



SCHOOL OF LAW
CASE WESTERN RESERVE
UNIVERSITY

War Crimes Prosecution
Watch

Volume 18 - Issue 19
December 28, 2022

PILPG

A Global Pro Bono Law Firm

25 YEARS

Editor-in-Chief
Matthew Koutsky

Technical Editor-in-Chief
Alexa Stovsky

Managing Editors
Spencer Luckwitz
Harper Fox

FREDERICK K. COX
INTERNATIONAL LAW CENTER

Founder/Advisor
Michael P. Scharf

Faculty Advisor
Jim Johnson

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.

Opinions expressed in the articles herein represent the views of their authors and are not necessarily those of the War Crimes Prosecution Watch staff, the Case Western Reserve University School of Law or Public International Law & Policy Group.

Contents

AFRICA

NORTH AFRICA

Libya

- **Remarks by Ambassador Robert Wood at a UN Security Council Briefing on Libya (United States Mission to the United Nations)**

CENTRAL AFRICA

Central African Republic

- **The Prosecutor of the International Criminal Court, Karim A.A. Khan KC, announces conclusion of the investigation phase in the Situation in the Central African Republic (International Criminal Court)**
- **Congress just passed a big change to war crimes law. Here's what it means for Ukraine and beyond (Atlantic Council)**

Sudan & South Sudan

- **Sudan's Bashir admits role in 1989 coup during trial (Reuters)**

Democratic Republic of the Congo

- Congolese warlord 'Terminator' Ntaganda transferred to serve sentence in Belgium (North Africa Post)

WEST AFRICA

Côte d'Ivoire (Ivory Coast)

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

- Nigeria terror attacks kill 46, despite hopes for 'peaceful Christmas' (The Pillar)

Mali

- Mali's northern armed groups pull out of Algiers peace talks (Reuters)
- 2 peacekeepers killed, 4 wounded in attack in Mali, UN says (ABC News)

Liberia

- It is high time for Liberia to conduct its own war crimes trials (Al Jazeera)

EAST AFRICA

Uganda

- Ongwen's lawyers protest over jail term (The Monitor)

Kenya

- The British army's deadly legacy in Kenya: Declassified UK (Al Mayadeen)

Rwanda

- Kabuga Expected Interahamwe To Recapture Kigali And Reimburse Him (KT Press)
- Genocide survivors want UN to probe Tutsi massacres in DR Congo (The New Times)
- U.K. top court upholds a controversial plan to send migrants to Rwanda (NPR)
- Rwanda: Kabuga Provided Training Field for Interahamwe Militia, Says Witness (All Africa)
- Rwanda Accuses DR Congo Of 'Fabricating' M23 Massacre (Barron's)
- UN experts: 'Substantial evidence' of Rwanda forces in Congo (AP News)

Somalia

Ethiopia

- WHO chief says uncle was murdered by Eritrean troops in Tigray (RFI)
- US Citizens trapped in Tigray, detained in Addis Ababa (The Sun Daily)
- Ethiopia Obtains Phone-hacking Tech from Israeli Firm Cellebrite (Haaretz)
- In Ethiopia's Tigray, A Horrific Military Cooperation: Weaponized Rape (Solace Base)
- Looting, rape stalk Ethiopia's Tigray despite peace deal (Yahoo!)
- Ethiopia's warring parties agree to ceasefire monitor (France 24)
- Ethiopian universities have infringed on human rights during the Tigray war (Ethiopia Insight)

EUROPE

Court of Bosnia & Herzegovina, War Crimes Chamber

International Criminal Tribunal for the Former Yugoslavia

- **How the Hague Tribunal Failed Wartime Rape Survivors (Balkan Insight)**

Domestic Prosecutions In The Former Yugoslavia

Turkey

- **Turkey: Free Rights Defender (Human Rights Watch)**
- **SDF reveals annual outcome of crimes and attacks by Turkey and ISIS and its operations against mercenaries (Hawar News)**

Kosovo Specialist Chambers

Azerbaijan

Russia

MIDDLE-EAST

Iraq

Syria

Yemen

Special Tribunal for Lebanon

Israel & Palestine

Gulf Region

- **Qatar: FIFA World Cup Ending Without Migrant Remedy Fund (Human Rights Watch)**
- **Thousands of Civilians Killed or Injured in Saudi Raids on Yemen's Sa'ada in 2022: Report (Tasnim News Agency)**

ASIA

Afghanistan

- **UK launches independent probe into Afghan war crimes claims (The Peninsula Qatar)**
- **Disagreement Between the ICC Pre-Trial Chamber II and the Office of the Prosecutor Regarding the Afghanistan Situation (Lawfare)**
- **Afghanistan's Taliban orders NGOs to ban female employees from coming to work in latest crackdown on women's freedoms (ABC)**

Extraordinary Chambers in the Courts of Cambodia

Bangladesh International Crimes Tribunal

- **Bangladesh Government Arrests Jamaat-e-Islami Chief for Extremist Links (The Diplomat)**

War Crimes Investigations in Myanmar

- **U.N. Security Council Announces First Resolution on Myanmar in 74 Years (Organization for World Peace)**

AMERICAS

North & Central America

South America

Venezuela

TOPICS

Truth and Reconciliation Commission

Terrorism

Piracy

Gender-Based Violence

- **Drought Crisis in Somaliland Worsens Gender Based Violence for IDPs (Voice of America)**

Commentary and Perspectives

- **Brazil: President Lula Should Pursue a Rights Agenda (Human Rights Watch)**
- **South Africa Should Bring Home Grandmother and Other Nationals from Northeast Syria (Human Rights Watch)**

Aiding and Abetting

- **As the West backs Nigeria's war on insurgents, it backs off on human rights (Reuters)**

WORTH READING

AFRICA

NORTH AFRICA

Libya

Remarks by Ambassador Robert Wood at a UN Security Council Briefing on Libya (United States Mission to the United Nations) December 16, 2022

Ambassador Robert Wood Alternative Representative for Special Political Affairs New York, New York December 16, 2022

AS DELIVERED

Thank you, Madam President. Thank you, Special Representative Bathily, for your update on the current situation in Libya. We have been impressed with your perseverance so far in convening Libya's leaders. We will continue to support your efforts.

In the seven years since the signing of the Libya Political Agreement, the Libyan people have witnessed conflict, government mismanagement, rampant corruption, and human rights abuses, instead of democracy and prosperity that they deserve.

Libya's political transition remains stuck in the year since the failure of Libya's leaders to hold presidential elections. We support the Special Representative's effort to help Libyan leaders work to solve Libyan problems in Libya and to encourage them to engage the Libyan people to explain why they deserve their votes in free and fair elections.

In that year, we have seen continued manipulation of Libya's oil resources and the diversion of revenues to fund militias in both east and west, instead of being used to benefit the Libyan people through building infrastructure, promoting a diversified economy, or improving services like healthcare and education.

Leaders of sovereign institutions have been threatened and technocrats have been sidelined in favor of a rotating cast of cronies. Phony legal justifications have been used to attempt to close state institutions to subvert their authority.

Where does this leave Libya? Powerful Libyans have undermined the roadmap to elections, seeking only to protect their spheres of influence, presiding over turf battles among militias, criminal enterprises, and foreign fighters, the horrific treatment of migrants, and the declining living standards of the Libyan people.

The Libyan people have long made it clear they want better for themselves and their country. They have demanded elections.

We reiterate that it is imperative for Libyan stakeholders to engage in good faith in discussions, facilitated by SRSG Bathily and UNSMIL, toward the establishment of a constitutional framework for presidential and parliamentary elections and a timeline for a vote.

We have seen that meaningful progress is possible – the meetings in September between representatives of the House of Representatives and the High State Council yielded considerable agreement on a draft framework for elections. We know the remaining items are not about substantive constitutional issues but are instead about shaping the framework to accommodate the circumstances of specific individuals. It is time to set aside the ambition that has frozen Libya for years and finalize the framework.

The finalization of a revenue management and transparency mechanism should help blunt personal ambition by reducing opportunities for personal enrichment and access to funds to maintain personal security arrangements. It is hard to imagine a credible and reasonable objection to joint decision making and transparent record keeping around the allocation of Libya's vast oil wealth. We appreciate SRSG Bathily's efforts to prioritize the establishment of a transparency mechanism.

The work of the 5+5 Joint Military Commission has largely been positive. It is imperative this group continues its collaboration on the implementation of the ceasefire agreement. We welcome the deliberate consideration of initiatives and pilot projects to unite the armed forces and look forward to detailed information about such ideas.

Once again, we thank you, Special Representative Bathily, for your efforts to generate an agreement on the holding of free and fair presidential and parliamentary elections. The United States supports that work and urges Libyan leaders to engage constructively in order to deliver elections that are desperately needed to restore the credibility of the Libyan government and the faith of the Libyan people.

Special Representative Bathily, you have a challenging mission before you. But know that you will continue to have the steadfast support of the United States as you help to move the Libyan people towards elections, better governance, and ultimately, security and prosperity.

Thank you, Madam President.

[\[back to contents\]](#)

CENTRAL AFRICA

Central African Republic

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

The Prosecutor of the International Criminal Court, Karim A.A. Khan KC, announces conclusion of the investigation phase in the Situation in the Central African Republic (International Criminal Court)

December 16, 2022

On 22 May 2007, my Office opened an investigation in relation to alleged crimes against humanity and war crimes within the jurisdiction of the International Criminal Court (ICC) in the context of the armed conflict in the Central African Republic (CAR) between 1 July 2002 and 2003. Following a referral by the Government of the Central African Republic, dated 30 May 2014, my Office opened a second investigation in the CAR on 24 September 2014, in relation to alleged crimes against humanity and war crimes within the jurisdiction of the Court committed since 1 August 2012 by the armed groups known as the Séléka and the Anti-Balaka.

Since the opening of these investigations, my Office has examined evidence related to alleged crimes committed by all parties to the armed conflict. It carried out its work in an independent, impartial and objective manner, in partnership with survivors, civil society, and with fruitful cooperation of relevant national authorities.

We have seen tangible steps towards justice taken as a result of this work. The cases against Mr Alfred Yekatom, Mr Patrice-Edouard Ngaïssona, and Mr Mahamat Said Abdel Kani are currently at trial. Mr Yekatom and Mr Ngaïssona are charged with 21 and 31 counts of war crimes and crimes against humanity, respectively. These include intentional attacks against the civilian population and buildings dedicated to religion, murder, rape, displacement of civilians, forcible transfer, severe deprivation of physical liberty, torture, cruel treatment, mutilation, persecution, and the recruitment of child soldiers. Mr Said is charged with seven counts of crimes against humanity and war crimes, including torture, imprisonment, and persecution for crimes allegedly committed between April and late August 2013 in Bangui.

In a further case under this investigation, confirmation of charges proceedings are scheduled against Mr Maxime Mokom following his March 2022 transfer to the Court. An arrest warrant for Mr Nouradine Adam Mahamat issued by Pre-Trial Chamber II on 7 January 2019 (which was unsealed on 28 July 2022) remains outstanding.

Today I can confirm that, beyond the cases pending before the ICC, my Office will not pursue new lines of inquiry into the alleged criminal responsibility of other persons or for other conduct within the Situation in the Central African Republic. Accordingly, absent a significant change in circumstances, the investigation phase in the situation in the CAR has been concluded. I have informed the authorities of the Central African Republic of this decision.

Twenty years since the establishment of the ICC, today marks the first time my Office has decided to conclude the investigation phase of its work in relation to a situation addressed by the Court. Taking such decisions are an essential part of articulating and implementing an effective prosecutorial strategy.

Given the scale of criminality addressed by the ICC, it is critical that I exercise the discretion afforded to me under the Rome Statute to effectively manage the discharge of my mandate as Prosecutor. I have been clear since taking up my position last June: I am not willing to continue to overpromise and underdeliver for survivors and the families of victims. To achieve meaningful results, we must be robust in our analysis of how resources can be most effectively deployed to deliver the greatest impact for those affected by crimes falling within our jurisdiction globally.

The need for situational planning and the adoption of accompanying completion strategies also reflects a growing, legitimate expectation that the Court will find ways and means to meaningfully sustain its work across multiple Situations within finite means. This imperative was also reflected in the recent Independent Expert Review process, commissioned by the Assembly of States Parties.

The decision I take with respect to Situation completion is also not unique to our work in the Central African Republic and will be accompanied by decisions across different Situations currently under investigation, including today with respect to Georgia, in relation to which I am also announcing the conclusion of the investigative phase of our work.

Our work in the Situation in the Central African Republic is, however, far from over. My Office will now concentrate its efforts on ensuring the successful prosecution of those subject to arrest warrants and significantly deepening its cooperation with the Special Criminal Court for the CAR.

Concerted efforts from my Office and its partners will continue to be required to track and arrest suspects who remain at large and to prosecute the existing caseload, which must be carried through trial to final appeal and, in the event of conviction, to reparations stages. Chambers of the Court will continue to be seized of these cases, and the Registry of the Court will continue to execute its multi-dimensional mandate.

Above all, I am clear that this next phase of engagement between my Office and the Situation in the Central African Republic will represent an example of how dynamic complementarity can work in practice. In recent months, my Office has worked intensively to identify information that may be relevant for proceedings before the Special Criminal Court with a view to transferring evidence as soon as possible. My Office is in the process of handing over material and information to support the cases and proceedings of the Special Criminal Court, and is committed to contributing to the strengthening of capacity through exchanges of expertise and good practices, including in relation to witness protection.

The work of the Special Criminal Court has been a highlight of the movement of international criminal justice in the last year. I was delighted that ICC Deputy Prosecutor Mame Mandiaye Niang was able to address the opening ceremony of the first trial before the Special Criminal Court in May this year, underlining the commitment of my Office to actively support the Special Court's work.

I welcome this dynamic cooperation with the Special Criminal Court and the issuance of its first verdict on 31 October 2022 against three individuals accused of crimes against humanity and war crimes. The world is witnessing the complementarity as envisioned in the Rome Statute being made effective in the Central African Republic. Proceedings before the International Criminal Court and the Special Criminal Court are unfolding simultaneously in relation to war crimes and crimes against humanity committed in the CAR, leading to the closure of the impunity gap. This is a tangible example of synergies between two jurisdictions sharing one common mission: bringing justice to victims of the worst crimes committed in the Central African Republic.

In the discussions held between my Office and Central African Republic authorities we have addressed a common vision through which the focus of action for accountability will now move to the domestic level, with the committed and meaningful support of my Office.

Our engagement with civil society in the Central African Republic will also continue. To this end, my Office will be engaging with civil society organisations and other stakeholders to outline in further detail the implications of the decision to conclude the investigation phase in this Situation, our ongoing work with respect to the Situation, and our determination to bring the pending cases to trial. We have already held a meeting with civil society actors today to begin this dialogue.

Complementarity and cooperation can only be effective if the ICC and States Parties work together to shoulder the weighty responsibilities envisaged by the Rome Statute and demanded by victims. My Office stands ready to continue its work with and alongside the authorities of the Central African Republic, survivors, the families of victims, and civil society in the task that lies ahead.

Congress just passed a big change to war crimes law. Here's what it means for Ukraine and beyond (Atlantic Council) By Gissou Nia

December 23, 2022

This week, as Ukrainian President Volodymyr Zelenskyy made the rounds in

Washington, Congress unanimously pushed through a critical piece of legislation designed to hold Russia accountable for its actions in Ukraine. Thursday's US House passage of the Justice for Victims of War Crimes Act sends the bill to President Joe Biden's desk. To learn more about the impact of the bill, we turned to Gissou Nia, a human-rights lawyer who leads the Atlantic Council's Strategic Litigation Program—and who has been working behind the scenes to push the legislation through.

1. What has Congress just changed? Congress has taken an important step to ensure accountability for war crimes. Under previous laws, authorities in the United States could only prosecute war crimes if the alleged perpetrator or victim were a US national. That meant that if a Russian soldier who committed war crimes against Ukrainian nationals came to the United States, they would be able to escape criminal prosecution for their crimes abroad. This week's legal changes close that loophole. Now, US prosecutors can bring a prosecution for war crimes whenever the alleged perpetrator is on US soil, irrespective of where the crimes were committed or the nationality of the victims or alleged perpetrators.
2. Why did US lawmakers do this now? Human-rights advocates have long been advocating for this legislative change, to ensure that US courts are equipped to support accountability for atrocity crimes committed globally. Government officials in the Department of Defense, State Department, and other government agencies have also long supported this change, as it brings US legislation in line with its obligations under the four Geneva Conventions. Russia's full-scale invasion of Ukraine earlier this year brought renewed urgency to patching this legal gap, as more attention was paid to how the United States can support justice for Ukraine and ensure accountability for Russia's unlawful actions. My team at the Strategic Litigation Project quickly started taking meetings on Capitol Hill to urge this change, and we were pleased to see Senators Dick Durbin (D-IL), Chuck Grassley (R-IA), Lindsey Graham (R-SC), and Patrick Leahy (D-VT), along with Representatives David Cicilline (D-RI) and Victoria Spartz (R-IN) introduce the bipartisan, bicameral legislation in May. This week's passage—coinciding with Zelenskyy's visit—is a clear demonstration of US support for Ukraine.
3. How is this different from International Criminal Court (ICC) prosecution for war crimes? Although the ICC has jurisdiction over war crimes committed in Ukraine, it is still important to ensure that the United States and other nations can prosecute war crimes committed in Ukraine. The ICC has a limited mandate to prosecute the most serious crimes and high-level perpetrators, and only where national courts are not best suited to prosecute themselves. The potential cases that the United States could prosecute are more likely to be lower-level perpetrators who would not be on the ICC's radar. These are perpetrators who would likely be coming to the United States to try to escape accountability for their actions abroad, evade scrutiny, and live a comfortable life. Closing this loophole will help prevent this from happening by ensuring that the United States will not be a safe haven for perpetrators of war crimes.
4. What might this mean for holding Russia accountable for its actions in Ukraine? While this broadening of jurisdiction is important to ensure accountability, realistically it will not result in a substantial number of war crimes prosecutions for Russian actions in Ukraine. Prosecution could only happen if the alleged war criminal is physically present in the United States and if US prosecutors have sufficient evidence to support an indictment and proceed to trial. In addition, the legislation requires the attorney general's office to approve that the prosecution is in the public interest and necessary to secure substantial justice. While the war crimes cases would be limited, this legislation can ensure that Russian war criminals who may end up in the United States in the future—on vacation or moving here to start a new life—cannot escape responsibility for their past crimes.
5. What might this mean beyond Russia? The Justice for Victims of War Crimes Act applies worldwide and is not specific to Ukrainian victims of Russian crimes. The broadened jurisdiction will help ensure that any alleged perpetrator who arrives in the United States won't escape accountability. The closure of this loophole will help ensure justice for victims of war crimes from the Central African Republic to Ethiopia to Syria and beyond.

[\[back to contents\]](#)

Sudan & South Sudan

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

Sudan's Bashir admits role in 1989 coup during trial (Reuters) By Khalid Abdelaziz and Aidan Lewis

December 20, 2022

Former Sudanese leader Omar al-Bashir said on Tuesday that he took full responsibility for the events in 1989 that brought him to power, speaking at a trial in which he stands charged with leading a military coup.

Bashir has been jailed since army officers deposed him during an uprising in April 2019, ending his three-decade rule. His legal team has dismissed the trial over the June 30, 1989 coup as purely political.

"I assume all responsibility for what took place on June 30," Bashir, dressed in white robes and appearing in good health, told a court in Khartoum. "I've been following the prosecution's attempts to confirm this charge by presenting videos and witnesses, and I listen and enjoy it," he said before pausing to smile.

Bashir also said that civilians who took official positions after he and other officers toppled the government in 1989 were brought in to help Sudan through a difficult period, but had not planned or carried out the coup. "Our concern was not power but rather we needed capabilities and we opened dialogue with all the political forces," he said, according to comments reported by state news agency SUNA.

The trial began in 2020 and is expected to continue at least for several more months. Some defendants who were senior officials under Bashir have denied responsibility.

If convicted, Bashir could face a death sentence.

Bashir was convicted in another trial in December 2019 on illicit finance charges, and sentenced to two years in prison. He also faces prosecution over the killing of protesters.

He is wanted separately by the International Criminal Court over alleged war crimes, crimes against humanity, and genocide in Sudan's Darfur region.

Military leaders staged Sudan's latest coup in October 2021, ending a power-sharing arrangement agreed after Bashir's overthrow. This month the military signed an outline agreement with political parties to launch a new transition.

[\[back to contents\]](#)

Democratic Republic of the Congo

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

Congolese warlord 'Terminator' Ntaganda transferred to serve sentence in Belgium (North Africa Post)

December 16, 2022

Convicted Congolese warlord Bosco Ntaganda, dubbed the "Terminator," has been transferred from the Hague-based International Criminal Court (ICC) to Belgium to start a 30-year sentence for war crimes.

