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

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AFRICA

NORTH AFRICA

Libya

Migrants face abuse in Libya after EU-backed interceptions (France 24)

August 24, 2022

Godwin risked everything for a better life in Europe, but he was detained and ransomed in Libya by European Union-backed authorities accused of "extreme abuse" against captured migrants.

The 34-year-old Nigerian had paid 1,100 euros (\$1,100) for a place on an overcrowded vessel from the Libyan port of Zawiya, heading for Italian shores via the world's deadliest migration route.

"It was night when I got on the boat, it was already dark. I didn't know (where we were going)," he said, giving only his first name. "I just wanted to go to Europe and have a good life."

Those hopes were dashed when a Libyan patrol boat approached.

Godwin said he was so reluctant to avoid going back to Libya that he considered throwing himself into the sea.

But he was detained and dragged back to Libya, where he was only released after his family paid a 550 euro ransom.

His is far from the only case.

Earlier this month, Human Rights Watch said some 32,450 people had been intercepted by Libyan forces last year and "hauled back to arbitrary detention and abuse" in the war-ravaged country as European countries turned a blind eye.

HRW accused the EU's border agency Frontex of using a drone to provide information that "facilitates interceptions and returns to Libya ... (despite) overwhelming evidence of torture and exploitation of migrants and refugees".

The migrant-run @RefugeesinLibya Twitter account regularly posts images of refugees allegedly killed by Libyan forces or tortured to extort money from their families.

Refugees in the country are "tortured by European taxpayers' money, dehumanised and deprived in all forms," it said in a recent tweet.

That chimes with a report in October by United Nations experts, who said acts of "murder, enslavement, torture, imprisonment (and) rape" against detained migrants in Libya may amount to crimes against humanity.

Malta 'abandoning' vulnerable boats

None of this has stopped the European Union funding and working closely with the Libyan coast guard to prevent migrants reaching northern Mediterranean shores.

The accusations against Europe are not limited to financial support.

Alarm Phone, a group running a hotline for migrants needing rescue, this month accused Malta of failing to launch operations to rescue migrants in danger, "despite their obligations to do so" under international law.

"Alarm Phone has witnessed this non-assistance policy in action innumerable times," it said, accusing Malta of "abandoning boats at risk of capsizing" within the island's search and rescue zone.

From the start of January until August 20, almost 13,000 migrants have been intercepted and dragged back to detention in Libya while trying to cross the Mediterranean, according to the International Organization for Migration (IOM).

Some have been detained, while others have been sent home or simply allowed to leave the overcrowded detention centres.

A further 918 were either dead or missing.

Libyan authorities deny reports that migrants are abused.

"The arrests are carried out according to the rules in place," a migration official said.

'No work, no food'

But many argue that the long years of lawlessness since a NATO-backed revolt toppled and killed longtime dictator Moamer Kadhafi in 2011 has left the country prey to armed groups and people traffickers.

"Human rights? There are no human rights in Libya," said Hussein, another migrant stuck in Tripoli.

The 26-year-old from Sudan said he had tried to reach Europe on an overnight boat crossing in 2017.

"The Libyan coast guard caught us and sent us back," he said.

He was detained for a day before managing to escape, he said.

He called on African countries to "look after their people" and discourage them from leaving, "instead of European countries funding Libya to stop migration".

But despite the risks, both Godwin and Hussein said they were saving money for a new effort to reach Europe.

They spoke to AFP while waiting on the roadside in the hope of picking up some work for the day -- for a pittance.

"Now I'm just in Libya, suffering, there is no work, no food to eat, nothing," said Godwin, wearing a paint-specked t-shirt and a grey beanie.

"I'm tired of living this kind of life I'm living here."

Libya clashes kill 23, spark fears of new war (Yahoo! News) By Hamza Mekouar
August 27, 2022

Clashes between backers of Libya's rival governments killed at least 23 people and damaged six hospitals in Tripoli on Saturday, sparking fears that a political crisis could spiral into a major new armed conflict.

Small arms fire and explosions rocked several districts of the capital overnight and into Saturday, when smoke could be seen rising from damaged buildings.

But cautious calm appeared to have returned on Saturday night, an AFP correspondent said.

The head of the government in Tripoli, Abdulhamid Dbeibah, posted a video of himself surrounded by bodyguards and greeting fighters supporting him.

In an updated toll, the health ministry in Tripoli said 23 people had been killed and 140 wounded in the fighting.

Six hospitals were hit and ambulances were unable to reach areas affected by the clashes, the ministry had said earlier, condemning "war crimes".

The two rival administrations vying for control of the North African country and its vast oil resources -- one based in the capital, the other approved by a parliament in the country's east -- exchanged blame.

The UN's Libya mission called for "an immediate cessation of hostilities", citing "ongoing armed clashes including indiscriminate medium and heavy shelling in civilian-populated neighbourhoods".

The US ambassador to Libya, Richard Norland, said in a statement that Washington "condemns" the surge in violence, urging an "immediate ceasefire and UN-facilitated talks between the conflicting parties".

News agency Lana said actor Mustafa Baraka had been killed in one of the neighbourhoods hit by fighting, sparking anger and mourning on social media.

- 'Threats' -

Dbeibah's Government of National Unity said fighting had broken out after negotiations to avoid bloodshed in the western city collapsed.

Dbeibah's government, installed as part of a United Nations-led peace process following a previous round of violence, is challenged by a rival government led by former interior minister Fathi Bashagha.

Bashagha, who is backed by Libya's parliament and eastern-based military strongman Khalifa Haftar, says the GNU's mandate has expired.

But he has so far been unable to take office in Tripoli, as Dbeibah has insisted on only handing power to an elected government.

Dbeibah's government accused Bashagha of "carrying out his threats" to seize Tripoli by force.

Dbeibah's GNU said negotiations had been underway to "hold elections at the end of the year to resolve the political crisis", but that Bashagha had "walked out at the last moment".

Bashagha denied such talks had taken place, and accused Dbeibah's "illegitimate" administration of "clinging to power".

Local media reported later Saturday that a group of pro-Bashagha militias that had been making their way to the capital from Misrata had turned back.

- 'Urban warfare' -

Emadeddin Badi, a senior fellow at the Atlantic Council, warned that the violence could quickly escalate.

"Urban warfare has its own logic, it's harmful both to civilian infrastructure and to people, so even if it isn't a long war, this conflict will be very destructive as we have already seen," he told AFP.

He added that the fighting could strengthen Haftar and those close to him.

"They stand to benefit from western Libya divisions and have a better negotiating position once the dust settles."

Bashagha was appointed in February by the parliament, which was elected in 2014 and is based in the eastern city of Tobruk, but he has been unable to impose his authority in Tripoli.

Initially ruling out the use of violence, the former interior minister has since hinted that he could resort to force.

Last week, he called on "Libyan men of honour" to drop their support for Dbeibah's "obsolete and illegitimate" administration.

In July, clashes between rival groups in Tripoli left 16 people dead, including a child.

It was the deadliest violence to hit the Libyan capital since Haftar's ill-fated attempt to seize it by force in 2019 and 2020.

Inside Libya's secret jail: 'Being alive is a miracle' (BBC News) By Carolyn Lamboley
September 3, 2022

On 1 October 2020, Walid Elhouderi was called in to act as an interpreter at a meeting with several ambassadors in the Libyan capital, Tripoli.

After it ended, he recalls walking the Congolese ambassador back to his car to see him off and then returning to the meeting room to collect his belongings.

"That's where I found four people waiting for me. They roughed me up. They slapped me. They held a gun to my stomach, and they abducted me. After that, I was disappeared. I didn't even know where I was," Mr Elhouderi says.

The four men, in plain clothes, had been sent by the intelligence services and, Walid says, he was taken to one of Tripoli's secret prisons, sometimes administered by the militia groups who control many parts of the capital.

The phenomenon of enforced disappearances has been widely documented by the United Nations in the wake of the 2011 revolution, which resulted in the overthrow of long-time leader Muammar Gaddafi, and plunged the country into chaos.

"For 47 days, no-one knew where I was," Mr Elhouderi says.

The days and weeks that followed were a vortex: he was accused of trying to obtain defence secrets, placed in solitary

confinement, transferred to another location, tortured and stripped of any semblance of life as he knew it.

"They deprived me of water for three days straight and would come beat me on my back three times a day. They didn't ask any questions, nothing," Mr Elhouderi recalls.

After about two weeks, Mr Elhouderi was finally brought in for interrogation, and the beatings mostly stopped.

He was brought before a prosecutor, and a month later, in mid-November 2020, he was transferred with one of his colleagues - who had also been detained - to the al-Rweimi state prison in Tripoli's Ain Zara district.

"The day we went to that prison, it was like: 'Wow, we're free. Even though we're in a prison, at least we're in a system.'"

Before, they might as well have been "nowhere", he says. "We didn't know that we were going to spend another 13 months in that facility."

The overthrow of Muammar Gaddafi in 2011 had raised hopes of a better life in Libya. At the time he was detained, Mr Elhouderi had been working at the Ministry of Foreign Affairs' department of interpretation and translation for just a few months.

A high-flying civil servant with a background in IT and human rights, he had recently been nominated as the head of the Information and Communications Technology (ICT) department, a promotion that would end up costing him far more than it was worth.

Initially, Mr Elhouderi was accused of "breaching the ministry's secret information system". News outlets announced he had been placed in custody in mid-October 2020, relaying a statement from the office of the Attorney General which said he had been arrested by the intelligence services.

He and his co-defendant Sufyan Mrabet, an employee in the ministry's ICT department, were subsequently accused of "using means of telecommunications with the intent of obtaining defence secrets". Walid was accused of installing several matrices on the ministry's server that were linked to a server in France, where his father was ambassador.

The French Ministry of Foreign Affairs declined to comment on the case.

Mr Mrabet was detained around the same time as Mr Elhouderi and, like him, was released in January 2022 - after an ordeal lasting about 15 months.

Mr Elhouderi describes what happened as a "conspiracy", accusing the then-ICT director, a man he says has powerful connections in Tripoli, of being behind the "deceitful" charges - an attempt, he says, to prevent him from taking over as head of ICT, a position which comes with a number of benefits that can trickle down to one's entourage.

Ultimately, after months of lobbying from his family, his lawyers and the National Commission for Human Rights in Libya (NCHRL), which Mr Elhouderi used to volunteer for, the court concluded that the charges "were not based on facts and law but were [the result] of a mere quarrel between co-workers".

The acquittal also states that Mr Elhouderi and Mr Mrabet were made to give confessions under duress, were subjected to "physical and psychological coercion" and were "abducted without anyone knowing where they were, pushing their families to contact the office of the attorney general and file a missing persons report".

It also says that a doctor who saw Mr Elhouderi found he "had multiple injuries, specifically bruises on the torso, which all happened over the same period of time and were caused by a blunt tool or steel rod".

The Libyan foreign ministry, the office of the attorney general and the former ICT director did not respond to repeated requests for comment.

What happened to Mr Elhouderi and Mr Mrabet is more than just a story about a petty rivalry between bureaucrats. It's a testament to a rampant culture of corruption and impunity in a state that's largely ceded power to the arbitrariness of personal interests and the influence of militias.

In August 2022, Libya's Audit Bureau said it had monitored "violations" with regards to consular and diplomatic appointments within the ministry, highlighting the nomination of individuals from "outside the foreign affairs sector". It issued a set of recommendations, including "ceasing to expand the amount of postings" abroad.

Speaking of this phenomenon, Mr Elhouderi described the ministry, and other state institutions, as a "cash cow".

When Mr Elhouderi was first interrogated about two weeks into his ordeal, his interrogator kept telling him that he was lucky.

"He told me: 'You know you really are very lucky. Sufyan is dead, we killed him... But you, you're lucky. At first, we wanted to send you a hit squad.'

"This was after two weeks of torture, with my eyes blindfolded the whole time. And that's how the interrogation started. It was the first time anyone had spoken to me in two weeks."

In many ways, Mr Elhouderi's interrogator - who was bluffing about Mr Mrabet - was right. He was lucky.

When you go through what we went through, some people don't come out of it. They're just a shadow, a remnant of their personality that's left in their body"

In early 2020, the year that he was detained, the United Nations Support Mission in Libya (UNSMIL) said that it had received "dozens of reports of enforced disappearances and torture of civilians, including, but not limited to, civil society activists, journalists, migrants, and state officials" by militias in the previous year.

UNSMIL, which Mr Elhouderi said was made aware of his case, declined to comment, saying it wanted to "pre-empt any unnecessary harm" to its staff and families. "What happened to me is the story of every Libyan. A lot of people are not speaking," Mr Elhouderi says.

He recounts the story of a man he met in detention who ran a cafeteria in Qasr bin Ghashir, about 20km (12 miles) south of central Tripoli, who was allegedly caught with dinars issued by the central bank in the east - where a rival administration is based - in his till.

"When he closed up shop that day, he had about 100 or 200 dinars from the east, out of about 2,000 dinars. That's why he was accused. But he was never brought before the prosecutor, and his family had no idea where he was."

"Some people died there... Some had been there for five or six months. They were never brought before a court. No-one knew where they were," Mr Elhouderi says. Mr Elhouderi recognizes his privileged background. And yet, even with all his connections, it still took over a year for him to finally get acquitted.

Months after their release, neither Mr Elhouderi nor Mr Mrabet have been reinstated at the ministry, nor have they received any kind of compensation.

Still, Mr Elhouderi puts on a brave face.

"When you go through what we went through, some people don't come out of it. They're just a shadow, a remnant of their personality that's left in their body... Being alive is a miracle for me."

Carolyn Lamboley is a freelance journalist based in Paris

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CENTRAL AFRICA

Central African Republic

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

Main Target of Russian Mercenaries in Africa Is Civilians, Report Says (The New York Times) By
Elian Peltier
August 30, 2022

As Russian mercenaries from the private military group Wagner have been operating in Ukraine, their counterparts in Africa have received little scrutiny and have made civilian populations their primary targets, according to a newly released report on their activities in two of the continent's most fragile countries.

In the Central African Republic, Wagner operatives have targeted civilians in more than half of all their operations since 2018, according to the Armed Conflict Location & Event Data Project, or ACLED, a crisis monitoring organization.

And in Mali, where Wagner mercenaries have been operating alongside the country's armed forces since last year, ACLED reported they have targeted civilians in more than 70 percent of their activities, leading to a spike in civilian deaths that analysts say could fuel the ranks of Islamist insurgents.

ACLED said it established a data set of political violence in the two African countries based on eyewitness accounts, and reports from human rights groups, news organizations and national authorities.

In the Central African Republic, for instance, it recorded 180 attacks on civilians involving Wagner mercenaries since late 2020, accounting for 52 percent of the group's operations in the country.

The Wagner Group, a network that combines military force with commercial and strategic interests, has been active in Mali, Central African Republic, Mozambique and Libya, allying with leaders and militia commanders who can pay for their services. The Kremlin denies any link to Wagner, but American and European officials say it is an unofficial tool of Russian power.

In Mali and the Central African Republic, the levels of violence committed by Russian mercenaries now exceed civilian targeting by state forces, rebel groups or Islamist insurgents, ACLED said.

"Put it simply, Wagner has been bad news for civilians," said Héni Nsaibia, a researcher with ACLED focusing on Mali, and one of the authors of the new report on the group's activities in the two countries. "They have played a central role in this escalation and increase of fatalities."

The new data complement a growing body of evidence gathered by the United Nations, research institutes and news organizations documenting widespread looting, torture and indiscriminate killings in Africa by the group.

Hundreds of Wagner fighters have been fighting in Ukraine, and earlier this month Ukraine claimed to have hit a base occupied by the shadowy group. In the Central African Republic, Wagner fighters have been the main source of violence since late 2020, according to ACLED, even as the military has regained control of most territories that had been in the hands of rebel groups.

In Mali, where a military junta has been fighting insurgents affiliated with Al Qaeda and the Islamic State, Wagner mercenaries have been involved in the deaths of more than 500 civilians this year, driving casualties that in the first six months of 2022 have already outnumbered last year's civilian deaths, according to ACLED.

In March, Malian soldiers and Russian operatives looted houses and executed hundreds of men in the village of Moura, before forcing locals to burn bodies in mass graves, according to a New York Times investigation.

'The Killings Didn't Stop.' In Mali, a Massacre With a Russian Footprint.

Civilian deaths have spiked in Mali since Russian mercenaries of the Wagner Group began operating alongside the military. In late March, hundreds were executed in the village of Moura. May 31, 2022

Smaller-scale versions of the Moura massacre have occurred in other areas of central and western Mali. Also in March, "white-skinned soldiers" rounded up all adult men in a locality near the border with Mauritania, according to a confidential U.N. report seen by The Times. Malian armed forces later joined them, and the bodies of 33 men who had been arrested were found burned, the report said.

Now Wagner fighters are also targeting civilians in operations carried out without the Malian military, according to ACLED, reproducing a pattern seen in the Central African Republic.

The Malian authorities have repeatedly dismissed allegations of human rights abuses as part of a disinformation campaign and have denied the presence of Wagner in the country, even as Russia's foreign minister Sergei Lavrov confirmed it earlier this year.

Mali's close cooperation with Russia has jeopardized the presence of Western troops, with France ending a nine-year military operation in the country earlier this month.

A few days earlier, Germany had announced that it was suspending most of its military participation to the United Nations' peacekeeping operation in Mali.

Still, the German foreign minister Annalena Baerbock told reporters in Morocco last week, "We must not abandon Mali and above all we must not abandon it to Russia."

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Sudan & South Sudan

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

ICC Demands Sudan's Cooperation to Arrest Bashir, Aides for War Crimes (Middle East Monitor)
August 25, 2022

The International Criminal Court (ICC)'s Chief Prosecutor, Karim Khan, called on the Sudanese authorities to cooperate with the ICC in executing the arrest warrants issued against ousted President Omar Al-Bashir and his aides with regard to war crimes committed in Darfur.

At the end of his visit to the Sudanese capital, Khartoum, which began on Saturday, Khan said the ICC's mission is to execute arrest warrants issued against Al-Bashir and his aides in order for them be tried on charges related to the conflict in Sudan's Darfur region.

The court has demanded that Khartoum hand over Al-Bashir, 77, and three of his aides – Ahmad Harun, Abdel Raheem Hussein and Abdallah Banda.

Khan added that while the court is seeking to execute the four arrest warrants, the challenge is to achieve cooperation with the government of Sudan in this regard.

In what appears to be a criticism of the Sudanese authorities, Khan added that criminal justice requires more political will than diplomatic relations and the issuance of visas for ICC staff to enter Sudan.

In a report he submitted to the Security Council on the period between January and August 2022, Khan acknowledged positive steps taken by the government regarding the provision of visas but he also pointed to a recent retreat in cooperation on this.

"However, the overall picture during the reporting period has remained challenging and represents a backwards step from the strong period of cooperation enjoyed by the Office from Sudanese authorities from February to October 2021."

He said that the ICC will arrive in Khartoum in October to open an office there.

In December 2019, al-Bashir was sentenced to two years in a rehabilitation facility on charges of corruption. Sudanese law prohibits the imprisonment of people aged 70 or over.

The International Court accuses the wanted Sudanese politicians of involvement in the extrajudicial killings of more than 260 people and raping dozens of women, in addition to looting, burning and intimidating thousands of residents in West Darfur.

UN: 173 civilians killed in South Sudan clashes (Dhaka Tribune)
September 6, 2022

Scores of civilians were killed in political clashes in South Sudan between February and May this year, a UN report said on Tuesday, with women and children subjected to brutal assaults, including gang rape.

The clashes between forces loyal to President Salva Kiir and his rival, Vice President Riek Machar, in oil-rich Unity State affected at least 28 villages across three counties, with 173 people killed and 37 women and children kidnapped.

"Many of the abductees were subjected to sexual violence, including girls as young as eight-years-old and a nine-year-old girl who was gang-raped to death," the UN Mission in South Sudan (UNMISS) and the Office of the UN High Commissioner for Human Rights (OHCHR) said.

Both sides committed severe abuses, the report said, adding that pro-government forces and militias loyal to Kiir appeared to be "the main perpetrators of the human rights violations."

The violence caused 44,000 people to flee their homes across 26 villages, with a total of 131 cases of rape and gang-rape documented.

South Sudan has been wracked by instability since independence in 2011 and is still struggling to draw a line under a civil war between pro-Kiir and pro-Machar fighters that claimed the lives of almost 400,000 people.

The joint report covered the period between 11 February and 31 May 2022, with researchers travelling to the pro-Machar strongholds of Koch, Leer, and Mayendit as well as surrounding areas to document the aftermath of the violence.

