reinforce existing authoritarian power structures.

Uganda In Uganda, the relationship between press freedom and distance from conflict has been less linear. Some media restrictions have lessened and others have worsened.

Despite a sustained period of peace after conflict with the Lord's Resistance Army in the northern part of the country that began in the 1980s, press freedom is not increasing as time passes. Overall, journalists in the country largely agree with the international perception that they're restricted and that the situation is worsening the longer President Yoweri Museveni remains in power. Journalists in Uganda perceive their press freedom to be lower than journalists in neighbouring countries. They also have a more pessimistic outlook.

Government interference, some of which stems from the conflict and some that's new, remains pervasive. Worn down by government intimidation and repressive laws, coupled with low pay and lack of necessary equipment, some journalists told us they had turned to unethical behaviour, such as acting as spies in the newsroom.

Kenya Kenya is home to the freest media environment. It's also the only one in our study that has seen changes in presidential leadership in recent years. But just because a nation regularly holds elections doesn't mean the path to democratisation and media freedom is smooth.

External measures indicate that Kenya has more press freedom than Uganda and Rwanda, and journalists in the country perceive this to be true. However, data show ups and downs of media freedom that have mirrored varying political administrations and events, including spurts of post-election violence. These ebbs and flows are largely due to politicians or powerful members of society who share ideological goals or have financial interests like owning major media houses and influencing coverage.

Despite the challenges, journalists attribute Kenya's state of press freedom to the vast international connections the country and its leaders have. An empowered civil society – which stems from both a space for dissent given by public officials, and the culture and spirit of Kenyans – has promoted the growth of human rights, including media freedoms.

Why it matters After a nuanced examination of the factors that affect the media in each of these countries, our book lists a set of factors that affect press freedom and democracy building.

Specifically, we believe each country's distance from conflict, political benchmarks, international linkages and civil society strength are central to understanding its degree of press freedom, development and democratisation.

While these factors are not the only elements that influence media landscapes, they are a starting point for better understanding and theorising about press freedom environments.

A free and independent press allows the public to hold leaders accountable, make informed decisions and access a diversity of opinions. This makes it important to accurately understand how free varying media landscapes are, and why.

EUROPE

Court of Bosnia & Herzegovina, War Crimes Chamber

Bosnian Train Massacre Defendant Dies Before Retrial Gets Underway (Balkan Transitional Justice) By Milica Stojanovic
March 7, 2024

> **Belgrade Higher Court confirmed to BIRN that proceedings against former Bosnian Serb Army soldier Jovan Lipovac, who was one of four ex-fighters on trial in the long-running Strpci train massacre case, have been discontinued because of his death on February 25.**

Lipovac was on trial alongside alleged former paramilitaries Gojko Lukic, Dusko Vasiljevic and Dragana Djekic for participating in the abduction of 20 non-Serb passengers from a train in Strpci station in Bosnia and Herzegovina in 1993. All the captive passengers were subsequently killed.

The trial in Belgrade, which began in 2018, has been marred by delays and victims' families have claimed that it is being prolonged without reason.

Marina Kljajic from the Humanitarian Law Centre NGO, which represents the victims in the case, told BIRN that the slow progress of the legal proceedings "creates the painful impression among the members of the victims' families that the [Serbian] state basically does not want to bring those responsible to justice and does not recognise their suffering".

Kljajic said that legally, ending the proceedings against Lipovac was the only possible outcome after his death. "However, the problem is that it came about due to decades of lack of interest on the part of the competent authorities of the Republic of Serbia in prosecuting those responsible for the kidnapping and murder of passengers from the train in Strpci," she said.

Kljajic pointed out that even during the first trial for the Strpci crime in Montenegro, over two decades ago, "evidence was produced that unequivocally pointed to the perpetrators, so there were already no obstacles to prosecuting them then".

Another defendant in the Belgrade trial, wartime Serb paramilitary fighter Ljubisa Vasiljevic, died in July 2021.

Damir Licina, the son of victim Iljaz Licina, told BIRN last month on the 31st anniversary of the massacre that he believes Serbia is dragging out the case so the alleged perpetrators' lives "will not last long enough to answer for what they have done".

Serbia has been repeatedly criticised for its slow progress in prosecuting war crime cases. The European Commission's most recent report on Serbia's progress towards EU accession said the country's "pace of processing war crimes has significantly deteriorated in recent years".

The victims in the Strpci case, mainly Bosniaks, were seized from a train at Strpci station and taken to a school in Prelovo, where they were physically assaulted. They were then taken to a burned-out house in the village of Musici, where they were executed.

Lipovac and the other defendants were initially convicted of participating in beating the captives in Prelovo and taking them to the house in Musici.

But Belgrade Court of Appeals quashed the first-instance verdict. A retrial was set to begin in January this year but the first hearing was postponed.

Ten other wartime Bosnian Serb soldiers have already been convicted of involvement in the Strpci crime in Bosnia and in Montenegro.

The Bosnian state court sentenced the former commander of the Interventions Company of the Bosnian Serb Army's Visegrad Brigade, Boban Indjic, to 15 years in prison in January this year.

In October 2022 , the Bosnian state court also found seven former soldiers from the Bosnian Serb Army's Second Podrinje Brigade guilty of involvement in the abductions and murders. The judge in the trial said that Milan Lukic took part in the execution of 18 of the captured civilians.

Mico Jovicic, a paramilitary volunteer from Serbia, was sentenced to five years in prison by the Bosnian state court after making a plea bargain in 2016.

Another paramilitary volunteer, Nebojsa Ranisavljevic, was sentenced to 15 years in prison for the Strpci crime by the Montenegrin court.

The alleged mastermind of the Strpci crime, Milan Lukic, is currently in prison in Estonia after the International Criminal Tribunal for the Former Yugoslavia sentenced him to life imprisonment for other crimes during the Bosnian war, but not for the Strpci killings.

He was indicted for Strpci by the Bosnian state prosecution in 2019. The elementary school in Prelovo where the victims were robbed and beaten was the same one that Lukic himself attended as a child. 19 smugglers arrested in Bosnia and Herzegovina and Croatia (Europol – European Union Agency for Law Enforcement Cooperation) March 8, 2024 https://www.europol.europa.eu/media-press/newsroom/news/19-smugglers-arrested-in-bosnia-and-herzegovina-and-croatia

A large-scale investigation under Europol's Operational Task Force (OTF), involving law enforcement and judicial authorities from Bosnia and Herzegovina, Croatia, Slovenia with the informational support from Germany, has led to the dismantling of migrant smuggling networks active across the so-called Balkan route. The more than a year-long investigation into this criminal network led to two action days on 24 January and 6 February.

Overall results of the two action days: The leader of the network (High Value Target), a woman from Bosnia and Herzegovina, was arrested in Bosnia and Herzegovina 18 significant criminal organisation members arrested (9 in Bosnia and Herzegovina and 9 in Croatia) 10 locations searched (in Bosnia and Herzegovina and Croatia) Seizures include vehicles, electronic equipment and about EUR 65 000 in cash

Shift in migration routes in the Western Balkans region Back in 2023, the Bosnia and Herzegovina-Croatia border was the second most used crossing point for smugglers in Balkans. In 2024 criminals have further intensified their activities on the route Bosnia and Herzegovina – Croatia - Slovenia. Consequentially, this border section is now on the route, which is mostly used to smuggle migrants from the Balkans to Western Europe. The criminal network targeted by these action days used a very dangerous modus operandi. They transported the migrants between Bosnia and Herzegovina and Croatia, hiding them in concealed sections in modified wagon cars. The migrants were placed in hide out under car floors, which made the transportation extremely dangerous. During the investigation and before the action days, Croatian authorities arrested 28 suspected smugglers. Authorities have detected smuggling incidents connected to this network. During these interceptions, more than 360 migrants were found. The migrants were then led to cross the EU borders mainly on foot. After the migrants had crossed the border, the smugglers would then transport them further by car, van or in the back of a lorry. The investigation led to the identification of several networks operating in the region. The leaders of these networks are believed to reside in surrounding countries, but also in Germany and Türkiye. The leaders are suspected of coordinating different cells operating at local level to ensure temporary accommodation and then transferring migrants along the route to their final Western European destination. Operational intelligence suggests that approximately 40 networks are active in the region, which are attracting different individuals potentially playing various roles in the smuggling activities. Regional OTF at Europol to address the criminal networks

The Balkan region is a key transit area for secondary movements, where criminal networks proactively offer their services to irregular migrants. To provide a concerted response to this criminal phenomenon, in March 2023 Europol has set up a regional OTF involving Bosnia and Herzegovina, Croatia, Germany and Slovenia. The OTF focuses on tackling criminal networks involved in migrant smuggling along the main Western Balkan migration routes.

Europol established a dedicated financial instrument to facilitate such high-profile investigations. Europol supported the overall coordination of the investigative activities, while also organising operational meetings of the members of the OTF. During the length of the investigations, Europol facilitated the exchange of information and provided analytical support to the national authorities involved. During the action days, Europol deployed experts to Bosnia and Herzegovina and Croatia to assist the national authorities to cross-check in real time operational information against Europol's databases, perform digital forensics and support the investigators in the field with new leads.

Bosnian Serb Detention Camp Officers Convicted of Prisoner Abuse (Detektor) By Marija Taušan
March 8, 2024

> **The Bosnian state court in Sarajevo found Milomir Djuricic and Vukadin Spasojevic guilty on Friday of a crime against humanity for the abuse of non-Serb prisoners held at the Uzamnica detention camp in Visegrad.**

Djuricic was convicted as the warden of Uzamnica from August 1992 to April 1993, and Spasojevic as sergeant of the guards at the detention camp from May 1992 to September 1993.

Under the first-instance verdict, Djuricic was jailed for five years and Spasojevic for 11 years.

The verdict said that Bosniak civilians were held in poor conditions in a hangar, with no heating, no sanitary facilities and no medical care.

"In the specific case, Djuricic was responsible for the conditions," said presiding judge Stanisa Gluhajic. He added that the conditions at the camp were worse than under later wardens.

Djuricic was found guilty of failing to prevent his subordinates from abusing inmates and forcing them into sexual intercourse. His negligence also enabled paramilitary leader Milan Lukic and members of his unit to come in and beat the detainees.

Lukic, the leader of the Avengers paramilitary unit, was sentenced by the Hague Tribunal to life in prison for the crimes he committed in Visegrad.

Spasojevic was convicted of having forced detained women and men into sexual intercourse and physically abusing them, which was classified as torture. The verdict found that other soldiers watched the abuse and laughed.

In some cases, men refused to rape two female detainees, so the defendant beat them, while in another case, a detainee raped a prisoner out of fear for his own safety. Gluhajic said that although most of the victims of sexual abuse were women, men were raped too.

"These were abusive intercourses, because both women and men were forced into sexual intercourse," Gluhajic explained.

Djuricic was acquitted of approving the sending of detainees to do forced labour, because the court found there is no evidence that they were abused or starved when they did so, and that some volunteered to go.

Spasojevic was acquitted on 12 counts of forcing someone to commit sexual abuse and inflicting severe suffering. Gluhajic explained that for some of these counts, no evidence was presented that proved the defendant was guilty. For other counts, an acquittal was delivered because witnesses did not testify at the trial and only their statements were read out.

Gluhajic said that a lesser penalty was imposed on Djuricic because of mitigating circumstances including the fact that, in some cases, he demonstrated humanity towards the detainees, and that he was convicted for acts of omission.

As for Spasojevic, the court took into account "his proper conduct in court, him being a family man and his poor medical condition". The persistent abuse, which gave him pleasure, was taken into account as an aggravating circumstance.

The verdict can be appealed.

Court of BiH issued Verdict of 16 Years Imprisonment for War Crimes in Visegrad (SarajevoTimes) March 8, 2024

> **The Court of Bosnia and Herzegovina issued a first-instance verdict in which Milomir Đuričić was sentenced to five and Vukadin Spasojević to 11 years in prison for the crimes committed in 1992 and 1993 in the "Uzamnica" camp in Višegrad.**

They were convicted of crimes against humanity and found guilty of participating in a widespread and systematic attack against the non-Serb population in Visegrad.

Đuričić was convicted in his capacity as the warden of "Uzamnica" from August 1992 to April 1993, and Spasojević as the guard distributor in that camp from May 1992 to September 1993.