The 49-year-old Ntaganda was convicted by the ICC in 2019 of leading a reign of terror in northeastern Democratic Republic of the Congo (DRC) in the early 2000s. "Mr Bosco Ntaganda was transferred to ... the Kingdom of Belgium to serve his sentence of imprisonment at the Leuze-en-Hainaut prison," the ICC said in a statement. The DRC is a former Belgian colony. Bosco Ntaganda, born in neighboring Rwanda — also a former Belgian colony — was convicted of five counts of crimes against humanity and 13 counts of war crimes, including murder, sexual slavery, rape and the use of child soldiers.

Ntaganda was the first person to be convicted of sexual slavery by the court and this was also the longest sentence ever handed down by the court. Many of the other charges related to massacres of villagers in the mineral-rich Ituri region of Congo. Prosecutors portrayed him as the ruthless leader of ethnic Tutsi revolts amid the civil wars that racked Congo after the 1994 genocide of Tutsis in neighboring Rwanda. Formerly a Congolese army general, Ntaganda became a founding member of the M23 rebel group, which was eventually defeated by Congolese government forces in 2013. Later that year, he became the first-

ever suspect to surrender to the ICC, when he walked into the US Embassy in the Rwandan capital of Kigali.

[\[back to contents\]](#)

WEST AFRICA

Côte d'Ivoire (Ivory Coast)

**Official Website of the International Criminal Court
ICC Public Documents - Situation in the Republic of Côte d'Ivoire**

[\[back to contents\]](#)

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

Nigeria terror attacks kill 46, despite hopes for 'peaceful Christmas' (The Pillar) By Justine John Dyikuk
December 20, 2022

At least 46 villagers were killed last week in northern Nigeria, in two separate attacks believed to have been perpetrated by a group of Fulani herdsmen.

At least 46 villagers were killed last week in northern Nigeria, in two separate attacks believed to have been perpetrated by a group of Fulani herdsmen.

A local diocesan official told The Pillar that priests are providing spiritual care, as local Christians prepare for Christmas after a devastating and unexpected attack.

The attacks took place over three days, and across four villages in Kaduna, a state in the northern region of Nigeria.

Attackers reportedly lit fire to houses in two villages late in the evening of Dec. 11; humanitarian agencies report that some victims were burnt alive as they slept. The violence continued in attacks on two other villages in the days following.

“The killings ... started around 11pm Sunday night simultaneously [and] lasted for long, poor innocent citizens were killed,” the Southern Kaduna Peoples’ Union, a local humanitarian agency, said in a Dec. 19 statement.

The carnage left no “less than 100 houses razed, with some victims burnt alive,” the aid group said.

According to the release, “volunteers are still combing surrounding bushes in search of missing persons and more corpses.”

The group blamed local security officials for failing to respond when villagers reported the prospect of danger.

“The villagers had noticed the gathering of strange herdsmen coming from different directions on motor bikes to set camp in nearby bush some days back...the security forces deployed there did nothing under this glaring potential threat to security,” the Dec. 19 statement said.

While Kaduna state is near the epicenter of terrorist violence in Nigeria, the attacks last week came as a surprise to locals – including Church leaders.

Fr. Emmanuel Kazah Faweh, vicar general of the Kafanchan diocese told The Pillar Monday that there had been a lull in terrorist violence in the region in recent months, adding that “the diocese had expected that there would be a peaceful Christmas season.”

Because “most attacks happen during the rainy season,” – between April and October – “we did not expect that this would happen. In any case, that this is coming at a time of harvest, it presents greater challenges.”

The violence will have economic impact on local farmers, in an economically important agricultural region of Nigeria.

Because of the danger of more attacks, and the damage to equipment, “our people can no longer go to harvest their crops,” Faweh explained.

“These staple foods are a huge source of revenue for the people. As it is, they are riddled with challenges because they cannot take care of their needs,” the priest added.

Faweh told The Pillar that his diocese is aiming to help families devastated by terrorist in Nigeria, while preparing for Christmas, which will be celebrated on Sunday.

“Just last week, the diocese, through the Justice Development and Peace Commission, organized a Christmas carol and lessons for Internally Displaced Persons. After the event, relieve materials such as bags of rice and cartons of maggi cubes were distributed to the victims.”

“Before that, Kafanchan Diocese partnered with a Church charity, Aid to the Church in Need and provided credit cards to [internally displaced Nigerians] to enable them access aid directly without a third party being involved.”

The priest explained that the Church has also provided moral and spiritual support to the victims, noting that the local dean, Fr. Michael Magaji “visited the communities and commiserated with the people,” as soon as heard about the killings.

Diocesan officials also “paid a visit to affected communities to ascertain the level of destruction and generate data about lives that were lost and persons missing,” Faweh said, pointing to the role the Church plays in documenting violence in the region.

Faweh said that Bishop Yakubu Kundi is also scheduled to soon visit villages razed by terrorist violence.

The priest lamented that “the security architecture of the country seems overstretched,” and that local security officials did not prevent the December terrorist attacks.

“Security agents do not act on time; they appear after evil has been carried out by men of the underworld,” he said.

Faweh also spoke to the motivation for violence in the region. “It is believed that the perpetrators are Fulani but one cannot explicitly say the attacks are religiously motivated,” he explained.

“There are many ungoverned spaces which the terrorists take advantage of using guerrilla tactics” he pointed out.

But local survivors have said their villages had not previously clashed with Fulani herders, suggesting to them that the attacks were religiously motivated.

Local officials noted that spent ammunition suggested that herders had access to high-powered weapons, and might have obtained military arms from rogue suppliers.

For its part, the Southern Kaduna Peoples’ Union said the violence was the latest in a litany of terrorist attacks on Christians in the farming region.

They noted that “this dastardly act is coming five days after armed herdsman herded their cattle into a farm owned by Cletus Dunia, 45, in Kpak village ...and shot him dead at close range before mutilating his corpse and fleeing with their cows.”

“The rampaging herdsman also shot and killed Levi Zakaria, 19 as he was harvesting yams on a farm that was by the fleeing path of the killer herdsman. [The] same day, the same herdsman killed Ezra Sunday 16, about 2 kilometers from where Zakaria was killed.”

“Herdsman also caused the death of Gaje Habila, 31 when he fell and died of exhaustion while escaping the killer-herdsman, leaving behind a widow and a six-month-old baby - his only child,” the group said.

And “between last Tuesday and Wednesday, armed men described as herdsman, invaded some homes in Kamuru ... in Southern Kaduna, and killed 4 persons” for a total of “46 persons [who] were killed in unprovoked attacks in Southern Kaduna in the past five days,” the group claimed.

Four other Nigerians were reportedly lynched by suspected Fulani herdsman in Kamuru in attacks on Dec. 12 and Dec. 13.

The four people who lost their lives were identified as William Stephen (28), Francis Ishaku (18), Neyu Micah (27), and Yohanna Augustine (27), while others survived with various degree of injuries.

In northern Nigeria, Church leaders have often complained that government officials are reluctant to arrest suspected terrorists, even when they can be identified, in part because they fear reprisals from terrorist groups.

But local advocates urged government officials this week to arrest the perpetrators of violence in Kaduna.

“Let it be put on record that in the hundreds of attacks that has put many parts of Southern Kaduna into ruins and thousands killed since 2014, we have not seen anyone arrested and brought to book over these heinous crimes against humanity” the Southern Kaduna Peoples’ Union said Dec. 19.

The group said that traditional tribal leaders, clergy and human rights’ activists in the state are more likely to be arrested in Kaduna than are terrorists, often over “trumped up charges,” or allegations of inciting government opposition.

“Governor Nasir el-Rufai has not shown any empathy with the victims by giving them the most little assistance that a responsible government owes its distressed citizens,” the group said.

“Today, thousands of residents of these two sacked communities and surrounding villages are leaving their homes in drove as IDPs in any area they may find some measure of safety. Their survival will depend on the good will of kind-hearted persons and groups, certainly not his government.” “The killings and kidnapping continues,” the group added.

The group’s statement expressed worry that terrorist attacks are related to country’s 2023 presidential election.

“We believe that the aim is to further destabilize Southern Kaduna and give excuse to the Federal Government to stop election in the area,” the Dec. 19 statement said.

“Thousands have been chased out from their ancestral homes as a result of similar violence unleashed on them, especially between 2019 and this year,” the aid organization emphasized.

In the last 20 years, Kaduna State has been the locus of segregation along ethnic and religious lines, along with long-standing tensions from previous regional conflicts.

Since 1980, an estimated 20,000 have died amid violence across the Kaduna state.

Commentators and analysts suggest that herder-farmer clashes have precipitated in the area because of grazing disputes, cattle rustling, land use and access disputes, electoral violence and criminal gangs who abuse drugs.

Kaduna is divided between a mostly Christian farming population in the south, and the mostly Muslim Hausa-Fulani herding groups in the north. Analysts generally regard the state’s Hausa-Fulani population as more influential on local politics and policy, even while the Christian population grows.

Divided by River Kaduna, in the state capital, the northern part of the Kaduna state is referred to as “Mecca” while the south is called “Jerusalem” further highlights the seeming divide across the state.

[\[back to contents\]](#)

Mali

Mali's northern armed groups pull out of Algiers peace talks (Reuters) By Tiemoko Diallo, Arun Koyyur, and Edward McAllister
December 23, 2022

A coalition of armed groups in northern Mali on Thursday pulled out of long-running peace talks based on a 2015 Algiers accord because of what they call a lack of political will on the part of the West African country's military government.

The coalition, called the Permanent Strategic Framework for Peace, Security and Development (CSP-PSD), said in a statement

that it would only come back to the table if talks were held in a neutral country under international mediation.

"CSP-PSD regrets the persistent absence of political will of the transitional authorities to implement (the peace accord)," it said, adding it would "suspend participation" in the talks.

Malian authorities were not immediately available for comment.

The announcement jeopardises the agreement signed in Algiers more than seven years ago between Mali's then civilian government and armed groups to restore peace in the north, after rebels sought to break away from the capital Bamako in 2012.

The rebels were defeated, but Mali has since descended into a cycle of violence in which local affiliates of al Qaeda and Islamic State have taken control of large areas, killing thousands of civilians.

The agreement sought to decentralise Mali, integrate former rebels into the armed forces and bolster the economy of the north.

Progress has been slow. Decentralisation has not happened, and constant violence has stymied attempts at disarmament and ravaged the local economy.

Mali has seen two military coups since August 2020. Former colonial power France, which for a decade helped contain Islamist militants, withdrew thousands of troops this year after Mali joined forces with Russian military contractor Wagner Group.

2 peacekeepers killed, 4 wounded in attack in Mali, UN says (ABC News)

December 16, 2022

The United Nations says two U.N. peacekeepers from Nigeria have been killed and four others wounded in an attack on a peace patrol in the town of Timbuktu in northern Mali.

Two U.N. peacekeepers from Nigeria were killed and four others wounded in an attack Friday on a peace patrol in the town of Timbuktu in northern Mali, the United Nations said.

The U.N. Security Council said a member of Mali's security forces was also killed in the attack.

U.N. spokesman Stephane Dujarric said one of the peacekeepers killed was a woman.

U.N. Secretary-General Antonio Guterres and the Security Council strongly condemned the attack.

The council stressed that involvement in planning, directing, sponsoring or conducting attacks targeting U.N. peacekeepers may constitute war crimes.

Mali has been in turmoil since a 2012 uprising when mutinous soldiers overthrew the president. The power vacuum that resulted ultimately led to a jihadist insurgency and a French-led war that ousted the jihadists from power in 2013.

Insurgents remain active in Mali and extremist groups affiliated with al-Qaida and the Islamic State group have moved from the arid north to more populated central Mali since 2015, stoking animosity and violence between ethnic groups in the region.

Tensions have grown between Mali, its African neighbors and the West since Mali's government allowed Russian mercenaries from the Wagner Group to deploy on its territory.

[\[back to contents\]](#)

Liberia

It is high time for Liberia to conduct its own war crimes trials (Al Jazeera) By Dounard Bondo

December 16, 2022

Last month, a special court in Paris sentenced Liberian rebel commander Kunti Kamara to life in prison for his complicity “in massive and systematic torture and inhumane acts” against civilians in Liberia in 1993-1994. This was the second guilty verdict delivered in Europe for crimes against humanity relating to Liberia’s bloody civil wars. In June 2021, rebel commander Alieu Kosiah was convicted of similar charges in Switzerland. Another alleged fighter, Gibril Massaquoi, was tried in Finland but was eventually acquitted over insufficient evidence earlier this year.

Kamara and Kosiah’s convictions – and even Massaquoi’s prosecution – were small but much-welcome victories in the battle to deliver justice to millions of Liberians still carrying physical and psychological scars from the conflict that claimed more than a quarter of a million lives between 1989 and 2003.

Under normal circumstances, three trials and two convictions in relation to a brutal 12-year conflict that came to an end nearly two decades ago would not be worthy of much notice, let alone celebration. But the circumstances are not normal – these few European convictions and prosecutions are the only concrete steps towards holding Liberia’s war criminals accountable for the unimaginable pain they inflicted on civilians.

Indeed, Liberia itself is yet to try a single person for the many war crimes committed during its civil wars.

Over 10 years ago, in 2009, Liberia’s Truth and Reconciliation Commission issued recommendations that included the establishment of a special court for war crimes. However, despite many promises by governments, such a court never materialised.

Liberia is failing to prosecute its war criminals mainly because many of those criminals have since become powerful politicians. The path to the presidency in the country is through forming alliances with such figures controlling large voting blocks, so no president seems too eager to greenlight a comprehensive prosecution effort.

Prince Johnson, a former warlord facing many credible accusations of crimes against humanity, is now one of Liberia’s longest-serving senators. His influence over the populous Nimba county has made him a necessary ally to every post-war president in the country.

In 2020, Liberia’s senate proposed a Transitional Justice Commission (TJC) to be set up to deliver “restorative not retributive” justice to those affected by crimes committed during the civil war. However, even this restrained attempt went nowhere, leading many Liberians to seek justice outside the country’s borders.

Soon enough, foreign courts – especially those in Europe – came to be seen as the only forum where Liberian war criminals can be held to account.

But this does not mean prosecutions abroad can fully satisfy the Liberian people’s desire for accountability, justice and closure.

There are, in fact, many pitfalls to trying to find justice abroad.

First, Liberians have little access to trials in other countries. Most Liberians cannot travel internationally to follow a trial, and courts often do not bother to broadcast the proceedings online. This means people who can gain the most from these trials remain uninformed and cannot engage with the evidence being unearthed by the prosecution. Many of Liberia’s mainstream media organisations that are either owned or tacitly controlled by local political actors also mostly ignore these trials.

Second, nations around the world have little appetite for “universal jurisdiction” prosecutions like the ones that resulted in the convictions of Kamara and Kosiah. “Universal jurisdiction” is an international law principle that provides for a state’s jurisdiction over crimes against international law even when the crimes did not occur on that state’s territory, and neither the victim nor the perpetrator is a national of that state. Such prosecutions are not only time-consuming and costly, but can result in unwanted altercations between governments in cases where the prosecuted party enjoys state support.

This is why there have been only three such prosecutions relating to crimes committed over the course of Liberia’s conflict to date. The United States, for example, never greenlit any such trial and instead prosecuted Liberian war actors only for immigration fraud – arguing that they have concealed their involvement in the conflict in their visa applications. While these trials can also unearth crimes, they are in no way ideal for accountability.

Last but not least, the vast majority of Liberia’s war criminals and victims still reside in Liberia. This means most victims of war can only get justice if Liberia itself starts prosecuting those being accused of war crimes and crimes against humanity.

In short, it is indeed worthy of celebration that some of those who committed heinous crimes against Liberians during the

country's civil wars are being put behind bars in Europe. These trials are not only giving victims hope, but also helping local justice organisations to continue pushing for more. Nevertheless, this is not nearly enough.

As the 20th anniversary of the conflict's end fast approaches, it is high time for Liberia's leaders to stop putting their political interests above the needs of the people, and start working towards establishing a mechanism that would lead to meaningful war crimes prosecutions at home.

[\[back to contents\]](#)

EAST AFRICA

Uganda

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

Ongwen's lawyers protest over jail term (The Monitor) By Anthony Wesaka
December 19, 2022

Defence lawyers for jailed Dominic Ongwen, a former commander of the Lord Resistance Army (LRA), have protested against the ruling of the Appeals Chambers of the International Criminal Court (ICC) that upheld the 25-year jail term handed to their client for his role in the two-decade insurgency in northern region.

The defence lawyers at the weekend criticised ICC for failing to acknowledge the health status of Ongwen as a central issues in his appeal.

They also accused the global court of not having wholly attributed the insurgency to its rebel leader Joseph Kony.

"The defence of Mr Ongwen is disappointed with the judgment of the Appeal Chamber of the ICC confirming his conviction and sentence of 25 years on December 15. The defence believes that justice does not end with a conviction and sentence," the statement by Ongwen's lawyers reads in part.

"The failure to accord appropriate recognition of the victim and health status of Ongwen is a tacit repudiation of the victim and health status of child soldiers worldwide who may be suffering or experiencing similar violations from which Ongwen and several child soldiers in northern Uganda who did not participate in this case and may still be hoping for justice against Joseph Kony, suffered" they add.

Resilient His lawyers further said Ongwen will continue to fight for his rights and that the court has no final say on his matter.

"As a result, the defence will continue to fight for justice for Mr Ongwen until he regains his freedom and return home to his country to participate in national healing, reconciliation and with the help and support of his community, like his fellow victims and thousands who were granted amnesty, reclaim his lost humanity and his ancestral cultural and religious values," the lawyers state.

On Thursday last week, the Appeal Chambers upheld the earlier decision of the Trial Chamber that had found Ongwen guilty of 61 crimes comprising crimes against humanity and war crimes, committed in northern Uganda between July 1 2002 and December 31, 2005, and sentenced him to 25 years of imprisonment.

The Appeals Chamber rejected the 90 grounds of appeal that Ongwen had raised in which he had claimed he was not criminally liable for the war in northern Uganda. In their statement, Ongwne's lawyers said he is hopeful that the court decision is not determinative of the matter and that God willing, he will have an opportunity to undergo the justice and healing process of his people and will join them to foster the quest for an enduring peace and reconciliation in his community.

[\[back to contents\]](#)

Kenya

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

The British army's deadly legacy in Kenya: Declassified UK (Al Mayadeen) December 27, 2022

A recent report by Declassified UK narrates the story of a teenage boy who stumbled across a strange metal object while playing football in 2015. Lisoka Lesasuyan, 13, had found a mortar fuze.

"It exploded in his hands," his father Lawan said. "After the blast, the British army came and took the debris and gave him first aid."

Lisoka suffered severe injuries that forced him to lose both arms below the elbow. His right eye had been gouged out by shrapnel, and his chest had been burned, according to Declassified.

The British army has one of its oldest firing ranges in Kenya, known as Archers Post, where Kenyans suffer from a severe drought and dire living conditions. "The British soldiers are always training around there," Lisoka's father explains.

More than 50 unexploded ordnances have been found this year alone, Declassified reported.

The British army now attempts to avoid liability for claims being filed by claiming that some of the shells were fired by Kenyan troops, who now use Archers Post as well/

White phosphorus Declassified revealed this year that the area in question is used for firing white phosphorus, an incendiary device similar to a chemical weapon. The MOD claims that this practice is legal because it is not directed at civilians, but their stance is very different when Russia employs it in Ukraine or Syria.

"I've seen white coloured smoke in the sky which affects the people," Rose recalls. "Some go blind, others get breathing difficulties or back problems with their spine. It's from the pollution of the bombs."

"Others are having abortions," she confides. "We have three ladies in Umoja who had miscarriages because of pollution from the bombs. It was causing pain in their stomachs and their babies died."

According to Declassified, the British army has fired white phosphorus in this part of Kenya on 15 occasions since 2017. Paulina recalls: "When we see the bombs bursting, our people get a cough from the ground and when cattle eat the grass they might die."

When asked by Declassified, the Ministry of Defence did not address the alleged health impact of white phosphorus. Instead, a British army spokesperson said they "routinely use white phosphorus illuminant rounds on training exercises in the UK and overseas, where and when conditions permit their use."

He added that they were "used to provide white light illumination for training at night. The British Army does not use white phosphorus mortar rounds as a weapon."

[\[back to contents\]](#)

Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

Kabuga Expected Interahamwe To Recapture Kigali And Reimburse Him (KT Press) By Daniel Sabiiti
December 15, 2022

A witness has implicated genocide suspect Félicien Kabuga and other three persons in the purchase of weapons that were used to kill Tutsi during the 1994 genocide against Tutsi.

The witness codenamed KABO61 appeared through a video link before the International Residual Mechanism for Criminal Tribunals (UNIRMCT), December 13, 2022, with cross-examination about Kabuga's involvement with RTLM and fundraising for weapons in Gisenyi.

KABO61 said he had friends who came back from Europe accompanying weapons that had been bought by Kabuga and additionally stated that: "It was well understood that if Kigali was to be recaptured, Kabuga would get his money back."

The witness said that he heard Kabuga and other suspects like Pasteur Musabe, Théoneste Bagosora and Joseph Nzirorera talk about bringing the weapons into Rwanda, but the counsel for the Prosecution asked him about how often he heard this.

KABO61 replied that he heard them several times, showing off and being happy about it, saying that the problem was solved. Everyone knew that weapons were bought, the witness concluded.