It said that there were "reasonable grounds to believe that these attacks were consistently premeditated and carried out with a degree of organization mainly by the joint Government forces and allied militias/groups operating in these areas."

In a press statement accompanying the report's release, Nicholas Haysom, the UN envoy to the country, said that "human rights violations were committed with impunity."

"The government is duty-bound under international law to protect civilians, investigate allegations of human rights violations, and hold suspected perpetrators accountable," he added.

The UN has regularly criticized South Sudan's leadership for its role in stoking violence, cracking down on political freedoms and plundering public coffers.

It has also accused the government of rights violations amounting to war crimes over deadly attacks in the southwest last year.

Since the five-year civil war ended in 2018, the country's lumbering peace process has run into multiple delays, with violence regularly breaking out between Kiir and Machar's forces.

In July, the United States pulled out of two peace process monitoring organizations in South Sudan due to the government's failure to meet reform milestones, citing a "lack of sustained progress."

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Democratic Republic of the Congo

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WEST AFRICA

Côte d'Ivoire (Ivory Coast)

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

How Ex-Borno Governor, Shettima Aided Abduction Of Chibok Schoolgirls, Sabotaged Jonathan's Efforts To Crush Boko Haram – PDP Party (Sahara Reporters)

September 2, 2022

The Peoples Democratic Party (PDP) has accused former Borno State governor and the vice presidential candidate of the ruling All Progressives Congress (APC), Kashim Shettima, of sabotaging former President, Goodluck Jonathan's efforts to curb the Boko Haram in Borno, which led to the infamous abduction of over 270 Chibok schoolgirls in 2014.

The PDP spokesperson, Debo Ologunagba, stated this in his reaction to the reported meeting between the APC presidential candidate, Bola Tinubu, and his running mate, Shettima with former President Jonathan in Abuja.

Ologunagba knocked the APC candidates in a series of tweets made on Thursday.

He wrote, "Nigerians are scandalised over the disgraceful and hypocritical attempt by the Presidential Candidate of the All Progressives Congress (APC), Bola Tinubu and other APC leaders to distance themselves from President Muhammadu Buhari over the abysmal failure of the Buhari-led administration in which they are principal actors.

"In a desperate design to whitewash their battered public image, identifying with the obvious successes of the PDP and in an attempt to posture as statesmen, the APC Presidential Candidate, his running mate, Sen. Kashim Shettima and other APC leaders shamelessly orchestrated a photo opportunity with the distinguished and successful former President Goodluck Jonathan of the PDP.

"This is a patriotic Nigerian leader whose PDP-led purposeful and successful government the APC leaders viciously harassed, constantly insulted, labelled, sabotaged and discredited for their selfish power-grabbing enterprise.

"Nigerians have not forgotten how Asiwaju Tinubu callously vilified and pilloried Dr. Jonathan, spewed hate against his administration and reportedly funded a near riotous protest which was inflamed by concocted economic lies, propaganda and false statistics to discredit the Jonathan-led PDP administration.

"Nigerians can equally recall how Sen. Shettima as governor of Borno State sabotaged and frustrated the Jonathan's administration in its effort to curb insecurity in Borno State. Records still have it on how the APC Vice Presidential candidate as governor of Borno State failed to act on a security report and directive to close schools in remote parts of Borno State and relocate students to the more secure capital of Maiduguri to write their GCE examinations; thus creating the opening for the cruel abduction of school girls in Chibok, Borno State.

"Nigerians will also note how the then Governor Shettima abdicated his duty as chief security officer and reportedly withheld vital security information in preference to non-state actors including terrorist elements, thereby frustrating the timely rescue of the abducted Chibok girls.

"It can also be recalled that after the infamous abduction, the principal of the school was subsequently appointed as a commissioner in Borno State by the then Governor Shettima; a development many considered as a compensation for her alleged role in the abduction.

"It is therefore ironic that these same APC leaders who also spent the last seven years insulting and harassing Dr. Jonathan now shamelessly arranged a visit and photo opportunity in an attempt to launder their image and hoodwink Nigerians from the atrocities and monumental evil they brought to our country.

"It is indeed provocative that after turning our nation into a vast killing field by emboldening terrorist elements to massacre our citizens; wrecking our once robust economy, elevating corruption to an official state policy and turning our nation into the poverty capital of the world, APC leaders are seeking to beguile Nigerians again.

“We are aware that these APC leaders have lined up several illusory antics to mislead Nigerians ahead of the 2023 general elections, but they must know that Nigerians have moved on and cannot be swayed by propaganda, lies, false promises and photo ops with successful individuals.

“What is expected of APC leaders at this moment is to apologize unreservedly to Dr. Jonathan, the PDP and Nigerians for the life-discounting situation they have foisted on our nation in the last seven years.

“After that they should quietly quit the stage, take valedictory pictures with terrorists, political thugs and election riggers since they cannot have any space among well-meaning Nigerians.”

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Mali

UN says 50 civilians killed in April by Mali’s army (The Guardian)

August 31, 2022

Alleged massacre took place on market day in Hombori after military convoy hit explosive device

At least 50 civilians were killed during a military operation conducted by Mali’s army and “foreign troops” on 19 April, according to a report by the UN.

The UN has repeatedly accused Malian soldiers of summarily executing civilians and suspected militants during their decade-long fight against groups linked to al-Qaida and Islamic State.

Mali’s military government, which took power in a 2020 coup, has been battling Islamist insurgents with the help of private military contractors belonging to Russia’s Wagner group.

The alleged April massacre took place on market day in Hombori municipality, in the central region of Douentza, after a Mali military convoy hit an improvised explosive device.

The victims included a woman and a child, the UN’s peacekeeping mission MINUSMA said in a quarterly report on human rights violations in the insurgent-hit west African country.

It did not specify the nationality of the foreign military personnel accompanying local troops.

Some 500 people were briefly detained during the military operation prompted by the explosion, but most were later freed. Days later, a single Malian soldier allegedly executed 20 of the 27 civilians still held at the military camp in Hombori, according to the UN.

Mali’s military spokesman did not immediately respond to a request for comment.

Authorities have previously denied accusations that soldiers tortured civilians held in Hombori, the report said.

In the report, MINUSMA documented 317 civilian deaths between 1 April and 30 June, 42% lower than the 543 registered during the first quarter of 2022.

While insurgents carry out most of the abuses, Malian defence and security forces were responsible for just over a quarter of violent acts against civilians recorded during that period, according to the report.

Mali’s military has in some cases acknowledged its forces were implicated in executions and other abuses. But few soldiers have faced criminal charges.

Authorities have banned UN investigators from a site where Malian troops and suspected Russian fighters allegedly executed around 300 civilian men during a military operation in March.

Both Mali and Russia have previously said the Wagner group is not made of mercenaries but trainers helping local troops with

equipment bought from Russia.

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Liberia

Liberia: 'We'll Continue the Sande Bush Practice of Our Ancestors' - Zoes in Margibi Vow (Front Page Africa) By Mae Azango

August 30, 2022

Monrovia — Hundreds of Liberian school-aged girls and young women stand the risks of being initiated into the Sande Society, also known as the bush school, because, traditional leaders of Margibi County pledged to continue their ancestors' traditional heritage.

Chief Zoe, Ma Wroto Musa, Chief Samuel Kollie and other traditional leaders in Weala Margibi County vowed to continue Sande activities admit the three-year suspension on the practice.

"We will continue the Sande Bush practice of our ancestors in Liberia. We inherited this practice, and in no way, we are willing to end it. And, if the government and others want to force us, we will traditionally resist. If they want us to leave our ancestors' practice, let them be equally prepared to let go other practices such as same-sex, the UBF, the Free Masons and ritualistic killings, etc," said Chief Zoe, Ma Wroto Musa.

Speaking in Weala Margibi County, during a recent town hall in meeting, organized by HeForShe Crusaders Liberia, the West Point Women for Health and Development Organization and Community Healthcare Initiative, the zoes, along with over 20 traditional leaders, said even though they are knowledgeable of the three years suspension on FGM activity in Liberia, but they will continue until same-sex and UBF is abolished as well.

During the ongoing dialogue, in affirmation of their support, all the invited traditional participants raised their hands in support of FGM continuation in Liberia.

The Ministry of Internal Affairs, which is the umbrella entity responsible for regulations of all traditional affairs, is unaware of the violation by many traditional leaders. When contacted regarding the wave of FGM activities going on after the three-year ban placed on the practice, Assistant Minister for Culture and Customs, Joseph B. Jangar, said he is surprised and shock at the same time such activities but promised to follow up with superintendents of the various counties that are said to be violating the three-year moratorium.

"The zoes and traditional leaders are all aware of the three-year suspension and not one of those zoes operating the bush schools will be able to show you any certificate from the Ministry of Internal Affairs because we are aware of the ban," said Minister Jangar.

It can be recalled that in late February 2022, Chief Zanzan Karwor, Chairman of the National Traditional Council of Liberia, announced a three-year suspension of the practice of female genital mutilation in Liberia. The three-year ban which started with immediate effect came amidst campaigns by human rights groups for a total ban on the practice. But it seems since the declaration was made, many traditional leaders are openly violating the ban.

"FGM/C is not only a human rights violation, but undermines the peace and security of each and every female. Access to bodily autonomy is a right to every woman, end FGM and its not cultural but harmful suppression," Saye Tamba F. Johnson, National HeForShe Crusaders Liberia. Johnson said Margibi County is the second county that has challenged the three-year suspension of FGM. The first was Grand Cape Mount in February of 2022. However, Lofa, Gborpolu, Grand Bassa, Bong, Montesrrado and Rivercess Counties are reportedly still carrying out the act, too.

According to this newspaper's Nimba County Correspondent, two zoes in that county paid dearly for disobedience to the three-year ban when they were arrested in Sanniquellie, Nimba County, for forcing over 8000 school-going aged girls into the Sande Bush. The girls, who had gone to prepare for 2022/2023 school year, were all captured and forced into the Bush School by the two traditional leaders. And the report added that the practices are presently taking place in the 19 administrative districts in Nimba County.

HeForShe Crusaders Liberia, Lofa County Coordinator Boakai Yamah reported on the increase of FGM activities and listed towns and villages that are carrying out the practice during the three-year suspension.

"I reported earlier from Lofa County, on the increase in the numbers of Sande Bushes in operation across the county. Here are the names and locations where Sande Bush activities are ongoing.

1. Gborddu Town, Kpalakollie Clan, Tangia Administrative District, Foya
2. Lawalazu Town, Lower Workor Clan, Voinjama District
3. Zawoadamai Town, Lower Workor Clan, Voinjama District
4. Borgondu Town, Quardu Gboni District
5. Korlelar Town, Quardu Gboni District
6. Kamolahun Town, Ngolahun Clan, Lukambah District
7. Manena Town, Hembeh Clan, Lukambah District
8. Lehuma Town, Wanwoma Clan, Wanhassa District.

However, for Lehuma Town all preparations have been put in place to take the children," concluded Coordinator Yamah. Back to the Weala Meeting in Margibi, following the intense awareness on the importance of maintaining all positive attributes of the Sande Bush, making away with the circumcision aspect, the leaders and supporters disagreed. "Our leaders at the national level are seeking money and forgetting the values of our heritage. They are seeking their own personal interest and not us. They don't consult us on issues; we only hear about them, which is a disservice to us. Hence, there is a need for you all to keep engaging us and let us know who are directly involved with the bush and speak out on what is possible," said Chief Samuel Kollie.

Debevoise wins \$84 mln award for Liberia massacre victims (Reuters) By Jenna Greene
August 31, 2022

Even amidst a bloody civil war, the massacre of 600 men, women and children who sought refuge at a Red Cross shelter inside St. Peter's Lutheran Church in Monrovia, Liberia in 1990 stood out for its brutality.

Thirty-two years later, a team of lawyers from Debevoise & Plimpton working pro bono alongside the Center for Justice and Accountability scored a historic win for four survivors when a federal judge in Philadelphia earlier this month awarded the plaintiffs a total of \$84 million in compensatory and punitive damages.

The court found Colonel Moses Thomas, 69, who emigrated to Pennsylvania from Liberia in 2000 but returned to his home country in late 2019, liable for the killings under the Alien Tort Statute and the Torture Victim Protection Act.

"It's the first time any member of the Armed Forces of Liberia has ever been held accountable" for abuses committed during the country's back-to-back civil wars spanning 1989 to 2003, Debevoise partner Catherine Amirfar, who led the firm's 16-lawyer pro bono team, told me.

Blank Rome served as local counsel in the lawsuit, which was filed in U.S. District Court for the Eastern District of Pennsylvania in 2018.

Thomas, the former commander of an elite unit of the Liberian military, was not specifically accused in the complaint of killing anyone. Instead, the plaintiffs allege he directed soldiers to slaughter the civilians — members of the indigenous Mano and Gio ethnic groups — who were sheltering inside the church.

Thomas' lawyer, Nixon Kannah of Kannah & Lassanah, in court papers said his client denied the allegations and that much of the evidence against him was inadmissible hearsay. He argued without success that the plaintiffs failed to exhaust remedies available in Liberia and that their claims were time-barred.

Kannah did not respond to a request for comment on the Aug. 16 penalty levied by U.S. Magistrate Judge Lynne Sitarski.

Thomas in remarks to Front Page Africa called the \$84 million judgment — the full amount requested by the plaintiffs — "nonsense" and "stupidity."

Of course, actually collecting the money is another matter, but cash isn't all the plaintiffs sought. "First and foremost, they wanted to have their stories told," Amirfar said.

The Center for Justice and Accountability began investigating Thomas in 2014, executive director Carmen Cheung Ka-Man told me, assembling roughly 2,000 pages of evidence.

When after four years of groundwork it was time to file a complaint, the 15-person human rights non-profit turned to 800-lawyer Debevoise.

Fearing retaliation and persecution, all four plaintiffs remain anonymous. But in the complaint, they laid out a horrifying narrative of the night of July 29, 1990.

Some said they "survived by hiding under piles of dead bodies and feigning death as soldiers stabbed fallen victims to ensure that they were truly dead," the complaint says.

They reported seeing women raped and belongings looted as "soldiers used cutlasses to hack many of the injured or hiding survivors to death." Multiple members of their families died in the attack.

Amirfar said a major challenge in litigating the case was "establishing a connection to the United States sufficient for a U.S. judge to uphold jurisdiction, even though the actual conduct at issue occurred in Liberia."

She said it was key that Thomas had moved to the U.S. He was working as a server at a restaurant in Philadelphia, according to local news media.

Amirfar said the court's decision shows the viability of the Alien Tort Statute, which lets non-U.S. citizens seek damages in American courts in certain instances.

The U.S. Supreme Court in a series of decisions since 2013 has reined in the reach of the law, holding that plaintiffs must establish a strong, domestic nexus for their claims and that the underlying facts must "touch and concern" the United States.

Amirfar said the "vast majority" of cases invoking the Alien Tort Statute are tossed at the motion-to-dismiss stage. "Surviving that was a big triumph," she said.

In September 2021, U.S. District Judge Petrese Tucker in a 51-page opinion granted summary judgment to the plaintiffs, citing the "vast factual record" they assembled to prove their case.

Thomas "intentionally directed an attack on a building dedicated to religion, personally directed an attack on civilians, and committed the crime against humanity of persecution," Tucker found.

While Amirfar is gratified by the decision, she said it should not be the end, and Liberia has an obligation under international law to bring its own prosecution.

"This judgment by a U.S. court is an important milestone in our clients' quest for accountability, but it is important to remember that it is not enough," she said.

Liberia: In Nimba, Traditional Leaders Ban FGM (Daily OBSERVER) By Ishmael F. Menkor
September 6, 2022

**Female genital mutilation has been banned in Nimba County for the next three years.
Any violation of this mandate could come with a penalty of US\$300.**

The measure, which is being undertaken by Nimba's traditional leaders, whose significant influences on cultural practices within the 17 administrative districts of the county, comes in the form of a binding moratorium, banning the practice for three years, irrespective of cultural reasons.

Nimba, Liberia's second largest county is a hotspot for FGM, an ancient ritual that is practiced in Liberia during traditional initiation ceremonies in bush schools, overseen by an immensely powerful traditional women's secret society called the Sande. The women who operate the schools are called Zoes (female traditional leaders).

The moratorium, according to the traditional leaders, is critical in shifting the deep-rooted cultural beliefs that justify the perpetuation of the practice, which the World Health Organization (WHO) recognized internationally as a violation of human rights.

"As traditional leaders, we here sign this moratorium to effectively ban the practice of FGM in Nimba for the next three years.

We ask that sufficient and timely sharing of the contents of the moratorium be made so that we, as traditional leaders, can enforce compliance,” the traditional leaders' said in their moratorium.

“And we pledge our support to monitor and enforce this ban while calling for more awareness and training about the moratorium among traditional leaders. This moratorium would not affect the running of Sande school but FGM. The moratorium will be expanded on the theme, 'Continue Sande and Stop the mutilation'.”

The moratorium then warns that anyone caught in the practice will pay a fine of US\$300, which will be paid to revenue.

“The penalty for any violator is US\$300 and we will ensure the fine is paid without any delay, or you face a jail sentence,”

It however called on the cultural authority in Nimba to provide more information about the purpose and intent of the moratorium to avoid violation and conflicts among the citizens.

The Nimba traditional leaders' measure comes after nearly nine months after the National Council of Chiefs and Elders of Liberia on February 21 announced the suspension of the practice of FGM for 3 years.

The council's three-year suspension of FGM follows a one-year ban that was imposed in 2019 through the Ganta Declaration, which called for the temporary suspension. However, the Council, despite these measures, has faced an uphill battle in trying to bring this form of violence to an end.

Many of its members have continued to break promises to suspend the practice of FGM for the next three years. FGM is said to prevent promiscuity and improve fertility.

According to the WHO, the procedure can be fatal, with health problems including hemorrhages, cysts, chronic infections, psychological trauma, and childbirth complications.

In Liberia, nearly half of the women have been subjected to FGM, and four in 10 support the practice in the country, according to UNICEF.

Such support suggests that the practice of FGM has never been successfully outlawed in Liberia. Just before she left office in January 2018, the then President, Ellen Johnson Sirleaf, signed an executive order on the Domestic Violence bill to ban FGM on girls under 18 years old for one year.

Other than the temporary ban on FGM, various iterations of the bill seeking to make the practice a criminal offense have in the past suffered significant setbacks, with lawmakers dismissing the issue as a cultural matter.

This is so because FGM is heavily entrenched in Liberian culture, dating back many centuries. Strong taboos surrounding the practice and associated Sande secret societies make tackling the practice challenging.

The country remains one of the three West African countries that do not have a law criminalizing FGM despite having signed and ratified regional and international human rights instruments condemning the practice as a human rights violation, including the Maputo Protocol.

But in Nimba, the traditional leaders are hoping that the three-year ban will lead to concerted actions.

After signing the moratorium, it was then handed over to Mark Gblinwon, the County Inspector, for full implementation and to ensure that all the actors fully adhere to it.

Gblinwon then said the county will remain vigilant to ensure that the practices are totally halted and that anyone caught in the practice will pay the fine of US\$300.

“The penalty for any violator is US\$300 and we will ensure the fine is paid without any delay or you face a jail sentence,” he said.

Meanwhile, the traditional leaders' commitment comes at the end of a two-day meeting held in Ganta City, Nimba County about finding ways to end the practice of FGM.

The Covenant Foundation for Girls (COVGIRLS), a locally based civil society organization convened the two days of stakeholder dialogue for the traditional leaders. The dialogue was held under the theme “Eliminating FGM/C and Promoting Bodily Autonomy and Sexual and Reproductive Rights for All.”

Some of the topics discussed during the two days dialogue were harmful cultural practices, human rights, women's rights, and the ways in which FGM affects the rights of women and girls.

There were 14 signatories to the resolution, representing 14 of the 19 administrative districts in Nimba, while the remaining districts could not attend due to flooding along most of the feeder roads.

The signing ceremony was witnessed by the head of the Chiefs and Elders Council of Nimba, Nelson Barlea, Culture Director of Nimba, and the lead representative of all FGM practitioners in Nimba County.

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

Rwanda: Genocide Suspects Rutunga, Munyenyezi Back in Court (AllAfrica) By Hudson Kuteesa
September 4, 2022

Genocide suspects Venant Rutunga and Beatrice Munyenyezi are set to return to court this September for the continuation of the hearing of their cases in substance.

Both hearings will take place on September 19.