Spasojević did not appear at the sentencing. According to the decision of the Judicial Council, both were ordered into custody.

The trial of Đuričić and Spasojević began in March 2022.

An appeal to the Appellate Council of the Court of Bosnia and Herzegovina is allowed.

Five Bosnian Serb Ex-Policemen Jailed for Torturing Civilians (Detektor) By Jasmin Begić
March 11, 2024

> **The Bosnian state court said in a statement on Monday that prosecution and defence appeals have been rejected and last year's first-instance verdict convicting Milan Djokic, Branislav Trisic, Zoran Tanasic, Zarko Milanovic and Mladen Krajisnik of committing a war crime against Bosniak civilians has been confirmed.**

Djokic and Trisic have been sentenced to three years in prison each and Tanasic, Milanovic and Krajisnik to two years each for torturing the civilians in the Janja area in the period from 1992 to 1994.

Djokic was found guilty, in his role as commander of the police station in Janja, of failing to prevent others from abusing civilians who had been detained for questioning about weapons.

Trisic was convicted of beating up three civilians with a metal stick and his fists, and Tanasic of beating up two civilians. The court found that Milanovic and Krajisnik each hit one civilian.

Three other defendants, Savo Mrsic, Milivoje Cobic and Milan Markovic, were acquitted of all charges.

The trial began in June 2016 and initially included three more defendants. Two of them, Vlado Stjepanovic and Ljubisa Ikic, have since died, while the third, Zoran Bogdanovic, was incapable of standing trial due to illness.

The second-instance verdict cannot be appealed.

U.S. sanctions Bosnian Serb officials over controversial 'Republika Srpska Day' (United Press International) By Darryl Coote
March 14, 2024

> **The United States has sanctioned three people in Republika Srpska behind a controversial holiday that the Biden administration said undermines the peace and stability of Bosnia and Herzegovina.**

The Biden administration has repeatedly imposed sanctions against those it accuses of threatening the fragile stability of the Western Balkan nation, and on Wednesday blacklisted members of a committee responsible for organizing "Republika Srpska Day" on Jan. 9 in defiance of court decisions that found the celebrations unconstitutional.

Jan. 9, 1992, is when Bosnian Serbs declared their secession from Bosnia and Herzegovina that preceded the Bosnian war.

In 1995, the war was brought to an end by the signing of the Dayton Agreement, which created Bosnia and Herzegovina's two ethno territorial entities: the Bosnian Serb-majority Republika Srpska and the Croat-majority Federation of Bosnia and Herzegovina.

The Republika Srpska has celebrated Republika Srpska Day on Jan. 9, which is also when it celebrates its orthodox Patron Saint's Day, but the Constitutional Court of Bosnia and Herzegovina ruled in 2015 that the holiday is unconstitutional for privileging Bosnian Serbs over other ethnic groups.

The ruling states that by celebrating both holidays on Jan. 9, Republika Srpska has created a public atmosphere that prioritizes "the religious heritage, tradition and customs of only the Serb people," placing them in a privileged position.

Despite the ruling, U.S.-designated Republika Srpska President Milorad Dodik created a committee to organize this year's Republika Srpska Day celebrations, which ran from Jan. 8-10.

Branislav Okuka, 57, Jelena Pajic Bastinac, 41, and Srebrenka Golic, 65, were sanctioned by the U.S. Treasury for being members of that committee. The punitive measures block all property in their names and bar U.S. persons from doing business with them.

"The United States is deeply concerned about the continued attempts to undermine the Dayton Peace Accords and the Bosnia and Herzegovina Constitution, two critical institutions that have been instrumental to peace and stability in the region" Under Secretary of the Treasury for Terrorism and Financial Intelligence Brian Nelson said in a statement.

"We will continue to hold to account those who seek to sow division to achieve their own political aims at the expense of the people of Bosnia and Herzegovina."

This year's holiday was met with staunch criticism from Western nations, including the United States and the European Union as well as the Organization for Security and Co-operation in Europe.

On Jan. 9, the U.S. Embassy in Sarajevo warned that the United States "has acted to address anti-Dayton actions like this in the past and will not hesitate to do so again in the future."

Okuka, who is an adviser to Dodik, told Srpska Republika News Agency that he was "honored" to be blacklisted by the United States for being a part of organizing Republika Srpska Day festivities, which he said were "magnificent and spectacular."

"I promise that the next Jan. 9 will be even better and more massive," he said.

International Criminal Tribunal for the Former Yugoslavia

Introducing the Symposium on the Creation of a Single Residual Mechanism for Atrocity Crimes (Just Security) By Milena Sterio, Marie-Ève Plamondon, Melike Taktlioglu, Joshua Smith, and Tara Ohrtman
March 13, 2024

> **Since the early 1990s, the international community has held individuals responsible for the commission of mass atrocities through a series of conflict-specific international ad hoc and hybrid criminal tribunals. Unlike the permanent International Criminal Court (ICC), these tribunals have been designed to reduce their size and capacities after all major prosecutions have been completed. The residual mechanisms that result from this reduction in prosecutorial functions continue to carry out predominantly non-prosecutorial core residual functions, such as archival management, victim and witness protection, sentence enforcement and contempt hearings, and protection and promotion of the predecessor tribunals' legacies.**

This symposium focuses on whether the international community should consider combining all existing and future residual mechanisms into one single residual mechanism. This could promote convergence in the development of international criminal law, ensure continued and predictable funding for the mandates of residual mechanisms that otherwise might face underfunding or closure, and increase administrative and resource-related efficiencies across the residual mechanisms in the execution of their core residual functions.

Creating a single residual mechanism would require overcoming numerous challenges, including ones related to international law, administrative concerns, and global politics. We examine these challenges and potential solutions as applied to several existing ad hoc international or hybrid residual mechanisms that could be combined into any single residual mechanism – the International Residual Mechanism for Criminal Tribunals (IRMCT), which continues the work of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR); the Residual Special Court for Sierra Leone (RSCSL), which continues the work of the Special Court for Sierra Leone (SCSL); the Extraordinary Chambers in the Courts of Cambodia (ECCC); and the Special Tribunal for Lebanon (STL).

The symposium is composed of three parts:

Part I introduces the idea of a single residual mechanism, contextualizing it within a broader framework and history of international criminal justice. It examines the functions of residual mechanisms generally, then outlines in greater detail the benefits and challenges to creating a single residual mechanism.

Part II addresses the primary legal, political, and administrative considerations surrounding the creation of a single residual mechanism, as well as how related challenges might be addressed. Finally, Part III introduces three possible distinct structural models for a single residual mechanism, each of which would encompass a different scope of functions and be created through a different legal mechanism, while also examining the costs and benefits of each model. These articles benefit immensely from insights provided through a series of interviews conducted with nearly a dozen experts in international criminal law. These experts include former officials with the U.S. State Department and with the United Nations, as well as current and former judges, prosecutors, defense counsel, and registrars for the five international ad hoc and hybrid tribunals discussed and for the International Criminal Court.

Turkey

Zelenskyy, Erdogan Discuss Peace Prospects Between Ukraine, Russia (VOA News)
March 8, 2024

> **Turkey is ready to host a peace summit on the war in Ukraine that both Ukraine and Russia would attend, Turkish President Recep Tayyip Erdogan announced Friday after a meeting with Ukrainian President Volodymyr Zelenskyy in Istanbul.**

"We are giving our utmost contribution for the war to end on the basis of negotiations," Erdogan said, adding he reiterated Ankara's support for Ukraine's sovereignty.

Throughout the two-year war between Russia and Ukraine, Turkey, a NATO member, has sought to maintain good diplomatic relations with both countries and is expected to urge peace negotiations between the two foes.

Ankara "will once again emphasize that our strong support for the territorial integrity, sovereignty and independence of Ukraine, including Crimea, continues," a Turkish diplomatic source told Agence France-Presse.

Last week, Turkish Foreign Minister Hakan Fidan urged Ukraine and Russia to begin cease-fire talks after meeting with Russian counterpart Sergey Lavrov and added that such talks must not mean the recognition of Russia's occupation.

As part of its balancing act between Ukraine and Russia, Ankara has offered to host peace talks while keeping up its defense industry ties with Ukraine and deepening its energy cooperation with Russia. Additionally, it has inked an accord to take part in the postwar reconstruction of Ukraine.

Swiss summit

After talks with Erdogan in Istanbul, Zelenskyy said a Russian representative could be invited to future negotiations after a road map toward peace is agreed upon with Ukrainian allies at a meeting in Switzerland. He said Russia would not be invited to the summit in Switzerland, due to be held in the coming months.

"We don't see how you can invite people who block, destroy and kill everything," he said.

Zelenskyy and Erdogan discussed developments in the Russia-Ukraine war, shipping security in the Black Sea, the defense industry cooperation between Ukraine and Turkey, and the expired Black Sea grain deal.

Ankara — which shares a maritime border with Ukraine and Russia in the Black Sea — has sought to persuade Russia to return to the grain deal that allowed Ukraine to safely export grain from its Black Sea ports. Russia has said it is not interested in reviving it.

Last July, Russia exited the Black Sea Grain Initiative brokered by the U.N. and Turkey, saying its demands for better terms for its own food and fertilizer exports were being ignored.

Zelenskyy called the talks with his Turkish counterpart "sincere and fruitful."

"Today we have reached agreements on joint defense projects both at the government level and between companies," he wrote on the social media platform X.

He also expressed his gratitude for Erdogan's diplomatic mediation to release Ukrainian citizens from Russian captivity, "including Crimean Tatars, who have been repressed by Russia in Ukraine's occupied territories and are being held in Russian prisons and camps under extremely harsh and inhumane conditions."

Zelenskyy's visit to Turkey came as Ukrainian Prime Minister Denys Shmyhal announced Friday at a government meeting that Kyiv expected to receive about $4.5 billion in March and another $1.5 billion in April from the European Union.

Kyiv continues to press allies for more munitions and weaponry to stem the advance of Russian troops into the Ukraine-held western part of the Donetsk region and also to keep Russia from penetrating the Kharkiv region north of it.

Zelenskyy's trip to Turkey came before a planned visit there by Russian President Vladimir Putin, which the Kremlin has said will take place after Russian elections on March 15-17.

Russian armed forces and associated groups systematically use torture in occupied areas of Ukraine, a U.N. expert said Friday, according to Agence France-Presse.

Alice Jill Edwards, the U.N. special rapporteur on torture, said she had come to that conclusion after a visit to Ukraine in September. She said her findings pointed to "a deliberate policy" on the part of the Russians.

"The volume of credible allegations of torture and other forms of cruel, inhuman or humiliating treatment or punishment [indicate that] torture is an element of Russia's war policy," she told the U.N. Human Rights Council. "These grievous crimes appear to be neither random nor incidental."

Speaking to reporters, Edwards said Ukrainian prosecutors had told her there were about 103,000 open cases related to war crimes and crimes against humanity, 90% of which were registered as torture cases.

Addressing conditions faced by Russian prisoners of war in Ukrainian custody, she said "sincere efforts were being made by the Ukrainian authorities to treat POWs respectfully."

Her report raised concerns about conditions in one penal facility in Lviv, however, where Ukrainian nationals charged with collaborating with the Russians were being held, saying she had received "several allegations of abusive treatment by Ukrainian officials," mainly in connection with the capture, arrest and transit of prisoners.

"I call on the Ukrainian authorities to investigate such allegations promptly, to reinforce training and disciplinary and other preventive measures, and to guarantee the protection of all legal rights of all complainants and detainees," she said.

Turkish rights body raises Gaza's voice worldwide with new report (Daily Sabah)
March 8, 2024

> **Türkiye expands its struggle to restore the rights of Palestinians and end the Israeli oppression in Gaza through more initiatives. In the sixth month of Israel's brutal attacks on the Gaza Strip, a new report on the situation in the Palestinian enclave shed light on the plight of innocent Palestinians. The country's chief ombudsman said the report, dispatched worldwide, aims to serve as evidence in the prosecution of those responsible for "massacre, war crimes and genocide," with ambassadors from numerous countries already asking for appointments to discuss its contents.**

The document, titled "Gaza: A Special Report on the Catastrophe of Humanity," was prepared by Türkiye's Ombudsman Institution and introduced at Parliament last week. It has now been sent to other legislatures, as well as international institutions and organizations including the U.N. Security Council, European Parliament, Council of Europe, Organization for Security and Cooperation in Europe (OSCE) and the International Criminal Court (ICC).