Cross examined by the Judge Mustapha El Baaj on how he knows about the weapons, KABO61 said that they were offloaded in Gisenyi town and distributed to soldiers, the Interahamwe and then civilians to do away with the 'enemy' and 'accomplices'.

Judge El Baaj asked the witness what 'enemy' and 'accomplices' meant and he replied that by enemy, they meant the soldiers of the Rwandan Patriotic Front (RPF) that had attacked their soldiers and that the accomplices were RPF sympathizers, but mostly Tutsis who were considered to help RPF.

The witness told court that he did not commit a single crime he was convicted of in 2011 when he testified in Gacaca courts but stated that he was afraid of similar retaliation due to information he is providing in the Kabuga case.

Further, the witness claimed that when he was summoned to the court bureau, he saw people influencing the judges and that the people they testify against are rich and powerful and that each time there is a document with evidence in this trial, it is immediately communicated to Mr Kabuga by his defence counsels.

"Once he knows what is in the document, the witness said "I am sure that Mr Kabuga will retaliate".

The trial of Félicien Kabuga started on September 29th 2022 in The Hague courtroom of the UNIRMCT with a number of witnesses including men who were members of the militia group – commonly known as "The Interahamwe".

The accused is charged with six counts: Genocide, direct and public incitement to commit genocide, conspiracy to commit genocide, persecution on political grounds, extermination, murder.

The hearing of the witness side of the story in this case is expected to run through next year and the UNIRMCT Office of the Prosecutor (OTP) anticipates to complete the presentation of its evidence in the 2nd quarter of 2023.

Genocide survivors want UN to probe Tutsi massacres in DR Congo (The New Times) By Moise M. Bahati
December 18, 2022

20 local and foreign-based organisations of survivors of the 1994 Genocide against the Tutsi have called for a United Nations investigation in the killings of Kinyarwanda-speaking Tutsi populations in eastern DR Congo.

According to a joint statement, representatives of the organisations, such as Ibuka, AEGIS Trust, GEARG and Ishami Foundation, said they "wish to urgently sound the alarm and speak out against the ongoing persecution and killings of Kinyarwanda-speaking people in the Democratic Republic of Congo, particularly those belonging to the "Tutsi" community."

The statement seen by The New Times, said "urgent action is needed to prevent this widespread violence from turning into another mass atrocity."

In November, the UN special advisor on genocide prevention, Alice Wairimu Nderitu, said the violence in eastern DR Congo was "a warning sign" in a region with genocide history.

Nderitu's office said they had found "indicators and triggers" of atrocity crimes, especially targeted at the Banyamulenge community in South Kivu.

The organisations said it was “extremely worrying” to see the tactics used in Rwanda in 1994, like the use of hate radio RTLM and Kangura newspaper, being replicated in DR Congo.

With the ongoing war between the M23 rebel group and the Congolese army and the ongoing inter-communal violence across North and South Kivu, they said, “we are deeply concerned that the mistakes of the past are being repeated with the risk of another human catastrophe in the region.”

In the war with M23, the Congolese army (FARDC) is reported to have formed an alliance with armed groups like the FDLR and Mai- Mai Nyatura, which are accused targeting Tutsi populations.

The European Union earlier this month imposed travel bans and asset freezes on rebel leaders responsible for different abuses and human rights violations in eastern Congo, including an FDLR commander, a high-ranking officer in the Congolese armed forces and one politician.

“We appreciate the statement by the UN Special Adviser on the Prevention of Genocide, Ms Alice Wairimu Nderitu, condemning the situation in DRC. We, however, call for more tangible actions to stop the situation from worsening.”

Recommendations The 20 signatories said the UN and “global powers” should “conduct an independent investigation detailing all the massacres against the Banyamulenge and other Kinyarwanda-speaking Tutsi Congolese populations;” qualify the kind of crime being committed” against Tutsi communities in DR Congo and to set up mechanism for its repression and prevention.

They also stressed the need to “take serious steps and actions to establish a coordinated regional and international peacekeeping presence to ensure the safety of “Tutsi” populations.”

“We, the organisations representing survivors of the 1994 Genocide Against the Tutsi in Rwanda, are committed to providing our contribution to the UN, governmental institutions or any person of goodwill in order to make ‘never again’ a reality. The warning signs are there, and immediate intervention is required,” the statement concluded.

Below is a list of the signatories of the joint statement

Dr Philibert Gakwenzire, Ibuka-Rwanda

Etienne Nsanzimana, Ibuka-France

Ernest Sagaga, Ibuka-Belgique

Wolfgang Blam, Ibuka-Germany

Honorine Mujyambere, Ibuka-Italia

Cesar Murangira, Ibuka-Suisse

Christine Safari, Ibuka-Netherlands

Josine Kanamugire, Ibuka-Sweden

Marie Christine Umuganwa, Ibuka-Denmark

Jason H Nshimye, Ibuka-US

Philip Rwinkusi, Ibuka-Washington, US

Rwogera Munana Yves, Ibuka-Senegal

Kayitesi Immaculée, Avega-Agahozo (The Association of Genocide Widows)

Jean Pierre Nkuranga, GAERG (Groupe des Anciens Etudiants Rescapés du Génocide)

Audace Mudahemuka, AERG (Association des Etudiants Et Éléves Rescapés du Genocide)

Freddy Mutanguha, Aegis Trust, UK & Rwanda

Eric Murangwa Eugene MBE, Ishami Foundation, UK & Rwanda

Jacqueline Murekatete, Genocide Survivors Foundation, US

Marie Chantal Muhigana, Urukundo Rwandan Organisation – Norway

Faina ILIGOGA, RTGSA-Mpore Inc (Rwandan Tutsi Genocide Survivors Association of Australia)

U.K. top court upholds a controversial plan to send migrants to Rwanda (NPR) By Willem Marx
December 19, 2022

The High Court in London issued a long-awaited ruling Monday that found a controversial British immigration policy was lawful, months after the U.K. government first introduced the plan to deport hundreds of potential asylum-seekers to Rwanda, where their claims would be heard and decided by Rwandan authorities.

The court found that the plan did not breach Britain's legal obligations under domestic legislation and the United Nations Refugee Convention, but that the country's interior minister must in the future consider carefully the circumstances of individual asylum claimants if their cases are to be heard in Rwanda rather than the U.K.

The justices wrote in their decision that Priti Patel, a previous interior minister who served under Boris Johnson's premiership, had implemented the policy in a "flawed" manner in several of the cases the court considered.

British immigration lawyers and human rights groups had initiated a series of legal challenges soon after the policy was announced in April, insisting that individuals who had arrived in Britain to claim asylum could face possible rights violations at the hands of Rwandan authorities.

The first chartered aircraft designed to transport dozens of migrants designated for deportation late this summer left entirely empty, after every individual was able to challenge the grounds for removal from Britain — some of them just minutes before their scheduled departure.

The Conservative government of Prime Minister Rishi Sunak, like those led by Boris Johnson and Liz Truss before him this year, has struggled to address the growing number of migrants arriving in southern England, either in small boats or trucks from France.

In the year to June 2022, the U.K.'s national statistics office recorded more than half a million net migrant arrivals through government-approved routes, up from 173,000 in the year before. Meanwhile, more than 45,000 migrants have arrived in small boats across the English Channel from France so far this year, compared with fewer than 30,000 in 2021.

The partnership with Rwanda, whereby Britain's Interior Ministry would pay the African nation to handle asylum claims, was ostensibly intended to deter future arrivals in the U.K. through such dangerous routes — which the British government labels "illegal."

But international organizations including UNHCR, the United Nations' refugee agency, raised concerns about the proposal, as did officials inside the British government's own bureaucracy.

Underscoring the urgency of the situation, an inflatable vessel ran into difficulties around 30 miles west of the port city of Dover in the early hours of an icy morning on Dec. 14. Dozens of people were pulled alive from the water, but at least four died, despite a large and rapid rescue effort. Late last year, a far worse tragedy saw dozens die when another boat capsized.

A young man from Sudan, who was identified in British courts by the initials OOA, tells NPR he arrived in Britain over the summer as a stowaway in the back of a truck. Police placed him in handcuffs soon after he arrived, he says, and he was detained for more than two months before lawyers won his release on bail.

"I didn't imagine that the moment I arrived, that I would be placed into handcuffs, as if I was a criminal," he says.

Sophie Lucas, one of the lawyers working at the Duncan Lewis law firm that represents him, says Britain's entire deportation policy should be prevented from ever taking effect.

"We're seeking to ensure that none of our clients are removed to Rwanda," says Lucas. "It is deeply distressing to have this prospect of being removed to a country where they have no connection, and where their fundamental rights may not be respected."

Rwanda: Kabuga Provided Training Field for Interahamwe Militia, Says Witness (All Africa) By
Hudson Kuteesa
December 20, 2022

Felicien Kabuga donated a piece of land where the Interahamwe conducted their training in Kimironko, a Kigali suburb, a new witness code-named KAB070 told the International Residual Mechanism for Criminal Tribunals (IRMCT) on Tuesday.

According to his testimony, an Interahamwe group was formed in Kimironko as early as 1991 under the leadership of one Hajabakiga.

"Kabuga authorized the group to gather and train on a plot adjacent to his residential compound," KAB070, who is a convict of genocide crimes, said.

He explained that the Interahamwe initially trained as a group that danced at the rallies of the National Revolutionary Movement for Development (MRND), the ruling party then.

"During the training, they would sing songs that praised the MRND party or condemned the RPF and the multi-party system," he narrated.

Just like those who testified before, KAB070 reiterated that the businessman provided financial support to the Interahamwe.

"If they needed anything, one of them would go into Kabuga's compound to speak to him," he said.

KAB070 noted that he recalls two occasions when Kabuga gave money to the Interahamwe which they used to rent vehicles to transport them to an MRND rally and to buy beer.

When the genocide started in 1994, the Interahamwe attacked and killed the Tutsi in Kimironko, and one of the most important roadblocks that they used in targeting the victims was located close to Kabuga's residence, according to the witness' testimony.

Kabuga, 89, was a wealthy businessman before and during the genocide.

He is charged with seven counts including: genocide, complicity in genocide, direct and public incitement to commit genocide, attempt to commit genocide and conspiracy to commit genocide.

Other charges include persecution and extermination - both as crimes against humanity.

Kabuga was arrested in May 2020 in Paris, France, putting an end on a 26-year manhunt for the man, who earned the nickname 'Financier of Genocide'.

Rwanda Accuses DR Congo Of 'Fabricating' M23 Massacre (Barron's) December 21, 2022

Rwanda on Wednesday accused the government of the Democratic Republic of Congo of "fabricating" a massacre, which a United Nations probe said was committed by M23 rebels and left 131 civilians dead.

Kinshasa accuses its smaller neighbour Rwanda of backing the M23, a claim denied by Rwanda, but supported by the United States, France, Belgium and UN experts.

The militia has seized territory in the DRC's volatile and mineral-rich east in recent months, ratcheting up tensions with Rwanda.

Talks between DRC and Rwanda in Angola paved the way for a truce agreement last month but Kinshasa subsequently accused M23 of massacring civilians in the village of Kishishe, with a UN investigation saying 131 people had been killed.

"The sensationalized 'Kishishe massacre', a fabrication of the DRC government that it attributed to M23, has quickly spread without any investigation of the facts by any credible entity," the Rwandan government said on Wednesday.

"The incident was in fact an armed confrontation between M23 and illegal armed groups allied to" the Congolese armed forces, it said.

"Accusing Rwanda of support to the Congolese armed group M23 is wrong and distracts from the real cause of continued conflict in eastern DRC, and its impact on the security of neighbouring states, including Rwanda," it added.

M23 has denied being behind the massacre, blaming "stray bullets" for the deaths of just eight civilians.

Kigali has repeatedly accused Kinshasa of colluding with the FDLR -- a former Rwandan Hutu rebel group established in the

DRC after the 1994 genocide of mainly Tutsis in Rwanda.

A Tutsi-led rebel group, the M23 first leapt to prominence when it captured the eastern Congolese city of Goma in 2012, before being driven out and going to ground.

But it re-emerged late last year, claiming the DRC had failed to honour a pledge to integrate its fighters into the army.

UN experts: `Substantial evidence' of Rwanda forces in Congo (AP News) By Edith M. Lederer
December 23, 2022

U.N. experts say they found "substantial evidence" of Rwandan government forces crossing into neighboring eastern Congo, either to reinforce M23 rebels or to conduct military operations against another rebel group that includes fighters accused of taking part in the 1994 Rwanda genocide.

According to excerpts from the latest report from the panel of experts obtained Friday by The Associated Press, weapons, ammunition and uniforms were also provided to the M23 rebels. The group resurfaced more than a year ago and has been accused of killing civilians and seizing land in eastern Congo's Rutshuru territory.

The panel said it also found "substantial evidence" of support given to several Congolese armed groups by members of Congo's military, known as the FARDC, in Rutshuru. It said there is "cooperation between FARDC units and Congolese armed groups in Rutshuru territory."

At the root of the current crisis between Rwanda and Congo is the 1994 genocide.

The carnage began when a plane carrying Rwandan President Juvénal Habyarimana was shot down, killing the leader, who like most Rwandans was an ethnic Hutu.

The country's minority Tutsis were blamed, and although they denied it, bands of Hutu extremists began killing them, including children, with support from Rwanda's army, police and militias.

The genocide killed more than 800,000 ethnic Tutsis and moderate Hutus who tried to protect them. Thousands of Hutus fled to neighboring eastern Congo.

Rwanda's current president, Paul Kagame, a Tutsi and former opposition military commander, is widely credited with stopping the genocide, but he has become a polarizing figure in recent years, accused of leading an authoritarian government that crushes all dissent.

The M23 rebels are largely Congolese ethnic Tutsis who became prominent 10 years ago when their fighters seized Goma, eastern Congo's largest city on the border with Rwanda. The group derives its name from a March 23, 2009, peace deal, which it accuses the Congo government of not implementing.

The FDLR movement, also mentioned by the panel of experts, is a Hutu rebel group opposed to Tutsi influence that reportedly includes Hutus who participated in Rwanda's genocide.

Renewed attacks by M23 rebels have angered Congo's government and led to talk of war in eastern Congo, a volatile region rich in minerals critical to much of the world's technology. This month, the United Nations accused the rebels of massacring more than 130 civilians in two villages.

Early this week, France and Germany joined international pressure on Rwanda, openly accusing the country of supporting rebels in eastern Congo, which could have repercussions for foreign aid that Rwanda has long enjoyed.

The Rwandan government issued a statement Wednesday calling accusations that it is supporting M23 "wrong" and part of a "tired old blame game" undermining efforts by regional leaders to find a lasting peace, "to which Rwanda is fully committed."

It accused Congo's government of failing to deal with "the over 130 armed groups on its territory" and hold accountable Congolese soldiers for serious abuses against civilians and "the genocidal remnant militia FDLR, which has been preserved for decades" in the country.

The statement cites cross-border attacks into Rwanda by Congolese troops and the FDLR, says Rwanda hosts over 800,000 Congolese refugees in camps, many for over 20 years, and accuses the U.N. peacekeeping mission that has been in eastern Congo for more than 22 years and costs over \$1 billion a year of achieving "little tangible results."

M23 rebels retreated Friday from some territory they had seized in eastern Congo, a welcome first withdrawal, but regional

experts said it is a fraction of the territory they control. The M23 positions in Kibumba, in North Kivu, were taken over by the new East African Regional Force given the job of protecting the area.

Lawrence Kanyuka, M23's political spokesman, said in a statement the retreat was in line with an agreement made last month at a summit in Angola.

At the Nov. 23 summit, which included Congo's president and Rwanda's foreign minister, leaders called for a cease-fire in eastern Congo to be followed by a withdrawal of rebels from major towns under M23 control — Bunagana, Rutshuru and Kiwanja.

[\[back to contents\]](#)

Somalia

[\[back to contents\]](#)

Ethiopia

WHO chief says uncle was murdered by Eritrean troops in Tigray (RFI) December 15, 2022

Tedros Adhanom Ghebreyesus, head of the World Health Organization, has said his uncle was "murdered" by Eritrean troops in Ethiopia's northern Tigray region.

Speaking at a press conference with the UN correspondents' association on Wednesday, Tedros revealed he had been on the verge of cancelling the event after being informed that his uncle was "murdered by the Eritrean army".

Tedros said: "I spoke to my mother and she was really devastated, because he was the youngest from their family and he was almost the same age as me, a young uncle."

The WHO chief added that his uncle "was not alone. In the village, when they killed him in his home, from the same village more than 50 people were killed. Just arbitrary.

"I hope the peace agreement will hold and this madness would stop," he said.

Ceasefire deal Ethiopia's government and Tigrayan rebels signed a ceasefire deal on 2 November, after two years of fighting that has brought widespread human misery.

The conflict has caused an untold number of deaths, forced more than two million people from their homes and drove hundreds of thousands to the brink of famine.

But the ceasefire makes no mention of the presence on Ethiopian soil or any possible withdrawal of Eritrean troops, who have backed Ethiopian Prime Minister Abiy Ahmed's forces and been accused of atrocities.

Tedros hails from Tigray, and the former Ethiopian health and foreign minister has repeatedly called for peace and for unfettered aid access to the region.

At a press conference on 2 December, Tedros raised concerns for areas still under the control of troops from neighbouring Eritrea.

US Citizens trapped in Tigray, detained in Addis Ababa (The Sun Daily) December 16, 2022

US citizens trapped in war-torn Tigray are being detained and interrogated by Ethiopian authorities while trying to leave the country, interviews with fleeing

people and family members show.

Leaked emails by US officials say that the Ethiopian government, citing national security grounds, insisted on holding and questioning US citizens from Tigray -- a stance, they say, that caused Washington to abort plans to airlift Americans from the region last year.

The lucky few to escape the region, cut off from the outside world for two years as government forces battled Tigrayan rebels, told AFP they had been singled out and interrogated when attempting to leave.

Gebremedhn Gebrehiwot, an American citizen who made it out of Tigray earlier this year, said he was pulled aside and questioned at Addis Ababa's international airport while trying to board a flight home.

"I had all the documents, there was no reason to stop me," the San Diego-based deacon told AFP. He believed his "typically Tigrayan" name was the reason he was detained.

After a 90-minute wait, he was finally allowed to leave.

"I just ran to the gate and barely made it."

Zenebu Negusse, 52, told AFP she too was targeted while attempting to board her US-bound flight.

The Colorado-based caregiver, who was in Tigray visiting her elderly mother when the war began in November 2020, managed to escape the region by road and took shelter with relatives in Addis Ababa.

She took care to hide her Tigrayan tribal markings, afraid of being detained like some of her friends, but her name aroused suspicion.

She said that after a harrowing interrogation last year during which she explicitly denied being Tigrayan, she was allowed to fly home.

Some who had been on her flight were intercepted and taken into custody, she said: "I was lucky. Many others were not."

AFP spoke to eight Americans who shared their stories and spoke of the plight of friends and family -- US citizens or permanent residents -- still in Tigray.

Ethiopia does not recognise dual nationality, meaning officials there can treat US citizens of Ethiopian descent as Ethiopians, regardless of their passport.

Aborted evacuation The US government drafted a plan to evacuate Americans trapped in Tigray as fighting spread toward Addis Ababa in November 2021.

But it was aborted at the last minute, with US officials blaming Ethiopia's demand that evacuees be subject to indefinite detention for vetting.

"The Ethiopian government... pulled clearance the day of (travel) when the United States disagreed with the Ethiopian government's request to clear passengers and potentially detain them indefinitely before being cleared for further travel," read one email by an official at the US Senate seen by AFP.

Another email by an official at the US House of Representatives also blamed Addis Ababa's "security vetting requirements (for) preventing the U.S. embassy from moving forward with evacuation plans".

US and Ethiopian authorities did manage to "facilitate the departure of 217 U.S. citizens, lawful permanent residents, immigrant visa applicants, and guardians of minors from Mekelle (Tigray's capital) to Addis Ababa" in February, a US State Department spokesperson told AFP.

The State Department did not comment on whether any evacuees were detained in Addis Ababa or on the number who travelled onward to the United States.

It has no estimate of the number of Americans still stuck in Tigray, the spokesperson said.

Ethiopian government officials did not respond to repeated requests from AFP for comment.

Ethnic profiling All the Americans interviewed by AFP said they had been ethnically profiled in Addis Ababa after leaving Tigray.

Yohannes, a 54-year-old Uber driver who asked AFP not to reveal his last name, said he was placed in solitary confinement at Addis Ababa airport while trying to leave with his family in December 2020.

“I said I was a US citizen, but they said they were not going to let me go.”

The security officials eventually relented after he shelled out a hefty bribe, he said.

It was a price worth paying to save his severely diabetic teenage son, he added.

A peace deal was signed last month between Addis Ababa and Tigrayan rebels, but many Americans told AFP they were frightened their loved ones would be detained even if they were able to make it out of Tigray.

Maebel Gebremedhin told AFP that “around 50” family members were trapped in Tigray -- all US citizens and permanent residents.

“Almost my entire family is there,” said the Brooklyn-based activist, who has had no news of her father in over a year.

“There is such fear within our community about (what) the Ethiopian government could do to our families.”