Rutunga is being tried by the High Court Chamber for International and Cross Border Crimes (HCCIC) in Nyanza, while Munyenyezi is being tried by the Intermediate Court of Huye.

Munyenyezi, 52, is charged with counts including committing genocide, planning of genocide, complicity in genocide, incitement to commit genocide, extermination as a crime against humanity, and complicity in rape.

She allegedly committed the crimes in the former Butare Prefecture (current Huye District).

According to the prosecution, Munyenyezi was active at various roadblocks during the genocide, taking part in checking

identification documents of travellers in order to single out the Tutsi.

She would hand those identified as Tutsi to the Interahamwe, to be tortured, killed or raped.

During her bail hearing, the prosecutors said that she also took part in the killings.

She pleaded not guilty to the charges, saying they are fabricated.

Among other things, she argued that during the Genocide, she was new in Butare and therefore the people that testify against her did not even know her.

She was deported from the United States in April last year after completing a 10-year sentence that was handed to her by the US authorities due to crimes related to immigration fraud.

As for Rutunga, 72, he was extradited from the Netherlands last year, and is facing three counts: Genocide, complicity in committing Genocide, and extermination as a crime against humanity.

The prosecution's file indicates that he committed the alleged crimes between April 26 and 30, 1994 in the former Butare Prefecture.

During the Genocide, he was working as the Regional Director of the Rwanda Agricultural Research Institute (ISAR-Rubona), and used his position to commit a number of actions that led to loss of many lives, especially of former employees of the institution he was leading.

Among these, the prosecutors accused him of having instructed the Gendarmes (policemen) hunt for two of his Tutsi employees, Epaphrodite Kalisa and George Ndamaje, and kill them.

The prosecutors also pinned him on an incident where he allegedly drove a car and went to meet the then Prefect of Butare to request him for armed policemen to assist in killing the Tutsis who had successfully defended themselves against the Interahamwe.

Rutunga pleaded not guilty to the charges, saying he did not commit the crimes.

For instance, though he admitted that he knew Ndamaje and Kalisa, he never took part in their killing, arguing that those that killed them were tried and sentenced.

He also admitted that he went to meet with the Prefect of Butare and requested for policemen, but the aim was not to kill the Tutsi, but rather, "to defend ISAR from attacks by intruders" because he had learnt that there was an imminent attack that would happen.

In fact, he argued that, while he was away, the attackers came in, killed people and destroyed property, including his own house.

Last year, Kicukiro Primary Court remanded him, after resolving that there were reasonable grounds to suspect him of having committed the crimes for which he is being prosecuted.

Rwanda and Uganda's M23 Militia Reappears to Slaughter and Plunder in DRC; US backs Rwanda and Uganda (Black Agenda Report) By Ann Garrison

September 7, 2022

Rwanda and Uganda's M23 militia have returned to the Democratic Republic of Congo (DRC), once again slaughtering Congolese people to plunder their resources. To understand this, we have to return to March 2013, after M23 had been terrorizing DRC's North Kivu Province for a year. The UN Group of Experts on the Democratic Republic of the Congo reported that Rwanda and Uganda, but most of all Rwanda, were commanding and supplying M23.

The UN Security Council then created a Combat Force Intervention Brigade within the UN peacekeeping operation to drive them out. Usually, the UN Peacekeepers' task is simply to protect civilians, but the Combat Intervention Brigade had an unprecedented combat mandate—to work with the Congolese army to root out M23. They succeeded, under the heroic leadership of Congolese Colonel Mamadou N'Dala Moustapha, but the "international community" then engineered a "negotiated peace" that handed the victory to Rwanda, Uganda, and their M23, and Colonel Mamadou was tragically assassinated. I asked Maurice Carney, Executive Director of Friends of the Congo about how that happened.

Ann Garrison: The triumph of the Combat Intervention Brigade in driving M23 out of DRC, followed by the “negotiated” victory of M23, was among the most cynical operations I’ve ever seen. Congolese, South African, and Tanzanian troops died fighting for the Congolese people, only to have their victory snatched away by the so-called “international community,” but the media moved on, excepting myself frankly. They believed what they’d been told—that M23 had been defeated and dispensed with. What does that tell you about the international press covering DRC?

Maurice Carney: Well, international press covering DRC has been fleeting, and deficient to say the least. And not just in DRC, not just the Congo, but Africa in general. And especially when covering conflicts where Africans, presented as savages who've always fought each other and will continue to do so for the foreseeable future. That's the framework in which the coverage is usually presented.

And attention is given to these issues when they become public, when a public official in the US gets engaged, even though the US military and the US intelligence apparatus remains engaged at all times. The press turn their attention to DRC when there's involvement by the President or Secretary of State—John Kerry in the case of M23 back in 2013—or with the call President Obama finally made to Rwandan President Paul Kagame at the time. Then the press gets interested.

However, there are structural issues that remain in place. When it comes to why we see this perpetual war of aggression on the part of Rwanda, most structural issues include three items really. One is impunity. The second is lack of accountability. And the third is lack of justice. And the United States government and its foreign policy plays a clear determinative role in maintaining these three obstacles, which contribute to perpetuating a conflict in the region. The reason why M23 could “disband,” as they reportedly did in 2013, but none of the major culprits or those who have backed them were brought to book, is because the United States wants it that way. There's no holding back, for example, when the US wants the government of Gambia, or any other government it doesn't like, held accountable.

The US, since the International Criminal Tribunal on Rwanda, has prevented any kind of evidence or accountability being brought against Kagame in any kind of trial. So that's a major part of the reason why we see not only Kagame skirting justice, but also the entities that he backs such as the M23 or, before that, the CNDP, the same group of Rwandans and Ugandans but with a different name. Before that there was the Alliance for AFDL. It's been a rinse and repeat since 1996.

But the core issues are those two agents of US Empire, President Paul Kagame of Rwanda, and President Yoweri Museveni of Uganda. They have been able to pretty much have their way in the Congo, the Great Lakes Region of Africa and East Africa, and the Horn of Africa for that matter, for the past quarter century. And the United States blocks any attempt to hold them to account or to bring them to justice.

AG: This time the UN Group of Experts came to the same conclusion they came to in 2013 and 2014, in a report released on August 4th—and the international press reported that story pretty accurately for a few days. Since then they've been a bit more to the point than usual, generating headlines like, “Rwanda Wants the World to Look Away from Ties to M23,” but that report goes on to repeat a lot of lies about both DRC and Rwanda, and too many reports still say that Rwanda and Uganda are “alleged” or “believed to be” behind M23.

The UN investigators' conclusions never seem to make any difference. M23 returns, and the slaughter and plunder go on and on. Why are the UN investigators' very precise conclusions ignored as well?

MC: That's been the case for over two decades. The UN, since the 2010 DRC: Mapping Report on Human Rights Abuse, 1993-2003, has had a database of the perpetrators of the crimes against humanity and war crimes. And that report says that if these crimes were brought in front of a competent court, they might constitute crimes of genocide. So the UN has all of that. That hasn't changed in terms of the veracity. There is an abundance of evidence.

But when you have an empire that's behind you, that can run interference, it doesn't matter how much evidence there is; it doesn't matter if that evidence accumulates over decades. If the US does not want Paul Kagame brought to account, he won't be.

I remember the publication of the UN Mapping Report in 2010. Even the French were complaining that then US Ambassador to the United Nations Susan Rice was blocking any action on that report and basically covering for Paul Kagame. So when you're on the side of the empire, and this is a thing that folks really need to understand, you get covered, you get political cover, you get diplomatic cover, and you get a free hand to commit mass international crimes with impunity. And that's the benefit that Kagame and Museveni have as agents of the empire.

AG: And where is Congolese President Tshisekedi in this picture now? He claims to be accusing Rwanda and trying to fight Rwanda and demanding that the rest of the world condemn Rwanda.

MC: Yes, he does, and that's his pedigree coming out of the opposition. He had been saying that before he got into the presidency. But when he first got in, he was lovey-dovey with the Rwandan government, going to Kigali to visit the genocide

memorial, holding hands with Kagame and smiling. But, you know, he has to also respond to domestic pressure. And when your own population is making it clear that they're victims of an aggressor nation, you have to respond to that.

So I see his statements now as responding to that domestic pressure. But even in the policies that he's trying to present to the Congolese people—that being a part of the East African Community is somehow a path to bring about peace and stability in the Congo—it's so preposterous; anyone could have told him that that's not going to deliver whatever it is that he thought he was looking for.

That East African Community Plan is pretty much in alignment with the plan of Nicolas Sarkozy, the former French leader, and Herman Cohen, the former Assistant Secretary of State for African Affairs, who are now lobbyists. Their proposal is that Congo be part of the East African Community, economically integrated with Rwanda, Uganda and others in the East.

But when you have the East African Community that's made up of two of the aggressive nations against the Congolese people, how can you expect some kind of solution to come from that direction? It's not plausible at all. It's not viable. So that's just a head scratcher for me.

But in any case, I see him responding to domestic pressure, of course, from the Congolese people. And in particular to Dr. Denis Mukwege, the Nobel Peace Prize Laureate, who has been very vocal, very clear about the Mapping Report and how its prescriptions need to be implemented. And the prescriptions call for holding Rwanda and Uganda, but Rwanda in particular, accountable for the crimes that they've committed in the Congo.

AG: Is there a solution? I know it would be a long process to get from the miserable condition DRC is in now to a solution, but what direction do you think the Congolese people need to go in?

MC: The Congolese people need to organize themselves in a way that they control and determine their own affairs, where they are able to choose their own leaders, where the United States and other Western powers are not the difference makers. What we've seen throughout the "independence" of the Congo, from 1960 to the present, is that, ultimately, it's the so-called great powers, the former colonial powers, that ultimately determine who leads the Congo.

So Congolese people have to organize themselves to the point where they alone determine the fate of the Congo. They did that successfully in 1960. It didn't last long, the months when the Congolese national movement elected Patrice Lumumba and he served as Prime Minister. He was quickly dispensed with, and so was the apparatus that put him in place. Since that time, the Congolese really haven't regained any kind of control over their electoral affairs or over the country, the affairs of the country itself.

So that's really the big challenge, to organize themselves in a way where they can control and determine their own affairs and where they can put in place leaders who truly represent their interests.

AG: The solution is of course in the hands of the Congolese people, but is there anything we in the West can do to help?

MC: Absolutely, like what you're doing, and telling the truth, shining light on what underlies the instability, the conflict, the plunder that we see in the Congo. That's vital for we who are in the empire and have access to resources to put the truth out there. Not just put the truth out there so it's in the air, but so that we can organize, educate and mobilize US citizens to put pressure on the US government for its foreign policy, not only around the Congo, in the Great Lakes Region and in Africa, but its foreign policy overall. This is a policy that seeks full spectrum dominance, a war-first policy, where it sponsors and supports the most despicable leaders that you can find on the planet, Museveni and Kagame among them.

So this is a part of the weaving of a cloth where United States foreign policy is anti-democratic in support of authoritarian figures militarized in support of the plunder of natural resources of other nations. This story of the Congo fits into that narrative. US citizens need to know that US foreign policy is not only destructive in Latin America, Europe and Asia, but also in the heart of the African continent.

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Somalia

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Ethiopia

Ethiopia: Extend the Expert Commission's mandate (Human Rights Watch) September 2, 2022

To Permanent Representatives of Member and Observer States of the United Nations (UN) Human Rights Council (Geneva, Switzerland)

2 September 2022

Ethiopia: Extend the Expert Commission's mandate

Excellencies,

Ahead of the Council's 51st regular session (12 September-7 October 2022), we, the undersigned non-governmental organizations, are writing to urge your delegation to support a resolution that reflects the human rights situation in Ethiopia and extends the mandate of the International Commission of Human Rights Experts on the country (ICHREE) for a year.

The Commission's work is vital to ensure scrutiny of the situation in Ethiopia and advance justice, truth, and reparations for survivors, victims, and their families. We welcome the Commission's initial oral update to the Council, on 30 June 2022. We stress, however, that the Commission needs more time and resources to fulfil its mandate.

A mandate extension is warranted on both technical and substantive grounds. First, the ICHREE will not have completed its work by the Council's 51st session, which is set to take place less than a year after the Council's special session on Ethiopia and only a few months since the Commission established its secretariat and became operational.

Second, the Commission needs time to complete its mandate given the magnitude, gravity, and scope of violations and abuses, some of which might constitute crimes under international law, committed by all parties to the conflict in Ethiopia and the significant transitional justice, reconciliation, and healing needs, which the ICHREE is mandated to address.

Moreover, investigations ensuring respect for a gender perspective and a survivor-centred approach, including regarding conflict-related sexual violence, requires methodical preparation, consultation, and witness protection. The work of the ICHREE is complicated by the lack of full cooperation by the Ethiopian authorities and their failure to facilitate access to the relevant territory.

While the Ethiopian Government established an Inter-Ministerial Task Force in response to the abuses documented in the report of the Joint Investigation by the Office of the UN High Commissioner for Human Rights (OHCHR) and the Ethiopian Human Rights Commission (EHRC), the efforts made so far by the government do not match the scope and breadth of the violations committed since the beginning of the conflict. We underscore that domestic investigations and accountability, and international efforts, are not mutually exclusive but complementary. The ICHREE plays a vital role in this regard.

The human rights situation in the country requires the Council's ongoing attention. Violations of international humanitarian law and human rights violations and abuses, some of which might constitute crimes under international law, include deliberate attacks on civilians, extrajudicial executions, enforced disappearances, arbitrary detentions, acts of torture and ill-treatment, forced displacement, sexual and gender-based violence, attacks on aid workers, and destruction and looting of public and private property. In its oral update to the Council, on 30 June 2022, the Commission said it was "alarmed that violations and abuses of international human rights, humanitarian and refugee law [...] appear to be perpetrated with impunity even now by various parties to the conflict in Ethiopia. This spread of violence and the dire humanitarian crisis made worse by lack of access in some areas by the civilian population to humanitarian assistance including medical and food aid, obstruction of aid workers and persistent drought, exacerbates the suffering of millions of people in Ethiopia and the region."

On 3 November 2021, the OHCHR and the EHRC released a joint report that found evidence of widespread violations of international human rights, humanitarian, and refugee law by all parties to the conflict in Tigray. The joint investigation team (JIT) also found that many of these violations and abuses may amount to war crimes and crimes against humanity.

Violations are ongoing. For over a year, federal forces have effectively besieged Tigray. While allowing some supplies, notably food, to reach the region's capital, Mekelle, since the declaration of a humanitarian truce, in March 2022, access to other supplies, including fuel, remains limited, preventing the distribution of food and basic necessities. Communications,

banking, and electricity remain blocked. In Western Tigray, Amhara forces and officials have conducted an ethnic cleansing campaign against Tigrayans that might amount to crimes against humanity and war crimes. Hundreds, if not thousands, of Tigrayans remain arbitrarily detained there in life-threatening conditions.

In the Amhara and Afar regions, Tigrayan forces summarily killed civilians, committed widespread sexual violence, and pillaged civilian infrastructure. In two areas of the Amhara region, fighters affiliated with the Tigray People's Liberation Front (TPLF) deliberately killed dozens of people, gang-raped dozens of women and girls, and looted private and public property.

Conflict and unrest in several parts of Ethiopia have caused mass displacement, destruction of social and economic infrastructure, and a humanitarian crisis that increases food insecurity and the risk of famine. In an 8 November 2021 communiqué, the African Union (AU) Peace and Security Council expressed its "deepest concern over the dire humanitarian situation" resulting from the violence, welcomed international and regional efforts towards cessation of hostilities and peaceful resolution of the conflict, and expressed "serious concern" over all violations and abuses of human rights.

In-depth independent investigations into gross violations committed in the period before 28 June 2021, when the Ethiopian Federal Government announced a unilateral ceasefire and withdrew from the Tigray region, remain critical. Investigations and international scrutiny are all the more important since the government has intensified its attacks against, and restrictions on the work of, independent media and civil society. Despite the recent lifting of the state of emergency, ethnically motivated arrests of individuals, as well as the targeting of journalists, has continued. At the time of writing, at least nine journalists remain in arbitrary detention.

We regret the decision of the General Assembly's Fifth Committee to not grant the ICHREE sufficient resources to enable its full staffing (20 staff members) and stress the need for the ICHREE to have sufficient staff to carry out its mandate. In particular, the ICHREE should be provided with sufficient funds to fill key staff positions that were in its original budget request: Legal Adviser, Media Adviser, Human Rights Officer/Investigator, Security Officer, Programme Management Officer, and Interpreter. Insufficient resources and the lack of key expertise can put at risk the preservation of evidence in accordance with the highest legal standards and will slow the ICHREE's work.

At its 51st session, the Council should adopt a resolution that extends the Commission's mandate for a year to allow it to continue its work and address the magnitude, gravity, and scope of violations and abuses, some of which might constitute crimes under international law, committed by all parties to the conflict in Ethiopia and the country's significant justice, reconciliation, and healing needs.

We thank you for your attention to these pressing issues and stand ready to provide your delegation with further information as required.

Sincerely, 1. Amnesty International 2. DefendDefenders (East and Horn of Africa Human Rights Defenders Project) 3. Global Centre for the Responsibility to Protect 4. Human Rights Watch

Ethiopia's devastating war appears to be reigniting (Sandhills Express) September 5, 2022

For five months, a fragile peace agreement has allowed desperately needed humanitarian relief to trickle into Ethiopia's embattled Tigray region. But the year-long war that tore apart the northern part of the country in 2021 appears to have returned, once again putting the lives of millions of people at risk.

Reports of fighting emerged again near the end of August in the town of Kobo, in southern Tigray. The independence-minded rebels of the Tigray province and the Ethiopian government forces blamed each other for firing the first shots. Regional analysts had warned that the tension was building quickly again in the region, in spite of optimism just weeks earlier that talks to establish a lasting peace agreement were set to get under way.

There were even rumors circulating that Prime Minister Abiy Ahmed had sent senior officials to meet in secret with leaders of the Tigrayan People's Liberation Front (TPLF) in the northern region.

Since then, the TPLF's forces have again been advancing southward, with reports of fierce clashes and at least two Ethiopian Air Force strikes against the Tigray region's capital, Mekele, in the past week. Residents claim one of those strikes hit a nursery school, killing at least four people, including three children.

Prime Minister Abiy has maintained tight control over the country's media, and journalists are largely unable to visit Tigray. Many international journalists have been barred from entering Ethiopia, or thrown out if they were already there.

In the void, much of the information that makes it out of the region is propaganda. Videos produced by the TPLF have been emerging online over the last week, showing large numbers of captured government tanks and soldiers.

TPLF officials have accused the government of launching an offensive from the north, from neighboring Eritrea, where the government is aligned with Abiy's. There have been unconfirmed reports of Eritrean forces massing at the border.

Other reports, meanwhile, suggest TPLF forces have been operating along the border with neighboring Sudan, where they're engaged in fighting over disputed territory in western Tigray. A security expert told CBS News that there's growing concern fighting on this new front could potentially draw Sudan into what is already a complicated regional conflict.

A United Nations report last year found that both sides had "committed atrocities," possibly amounting to crimes against humanity.

The aim of the humanitarian truce agreed to by the TPLF and the Ethiopian government on March 24 was to get much needed humanitarian supplies into Tigray, which had been cut off at that point by a government blockade for more than a year. It was hoped that the ceasefire would lay the groundwork for a more permanent peace deal.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosnia Upholds Serb Ex-Soldier's Crime Against Humanity Sentence (Balkan Transitional Justice)

By: Haris Rovcanin

August 29, 2022

The state court confirmed former Bosnian Serb soldier Cvijan Tomanic's seven-year sentence for his involvement in beating and killing one Bosniak civilian and assaulting others in the Zvornik area in 1992.

The appeals chamber of the Bosnian state court on Monday confirmed the verdict convicting Cvijan Tomanic, a Bosnian Serb soldier during wartime, of committing a crime against humanity in a village near Zvornik in 1992.

Defence and prosecution appeals against the first-instance verdict were rejected as "unfounded", the court said.

The first-instance verdict found that Tomanic, accompanied by local residents, went to the village of Glumina in late May or early June 1992, looking for Bosniaks who were hiding in the woods.

The verdict said that three men came out of the woods, and then Tomanic and the others hit and kicked one of them.

Tomanic fired bullets around the man's legs and when he tried to flee, the defendant and another man shot at him and he fell. One of the local residents then shot the victim with a handgun.

After that, the other two Bosniaks were taken away and their remains were later found in a mass grave at Crni Vrh, according to the verdict.