Speaking to Anadolu Agency (AA) earlier this week, Chief Ombudsman Şeref Malkoç underlined the importance of the report documenting the "genocide" that Israel has waged in Gaza since Oct. 7, adding that copies were distributed to the representatives of nearly 200 countries at the Antalya Diplomacy Forum (ADF) on March 1-3. "I believe that this report will be used as evidence in courts where those responsible for the massacre, war crimes and genocide in Gaza will be tried," Malkoç said.

Since the report was made public, ambassadors from many countries have asked for appointments to discuss its contents, he noted. "South Africa's ambassador said they would forward the report to their president to be sent to the International Court of Justice (ICJ)." "In addition, a team headed by our ombudsman, Fatma Benli Yalçın, sent the report electronically to all human rights defenders, ombudsman institutions, other countries' parliamentary human rights commissions and judgment institutions worldwide."

"Since Oct. 7, Gaza has turned into the world's largest children's cemetery," the official lamented. There is no other example in the world of the massacre unfolding in Gaza, he said, adding: "They dropped bombs on Gaza three times more powerful than the atomic bombs dropped on Hiroshima and Nagasaki." "Nearly 70,000 tons of bombs," he stressed. Criticizing the United States and many European nations for maintaining their support for Israel, Malkoç also pointed out that millions around the world "who have a conscience and value human dignity are taking to the streets" to protest Israel's onslaught. With the events in Gaza, the international system set up by Europe and the U.S. after World War II has collapsed, along with all their theories and jurisprudence on human rights, he asserted.

Arguing that the world needs a new breath of fresh air on human rights thinking, Malkoç said: "Our president's (Recep Tayyip Erdoğan) statement that, 'the world is bigger than five,' and the fact that it is gaining attention all over the world is the most concrete indicator of this." He was referring to Erdoğan's oft-repeated slogan for U.N. reform, "The world is bigger than five," pointing to the unrepresentative nature of the U.N. Security Council's five permanent, veto-wielding members. "After Oct. 7, the law on human rights in Gaza, Palestine and the world will be reconsidered," said Malkoç. "In Türkiye, human rights institutions like us have a great responsibility. We have prepared this report to fulfill this responsibility."

Stop massacre of women, children

Calling attention to the suffering of women and children in Gaza since Oct. 7, Ombudswoman Yalçın underlined that Israel has been committing genocide in Gaza over the past five months. She noted that according to the U.N. Population Fund, pregnant women face the risk of miscarriage at rates of up to 300% as they have no access to hospital care. Yalçın pointed out that the 50,000 women who were pregnant in Gaza on Oct. 7 could not "give birth in a healthy way" amid the lack of food and clean water, with many among the 2 million displaced since the offensive began. The official further said: "That is why there are so many child deaths. There are even many reports of women going through c-sections without anesthesia," said the official. "Things are getting much worse for women in Gaza," she warned. "This March 8, we need to proclaim this to the whole world."

Yalçın emphasized that the number of women killed in Gaza has exceeded 7,500 and urged women's organizations around the world to raise their voices on International Women's Day to say: "Stop the massacre of women and children in Gaza." "We have prepared a brochure on what being a woman is like in Gaza and we will present it at the Commission on the Status of Women to be held at the U.N.," she said, adding that Parliament's Committee on Equal Opportunity for Women and Men would also take part in this presentation. Stating that women and children have been targeted and killed by Israeli snipers in Gaza, she said the Ombudsman Institution's report documents this and other aspects of the situation in the besieged territory.

She also underlined that what is happening in Gaza is the result of Israel's impunity. "If the world does not oppose this with a louder voice, if Palestine is not recognized as an independent state in the U.N., if an immediate cease-fire is not achieved, all the rights violations taking place in the world will become crimes in which governments worldwide are complicit," she warned. She said only the "existing cases" have been used in the report to document the genocide.

Yalçın pointed out that more than a thousand children have had their arms and legs amputated in Gaza, mentioning that children were operated on without anesthesia due to Israeli attacks on hospitals. "Every day in Gaza, 10 children's arms and legs are amputated without anesthesia," she said. "On March 8, everyone who thinks about Gaza should ask themselves the question, 'What would I do if I were the mother of that child?"

Israel has waged a deadly military offensive on the Gaza Strip since Oct. 7, 2023. More than 30,700 Palestinians have since been killed, mostly women and children, and over 72,000 others injured amid mass destruction and shortages of necessities. Israel has also been using hunger as a weapon by imposing a crippling blockade on the Gaza Strip, leaving its population, particularly residents of northern Gaza, on the verge of starvation. The Israeli war has pushed 85% of Gaza's population into internal displacement amid acute shortages of food, clean water and medicine, while 60% of the enclave's infrastructure has been damaged or destroyed, according to the U.N.

Israel stands accused of genocide at the International Court of Justice (ICJ). An interim ruling in January ordered Tel Aviv to stop genocidal acts and take measures to guarantee that humanitarian assistance is provided to civilians in Gaza.

Turkey's airstrikes on civilian targets in Syria may amount to war crimes: UN commission (Turkish Minute) March 12, 2024

> **The UN's Commission of Inquiry on Syria has released a statement that said Turkey's airstrikes on civilian targets in northeast Syria could amount to war crimes, the Stockholm Center for Freedom reported.**

"Turkish aerial attacks on power plants deprived nearly one million people of water and electricity for weeks, in violation of international humanitarian law," the commission said on Monday. "Civilians were also killed in targeted aerial attacks fitting a pattern of Turkish drone strikes. Such attacks may amount to war crimes."

The statement said Syria was in dire need of a ceasefire amid the worsening humanitarian crisis.

Rights groups, such as Human Rights Watch (HRW), have also been criticizing Turkey's airstrikes in the Kurdish-held regions of the war-torn country.

Last month HRW released a report holding Turkey responsible for human rights abuses and violations of land and property rights in swaths of northern Syria it controls along with its proxies.

In addition Turkey was also repeatedly accused of disrupting water supply to Kurdish-majority areas. In late 2022 HRW said Turkey's actions exacerbated an acute water crisis and contributed to the spread of a deadly cholera outbreak.

Since 2016 Turkey has carried out successive ground operations to expel the Kurdish-led Syrian Democratic Forces (SDF) from Syria's north, with its proxies now controlling two large border strips.

Ankara views the Kurdish People's Protection Units (YPG), which dominates the SDF, as an offshoot of the outlawed Kurdistan Workers' Party (PKK).

While parts of the international community have joined Turkey in designating the PKK as a terrorist organization, Ankara's views on the YPG have generally not been shared by its Western partners.

MP calls on Germany to stop arms exports to Turkey due to its attacks on Syria (Stockholm Center for Freedom) March 14, 2024

> **Gökay Akbulut, a member of the German parliament from the Left Party, has called on the German government to stop exporting arms to Turkey due to the country's attacks on civilian facilities in northern Syria, which she called a "war crime," Turkish Minute reported, citing Neues Deutschland.**

On October 5 Turkey launched an aerial campaign in northern Iraq and Syria's northeast after the outlawed Kurdistan Workers' Party (PKK) claimed responsibility for a bombing near government buildings in Ankara that injured two police officers. Turkey claimed the attackers came from and were trained in Syria.

The semi-autonomous Kurdish administration has denied the claim and said dozens of people, including security personnel and civilians, have been killed in Turkish attacks, while critical infrastructure has been damaged.

According to data from the Germany-based Society for Threatened Peoples (STPI), an international NGO and human rights organization, Turkish warplanes and drones carried out 74 attacks on the critical infrastructure of northern and eastern Syria December 23-26. In 2023 Turkey carried out 798 attacks on northern Syria, according to STPI, which relies on data from the Syrian Democratic Forces (SDF).

Akbulut asked the German parliament's Research Services, which support members' political work in parliament and the constituencies by supplying specialist information, analyses and expert opinions, whether Turkey's actions in Syria violate international law. A report from the Research Services said attacks on civilians and facilities such as hospitals are — if deliberate — illegal under international law because they violate Article 8, Paragraph 2 of the International Criminal Court's (ICC) Rome Statute.

Turkey is not a signatory of the Rome Statute.

Akbulut told the German newspaper that Turkey has undoubtedly committed war crimes by deliberately attacking civilian infrastructure in Syria and that it was confirmed by the report from parliament's Research Services.

She cited the destruction of a medical center in the Syrian Kurdish town of Kobani, a civilian medical facility not used for military purposes, as an example, saying that it speaks for itself as a "war crime."

"Germany must therefore stop its arms exports to Turkey," said Akbulut.

The politician, who has been campaigning in Germany for the lifting of a ban on the activities of the PKK, frequently accuses the Turkish government of "waging a brutal war on the Kurdish population inside and outside its borders."

According to a report in the Der Spiegel magazine, German arms sales to Turkey declined somewhat in 2023, when the country purchased weapons valued at 1.2 million euros with the approval of 17 agreements by the German government for arms sales.

Turkey's military operations in Syria led some Western countries to impose an arms embargo on Turkey or limit their arms sales to the country.

A report by Human Rights Watch said in October that Turkish drone airstrikes on Kurdish-held areas of northeast Syria damaged critical infrastructure and resulted in the disruption of water and electricity supply for millions of people, calling on the country to immediately stop targeting critical infrastructure necessary for residents' rights and well-being, including power and water stations.

UN chair calls for ceasefire in Syria amid escalating violence (Medya News) March 19, 2024

> **Turkish airstrikes on power stations in northeast Syria disrupted essential services, depriving nearly a million people of water for weeks, noted Paulo Pinheiro, head of the Independent International Commission of Inquiry on Syria, on Monday.**

Pinheiro emphasised the critical need for an end to the conflict in Syria, citing the country's deteriorating safety and the increasing number of Syrians fleeing, amidst a backdrop of escalating hostilities and a lack of political resolution.

Speaking at the 55th Session of the UN Human Rights Council, Pinheiro called for "an end to the conflict and to find an inclusive path towards a just political settlement."

Pinheiro noted the grim prospects of reaching a political settlement in Syria, with little progress on security, refugees and drug issues. He highlighted the impact of Turkish airstrikes on northeast Syria's infrastructure, disrupting essential services and leaving nearly a million people without water for weeks.

Addressing the underlying factors of the migration crisis, Pinheiro highlighted the displacement of Syrians forced to sell ancestral lands to finance dangerous escapes in search of safety. He noted that in October 2023, 24,000 asylum seekers arrived in Europe, while the rate of voluntary returns to Syria fell by 27 percent that year, shedding light on the dire circumstances driving Syrians away from their homeland.

Pinheiro highlighted that the need for humanitarian assistance in Syria has reached its peak at 16.7 million people, largely due to escalating military conflicts, including Turkish operations in the north.

He also pointed to the plight of nearly 30,000 children in northeast Syrian camps years after the defeat of ISIS, urging states to facilitate their return and reintegration. Moreover, Pinheiro condemned ISIS's escalating attacks and the continued deaths and abuses in Syrian and Turkish-backed detention facilities, calling for immediate action to halt these atrocities and work towards a peaceful resolution in Syria.

The Caesar Syria Civilian Protection Act, commonly known as the Caesar Act, a United States legislation that imposes sanctions on Syria, including Syrian officials, entities and anyone who aids or engages in significant financial transactions with the Syrian government, presents challenges for humanitarian action, including hindered aid delivery due to economic downturn and operational difficulties.

While aiming to pressure the Syrian government, the sanctions exacerbate Syria's economic hardship, indirectly affecting humanitarian operations and increasing the Syrian population's needs. The Act complicates procurement and funding processes for NGOs, potentially impacting the trust and efficiency of aid delivery within Syria.

The dire circumstances Pinheiro outlines are vividly exemplified in Afrin (Efrin), which fell under Turkish occupation six years ago in 2018. Marking the sombre anniversary, ANHA reported on the stark figures that illustrate the ongoing human and environmental toll in the region.

In the wake of Turkey's occupation of Afrin, reports from 2023 detail 16 direct civilian killings, 369 kidnappings and the cutting down of over 17,700 trees. Additionally, there were 137 illegal real estate sales and 59 severe beatings of civilians.