Blackout The communications blackout has also affected US businessman Awet -- not his real name -- who told AFP he hadn't spoken to his wife in well over a year and has never held their baby girl.

The 30-year-old flew to Ethiopia last year to bring them home to Colorado, but wasn't allowed to travel to Tigray.

He has approached US officials repeatedly for help in getting his family out of Ethiopia, but to no avail.

“It's always the same answer -- we don't have an evacuation plan.”

A handful of photos and videos are his only mementos of his two-year-old daughter. And even looking at them is too painful sometimes, he said.

In one video seen by AFP, that was shot a year ago and sent by someone with rare access to satellite internet in Tigray, the little girl was struggling to stand up or raise her spindly arms.

“Her legs were too weak because of a lack of food,” the distraught father said.

“It's strange to feel like you are a dad when you haven't even seen your daughter.”

Saba Desta's parents retired to Tigray after two decades in Seattle and settled in Shire, which was heavily bombed in October before its capture by Ethiopian forces and their allies.

She has been frantic with worry for her 70-year-old father, who suffers from a debilitating neurological disorder, leaving him especially vulnerable in a region with crippling medicine shortages.

The 36-year-old had reached out to the State Department and the US Embassy in Addis Ababa to ask for help.

“Everyone gave me the run around,” she told AFP, fighting back tears.

Even so, she added, life could be worse.

She knows several people detained in Addis Ababa, including a friend who was held for six months, and her own aunt who was in custody for around a week.

Her greatest fear, she said, was to get her elderly parents out of Tigray, only for them to be detained in Addis Ababa.

“I am more scared of what might happen to them in Addis than in a war zone like Tigray.”

Ethiopia Obtains Phone-hacking Tech from Israeli Firm Cellebrite (Haaretz) By Oded Yaron
December 18, 2022

The Ethiopian police, who according to reports, are responsible for mass detention of minorities and persecution of opposition forces and journalists, have purchased technology from the Israeli digital intelligence company Cellebrite to hack into the cellphones of detainees.

The Ethiopian federal police have been using Cellebrite's systems since 2021, at the height of the civil war between the country's prime minister's forces and the Tigrayan People's Liberation Force.

The flagship product of Cellebrite – a public company traded on NASDAQ – is a technology called UFED, which is used by authorities to hack into seized phones which are password-protected. This in turn allows Cellebrite's clients to download all the information stored on those devices, including media files and text messages, call histories, contacts and more.

As Haaretz has repeatedly reported, Cellebrite clients included at the time repressive regimes under sanctions, among them Belarus, China, Hong Kong, Uganda, Venezuela, Indonesia, the Philippines and the notorious RAB death squad in Bangladesh.

In October, Haaretz reported that Russia continued to use UFED, although Cellebrite announced in 2021 that it had stopped its activities in Russia in light of Russian President Vladimir Putin's human rights infractions.

In a letter sent by Israeli human rights lawyer Eitay Mack to Israel's Defense Ministry and Cellebrite, a number of human rights activists call for cessation of sales of the technology and support services to Ethiopia's repressive regime.

The letter follows a harsh report by Amnesty International and Human Rights Watch, that details how Ethiopia has committed crimes against humanity and war crimes during the last round of fighting.

The report states that since November 2020, security and civilian forces have been responsible for "extrajudicial executions, rape and other acts of sexual violence. The widespread pillage of crops and livestock, and the looting and occupation of Tigrayan homes, destroyed sources of livelihood. Tigrayans have faced mass arrests and prolonged arbitrary detentions in formal and informal detention sites where detainees were killed, tortured, and ill-treated."

A joint investigative commission by the UN and the Ethiopian Human Rights Commission found that both sides have committed crimes against humanity, war crimes and serious infractions of human rights including intentional artillery fire against civilians, executions, torture and rape. Some 2.6 million people have been uprooted from their homes.

On November 2, a peace treaty was signed between the Ethiopian government and the Tigrayan People's Liberation Front, but conditions in the northern state (one of nine that make up Ethiopia), are still harsh. Government forces have retreated, but the Eritrean Army and militias of the state of Amhara, which are assisting Ethiopia, are still active in Tigray. Meanwhile, the TPLF has not yet disarmed.

Ethiopia's federal police, which is under the direct aegis of the Prime Minister's Office, posted on its Facebook page that it had purchased UFED systems and ancillary equipment for its Crime Investigation Bureau. Accompanying photos show police officials exhibiting new Cellebrite systems, out of the box.

According to Mack, the Crime Investigation Bureau serves Prime Minister Abiy Ahmed to persecute minorities, opponents of the regime and journalists. Ahmed has taken advantage of the civil war against the Tigrayan minority to declare a state of emergency in the country and arrest tens of thousands of people.

"The detainees are held for long periods without trial, are severely tortured and some are murdered. In June 2021, mainly in Addis Ababa, security forces, especially the federal police, began searching homes, arresting and disappearing civilians based on their Tigrayan ethnicity," Mack wrote in the letter to the Defense Ministry and Cellebrite.

Since the beginning of the civil war, 63 journalists have been arrested, most of them Tigrayan. In August, the federal police indicted 111 "unauthorized" digital media outlets claiming incitement to violence, hate-mongering and harming the government. Over the past year, a number of independent media outlets have had to cease operations due to persecution by Ahmed's regime.

The journalist Tamerat Negara, who returned to Ethiopia after years in exile and founded the website Terara Network, was arrested, released without charges and fled the country. Negara told the BBC that he had to leave out of fear for his life and the lives of his family. He said he had stayed in the country for seven months in the hope that things would change, but they had only worsened, and that he did not believe that one could tell the truth in Ethiopia.

Last week, Meskerem Abera, a lecturer and journalist with a pro-Amharic position on the conflict in Oromia, Ethiopia's largest state and home to the Oroma people, was once again arrested. According to her husband, Abera was arrested by the Crime Investigation Bureau, which is now in possession of Cellebrite hacking equipment. Abera, the mother of a one-year-old baby, was first arrested in May, together with more than 10 journalists and thousands of civilians, according to the NGO Committee to Protect Journalists.

No evidence of the use of Cellebrite equipment has been found so far in reports from Ethiopia. However, some reports mention similar technology. For example, the federal police sought to extend the detention of the journalist Solomon

Shumeye, and told the court that they had sent “electronic equipment taken from the suspect” to the “relevant investigative body.”

A woman by the name of Meron Tedele said that she had been arrested in the middle of the night by plainclothes’ police, who covered her head with a mask, opened her telephone and looked for information about her Facebook posts, her contacts and her political affiliation. Tedele, who spoke to the Ethiopian Reporter stressed that she is not a political activist.

“And so it happened that in another country, Cellebrite is assisting and/or might assist in serious infractions of the human rights of citizens of certain ethnic groups, protesters, journalists, opposition and democracy activists, as well as their contacts, friends and family,” Mack wrote in the letter.

“The repercussions of the hacking of mobile phones in Ethiopia could be abduction, blackmail, torture and extrajudicial execution, disappearance and deprivation of right without due process of the citizens who own these phones, as well as their friends and relatives,” Mack added.

Cellebrite didn’t deny that it sold its products to Ethiopia. The company said in a statement that it is “committed to its mission of creating a safer world by giving solutions to law enforcement bodies and strictly legal and ethical use of its products. To this end, we have developed stringent means of monitoring that will ensure proper use of our technology in the framework of investigations carried out legally.”

The company stated that “As a global leader in digital intelligence, Cellebrite’s solutions help thousands of law enforcement agencies to convict those who endanger public security and to bring justice to crime victims.”

In Ethiopia’s Tigray, A Horrific Military Cooperation: Weaponized Rape (Solace Base) By Lucy Kassa
December 22, 2022

“They raped me in front of my father. I was too scared to even make a sound. They threatened to kill us both,” said a 24-year-old Tigrayan woman, Simret*, who now lives in Qadarif refugee camp in Sudan.

Before the war in Ethiopia’s northern region of Tigray began, she lived in Humera, a town located in contested territory between the Tigray and Amhara regions. In early 2021, when she was attacked, Humera and the rest of Tigray were under the joint control of Ethiopia’s federal government, militias from the neighboring Amhara region and Eritrean allied forces.

In November 2020, following months of tension between the national ruling party, led by Prime Minister Abiy Ahmed, and the Tigray region’s ruling party, the Tigray People’s Liberation Front (TPLF), Tigray’s regional government rebelled against the federal government. Their efforts were largely unsuccessful, and their soldiers were routed out of the area after a few weeks of war with the Ethiopian national army and its allies.

Between February and April 2021, when the state was in control of the Tigray region, over 1,288 cases of sexual violence were registered in the regional health facilities, according to Amnesty International. Many survivors, however, told Amnesty that they had not visited health facilities, suggesting these figures represent only a small fraction of rapes in the context of the conflict. The Center for Collaborative Investigative Journalism (CCIJ) contacted Amnesty to request additional data about sexual violence in Ethiopia, but the organization could not provide it.

In this investigation, CCIJ also interviewed Dr. Fasika Amdeslasie, who was head of the Tigray health bureau during the early months of the war. He says his office received 1,772 sexual violence cases between Nov. 3, 2020 (the start of the war) and June 10, 2021.

The uptick of sexual violence survivors coming to hospitals for care was the first indication that the soldiers who were running the town were raping women on a massive scale. Since then, evidence has only mounted in reports by the media, human rights groups and a UN commission formed in December 2021.

The Ethiopian government says it has held some of its soldiers accountable for rape and other war crimes in the conflict, even though it minimizes the scale and systematic nature of the sexual violence. “[D]ozens of our soldiers have been sentenced to serious, serious penalties, some including to life in prison,” Gedion Timothewos, attorney general of the Ethiopian government, told the BBC in August 2021.

He did not say whether the prosecuted included members of the regional Amhara militia who fought on the government side. In CCIJ interviews with more than a dozen survivors and witnesses, Amhara militiamen and Eritrean soldiers – in addition to federal government soldiers – were accused of rape in western Tigray.

Timothewos also minimized the scope of the sexual violence perpetrated by government soldiers. He said the Ethiopian

government had conducted its own investigations on the ground and did not agree with the conclusion that the rapes were systematic. “There are sensationalized reports – very exaggerated and unsubstantiated,” he told the BBC.

A UN Commission of Human Rights report on Ethiopia found that, among many other abuses, sexual violence had been committed on a “staggering scale.” Before the commission’s report, the federal government’s own minister for women, Filsan Abdi, had resigned over what she called official efforts to suppress her ministry’s findings about abuses by the government and its allies.

The perpetrators were not only fighting for the Ethiopian government, however. CCIJ found even Tigrayan fighters committed retaliatory acts of sexual violence that amounted to weaponization of rape in other zones of this complex conflict.

Each group of perpetrators thus far has acted with near total impunity for the lasting damage they have inflicted on victims ranging from 13-year-old adolescents to elderly mothers. And although military hostilities appear to have ended with the November 2022 signing of a peace treaty by the Ethiopian government and the TPLF, the accord contains no calls for accountability from the rapists or resources to help rape survivors heal.

A 50-something mother, who was gang-raped along with her daughters in February 2021 by men she believes to be Amhara militiamen, said that their “lives are ruined.”

The completely unaccountable perpetrators Ethiopia’s reluctant admission and limited prosecution might almost look like justice if compared to another state actor in the conflict: Eritrea. By many accounts, Eritrean soldiers led the charge in weaponizing rape in the conflict in Tigray.

Of the 13 survivors interviewed by CCIJ in this investigation, five said their rapists were Eritrean soldiers – compared to two who pointed to Ethiopian soldiers. Yet the former are accountable to neither the Ethiopian government nor the international community from which their country, often called “the North Korea of Africa,” is isolated.

Simret says her attackers wore the uniform of the Eritrean army. “They did not hide their identity in the first place. They presented themselves as Eritreans,” she explained.

Another person who fled Humera in those months, a 17-year-old girl who was raped by nine soldiers, said, “I clearly remember... There were five Eritrean soldiers.”

The identity of the other four was unclear to her – she was not fully conscious during part of the ordeal. “Like a bad dream, I can only remember there were four, and [they] spoke Amharic [the official language of Ethiopia],” she recounted.

She said the attack happened in early February 2021 after the soldiers ordered her to walk to their camp. “I was scared they would shoot me. So I obeyed. When we reached the camp, they ripped my clothes and took turns gang-raping me,” she said.

The girl alleges that in mid-April 2021, she and other displaced people from Adi Goshu in western Tigray reached Humera. “They stopped us, let others go and ordered me to stay. Then they forced me into a nearby house – and that is when they raped me.”

Back in Adi Goshu a few days earlier, a 31-year-old woman was returning home from a local church when she was accosted by five soldiers she identified as Eritrean. “They were stationed in our neighborhood,” she explained. “They forced me into a house and gang-raped me.”

Reports by human rights organizations and other observers also prominently name Eritrean soldiers as major perpetrators of sexual violence in Tigray. One in three of the Tigray sexual violence incidence reports logged on the humanitarian data exchange, a data repository run by the UN Office for Coordination of Humanitarian Affairs, names the Eritrean Defense Forces soldiers as perpetrators. The incidents reported in this repository are collected from open source, public reports and do not represent the total number of all sexual assaults in Tigray.

Vendetta in a decades-long hostility The circumstances that led to Eritrean soldiers fighting a war between the Ethiopian federal government and one of its own provinces are rooted in a decades-long relationship between Eritrean President Isaias Afwerki and the TPLF.

It dates back to Eritrea’s armed struggle for independence from Ethiopia, which the TPLF supported – although their alliance was on and off even then. Together, they defeated Ethiopia’s socialist regime in 1991. Eritrea broke away and, leading an alliance with other Ethiopian rebel groups, the TPLF took power in Addis Ababa.

Prior to secession, the boundaries between Eritrea and Tigray were of little consequence, since both were administrative regions of Ethiopia. Post-secession, Afwerki laid claim to an area called Badme, which the TPLF saw as part of its home turf –

Tigray.

With the military might of the Ethiopian government it now led, the TPLF went to war with Eritrea in the 1998 Eritrea-Ethiopia border war, setting off years of hostility between the two former allies.

The Algiers agreement, signed in 2000 between the Eritrean and Ethiopian governments, ended active hostilities. The territorial issue was forwarded to the Hague boundary commission, whose ruling favored Eritrea. Yet the TPLF-led Addis government refused to hand over the territory ruled for Eritrea.

Under the pretext that this impasse left the possibility of war with its neighbor ever present, Afwerki, who is still ruling Eritrea, indefinitely extended military conscription for men in his country.

Ethiopia's current prime minister won the 2019 Nobel Peace Prize for normalizing relations with Eritrea, but when what he initially called a "law-and-order operation" in Tigray escalated into full blown war, Eritrean soldiers joined the war.

Their battlefield conduct would look a lot more like a long-term political vendetta than routine law enforcement.

Rape as a weapon of war Multiple reports have emerged of Eritrean troops subjecting women and girls to sexual violence, but one incident, in particular, highlights the brutality of their alleged crimes.

In March 2021, a video of a young Tigrayan mother, who had reportedly been raped by 23 Eritrean soldiers, circulated widely on social media. It showed doctors removing long nails, pieces of plastic and stones from her body.

Chouchou Namegabe, a Congolese campaigner who has urged the International Criminal Court to classify rape as a weapon of war, recognizes the extremity of the sexual violence inflicted on the woman in the video. They are sending "a message to the enemy – they want to show victory in the woman's body," she says.

"In Congo, at first, we thought it was for a sexual need. But later we saw it was not," Namegabe explains. "They [the perpetrators] want to inflict as much suffering as possible."

Katrien Coppens, the executive director of Dr. Denis Mukwege Foundation, a foundation formed to end rape as a weapon of war, has identified common patterns which help distinguish between weaponized rape – a war tactic which uses rape to humiliate and destroy enemy forces – and rape by rogue troops.

In weaponized rape, she says, there are victims of all ages – including the elderly and children. The rapes are usually gang-rapes and carried out en masse. They also include a disturbing level of violence, such as cutting of breasts or other private parts of the body.

The rapes may include an element of torture. They often are carried out in front of family members or in public areas. And the perpetrators routinely use ethnic or otherwise derogatory slurs.

Coppens says, "Unfortunately, in almost any war, sexual violence is used as a weapon, because it is effective in causing terror and because of the shame associated with it in almost all cultures."

"The trauma," she adds, "lasts for generations."

During interviews with CCIJ, we learned the victims in Tigray were subjected to many of these same patterns of weaponized rape. The testimonies in this investigation reveal the troops had targeted women and girls of all ages – from 13 to 65. Of the 13 victims interviewed, 12 of them said they were gang-raped. Four victims said they were gang-raped in front of their close family members.

Amdeslasie, who was head of the Tigray health bureau, also confirmed that whether committed by Eritrean soldiers or others, the sexual violence that happened in Tigray during that period had the hallmarks of weaponization.

"Almost all of the cases were gang-rape. The targets were women and girls in all age groups, from 6 years old to very old women. Religious groups, including monks and nuns, were targets. The abusers used ethnic slurs," said Amdeslasie.

"There was also sexual slavery. A group of soldiers would hold captive dozens or more women in their military camp, repeatedly gang-rape them for weeks and then throw them [out] or kill them when they got very sick," he added.

"Some of the victims say while they gang-raped them, the soldiers would say to them they are cleansing their Tigrayan blood," Lewam Gebreslasie, a nurse treating rape survivors in Qadarif refugee camp in Sudan, told CCIJ. Options for accountability The Eritrean government has shown no indication of remorse, let alone any intention to hold its soldiers accountable, for weaponizing rape against Tigrayan women.

The Ethiopian government also appears unwilling to extend accountability beyond what it says it has already done. This October, it dismissed the UN human rights experts report, which found that its national army, allies and opponents committed violations, including the use of rape as a weapon of war – a form of war crime.

And though the Ethiopian government and Tigrayan forces signed a peace treaty in South Africa this November, it made no mention of providing justice for the victims of rape and other forms of sexual violence.

However, all of this does not mean that survivors of the documented abuse must go without accountability, says human rights advocate Dr. Ewelina Ochab, co-founder of the Coalition for Genocide Response. The organization has been calling for the UN to create a mechanism for evidence collection and preservation – and to include a special focus on the issue of sexual violence in its mandate.

Ochab also argues for building coalitions and consortiums across organizations working on justice and accountability for Ethiopia. “If we can learn anything from recent cases of atrocities, for example, those perpetrated by [Russian leader Vladimir] Putin in Ukraine, it’s that joint action towards justice and accountability can take us far,” she says. Though in their investigative infancy, at least 18 countries have initiated investigations of Russian abuse in Ukraine, and there is hope that accountability may follow.

But Ochab thinks there are other options – including “an ad-hoc or hybrid tribunal.” Ad-hoc international courts are temporary tribunals that focus on specific crisis situations, such as the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR).

Both were established by the UN Security Council to prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of these two countries between specific dates. According to the UN, since its opening in 1995, the ICTR has indicted 93 individuals responsible for serious violations of international humanitarian law, including high-ranking military and government officials, politicians, and religious and media leaders.

“The fact that the UN commission has now stated sexual violence has been perpetrated in the Tigray war... is an important step towards establishing ad-hoc courts. In good precedents, like Rwanda, there were similar steps before the establishment of ad-hoc courts,” says Ochab.

She also urges other countries to consider turning to their domestic courts by employing the universal jurisdiction principle, which allows countries to claim criminal jurisdiction over a person regardless of where the crime was committed. It is typically applied in extreme cases of genocide, torture and other war crimes.

One recent example is former Ethiopian official – Eshetu Alemu – who participated in ordering the execution of 75 people and other violations during the 1970s. In 2017, he was sentenced to life in prison in the Netherlands. In 2022, an appeals court upheld his conviction and life sentence.

Similarly, in recent years, Swiss courts have tried alleged perpetrators of war crimes in Liberia’s civil war under universal jurisdiction. On June 18, 2021, the Swiss federal criminal court sentenced Alieu Kosiah, a former commander of Liberia who participated in systematic killings, sexual violence and other war crimes in Liberia, to 20 years in prison. Kosiah has appealed and hearings are scheduled for January 2023.

Ochab says any country with expertise in prosecuting under this principle should take action. But there are challenges in invoking it, too. “Prosecutors would need credible and comprehensive evidence, which is currently hard to come by since Tigray is blockaded by the Ethiopian government from the rest of Ethiopia and the world,” she explains.

Impunity begets impunity The sexual violence in Ethiopia’s conflict did not stop in Tigray, and the perpetrators were not limited to federal forces, Amhara militia and Eritrean allies. During their advance to neighboring regions of Amhara and Afar, the Tigray fighters also committed sexual violence in retribution for abuses committed in their homelands.

Abdi, the federal government minister for women who resigned, told the Washington Post that she believes these rapes would have been far less likely if there had been accountability for what the government forces and their allies had done in Tigray earlier in the war.

While CCIJ could not obtain comprehensive data on the scale of retaliation, doctors in major hospitals in Amhara estimate they have treated hundreds of victims of rape. And the humanitarian data exchange has logged at least 26 incidences of rape in Amhara and two in Afar, in which TPLF fighters have been named as the perpetrators.