"The court found that Tomanic participated, within a widespread and systematic attack, in the persecution of the Bosniak population due to their ethnicity," the verdict said.

The second-instance verdict cannot be appealed.

Bosnian Army Ex-Officer Convicted of Torturing, Killing Civilian (Balkan Transitional Justice) By:

Jasmin Begic
August 29, 2022

The Bosnian Federation entity's Supreme Court upheld a verdict convicting former Bosnian Army deputy battalion commander Hajriz Doglod of torturing and then shooting dead a civilian near Vitez in 1993.

The Supreme Court of the Federation of Bosnia and Herzegovina has confirmed a first-instance verdict sentencing Hajriz Doglod to six-and-a-half years in prison for crimes against the civilian population in the Vitez area in 1993.

Doglod was found guilty, as deputy commander of the Bosnian Army's Independent Reconnaissance Battalion, of torturing and then shooting dead Tomislav Trogrlic in the village of Dubravica, near Vitez. Trogrlic had been previously wounded by unknown soldiers.

In December 2020 the Novi Travnik Cantonal Court sentenced Doglod to seven years, but the Supreme Court of the Federation entity then quashed the verdict in June 2021 and referred the case back for a retrial.

Doglod's lawyer Ramo Ajkic confirmed to BIRN that the verdict has now been upheld by the Federation entity's Supreme Court and said he will file an appeal to the state-level Constitutional Court.

Ajkic said the defence will appeal "because we consider that the right to a fair trial was infringed as the verdict is based on unlawful evidence, given that some pieces of evidence were not obtained in accordance with an order by the court and prosecution.

"It has not been proved beyond reasonable doubt that he committed a war crime against the civilian population," Ajkic added.

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International Criminal Tribunal for the Former Yugoslavia (ICTY)

Official Website of the ICTY

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Russia

Hundreds of thousands of Ukrainians forced to Russia in 'series of horrors', says US (Sky News)

September 3, 2022

Evidence that around a million Ukrainian citizens have been interrogated, detained and forcibly deported to Russia, has been reportedly obtained by US intelligence.

During a United Nations' Security Council meeting called by the United States and Albania, it was alleged "filtration operations" were taking place which involved Ukrainians voluntarily fleeing the war in their homeland - and those forcibly being moved to Russia - passing through a series of "filtration points".

There, it is said, treatment ranges from interrogations, data collection and strip searches to being yanked aside, tortured, and sent to a detention centre in Russia and never seen again.

All this, claims the US, is "a series of horrors" overseen by officials from Russia's presidency.

Moscow immediately dismissed the allegations, however, as "fantasy," calling them the latest invention in a Western disinformation campaign.

US ambassador Linda Thomas-Greenfield said estimates from a variety of sources, including the Russian government, indicate that Russian authorities have interrogated, detained and forcibly deported between 900,000 and 1.6 million Ukrainians.

She said other estimates indicate thousands of children have been subject to filtration, "some separated from their families and taken from orphanages before being put up for adoption in Russia."

According to US information, "more than 1,800 children were transferred from Russian-controlled areas of Ukraine to Russia" just in July, she said.

War Crimes Trial in Post-WWII Ukraine Unveiled at Venice Festival (Voice of America) September 4, 2022

Watching the powerful historical testament to the horrors of war and the depths of human cruelty in "The Kiev Trial" at the Venice Film Festival, it can seem that little has changed.

The out-of-competition documentary by Ukrainian director Sergei Loznitsa uses archival footage of a now-forgotten war crimes trial of 15 Germans held in Kyiv in 1946.

But the atrocities that witnesses recount in the black-and-white film has echoes of war crimes that Ukraine accuses Russia of having committed on its soil in recent months.

The International Criminal Court is currently investigating war crimes, crimes against humanity and genocide in Ukraine.

"History repeats itself when we do not learn from history. When we don't study and don't want to know," warned Loznitsa, speaking to journalists Sunday.

This year, when Russia's invasion of Ukraine began in February, "we all realized we were (back) 80 years ago," he said.

"We just started to repeat the same things. And it means we did not learn after the war."

The trial was held in January 1946, just as the Allies' groundbreaking Nuremberg Trials against Nazi war criminals were beginning

Stalin sought to use the trials in Kyiv for his own propaganda purposes, Loznitsa said.

The Ukrainian director relied on about three hours of footage shot by the Soviets to document the trial, including the arraignment, witness testimony, defense statements and verdict — and finally, the public hanging of the 15 defendants.

The atrocities occurred on different dates and in different places throughout Ukraine, including Babyn Yar, where nearly 34,000 Jews were shot to death in massive pits.

Babyn Yar was the subject of a documentary by Loznitsa last year that played at the Cannes Film Festival in May.

Buried alive

In "The Kiev Trial," witnesses describe the countless horrors inflicted on the local population by the Germans — children shot in their mothers' arms, the elderly ordered to lie down in pits and shot by drunken firing squads, old men set upon by dogs, people thrown down a mine shaft, patients in a psychiatric hospital shot, and more.

The prosecutor asks one defendant why he felt it necessary to shoot the children in a town that his troops were razing to the ground.

"Because they were all running around the village," he replies.

A woman testifies how she played dead after the mass shooting at Babyn Yar. After being buried alive in a pit with the dead and wounded, she managed to crawl out and escaped.

All 15 defendants are found guilty and given a sentence of death by hanging.

Gallows are set up in a huge square and a massive crowd assembles to watch the public execution — including the film's viewers, spectators to the footage.

"It's very, very tough but it's important to watch it," Loznitsa said.

Loznitsa said one of the reasons that Russian forces were committing war crimes against Ukrainians today was because Russia itself was never held accountable for its past actions through the Soviet era, as Germany was.

"Because this kind of trial did not happen, like the Nuremberg Trial, you have this country in such circumstances, how it is now," he said.

Ilya Khrzhanovskiy, a Russian director who is one of the producers of the film, agreed.

"It's happening because nothing has changed in Russia, in fact," said Khrzhanovskiy, who is artistic director of the Babyn Yar Holocaust Memorial Center.

"The head of the country is a KGB guy. Can you imagine that after the Second World War the head of Germany is somebody from the Gestapo?"

The Russians attacked the residential quarters of Nikopol, Dnipropetrovsk region (Ukraine Crisis Media Center) September 6, 2022

The Russians shelled Nikopol and the area again at night. The impact fell on residential areas, two people were injured. This was announced by head of the Dnipropetrovsk regional military administration Valentyn Reznichenko on the Telegram channel.

Nikopol region was covered three times with Grad missile systems. As a result, 20 high-rise buildings and 11 private buildings were damaged in Nikopol. One house was destroyed. A man and a woman were hospitalized, their condition is assessed as moderate.

In addition, shells hit a kindergarten, two lyceums, a center for technical creativity and a sports club. Several gas pipelines and cars were damaged in the city. Several power lines were also affected. More than 2,000 families were left without electricity.

There were no casualties or destruction in the Marganets community.

Ukraine Adds Dolphin Slaughter to List of Russian War Crimes (The Daily Beast) By Allison Quinn
September 7, 2022

Ukrainian prosecutors say the Russian military is to blame for the “mass destruction” of dolphins in the Black Sea—and they’re ready to file criminal charges over the ecocide. In a statement released Wednesday, the Odesa regional prosecutor’s office announced the start of criminal proceedings, saying a “large number” of the marine mammals have washed up dead on the shores of the Black Sea “as a result of Russia’s aggression against Ukraine.” The prosecutors said “the probable cause of their mass death” is Russia’s use of sonar equipment on submarines and boats, “which create powerful sounds that harm the health of the animals.” Several of the dolphins found dead have already undergone medical examinations, and samples will be sent to experts in Germany and Italy to confirm their cause of death, authorities said. Scientists have been sounding the alarm over the rise in dolphin deaths in recent weeks, with some of the creatures reportedly washing up on the shores of Turkey, Georgia, and Romania with signs they’d been hurt by mines or other explosives.

Traces of Torture on Body of British Aid Worker Held by Russians (Kyiv Post) By Stash Luczkiw
September 7, 2022

After negotiations lasting more than six weeks, the Russian Federation has finally handed the body of Paul Urey, a British aid worker from Warrington in England. Urey, 45, died while being held hostage by Russian-controlled forces in the self-proclaimed Donetsk People’s Republic (DNR). He was detained on April 29, held hostage, but died on July 10 while in custody.

Initial claims by Russia that Urey died from “illness and stress” turned out to be false. Urey was tortured to death.

“In July, Russian propagandists claimed that Paul Urey died from ‘illness and stress,’” writes Dmytro Lubinets, the Verkhovna Rada’s Commissioner for Human Rights, on Telegram. “Today, on September 7, we obtained his mutilated body.”

Lubinets said that forensic medical experts will confirm the cause of Paul Urey’s death and that the UK Embassy in Ukraine has been duly informed.

“As a [Human Rights] Commissioner, I can state, with full responsibility for my words, that [Urey’s] was a violent death. A human cannot survive torture like that. I saw photographs of [Urey’s] body; they leave no doubt [as to the fact that he had been tortured].”

Lubinets added that Urey’s torture and subsequent murder is a war crime which will be more piece of evidence during the tribunal against the Russian political and military leadership. “Evidence in the tribunal over Putin,” he underlined.

On April 29, Dominik Byrne, the co-founder and Chief Operating Officer of the non-profit Presidium Network, said that Urey had been detained at a checkpoint in Zaporizhzhia Region, with a fellow Briton, Dylan Healy. Most of Zaporizhzhia Region has been occupied by Russian invasion forces since the beginning of March.

The two men were later charged with “mercenary activities” by separatists in the rebel-held DNR.

Daria Morozova, the DNR’s ombudsman for prisoners’ rights, wrote on Telegram that Urey had died on July 10 as a result of “illness and stress”.

“Already during the first medical examination, Paul Urey was diagnosed with a number of chronic diseases, including insulin-dependent diabetes, damage to the respiratory system, kidneys and a number of diseases of the cardiovascular system,” Morozova added.

In early May, Urey appeared on Russian state TV in handcuffs. In the footage, which had been made under duress, he said things consistent with Russian propaganda narratives.

Ukraine’s Foreign Minister Dmytro Kuleba wrote on Twitter: “I express my deepest condolences to relatives and close ones of Paul Urey. He was a brave man who dedicated himself to saving people. Ukraine will never forget him and his deeds.

“We will identify perpetrators of this crime and hold them to account. They won’t escape justice.”

Following the news of his death, Urey's mother Linda Urey expressed her anger, branding his captors as "murderers," and asking: "Why did you let him die?"

The Russian ambassador to the UK, Andrey Kelin, was summoned to the Foreign Office to face questioning over what happened to Urey.

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MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

Iraq on verge of civil war: protestors killed as Sadr quits politics (Arab News)

August 29, 2022

Iraq was on the verge of civil war on Monday after powerful Shiite cleric Moqtada Al-Sadr said he was quitting politics, his supporters stormed government headquarters in Baghdad and at least 15 of them were killed in clashes with Iran-backed militias.

"The very survival of the state is at stake," the UN mission in Iraq warned, urging all sides to "refrain from acts that could lead to an unstoppable chain of events." The US also called for calm.

The latest flare-up of violence began when Al-Sadr, who has widespread influence over state institutions and controls a paramilitary group with thousands of members, said he would close his political offices. "I've decided not to meddle in political affairs. I therefore announce now my definitive retirement," he said.

His supporters responded by storming the government complex in Baghdad, a former Saddam Hussein palace in the city's fortified Green Zone, ignoring an army curfew. Protesters lounged in armchairs in a meeting room, some waved Iraqi flags and took photographs of themselves, and others cooled off in a swimming pool in the garden.

Members of a rival Shiite bloc, the pro-Iran Coordination Framework, opened fire on the Sadrists, and the two groups also threw rocks at each other outside on the streets.

Protests later spread to other parts of the country, and Sadrists stormed government buildings in the southern cities of Nasiriyah and Hillah, and blocked entrances to Umm Saqr Port.

Sadr later said he would start a hunger strike in protest against the use of violence by all sides.

Iraq has been mired in political deadlock since legislative elections in October last year, amid disagreement between Shiite factions over forming a coalition. Al-Sadr's bloc was the main winner of the election but the defeated Iran-backed factions have refused to accept the result and blocked formation of a government.

Al-Sadr withdrew all his MPs from parliament in June after failing to establish a government.

He has insisted on early elections and the dissolution of parliament, and says no politician who has been in power since the US invasion in 2003 should hold office.

Hamzeh Hadadm of the European Council on Foreign Relations said it was "not clear" what Al-Sadr's strategy was.

"Whatever it does mean, in typical Sadrist fashion, there is always backtracking expected," he said.

“The second, and more terrifying, thought on this is that he is giving his followers the green light to do whatever they like.”

Sadr’s supporters have for weeks been staging a sit-in outside Iraq’s parliament, after storming the legislature’s interior on July 30, to press their demands.

They were angered after the Coordination Framework nominated a candidate they saw as unacceptable for prime minister.

The Framework wants a new head of government to be appointed before any new polls are held.

Caretaker Prime Minister Mustafa Al-Kadhemi earlier this month convened crisis talks with party leaders, but the Sadrists boycotted.

Many Iraqis say the political infighting has nothing to do with their day-to-day struggles.

Iraq has been ravaged by decades of conflict and endemic corruption.

Oil-rich but blighted by ailing infrastructure, unemployment, power cuts and crumbling public services, Iraq now also faces water shortages as drought ravages swathes of the country.

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Syria

Germany begins trial of Palestinian man for war crimes in Syria (Middle East Monitor)

August 26, 2022

The Berlin Supreme Court yesterday began the trial of a Palestinian-Syrian man suspected of deliberately firing a rocket-propelled grenade into a group of civilians in Syria eight years ago, killing at least seven people.

The Federal Public Prosecutor in Germany accuses the 55-year-old man of several crimes, including war crimes, seven counts of murder, three counts of attempted murder and three counts of dangerous bodily harm.

According to the lawsuit, the man committed the crimes out of revenge.

This man, who identifies as a Palestinian-Syrian, came to Germany in 2018 and was arrested in August 2021.

According to the lawsuit, he was affiliated with the Free Palestine Movement militia at the time of the crimes, and before that he belonged to the Popular Front for the Liberation of Palestine – General Command.

An unnamed Syrian official is a key witness in proving war crimes of the regime (NPR)

August 30, 2022

STEVE INSKEEP, HOST: What makes it possible to prosecute war crimes? A lot rides on the answer in 2022. Russian forces stand accused of human rights violations across Ukraine. U.S., Ukrainian and other European investigators are gathering evidence. And as they do, they are using techniques developed during an older war. Syria's civil war is 11 years old, and investigators believe they have made progress in gathering evidence and witnesses against the government of Bashar al-Assad. This next story shows us how, because we will hear from a Syrian witness known only as the Grave Digger. He spoke with NPR's Deborah Amos. Deborah, good morning.

DEBORAH AMOS, BYLINE: Good morning.

INSKEEP: How did this anonymous person become an important figure?

AMOS: He came to Germany as a refugee, as so many people did, and he decided that he was going to testify about what he

saw. These cases are all based on the courage of witnesses who often have to sit in a courtroom with a torturer within arm's distance. And that's what he did. The second thing that happened in Germany is they have a concept, a legal concept, called universal jurisdiction. And that means a country can prosecute alleged crimes against humanity that were committed elsewhere. In January, a German court convicted a former Syrian intelligence officer. This was the first ever criminal trial for state-sponsored torture in Syria. And the Grave Digger was one of the witnesses, a key witness. So I wanted to talk to him because I'd been covering that trial for two years. And we should warn that some of what we're going to hear in the next six minutes will be disturbing.

Steve, I met the Grave Digger and his family over lunch in an apartment that's usually rented to vacationers. There's potted plants and a Marilyn Monroe poster, all part of the spare decor. But for the Grave Digger, this is a safe house. He says he still fears for his life, even in Germany. He tells me, I'm threatened by regime loyalists. His eyewitness accounts have unraveled mysteries about the dead in Syria. He literally knows where the bodies are buried.

He sets the rules for this interview. I can't broadcast his voice without distorting it or say his name. By now, it's likely the Syrian government knows who he is, but he doesn't want them to track him down. Still, through an interpreter, he insists it is his duty to speak.

GRAVE DIGGER: (Through interpreter) When I was in Syria, I pledged to God that if I managed to leave Syria safely with my children and my wife, my tongue will never stop talking. And that's my only weapon.

AMOS: I met him through the Syrian opposition group that he works with. He lights one cigarette after another as he describes his old life, a government job in a bureau overseeing civilian burials.

GRAVE DIGGER: (Through interpreter) So it was a job with short attendance hours. I would go to work around 8 or 9 in the morning and leave around 2 or 3. You go home clean with a peaceful mind. But after the revolution, day became night, and night became day. I lost my ability to sleep or eat or drink.

AMOS: He was in his mid-30s when Syria's uprising swept the country. The Assad regime's response? Crush the rebellion with arbitrary arrests, torture and executions. The regime denies this and calls the prisoners terrorists, but there is ample evidence to the contrary. The Grave Digger says in the winter of 2011, security police came to his office because they had a problem. The bodies were piling up in the security prisons, the police stations, in military hospitals. The Grave Digger was recruited to head a secret burial squad. Refrigerator trucks and military transports arrived after dark to dump the human cargo into freshly dug mass graves, sometimes 400 to 500 bodies buried in a single night. This was death on an industrial scale. He says the mass graves were hundreds of feet long and 20 feet deep.

GRAVE DIGGER: (Through interpreter) And in order to fill them up, they would take up to 40 loads of refrigerated trucks. And over seven years we had about four loads a week, and then we had two extra loads that would come from hospitals.

AMOS: He could tell no one about his work. He shut down his emotions, he says, even when he recognized some of the dead dropped into the pit. He learned to ignore gruesome signs of torture and the smell of death.

GRAVE DIGGER: (Through interpreter) You know, I had to do my job. And at the same time, there was this unspoken threat. Everyone knows anything I do, they will go after me, after my wife, my kids. And this is sort of your contract with them. Actually, a couple of workers who made some mistakes and complained about the smell over the phone ended up disappearing. I really don't know what happened to them afterwards.

AMOS: The Grave Digger is a big man, his beard flecked with early gray, and he laughs easily with his wife and his kids, even with guests at lunch. It's hard to imagine the crying jags his wife describes. He says his mental pain is triggered at night. Frankly, he is ill, she says. He is tired all the time. He spaces out. He's not present in his head. We try to bring him back.

GRAVE DIGGER: (Through interpreter) I get angry for no reason. I really get mad sometimes at the kids.

AMOS: Sometimes tears start falling down, and we get worried, she says. We don't know if he's heard bad news or if we're in danger. His only therapy is his testimony, he says. In 2020, he was a key witness in Germany's first Syrian war crime trial, which ended in a life sentence for a former Syrian intelligence officer. The Grave Digger testified for two days behind a screen to protect his identity. When he broke down describing the mass graves, the chief judge called for a recess and came off the bench to bring him a glass of water. Throughout the long Syrian conflict, human rights groups have documented the torture and killings in Syrian prisons, but there was a lingering question, what happened to the bodies? Satellite images have now confirmed the mass graves. The Grave Digger moved to a new safe house after his June trip to Washington.

UNIDENTIFIED PERSON #1: Wow.

UNIDENTIFIED PERSON #2: Look at this.

UNIDENTIFIED PERSON #1: This is so nice.

UNIDENTIFIED PERSON #2: Wow.

AMOS: The last place felt too risky, he tells me. A street-level apartment, there were random knocks on the door.

When I met you the last time, you said that you thought if you went to America that you would feel better. You thought this would be your therapy. Does it help?

GRAVE DIGGER: (Through interpreter) I'm happy that I managed to say something in favor of the innocent, say something about what the victims had to go through. But it still never leaves my mind. It still affects, like, physically and mentally.

AMOS: On the latest trip to the U.S., he says he was questioned in an extensive interview with the FBI. The questions were focused on American citizens reported to be in Syrian custody. The FBI wouldn't comment to NPR.

GRAVE DIGGER: (Through interpreter) There were two sessions, and each session was about up to five hours or so.

AMOS: Since the uprising began more than a decade ago, at least 11 American citizens have been jailed, tortured or killed by the Syrian regime. There is one known execution by hanging. Human rights groups say 26-year-old Layla Shweikani, an American citizen born in Syria, was executed by the Syrian regime in 2016 after a quick trial on terrorism charges.

Did they ask you about other Americans? Is that what they were interested in - if you saw any Americans, if you buried any Americans?