The conflict between mercenaries resulted in six deaths and numerous injuries, along with 10 explosions causing further casualties. The construction of four settlements aimed at demographic change was also noted. In early 2024, eight Kurdish civilians were killed, over 80 Afrin residents were kidnapped and 2,400 trees were cut down, exacerbating the region's plight.

The most recent atrocity in Afrin, northwestern Syria, was the brutal murder of a local Kurdish boy, Ahmad Khaled Mamo, on 13 March, igniting widespread condemnation. Yamen Ahmad Ibrahim, a settler who relocated to Afrin six years prior, is accused of "brutally" stabbing Mamo multiple times before discarding his body in a well, highlighting the ongoing violence against Kurds under the Turkish-backed Syrian National Army's control. This heinous act, reportedly premeditated and possibly involving other conspirators, underscores the dire situation for Kurds in Afrin and calls for urgent international intervention to address these human rights violations.

Kosovo

Kosovo Specialist Chambers raids home of former KLA commander (Euronews Albania) March 7, 2024

> **In Pristina, officials from the Specialist Chambers based in The Hague raided the home of the former commander of the Kosovo Liberation Army (KLA), Sulejman Selimi, for several consecutive hours.**

The Special Prosecutor's Office did not provide details about the operation, while Artan Qerkini, Selimi's lawyer, stated that the operation was conducted under the order of the pre-trial judge, who believed that there might be evidence in his house related to obstructing justice.

The Specialist Chambers did not disclose any details about the operation or about the notification that former the Deputy Prime Minister of Kosovo, Hajredin Kuçi, a member of the defense team of former parliamentary speaker Kadri Veseli, had also been "contacted".

The Special Court, known as the Specialist Chambers, deals with allegations of war crimes committed by members of the former Kosovo Liberation Army.

Its establishment by the Kosovo Parliament in August 2015 followed allegations raised in the 2011 report prepared by the Council of Europe rapporteur Dick Marty, which contains accusations against former members of the Kosovo Liberation Army for abductions, mistreatment, extrajudicial killings, and in some cases, the forced removal of human organs and trafficking from Albania during and after the war in Kosovo.

However, this issue has not been included in any of the current indictments against former KLA members.

In December 2022, the Court sentenced former Kosovo Liberation Army member Sali Mustafa to 26 years in prison on charges of murder and torture in a pre-trial detention center during the war in Kosovo.

In early April of last year, the trial against former Kosovo President Hashim Thaçi and three former senior political officials, Jakup Krasniqi, Kadri Veseli, and Rexhep Selimi, all former high-ranking leaders of the Kosovo Liberation Army, began on charges of war crimes and crimes against humanity. They are accused of persecution, imprisonment, other inhuman acts, torture, murder, and enforced disappearance.

At least four people were arrested during 2023 under suspicion of acts related to "obstructing justice".

Azerbaijan

Armenia's prime minister says quick border demarcation needed to avoid new conflict with Azerbaijan (ABC News) By Avet Demourian
March 19, 2024

> **Armenia's prime minister said Tuesday that the Caucasus nation needs to quickly define the border with neighboring Azerbaijan to avoid a new round of hostilities.**

Last year, Azerbaijan waged a lightning military campaign to reclaim the Karabakh region, ending three decades of ethnic Armenian separatists' rule there.

In December, the two sides agreed to begin negotiations on a peace treaty. However, many residents of Armenia's border regions have resisted the demarcation effort, seeing it as Azerbaijan's encroachment on the areas they consider their own.

Speaking to residents of the border village of Voskepar in the Tavush region, Prime Minister Nikol Pashinyan warned that Armenia's refusal to delineate the border could trigger a new confrontation.

"It would mean that a war could erupt by the end of the week," Pashinyan said. He noted that the border demarcation should be based on mutual recognition of territorial integrity of Armenia and Azerbaijan based on Soviet maps from 1991, when they were both part of the Soviet Union.

"We shouldn't allow the war to start," Pashinyan said. "And this is also the reason that we decided to go to delimitation of the borders in these parts of Armenia."

The opposition has blamed Pashinyan and has organized a long series of protests against him for allowing Azerbaijan to rout ethnic Armenian forces and reclaim control over Karabakh. The region, known internationally as Nagorno-Karabakh, and large swaths of surrounding territory came under full control of ethnic Armenian forces backed by Armenia at the end of a separatist war in 1994.

Azerbaijan regained parts of Karabakh and most of the surrounding territory in a six-week war in 2020. It then launched a blitz last September that routed the separatist forces in one day and forced them to lay down arms. More than 100,000 ethnic Armenians fled the region after that, leaving it nearly deserted.

The hostilities have badly strained Russia-Armenia ties, with Armenian authorities accusing Russian peacekeepers who were deployed to Nagorno-Karabakh after the 2020 war of failing to stop September's onslaught by Azerbaijan. Moscow, which has a military base in Armenia, has rejected the accusations, arguing that its troops didn't have a mandate to intervene.

Moscow, in turn, has been angered by Pashinyan's efforts to deepen ties with the West and distance his country from a Russia-dominated security alliance of ex-Soviet nations. Russia was also vexed by Armenia's decision to join the International Criminal Court, which last year indicted Russian President Vladimir Putin for alleged war crimes connected with the war in Ukraine.

Pashinyan underlined Armenia's intention to forge close relations with the West when he hosted visiting NATO Secretary-General Jens Stoltenberg for talks on Tuesday.

"We want to continue and develop the existing political dialogue and expand our partnership with the alliance and some of its members," Pashinyan said after the talks.

He said Yerevan would welcome NATO's efforts to help normalize ties between Armenia and Azerbaijan.

"We expect strong support from the international community, including NATO, for the peace process between Armenia and Azerbaijan," he said.

Stoltenberg, who traveled to Armenia to wrap up his three-day tour of the South Caucasus region that also involved visits to Azerbaijan and Georgia, praised Armenia for its contribution to NATO peacekeeping operations, including the alliance's peacekeeping mission in Kosovo. "NATO supports Armenian sovereignty and territorial integrity, and your peaceful aspirations," he said.

Stoltenberg emphasized the need for Armenia and Azerbaijan to reach an agreement on normalizing ties, emphasizing that "this matters for Euro-Atlantic security as we face a more dangerous world."

During his visit to Azerbaijan on Sunday, the NATO chief encouraged it to "seize this opportunity to reach a lasting peace agreement with Armenia."

MIDDLE-EAST

Yemen

Yemen's rebels target Singapore-flagged ship in Gulf of Aden as US and allies down Houthi drones (ABC News) By Jon Gambrell
March 8, 2024

> **An attack by Yemen's Houthi rebels set off explosions ahead of a Singapore-flagged vessel in the Gulf of Aden, authorities said, the latest in a campaign of assaults by the Iranian-backed group over Israel's war on Hamas in the Gaza Strip.**

The attack on Friday targeted the bulk carrier Propel Fortune, which continued on its way, according to the United States military's Central Command. "The missiles did not impact the vessel," the U.S. military said. "There were no injuries or damages reported."

The Houthis said Saturday they were behind the attack. Houthi military spokesman Brig. Gen. Yahya Saree claimed that along with targeting the Propel Fortune Attack, the Houthi forces also launched 37 drones targeting American warships.

American officials said early Saturday that the U.S. Navy, allied warships and aircraft have shot down 15 bomb-carrying Houthi drones in the Gulf of Aden and the Red Sea.

Friday's attack on Propel Fortune came after a Houthi missile struck a commercial ship in the Gulf of Aden on Wednesday, killing three of its crew members and forcing survivors to abandon the vessel.

That was the first fatal strike in the Houthi's campaign over the war in Gaza. The Houthis describe the attacks as trying to pressure Israel into stopping the war, but their targets increasingly have little or nothing to do with the conflict.

Other recent Houthi actions include an attack in February on a fertilizer-carrying cargo ship, the Rubymar, which sank on Saturday after drifting for several days, and the downing of an American drone worth tens of millions of dollars.

The U.S. also conducted airstrikes Friday that it said destroyed two Houthi truck-mounted anti-ship missiles in Yemen. The rebels did not directly acknowledge any destruction from those strikes.

The Houthis have held northern Yemen and the country's capital of Sanaa since 2014. They've battled a Saudi-led coalition since 2015 in a long-stalemated civil war in the Arab world's most impoverished country.

Since the U.S. began its airstrike campaign in January, the Houthis have acknowledged the killing of at least 22 of its fighters. One civilian has also been reported killed.

US military confirms Yemen's Houthis targeting of vessel Pinocchio (Arab News)
March 12, 2024

> **Yemen's Iran-aligned Houthi group fired missiles at a Liberian-flagged container ship in the Red Sea but did not hit the vessel, the US Central Command said on Tuesday.**

Two anti-ship ballistic missiles were fired at the Pinocchio from Yemeni territory, CENTCOM said, resulting in no damage or injuries.

Houthi military spokesperson Yahya Sarea earlier on Tuesday said the group had targeted and hit the ship, which he described as "American."

The Pinocchio is a Liberian-flagged container ship owned by Singapore-registered company OM-MAR 5 INC, according to shipping databases operated by Equasis and the UN's International Maritime Organization (IMO).

Sarea said the Houthi group would escalate their military operations during the Muslim holy month of Ramadan in solidarity with Palestinians in response to the war in Gaza.

US hits targets in Yemen

US forces said they destroyed an underwater drone and nearly 20 ballistic missiles in a series of strikes against Yemen's Houthi rebels, who threatened on Tuesday to step up their attacks in the Red Sea during Ramadan.

Months of Houthi Red Sea attacks have disrupted global shipping, forcing firms to re-route to longer and more expensive journeys around southern Africa, and stoked fears that the Israel-Hamas war could spread to destabilize the wider Middle East.

The United States and Britain have launched strikes on Houthi targets in Yemen and redesignated the militia as a terrorist group.

Airstrikes attributed to a US-British coalition hit port cities and small towns in western Yemen on Monday, killing at least 11 people and injuring 14, a spokesperson for Yemen's internationally recognized government told Reuters.

CENTCOM said it conducted six self-defense strikes on Monday in Houthi controlled areas of Yemen. The strikes destroyed an unmanned underwater vessel and 18 anti-ship missiles — which CENTCOM said presented an imminent threat to merchant vessels and US Navy ships in the region

Yemen to set new rules of war in face of US, UK: Minister (NOURNEWS) March 17, 2024

> **Yemeni Defense Minister Mohamed al-Atifi says Sana'a will set the new rules of war in the face of US and UK attacks on the Arab country.**

According to the Al-Masirah TV channel, the minister emphasized the need to continue the Yemeni Armed Forces' military operations against ships affiliated with the US, the UK, and the Israeli regime.

"We will use our might to set new rules of war, for which the Americans, the British, the Zionists, and their followers will pay a heavy price," al-Atifi noted.

He also explained that the Yemenis are not warmongers and aggressors, but the brutal crimes committed by the Israeli regime in Gaza prompted freedom-loving nations such as the Yemeni people to declare their stance.

Yemen's decision to enter the battle against the occupying regime and besiege it in waterways is a governmental, national, Islamic and humanitarian choice, he asserted.

The Yemeni minister further said that Yemen will keep on hindering the sailing of Israeli-linked ships through the Red Sea and the Bab al-Mandab Strait, adding that the operation against US-UK vessels will not come to an end until the cessation of war and siege imposed on Gaza.

ASIA

Afghanistan

Sentencing of war crimes whistleblower delayed (The New Daily) By Dominic Giannini
March 7, 2024

> **The sentencing of David McBride, who pleaded guilty to leaking classified documents that exposed alleged war crimes, has been pushed back.**

McBride's sentencing has been delayed to May 6 after he was due to be sentenced in the ACT Supreme Court on March 12.

The sentencing is expected to last two days.

McBride's lawyers disputed a sentencing submission from the prosecution that relied on an expert witness outlining the possible harm the leaked documents could have caused.

The parties haven't agreed to a statement of facts before sentencing and the defence argued the prosecution's submission constituted new evidence being presented before the court.

The delay arose after both parties failed to provide adequate assistance to the court registrar ahead of sentencing, the court was told on Wednesday.

McBride pleaded guilty in November to three offences including stealing commonwealth information and passing it onto journalists.

But he maintained he did his duty by shining a light on wrongdoing.