Meanwhile, Amhara regional government officials told Amnesty International that more than 70 women alleged they had been raped in Nifas Mewcha, just one town in Amhara. In its own investigation, Amnesty found 16 rape victims in Nifas Mewcha.

Mihret* is one of the victims of that retaliatory TPLF rape campaign in Amhara. Her ordeal began on the afternoon of Sept. 1, 2021, when fighters from the Tigray army came to her village, Keno. Six soldiers barged into her house, where she also sells coffee, and gang-raped her, she says.

Over the next four days, other Tigray fighters continued to gang-rape her. According to her doctor, Mihret now suffers from a major depressive disorder and has tried to commit suicide several times.

In Chenna, another village in Amhara, several women were gang-raped, including Aynalem*, a 25-year-old woman who said she was gang-raped by three Tigray fighters on Sept. 2, 2021. During the attack, she told CCIJ, her abusers beat her and humiliated her with degrading ethnic slurs. Though she became pregnant following the assault, she managed to get an abortion.

The aftermath In the dusty deserts of Sudan, tens of thousands live in makeshift shelters in sprawling refugee camps. Data from the United Nations refugee agency shows that more than 70,000 refugees and asylum seekers in Sudan are from Ethiopia. Among these refugees are survivors of sexual violence.

Unlike other refugees, they tend not to socialize much. They also don't share their traumatic experiences, except with fellow rape survivors.

A few, however, did speak to CCIJ. Though they wildly varied in age, they all shared disturbing similarities of the brutality they were forced to endure.

A 65-year-old mother, who used to live in the town of Adebay, said she fled her hometown in February 2021 after being gang-raped by six militiamen. They spoke Amharic, and she believes they were part of the regional Amhara militia which fought on the side of the government in western Tigray.

"I was in my house. Suddenly a group of militiamen came to the neighborhood, terrorizing people in house-to-house searches... I begged them to leave me, saying I am very old. But they did not stop," the mother of three said, before bursting into tears.

Today, she carries not just the horrific memory but shame too. She says her children, who are all adults, don't know what happened to her. "How can I tell them? What happened is shameful to even think about it to myself."

A 37-year-old former employee of the Ethiopian government is still in disbelief that it was soldiers of the same government she worked for who violated and scarred her for life. She said she was raped during a house-to-house raid in early January 2021 in the town of Adi Goshu.

"The [federal] soldiers were going from house to house, searching for supporters of the TPLF. I explained to them I am not a supporter and even showed them my office ID. They slapped my face and then took turns raping me," she said.

A 21-year-old woman still blames herself for her brother's murder. "He would have been alive if not because of me," she said. The woman explains that in March 2021, soldiers, who she believes were Amhara militiamen, came to Adebay where she lived.

"They came into our house and started looting. They did not stop there. They raped me. My brother tried to fight them in defense of me, but he could not rescue me. Done with the rape, they pulled him out and shot him."

A 52-year-old mother, who also fled from the town of Adebay, mourns the life she and her daughters once had. She says that on the night of Feb. 21, 2021, nine soldiers, who she believes were Amhara militiamen, barged into her house, demanding she give them jewelry and money, which she did.

"They were about to leave, taking the jewelry, but then three of them suggested rape. I begged them to do whatever they wished to me, but to leave my daughters. They took turns raping my daughters, who are 25 and 19 years old – and then on myself."

In the refugee camp, she says all three of them have been receiving treatment for trauma.

Back in Tigray, where the rape campaigns first started, Amdeslasie, the former head of Tigray's health bureau, says that a majority of the survivors who showed up at hospitals had signs of serious mental illness. "PTSD was very common. There were suicidal attempts," he said.

Others showed signs of depression and dissociative disorders. "Some of them don't know themselves. They have developed madness," he said.

Gebreselasie, the nurse treating rape survivors in the refugee camp, says she is seeing many of the same symptoms among her

patients. "They isolate themselves. They think everybody knows about [what happened to] them."

Last October, she says a 15-year-old girl even hanged herself after being gang-raped in the town of May'cadra by four Amhara militiamen.

For those who survive and are now living in the refugee camp, the only way forward is to focus on recovering from their physical and psychological wounds. But, they all acknowledge, the memories of the brutal gang-rapes will likely stay with them for years to come.

*The names in this story have been changed to protect the victims' identities.

This investigation was produced with the support of the National Endowment for Democracy.

Looting, rape stalk Ethiopia's Tigray despite peace deal (Yahoo!) By Simon Valmary
December 23, 2022

Ethiopia's allies in the Tigray war have unleashed a campaign of looting, rape and expulsions, residents and humanitarian workers in the northern region say, despite a peace deal to halt the fighting.

Since the November 2 peace agreement was signed to end the two-year-old conflict, aid has begun trickling into Tigray, phone lines have been partially restored, and the regional capital Mekele reconnected to the national electricity grid.

Access to Tigray is severely restricted and communication services are limited, making it impossible for journalists to independently verify the situation on the ground.

But interviews with eight residents and aid workers found that civilians remain far from safe, with Eritrean forces and militias from the neighbouring Ethiopian province of Amhara accused of murder, rape and other abuses.

In Shire, a town in northwestern Tigray, a resident described a climate of fear under Eritrean and Amhara occupation and "continuous looting and kidnappings."

"Shire is almost a ghost town," he told AFP in mid-December, adding that civilians were suffering dire shortages of food, fuel and cash.

"Women fear leaving their homes and moving out in the open city for fear of sexual violence."

- Looting, kidnappings, rapes - An aid worker in Shire, who like many interviewed for this story requested anonymity for security reasons, said his organisation had recorded 11 cases of rape.

He travelled extensively around Tigray between late November and early December and encountered Eritrean and Amhara forces across the region -- observations supported by other aid workers.

In another interview in November, he said "Amhara forces are engaged in looting homes and government offices, as well as kidnapping mainly young men and women" in Shire.

"Eritrean soldiers also continue to loot and abduct young people. The Ethiopian army (is) watching and not intervening," he added.

A resident based in Adwa, reached by AFP this week, said a family of seven she knew were killed by Eritrean forces on the town's outskirts in central Tigray.

Last week Tedros Adhanom Ghebreyesus, the head of the UN's World Health Organization, said his uncle was among 50 villagers who had been "murdered by the Eritrean army."

The Tigray People's Liberation Front (TPLF), the ruling authority in the region which signed the peace deal with Addis Ababa, has also accused Eritrean forces of carrying out massacres.

Neither Eritrea nor Amhara's regional authorities participated in the peace talks, and the agreement makes no mention of their forces' presence or terms for their withdrawal.

The two parties have been major players in the conflict, backing Ethiopia's army and drawing accusations of vicious human rights abuses.

Their enmity with the TPLF goes back decades, with Eritrea fighting a bloody border war with Ethiopia in 1998-2000, a time when the Tigrayan party dominated the national government.

Nationalist elements within Amhara have long contested Tigray's claim to the fertile stretch of western Tigray, and the territory was occupied by Amhara forces after the conflict erupted in November 2020.

- 'We are scared' - At the beginning of December, a resident of Mai Tsebri in southwest Tigray told AFP the city's Amhara authorities were "deporting and expelling ethnic Tigrayans and looting their properties".

"We are worried, we are afraid for our safety and our future," he said.

"The new leaders have started issuing identity cards to residents they consider to be of the Amhara ethnic group, as well as to settlers who arrived with the new authorities," he added.

The aid worker from Shire, who visited western Tigray in recent weeks, also confirmed the arrival of Amhara settlers, and said Tigrayans were being expelled to other regions or put into detention camps.

The latest allegations follow US warnings of ethnic cleansing in western Tigray dating back to March 2021, that were denied by Amhara authorities.

Neither the federal government in Addis Ababa, nor regional authorities in Amhara, responded to requests for comment from AFP before publication.

- 'Broken and depressed' - The TPLF said this month that 65 percent of its fighters had "disengaged" from battle lines but Mekele remains under its control.

At Ayder Referral Hospital, conditions remain "the same as (during) the 18 months before," said Kibrom Gebreselassie, a senior official at Mekele's main medical facility.

"There is no budget, the medications we get are from donations which are barely enough for one to two days," he told AFP this week.

A humanitarian worker in Mekele told AFP this month that residents appeared "broken and depressed by the situation as well as the general shortage of food, medicine and housing" despite the resumption of aid convoys.

Conditions in the rest of Tigray were no better, said a third aid worker who travelled from Shire to Adwa in early December.

Across northern Tigray, "there is a very serious lack of medicine, hygiene and sanitation," he told AFP.

But fear of violence remains the predominant concern.

Tigrayans have been "left alone to be killed by occupying foreign forces with impunity," said Kibrom.

"Everyone is tired of war. Peace is what the people want most. But everyone is also concerned... lest the peace deal be used as a cover-up for all the crimes committed against humanity," he said.

"Loving peace doesn't mean letting go (of) justice."

Ethiopia's warring parties agree to ceasefire monitor (France 24) December 23, 2022

The rivals announced a ceasefire in November that halted fighting in the northern Tigray region, where tens of thousands have died in two years of bloodshed.

Among the terms of the agreement was a provision to establish a monitoring and compliance mechanism so that both sides could be confident the truce was being honoured, and any violations addressed.

These details were finalised Thursday by military commanders from Ethiopia's government and the Tigray People's Liberation Front (TPLF) at a meeting in the Kenyan capital Nairobi.

Workneh Gebeyehu, executive secretary of IGAD, the East African bloc supporting the process, said the creation of a joint monitor was a "clear testament" by all parties to honour the letter and spirit of the peace deal.

A representative from each side of the conflict, plus a delegate from IGAD and the African Union (AU), would form a joint committee to safeguard the peace deal and ensure its provisions are being respected.

Among other duties would be ensuring forces remain loyal to the TPLF disarm and that no further weaponry or munitions reaches the rebels, according to the final terms of reference shared by Tigray's regional authorities.

A panel of African experts, chosen by the AU, would assist the committee by investigating ceasefire violations and monitoring progress on the ground, including the withdrawal of forces not signatory to the peace agreement.

Pro-government forces -- specifically troops from Eritrea to the north, and militias from the Ethiopian region of Amhara -- are not mentioned in the peace deal but remain in Tigray and have been accused of abuses.

Alleged war crimes In a statement Thursday, the European Union's top diplomat Josep Borrell said a "robust and sustainable monitoring mechanism" was essential to keeping the peace and promoting recovery and reconciliation in war-torn Tigray.

Estimates of casualties vary widely, with the United States saying that as many as half a million people have died, while Borrell says more than 100,000 people may have been killed.

The war began in November 2020 when Prime Minister Abiy Ahmed sent troops into Tigray after accusing the TPLF, the ruling party in the region, of attacking army bases.

All sides to the conflict have been accused of possible war crimes by UN investigators, and the US has warned ethnic cleansing may have occurred in western Tigray.

Aid has started trickling back into Tigray since the peace deal was signed in November, going some way to alleviating dire shortages of food, fuel, cash and medicines.

But the region of six million is still largely without electricity and phone lines, while internet and banking services have only partly been restored.

Ethiopian universities have infringed on human rights during the Tigray war (Ethiopia Insight) By Teklehaymanot G.Weldemichel, Emnet Negash, Gebrekirstos Gebremeskel, Amare Teklay, Jan Nyssen
December 24, 2022

The violations of academic freedom in Ethiopia since November 2020 go well beyond misguided opinions expressed by universities or professors. They involve universities moving away from their core values, while being implicated in the war and targeting of Tigrayans.

The shelling and bombing of campuses are only the most immediate effects of the war on institutions of higher education. There have also been attempts to cover-up human rights abuses by Ethiopian universities.

Beyond this, institutions of higher education in Ethiopia failed to adequately respond to the murder and arrest of Tigrayan students and academics on their campuses, provided intellectual justifications and funding to the government's war effort, and failed to punish university staff who have propagated hate speech.

In documenting such actions, this article relies on information received through networks at Ethiopian universities, from the universities' own announcements on their Facebook pages, and from news publications that were gathered in a database.

Hate speech While academic freedom and freedom of expression are values of the greatest importance, universities must, at the same time, prohibit academics from committing crimes like spreading hate speech, inciting violence, or making death threats.

Yet, Ethiopian universities and their staff have spread hate speech targeting Tigrayans prior to and during the Tigray war. Some of the most notable people preaching hate on campus include Muktarovich Ousmanova of Jigjiga University and Taye Bogale of Addis Ababa University (AAU).

There is also Seyoum Teshome who, while he was employed by Ambo University, wrote that his Tigrayan colleague "should be shot in the head just like they did to Seyoum Mesfin and the likes," referring to the execution of the former Ethiopian minister of foreign affairs. On another occasion, he directed hate speech during an hour-long tirade against the then president of Mekelle University, Professor Fetien Abay.

Universities also revoked academic degrees or threatened to do so, in an effort to silence colleagues with opinions that are different from the Ethiopian government.

Most notably, AAU threatened to revoke academic degrees from anybody they perceived as supporting the Tigray People's Liberation Front (TPLF). Gondar University also revoked the honorary doctorate of Dr. Eleni Gabremedhin because she spoke

out about the war.

Campus abuses Ethnically-motivated murders, particularly of Tigrayans, are often committed with either active or tacit involvement of institutions of higher education.

At Debre Markos University, in Amhara region, Seare Abraha, a third-year economics student, was stoned to death on 27 May 2019. The university management took no measures against students participating in the mob violence.

Two Wollo University academics of Tigrayan descent, Birhanu Gidey and Haile Habenom, were killed on 22 October 2021 by a mob of Amhara extremists, in which some university staff participated. Again, there was no condemnation from the university. Prior to that, lists of staff of Tigrayan descent had been extracted from the university's personnel register and circulated on social media.

At Bahir Dar University (BDU), Meareg Amare, a highly respected professor, was murdered in front of his house in Bahir Dar on 3 November 2021. Before the killing, there was a hate campaign on a Facebook account called BDU Staff directed at the professor.

Meareg's family has accused Fano militias loyal to the government and Amhara special forces, as well as BDU, of being responsible for his murder. The university never condemned the murder or even offered its condolences. Other Tigrayan staff at BDU were fired and expelled from their residence on campus.

Moreover, numerous academics have been sent to concentration camps, with examples known from Bahir Dar, Addis Ababa, Arba Minch, Debre Tabor, Haramaya, and Wolkite universities.

The university management often cooperated by sending campus guards to guide the police or military to the houses of the Tigrayan staff who were then put in these prison camps. In many cases, after people were taken to prison camps, their car or household items were stolen from campus residences, without any reaction from the university.

Haramaya University, where many of the professors are Oromos, is described as a relatively safe place for staff and students of Tigrayan origin. Tigrayan lecturers taken into custody were set free after intervention of the management, which saved them from ending up in concentration camps.

Material support On 21 September 2022, the federal Ministry of Education proudly announced that the ministry and Ethiopia's public universities had donated 211 million Birr to the Ethiopian National Defense Forces (ENDF).

The overt budget transfer from the educational sector to the military leaves budget gaps that would likely then be covered with funds from international donors and project funds.

Individual Ethiopian universities themselves have also provided direct support, not only in their discourse but even materially, to the Ethiopian army and its allies who are implicated in gross violations of human rights in Tigray.

Accompanied by open public announcements, most universities have transferred part of their budget to the federal armed forces. For instance, AAU donated 60 million birr to the ENDF and the University of Gondar 50 million. In another example, AAU's president, Tassew Woldehanna, publicly announced the hand-over of university vehicles to the army.

Universities' sports academies, particularly in Amhara region, organized staff military training in order to send them to the war front. For instance, the BDU president was displayed on the university's Facebook page while chairing the graduation ceremony of its administrative and academic staff for such training courses.

In one final example, universities in Amhara are clearly supporting the illegal modification of internal borders in the country. The presidents of these universities even went on an organized visit to support the Amhara militias in the occupied Western Tigray.

There is no evidence that, while visiting Humera in Western Tigray, they inquired about the dire human rights infringements in that town. To the contrary, the University of Gondar has been accused of disposing and covering up evidence of the massacres that happened in Western Tigray.

Silent ministry The Ethiopian Ministry of Science and Higher Education (MOSHE) committed its own infringements and was fully complicit with the infringements by the universities.

The bank accounts of the four universities in the Tigray Region—Mekelle, Raya, Axum, and Adigrat—have been closed and their budget was not released. Staff salaries have not been paid since June 2021.

Tigrayan students who finished their academic year or graduated from various universities had to leave their campuses despite

clear signals that they were going to face real danger from military and paramilitary groups after leaving, as they could not travel home to Tigray.

Staff members of the four universities in Tigray who travelled to Addis Abeba looking for a safe place or others who remained there incidentally faced detention in police stations. Others are presently in concentration camps or have gone into hiding.

MOSHE never denounced the human rights abuses committed against those professors who are targeted based on their ethnicity. When Mekelle University's Adi Haki campus was hit by an airstrike on 13 September 2022, the Ministry again remained silent.

International complicity These are just some examples from what is reported in the database about the conduct of Ethiopian public universities during the Tigray war.

It should be noted that—while destruction of campuses by warring forces also occurred in Amhara region—we did not come across any media article or communication regarding involvement of the four universities in Tigray in violating human rights or academic freedom, or any reports of people being killed on campus there because of their ethnicity.

Rather, university workers and students at the four universities in Tigray have been subjected to detentions, extrajudicial killings, and starvation during the last two years.

As this evidence shows, human rights abuses have been widespread at Ethiopian universities and academic freedom has been significantly restricted during the war.

Some people could argue that the universities have been forced to undertake all these human rights infringements against their own will. Of course, this is not what we understand from their public communications.

Regardless, individuals must take responsibility for their own actions. Yet not a single Ethiopian university administrator has left their position due to disagreement with the human rights infringements on their campuses.

In contrast, Filsan Abdi resigned from her position as a minister in the Ethiopian government over the cover up of war crimes against women and girls in Tigray. Nothing prevents the university leaders from acting in the same way.

Embassies and international universities' foreign departments are also culpable. They must explain to taxpayers why the Development Cooperation sector financially supports Ethiopian universities while these universities transfer money to the army.

International academic cooperation should not look past the dire human rights situation at Ethiopian universities.

[\[back to contents\]](#)

EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

[\[back to contents\]](#)

International Criminal Tribunal for the Former Yugoslavia (ICTY)

Official Website of the ICTY

How the Hague Tribunal Failed Wartime Rape Survivors (Balkan Insight) By Fortesa Kabashi
December 19, 2022

Between March and July 2002, five Kosovo Albanian women, all survivors of wartime sexual violence, testified before the International Criminal Tribunal for the Former Yugoslavia, ICTY in the proceedings against former Yugoslav President Slobodan Milosevic.

For safety reasons, their testimonies were given in closed session and so did not receive any substantial media coverage or public attention. This continued to be the case even after the ICTY lifted the seals on the redacted transcripts from these sessions, making them available to the public.

As a result, the conduct of the ICTY in relation to these witnesses has gone unexamined, allowing the narrative that survivors of wartime sexual violence have always been silent to persist.

An analysis of the testimonies of these five women – referred to in court as witnesses K14, K15, K16, K20, and K31 – reveals their secondary victimisation and the Tribunal’s failures to show them due consideration, particularly by sacrificing their interests and wellbeing in a bid to make all possible allowances for the self-representing accused, Milosevic.

These facts may help explain why survivors of wartime sexual violence stopped speaking out, and thus move the conversation away from a narrative that attributes their silence solely to stigma and shame, and towards one that questions the role of institutions, particularly legal ones, in perpetuating that silence.

The ICTY’s approach to wartime rape survivors had numerous blind spots from its earliest stages. Sexual assault did not even feature in the initial and first amended indictments of Milosevic for crimes committed during the Kosovo war. It was only the work of activists like Sevdije Ahmeti and Vepore Shehu, who identified and supported survivors, that made it possible for charges of sexual assault to be included in the second amended Kosovo indictment of Milosevic.

The testimony of Witness K31 reveals that she had initially been interviewed by investigators in relation to the killings of her father, sister, and brother, and that her testimony was initially meant to only concern these incidents. However, in April 2002, after telling her mother about having been raped by at least three Serbian soldiers, she gave a second statement to ICTY investigators detailing these events.

Explaining why she had not mentioned the rape in her first interview, K31 stated: “This happened because when I gave the first statement, I was with my family... And when they came to make a statement with my family, I didn’t say. But when they came and took me to one side, I was able to talk about it when we were in private with them.”

Her account points to how the investigators’ decision to take witness statements in groups made it harder for survivors to tell their stories and may have even completely prevented some from doing so.

Thus, after three years of grappling with her trauma on her own and struggling to recount it aloud, in July 2002, K31 took the stand at the ICTY, only to be subjected to a treatment that prosecutor Geoffrey Nice generously described as “distasteful” and “unsympathetic”.

During cross-examination, Milosevic repeatedly called her account “completely unbelievable” and insisted that “she’s not telling the truth at all”. This prompted Nice to intercede to register with the judges his concern about the “aggressive examination without a positive case against a woman who is extremely vulnerable”.

“We know imperfectly, others know better, the damage that is done and is sometimes intended to be done to witnesses in this position by this form of cross-examination,” Nice said.