GRAVE DIGGER: (Through interpreter) No, they showed me some photos of Syrian army officers, some specific persons. I could identify some, but not others.

AMOS: He says he has more to tell and is set to testify again at the United Nations in September. He knows he was lucky to get his family safely to Germany, but the price is more than the bribes he paid to get them all out of Syria. His memories always return at night, and like many trauma survivors, the present seems unsafe, and the past is always present.

INSKEEP: Wow. Powerful reporting there from NPR's Deborah Amos, who's still with us. And Deb, human rights advocates now have a decade's experience investigating in Syria. This is a man with a decade's worth of information. How have they applied that experience elsewhere?

AMOS: So he was part of one historic trial in Germany. There are two more against Syrians, but so much of this now has to do with Ukraine. European governments expanded their war crimes units. They had prosecutors who had special skills. They are now experienced in war crimes trials, even open source investigations. And that's using data from social media, satellite photos, smartphone videos as evidence. All that sort of began in Syria and has been expanded. There's different groups who got their start in Syria. Bellingcat is the most well known who does this kind of work, and they are working in Ukraine. There's another group called Syrian Archive. They're based in Berlin, run by Syrians. They have been collecting social media posts from the war in Syria. Now they are working with Ukraine. They are the ones who are storing this data to turn it into evidence for war crimes trials. There are now protocols to do this - has to do with chain of custody. Where was the image taken? Is the metadata still on the web? Syrian Archive learned how to do that over the years for what they needed to do in Syria, and now they're doing it for Ukraine.

INSKEEP: Well, we're just getting around to prosecutions, though, in Syria after a decade. Is there a similar timeline ahead of us for Ukraine?

AMOS: Because of all that work done on Syria, it is moving a lot faster - 10 years for Syria, less than 10 days for the first investigations from the Germans, from the French, from the International Criminal Court - takes place in Ukraine almost as soon as Russian troops crossed the border into the country. There have been domestic war crimes trials in Ukraine. The holdup now is what will be the platform for an international tribunal. Does it go through the United Nations? Does it go through the European Union? Or does it stay as a domestic trial inside Ukraine? And I think those questions have not been settled yet.

INSKEEP: All this must be a tremendously different world than when you were covering conflicts before the time of social media 15, 20, 30 years ago.

AMOS: Correct. I think that the most interesting thing for me is to see how important this social media component is and how in some ways it empowers people on the ground. They are documenting their own war crimes. They've been through hell and back. But the idea that you are not so much a victim but a survivor, that you have a voice in these trials - and I think that will be important. It's certainly been important for the Syrians who've been able to testify. They feel like survivors and not victims.

They feel like they have a voice in the narrative of the conflict that has defined their generation and their country.

INSKEEP: NPR's Deborah Amos, thanks so much.

AMOS: Thank you.

Israeli air attack damages Syria's Aleppo airport, takes it out of service (Reuters) By Lilian Wagdy and Mahmoud Mourad
September 6, 2022

An Israeli air attack on Syria's Aleppo airport on Tuesday has damaged the runway and taken the airport out of service, the Syrian defence ministry said.

The Israel missile attack was launched from the Mediterranean Sea, west of the coastal city of Latakia, at 8:16 p.m. local time (17:16 GMT), the ministry said in a statement.

Syrian air defences intercepted Israeli missiles, downing several of them, the Syrian state news agency (SANA) reported earlier on Tuesday.

It was the second reported attack in less than week. On Aug. 31, Israel fired rockets at the airport, which resulted in material damage, according to Syrian state media.

Israel has intensified strikes on Syrian airports to disrupt Tehran's increasing use of aerial supply lines to deliver arms to allies in Syria and Lebanon including Hezbollah, regional diplomatic and intelligence sources told Reuters.

Tehran has adopted air transport as a more reliable means of ferrying military equipment to its forces and allied fighters in Syria, following disruptions to ground transfers.

Last week's attack damaged Aleppo airport just before the arrival of a plane from Iran, a commander in an Iran-backed regional alliance who was familiar with the incident told Reuters.

German court hands Islamic State member 10 years in prison for murder, war crimes (Reuters)
September 7, 2022

German court has sentenced an Islamic State member to 10 years in prison for war crimes and murder committed in Syria, including the beating of a prisoner who later died in custody.

The man, who was not named, travelled to Syria from Germany and joined Islamic State in March 2014, according to a statement on Wednesday from the Duesseldorf court after the verdict.

He became a prison guard and along with three other men was ordered to punish a prisoner. The defendant beat the handcuffed man, who was suspended from the ceiling by his hands tied behind his back. He died two days later.

A German court last year sentenced a former Islamic State militant to life imprisonment for involvement in genocide and crimes against humanity.

Syria Insight: The devastating scale of regime sniper attacks on civilians (The New Arab) By Paul McLoughlin
September 7, 2022

In 2011, towns and neighbourhoods across Syria erupted in protest leading to a brutal crackdown by regime forces. As soldiers defected and joined the nascent Free Syrian Army, putting huge swathes of Syria outside regime hands, locals took over civilian affairs in their communities.

In a bid to starve Syrian rebels into submission, or simply punish innocent civilians, from 2012 the Assad regime enforced starvation sieges on opposition areas making the hunt for food and medicine a matter of desperation.

When civilians were occasionally allowed to leave these besieged enclaves, crossing points became corridors of death scanned by cold-eyed snipers - residents unsure if they would make it to the other side alive.

Intelligence officers and military forces manning checkpoints would routinely 'disappear' residents, where torture and death would likely await those taken away.

Survivors say they witnessed snipers, omnipotent in their power, targeting unarmed civilians of all ages as they sought a few bags of flour or life-saving medicine.

Targeted killings

In a harrowing new report from the Syrian Justice and Accountability Centre (SJAC), the team highlighted the depth and scope of these targeted killings between 2012 and 2017.

It focuses on three areas: Karaj al-Hajiz in Aleppo, the Deir az-Zour river crossings in eastern Syria, and Beit Sahem in the Damascus countryside, where vulnerable civilians trapped in narrow and exposed crossing points were shot dead or bombed with apparent impunity.

This included the massacre of around 45 civilians on 18 December 2013 by suspected regime forces and Iran-linked gunmen at an evacuation corridor of Beit Sahem.

While many residents in opposition areas were killed on the streets, at work, or in their homes, the SJAC team focused on crossing points between opposition and regime areas, which - like other areas, according to international law - should have been safe zones for civilians.

"These crossings were central to the lives of people stuck in opposition areas and in a lot of cases these crossings were the result of forms of isolation and sieges imposed by government and government-aligned forces," Zachary Cuyler, a research fellow at SJAC, told The New Arab about the report.

"People often had to leave through these very narrow crossings to obtain essential goods and services and also to evacuate areas under siege or under bombardment. Because of the circumstances and the physical nature of these spaces civilians were especially vulnerable to attack as they moved in and out."

The report relied on the testimonies of witnesses, media reports, video footage, and even military and intelligence documents to confirm that the regime deliberately targeted civilians.

"In the examples we cited, the Syrian government and its allies had rendered civilians extremely vulnerable and then engaged in what appeared to be highly indiscriminate or targeted attacks on civilians," he added.

"So, we thought that out of all the situations various armed factions that had intentionally or unintentionally harmed civilians, these crossing points seemed to embody some of the core dynamics of the conflict and highlight the extreme vulnerability in which civilians found themselves in."

One of these crossing points was Karaj al-Hajiz, linking the opposition stronghold in Aleppo, Bustan Al-Qaser, with the regime-held neighbourhood of Al-Masharika.

From October 2012 to May 2014, snipers were positioned in buildings surrounding the Karaj al-Hajiz crossing, allegedly including apartment blocks, mosques, a municipal building, Aleppo's radio and television headquarters, and even the city's famed citadel.

From their nests, snipers fired on residents down below with no discrimination between men, women, and children. The Violations Documentation Center documented 197 fatal attacks on civilians in Karaj al-Hajiz between 2012 and 2014.

The SJAC used satellite imagery, videos, witness statements and other evidence to confirm that sniper fire on civilians in Karaj al-Hajiz almost certainly originated from regime positions.

Admission

The Syrian military command appeared to be aware of the sniper attacks on civilians across the country, as seen in a document sent by Major General Fahd Jasim al-Fraj, deputy commander-in-chief of the army and armed forces, to commanders in charge of checkpoints and military points.

"Certain individual behaviours and actions have been discovered by the general leadership of the army and armed forces that damage the reputation of our armed forces, [which have been] exploited by terrorists in propaganda, and moreover in the attempt to attract more citizens to their side and to cause a feeling of frustration among loyal sections of society," the letter reads.

"Injuring a child, woman, or innocent man with sniper fire under the pretext of firing at a terrorist is considered an indiscriminate or intentional act.

"Its results are negative, both in taking an innocent life and in allowing the terrorists to exploit this in their propaganda efforts, as well as in inciting civilians [against the government] and thus bringing them into the terrorists' gangs.

"The general leadership will prosecute the sniper and his commander and send them to court for interrogation on the charges of murder and harming loyal citizens."

It is not known if any servicemen were punished for targeting civilians, which was routine at this point, but it is obvious from the frequency and scale of the attacks that Karaj al-Hajiz was not an isolated incident.

"I think it is fairly significant that the Syrian government and military were aware that these attacks [in Syria] were taking place very early in the conflict, so as a result it played a critical role in the report," he said.

"But on its own [the document] doesn't tell us that at that point in the conflict, and later on, that Syrian government forces were directly targeting civilians or failing to prevent civilians being targeted."

A defector from the Syrian military mentioned in the report also confirmed that he was ordered to fire on civilians.

In the southern Damascus town of Beit Sahem, a fierce siege and bombardment of the opposition area led to an agreement organised between a local civilian committee and the Assad regime to evacuate some residents.

While making their way out of the besieged town via a crossing to the north of Beit Sahem, regime forces - which included Iranian and Shia militias - opened fire on evacuees killing at least 45 civilians and injuring 100 more, according to the Violations Documentation Center in Syria.

The SJAC team investigated video footage of the massacre, which indicated that the most likely origin of the gunfire was from the northeast of the road - a regime-held area.

Witness accounts corroborated media reports of the incident. In one video, rebel fighters could be seen hurrying away women and children via a network of trenches running close to the crossing point.

Another series of incidents investigated by the team was a series of attacks on civilian boats crossing the Euphrates River, Deir az-Zour during and before the Syrian regime's recapture of parts of the city held by the Islamic State (IS) group.

Evidence studied by the team "strongly suggest(s)" that the Syrian regime and its ally Russia indiscriminately bombarded civilian barges along the Euphrates between September and November 2017, when bridges became impassable.

This included one incident on 10 September when at least 19 civilians were killed in a suspected Russian airstrike on their boat, as they fled a military offensive in the area.

All these attacks on civilians suggest an obvious violation of international humanitarian law, even though the SJAC admits their report might not be strong enough to be submitted as evidence of war crimes.

Russian video footage, satellite imagery, witness statements, and local media images all corroborated the reports of attacks on civilian targets at the Deir az-Zour river crossings.

"The scale of civilian casualties and the frequency with which these aerial bombardments targeted civilians suggest a failure to distinguish civilians from combatants," Cuyler said.

Civilian attacks

The evidence presented by SJAC fits with other witness statements of deliberate sniper targeting of civilians, one of whom spoke separately to The New Arab.

Nooraddeen Mokhibe was a former media worker in the Damascus suburb of Moadamiya until he was forcibly displaced by the regime on 19 October 2016.

He remembers repeated sniper attacks on members of his community, particularly half-starved women and children pushed into the surrounding fields to search for olives and herbs due to the regime's devastating siege.

Surrounding them were snipers from the 4th Division positioned in the Moadamiya Mountain overlooking the town, who fired on the foragers with lethal aim.

"They could see anything that moved from the top of the mountain, and it was so close to the town they not only used snipers but also DShKs (heavy machine gun), tanks and artillery [on civilians]," Mokhibe told The New Arab.

"The rebels would dig trenches to get around the city, but for the civilians working on the farms and around the mountain then nothing could be done because the area was so open. Even if you built the Great Wall there, you were still exposed."

Cars carrying food and medicine along a road running close to the mountain were also frequently targeted by snipers. As were UN chemical weapons inspectors' vehicles as they attempted to enter the Damascus suburbs after the regime's 2013 sarin attack on Eastern Ghouta.

Mokhibe remembers seeing a bullet hole in his mother's dress after she returned home from a day foraging for herbs in the countryside area. Another time a neighbour was shot through the heart by a sniper as he quietly sat on a chair outside his home.

"They would mainly target civilians, not the rebel fighters," he said of the regime snipers, who were often from Iran-linked militias.

"If you see a child collecting herbs in the field then you know this is a child and not a rebel. It was used to make life misery for people in these areas and force them to surrender."

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Yemen

War on Yemen: Stop Canadian arms sales to Saudi Arabia (Spring Magazine) By Shervin Nayebzadeh
August 29, 2022

Despite the obliviousness of Western audiences, the war in Yemen has brought upon one of the worst humanitarian catastrophes of the twenty first century. Since the Saudi led coalition invaded Yemen in 2015, the country has been devastated by unrelenting violence which has taken the lives of over 19,000 people, and caused over 200,000 deaths indirectly. Saudi Arabia and its allies invaded Yemen with the goal of replacing the Houthi forces with the previously overthrown government of Mansur Hadi. In pursuit of its aims, it has not shied away from committing war crimes and instituting a brutal blockade on the country.

Canadian weapons sales

Canada, specifically through its weapons sales to Saudi Arabia, has been instrumental in bolstering the Saudi war machine. In 2021, Canada exported \$1.7 billion worth of arms to Saudi Arabia, up from \$1.3 billion in 2020. This accounts for 64% of the total value of non-US military exports. The bulk of the arms are Light Armored Vehicles manufactured in London, Ontario by General Dynamics Land Systems-Canada. The sale of the vehicles is part of a \$15 billion contract which was "brokered by the Harper government but approved by Prime Minister Justin Trudeau." According to government documents leaked in 2016, the Trudeau government's Foreign Affairs minister Stephane Dion approved the sale of LAV's to Saudi Arabia following the election of the Liberal government. Dion claims that "these proposed exports are consistent with Canada's defense and security interests in the middle east." This is accordant with the Canadian government's official statement on its bilateral relations with the Saudi Kingdom, which notes that Canada and Saudi Arabia collaborate on "counter-terrorism."

The Canadian government temporarily halted the arms exports to Saudi Arabia following the assassination of Jamal Khashoggi in 2018; however this only applied to new permits and Canadian arms exports to Saudi Arabia increased by 111% in the following time period. The freeze on arms exports was lifted in 2020 after the Canadian government concluded in its Final Report that there is no risk of Canadian made weapons being used to facilitate war crimes in Yemen, despite damning footage from 2019 indicating the use of Canadian LAVs by Saudi forces. The report claims that "There is no credible evidence that Canadian exports of military goods and technology KSA-led coalition in Yemen." This is despite the fact the report itself mentions that "Intelligence reports also suggest that the KSA army has used older Canadian-made LAVs in cross-border operations into Yemen." The Final Report reveals a lot regarding Canada's decision to arm Saudi Arabia. It claims that "Canadian exports of arms to Saudi Arabia is "More likely to help ensure the stability of a key region for the global economy than to destabilize the region" as it will "protect the regional balance against the expansionist policies of Iran." The report goes on to say that Saudi Arabia "has been the main bulwark against attempts by Iran to expand its influence in the region, through proxies in Syria, Lebanon and Yemen."

There is no justification as to why Saudi Arabia's use of proxies to expand its influence is encouraged whereas the opposite is true for Iran. The next sentence of the report says that "Iran's nuclear ambitions threaten the region, most notably Israel." There is no explanation as to how arming Saudi Arabia will curb Iran's supposed nuclear ambitions, nor as to how Israel's stockpile of nuclear warheads affects peace in the region. The Final Report also mentions that Saudi Arabia "has also been a key partner to Canada and its allies in efforts to resolve the Syrian civil war and to contain AQAP and Daesh." This is despite the fact that Saudi Arabia has been one of the main contributors to the Syrian war through its funding of extremist proxies such as Al Nusra, which is an affiliate of Al Qaeda. It is taken for granted that the expansionist policies of Saudi Arabia, which has aimed to install puppet governments in Yemen and Syria contribute to peace and stability, whereas the opposite is true of Iran, which is deemed as a threat to peace and stability.

Canadian complicity in the conflict

In 2021, Ploughshares and Amnesty International published a report challenging the conclusions of the The Final Report, demonstrating that Canada has violated the Arms Trade Treaty, which it joined in 2019. "The Final Report's assessment and subsequent analysis were conducted exclusively under the Export and Import permit Act (EIPA), while ignoring Canada's obligations under the ATT." The report concludes that arming the KSA in order to curb Iran's "expansionist" policies is "disingenuous under the ATT."

The Group of Eminent International and Regional Experts on Yemen (GEEY) has concluded that supplying arms to any party in the Yemen conflict is helping to "perpetuate the conflict and the suffering of the population." The report concludes that the Government of Saudi Arabia is "Responsible for human rights violations, including arbitrary deprivation of the right to life, enforced disappearances, arbitrary detention, rape and other forms of sexual violence, torture, ill-treatment and child recruitment, and violations of fundamental freedoms, and economic, social and cultural rights." In light of Canada's potential complicity in Saudi war crimes, The Ploughshares and Amnesty report recommends that Canada fully incorporate the ATT into law as well as revoking arms permits to the KSA and suspend issuance of new permits.

So far the Liberal party has not deviated from its position on Yemen; condemning the violence yet enabling it at the same time. The exception is MP Adam Vaughan, who condemned weapons sales to Saudi Arabia. The Conservatives, who originally signed the \$15 billion deal with Saudi Arabia, believe that Canada needs to maintain a strategic alliance with the Saudi government. This presumably requires the continuation of weapons sales to the monarchy. The NDP has consistently opposed the sale of weapons to Saudi Arabia. NDP leader Jagmeet Singh stated that it is "the Liberal government's fault for going ahead with the sale of arms to a country which is clearly a country that's violating human rights". Singh proposed that Canada sell the LAV's to the Canadian military instead. NDP foreign affairs critic H el ene Laverdi ere has called for an arms embargo on Saudi Arabia.

Despite the recent ceasefire between the Houthis and coalition forces, the conflict may well flare up again.

Regardless, it will take Yemen decades to mount a recovery. Not only is Yemen's infrastructure in ruins, but the country is struggling to feed itself. 3.2 million Yemenis are acutely malnourished, with half of all children experiencing irreversible stunted growth. As of present, Canada has placed profits over peace, refusing to halt weapons sales to Saudi Arabia. This refusal constitutes an apathy towards the suffering of Yemenis, and a self-seeking posture towards war. Canada can either be a 'peace-keeping' nation, or a gunrunner for a murderous monarchy, but it cannot be both.

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Special Tribunal for Lebanon

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

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Israel and Palestine

Israel drops prosecution of Jewish settler who killed Palestinian (AlJazeera) By Zena Al Tahhan
August 26, 2022

Ali Hassan Harb was stabbed and killed by an Israeli settler while on his land near Salfit in the West Bank, his family and rights groups said.

Ramallah, occupied West Bank – Israel’s State Prosecutor has closed the case of an Israeli settler who stabbed a Palestinian man to death in June in the Israeli-occupied West Bank.

The prosecution informed the family on Thursday that the investigation into the unnamed settler was closed “on the basis that the attack was a case of self-defence”, the youth’s uncle told Al Jazeera.

Ali Hassan Harb, 27, was stabbed in the chest and killed on June 21 by an Israeli settler while on the Harb family’s land in the town of Iskaka on the outskirts of Salfit city, near the illegal Jewish settlement of Ariel, according to rights groups and Harb’s family.

He had gone down to the land along with other family members after a group of settlers arrived to set up an outpost.

Naeem Harb, the main witness to the attack and the youth’s uncle, said the family intends to keep pushing for accountability despite the closure of the investigation.

“Even if the court decided to close the case, we will go to the Supreme Court, and then we will go to the International Criminal Court (ICC),” said Naeem. “We will keep going until the last sliver of hope, until the last breath, until this killer and this government are punished – we will not leave them alone.”

The State Prosecutor released a statement on Thursday saying, “after reviewing evidence in the case, including statements from those involved in the incident ... the decision was made to close the case since the claim of self-defence could not be ruled out,” according to Israeli media.

Lack of accountability

Soon after the killing, Naeem had said that the attack happened in the presence of the Israeli army.

He told Al Jazeera he was approximately a metre away from his nephew when he was stabbed.