The leaked documents led to a series of reports that alleged Australian special forces soldiers committed war crimes in Afghanistan.

An inquiry later uncovered credible information about 23 incidents of potential war crimes, which involved the killing of 39 Afghans and cruel treatment of two more between 2005 and 2016.

What the explosive testimony of a minister reveals about Britain's war in Afghanistan – and its rogue special forces (The Guardian) By Frank Ledwidge
March 12, 2024

> **The Afghanistan inquiry is getting into gear at the Royal Courts of Justice. Led by the judge Charles Haddon-Cave, this public inquiry was convened to investigate about 80 killings allegedly committed by the SAS in Afghanistan between 2010 and 2013. Proceedings took a dramatic turn last month when the minister for veterans' affairs, Johnny Mercer, gave evidence.**

It was astonishing to watch. Mercer stated that he had heard from "trusted sources" shocking accounts of serial murder and attempted cover-ups by SAS personnel in Afghanistan. Once he became the minister for veterans (part of the Cabinet Office), he expressed his deep concerns about them to the then defence secretary, Ben Wallace, who asked him to get to the bottom of these well-publicised allegations. Mercer made great efforts to do so.

Mercer didn't want the allegations to be true; he said that he tried to find evidence to disprove what he had been told. But after extensive discussions with senior officers, he was forced to conclude that information was being withheld from him (the counsel to the inquiry, Oliver Glasgow KC, suggested he was being lied to) and that there was "something not right here". "I don't want to believe it," he said, "but at every stage I have tried to find something to disprove these allegations but I have been unable to." Mercer painted a picture of a combination of offhand arrogance from senior officers and a lack of interest and accountability on the part of ministers. When a serving minister states under oath – as Mercer did – that he had "very little faith that the MoD had the ability to hold itself to account", we have a serious problem, whether the reason for it is dishonesty, ignorance or incompetence.

One major problem is that special forces are seen, and see themselves, as untouchable. It was the same in Australia. Until, that is, the 2020 Brereton inquiry, in which Australian special forces soldiers were found to have committed dozens of murders of unarmed Afghan detainees and civilians. After publication of the report, the head of Australia's special forces, general Adam Findlay, summoned his troops and delivered an address. In it he blamed the many war crimes committed by his units on "poor moral leadership" and "self-righteous entitled prick[s]" who believed the rules of the regular army didn't apply to them. In other words, a culture of impunity.

This culture goes right to the top. Mercer's evidence indicated that if senior military officers don't want ministers to know something about special forces because it is embarrassing or reflects badly upon them, they can stonewall or gaslight and expect no further action or scrutiny. All of this demonstrates with crystal clarity the dangers of having an important part of our armed forces acting without continuous and effective democratic oversight.

UK special forces, including the SAS, claim a unique position in Britain's defence and security structures. They are accountable only to two people: the defence secretary and the prime minister. This is unlike GCHQ, MI6 and MI5, which are all subject to some degree of scrutiny by the elected members of the intelligence and security committee of parliament (ISC) – composed of nine security-cleared members drawn from both houses of parliament. All of those organisations deal with matters at least as sensitive as the SAS and similar units. The ISC is a largely trusted and respected component of the national security framework. The army, navy and air force, including highly secret and sensitive strategic capabilities such as the nuclear deterrent, receive effective and often robust supervision from the House of Commons defence select committee.

Most of our major allies, such as Denmark, Norway and France, place their special forces under some form of oversight. The US firmly places them under congressional and government accounting office supervision. Reports on accountability in Britain, including one in 2023 commissioned by a cross-party group, have urged action. In 2018, Malcolm Rifkind, the former defence secretary and chairman of the ISC, echoed the view of many when he said: "It is unanswerable that there should be some form of oversight of special forces." No remotely convincing reason for the UK's uniqueness in this respect has been presented in parliament or elsewhere. As always, the answer is "no comment".

The SAS are reported to be operating in 19 countries including Syria, from where a murder allegation emerged on Tuesday. Up to 50 of them are said to be operating in Ukraine. It is clear that this small force of only a few hundred are overcommitted and overstretched, and often given inappropriate tasks that other troops could do as well or better, such as certain forms of intelligence gathering, training or advising on planning and strategy. Of course, without democratic oversight, prime ministers or the ministry of defence can commit special forces as much as they like without debate, scrutiny or control. This is now becoming dangerous. Any renegade behaviour in Ukraine – against nuclear Russia – could have disastrous consequences for us all. Effective oversight mechanisms are vital. Right now, we don't have them.

Bangladesh International Crimes Tribunal

Bangladesh releases opposition party leader after 15 months (Dawn) March 12, 2024

> **Bangladesh has freed the head of Jamaat-i-Islami, the largest religio-political party, officials said on Tuesday, 15 months since counter-terrorism officers arrested him after he vowed to take part in anti-government protests.**

The release of Jamaat-i-Islami chief Shafiqur Rahman comes as political tension eases following Prime Minister Sheikh Hasina's fourth consecutive election victory in January.

Rahman, 65, was released from a high-security prison outside the capital Dhaka on Monday, just hours before Ramazan began in the Muslim-majority country, party spokesman Matiur Rahman Akand told AFP.

"The high court granted him bail," he said.

Rahman was arrested in December 2022, days after he announced his party would join other opposition parties in nationwide protests to oust Hasina, and dozens of cases were brought against him.

"Rahman was kept as a suspect in an anti-terrorism case, while there are 37-38 cases against him in total", Akand told AFP.

Jamaat-i-Islami, the country's third-largest political party and its largest Muslim outfit, was the key ally of the main opposition Bangladesh Nationalist Party (BNP) for decades.

It was part of the coalition that ruled the country from 2001-2006.

After Hasina came to power, the party was banned in 2012 from contesting elections, while the party's leadership was arrested and tried for war crimes dating back to the country's 1971 independence war against Pakistan.

The party claimed the trials were politically motivated.

Five of its top leaders were hanged between 2013 and 2016 after they were found guilty by a war crimes court, sparking deadly protests.

Thousands of Jamaat and BNP members were arrested ahead of the January 7 elections, which consolidated Hasina's rule in the country. The vote was marred by a low turnout and a widespread opposition boycott.

Since Hasina's victory, almost all the BNP's leaders and activists have been freed on bail.

War Crimes Investigations in Myanmar (Burma)

Myanmar General Arrested for Retreating as Ethnic Alliance Overran Northern Shan State (The Irrawaddy) March 11, 2024

> **Myanmar's military regime has arrested a brigadier-general who oversaw the 1st Military Operations Command for allegedly disobeying orders during fighting in northern Shan State. Brig-Gen Min Maung is being tried by a military tribunal, sources confirmed to The Irrawaddy.**

Junta boss Min Aung Hlaing has accused Min Maung of withdrawing his troops from Laukkai in Kokang Self-Administered Zone without his permission in early January, according to a source.

Junta troops were at the time besieged by the Brotherhood Alliance – a military alliance of the Myanmar National Democratic Alliance Army, Ta'ang National Liberation Army and Arakan Army – in Laukkai.

"Troops were pulled out of Laukkai on the orders of deputy military chief [Soe Win]. But Min Aung Hlaing ordered the arrest, saying he had not approved the regional commander [of Northeastern Command]'s request to withdraw [from Laukkai]," a source told The Irrawaddy.

There are also reports that Min Maung has been charged with taking bribes from scam syndicates while he was serving in Hopang.

The Brotherhood Alliance has occupied most of northern Shan State vowing to eradicate cyber and call-center scams that proliferate in the border zone with China. However, the alliance's Operation 1027 offensive has been on hold since China brokered a ceasefire covering northern Shan in mid-January.

Min Maung, a graduate from the Defense Services Academy 40th intake, refused to surrender when six brigadier-generals at the Regional Operations Command (ROC) in Laukkai discussed raising the white flag as the MNDAA besieged Laukkai.

While the six Brig-Gens surrendered, Min Maung led a retreat of over 350 troops from their base near Laukkai. They were then airlifted to Infantry Battalion 33 in Tangyan.

The regime later reportedly sentenced three of the six brigadier-generals to death and the other three to life imprisonment, but Min Maung was spared and retained his post as commander of the 1st MOC.

After the entire ROC in Laukkai surrendered on Jan. 4, its headquarters were relocated to the Northeastern Command headquarters in Lashio. Colonel Myo Min Htwe from the 11th Light Infantry Division was appointed new head of the ROC on Jan. 19.

One month later, Min Aung Hlaing gave orders for the Laukkai ROC to be dissolved. Myo Min Htwe was subsequently appointed head of the 1st MOC, replacing Min Maung. The regime handed a death sentence to former Laukkai ROC commander Brig-Gen Moe Kyaw Thu.

Also given death sentences were Brig-Gen Tun Tun Myint, the acting chief of Kokang Self-Administered Zone, and Brig-Gen Zaw Myo Win, the Division 55 commander.

AMERICAS

North & Central America

650 Chilean lawyers drag 'Israel' to ICC court for Gaza genocide (Al Mayadeen) March 14, 2024

Around 650 Chilean attorneys have filed a formal complaint with the International Criminal Court (ICC) against Israeli Prime Minister Benjamin Netanyahu for perpetrating genocide in the besieged Gaza Strip.

In the case, "Israel" is accused of crimes against humanity, genocide, and war crimes against Palestinians in Gaza and the occupied West Bank, including East al-Quds.

The Ministry of Health in Gaza reported today that the number of Palestinians killed by the Israeli occupation forces since October 7 has risen to 31,272, in addition to 73,024 injured.

The IOF committed 10 massacres against families in Gaza in 24 hours only, killing 88 Palestinians and injuring 135 others, it added.

The complainants are seeking an arrest warrant for Netanyahu and other officials involved in the aggression.

The attorneys noted the indiscriminate bombardment of Palestinians since October 7, as well as the demolition of residential communities without regard for people or fighters.

Nelson Haddad, a Chilean lawyer, said attorneys from different Latin American nations are likely to join the case, detailing that "all countries must denounce war criminals, ensuring they are held accountable, assume their responsibilities, face punishment according to the penalties of the Rome Statute, and provide reparations for victims."

Shawan Jabarin, Vice President of the International Federation for Human Rights (FIDH), and Professor Rodolfo Marcone-Lo Presti of Chile are among the attorneys who filed the lawsuit.

In December 2023, about 100 Chilean attorneys filed a complaint with the ICC citing the same conviction.

On January 26, the International Court of Justice(ICJ) released a decision in which it admitted that there was a reasonable suspicion that "Israel" was violating its responsibilities under the Genocide Convention by conducting armed operations in Gaza from October 7, 2023.

Meanwhile, Euro-Med Human Rights Monitor accused the ICC prosecutor of a "clear double standard" in dealing with "Israel's" atrocities against Palestinians in Gaza.

The Geneva-based group stated that Israeli crimes extend far beyond the destruction of civilian infrastructure and property.

Concurrently, a Rafah press source told Al Mayadeen that the IOF targeted a vehicle just outside the UNRWA gate at a time when dozens of Palestinians had crowded there.

Four were reportedly killed in the attack and several others were injured.

South African President, Cyril Ramaphosa, confirmed on Monday that "Israel has not been complying with the orders issued by the [ICJ] court."

He continued to assert that South Africa sees "it fit to approach the court on an urgent basis, particularly with the view of addressing the challenges in the Rafah area," as he referred to the massacres being committed in the region by "Israel".

He concluded that further action must be taken as the "people in Gaza are now starving."

South Africa's Foreign Minister Naledi Pandor highlighted earlier how Israeli occupation forces directly killed hundreds of Palestinian civilians just days after and in spite of the ICJ ruling.

"I can't be dishonest. I believe the rulings of the court have been ignored. Hundreds of people have been killed in the last three or four days. And clearly, Israel believes it has the license to do as it wishes," she told reporters in Pretoria, deriving parallels between Gaza and Rwanda amid the silence of the world on the Palestinian death toll.

Moreover, Pandor also highlighted how the International Criminal Court treated Benjamin Netanyahu and Vladimir Putin differently in their respective cases. Reportedly, it seemed significantly easier for the ICC to charge Putin for war crimes, but Netanyahu has been let off the hook.