Prioritising Milosevic’s rights

The presiding judges did not share prosecutor Nice’s concerns about the treatment of witnesses and asserted that, however

distasteful Milosevic's conduct might be, he was entitled to put his case however he saw fit.

In so doing, they prioritised his right to conduct a brutal cross-examination over the survivor's right to be treated in a humane manner while being asked to relive her trauma.

This was in keeping with what judge Richard May said was the chamber's commitment to "making all due allowance for the difficulties facing a person defending himself in person and the fact that the accused [Milosevic] is not a professional advocate".

Milosevic's difficulties in defending himself in person – a decision he himself had made as a way to display his contempt for the Tribunal – took precedence over the survivors' difficulties in participating in a process so traumatising that some survivors have said it amounts to 'being raped all over again'.

In their efforts to make all possible allowances for Milosevic, the court not only let his accusations of lying directed towards the survivors stand, they contributed to them.

When Milosevic asked K31: "why are you lying?", judge May intervened to rephrase the question into a supposedly more palatable "have you told us the truth or not?" The underlying assumption was largely the same: that the witness was not, in fact, telling the truth.

This approach did what court proceedings often do to rape survivors: it made K31 feel like she was the one on trial. "You're trying to make me guilty of something, and I don't accept what you're insinuating," K31 responded.

On re-examination by prosecutor Cristina Romano, she further felt compelled to assert: "You can believe me or not, whether you want to or not, but that's what I went through. And if it wasn't the truth that I was telling you, I wouldn't have bothered to come here to tell you anything but the truth... Really, I insist. That's really the truth."

The accusations of lying were a pattern present in Milosevic's dealings with all the witnesses. A variation on the sentence "I am sorry that this young girl was the victim of rape, of course, if it is all true" became something of a refrain that he repeated at the start of every cross-examination.

His tendency was to then question the witnesses extensively about Kosovo Liberation Army, KLA activity in their area regardless of what they had said on the matter in their statements and testimony.

During his questioning of Witness K15, a 25-year-old woman who testified to being raped by two Serbian soldiers in April 1999, Milosevic went so far as to insinuate that, if she had indeed been raped, it was likely that Albanians were responsible.

He claimed that "under the Serbs, there was no rape, but rape is a speciality of Albanian criminals that they used in 1987 and 1988" (historians will note that, although it had autonomous status within Yugoslavia at that time, Kosovo was still "under the Serbs" in 1987 and 1988).

Unlike the witnesses, Milosevic was allowed to make such allegations almost entirely unchallenged. He then focused his attention on trying to suggest that the fear the witness had attested to feeling during the war was due to either the commencement of the NATO aerial bombing campaign against Yugoslavia or fighting perpetrated by the KLA.

The KLA was, predictably, a staple of Milosevic's line of questioning, even in cases in which witnesses point-blank declared having no knowledge of their operations or areas of activity.

In response to the prosecution's objection to the indiscriminate employment of this strategy, the judges had ruled that "the accused should be entitled to continue with his defence relating to KLA activity... in order to justify the conduct of the Serb forces and to establish... what aggression was carried out by the KLA" so as to show that he "was acting in defence of his territory and people".

One may see how such a line of reasoning might come into play in relation to matters of detainment, alleged harassment, or even killing. It seems to have been lost on the judges, however, that rape can never be said to have occurred in defence of anything.

Questions about the activities of the KLA were also considered permissible as a way to "test witnesses' credibility", according to judge May. In the case of rape survivors, Milosevic made full use of these allowances to try and cast doubts on the witnesses' credibility in matters entirely tangential to their experience and then extend that to their testimony as a whole.

The result was a process that left the witnesses – not fully prepared by the prosecution for what awaited them in the courtroom – bewildered and frustrated. In response to such a line of questioning, the 23-year-old witness K20 – who told the court about her rape by three Serbian soldiers – at one point stated: "I will not answer this question. I came here as regards

my case, what happened to me.”

K20's experience in court further exemplifies how, in an effort to provide all the leeway to which it had determined that Milosevic was entitled, the Tribunal failed to follow not only common sense in dealing with rape survivors but also its very own procedural rules.

When Milosevic started his cross-examination of K20 by asking, “What proof do you have that this did happen to you?”, the judges did not rebuke him even though the ICTY's own Rule 96 provides that “corroboration of the testimony of a victim of sexual violence is not required”.

Instead, he was allowed to pose a variation of this same question three times before judge May remembered that the court did not, in fact, require corroboration for a rape allegation. Once again, the interests of a survivor were overlooked in favour of protecting the rights of the man who was being tried for directing, encouraging, or supporting her rape.

Experiences such as these are the reason why psychiatrist Judith Herman has said in a research paper about how victims of violent crime experience the justice system: “If one set out intentionally to design a system for provoking symptoms of traumatic stress, it might look very much like a court of law.”

A harrowing ordeal

The experience of K14, the youngest of the five witnesses, demonstrates how, even when a court is actually taking due steps to protect them, testifying can still be a harrowing ordeal for rape survivors.

K14 was in her mid-teens, a child, when she was raped by Serbian police officers. From the very beginning of her testimony, it was clear that she was incredibly emotionally distraught. Judge May felt it necessary to intervene on more than one occasion to point out that she was “finding it difficult to give her evidence”.

When the witness was being asked to identify pictures of the uniforms worn by the rapists, the judge told the prosecution to “take those pictures away” because “it [was] simply upsetting her”. On account of her evident distress, the judges even questioned whether continuing with the testimony was in her best interest.

Outside of this one case, however, the judges did not display much of an understanding of the complex manifestations of trauma. Even though other witnesses made references to the lingering impact of the violation on their lives – from K16's shaking to K31's “terrible [fear] of people with beards” – as we have seen, the judges did little to try to minimise their re-traumatisation.

The failure of the court to protect the witnesses' identities as promised must also be noted.

On the day of K15 and K14's testimony, prosecutor Nice pointed out to the court that “the Belgrade television station RTS [Radio-Television Serbia] had broadcast that the first two closed session witnesses giving evidence were rape victims and had revealed their ascribed court titles”, information that was only available to those present in the courtroom, the accused and his associates included.

This was confidential information that should never have been leaked. One can only guess at the effect this breach of trust may have had on the witnesses, all five of whom had only agreed to testify in closed sessions, provided their identities were protected.

It may also have contributed to other people figuring out who these witnesses were. As one of them would recount anonymously, years later, after her appearance in court, her identity was revealed at home, resulting in domestic violence and a case of attempted rape that forced her to relocate to another country.

Having been put through such torment at a Tribunal that they had expected to provide some justice for the crimes to which they had been subjected, it is no wonder that none of the five women who testified in the Milosevic trial have ever come forward to tell their stories publicly.

In return for testifying in the face of every obstacle, against even their own best interest, survivors were only met with more abuse. They faced Milosevic's contempt and unscrupulous use of their pain in furthering his political agenda, a court that was willing to let them be revictimised and retraumatised, and in Kosovo, a society that persisted in pretending to know of no concrete instances of wartime rape even as it continued to reference its occurrence as a way to reaffirm the national trauma of the war.

The fact is, apart from the NGOs that have supported them, survivors have largely been ignored or, worse, silenced completely. The ICTY, along with many domestic institutions in Kosovo, bears a responsibility for that. Acknowledging and

understanding its role in retraumatizing and silencing them is an essential step in the fight to holistically support survivors of conflict-related sexual violence in Kosovo and beyond.

[\[back to contents\]](#)

Domestic Prosecutions In The Former Yugoslavia

[\[back to contents\]](#)

Turkey

Turkey: Free Rights Defender (Human Rights Watch) December 22, 2022

Human Rights Watch joined six other human rights and physicians' groups on December 22, 2022, in seeking the release of a Turkish physician who has been detained since October 26 and stands trial in Istanbul on December 23.

The physician, Dr. Sebnem Korur Fincanci, an expert in international forensic medicine, is president of the Turkish Medical Association's Central Committee. She has been indicted on charges of "spreading terrorist propaganda." Korur Fincanci's arrest and pre-trial detention followed an interview she gave to pro-Kurdish TV on October 19. Responding to allegations that the Turkish military had used chemical weapons against the armed Kurdistan Workers' Party (PKK) in the Kurdistan Region of Iraq, Korur Fincanci said the video footage she had seen suggested use of toxic gases affecting the nervous system and that there should be a full investigation.

Turkish pro-government media and President Recep Tayyip Erdoğan accused Korur Fincanci and the Turkish Medical Association of slandering the Turkish military. Prosecutors and courts rapidly responded by ordering her investigation and detention. A hearing will be held in her case on December 23 before the 24th Heavy Penal Court in Istanbul. The following is the news release:

Turkish authorities have an opportunity tomorrow to release from custody one of its most internationally respected human rights defenders, Prof. Dr. Şebnem Korur Fincanci, who has been unlawfully detained since 26 October 2022. It is at least her third unlawful detention in six years in retaliation for her renown medical and rights work.

Today Amnesty International, DIGNITY, Human Rights Watch, the International Rehabilitation Council for Victims of Torture, Physicians for Human Rights (PHR), REDRESS and the World Medical Association call on the Turkish authorities to release Prof. Dr. Korur Fincanci, the president of the Turkish Medical Association's Central Committee, member of the Executive Board of the Human Rights Foundation of Turkey, member of the International Forensic Experts Group at IRCT, and Advisory Council member at PHR. Korur Fincanci, who has exhumed mass graves in Bosnia for the U.N. and conducted other high-profile forensic investigations in Turkey and abroad, is one of the country's foremost forensic physicians and a longtime partner to leading medical and human rights organizations.

"At tomorrow's hearing the Turkish court can right an outrageous wrong, not only for Dr. Şebnem Korur Fincanci but for human rights advocates everywhere," said Erika Dailey, director of advocacy and policy for PHR. "Korur Fincanci, an acclaimed forensic physician, has dedicated much of her life to fighting torture and ill-treatment in Türkiye and around the world. We now call for a fair hearing that leads to dropping these spurious charges and her immediate and unconditional release."

The hearing, which will take place at 09.30 (Türkiye) on 23 December before the İstanbul 24th Heavy Penal Court, will be attended by international trial monitors, including from the International Rehabilitation Council for Victims of Torture, PHR, and other groups. The prior press conference, organized by the Turkish Medical Association and the Human Rights Foundation of Türkiye on 22 December, can be livestreamed on YouTube.

Korur Fincanci is a distinguished expert on the documentation of torture. She collaborated with IRCT, PHR and others in creating the Istanbul Protocol, the international standard for forensic investigations of torture and other forms of ill-

treatment. She was awarded the Hrant Dink Prize in 2014, Physicians for Human Rights Award in 2017, and the Hessian Peace Prize in 2018. Leading anti-torture campaigners spoke out on Dr. Fincancı's arbitrary arrest in The Lancet in November.

Following her detention, the Ankara chief prosecutor lodged a complaint against the Turkish Medical Association. "Dr. Korur Fincancı is just one physician who has been persecuted in recent years merely for speaking out for protection of health and human rights," said Dr. Michele Heisler, PHR's Medical Director. "Part of the Turkish government's crackdown aims to strip the independent Turkish Medical Association, which represents about 60 percent of the country's physicians, of its autonomous leadership through legislative sleight of hand. Health professionals everywhere should rally to the aid of their besieged colleagues in Türkiye."

A separate civil lawsuit has been initiated in Ankara under the Law on the Turkish Medical Association (No. 6023) seeking to remove the elected leadership of the Turkish Medical Association and its local branches.

In June 2016, Korur Fincancı and two co-defendants were arrested, briefly imprisoned, and charged with disseminating "terrorist propaganda" after taking part in a solidarity campaign with a newspaper critical of the government of Türkiye. She was acquitted in July 2019, but her acquittal was overturned on appeal in November 2020 and her re-trial is ongoing.

"Şebnem Korur Fincancı's arbitrary detention is part of a deliberate strategy put in place by the government to discredit her long-standing work in investigating grave human rights violations as a forensic expert and a Human Rights Defender in Türkiye and around the world. The authorities' reaction and her arrest constitute a blatant violation of her freedom of expression and testify once more of the ongoing crackdown on human rights in the country," said Lisa Henry, Secretary General at IRCT.

Prof. Frank Ulrich Montgomery, Chair of Council of the World Medical Association, said, "Their work should be lauded, not punished."

Amnesty International, DIGNITY, Human Rights Watch, IRCT, PHR, REDRESS and the World Medical Association reiterate their calls for all charges against Dr. Fincancı to be dropped and for an end to the unjust targeting of physicians and dissenters in Türkiye.

SDF reveals annual outcome of crimes and attacks by Turkey and ISIS and its operations against mercenaries (Hawar News) December 28, 2022

Today, the Media Center of SDF issued a written statement, revealing the annual outcome of the crimes and violations of the Turkish occupation and ISIS mercenaries against NE Syria.

The statement reads:

"During the year 2022, the Turkish occupation and its mercenaries committed thousands of violations against the region of NE Syria and its inhabitants. The year 2022 has been the bloodiest and most materially and physically harmful for the population since the Turkish invasion of the regions of Tal Abyad and Serêkaniyê / Ras al-Ain back on October 2019. The occupation used warplanes, UAVs, artillery, and tanks, causing great damage to crucial infrastructure, residential areas, roads, and farms, threatening openly and clearly to cause a humanitarian catastrophe, especially in light of the widespread destruction and continuous bombardment of the entire region of NE Syria.

The Turkish escalated aggressions and widespread targeting of civilians, turning their houses into rubbles using bombs of great destructive capacity, as well as the direct targeting of services, educational and health institutions, and civil facilities, including energy, electricity, water, and municipalities, in addition to mosques, cemeteries, villages, and populated cities.

Moreover, the Turkish repeated violations and attacks on the regions of NE Syria stretched from Afrin to Dêrik, as well as the deliberate targeting of civilians including, women, children, men and the elderly confirm once again the occupation's intention to displace our people, forcing them to leave their homes which is considered a crime against humanity that has become clear, explicit and proven by evidence and irrefutable documents which condemns the Turkish occupation for war crimes.

This report provides a statistical outcome of the Turkish occupation's violations and the outcome of the ISIS cells' attacks against the regions of NE Syria of Syria, in addition to the combined anti-ISIS operations conducted by our forces and the international coalition.

In addition to the brutal attacks on the region, the occupation deliberately used agents and spies to strike stability and security, spreading discord among the population. Our forces arrested dozens of mercenary agents and dismantled criminal networks, including drug trafficking networks.

The direct targeting of the leaders and fighters of our forces who had the most prominent role in eliminating the alleged state of ISIS, the clear and public coordination between the occupation's attacks and the movements of ISIS cells, the public support provided by the occupation to the terrorist attack on the al-Sina'a prison in Al-Hasaka, the attacks targeted the al-Hol camp and its surroundings, and the eliminating of the ISIS leaders and members by the International Coalition in the Turkish-occupied areas, all of these, constitutes the biggest challenge facing our forces and the international forces in their struggle to the lasting defeat of ISIS and confirms once again the direct link between Turkey and ISIS, which has always used the Turkish border to cross into Syrian territory. Apparently, the Turkish-occupied areas were and are still the warm embrace of ISIS leaders and members.

First: The outcome of the Turkish occupation's violations:

The number of Turkish attacks and violations during 2022: 17,596 violations and they were as follows: 1 – The number of shells used: /17433/ shells of heavy artillery, mortars, and tanks. 2 – The number of UAV strikes: /120/ strike, including five suicide drone attacks. 3 – The number of warplanes' raids: /43/ raids. 4- The civilian casualties: /263/ civilians were injured, including /59/ children and /44/ women. 5 – The civilian martyrs: /59/ civilians, including /12/ children and /5/ women. 6- The number of killed enemy soldiers in legitimate retaliation operations: 44 Turkish soldiers and 22 mercenaries. – The damages and destructions caused by the attacks: 1- The municipality building in Zarkan. 2 – The electricity network in Tal Tamir (line / 66 / kilovolts). 3 – The fourth power station in the village of Taqil Baqil, Derik. 4 – The primary school in the village of "Karamel" in the areas of Al-Shahba'a. 5- The Assyrian cemeteries in the villages of Tel Juma and Tel Shanan. 6 – The Internet network in Zarkan. 7- The church of "Mar Sawa" in the countryside of Tal Tamir. 8 – The mosque of the al-Jat village in Manbij. 9 – The water station in the village of "Al-Fatsa, Ain Isa countryside. 11 – The sponge factory in al-Hasaka city. 12 – The educational center of minor girls in Al-Hasaka. 13 – The Mills Company in Kobane. 15- The water station in the village of al-Hisha, Ain Isa countryside. 16- The high-voltage electricity network in Tal Tamir. 17- The grain silos in the village of Dahr al-Arab in Zarkan. 18- The Internal Security Forces building in Zarkan. 19 – The high-voltage electricity lines that feed the Tal Tamir power station. 20- The Corona Hospital in Qamishli. 21 – The high-voltage electricity lines (66 KV) that feed Tal Tamir. 22- The civil associations affiliated with the Autonomous Administration in Zarkan, Tal Tamir, and Ain Issa. 23 – The mosque of the village of al-Fatsa, Ain Isa countryside. 24- The Dijla Oil Station in Jal Agha countryside. 25 – The Sweidia Gas Station in Qamishli. 26 – The oil stations of "Saida" and "Zaraba" in the northern countryside of Terpe Spi. 27- The main oil station in the village of "Mashouk" and a reservoir in the "Mel Hasnak" station in Terpe Spi. 28- The power station in the district of Terpe Spi. 29 – The oil fields in the district of Turbat Sabih. 30- Targeting the Swedish gas facility in Dirk countryside for the second time. 31- The Corona Hospital in Kobane. 32- The health center in the village of Qaramog in Kobane. 33- The tower of communication in the Saluk village in Kobane. 34 –The mosque of the village of "Al-Tarwaziyah" in the Ain Isa countryside. 35- The bakery of the al-Rabiat village in Zarkan. 36- The roads used by civilians, in addition to the farms and agricultural machinery belonging to the people. Second: The outcome of the ISIS terrorist cells' attacks and the combined anti-ISIS operations conducted by our forces and the international coalition:

The terrorist organization of ISIS took advantage of our forces' preoccupation in confronting the Turkish occupation's attacks on the regions of NE Syria. Therefore, ISIS cells escalated their attacks, targeting local communities and those who reject their terrorism, as well as security and military forces, prisons, and camps that contain its detainees and their extremist families. The attacks of ISIS in 2022 reflect changes in its tactics in an attempt to prove its strength and reactivate the extremist tendency among its elements and cells after they have lost hope during the past period, especially after the many setbacks of the organization. 1- The total number of combined anti-ISIS operations: /113/ operations, including /3/ military exercises with the international coalition. Areas of Operations: (a) Al-Hasakah and its countryside: /43/ operation, including /8/ Operations in the vicinity of the al-Hol camp. B – Deir Ezzor areas: /53/ operations. (c) Raqqa and its countryside: /13/ operations, including one operation in Tabqa. H – Manbij: one operation 2-Operation Hammer of Peoples, al-Sina'a prison: 1 – 3500 detainees of ISIS were arrested in batches while trying to escape the prison, they were forced to surrender in the very building they were barricaded. 2 – 386 terrorist attackers were killed in clashes with our forces. The number of ISIS cells detainees: – The terrorist arrested in separate operations: /267/ terrorists, (between leader, element, and collaborator). The number of terrorists killed during the attacks: 387 terrorists, including 375 terrorist attackers in the al-Sinaa prison, and 12 others during separate operations. 3- The number of ISIS terrorist acts, including (suicide attacks, IEDs, and extortion of civilians): 176 terrorist acts.

During our forces' legitimate struggle against the attacks of the ISIS terrorist cells, the Turkish occupation, and its mercenaries, and against all other parties trying to destabilize security and undermine stability, /178/ of our fighters were martyred, including 95 martyred while confronting the Turkish attacks, and 69 others were martyred while fighting against the ISIS terrorist cells, and 14 others martyred due to traffic accidents and illnesses.

Our forces' struggle reflects their main commitment to protect the region and its peoples and their sacrifices were an impregnable barrier to the occupying schemes of the Turkish State and ISIS mercenaries.

On this basis, while we reiterate our pledge to our people to continue the struggle against all attacks, we call on the

international community once again to assume its responsibilities and duties towards the dangerous violations of the Turkish occupation and its mercenary factions against our people in NE Syria, including the Turkish-occupied territories, and we also call on our partners in the international coalition to increase the support to our forces and the population of the region in proportion to the magnitude of dangers and challenges posed by ISIS and its terrorist cells and the size of the destruction caused to the region as a result of the war against terrorism.

Sh-S

ANHA

[\[back to contents\]](#)

Kosovo Specialist Chambers

[\[back to contents\]](#)

Azerbaijan

[\[back to contents\]](#)

Russia

[\[back to contents\]](#)

MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

[\[back to contents\]](#)

Syria

[\[back to contents\]](#)

Yemen

[\[back to contents\]](#)

Special Tribunal for Lebanon

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

[\[back to contents\]](#)

Israel and Palestine

[\[back to contents\]](#)

Gulf Region

Qatar: FIFA World Cup Ending Without Migrant Remedy Fund (Human Rights Watch) December 16, 2022

The 2022 World Cup is ending with no commitment from FIFA or Qatari authorities to remedy abuses, including unexplained deaths, that migrant workers suffered to make the tournament possible over the past 12 years, Human Rights Watch said today. The tournament’s final match will be held in the glittering Lusail stadium on December 18, 2022, which is Qatar’s National Day, and also International Migrants Day.