“The settlers came to our land and the killing happened in front of the army’s eyes and under their protection,” said Naeem. “The settlers were not exposed to any danger. We went to the land and told them to leave, and they left, and then came back with the army and killed the martyr, Ali.”

“After the settler stabbed him, the soldiers prevented us from advancing to him or giving him any help. He was on the ground for 20 minutes, bleeding out,” added Naeem.

Documentation by rights group Yesh Din, which monitors settler attacks in the occupied West Bank, showed a similar sequence of events.

“Settlers arrived at the scene and attempted to set up a tent. Friction ensued and settlers left the place. Immediately afterward, soldiers arrived at the scene, and later the settlers returned,” Yesh Din said in a statement.

After the settlers returned, violence again broke out, “during which a settler pulled out a knife and stabbed the young man to death”, the organisation said.

Settler violence and attacks are a daily reality for Palestinians in the occupied West Bank and East Jerusalem, where at least 600,000 Israeli settlers live in approximately 250 illegal settlements, according to rights groups.

The vast majority of investigations into attacks are closed without any punishment for the settlers.

According to Yesh Din, since 2005, 92 percent of cases were closed at the end of an investigation without an indictment filed.

Only three percent of files have led to convictions in the same period.

Murad Samara, a social and political activist in Salfit, a governorate in the northern West Bank highly affected by settler attacks, said the closure of the investigation is part of longstanding Israeli policy.

“Ali Harb’s killing is not the first. We hope it’s the last, but in light of Israel’s organised policies, whoever is in government, to protect the settlers and the Israeli forces – that if they carry out crimes against Palestinians, they are not held accountable.” Samara told Al Jazeera.

“There is no justice in Israel’s justice system,” Samara added. “Our people and our political leaders must search for alternatives in order to seize our rights and to hold settlers, and soldiers, and officers of the occupation accountable in international courts.”

As for Naeem, he says that his family have little faith in the Israeli justice system.

“This is an occupation government. They give impunity to the settlers and to the army to kill Palestinians as they wish,” he said. “We do not bet on their government, or their justice.”

Israel sentences Gaza aid worker to six more years in prison (AlJazeera)

August 30, 2022

Mohammad al-Halabi, former Gaza chief for World Vision, was sentenced after already serving six years behind bars.

An Israeli court has sentenced the former Gaza representative of a major United States-based Christian aid agency to 12 years in prison on allegations of sending money to the Palestinian armed movement Hamas.

Mohammad al-Halabi, former head of operations at World Vision in Gaza, was sentenced by the Beersabe’ (Beersheba) district court on Tuesday, which ruled he would serve another six years in addition to the six he has already spent in prison.

The court convicted al-Halabi in June on charges of sending millions of dollars to Hamas, which governs the besieged Gaza Strip, an accusation he and his lawyer have consistently denied.

Al-Halabi’s lawyer reiterated his claim of innocence following Tuesday’s sentencing. “He says that he’s innocent, he did nothing and there is no evidence,” Maher Hanna said, adding that they would appeal the verdict to the Israeli Supreme Court.

“On the contrary, he proved in the court above any reasonable doubt that he made sure that no money will be [given] directly to Hamas.”

According to Hanna, if al-Halabi, a father-of-five, had admitted to wrongdoings, he would have been released.

“But he insisted that truth also has value. And for his personal values, and for the international humanitarian work values, he insisted on the truth, and he cannot admit a thing that he did not do,” the lawyer said.

Israeli forces arrested al-Halabi in June 2016 at the Beit Hanoun (Erez) border crossing as he was returning to Gaza from work-related meetings, on allegations of transferring humanitarian funds of varying amounts up to \$50m to support Hamas.

Al-Halabi spent six years behind bars and had more than 160 hearings before he was convicted.

Lawyers and human rights groups have pointed out that his trial was marred by due process violations, including prolonged detention without charge, the keeping of evidence Israel claims to hold against him as “secret,” and that he was exposed to torture.

World Vision said in a statement that the 12-year sentence was “deeply disappointing” and that it falls “in sharp contrast to the evidence and facts of the case”.

The organisation said it “condemns any and all acts of terrorism or support for such activities ... we do not see evidence of these things in this case.”

“The arrest, six-year trial, unjust verdict and this sentence are emblematic of actions that hinder humanitarian work in Gaza and the West Bank,” said World Vision.

“It adds to the chilling impact on World Vision and other aid or development groups working to assist Palestinians.”

Human Rights Watch said on Tuesday that the sentencing was “a profound miscarriage of justice”.

“Holding al-Halabi for six years based on secret evidence, which multiple investigations rejected, made a mockery of due process. Detaining him for six more is just cruel and inhumane,” Israel and Palestine director Omar Shakir said on Twitter.

“He should long ago have been released. The al-Halabi case exposes how Israel uses its legal system to provide a veneer of legality to mask its ugly apartheid over millions of Palestinians,” he added.

In 2017, the Australian government, which is a significant donor to World Vision, concluded in a probe that no money was used for transferring funds to Hamas.

Earlier this month, Israeli forces shut down and criminalised seven Palestinian human rights and civil society organisations in the occupied West Bank.

In Gaza, al-Halabi’s mother described the anguish of following what she called an unjust trial.

“I felt like I was having a nervous breakdown, and I was screaming,” Amal al-Halabi said.

“This is injustice. Where is the international community and where are Mohammed’s human rights?”

Hundreds mourn two Palestinians killed after Israel's West Bank raids (The New Arab) By Qassam Muaddi
September 2, 2022

Yazan Afaneh, 24, was killed by an Israeli bullet in the heart in Ramallah, while Samer Khaled, 25, was killed in the immediate aftermath of an Israeli raid in Balata, by Palestinian gunmen.

Hundreds of Palestinians took part in the funerals of 24-year-old Yazan Afaneh and 25-year-old Samer Khaled on Thursday, both killed during Israeli military raids in the occupied West Bank.

In the Qalandia refugee camp outside Ramallah, Palestinians mourned Yazan Afaneh, the second refugee from the camp to be killed by Israeli forces in two weeks.

Earlier in August, Israeli forces killed 25-year-old Qalandia resident Mohammad Shaham inside his home and later withheld his body.

"Yazan was a simple young man, with a normal life and normal expectations to build his own future," his father told The New Arab while receiving mourners' condolences at the Qalandia popular services committee hall.

"He was out of his home when I received a call from one of his friends who told me he was wounded by the Israeli army," recalled the father. "I rushed to the Ramallah hospital and learned that he had died upon arrival."

Mohammad Abu Latifah, a close friend of the deceased, said Afaneh was a popular barber and kind to all people in the camp.

"He befriended the old and the young, and even the children," Abu Latifah said.

Afaneh was in Sateh Marhaba, Ramallah when Israeli army vehicles entered the neighbourhood, leading local people to throw stones at the soldiers and the young barber joining in.

"The Israeli soldiers began to shoot and Yazan received a bullet in the heart... By the time the ambulance arrived, Yazan had bled a lot, and he died before reaching the hospital," he added.

Palestinian police teargas mourners

In the Balata refugee camp in Nablus, hundreds of Palestinians took part in the burial of Samer Khaled, 25, who was killed during an Israeli raid on the camp after midnight.

The funeral was interrupted by Palestinian police firing tear gas canisters at the procession. Angry mourners blocked several streets in protest before the funeral resumed and the body of Khaled was finally laid to rest at Nablus cemetery.

"What happened is that there were claims by the Israeli army that they didn't kill Samer Khaled, and so the Palestinian Authority wanted to conduct an autopsy on his body," Ameen Abu Wardeh, a journalist and Nablus local, told The New Arab.

He said the family refused the request and wanted to go ahead with the funeral, leading Palestinian police to try and halt the procession and take the body to the morgue for autopsy.

"Things got out of hand and clashes erupted," said Abu Wardeh.

Israeli media said Palestinian officials had notified them that Khaled was probably not killed by Israeli gunfire.

The PA's governor of Nablus said in a statement that Israeli forces had raided Balata after midnight on Wednesday and when it concluded an unregistered vehicle entered the refugee camp while Palestinian gunmen tried to stop it. Unidentified vehicles are forbidden to enter the refugee camp after midnight

The car, according to the governor's statement, refused to stop and Palestinian gunmen opened fire, fatally wounding Samer Khaled in the neck. The governor's statement added that three Palestinians were arrested in an investigation into the killing.

Israeli forces have recently used civilian vehicles to raid Palestinian residential areas, including Nablus's old city and the Balata refugee camp.

Nablus has been at the centre of an Israeli military escalation in the last two months. Israeli forces have repeatedly raided the city's eastern sector, often escorting settlers into the religious site of 'Yousef's Tomb' and exchanging fire with Palestinian gunmen.

In late July and in early August, Israeli forces also raided Nablus' old city, engaging in an hours-long battle with Palestinian militants. Four Palestinian fighters were killed, in addition to a teenager.

US officials visit the region

Israeli raids on Palestinian cities and towns continue as US Assistant Secretary of State for Near Eastern Affairs Barbara Leaf visits Israel and the occupied West Bank for a three-day visit, as part of a larger tour of the region.

According to Palestinian media reports, she will discuss the recent escalation in the West Bank.

On Wednesday, Palestinian Prime Minister Mohammad Shtayyeh met the US envoy to the region, Hadi Amru, in Ramallah.

Shtayyeh told Amru that the Palestinian people are "experiencing great pressure" due to "unprecedented Israeli repressive measures, including arrests and land grabs in addition to the absence of a political horizon", according to the PA's Wafa news agency.

Shtayyeh also urged Amru "not to obstruct" Palestine's renewed efforts to obtain full membership at the UN, according to Wafa.

Since the beginning of 2022, Israeli forces have killed more than 140 Palestinians in the West Bank and Gaza Strip.

Israeli PM opposes prosecuting soldier who likely shot Abu Akleh (AlJazeera)

September 7, 2022

Soldiers have 'full backing' of Israeli government,' Yair Lapid says regarding killing of Al Jazeera journalist Shireen Abu Akleh.

Israel's Prime Minister Yair Lapid has pushed back against suggestions of prosecuting a soldier who likely shot dead Al Jazeera journalist Shireen Abu Akleh while she was covering an Israeli army operation in the occupied West Bank in May.

The veteran Al Jazeera reporter was wearing a bulletproof vest marked "Press" and a helmet when she was shot in the head in the Jenin refugee camp. Her killing caused global outrage and calls for an independent investigation.

The Israeli army conceded on Monday for the first time that one of its soldiers had likely shot Abu Akleh, after having mistaken her for a fighter. It had initially blamed Palestinian gunmen for her killing.

"There is a high possibility that Ms Abu Akleh was accidentally hit by [Israeli military] gunfire that was fired toward suspects identified as armed Palestinian gunmen," said the army's final report into her May 11 death.

The acknowledgement came after months in which the army had insisted it was impossible to determine the source of the deadly shot that killed the celebrated Al Jazeera journalist.

"I will not allow an [Israeli military] soldier that was protecting himself from terrorist fire to be prosecuted just to receive applause from abroad," Lapid told a military ceremony.

"No one will dictate our rules of engagement to us," he said. "Our soldiers have the full backing of the government of Israel

and the people of Israel.”

US Department of State spokesman Vedant Patel had told a news briefing on Tuesday: “We’re going to continue to press our Israeli partners to closely review its policies and practices on rules of engagement and consider additional steps to mitigate the risk of civilian harm”.

A United Nations investigation concluded in June that there was “no evidence of activity by armed Palestinians close by” when Abu Akleh was shot.

Israel’s military advocate said on Monday that the circumstances of the incident “do not raise the suspicion of a crime having been committed which would justify the opening of a criminal investigation”.

The Palestinians have accused Israel of deliberately targeting Abu Akleh. Israel has denied this.

“Israel has expressed sorrow over her death. It was a tragedy that transpired in an incident in which there was heavy enemy fire. The [Israeli military] never intentionally shoots at innocent people,” Lapid said.

The Abu Akleh family said that Israel had “refused to take responsibility for the murder” of the journalist.

Al Jazeera has denounced the findings of the Israeli investigation and demanded a probe by an “independent international body”.

US Department of State spokesman Ned Price on Monday underscored “the importance of accountability in this case ... to prevent similar incidents from occurring in the future.”

‘Israel alone bears the responsibility’ Israel has stepped up its incursions into the occupied West Bank since a wave of deadly Palestinian street attacks in Israeli cities. In the latest such raid, on Wednesday, Israeli troops killed a 20-year-old Palestinian man.

As part of near-nightly sweeps, the army carried out arrests and searches in several locations including the village of Tubas, where it said an improvised explosive device was thrown and shots were fired at soldiers, who returned fire.

Islamic Jihad claimed the man killed, Younis Tayeh, as a member and said he had died during confrontations. Tayeh’s family denied he had taken part and said he was crossing the street when shot.

US-brokered peace talks aimed at establishing a Palestinian state in the occupied West Bank, Gaza and East Jerusalem collapsed in 2014.

The diplomatic stagnation has contributed to the erosion of the credibility of the US-backed Palestinian Authority (PA), which has limited self-rule and security control in the West Bank.

Gantz said the PA should do more to rein in “militants”. “The spread of weapons and lack of governance are harming both the Palestinian people and the Palestinian Authority itself,” Gantz said.

The Palestine Liberation Organization’s (PLO) Wasel Abu Youssef described Gantz’s remarks as “desperate”.

“Israel alone bears the responsibility for the daily killings of our people,” he said.

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Gulf Region

A Saudi woman gets a 45-year prison sentence for social media use that remains unclear (npr)
August 31 2022

A Saudi court has sentenced a woman to 45 years in prison for allegedly damaging the country through her social media activity, according to a court document

obtained Wednesday. It was the second such sentence that has drawn scrutiny of the kingdom this month.

Little is known about Nourah bint Saeed al-Qahtani, who hails from one of the biggest tribes in Saudi Arabia and has no apparent history of activism. An official charge sheet seen by The Associated Press and human rights groups describes her case as involving her social media use, though Saudi officials did not respond to requests for comment. The sentence follows international outcry over a similar 34-year prison sentence handed down to Salma al-Shehab, a Saudi doctoral student at Leeds University in England.

Earlier this month, a specialized criminal court delivered the 45-year sentence under the kingdom's broad counterterrorism and cybercrime laws. That court, which normally handles political and national security cases, gave the sentence during al-Qahtani's appeal of her earlier conviction.

Judges accused al-Qahtani of "disrupting the cohesion of society" and "destabilizing the social fabric," according to the charge sheet, citing her activity on social media. They alleged al-Qahtani "offended the public order through the information network."

It remains unclear what al-Qahtani posted online or where her hearing was held. She was taken into custody on July 4, 2021, according to the Washington-based human rights watchdog Democracy for the Arab World Now, which is critical of the kingdom.

"This seems like the beginning of a new wave of sentences and convictions by new judges who have been placed in the specialized criminal court," said Abdullah Alaoudh, DAWN's regional director.

The Freedom Initiative, another Washington-based human rights group, also denounced al-Qahtani's "outrageously long" prison sentence.

"It's very hard to ignore the fact that we are seeing these sentences as (Crown Prince Mohammed bin Salman) has received increased legitimacy in the international realm," said Allison McManus, the group's research director.

The social media sentences have renewed attention on Prince Mohammed's crackdown on dissent, even as the ultraconservative Islamic nation has granted women new freedoms like the right to drive.

President Joe Biden traveled to the oil-rich kingdom in July for a meeting with Prince Mohammed, in which he said he confronted him about human rights. Biden came to office vowing to make Saudi Arabia a "pariah" over the 2018 killing of Saudi journalist Jamal Khashoggi.

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ASIA

Afghanistan

ICC calls for resumption of Afghan war crimes probe (Dawn) September 1, 2022

THE HAGUE: A year into the Taliban's rule, war crimes prosecutors in The Hague have urged judges to rule promptly on their request to resume investigations into atrocities in Afghanistan and warn that crimes are continuing, court documents showed.

The International Criminal Court's Afghanistan investigation has been on hold for more than two years. In March 2020 the previous Afghan government had asked it to be suspended while they investigated suspected war crimes themselves.

In documents released on ICC's website this week and dated Aug 26, prosecutor Karim Khan argued Afghanistan's request to suspend the probe should be rejected, citing a lack of effort by authorities there to pursue justice in domestic courts.

He said the Taliban "have not continued, cannot continue and do not intend to continue the relevant investigations and prosecutions" that formed the basis of the request for suspension by the ousted government.

"To the contrary, the available information suggests that serious crimes within the jurisdiction of the court (...) continue to be committed," he added, urging judges to allow the probe to be "promptly resumed".

In September last year, Khan already announced he would ask judges to resume the probe into crimes by the Taliban and ISIS-K. He added prosecutors would "deprioritise" looking into suspected crimes by US forces and Afghan government troops.

In July, the UN mission in Afghanistan said that the ruling Taliban were responsible for extrajudicial killings, torture, arbitrary arrests and inhumane punishments in the months since they toppled the previous government and seized power after Washington's withdrawal from the country.

#JusticeForElaha Takes on Taliban Violence Against Women (Human Rights Watch) September 1, 2022

"After publishing this video, it's possible that no one will see me again, I might die," said Elaha Dilawarzai, an Afghan medical student, in a video that surfaced on social media on August 30. "It's better to die once than to die a thousand times."

In the video, Elaha says her father worked for the previous Afghan government's intelligence service, which operated against the Taliban. Earlier this year, she says, a man named Qari Saeed Khosty, then a Taliban Ministry of Interior Affairs spokesperson, forced her into marriage. "He was raping me every night," she says, crying. "Every night he would beat and torture me." She also alleges that he filmed her, implying during sexual acts, and threatened to release the videos. Khosty denied the allegations, saying he and Elaha have divorced and accused her of "insulting religious beliefs and practices and the Holy Quran." He apologized – not to Elaha – but to the Taliban, for marrying without permission. On August 31, a Twitter account purporting to be the Taliban's Kabul courts wrote that Elaha had been arrested on charges of defaming Khosty. It would be no surprise for a Taliban official to feel free to inflict forced marriage, rape, assault, nonconsensual filming, and blackmail. The question is how many such cases go unheard. When the Taliban took over Afghanistan in August 2021, they systematically dismantled structures to combat violence against women and girls. These include shelters, legal assistance programs, and specialized prosecution units and courts tasked with enforcing the country's 2009 Law on Elimination of Violence Against Women. All of that is gone now. Journalist Ruchi Kumar corroborated facts about Elaha's case and said Taliban officials have similarly targeted female relatives of other former government officials with violence to punish their male family members.

Elaha's video prompted the #JusticeForElaha campaign, again illustrating how women and girls in Afghanistan are using social media to tell the world about Taliban abuses. While women's rights activists are documenting their protests, one woman, Tamana Paryani, filmed Taliban members breaking into her home to abduct her during a crackdown on protesters. Afghan women are fighting back against Taliban rights violations with extraordinary courage, using every tool at their disposal. But the world needs to do more to stand beside them. Diplomats in Kabul should urgently inquire about Elaha's whereabouts and well-being. Countries on the United Nations Human Rights Council should create much greater capacity by independent, expert human rights monitors, in addition to the small team currently supporting the special rapporteur on human rights in Afghanistan, to investigate, report on, and ensure accountability for violations. Then we might know how many Elahas there are.

Afghanistan: ISIS Group Targets Religious Minorities (Human Rights Watch) September 6, 2022

The Islamic State of Khorasan Province (ISKP), the Islamic State's (ISIS) affiliate in Afghanistan, has repeatedly attacked Hazaras and other religious minorities at their mosques, schools, and workplaces, Human Rights Watch said today. The Taliban authorities have done little to protect these communities from suicide bombings and other unlawful attacks or to provide necessary medical care and other assistance to victims and their families.

Since the Taliban took over Afghanistan in August 2021, the Islamic State affiliate has claimed responsibility for 13 attacks against Hazaras and has been linked to at least 3 more, killing and injuring at least 700 people. The Taliban's growing crackdown on the media, especially in the provinces, means additional attacks are likely to have gone unreported. The United Nations Assistance Mission in Afghanistan (UNAMA) reported that recent attacks by the group on Shia gatherings in Kabul killed and injured more than 120 people.

“Since the Taliban takeover, ISIS-linked fighters have committed numerous brutal attacks against members of the Hazara community as they go to school, to work, or to pray, without a serious response from the Taliban authorities,” said Fereshta Abbasi, Afghanistan researcher at Human Rights Watch. “The Taliban have an obligation to protect at-risk communities and assist the victims of attacks and their families.”