TOPICS

Truth and Reconciliation Commission

SC directs govt to establish Truth and Reconciliation Commission within one month (Khabarhub Nepal) March 12, 2024

The Supreme Court (SC) has issued a directive on behalf of the government to establish the Truth and Reconciliation Commission within one month.

On January 29, the division bench comprising Justices Kumar Regmi and Mahesh Sharma Paudel of the Supreme Court issued an order seeking the government's resolution to address the grievances of conflict victims.

The full text of the order was made public on Tuesday.

As the order emphasizes the need for the effective functioning of the Truth and Reconciliation Commission within a month, the government must implement measures as per the directives within this timeframe.

The SC has also cautioned the government to ensure that the aggrieved party receives prompt and accurate information about their case within 15 days of the directive.

The SC directive was issued in response to a writ filed by conflict victim advocate Gyanendraraj Aran.

National Centre for Truth and Reconciliation gets $5M toward permanent home, urges province for more funding (CBC News) By Arturo Change
March 14, 2024

The National Centre for Truth and Reconciliation is getting a big donation from a charitable organization, but the record-keeping body says it urgently needs more money to give its collection a permanent home.

The Winnipeg Foundation announced Thursday it will be donating $5 million to help support the building of a permanent home for the NCTR in the city.

The centre, which collects historical records, sacred items and the statements of residential school survivors, has been operating out of a temporary facility on the UM campus since it was established in 2015. But it says its current location can't accommodate its collection — the largest compilation of materials showing the impacts of residential school system in the world.

In 2022, the federal government announced it would contribute $60 million toward the project, which will be built in a 2-acre parcel of land gifted by the University of Manitoba. Funding for the NCTR was one of the 94 calls to action issued by the Truth and Reconciliation Commission in 2015.

But Stephanie Scott, executive director for NCTR, said the organization still needs more funding to make the building a reality.

"We still have about $35 million more to raise and we're really relying on all Canadians, all governments to participate in the development of that and finish constructions while survivors are still here with us," she said.

"We know the urgency. We want to have survivors witness their truths and on the road and the path to reconciliation."

The NCTR set a 2029 target date for the opening of its permanent home, which it says will be a safe place for survivors and their families to share their stories.

The project was first announced in 2021. Scott said the NCTR wanted to make sure they consulted with survivors to make their vision a reality.

"We wanted to really go out to community ... to be really clear about what they wanted, how they wanted to see themselves represented, everything from the landscapes to the rooms to being inside, the programming," she said.

"We're hoping that one day that we can also create holograms with survivors and interview them now and ask them thousands and thousands of questions."

Sky Bridges, president and CEO of the Winnipeg Foundation, said this is the largest gift the foundation has given to an Indigenous-led organization and its second-largest donation ever.

He said he hopes the donation spurs others to contribute.

"We certainly believe that us being a lead in this donation will draw other attention of other donors, whether that be individuals, corporations or governments, to consider the importance of this centre," he said.

"We believe that whenever you move forward on a path, others will follow."

'Nobody wanted to talk the truth'

A red banner showing the names of thousand Indigenous children who died while attending residential schools was rolled out during a ceremony preceding the announcement, and then put on top of the Bentwood Box — an item symbolizing the path toward reconciliation.

Members of the NCTR's survivors circle gave speeches before and after, talking about the importance of sharing their stories.

Eugene Arcand was in a residential school from 1958 to 1969. He was part of the TRC's Indian Residential Schools Survivor Committee.

"Nobody wanted to talk about the truth. The only ones that wanted to talk about the truth was us, the survivors," he said.

"We didn't only hear, but we felt when we were being misled. But we also felt it when people were genuine, like what we're experiencing today with the investment by the Winnipeg Foundation.... But before that could happen, complacency had set in in Canada."

Scott said the NCTR is in discussions with the Manitoba government to secure more funding.

"Premier Kinew, if you're listening, please come forward," she said.

"We're asking for $20 million or more, whatever you can give to the survivors on behalf of their families and all Canadians in order to educate. What really needs to be told is the truth."

Terrorism

Swedish security service says 4 people arrested on suspicion of preparing 'terrorist offenses' (AP News) March 7, 2024

Sweden's Security Service said Thursday it had arrested four people on suspicion of preparing "terrorist offenses" with links to Islamic extremism and organized crime.

The service did not say where or when the alleged attacks were to have taken place, but in a brief statement it added that it had "worked on the case for a long period of time."

Several houses were searched in the operation. which involved "violent Islamist extremism" with "connections to serious organized crime," the statement said.

Sweden media reported there was a major police operation in Tyreso, south of Stockholm, and public broadcaster SVT said there was a "powerful explosion in a clubhouse" but it was unclear what caused the blast.

In August, the security service, known as SAPO, raised its terror alert to the second-highest level following the public desecrations of religious texts.

The security situation has deteriorated in recent months following Quran burnings in the country and protests in the Muslim world, both of which have negatively impacted the Nordic nation's image.

The burning and desecration of religious books in Sweden, and ongoing disinformation campaigns on social media and elsewhere, have negatively affected Sweden's profile.

ECOWAS intensifies efforts to fight terrorism and insecurity in the west African subregion (Economic Community of West African States) March 11, 2024

ECOWAS is intensifying efforts to create a counter terrorism force to fight terrorism in the West African sub region.

The ECOWAS Commissioner of Political Affairs, Peace and Security Ambassador Abdel-Fatau Musah disclosed this to Journalists during the weekly press conference in Abuja, Nigeria, today Friday, March 8, 2024.

He said the decision to create a counter terrorism force was made by the Authority of Heads of States and Government during an extraordinary summit in Abuja.

Ambassador Musah added that the region's Chiefs of Defence Staff have developed a concept of operations for the force and Ministers of Finance and Defence are expected to meet to work out the modalities to finance the counter terrorism force.

He said terrorism is undoubtedly the major existential threat confronting ECOWAS member states noting that "the threats facing the region are not confined to states but across borders and require cross border collaboration".

To illustrate the impact of terrorism on people in the sub-region, he disclosed that in 2023, over 3500 incidents of terrorist attacks were recorded in the ECOWAS sub-region. They include close to 2000 in Burkina Faso, over 1044 in Mali and 500 in Niger, resulting in about 7000 fatalities in the three countries while a total of 4.8 million people face food insecurity, 2.4 million are internally displaced and close to 9000 schools closed.

Still on measures to fight terrorism, Ambassador Musah said the ECOWAS logistics depot at Lungi is at 98% completion. The depot is envisaged to provide support to ECOWAS peace support operations to effectively combat violent extremism and terrorist activities in the West African subregion.

On sustaining democracy, the Commissioner said "ECOWAS made the conscious choice because of the crisis in the sub-region to adopt a code of behaviour of member states which they are signatories to and so ECOWAS does not do anything outside protocols and instruments that have been agreed by all the 15 member states of our region" he said.

Ambassador Musah explained that liberal democracy as practiced in the region has at times been reduced to electoralism meaning that in between elections there is very little in terms of societal well-being creating conditions for social services, infrastructural development and inclusive governance. "Elections have become a do or die affair in some states, and this is what ECOWAS is fighting against".

He said elections must enshrine democracy which must correlate with societal well-being, food security and basic infrastructure for citizens.

To this end he said ECOWAS has been trying to review the supplementary protocol on democracy and good governance to make sure that sitting presidents do not fiddle with their constitutions or electoral law to perpetuate themselves in power.

To protect fragile democracies, he said ECOWAS has been maintaining military missions in Gambia and Guinea Bissau while another is being contemplated in Sierra Leone following the last jail break and attempted takeover in that country.

Ambassador Musah emphasized that the strength of ECOWAS lies in all 15 member states working together and facing the challenges together.

Marine anti-terrorism unit sent to protect US Embassy in Haiti (The Hill) By Brad Dress
March 13, 2024

The U.S. military is sending an anti-terrorism unit to protect the country's embassy in Haiti from a soaring wave of violence as armed gangs run amok across the island nation, sparking a regional crisis in the Caribbean.

The Marine Fleet-Anti-terrorism Security Team (FAST) was sent at the request of the State Department, U.S. Southern Command (SOUTHCOM) announced in a Wednesday statement.

FAST will deploy to the U.S. Embassy in Haiti in the capital of Port-au-Prince, where armed gangs have taken over some neighborhoods and pose a growing threat to the public.

"U.S. Southern Command is prepared with a wide range of contingency plans to ensure the safety and security of U.S. Citizens in Haiti," SOUTHCOM said in a statement.

SOUTHCOM also announced earlier this week that it sent in forces to secure the embassy and evacuate some personnel.

The embassy remains open and limited operations are continuing, including efforts to support Americans in the country and to secure a transition to a new presidential council after Haitian Prime Minister Ariel Henry resigned Tuesday.

The U.S. supports a new transitionary council, as does the Caribbean Community (CARICOM), which Secretary of State Antony Blinken met with in Jamaica this week along with other key officials.

State Department spokesperson Matthew Miller said the situation had become untenable under Henry, the longtime prime minister who struggled to ensure safety on the Caribbean nation following the assassination of Haitian President Jovenel Moïse in 2021.

The Pentagon has increased its mission support in Haiti to $200 million, backing a multinational effort to restore security in the country.

That task force is expected to be led by Kenya, but the U.S. is planning to provide assistance for planning, information sharing, airlift and medical support, according to SOUTHCOM.

The transitional presidential council would be made up of Haitians who agree not to run in the next presidential election, are not sanctioned by the U.N. or charged or convicted with a crime, and who support the multinational task force.

Russia Accused of 'Political Terrorism' in NATO Country (Newsweek) By Jon Jackson
March 14, 2024

A Lithuanian official on Thursday blamed Moscow for an attack this week on a Russian opposition figure, calling the incident "political terrorism."

Vilmantas Vitkauskas, head of Lithuania's National Crisis Management Center, made the accusation in regards to an attack on Kremlin critic Leonid Volkov in Vilnius.

Volkov recently served as the top aide to Russian opposition leader Alexei Navalny, whose death last month in an Arctic penal colony raised allegations about Russian President Vladimir Putin's possible involvement. (The Kremlin has denied claims connecting Putin to Navalny's death.) Volkov has lived in Lithuania, a member of NATO, since going into exile in 2019.

On Tuesday, Volkov was assaulted by an assailant who reportedly sprayed tear gas in his eyes and beat him repeatedly with a hammer. No arrests have been made, but Lithuania's intelligence agency issued a statement following the attack, alleging it was likely organized by Moscow in an effort to quell opposition before Russia's presidential election.

"It seems to be the work of the Russian special services, apparently done through some recruited person," intelligence chief Darius Jauniskis said during a Thursday press briefing.

While pointing the finger at the Kremlin, Vitkauskas described the attack on Volkov as "professional, well-planned and that whoever carried it out was either well-prepared or received very good instructions."

"This is the first time that such an incident of political aggression, of political terrorism, has happened on our soil," he told Lithuanian news outlet LRT.

When Lithuanian President Gitanas Nausėda discussed the attack, he did not rule out Moscow being involved.

"All of this adds up to a whole set of issues, incidents, where it is clear that such things are planned. We should not be surprised," Nausėda said, according to Agence France-Presse (AFP).

He added: "As for Putin, I can only say one thing: No one is afraid of you here."

Volkov was more assertive in casting blame, writing on Telegram that the attack was "an obvious, typical criminal 'hello' from Putin."

"We will keep on working and we will not surrender," he wrote, according to a translation from Reuters. "It hard but we'll handle it ... It's good to know I'm still alive."

When asked about Volkov by reporters on Thursday, Kremlin spokesperson Dmitry Peskov said he could not comment on an incident that happened in another country before adding a message about his president.

"You shouldn't be afraid of Putin. You should respect and listen to Putin," Peskov added.

Türkiye, Iraq agree to set up joint committee against terrorism (Daily Sabah) By Anadolu Agency
March 15, 2024

Türkiye and Iraq on Thursday agreed to establish a joint committee to work on counterterrorism during talks between their top officials in Baghdad.

A joint statement said the committees would cooperate on trade, agriculture, energy, water, health and transportation to bolster bilateral relations after a security meeting between Turkish Foreign Minister Hakan Fidan and his Iraqi counterpart Fuad Hussein and their delegations.

Turkish National Defense Minister Yaşar Güler, the head of the National Intelligence Organization (MIT), Ibrahim Kalin and Deputy Minister of Interior Münir Karaloğlu were among the Turkish delegation.