“The final game of this World Cup tournament coincides with International Migrants Day and Qatar’s National Day, a fitting coincidence given migrant workers’ indispensable role in making the tournament and the development of Qatar possible,” said Rothna Begum, senior researcher at Human Rights Watch. “But unless FIFA and Qatar provide a remedy for the widescale unaddressed abuses suffered by migrants who prepared and delivered the tournament, they will have chosen to leave behind a legacy of exploitation and shame.”

On May 19, 2022, Human Rights Watch, along with a global coalition of human rights organizations, migrant rights groups, labor unions, and fan groups, called on FIFA and Qatari authorities to provide a remedy for serious abuses that migrant workers have suffered since the 2022 World Cup was awarded to Qatar in 2010. Since then, many global entities and actors have expressed support for the campaign, including the global public, football associations, sponsors, political leaders, and athletes.

In the last few years, Qatari authorities made notable reforms to advance worker protections, including to the kafala (sponsorship) system, a largely British colonial-era creation established before Qatar's independence in 1971, which now allows workers to change jobs and leave the country without their employers' permission. Important initiatives by the Supreme Committee, the body responsible for planning and delivering World Cup infrastructure, included the Universal Reimbursement Scheme to reimburse workers who pay illegal recruitment fees. But Human Rights Watch has also found that these reforms either came too late, were too narrow in scope, or were weakly enforced, which meant many workers who helped build the World Cup infrastructure fell through the cracks.

Since June, FIFA had indicated in a series of communications, including briefings to multiple groups, that they planned to compensate workers and support an independent migrant workers' center. However, on the eve of the tournament, they failed to commit to providing a remedy.

Instead, Qatari authorities and FIFA have made grossly inaccurate and misleading claims that Qatar's current systems are adequate to address widespread current and historic abuses faced by workers.

Both Qatar's Labor Minister at a November 14 European Parliament hearing, and FIFA President Gianni Infantino, on the eve of the tournament, on November 19, responded by contending that the Qatar Labor Ministry's Workers' Support and Insurance Fund would take care of compensation. The fund became operational only in 2020 to reimburse workers if their employers failed to pay them their owed wages after they obtained labor court rulings in their favor.

However, the fund is limited to wage theft, access to it is rife with obstacles including taking years to obtain labor court rulings before workers can apply to the fund, the payments are capped, and it is nearly impossible for workers to apply after they return to their home countries. It also does not address injuries or deaths on the job or even wage theft in the decade before it was established.

A remedy fund could be built using the existing compensation schemes to reach more workers, including those still seeking to recover stolen wages. It would also need to reach the families of workers who died in circumstances Qatari authorities never investigated, allowing families who lost a provider to receive compensation they need to feed themselves and send their children to school.

"FIFA brags that this is the most successful World Cup ever, but there is no successful tournament when so many migrant workers have died utterly preventable deaths – including two workers who died during the World Cup itself," said Minky Worden, director of global initiatives at Human Rights Watch. "The only way to ensure a better legacy would be to finally come through with a genuine remedy for the abuses the migrant workers who built and delivered this World Cup have suffered."

The month-long tournament has had unprecedented global coverage of migrant rights issues. Migrant workers and families of deceased workers bravely shared their stories and accounts about wide-ranging abuses from stolen wages, the struggles to repay loans for illegal recruitment fees to work in Qatar, the struggles of losing loved ones without an explanation of their deaths in Qatar, and the apathy they faced when trying to report abuses or claim a remedy.

Despite FIFA's best efforts to keep the focus only on football, many football insiders and stakeholders knew better and put as much emphasis on football's forgotten team, the migrant workers, as they did on teams on the pitch. Current and former football players declared their support, on and off the pitch. Journalists conducted in-depth reporting of migrant workers' lives and realities, both in Qatar and among those who returned to their own countries.

While FIFA and Qatari authorities attempt to deflect global scrutiny of their human rights record, this World Cup has itself been built on injustice – delivered at the cost of abuse and exploitation of low-paid migrant workers primarily from South Asia and Africa, Human Rights Watch said.

As the tournament draws to a close, the world is watching, and the discontent will continue over the abuses that have tarnished this beautiful game. Even now, FIFA has an opportunity to avoid a reputational disaster for failing to live up to its own statutes and responsibilities under the United Nations Guiding Principles on Business and Human Rights. The football governing body is set to announce a FIFA World Cup Qatar 2022 Legacy Fund, as with previous tournaments, which is expected to be a fraction of their expected US\$7.5 billion revenue from this tournament, but it plans to use it on education projects and to establish a global Labour Excellence Center. There is still time to direct the fund to remedy the abuses faced by migrant workers who made the 2022 World Cup possible.

"FIFA had no regard for the welfare of migrant workers when they awarded Qatar hosting rights and are set to make billions from the tough labor of hundreds of thousands of migrant workers from South Asia and Africa who toiled in the extreme heat to make the tournament possible," Begum said. "The least FIFA and Qatari authorities can do now is mark International Migrants Day by acknowledging the contributions of migrant workers and committing to provide a remedy for all those who

faced abuses and fell through the cracks.”

Thousands of Civilians Killed or Injured in Saudi Raids on Yemen's Sa'ada in 2022: Report (Tasnim News Agency) December, 29, 2022

According to a Yemeni health official, nearly 3,000 civilians, including African refugees, were killed or injured this year as a result of Saudi military artillery and missile strikes in Yemen's northwestern province of Sa'ada.

Director of Razih Rural Hospital, Abdullah Musreeh, told Yemen's official Saba news agency on Wednesday that the number of civilian casualties in the Yemeni regions stands at 2,909, and that the figure covers the period between early January and late December this year.

He added that at least 907 people were killed or wounded during the UN-brokered truce that lasted six months and expired on October 2, when gunshots, artillery rounds and missiles by Saudi border guards targeted the Shada'a district.

Musreeh said his hospital received 111 dead bodies and 796 injured people, including African asylum seekers, throughout the mentioned period, stressing that Saudi Arabia never committed itself to the truce and its criminal acts continue unabated.

The Yemeni health official noted that most of those critically wounded were transferred to medical centers in the capital Sana'a, as Razih hospital was short of medical equipment to provide necessary services.

Separately, the Director of Monabbih Rural Hospital Ali al-Ayashi stated that the hospital has received 169 bodies and 1,833 injured people since January.

He pointed out that the Riyadh regime presses ahead with its horrendous crimes against the Yemeni nation and African asylum seekers.

Ayashi also made a reference to the brutal methods of torture by Saudi border authorities against Yemenis citizens and African refugees, arguing that such practices repudiate the kingdom's claims of respect for international humanitarian principles and conventions.

Saudi Arabia launched the devastating war on Yemen in March 2015 in collaboration with its Arab allies and with arms and logistics support from the US and other Western states.

The objective was to reinstall the Riyadh-friendly regime of Abd Rabbuh Mansour Hadi and crush the popular Ansarullah resistance movement, which has been running state affairs in the absence of a functional government in Yemen.

While the Saudi-led coalition has failed to meet any of its objectives, the war has killed hundreds of thousands of Yemenis and spawned the world's worst humanitarian crisis

[back to contents]

ASIA

Afghanistan

UK launches independent probe into Afghan war crimes claims (The Peninsula Qatar) December 15, 2022

Britain's defence ministry announced on Thursday it had established an independent inquiry to investigate allegations of unlawful killings by British soldiers in Afghanistan over a decade ago.

Commandos in the elite Special Air Service (SAS) corps have been accused of killing dozens of Afghans in suspicious circumstances, but the military chain of command concealed concerns, the BBC claimed earlier this year.

Unarmed Afghan men were routinely shot dead "in cold blood" by SAS troops during night-time raids, and weapons were planted on them to justify the crimes, the broadcaster reported following its own four-year probe.

The newly launched statutory inquiry -- to start early next year and be chaired by senior judge Charles Haddon-Cave -- will probe the alleged wrongdoing spanning a period from mid-2010 to mid-2013.

It will also scrutinise the "adequacy" of the Ministry of Defence's response to the concerns raised about soldiers' conduct and "assess what lessons can be learned", the ministry said.

"If there are further lessons to learn it is right that we consider those fully to ensure all allegations are handled appropriately and in equal measure," Defence Secretary Ben Wallace said in a statement.

He added that would "ensure our personnel are adequately protected from unnecessary reinvestigations".

Wallace said the MoD had made "a number of changes" in recent years to deal with serious allegations of wrongdoing, including the creation of a Defence Serious Crime Unit.

The BBC's Panorama programme investigation identified 54 people shot dead in suspicious circumstances by one SAS unit during a six-month tour of Helmand province in southern Afghanistan from November 2010 to May 2011.

Senior officers including General Mark Carleton-Smith, who headed UK Special Forces at the time, were aware of concerns within the SAS about the operations but failed to report them to military police, it said.

Under UK law governing the armed forces, it is a criminal offence for a commanding officer to fail to inform the military police if they become aware of potential war crimes, the BBC noted.

The MoD has said previous investigations into the conduct of UK forces in Afghanistan had found insufficient evidence to bring charges.

The families of eight people, including three young boys, who allege they were murdered by British soldiers in two separate night raids in Afghanistan in 2011 and 2012, welcomed the announcement.

"My family has waited 10 years to find out why this happened," a member of the Noorzai family said in a statement released via their London-based law firm.

"We are happy that finally after so many years someone is going to investigate this thoroughly.

"We live in hope that those responsible will one day be held to account."

Disagreement Between the ICC Pre-Trial Chamber II and the Office of the Prosecutor Regarding the Afghanistan Situation (Lawfare) By Hayley Evans

December 23, 2022

It finally happened—the Pre-Trial Chamber II of the International Criminal Court (ICC) has authorized the resumption of the Office of the Prosecutor’s (OTP’s) investigation into the Afghanistan situation. After understanding the OTP’s reasoning behind its request that the Pre-Trial Chamber II authorize the resumption of its investigation into the Afghanistan situation, as explained in the first part of this series, one can more fully understand why the chamber did, in fact, grant that request. The Pre-Trial Chamber’s decision is its first ruling on an Article 18(2) request—that is, a request for the ICC to preemptively halt its exercise of jurisdiction in deference to a state’s (here, Afghanistan) own, complementary domestic proceedings. This article will also cover the OTP’s Nov. 22 appeal of part of that decision, highlighting the current disagreement at the ICC with respect to the temporal scope of the situation and the alleged incidents (alleged crimes and actors) covered in the investigation.

Introduction

The ICC began its preliminary examination of the Afghanistan situation 16 years ago, and it has yet to meaningfully progress beyond this, partially due to the government of the Islamic Republic of Afghanistan’s request that the court defer to

Afghanistan's own domestic proceedings in suspending its exercise of jurisdiction. After the Taliban took over Kabul on Aug. 15, 2021, many, including the OTP itself, thought that the court should recognize the "significant change of material circumstances" in the country and move quickly to authorize the investigation to resume. At the time, the Pre-Trial Chamber II chose not to do so, pointing to the open "question of which entity actually constitutes the State authorities of Afghanistan since 15 August 2021." Now, more than a year later, after the OTP's assessment of the Islamic Republic's deferral request on its merits, the Pre-Trial Chamber II has ruled the other way. But, as reflected in the OTP's Nov. 22 appeal of part of the Pre-Trial Chamber II's decision, disagreements remain over the time period to which the OTP's investigation is confined and which actors the OTP may investigate for their alleged crimes.

Why Did the Pre-Trial Chamber II Grant the OTP's Request?

The Pre-Trial Chamber II ultimately authorized the OTP to resume its investigation into the Afghanistan situation after assessing the material transmitted by Afghanistan that had been translated and made accessible to the Pre-Trial Chamber II by the OTP. Despite certain documentary limitations, the Pre-Trial Chamber was able to determine that the actors and conduct under OTP investigation "extend well beyond" the actors and conduct that Afghanistan had investigated as well as those it had convicted. Through its evaluation, the chamber concluded that "Afghanistan is not presently carrying out genuine investigations and that it has not acted in a manner that shows an interest in pursuing the Deferral Request." In analyzing whether to authorize the resumption of the Afghanistan investigation pursuant to Article 18(2) of the Rome Statute, the Pre-Trial Chamber II accepts the majority of the OTP's reasoning. For example, contrary to the view of the government of the Islamic Republic, the prosecutor had asserted that the state requesting deferral under Article 18 had to satisfy the court that deferral is justified; the Pre-Trial Chamber II similarly speaks of the onus being on the state to "show that investigations or prosecutions are taking place or have taken place."

Contrary to the OTP's evaluation of the de facto authorities' unwillingness or inability genuinely to carry out the investigation or prosecution of the relevant acts and persons, however, the Pre-Trial Chamber II skips the analysis entirely under Rome Statute Article 17(2) and (3). Instead, the chamber concludes the admissibility analysis after consideration of Article 17(1)(a) and (b), stating, "Inaction by the State having jurisdiction means that the question of unwillingness or inability does not arise, and a case would be admissible before the Court."

The OTP and Pre-Trial Chamber also differ in approaches to speaking about different Afghan regimes. While the OTP took care to reference either the "Government of the Islamic Republic of Afghanistan" or "the authorities currently representing Afghanistan," the Pre-Trial Chamber II speaks, throughout, of "Afghanistan." Perhaps inherent in this referencing is an understanding that the chamber has reached its own determination regarding the current de facto authorities and de facto government, notwithstanding its lack of response from the U.N. secretary-general and the Bureau of the Assembly of States Parties to the Rome Statute regarding "which entity actually constitutes the State authorities of Afghanistan since 15 August 2021." It is understandable that the Pre-Trial Chamber would not want to pronounce on contentious issues such as governmental recognition of a de facto regime. It is, nonetheless, interesting that the chamber decided to make its current ruling at all, having seemingly not yet received a definitive decision either way—one that it had previously said was a prerequisite.

Also of note is the way the Pre-Trial Chamber criticizes both the Afghan state and the OTP for their missteps regarding translation. First, the chamber lambasts the OTP's translation of certain government documents into English and not others, without explaining the bases on which it had done so. Noting that the prosecution is "effectively a 'party' to the present proceedings," the chamber states that it is "not appropriate" for the OTP to "decide which of the documents transmitted by Afghanistan are worth translating for the purpose of the Chamber's consideration." Second, the chamber condemns the way Afghanistan provided a wealth of material in support of its deferral request, in languages in which the court does not work, without explaining which of those materials it regarded as the most important. The Pre-Trial Chamber II highlights that the burden is on the state requesting deferral to ensure that the chamber can analyze the materials in support of its request.

The OTP's "Deprioritization" of Certain Parts of the Investigation

In a press release issued on Sept. 27, 2021, ICC Chief Prosecutor Karim Khan stated that he would focus the OTP's Afghanistan investigation "on crimes allegedly committed by the Taliban and the Islamic State – Khorasan Province" and would "deprioritise other aspects of this investigation." Compared to the OTP's initial November 2017 request for authorization of an investigation into the Afghanistan situation, this bifurcation of priorities connotes a deprioritization of crimes allegedly committed by the Afghan National Security Forces and other forces of the former government, members of the U.S. armed forces and CIA, and members of international armed forces. As Khan's statement does not mention the Haqqani Network, which former ICC Chief Prosecutor Fatou Bensouda identified as an armed group "affiliated with the Taliban," it is unclear whether the group will be prioritized or deprioritized under the new approach. Khan's press statement also ostensibly represents the inclusion of a new party under investigation in the form of the Islamic State-Khorasan Province (IS-K).

While Khan’s decision was met with much scrutiny over its unequal application of the rule of law and apparent creation of a “hierarchy of victims: those who have allegedly suffered abuses by weaker nations or armed groups are far more likely to see action from the Court,” it was also, unsurprisingly, welcomed by U.S. government representatives. For example, a State Department representative stated that the U.S. is “pleased to see that the ICC prioritized its resources to focus on the greatest of allegations and atrocity crimes ... [having] long objected to the ICC’s attempt to assert jurisdiction over nationals of non-state parties such as the United States absent the consent of the state or a UN Security Council referral.” In its Oct. 31 filing, the Pre-Trial Chamber II also described the concerns of some victims over this OTP decision, with many troubled by the facts that the decision was communicated through a mere press statement, and not official channels, and that it engendered a focus on crimes allegedly committed by certain parties, and not others, before any investigations were even carried out.

At the end of paragraph 58 and in paragraph 59 of the Oct. 31 filing, the chamber unequivocally rebukes the investigatory focus in the OTP’s press release. Specifically, the chamber states that its current authorization decision relates to all alleged crimes and actors that the prosecutor originally identified in its request to authorize an investigation, and that “[a]lleged crimes unrelated to such situation and conflicts or related to any new armed conflict(s) ... and new parties to such a conflict, fall outside the scope of the investigation as authorised.” The chamber even goes so far as to highlight, in a footnote, the discrepancy between actors identified as being subject to investigation in the November 2017 request to authorize an investigation and the September 2021 press release; IS-K had not previously been referenced as an actor under investigation in the Afghanistan situation. Finally, Pre-Trial Chamber II seems to hint at the ability—or perhaps even desirability—of the OTP to either apply to enlarge the scope of its current investigation or request the authorization of a parallel investigation in respect of other conflicts or parties: “[A]lthough the Prosecution may, of course, submit a request under article 15 of the Statute to either broaden an investigation or open a new one.”

The OTP’s Appeal of Paragraph 59

On Nov. 7, the OTP notified the ICC of its intent to appeal a part of the Pre-Trial Chamber’s decision, and on Nov. 22, it filed that appeal. The OTP argues that the Pre-Trial Chamber’s instructions concerning the scope of the investigation do not comport with the parameters of the situation set out by the Appeals Chamber in its 2020 judgment and, thus, appeals paragraph 59 of the Pre-Trial Chamber II’s Oct. 31 decision. Specifically, the OTP understands the Pre-Trial Chamber to have limited the temporal scope of the investigation to exclude “any crime occurring after 20 November 2017 (the date of the request) or 5 March 2020 (the date of the Afghanistan Appeals Judgment authorising the investigation)” and to have limited the personal and material scope of the investigation to exclude “any crime committed by ‘new parties,’” including IS-K. The OTP argues that the Pre-Trial Chamber erred in both law and fact on the basis of two grounds: first, “by limiting the scope of the Court’s jurisdiction to crimes pre-dating the Prosecutor’s Request or the Afghanistan Appeal Judgment authorising the investigation” and, second, “by misreading the Prosecution’s article 15(3) application.”

Regarding the first point, and the temporal scope of the situation, the OTP makes three assertions. First, it asserts that the Appeals Chamber has already articulated the scope of the situation and of the court’s jurisdiction in Afghanistan. The prosecution notes that, at the end of the preliminary examination stage, it is merely required to demonstrate whether it has met the threshold determination that there is a reasonable basis to believe that “a crime” has occurred within the jurisdiction of the Court. Any other illustrative examples of crimes within the court’s jurisdiction are just that, examples, to illustrate “a threshold that has already been met.” The prosecution also points out the impossibility of identifying crimes, in a request for the authorization of an investigation, that occur after the submission of that request. It thus contends that it is unnecessary to obtain further Article 15(4) authorization on those such crimes prior to the time when the prosecution might investigate them and that it is unworkable to obtain further Article 15(3) authorization.

Second, the OTP underscores the binding nature of the Appeals Chamber’s determination on the scope of the court’s jurisdiction in Afghanistan. The prosecution stresses that, based on the Appeals Chamber’s ruling regarding the jurisdictional parameters of the situation, after determining deferral was unwarranted, the Pre-Trial Chamber could do nothing more than to authorize the investigation’s resumption. And third, the OTP backs its claims with jurisprudential analysis, asserting that the principles in the appeals judgment comport with other principles consistently affirmed by the court.

Regarding the second error of the chamber and the nexus required between an individual case and the overall situation, the OTP contends that, in its original request to authorize an investigation, it had sought that any authorized investigation would not be limited to the incidents and groups of perpetrators it mentioned in its original request. Even though the OTP spoke to specific incidents and groups of perpetrators, it nonetheless maintains that it had been clear that any reliance on such incidents and groups were only “for the limited purpose of the Request,” and that it “should be able to conduct an investigation into any other alleged crimes that fall within the scope of the authorised situation.” The prosecution even notes that it had specifically referenced IS-K in its original request, dispelling any notion that IS-K was, in fact, a “new party to the conflict.”

As a remedy, the OTP requests that the chamber correct and amend the identified legal and factual errors in paragraph 59 and “confirm the scope of the Court’s jurisdiction in this situation in the terms previously articulated by the Appeals Chamber.”

What Does This Mean for the Scope of the Situation and the Court's Jurisdiction in Afghanistan?