The Hazara are a predominantly Shia Muslim ethnic group that have faced discrimination and abuse by successive Afghan governments for over a century. During the 1990s, Taliban forces targeted the Shia for mass killings and other serious abuses. With the Taliban back in power, the Hazara have been increasingly concerned for their safety and whether the new authorities will protect them. “The Taliban never liked Hazaras,” said one Hazara community member in Bamyan province. “Last time they were in power, they killed many of us.”

In October 2021, the Taliban Interior Ministry spokesperson, Saeed Khosty, said that they would ensure security for religious minorities: “As a responsible government, we are responsible for protecting all citizens of Afghanistan, especially the country’s religious minorities.”

However, the Taliban do not appear to have provided increased security in Kabul, Mazar-e Sharif, and Kunduz provinces, where attacks have killed hundreds of people since January 2022. Human Rights Watch remotely interviewed 21 survivors of attacks, and family members of victims, in Kabul and Mazar provinces between April and July, using secure communications. The Islamic State group claimed responsibility for the April 19 suicide bombing at Abdul Rahim Shahid High School in the west Kabul neighborhood of Dasht-e Barchi – a predominantly Hazara and Shia area – that killed and injured 20 students, teachers, and staff. “There were dead bodies everywhere,” said a survivor. “Bodies were split into pieces, and you could smell blood.” The group also claimed responsibility for the April 21 suicide bombing of one of Afghanistan’s largest Shia mosques, Seh Dokan Mosque in Mazar-e Sharif, which killed 31 people and wounded 87 others. On April 27, unidentified men killed 5 Hazara men on their way to the Dare-Suf coal mine in Samangan province. The next day, a bomb explosion killed 9 people and wounded 13 others in a minibus carrying Hazara passengers in Mazar-e Sharif.

A Hazara resident of Kabul who had witnessed many previous attacks said: “Our children need to go to school, our women need to visit hospitals, we want to go to mosques. For all these we need to feel safe. For God’s sake, these places cannot be targets – stop killing us everywhere.” Richard Bennett, the United Nations special rapporteur on human rights in Afghanistan, called on May 26 for investigations into the attacks on Hazara, Shia, and Sufi communities. He said they were “becoming increasingly systematic in nature and reflect elements of an organizational policy, thus bearing hallmarks of crimes against humanity.”

The attacks, beyond their immediate devastation, take a terrible long-term toll on the survivors and families of victims, depriving them of breadwinners, often imposing severe medical burdens, and restricting their access to daily life. “We do not send our children to school anymore, and we close our shops early,” said a man who lost his 45-year-old brother in the Seh Dokan Mosque attack. “The mosque has also been closed since the attack.”

For women, losing a male family member has particularly dire social and economic consequences, especially for young women who are suddenly widowed. Taliban restrictions on women’s rights to work and to move freely have made it impossible for some women to earn a living and become financially independent. Regulations requiring women to be accompanied by a mahram (male blood-relative) while travelling have made it extremely difficult for women to go about everyday tasks and add to the trauma they already face.

“My loved one has passed away,” said a woman who lost her husband in a magnetic bomb explosion in Dasht-e Barchi in Kabul soon after the Taliban takeover. “Even though I have a degree, it’s now hard for women to find employment and establish financial independence under the Taliban.”

Most of those whom Human Rights Watch interviewed also said they experienced depression and severe trauma as a result of the attacks.

Attacks on Hazara and other religious minorities by the Islamic State of Khorasan Province violate international humanitarian law, which remains applicable in Afghanistan. Deliberate attacks on civilians are war crimes. Beyond the immediate loss of life, such attacks cause long-term economic hardship, incur lasting damage to physical and mental health, and result in new barriers to education and public life.

The Taliban’s failure to provide security to at-risk populations and medical and other assistance to survivors and affected families, as well as Taliban policies that violate human rights, particularly those of women and girls, exacerbates the harm these attacks cause. “Armed group leaders may one day face justice for their atrocities against Hazaras and other communities,” Abbasi said. “Taliban officials who fail to take action to protect religious minorities from attack may be complicit in these grave crimes.”

Personal names used below are pseudonyms to protect the security of interviewees. Long-term Impact of Attacks on Lives and Livelihoods

Families of victims of attacks described their grief over the loss of their family members and their worries about feeding their children and themselves. When primary breadwinners were killed, as in the majority of cases investigated, the surviving relatives, especially women, suffered particular hardship under Taliban rule. Most of the families said that they had received little or no support from the Taliban authorities.

Faeza, whose husband was killed in the Seh Dokan Mosque attack, said: I am left with seven children. I used to work as a cleaner to support my husband with living expenses, but since the Taliban took over, that's not possible anymore. I don't have any other skills, and even if I did, I still couldn't work. The Taliban do not allow women to work in most professions anymore. Our neighbor, who used to be a teacher, now does housework. It's very difficult to even imagine feeding seven children while there are no resources or job opportunities available.

Naeem, 27, who lives near the Seh Dokan Mosque and saw the explosion, said he no longer feels safe visiting mosques. "I have sworn to my mother that I will never go to any mosque in order to protect myself from an explosion."

Gul Ahmad, 42, who was killed in the Seh Dokan Mosque bombing, had five children, all under 18. Without a breadwinner in the family, his 15-year-old son left school to work. "We are living in a nightmare, with no support, with him gone, nothing is left for us now," Ahmad's wife said. Sher Mohammad, 53, who was also killed in the mosque bombing, had been running a small business in Mazar-e Sharif. He had worked hard to make sure that all of his children could get an education, but since his death, they have not been able to attend school or take courses. The family can barely afford to buy food or clothes. "We must continue to live with this pain," his wife said.

The Taliban authorities provided each of the families 100,000 afghanis (US\$1,100) when they collected their husbands' bodies from the hospital. That money was no replacement for long-term assistance the families need. "Now with no hope for the future, most of the days we don't eat," Ahmad's wife said. "That's our new life."

One family from Mazar-e Sharif lost three members: Rahmatullah, 40; Asadullah, his 15-year-old son; and Mohammad Ali, a 24-year-old nephew who had travelled from Daikundi, in central Afghanistan, to study for the university entrance exam. All three were killed while praying at the Seh Dokan Mosque. Now the family of five lacks a breadwinner. "How would you have felt if you had come across three dead bodies in front of a house?" said Rahmatullah's niece.

"Everyone in the neighborhood was stunned and mute. The situation was awful and shocking." The blast at Abdul Rahim Shaheed High School on April 19 was at the school gate, between 9:45 and 9:55 a.m., when 12th grade students were leaving to head home. The 20 people killed or injured were between ages 16 and 53.

Sayed Muhammad Hussain, 53, a local resident, heard an explosion and rushed to help the victims. A second explosion, 30 minutes later, killed him instantly. His son helped injured students but did not know until later that his father was among the victims. "I was one of the first few people who arrived to help," Hussain's son said. "I carried the bodies. Seven students and two local residents were killed, but I didn't know one of them was my father."

Hussain had eight children, six girls and two boys. He was the family's breadwinner, and after his death, his oldest son, 22, became responsible for everyone.

Impact on Physical and Mental Health

Many of the hundreds wounded in the attacks in the past year have suffered serious injuries, and not all will recover fully. The previous Afghan government provided financial assistance to those injured in attacks by insurgents and to family members of those killed. The survivors and families of victims of the recent attacks said they were not aware of any Taliban guidelines for financial support or setting the amount to be provided.

The explosion at Abdul Rahim Shahid High School shattered the kitchen windows in a nearby home. It damaged the hearing of Safia, 16, who was in the kitchen, and she can no longer speak. Her father, a daily wage worker, earns about 250 afghanis (\$3) per day; they cannot afford medical treatment. Several Taliban officials visited their home, but they did not provide any financial assistance.

Basir Ahmad, 28, an information technology technician, said his arms were injured in the Seh Dokan Mosque bombing. "I don't think I'll ever be able to set internet lines with these arms," he said. "My job needs me to scale tall structures. I don't have strength in my arms." He also described being traumatized. "Everywhere I go, I believe that an explosion is happening. I relive that nightmare every day."

Sayed Mohammad, 27, who had left his university a few years earlier out of fear of an attack, was among those killed in the

explosion at the Seh Dokan Mosque. His father said that his fiancé, Masooma, was in shock and did not eat, drink, or sleep much. Mohammad's mother said that she had been experiencing anxiety and insomnia, and medication prescribed by two doctors had not helped.

Ahmad Shah, 22, was wounded in the Seh Dokan Mosque bombing, which killed his 50-year-old father. The explosion injured his left arm, leaving him unable to work. Doctors advised him to travel to India for additional care, but he could not afford it.

Mohammad, a student who loved playing football, suffered serious injuries during the April attack on the Mumtaz Educational Center that left him unable to walk. His family cannot pay for him to travel to India or Pakistan for the specialized medical care that doctors say he requires to fully recover. "I saw the man who exploded himself," Mohammad said. "A few days before the explosion, he visited our center and registered himself as a student." Mohammad said that he keeps picturing the bomber's face. Zaman, 17, was injured in the attack on Abdul Rahim Shahid High School. The Taliban authorities provided him 5,000 afghanis (\$55), but he cannot hear well enough without further treatment to return to school.

Effects of Attacks on Basic Rights and Freedoms

The attacks have made it difficult, if not impossible, for Hazara and Shia community members to exercise their rights to education, to practice their religion, and to other fundamental freedoms. Many found it difficult to get health care and say they don't feel safe going out in public. They now avoid social gatherings, public transportation, and other public places.

The Seh Dokan Mosque in Mazar-e Sharif shut down after it was attacked. Many families also said that it was safer for their children to stay at home rather than risk being targeted at school. Sayera, a Kabul resident with four sons, said she has stopped sending her boys to school or elsewhere. She and her husband no longer attend religious services unless absolutely necessary. Injured students have also been unable to return to schools because of inadequate medical care. Ali Reza, 18, a senior at Abdul Rahim Shahid High School, has been unable to attend class because of injuries to his legs and ears. Several other students said they no longer go to school, fearing for their safety. "Most of my classmates have stopped attending school after the tragedy," Reza said. "When the Taliban took power, instead of a class of 50, there were only 25. Now, only 10 to 15 kids are currently attending courses as a result of the recent attack on our institution."

Mohammad Hakim, Ali Reza's classmate, said: "If I am supposed to die, I will die, but so long as I am alive, I will go to school." But the bullet fragments in his feet have made it difficult for him to walk even short distances. He is hoping that his wounds will heal, and that he will be able to walk again and go back to school.

Recommendations

- The Islamic State of Khorasan Province and other armed groups should fully comply with international humanitarian law, and cease all attacks against civilians and punish commanders responsible for serious abuses.
- The Taliban should fully comply with international humanitarian law, and appropriately prosecute those responsible for grave abuses.
- The Taliban authorities should protect at-risk minorities, including the Hazara and Shia, and ensure their rights to access education and worship without fear.
- The Taliban should consult with communities at risk and civil society groups to protect civilian institutions vulnerable to attack, including schools, hospitals, places of worship, and other community institutions.
- The Taliban should ensure adequate support for emergency health care, such as ambulance services and psychosocial (mental health) support.
- The Taliban should provide financial support to survivors of attacks and family members, with a particular focus on assisting families that have lost a wage earner, including women-headed households, and should issue guidelines for providing that support.
- The Taliban should end all violations of the rights of women, including those that make it more difficult to earn a living.
- The Taliban should ensure adequate support for mental health services and psychosocial support for survivors and witnesses of attacks.
- The Taliban should ensure that children who have disabilities resulting from attacks should be able to go to school on an equal basis with others.
- Governments engaging with the Taliban should call for better protection of Hazara and Shia communities and should encourage and support mechanisms to strengthen accountability for crimes committed in Afghanistan, including against the

Hazara and Shia communities.

- All governments should suspend forcible returns to Afghanistan and should look favorably on applications for asylum, and other forms of international protection, for the Hazara and other persecuted ethnic and religious minorities in Afghanistan.

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Extraordinary Chambers in the Courts of Cambodia (ECCC)

Official Website of the Extraordinary Chambers [English]

Official Website of the United Nations Assistance to the Khmer Rouge Trials (UNAKRT)

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TOPICS

Truth and Reconciliation Commission

Proposed Truth and Reconciliation Commission might meet the fate of earlier rights commissions (News in Asia) September 7, 2022

A weekly paper said on Sunday that the Sri Lankan government is to revive an earlier proposal to set up a Truth and Reconciliation Commission (TRC) to address the long-standing issues of rights violations, alleged war crimes and ethnic reconciliation. While the proposal is reasonable, there are serious doubts as to whether the intention behind it is serious and genuine and, if implemented, whether the TRC will meet its objectives.³

The timing of the decision leads one to suspect that it has to do with the September session of the UN Human Rights Council (UNHRC), where a tough, updated, resolution against Sri Lanka is expected.

The decision on TRC appears to be a part of a series of steps the government has been taking to weather the storm in Geneva. The promise of substituting the Prevention of Terrorism Act by a National Security Act, the delisting of six banned organizations and over 300 individuals allegedly connected with the LTTE, and the decision to open an office to liaise with the Tamil Diaspora are among them. But barring the Diaspora liaison office and the lifting of the ban on entities, nothing in the list is new. They been attempted earlier, but half-heartedly and abandoned.

Will the TRC meet the same fate? Will the expectations generated among the victims of State terror and those of terrorists be fulfilled? The perpetrators of State terror can be traced and punished, but the perpetrators of terrorism cannot be traced. The latter are among the killed or missing.

Also, would anyone in the Security Forces admit to war crimes and rights violations even when there is a provision for amnesty? And would the civilian victims of violations by the State's personnel accept amnesty as a fair solution? Would nationalistic feelings allow the personnel of the forces to be exposed and punished? The road ahead for the proposed TRC is indeed hard.

The idea of setting up a TRC is seven years old. On September 14, 2015, the Lankan government announced a plan to establish a “Commission for Truth, Justice, Reconciliation and Non-Recurrence.” The then Foreign Minister, Mangala Samaraweera, had said that South Africa, which had set up a TRC, would advise Sri Lanka on this. But nothing happened till 2018 when the government again announced an intention to set up a TRC.

According to the Office of the High Commissioner of Human Rights, a conceptual framework was submitted on 16 October 2018 to the Cabinet, which decided to refer it to the Ministry of Defense. In March 2020, the UNHRC reported that the TRC proposal had not made any progress.

However, the 2018 concept paper is worth going into to get an idea of President Wickremesinghe’s thinking. It said that the TRC of Sri Lanka (TRCSL) will be established by an Act of Parliament. Its mandate would be to investigate and make recommendations in respect of complaints and reports relating to damage and/or harm caused to persons as a result of loss of life, or damage and/or harm to persons or property, (i) in the course of, or reasonably connected to, or consequent to the armed conflict, or its aftermath; or ii) in connection with political unrest or civil disturbances in Sri Lanka; or (iii) where such violations are in the nature of prolonged and grave damage and/or harm suffered by individuals, groups or communities of people of Sri Lanka.

Justifying the establishment of the TRC, the concept paper said: “Despite the appointment of numerous ad hoc commissions of inquiry during the past (like the Paranagama Commission, the Lessons Learnt and Reconciliation Commission, the Udalagama Commission, Mahanama Tillekeratne Commission) due to failure to implement recommendations made by those Commissions, it has not been possible to successfully prevent recurrence of conflict, or build confidence amongst all the people of Sri Lanka in the efficacy of measures to ensure non-recurrence, advance national unity and reconciliation, or identify and undertake administrative reform interventions that may be necessary.”

The proposed Act of Parliament would, inter alia, incorporate statutory provisions to appoint a Monitoring Committee which will “enable all Sri Lankan citizens, irrespective of race or religion, including families of police and security forces personnel, civilians in villages that came under attack by terrorists, security forces personnel and police personnel, and all affected persons in all parts of the country, to submit their grievances suffered during any phase of civil disturbances, political unrest or armed conflict that has occurred in the past, to the proposed TRCSL.”

“The proposed TRCSL should have sufficient administrative and investigative powers, including those granted to Commissions of Inquiry. This includes powers to compel the cooperation of persons, State institutions, and public officers in the course of its work. While the TRCSL will not engage in prosecutions, it should be vested with sufficient investigative powers. But the TRCSL’s recommendations shall not be deemed to be a determination of civil or criminal liability of any person.”

South African TRC

The experience of South Africa’s TRC (TRCSA) should indicate the kind of problems that TRCSL might face. TRCSA was established in 1995 after the collapse of the Apartheid regime. Its emphasis was on gathering evidence from both victims and perpetrators, but not on prosecuting individuals. While right-wing racists and the Security Forces demanded a blanket amnesty for themselves, the liberation forces and the African victims demanded Nürnberg-type trials (the trial of Nazis after World War II) which ended in punishments being given.

The South African TRC was established after the newly elected government solicited the opinion of a cross-section of the population and also the international community regarding accountability, reparations and amnesty. The consultative process lasted a year and culminated in the legislation, entitled: Promotion of National Unity and Reconciliation Act 34 of 1995 (the Act), that established the TRC. The TRC went into abuses committed between 1960 and 1994.

To achieve these objectives, the Act established three committees: the Human Rights Violations Committee, the Reparations and Rehabilitation Committee, and the Amnesty Committee. According to literature on the TRC, the commissioners were selected after throwing open nominations country-wide. Interviews were conducted publicly by an independent selection panel comprising representatives of all the political parties, civil society, and the religious bodies in the country. Nelson Mandela, then president of South Africa, appointed Archbishop Desmond Tutu, as the chair of the TRCSA.

The TRCSA, holding public hearings, received more than 22,000 statements from victims. Victims of State as well liberation movement terrorism gave vent to their feelings freely. 7,000 applied for amnesty and 1,500 got it. Such public exposure went a long way towards reducing the trauma of the victims. It was an educative and reformatory exercise for the whole population eventually leading to a more reconciled and healthier South African society.

However, the top brass of the Security Forces did not cooperate. But the lower ranks did, with the violators applying for amnesty. Members of the liberation forces argued that they had done no wrong as they were fighting a just war. Eventually,

even these were persuaded to testify.

Sadly, the post-Mandela governments were slow to implement the TRCSA's recommendations, including its reparations program. It is reported that by the end of the first decade of the 21st century, few of the recommendations had been implemented. Nobody of consequence was punished. However, it was a cathartic and self-purifying process acted out publicly. It provided a dramatic start to a new South Africa.

If Sri Lanka establishes a TRC, it could also be useful, if only partially. But its prospects are dimmer compared to South Africa's TRC, going by the fate of previous Sri Lankan commissions on human rights violations, and the generally hostile approach of the Sri Lankan polity to human rights violations.

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Terrorism

11th Circuit revives lawsuits accusing Chiquita of funding Colombian terrorists (Courthouse News Service)

By Kayla Goggin

September 6, 2022

The 11th Circuit partially overturned a Florida federal judge's ruling in favor of Chiquita Brands International, which was sued by people whose family members were killed by a Colombian paramilitary group allegedly financially supported by the company.

For more than a decade, the victims' relatives have waged a legal battle in the U.S. District Court for the Southern District of Florida to hold the banana giant accountable for funding a right-wing terrorist group they claim kidnapped, tortured and murdered their loved ones during a civil war.

Nancy Mora Lemus, one of the 14 plaintiffs, watched as two men took her husband from their home, tied him to a pole and cut his throat. She claims the men were members of the Autodefensas Unidas de Colombia (AUC), a paramilitary group that terrorized the Uraba and Magdalena regions of Colombia between 1997 and 2004.

The AUC was designated as a foreign terrorist organization by the U.S. Secretary of State. Chiquita pleaded guilty in 2007 to engaging in transactions with a specially designated global terrorist by making payments to the group in regions where the company had banana-producing operations. Chiquita was ordered to pay a \$25 million fine.

Lemus and hundreds of others sued Chiquita and some of its executives under Colombian law and under the Torture Victim Protection Act in 2008, alleging that Chiquita's financial support of the AUC led to the group's murder of their family members.

The plaintiffs claimed the company funneled \$1.7 million to the AUC even though it was aware that the group was a violent terrorist organization.

Ten bellwether cases were consolidated out of the original actions in Florida federal court, where U.S. District Judge Kenneth Marra ruled in favor of the company in 2019. Marra found that the families failed to link their loved ones' deaths to the AUC.

The appeal before the 11th Circuit challenged several evidentiary rulings by the district court which led to a victory for Chiquita.