The parties exchanged views on regional challenges, including the "massacre amounting to genocide" in Gaza, and strongly affirmed their support for the Palestinian cause, the statement said.

Both parties underscored the importance of Iraq's political unity, sovereignty and territorial integrity.

Additionally, they emphasized the threat posed by the PKK terrorist group to the security of both nations, highlighting that the presence of this group in Iraqi territory constitutes a violation of Iraq's constitution.

Türkiye expressed satisfaction with the Iraqi National Security Council's decision to designate the PKK terrorist group a banned organization in Iraq, the statement said.

Both sides also engaged in discussions on the measures to be taken against the organization and its affiliates that target Türkiye using Iraqi territory.

The joint statement underscored the continuation of dialogue initiated during previous meetings in Ankara in December last year.

It added that during the meetings, it was also agreed to intensify efforts toward drafting a memorandum of understanding to establish a structural framework in various spheres of relations between the two countries, aiming to establish regular contact mechanisms.

In a security-oriented meeting held between Türkiye and Iraq in December, Iraq described the PKK terrorist group as a "common threat" and for the first time, defined it as a "banned organization."

The two countries are also gearing up for President Recep Tayyip Erdoğan's visit to Baghdad after the Muslim holy month of Ramadan, further signifying a pivotal moment in bilateral relations.

The pair confirmed that all efforts will be made for the success of Erdoğan's "historic" visit to Iraq, according to the statement.

Terrorism plot trial adjourned by Abu Dhabi court (The National News UAE) March 16, 2024

An Abu Dhabi court has adjourned the trial of 84 defendants accused of setting up a terrorist organisation to plot an attack on UAE soil.

The suspects are alleged to have been leading players in an organisation called the "Justice and Dignity Committee", which sought to stir up public dissent with protests and demonstrations against the state and clashes with security services.

The defendants – most of whom authorities say are affiliated with the outlawed Muslim Brotherhood – are being tried at Abu Dhabi Federal Court of Appeal, otherwise known as the State Security Court.

A number of hearings in the case have taken place since February, with the latest held on Thursday.

The court heard arguments from the defence this week before proceedings were adjourned until next month.

Legal counsel for the accused contested evidence from the prosecution, saying technical and financial reports relied heavily on analysis and "left room for doubt and uncertainty" over their role in the terrorist plan, state news agency Wam reported.

They called for their clients to be acquitted on the basis they had no criminal intent because of their lack of knowledge of the organisation's true intentions.

The court previously heard allegations of money laundering against five defendants and six companies used to finance the group.

The charges against the defendants, who have not been identified, refer directly to establishing "another clandestine organisation for the purpose of committing acts of violence and terrorism on UAE soil", Wam previously reported.

The defendants are accused of trying to conceal the crime and evidence of it before they were arrested and charged, the agency said.

The case was adjourned until April 18 for defence pleas to be completed.

Several al-Shabaab terrorists killed in Somalia (Mehr News Agency) March 17, 2024

This military operation has been carried out with the coordination of popular groups near the city of Harardhere in the African country's Galmudug province.

Reports suggest that 6 terrorists were killed during the operation.

Al-Shabaab was formed in Somalia in 2004. By 2010, the group had established control over vast territories, but it had to withdraw from Mogadishu in the summer of 2011 and launch a guerilla war against the country's government and its allies. In February 2012, an al-Shabaab leader announced joining Al Qaeda.

Somalia has been plagued by insecurity for years, with the main threats emanating from al-Shabaab and the Daesh/ISIL terror groups.

Turkish police detain 75 for terrorist propaganda at Nevruz event (Daily Sabah) March 18, 2024

Turkish police on Sunday detained at least 75 people for spreading terrorist propaganda at a Nevruz celebration in Istanbul, the city governorate said.

Suspects M.A., Ş.A. and Y.Ö. were detained for rolling out posters of the PKK terrorist group's jailed ringleader Abdullah Öcalan at the event organized by the PKK-affiliated Green Left Party (YSP), the governorate said.

Police detained M.K. and M.B., who were already wanted on charges of "spreading terrorist propaganda," during security controls at the event, which is an ancient festival celebrating the arrival of spring with traditional dances and a large bonfire.

Some other 70 suspects, 15 of whom were women, were detained for resisting the police, causing chaos and shouting illegal slogans in service of terrorist propaganda in and around the event area, according to the governorate.

The YSP is informally known as the Peoples' Equality and Democracy Party (DEM Party) and is a successor of the Peoples' Democratic Party (HDP). The party rebranded as the YSP after last year's May elections to skirt a Constitutional Court lawsuit seeking its permanent closure over alleged links to the PKK. It later tried to change its name to DEM Party, but the courts rejected the request.

The PKK is recognized as a terrorist group in Türkiye, as well as in the European Union and the United States. Its bloody insurgency starting in the 1980s has left over 40,000 people dead in the country.

Public displays of its symbols or images of Öcalan are banned in Türkiye and several EU countries.

Dozens of HDP members, including branch chairs, have been previously arrested over their ties to the terrorist group in recent years. The now-obsolete HDP's former chair, Selahattin Demirtaş, has been in prison since 2016 for spreading terrorist propaganda and having ties to the PKK and retired from active politics last June.

The 74-year-old Öcalan has been held in an island prison near Istanbul ever since Turkish security agents seized him in Kenya in 1999 and has spent much of that time in isolation.

Addressing the crowd, the YSP's mayoral candidate for Istanbul in the upcoming local elections, Meral Danış Beştaş, repeated the party's call for Öcalan's release.

"Öcalan must be free. Nevruz is freedom," Beştaş said as the crowd chanted the names of Öcalan and Demirtaş.

PKK sympathizers often march in Türkiye and EU countries like Germany, Sweden and Italy, calling for Öcalan's freedom with the toleration of local law enforcement, an issue that draws Ankara's ire.

Turkish officials also say less than 200 PKK terrorists remain in Turkish territories, while others are confined to Iraq and Syria. The group, battered and demoralized by Turkish security forces' successful operations, has been, in recent years, also losing members and failing to attract recruits, according to Turkish officials.

Pakistani Fighter Planes Bomb 'Terrorist Sanctuaries' in Afghanistan (VOA) By Ayaz Gul
March 18, 2024

Pakistan confirmed Monday that its military had carried out "intelligence-based" aerial strikes inside Afghanistan to punish "terrorists" responsible for killing hundreds of civilians and security forces in cross-border raids.

A foreign ministry statement said the counterterrorism operation had targeted fugitive commanders allied with Tehrik-e-Taliban Pakistan, or TTP, a globally designated terrorist organization operating out of Afghan sanctuaries.

Afghanistan's Taliban government denounced the pre-dawn strikes in the southeastern Paktika and Khost border provinces, claiming they resulted in the deaths of eight civilians, mostly women and children. The identities of the slain people could not be verified from independent sources.

"We have repeatedly urged the Afghan authorities to take concrete and effective action to ensure that the Afghan soil is not used as a staging ground for terrorism against Pakistan. We have also called on them to deny safe havens to TTP and to hand over its leadership to Pakistan," the Pakistan Foreign Ministry stated.

It renewed Islamabad's allegations that "certain elements among those in power" in Kabul "are actively patronizing TTP and using them as a proxy against Pakistan." The statement urged the Taliban "to rethink the policy of siding" with foreign "terrorists" and "to make a clear choice to stand with the people of Pakistan."

The cross-border military action apparently came in retaliation to Saturday's high-profile militant raid against a Pakistani military base in the volatile North Waziristan border district that killed seven soldiers, including two officers.

"The Islamic Emirate of Afghanistan strongly condemns these attacks and calls this reckless action a violation of Afghanistan's territory," said Taliban spokesperson Zabihullah Mujahid in response to Pakistani airstrikes. He used the official title of his government, which has yet to be recognized internationally.

Mujahid denied again that the Taliban allowed Afghan soil to be used by militant groups against Pakistan or any other country.

"Pakistan should not blame Afghanistan for the lack of control, incompetence, and problems in its own territory. Such incidents can have very bad consequences, which will be out of Pakistan's control," Mujahid warned.

Monday's airstrikes prompted Taliban border forces to stage retaliatory fire at Pakistani outposts, sparking skirmishes across several locations along the nearly 2,600-kilometer (1616-mile) border between the two countries.

The Taliban Defense Ministry formally confirmed that its security forces targeted Pakistani positions with "heavy weapons" in response to the incursions into Afghan territory. Kabul later summoned the chief Pakistani diplomat to the foreign ministry to protest the cross-border raid.

Separately, a TTP statement claimed the airstrikes hit Pakistani refugee camps in the Afghan border area rather than its members. The claim could not be verified immediately.

Meanwhile, the Pakistani military said Monday that its troops had conducted a pre-dawn intelligence-led security operation in North Waziristan, killing eight TTP members. The slain militants included a key commander who played a role in plotting Saturday's attack on the army base, the statement said.

Islamabad says that TTP has intensified cross-border attacks from Afghan sanctuaries since the establishment of the Taliban government in Kabul in 2021. The violence has reportedly killed about 2,000 Pakistanis, including police and military personnel, and strained relations between the two countries.

In April 2022, Pakistani fighter planes also carried out raids against TTP hideouts in Afghanistan.

Pakistan and the United Nations dispute Taliban claims they are not harboring foreign militant groups on Afghan soil.

"In the region and beyond, there are well-founded concerns over the presence of terrorist groups in Afghanistan," Roza Otunbayeva, the head of the U.N. Assistance Mission in Afghanistan, told a March 6, 2024, U.N. Security Council meeting.

"It is not only Daesh that constitutes a threat but also TTP, a major concern for Pakistan, which has seen an increase in terrorist activity," Otunbayeva said.

Daesh is an Arabic acronym for the Islamic State. Its Afghanistan-based regional IS affiliate conducts terrorist attacks on both sides of the long border between the two countries.

Last month, the U.N. Analytical Support and Sanctions Monitoring Team said in a report that al-Qaida operatives were increasingly assisting TTP militants to launch cross-border attacks. And some ruling Taliban members joined TTP, the report noted.

"Besides supplying weapons and equipment, Taliban rank and file, al-Qaida core.... assisted TTP forces in cross-border attacks... Some Taliban members also joined TTP, perceiving a religious obligation to provide support," the U.N. report said.

Asif Durrani, Pakistan's special representative to Afghanistan, told a seminar in Islamabad last week that up to 6,000 TTP fighters are sheltering in the neighboring country.

TTP-led violence has strained Pakistan's relations with Taliban-ruled Afghanistan. It has prompted Islamabad to tighten border controls for Afghan travelers. In the last six months, Pakistan has deported more than 500,000 Afghans and sent them back to their home country for not possessing valid documents, fueling bilateral tensions.

Pakistani authorities have pledged to resume the deportation process in April after the ongoing Muslim fasting month of Ramadan ends.

Germany arrests suspected ISIS supporters accused of planning terror attack on Swedish parliament (CNN) By Chris Stern
March 19, 2024

Two individuals accused of planning a firearms attack on Sweden's parliament were arrested in Germany on Tuesday, according to a statement by the Office of the German Federal Prosecutor.

The pair, who authorities said are Afghan citizens, were arrested near the city of Gera in Thuringia, central Germany, on suspicion of terrorism, the statement said.

CNN has reached out to Afghanistan's embassy in Berlin for comment.

Germany's Federal Minister of the Interior, Nancy Faeser, said in a statement on Tuesday that one of those arrested is a suspected member of terror group ISIS, and one is a suspected supporter.

According to the Office of the German Federal Prosecutor, the suspects received instructions on conducting the alleged planned attack from a branch of ISIS in the summer of 2023.

The attack was intended to be retaliation for the Quran burnings that took place in Sweden and other Scandinavian countries at the time, the prosecutor said. Police officers were among those set to be targeted, it added.

The two detainees made "concrete preparations" for the terror attack and unsuccessfully tried to procure weapons, the statement said. They also researched local conditions in the Swedish capital of Stockholm, where the attack was supposed to take place, it continued.

Both individuals had also previously collected donations amounting to around 2,000 Euros (around $2,170) to send to ISIS, investigators said.

The German federal prosecutor said that the suspects will be brought before the country's Federal Court of Justice on Tuesday or Wednesday. The court will decide on arrest warrants and the execution of pre-trial detention regarding the suspects, it added.

Faeser said that the arrests show that Germany remains "very vigilant" and acts "consistently to prevent Islamist attacks."

"The threat of Islamist terrorism remains acute," Faeser said. "Islamist terrorism continues to be a particular focus of the security authorities."

Gender-Based Violence

Women's Peace Network seeks urgent action to protect Myanmar women from atrocities (Mizzima) March 9, 2024

The Women's Peace Network of Myanmar has marked International Women's Day with a call to protect the women of Myanmar from the horrors of violence and abuse, in a statement released 8 March.

As the NGO notes, women continue to bear the brunt of the world's failures to respect the rights of all. Indeed, the world's efforts to end sexual and gender-based violence, torture, cruel, inhuman, or degrading treatment, collective punishment, gender apartheid, femicide, and genocide against women of all backgrounds remain disappointingly slow, absent, and even discriminatory.

In Myanmar, such decades-long inaction is now further endangering the lives of women. Over three years since its coup, the Burmese military continues to commit atrocities in an attempt to expand and reinforce its unlawful and illegal control over the country. The military continues to use foreign-funded arms supplies and airstrikes to kill civilians and destroy civilian targets – murdering at least 822 women. The military has also destroyed the country's limited rule of law and used its sham legal system to arbitrarily arrest 5,427 women, sentence 52 to life, and 16 to death; as well as used its genocidal policies against Rohingya to arbitrarily arrest at least 1,132 of their women.

At least 3,909 women political prisoners interned in squalid prisons are currently being exposed to the military's sexual violence, torture, cruel, inhuman, or degrading treatment, denial of proper legal support, denial of medical treatment, denial of essential commodities, including food and sanitary napkins, and other heinous acts. Beyond the prison walls, women are also being targeted for rape, gang rape, sexual slavery, and other forms of sexual violence as they flee the junta's aerial bombings and scorched-each campaign to even more vulnerable conditions.

Amid the ongoing crisis, the Burmese military's recent, forced conscription law is clearly another one of its attempts to inflict collective punishment on the country's people. The military has already used the law as supposed grounds to indiscriminately abduct civilians, including young women and internally displaced persons. Those who enlist will likely be subjected to torture, sexual violence, and other abuses, and be weaponized by the junta as cannon fodder or human shields in its commission of atrocity crimes.

As Myanmar's crisis forces many more civilians to flee, it indeed becomes the responsibility of its neighbouring countries and regional community to provide them safety, protection, and humanitarian needs. However, that has yet to become the reality for Myanmar's over 1.3 million refugees – more than half of whom are women and children. Women and children also composed nearly three-quarters of the Rohingya who were forced into deadly sea crossings on the Andaman Sea and the Bay of Bengal in 2023: the "deadliest year." From Thailand and Bangladesh, to Indonesia and Malaysia, these women refugees remain denied full access to safety and protection, asylum or third-country resettlement, shelter, food and clean water, clothing, basic and maternal healthcare, and other life-saving needs and facilities.

For many, their legal status also compromises their prospects in their host countries, denying them formal employment, education or other skill-building opportunities, and even access to hospitals. Outspoken women face backlash: surveillance and doxing campaigns target women human rights defenders resisting the attempted coup in exile, while kidnapping, extortion, and other attacks target Rohingya women subverting their community's norms in Bangladesh's refugee camps. Despite such life-threatening risks, women continue to be denied comprehensive legal support and other pathways to protect themselves. As a result, many risk indefinite detention in their host countries, forcible deportation to Myanmar and – for Rohingya women refugees in particular – hate speech and a growing risk of atrocities.

As the NGO notes, to "inspire inclusion," we must actively build an environment that will be conducive to it. Toward that inclusion, ethnic and religious minority women have long worked to end the impunity that for decades enabled the commission of atrocity crimes against them. Today, people across the country follow these women in their fight for a truly inclusive federal democracy. The world too should be inspired by the women of Myanmar, and act in their favor immediately.

Therefore, this International Women's Day, we call for the following:

Governments and donors to provide direct financial, material, and technical assistance to women human rights defenders and women-led civil society and community-based organizations, especially by implementing flexible funding mechanisms with maximum adaptability and optimal support, as a step toward increased women's participation in politics and sustained women's leadership.

Countries in South and Southeast Asia to ensure Myanmar refugee women full and reliable access to asylum and protection, including options for resettlement to third countries, access to humanitarian needs, safe houses and shelter, food, education, employment, and healthcare, as well as access to domestic justice mechanisms and mental health and psychosocial support tailored to their unique needs and conditions. Immediate and safe disembarkment from their deadly sea crossings, deployment of search-and-rescue missions, as well as measures to prevent hate speech and disinformation must also be provided to Rohingya refugee women in particular.

The U.N. Security Council to advance accountability efforts on Myanmar and address the junta's failure to comply with resolution 2669 (2022), including by issuing a strong, binding resolution to follow up on it that refers the situation of Myanmar to the International Criminal Court, and issues targeted economic sanctions, as well as an arms and aviation fuel embargo, on the Burmese military. The Council should also hold a special meeting to discuss non-compliance of the provisional measures that were issued by The Gambia v. Myanmar at the International Court of Justice.

The international community to meaningfully consult and engage with women from diverse backgrounds, including women human rights defenders, women representatives of the Burmese pro-democracy movement, ethnic and religious minority women, sexual minorities, young women and girls, and victims and survivors of atrocities, when addressing the crisis in Myanmar and pursuing justice and accountability.

Kenyan activists are on a mission to end gender-based violence as attacks on women surge (Ap News) By Tom Odula
March 9, 2024

Kenyan activists are on a mission to end gender-based violence as attacks on women surge (Ap News) By Tom Odula March 9, 2024 https://apnews.com/article/kenya-violence-against-women-femicides-activists-2c54cc83e369083437bce15404627a22 Njeri Migwi's phone buzzes incessantly. Phone calls and messages keep coming in from women seeking help to escape life-threatening situations. A mother and her remaining child are looking for a place to stay after her partner allegedly raped and killed her two other children, including a 6-month old.

Njeri Migwi's phone buzzes incessantly. Phone calls and messages keep coming in from women seeking help to escape life-threatening situations. A mother and her remaining child are looking for a place to stay after her partner allegedly raped and killed her two other children, including a 6-month old.

Moments later, someone calls looking to help a woman who has been nearly beaten to death.

"Sometimes I feel like I am the government, because I'm doing the work that they should be doing," says Migwi, 43, the co-founder of a community-based organization called Usikimye, which means "Don't be silent" in Swahili. The organization helps women escape violent relationships, puts them up in safe houses and counsels them on how to rebuild their lives.

Migwi is on the front lines of a war against a silent epidemic of gender-based violence in Kenya, where almost 60 women have been killed since the beginning of the year, according to the government.

She says her work supporting and protecting survivors of gender-based violence feels like a drop in the ocean compared to the floodgate of victims seeking help daily. Only in January of this year, Migwi says, 32 women were victims of femicide, defined by the United Nations as "the intentional killing with a gender-related motivation."

"What would the government do if 32 women were killed by a disease in a month? It would declare it a national disaster," Migwi said.

Kenya's Demographic and Health Survey of 2023 found that more than 11 million women — or 20% of the population — have experienced physical or sexual violence from an intimate partner during their lives, with 2.8 million of those women having experienced this type of violence in the last 12 months.

Odipo Dev, a Kenyan research firm, says at least 500 women in Kenya were killed because of their gender from January 2016 to December 2023.

Migwi, a survivor of domestic violence herself, says she co-founded Usikimye in 2019 to rescue and assist Kenyan women who are silent victims of gender-based violence and who feel helpless and trapped in violent relationships.

She says that nothing would have prepared her then for the avalanche of cases of violence against women she deals with on a daily basis, particularly in the low-income area where she set up the organization's offices.

Soon after setting up shop in Soweto, one of the most violent neighborhoods in Kenya's capital, Nairobi, Migwi realized that many cases of violence against women go unreported to the police. She also found that the majority of the perpetrators are never held to account, and this emboldens them to commit worse atrocities against their victims, ultimately leading to death.

Kenya made headlines in recent months after the Jan. 3 killing of Wahu Starlet, a 26-year-old sister and daughter of evangelical preachers, who was stabbed by a man alleged to belong to a criminal ring and whose members extort and rape women they target through dating sites.

The suspect, John Matara, was arrested after he checked himself into a hospital with stab wounds from the confrontation with Starlet. He has been charged with rape and murder. After his identity was revealed, seven women came forward alleging he had tortured and extorted them.

The killing of Starlet, along with those of more than 31 women in January, led thousands of Kenyans to take to the streets in the country's largest protest ever against sexual and gender-based violence.

"None of the men who killed these women are in prison ... Most of them are walking among us," Migwi says.

During the COVID-19 pandemic, when reported gender-based violence cases in Kenya shot up by 300%, the government reactivated special desks at police stations with officers especially trained to help fast track investigations cases of into gender-based violence to give survivors justice and deter perpetrators.

But rights activists in Kenya, many of whom spoke on condition of anonymity for fear of reprisals, say those desks are no longer functional and that some of the officers in charge were frustrated over poor pay, taking out their frustrations on the survivors themselves.

Activists also point at the pervasive bribe-taking culture among members of the Kenyan police, and cases in which police officers have asked victims of gender-based violence to pay a bribe for action to be taken against the perpetrators.

Kenya police did not respond to a written request for comment about these allegations.

Migwi says she sometimes feels she's losing her mind by her inability to help all of the victims. But she draws inspiration from seeing some of the women she has helped reclaim their voice, start a new life and find their independence.

She recalls a meeting at a Rotary Club last week, where she was invited to give a keynote address, and met Sheila Shiyonga, a woman her organization helped rescue in 2021 from female genital mutilation her husband and his parents were forcing her to undergo.

"I thank God for Njeri, she rescued me and took me to her safe house where I stayed with my two kids for six months. She ensured my kids went to school ... and she helped me get a job," said Shiyonga, who now works as a supervisor at a branch of one of Kenya's leading supermarket chains.

It is the success stories like that of Shiyonga's that give Migwi and other rights activists in Kenya the motivation to continue to fight.

"In helping others I heal myself — and I find my voice," Migwi said.

Commentary and Perspectives

ICC Reporting Key to Catalyze National Justice (Human Rights Watch) By Maria Elena Vignoli
March 19, 2024

The International Criminal Court (ICC) is a court of last resort, stepping in only when national authorities are unwilling or unable to do so. This is a key legal pillar known as the principle of complementarity. But because the ICC can only take on a few cases in a particular situation, comprehensive justice will invariably mean that the ICC and national authorities will need to work closely together.

The ICC Prosecutor's Office has crucial roles to play in supporting national justice efforts. Where it has yet to make decisions on the need for ICC investigations, the office can use its leverage to catalyze domestic justice, particularly where national authorities want to avoid the ICC stepping in. The office can also lend technical expertise wherever it engages with national efforts.

Getting the relationship between the ICC and domestic justice efforts right has been a focus of the Office of the Prosecutor since the court opened its doors two decades ago. The office has recently revitalized discussions around this issue, including through consultations on a forthcoming policy paper.

One of the ways in which the Prosecutor's Office has supported national efforts was through its annual reporting on its assessment of situations that could warrant an ICC investigation, known as preliminary examinations. These reports provided critical public information. They included factual and legal analysis and assessments that could be used by civil society groups to support their advocacy to mobilize effective justice. They put pressure on national authorities to meet their obligations to avoid a formal ICC investigation. And they provided information for victims and survivors that better equipped them to exercise their rights before the ICC.

Since ICC Prosecutor Karim Khan took office in 2021, these reports have been discontinued and substituted by more general annual reports on the office's work.

During consultations on the forthcoming policy paper, 42 international and domestic nongovernmental organizations jointly requested that the prosecutor bring back detailed, situation-specific public reporting. While past reports were specific to preliminary examinations, such information would be valuable wherever the office engages with national justice efforts. The groups thus called on the Prosecutor's Office to expand its reporting to any context where it is monitoring or supporting national proceedings.

The public information currently shared does not serve these purposes, but the Prosecutor's Office can and should fill this gap. Transparency is key to realizing victims' rights and ensuring that the ICC can be an effective catalyst for domestic justice.

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