In a 104-page ruling breaking down the lower court's findings, a three-judge panel of the Atlanta-based appeals court unanimously agreed that some of the evidence presented by the plaintiffs should be excluded but ultimately rejected Marra's finding in favor of Chiquita.

The panel bristled at Marra's determination that the circumstantial evidence proffered by the plaintiffs about the frequency and manner of the killings in certain geographic areas was not enough to establish a connection with the AUC.

"Tragically, the geographic areas where Plaintiffs' decedents resided were brutalized by numerous warring factions over the course of a long and bloody civil war (with some areas undergoing transition from guerilla-based control to paramilitary-based control during the time frames in question), as noted in the data collected and presented by [plaintiffs'] experts," Marra wrote.

Writing on behalf of the panel, U.S. Circuit Judge Adalberto Jordan opined that while the evidence from the plaintiffs may not be sufficient on its own to establish the AUC's involvement in the killings, the statistical evidence offered by their expert is enough to get their claims in front of a jury.

The panel also found that the district court should not have excluded the expert testimony of Oliver Kaplan, an associate professor at the Josef Korbel School of International Studies at the University of Denver and associate director of the Korbel School's Latin America Center.

Kaplan, an expert on Colombian politics and armed conflict in Colombia, testified that the AUC targeted political enemies, banana workers and unionists. He also corroborated the plaintiffs' accounts of the murders.

The ruling lays out statistical data presented by Kaplan that between 1997 and 2007, paramilitaries were responsible for 90% of the murders in the decedents' municipalities.

The panel ruled that Marra failed to consider "the full universe of information on which Mr. Kaplan relied" when it decided to exclude his opinion.

Among the other evidence which the 11th Circuit found was incorrectly excluded is the indictment of AUC leader Raúl Hasbún — which came with a chart listing multiple murders to which Hasbún allegedly confessed — and several letters by Colombian prosecutors and investigators stating that another AUC leader, José Lugo Mangones, confessed to the murders of three plaintiffs' relatives.

"The district court cited no basis for its implied doubt that the Colombian officials had utilized legally authorized investigations to reach the factual findings discussed in the letters. As far as we can tell from the record, there is no basis for such doubt," Jordan, a Barack Obama appointee, wrote.

However, the panel sided with the district court in its decision to exclude two documents purporting to be convictions of AUC members in the Justice and Peace process as final judgments of conviction.

"The Justice and Peace process was one in which the Justice and Peace Unit of the Colombian Office of the Public Prosecutor investigated offenses allegedly committed by paramilitary participants, and in which AUC members could truthfully confess to crimes in order to receive sentences that were lower than they would otherwise be in the ordinary Colombian criminal system," the ruling explains.

Four plaintiffs submitted a 2015 judgment of conviction against Mangones to support their claims. The document, called a *sentencia*, was inadmissible because it did not contain Mangones' actual conviction, the panel ruled.

The opinion also makes determinations about whether certain testimony from the plaintiffs should have been admitted into evidence.

According to the ruling, the seven children of an individual identified as Jose Lopez 339 claim that AUC leader Rendón Herrera personally apologized to them for their father's death. Herrera allegedly told them that he had their father killed based on mistaken information.

The opinion states that the children's testimony should not have been excluded because they twice attempted to depose Herrera in Columbia but he failed to appear.

The decision is largely silent on the fate of the plaintiffs' claims against Chiquita executives. However, the panel upheld Marra's denial of a motion to dismiss the claims against the estate of Roderick Hills, Sr., a now-deceased director of Chiquita who also served as president of the board's audit committee.

Jordan was joined on the panel by U.S. Circuit Judge Kevin Newsom, a Donald Trump appointee, and Senior U.S. Circuit Judge Ed Carnes, a George H.W. Bush appointee.

U.S. cited 'domestic terrorism' in search tied to Oath Keepers' lawyer (The Washington Post) By Spencer S. Hsu
September 7, 2022

A court opinion unsealed Tuesday evening marks what appears to be the first time the federal court in Washington has disclosed the FBI and Justice Department's use of a domestic terrorism measure in the USA Patriot Act to obtain a search warrant connected to their sweeping probe into the Jan. 6, 2021, attack on the Capitol.

Federal investigators probing the extremist group Oath Keepers on charges of seditious conspiracy last year invoked the provision that permits the government to obtain a search warrant from a U.S. magistrate judge anywhere in the country rather

than one located where the search is to be executed in a domestic terrorism investigation, according to the newly unsealed court records.

The 18-page opinion revealed that in July 2021, prosecutors asked a U.S. magistrate judge in D.C., rather than one in Texas, to approve a court-authorized search of a cellphone owned by a person who appears to match the description of an attorney for the Oath Keepers, Kellye SoRelle. The lawyer was arrested last week in Texas and was with the group's founder, Stewart Rhodes, outside the Capitol on Jan. 6, 2021.

The opinion, signed and released Tuesday by U.S. Magistrate Judge Zia M. Faruqui, did not identify the Oath Keepers, SoRelle or Rhodes by name, or explain why prosecutors utilized the provision, other than to say it was enacted to help investigators move urgently in terrorism cases.

However, Faruqui's opinion quoted an FBI agent's affidavit submitted with the warrant application outlining details and statements that are identical to the allegations prosecutors have made in indicting Rhodes and other alleged Oath Keepers members on the historically rare charge of seditious conspiracy.

The opinion related to the search warrant application also cited alleged statements by the device owner on social media that mirror those made by SoRelle, and that could be incriminating.

The cellphone owner told law enforcement that there were no longer any barricades visible by the time they and the group's leader arrived at the Capitol on Jan. 6, the court opinion stated. But the judge said the government offered video evidence from the device owner that indicated the person saw barricades and that people "broke the barrier, they got up there, they may end up inside before it's all said and done."

Online sleuths on July 18, 2021, identified video posts attributed to SoRelle allegedly making identical statements. The search warrant application appears to have been filed between July 19 and July 22 of last year, based on its docket number and the timing of unsealed applications assigned docket numbers before and after it.

A federal defender for SoRelle, who made an initial federal court appearance last week on charges including conspiring to obstruct and obstructing an official proceeding of Congress and tampering with documents, did not respond to a phone and email request for comment Tuesday evening.

Rhodes and co-defendants have pleaded not guilty pending trials beginning later this month.

It was not clear how often the Justice Department has asked magistrate judges in Washington to approve search warrants for targets elsewhere in the country in Jan. 6-related investigations — or courts to issue "extraterritorial" warrants for property searches in domestic terrorism investigations overall — but they seem to be the exception rather than the rule.

The July request was "unlike most search warrant applications submitted to this Court," Faruqui wrote Tuesday. An FBI agent "assigned to a squad that is responsible for Domestic Terrorism cases" cited an exception to the normal rule of federal criminal procedure that federal law enforcement or an attorney for the government seek approval for a search warrant from a judge where the property to be searched is located, the judge wrote. Spokesmen for the U.S. attorney's office for the District and the Justice Department did not immediately respond to requests for comment Tuesday evening.

Congress enacted the exception after the Sept. 11, 2001, terrorist attacks on the World Trade Center in New York City and the Pentagon, saying it would speed fast-breaking and complex investigations to allow judges most familiar with developments to rule on such warrants no matter where search targets were located. The USA Patriot Act allowed any magistrate judge with authority in a district where domestic or international terrorism-related activities — not just crimes — may have occurred to approve warrants anywhere.

The Jan. 6 attack has been called an act of domestic terrorism by FBI Director Christopher A. Wray and an assault on the peaceful transfer of presidential power by Attorney General Merrick Garland. U.S. prosecutors this July followed through for the first time on threats to seek enhanced terrorism sentencing penalties for an individual who rejected a plea deal in the attack.

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Piracy

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Gender-Based Violence

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Commentary and Perspectives

Confronting Ethiopia's Abusive Siege (Human Rights Watch) By Kenneth Roth
August 31, 2022

The United Nations' first chartered ship carrying Ukrainian grain, which had been sitting in blockaded silos as a result of Russia's full-scale invasion, docked in Djibouti on August 30. Free passage of this shipment, destined for Ethiopia, followed concerted pressure by African governments on Russia as well as U.N.-led negotiations. But more diplomatic muscle, including by African countries, is needed to end the Ethiopian government's almost two-year-long chokehold on humanitarian assistance to the beleaguered Tigray region. Otherwise, many of the Ethiopians most at risk of hunger are unlikely to benefit.

Ethiopia is one of six countries the U.N. has singled out for having people at risk of starvation. Millions in the country's south and east are grappling with alarming levels of hunger and malnutrition due to one of the worst droughts in decades. Communities in conflict-affected areas in the country's north rely on humanitarian assistance. But it is in the Tigray region, specifically, where a severe starvation crisis has persisted for over a year and could be reversed through government actions.

Since the outbreak of war in Tigray in November 2020, Ethiopian forces and their allies have frequently violated the laws of war. They pillaged and targeted homes and civilian infrastructure—crimes the Tigrayan forces would later replicate in other regions—while shutting off basic services and severely obstructing aid to civilians caught up in the fighting. Then the authorities imposed an effective siege on the entire region, keeping out virtually all humanitarian assistance for civilians in violation of Ethiopian domestic law, international human rights, and humanitarian law.

For the first eight months of the conflict, Ethiopian forces and their allies pillaged businesses, hospitals, banks, livestock, and harvests, leaving the region dependent on assistance. The impact of this destruction has been devastating. It has prevented people from getting healthcare, food, and other basic services, and stymied the recovery of a health system broken by the conflict. For months, federal and regional forces blocked off the roads, making it nearly impossible for private actors or humanitarian agencies to carry in medical supplies or food. Supplies decreased to alarming levels.

Human Rights Watch researchers spoke to doctors in February who had treated dozens of survivors of a deadly drone strike without access to intravenous fluids or protective gloves. A journalist who traveled to Tigray in late May and early June told us he saw “hunger everywhere.” In August, the U.N. warned that one out of three Tigrayan children under the age of 5 is acutely malnourished.

Since the Ethiopian government declared a humanitarian truce in late March, humanitarian convoys previously blocked from entering Tigray were finally making it into the region. But what was getting didn't come close to matching the mounting needs of a vulnerable population. With fuel deliveries and cash flows stymied—and the government still keeping the banks closed and telecommunications shut off—aid organizations are struggling to save lives.

The resumption of fighting in northern Ethiopia on Aug. 24 puts aid agencies' efforts at further risk. A U.N. spokesperson noted that Tigrayan fighters entered a U.N. warehouse in Tigray's capital, Mekelle, and seized 12 fuel tankers intended for humanitarian use. Tigrayan forces have also pushed into the neighboring Amhara region. A probably Ethiopian government airstrike in Mekelle on Aug. 26 reportedly struck a kindergarten and killed at least seven people, including children. Delivery of humanitarian supplies by road remains suspended since then, as are humanitarian flights. The siege in Tigray remains very much in effect.

Airstrikes, and the pillage of limited fuel supplies, will only harm Tigrayans who are already suffering the effects of the conflict and the siege. Most people in Tigray can't buy the food that is available because the cost of staples continues to soar. A resident of the town of Shire said that the cost of teff, a grain that is one of the country's main staple foods, had tripled over the last five months.

The U.N. Security Council sought to tackle broad restrictions on aid and essential goods in the conflicts in Yemen and South Sudan by passing a resolution in 2018 condemning the unlawful denial of lifesaving humanitarian aid and essential services as a strategy of warfare. In the hope of preventing this elsewhere, the Security Council resolution pointedly calls on the U.N. secretary-general to swiftly inform the council when the risk of conflict-induced famine arises.

And yet, faced with flagrant violations of its own resolution in Ethiopia, the Security Council never sanctioned those most responsible for unlawful actions during the conflict. What's more, the council hasn't even placed the ongoing siege in Tigray on its formal agenda.

Concerted African diplomacy around the Ukraine grain crisis and Russian blockade stands in stark contrast with Africa's inaction on Ethiopia on the Security Council. The three elected members representing the African Union on the Security Council—Gabon, Ghana, and Kenya, known as the A3—have repeatedly stalled any public discussion on Ethiopia, allowing this blatant disregard for international norms to persist.

In the meantime, Ethiopia and its partners in the region and beyond have allowed access to life's necessities to become a political bargaining chip. Ethiopia's state minister for foreign affairs recently said that basic services won't be restored until the two parties begin peace talks, whereas Tigrayan authorities want services restored before talks can begin. With the resumption of fighting, it's even more essential for the world to make clear that negotiations and access to aid must be decoupled.

So, what's to be done?

The U.N. Security Council, starting with the A3, and the African Union need to act now. They should publicly call on Ethiopia to completely lift its chokehold on desperately needed humanitarian aid and its shutdown of basic services. They should insist that the warring parties, including Tigray's forces, abide by international law and facilitate assistance to those in need without any preconditions or delay. The Security Council should hold a public debate to address conflict-induced hunger and place Ethiopia on the council's regular agenda.

It is crucial that such governmental practices are not normalized. Those responsible for blocking food, fuel, and medicine, as well as using basic services as a bargaining chip, should be held accountable. Those using starvation of civilians as a method of warfare by impeding relief supplies or depriving civilians of what they need for their survival can be prosecuted for war crimes. For this to happen, continuing the work of the United Nations International Commission on Human Rights in Ethiopia, which is up for renewal by the U.N. Human Rights Council in Geneva in September, will also be critical.

African and U.N. engagement over Russia's Black Sea blockade has demonstrated what public pressure combined with diplomacy can deliver on humanitarian aid. Ships departing from Ukraine's ports laden with grain is the best kind of dividend of that approach. But we've also seen the opposite: a largely forgotten crisis in Ethiopia where the weaponized starvation of an entire region hasn't generated anywhere near the same attention. Unless the international community rallies to ensure everyone in Tigray has full access to humanitarian assistance, grain shipments finally arriving in Ethiopia may not get to one of the populations in greatest need. If that's the ultimate result, the grain deal will be a hollow victory.

How Targeting LGBTQ+ Rights Are Part of the Authoritarian Playbook (Human Rights Watch) By Mauricio Albarracín-Caballero
September 6, 2022

In the last three decades, protections for LGBT people's rights have advanced rapidly in many countries and regions. However, rising populist authoritarianism poses a significant threat to this progress because abolishing sexual freedom is often at the heart of repressive political projects. The progress and backsliding in my home country, Colombia, illustrates the process of using democracy to erode rights.

In 2016, Colombia seemed like a legislative paradise for LGBT people. That year, a pinnacle of legislative success was a Constitutional Court ruling that secured a range of family rights for same-sex couples, including marriage and adoption, and protection of LGBT students in schools. But toward the end of the year, there was another exceptional event. In an effort to end a brutal, decades-long armed conflict, the Andean country held a plebiscite on a peace agreement between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) guerrillas. Unexpectedly, a small majority of 50.2 percent rejected the agreement after a bitter and polarizing campaign.

A key issue that mobilized the “no” electorate was the moral panic generated by the inclusion of gender, women rights, and LGBT-related provisions in the peace agreement, including a definition of gender and the explicit recognition of these populations as victims of the armed conflict. Extremist groups decried these provisions as imposing a “gender ideology,” tapping into a recent controversy about gender and sexuality education in schools.

Following the suicide of a queer student who had experienced severe bullying and discrimination in school, the Constitutional Court directed the government to carry out an existing law detailing measures to protect LGBT students from discrimination and to recognize diversity in sexual orientation and gender identity as a principle of comprehensive sexuality education. Conservative groups attacked this decision as imposing “gender ideology” on children, and social media became a battleground where the fate of Colombia’s peace was intertwined with the fate of LGBT people.

Many Colombians followed the conservative groups’ reasoning and conflated the peace agreement and the Court’s decision, believing the peace deal itself advanced “gender ideology” through gender and LGBT inclusive provisions. Again, social media—this time coupled with ballots—was the site of this mobilization. Political actors disseminated outrageous falsehoods regarding the peace agreement on social media networks, including WhatsApp, Facebook, and Twitter, all of which impacted the public perception of the plebiscite. Notably, several fueled the idea that if the peace agreement were approved, “gender ideology” would be included in the Constitution and society would be “homosexualized.”

This juxtaposition between success in court and the mobilization of anti-LGBT sentiment on the streets left me questioning the efficacy of using law reform as a primary strategy to advance LGBT rights. Six years after the rejection of the peace agreement referendum, I can see that what happened in Colombia was not an isolated incident; instead, it has now formed an integral part of a new authoritarian playbook that manipulates democratic institutions to undermine the rights of women and LGBT people.

Anti-LGBT movements develop national, regional, and global strategies that rely on political authoritarianism, the spread of misinformation, and grassroots mobilization. A notable rhetorical feature of the anti-gender movement is its use of human rights language to undermine LGBT rights, for example, by using religious freedom or parental rights as a basis for attacking minority rights. This political homophobia approach is the major threat to LGBT rights worldwide.

In many parts of the world, as never before, the legal recognition of the rights of LGBT people is gaining ground, and the long arc of history shows rapid progress, primarily triggered by democratic institutions such as elected officials or independent judges. One benchmark is the gradual decriminalization of same-sex conduct, another is the extension of marriage equality. However, this legal evolution coexists with threats such as those witnessed in Colombia. Well-organized groups mobilize around abstract and unfounded fears, articulating their conservative agendas in the frame of “gender ideology” that would somehow undermine the family and corrupt children, exploiting polarized elections, constitutional changes, or institutional crises.

Moreover, these actors are often aligned with authoritarian political projects that use social media to spread misinformation and smear campaigns. They instrumentalize anxieties around children and their welfare to garner popular support, invoking inveterate, dangerous stereotypes of LGBT people as immoral corrupters of children. In some contexts, these actions usher in anti-LGBT legislation and, at the same time, bolster the political fortunes of authoritarian leaders.

This new form of anti-LGBT sentiment is codified in legislation that focuses on censoring public expressions of identity, including speech on sexual orientation and gender identity, justified under the pretext of “protecting children.” The Russian “gay propaganda” law is a classic example of political homophobia that curbs the rights of LGBT youth and has a broader, stifling effect on the public expression of identity.

In recent years, Hungary has enacted laws banning discussions on LGBT issues, ended legal gender recognition for transgender and intersex people, and amended the constitution to define marriage as a heterosexual union and to functionally prohibit same-sex adoption. Seeking to justify its homophobic rhetoric the government held a homophobic referendum coinciding with national election day in April.

It was declared void because civil society encouraged the citizens to cast invalid votes after this action of the organizations; the National Election Committee fined some organizations for opposing the referendum.

Poland, and more recently Romania, have taken steps to adopt comparable legislation. A bill before the Ghanaian parliament that forbids any form of support or speech regarding LGBT rights similarly discriminates against LGBT people.

In the Americas, lawmakers have increasingly proposed anti-LGBT legislation, such as in the United States where in the last five years there has been a spate of laws primarily targeting trans and non-binary youth in states including Texas, Oklahoma, and South Dakota. And in Brazil, Human Rights Watch analyzed 217 bills and laws that restrict comprehensive sexuality education, including information on sexual orientation and gender identity, or ban alleged “indoctrination.” In Guatemala and

Perú lawmakers have proposed bills with similar terms, though in Guatemala the bill was withdrawn.

We should view the struggle for LGBT rights as part of a broader struggle against authoritarianism: a political regime founded on the erosion of human rights and freedoms, particularly of the most vulnerable groups. We should invest more in understanding the tactics that pro-authoritarian groups use, especially on social media. We should also develop recommendations and strategies to end the harmful misuse of social media and hold tech companies accountable for allowing the spread and amplification of damaging, bigoted messages.

Finally, any legal actions and progress should continue building on the grassroots mobilization of LGBT people and our allies. As is, law without social mobilization is vulnerable to authoritarian backlash.

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Aiding and Abetting

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WORTH READING

Complementing the International Criminal Court's Inadequate Prosecution of Terrorism through Hybrid Courts: The Case of Foreign Terrorist Fighters

Zheng Zhang

August 30, 2022

Since September 11, 2001, terrorism has become one of the main focuses of society today, and in 2014, ISIS has once again focused the world's attention on terrorism. Through the Foreign Terrorist Fighters (FTF), ISIS has turned the perpetrators of terrorist attacks against a nation into its citizens. Under the international law system, individuals can only be prosecuted through the International Criminal Court, but the scope of jurisdiction is limited to war crimes, crimes against humanity, genocide, and aggression. Therefore, this paper will define the four crimes against FTF and explore the trial of terrorism by the Special Tribunal of Lebanon in an attempt to identify potential solutions to the gaps in the original international law regarding the prosecution of terrorism. This paper will attempt to identify potential solutions to the void in international law regarding the prosecution of terrorism.

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