As the Pre-Trial Chamber II noted in its Oct. 31 decision, all individuals who made representations pursuant to the chamber's Article 18(2) collection process expressed that they would be in favor of resuming the investigation. Among other reasons, victims noted a desire to end impunity and prevent future crimes, the desire to ensure a genuine and timely investigation, and the belief that the court's investigation would allow victims' voices to be heard. Although the Pre-Trial Chamber has now authorized the resumption of the investigation, its actual scope is unclear.

The Pre-Trial Chamber II and the OTP disagree about the scope of the situation, with the OTP believing that scope is temporally, personally, and materially larger than the chamber believes it to be. Indeed, the Pre-Trial Chamber seems to be more than hinting that a new investigation should be opened in Afghanistan, perhaps post-August 2021. This would not be the first time the court has critically examined the sufficiency of the required nexus between an individual case and an overall situation (see, for example, the Pre-Trial Chamber I's 2011 Mbarushimana decision).

It is now up to the Appeals Chamber judges, with Judge Piotr Hofmański presiding, to rule on the OTP's appeal. Responses to the appeal brief are solicited both from victims—those already participating and those who wish to participate under Article 93 of the Rules of Procedure and Evidence—and from the "Islamic Republic of Afghanistan" by Dec. 15. If the Appeals Chamber's March 2020 judgment acts as prologue, it seems that the Appeals Chamber likely will side with the OTP. In that judgment, the Appeals Chamber confirmed: "[T]he Prosecutor is authorised to commence an investigation 'in relation to alleged crimes committed on the territory of Afghanistan in the period since 1 May 2003, as well as other alleged crimes that have a nexus to the armed conflict in Afghanistan and are sufficiently linked to the situation and were committed on the territory of other States Parties in the period since 1 July 2002.'"

Afghanistan's Taliban orders NGOs to ban female employees from coming to work in latest crackdown on women's freedoms (ABC) December 24, 2022

Afghanistan's Taliban have ordered all local and foreign non-government organisations (NGO) to stop female employees from coming to work, according to an economy ministry letter, in the latest crackdown on women's freedoms.

It comes days after the Taliban-run administration banned female students from attending universities across the country, prompting global condemnation and sparking some protests and heavy criticism inside Afghanistan. In a separate move, they also banned women from attending religious classes at mosques in the capital of Kabul.

The NGO order came in a letter from Economy Minister Qari Din Mohammed Hanif, which said that any organisation found not complying with the order would have their operating licence revoked in Afghanistan.

The ministry's spokesman, Abdul Rahman Habib, confirmed the letter's content. The ministry said it had received "serious complaints" about female staff working for NGOs not wearing the "correct" headscarf, or hijab. It was not immediately clear if the order applies to all women or only Afghan women working at the NGOs.

More details were not immediately available amid concerns the latest Taliban move could be a stepping-stone to a blanket ban on Afghan women leaving the home.

"It's a heartbreaking announcement," said Maliha Niazai, a master trainer at an NGO teaching young people about issues such as gender-based violence.

"Are we not human beings? Why are they treating us with this cruelty?"

The 25-year-old, who works at Y-Peer Afghanistan and lives in Kabul, said her job was important because she was serving her country and is the only person supporting her family. "Will the officials support us after this announcement? If not, then why are they snatching meals from our mouths?" she asked.

Another NGO worker, a 24-year-old from Jalalabad working for the Norwegian Refugee Council, said it was "the worst moment of my life".

"The job gives me more than a ... living, it is a representation of all the efforts I've made," she said, declining to give her name fearing for her own safety.

Mounting restrictions

The Taliban had already barred teenage girls from secondary school, and women were pushed out of many government jobs, prevented from travelling without a male relative and ordered to cover up outside of the home, ideally with a burqa.

Women were also banned from entering parks or gardens and the Taliban have resumed public floggings of men and women in recent weeks in moves international aid agencies have said may amount to "crimes against humanity".

The United Nations condemned the NGO order, and said it would seek to meet with the Taliban leadership to get some clarity.

"Taking away the free will of women to choose their own fate, disempowering and excluding them systematically from all aspects of public and political life takes the country backward, jeopardising efforts for any meaningful peace or stability in the country," a UN statement said. When asked whether the rules directly included UN agencies, the Economic Ministry spokesperson said the letter applied to organisations under Afghanistan's coordinating body for humanitarian organisations, known as ACBAR.

That body does not include the UN, but includes over 180 local and international NGOs. Their licences would be suspended if they did not comply, the letter said.

Ramiz Alakbarov, the UN deputy special representative for Afghanistan and humanitarian coordinator, told Reuters that although the UN had not received the order, contracted NGOs carried out most of its activities and would be heavily impacted. "Many of our programmes will be affected," he said, because they need female staff to assess humanitarian need and identify beneficiaries, otherwise they will not be able to implement aid programs.

International aid agency AfghanAid said it was immediately suspending operations while it consulted with other organisations, and that other NGOs were taking similar actions. The potential endangerment of aid programmes that millions of Afghans access comes when more than half the population relies on humanitarian aid, according to aid agencies, and during the mountainous nation's coldest season.

"There's never a right time for anything like this ... but this particular time is very unfortunate because during winter time people are most in need, and Afghan winters are very harsh," Mr Alakbarov said.

He said his office would consult NGOs and UN agencies on Sunday and seek to meet with Taliban authorities for an explanation.

Aid groups say female workers are critical to ensuring women can access aid.

Afghanistan's already struggling economy has tipped into crisis since the Taliban took over in 2021, with the country facing sanctions and cuts in development aid. Humanitarian aid, aimed at meeting urgent needs, has provided a lifeline to millions of people. More than half of Afghanistan's population are reliant on humanitarian aid, according to the International Rescue Committee.

Water cannon used on protesters

Earlier on Saturday, Taliban security forces used a water cannon to disperse women protesting the ban on university education for women in the western city of Herat, eyewitnesses said. According to the witnesses, about two dozen women were heading to the Herat provincial governor's house on Saturday to protest the ban.

Many chanted "education is our right" when pushed back by security forces firing the water cannon.

Video shared on social media showed women screaming and hiding in a side street to escape the water cannon. They then resume their protest, with chants of "disgraceful".

One of the protest organisers, Maryam, said between 100 and 150 women took part in the protest, moving in small groups from different parts of the city toward a central meeting point. She did not give her last name for fear of reprisals.

"There was security on every street, every square, armoured vehicles and armed men," she said. "When we started our protest, in Tariqi Park, the Taliban took branches from the trees and beat us. But we continued our protest.

"They increased their security presence. Around 11am they brought out the water cannon."

There has been widespread international condemnation of the university ban, including from Muslim-majority countries such as Saudi Arabia, Turkey, the United Arab Emirates and Qatar, as well as warnings from the United States and the G-7 group of major industrial nations that the policy will have consequences for the Taliban.

Afghan society, while largely traditional, had increasingly embraced the education of girls and women over the past two decades under a US-backed government, that fell during the US withdrawal from the country in August last year.

[\[back to contents\]](#)

Extraordinary Chambers in the Courts of Cambodia (ECCC)

Official Website of the Extraordinary Chambers [English]

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

Cambodia Tribunal Monitor

[\[back to contents\]](#)

Bangladesh International Crimes Tribunal

Bangladesh Government Arrests Jamaat-e-Islami Chief for Extremist Links (The Diplomat) By Shafi Md Mostofa

December 19, 2022

On December 13, the Dhaka metropolitan police's Counter Terrorism and Transnational Crime unit arrested the Jamaat-e-Islami amir (chief), Dr. Shafiqur Rahman, from his house in the capital over his suspected links with extremism. Police said that the Jamaat chief was "involved with the new militant organization Jamatul Ansar Fil Hindal 'Sharkia.'" Rahman's son Rafat Sadiq Saifullah was reportedly arrested on December 9. According to the police, Saifullah was active in the banned terror outfit, Ansar-al Islam, before he joined the Sharkia.

The Jamaat-e-Islami, one of Bangladesh's largest Islamic political parties, issued an official statement condemning the arrest of its chief. It denied that he has links with extremists.

On December 10, when the Bangladesh Nationalist Party (BNP), the country's main opposition party, held a massive rally in Dhaka and put forward a list of ten demands to the Awami League (AL) government, the Jamaat too announced a list of 10 demands similar to the BNP's demands. Both have called for the restoration of a neutral government to oversee elections and threatened to protest on the streets if the government fails to accept these demands.

The arrest of the Jamaat chief "is another dirty card being played by the AL government" to get Jamaat activists out on the streets, a leading Bangladeshi political analyst told The Diplomat. A large number of Jamaat activists can be expected to protest against Rahman's arrest. This will come in handy for the "tyrant [AL] regime to win the support of its Western allies," he said.

As expected, thousands of Jamaat activists took to the streets of towns across the country demanding the immediate release of their leader.

Enjoying this article? [Click here](#) to subscribe for full access. Just \$5 a month.

Jamaat-e-Islami is among Bangladesh's largest and oldest Islamist political parties. It believes that "Islam is the only complete code of life revealed by Allah," which "encompasses the whole gamut of human life." Since Islam covers "all spheres of human activities, both spiritual and material," Jamaat's agenda is to bring about "changes in all phases and spheres of human activities on the basis of the guidance revealed by Allah and exemplified by Prophet Muhammad."

To take forward its agenda, Jamaat initially worked with the Aliya madrassas (religious schools) and mosques to expand its

network across Bangladesh. It then targeted secular institutions like universities, colleges, and schools, which soon become hotspots of Jamaat recruitment. The Islami Chattra Shibir, the Jamaat's student wing, played a key role in its recruitment journey.

The Jamaat then started investing heavily in building and running schools, colleges, madrassas, mosques, banks, hospitals, and even coaching centers to take forward its cause. These efforts resulted in Jamaat getting 7-10 percent of the votes in Bangladesh's general elections.

Especially in the context of Bangladesh's main parties failing to secure absolute majorities on their own in parliament, the significant electoral support that the Jamaat won in elections helped it emerge as kingmaker in politics. The rivalry between the BNP and the AL has deeply polarized politics in Bangladesh, contributing to the emergence of political alliances.

In 1995-1996, AL and Jamaat joined hands to force the ruling BNP to set up an election-time neutral government, which paved the way for them to come to power in 1996. In the 2001 general election, however, the Jamaat allied with BNP, which gave their four-party alliance a landslide victory and culminated in several Jamaat leaders securing cabinet posts.

In 2009 too, the Jamaat aligned with the BNP. This time, however, the AL came to power at the head of a 14-party alliance.

Since then, the AL has won all national elections. Importantly, the government has dealt the Jamaat several blows in this period.

The AL led Bangladesh's liberation war in 1971. The Jamaat had opposed Bangladesh's independence from Pakistan and collaborated with Islamabad. Indeed, several of its leaders participated in horrific violence against the secular nationalist forces.

After coming to power in 2009, the AL government set up an International Crimes Tribunal to put on trial those who allegedly participated in genocide and crimes against humanity during the 1971 war. Several of them, including Jamaat chief Maulana Motiur Rahman Nizami, were convicted and sentenced to death.

The procedures adopted by the tribunal were widely criticized for not meeting international standards. The conviction and execution of the Jamaat leaders evoked a strong response from its supporters, and its activists engaged in mass protests to pressure the government to revoke the death sentence. However, the AL government went ahead with the executions.

Enjoying this article? [Click here](#) to subscribe for full access. Just \$5 a month.

Then in 2018, just ahead of the general election that year, the Jamaat was stripped of its status as a registered political party. Consequently, it could not contest the general election.

It would have been understandable had the AL's decision to clamp down on the Jamaat been driven by the latter's opposition to Bangladesh's liberation struggle and the conviction of its leaders in war crimes during the 1971 war. It was not.

Rather, hard political considerations and electoral calculations have driven the AL's strategy toward the Jamaat. Politically, the Jamaat offers the AL advantages on the national and international front.

In Bangladesh's politics, the independence narrative is extremely popular and heavily used in regular political discourses. The AL has been the biggest beneficiary of this narrative as it has projected itself as the sole force that won Bangladesh's independence. Targeting the Jamaat strengthens the AL's claims to being the sole secular party that is keeping the principles of the liberation struggle alive. Therefore, even as it cracks down on the Jamaat, the AL needs to keep it alive for its own political benefit.

Nationally, Jamaat's participation in politics, coupled with its alignment with the BNP, provides an opportunity for the AL to slam the BNP as an anti-liberation force, thereby de-legitimizing BNP's politics. Internationally, Jamaat's activism and street protests strengthen AL's claims that Islamist fundamentalism is strong in Bangladesh. This legitimizes AL's crackdowns on the opposition in the eyes of the West.

The AL government is under pressure. The economy is in crisis. Additionally, the BNP has been able to mobilize the masses against the government on issues like the rise in prices of essential commodities. This has prompted the AL government to bring the Jamaat issue into politics to deal with the challenges it is facing.

As for the Jamaat, it is facing multiple challenges too. It has been grappling with rifts in its ranks in recent years. Its anti-independence stance prompted a more Bangladeshi nationalist faction to set up Amar Bangladesh in 2020. Also, a new party named Bangladesh Development Party sought registration with the Election Commission in October 2022. This is believed to be a front of the Jamaat.

The Jamaat appears to be facing internal challenges as well as pressures from the government. It is not able to operate publicly as the government has shut down its offices. Whether the recent arrest of its chief will weaken the morale of its activists or energize them remains to be seen.

[\[back to contents\]](#)

War Crimes Investigation in Myanmar

U.N. Security Council Announces First Resolution on Myanmar in 74 Years (Organization for World Peace)
December 25, 2022

Last Thursday, the U.N. Security Council passed Resolution 2669 calling for an end to violence and the release of political prisoners in Myanmar. The resolution, which passed 12-0 with India, China, and Russia abstaining, addresses nationwide conflict which intensified after Aung San Suu Kyi of the National League for Democracy (N.L.D.) party was elected as Supreme Counsellor in November 2020.

In February 2021, Myanmar's military staged a coup detaining Suu Kyi and other N.L.D. members, with subsequent unlawful arrests of military opposition groups. In the wake of the takeover, former military officer Myint Swe became acting president and relinquished all power of the executive, legislative, and judicial branches to the commander in chief of the armed forces. The junta sentenced State Counsellor Suu Kyi to 26 years in prison, including 3 years of hard labor. According to C.C.N., the deposed counsellor currently remains in solitary confinement at a prison in Naypyidaw.

Over 16,000 people besides Suu Kyi have been arrested on political charges, 13,000 of whom continue to be detained, the Assistance Association for Political Prisoners says, according to statistics it published at the start of this month on the state of arrests since the military takeover. At least 2,465 civilian deaths have occurred since February 2021, but, the Association notes, the true total could be much higher.

The junta's terror also extends to human rights abuses toward Rohingya Muslims, an ethnic minority in Myanmar. At a speech at the U.S. Holocaust Museum in Washington, D.C. in 2018, U.S. Secretary of State Anthony Blinken "...determined that members of the Burmese military committed genocide and crimes against humanity against Rohingya." Several hundred thousand Rohingya continue to fear discrimination and execution. Many of these have been displaced from their homes in the Rakhine state to seek safety in refugee camps across Southeast Asia. Britain's U.N. ambassador Barbara Woodward spoke to Resolution 2669 as a show of support for Myanmar's people and a re-orientation to democracy. "We [the U.N.S.C.] stand with the people of Myanmar," Woodward said, affirming the council's position. "It is time for the junta to return the country to them... [I expect the] resolution to be implemented in full."

Elaine Pearson, the Asia director at Human Rights Watch, similarly believes the "resolution is a momentous step on behalf of the people of Myanmar, opening the door toward holding Myanmar's brutal generals to account." But not everyone is as optimistic. Tom Andrews, the independent U.N. special investigator on Myanmar, expressed his doubt about the resolution's ability to "stop the junta from attacking and destroying the lives of the 54 million in Myanmar." Akila Radhakrishnan, president of the Global Justice Center, likewise expressed doubts, noting that the resolution lacked robust consequences.

"Neither democratic transition nor national reconciliation can be achieved overnight, and both require time, patience, and pragmatism," said China's U.N. Ambassador Zhang Jun. Myanmar has lived under military rule for over five decades since it declared independence in 1948. A path to a civilian-led government was only made possible with the issue of a new constitution in 2008. However, when the military-aligned Union Solidarity and Development Party (U.S.D.P.) lost seats and the N.L.D. took a clear majority in the 2020 parliamentary election, the U.S.D.P. refused to relinquish control, claiming that the election was fraudulent and irregular. (The nation's electoral commission debunked these claims of fraudulent election activity.) In January 2021, Military Senior General Min warned that the military would take action if the opening of parliament was not delayed. This threat was substantiated by the coup the following month.

Now that the U.N. has passed Resolution 2669, the Association of Southeast Asian Nations (A.S.E.A.N.) has an opportunity to re-invigorate diplomatic talks with Myanmar's current military leadership. According to A.B.C. News, the resolution calls for an immediate end to violence, an A.S.E.A.N. special envoy to mediate negotiation proceedings, a visit by that envoy to

Myanmar to meet all concerned parties, and provision of humanitarian aid through A.S.E.A.N. channels. Resolution 2669 does not absolve the atrocities perpetuated in Myanmar, but rather opens a door to renewed diplomacy. International direction is one step forward, but ensuring progress towards a just, legitimate ruling party requires monitoring from neighboring states.

[\[back to contents\]](#)

AMERICAS

North & Central America

[\[back to contents\]](#)

South America

[\[back to contents\]](#)

Venezuela

[\[back to contents\]](#)

TOPICS

Truth and Reconciliation Commission

[\[back to contents\]](#)

Terrorism

[\[back to contents\]](#)

Piracy

[\[back to contents\]](#)

Gender-Based Violence

Drought Crisis in Somaliland Worsens Gender Based Violence for IDPs (Voice of America) By Juma Majanga
December 27, 2022

Aid workers say record drought in Somalia is hitting women and girls the hardest, putting them at risk of gender-based violence and seeing girls pulled out of school. Women and girls are forced to walk further from home to get water and education, making them vulnerable to attacks. Juma Majanga reports from Togdheer, in Somalia's breakaway region of Somaliland.

[\[back to contents\]](#)

Commentary and Perspectives

Brazil: President Lula Should Pursue a Rights Agenda (Human Rights Watch) By Maria Laura Canineu
December 15, 2022

"Brazil is back," President-elect Inácio Lula da Silva said, in his speech at COP-27 in Egypt last month. Brazil is ready to rejoin international efforts, he promised, and take strong measures to tackle climate change.

President Jair Bolsonaro's dismantling of Amazon rainforest protections and mismanagement of the Covid-19 pandemic has done profound damage to Brazil's international image—and, more important, to human rights. President-elect Lula needs to hit the global reset button fast.

Brazil's constitution requires placing human rights at the center of foreign policy. This means defending rights consistently, regardless of the ideology of any particular government.

President Bolsonaro lambasted Venezuela and Cuba but cheered other leaders with clear authoritarian tendencies and flagrant human rights abuses, from Russia's Vladimir Putin to Hungary's Viktor Orban, to the US's Donald Trump.

During his 2003-2010 presidency, then-President Lula was often criticized for letting ideological affiliations get in the way of addressing grave human rights abuses. He kept quiet, for instance, as Hugo Chávez gradually undermined democracy in

Venezuela.

Lula's third term should be different. He should act and speak to protect democracy and rights regardless of ideological affinity.

Lula will have plenty of opportunities for a consistent defense of human rights, starting with the region. In El Salvador, President Nayib Bukele has weakened institutions responsible for safeguarding the rule of law and adopted security policies that resulted in widespread human rights violations, including enforced disappearances, torture, and thousands of arbitrary arrests. In Venezuela, Nicaragua, and Cuba, the authorities systematically imprison protesters and political rivals, having snuffed out judicial independence and civil society participation.

Other governments in the region are taking the even-handed approach the Lula administration should adopt. Chilean President Gabriel Boric has repeatedly condemned left-wing double standards on human rights in Latin America. Officials worldwide have praised him for leading a feminist and environmentalist foreign policy. Brazil would do well to follow him in both, by criticizing human rights violations wherever they occur, promoting women to Foreign Ministry and other leadership posts, and ratifying the Escazu convention to protect forest defenders.

It is expected that the Lula administration will seek to reestablish diplomatic ties with Venezuela, but it should take measures to assure that such recognition comes with progress in human rights and free and fair elections.

President-elect Lula should align with other governments in the region in this respect, including Colombia, where President Gustavo Petro recently re-established diplomatic relations with Venezuela to press for concrete human rights commitments from Maduro. Lula should call for the release of political prisoners and progress in the Mexico negotiations between the Venezuelan government and the opposition.

Another tricky dance for President-elect Lula—considering that China is Brazil's most important trading partner—will be to condemn that country's crimes against humanity against Uyghurs and other Turkic Muslims, and press for international investigations.

And in the context of the Iranian authorities' violent repression of protests that started in September, President-elect Lula will have an immediate opportunity to defend women and girls' rights. As president in 2010, he offered asylum to Iranian women sentenced to death by stoning for adultery.

As Brazil prepares for its reemergence on the global stage, it should take unequivocal steps to undo a misguided foreign policy and abandon double standards on human rights. In the region, as in the world, the Lula administration needs to carry a basic human rights compass, as it works with local and international civil society groups to promote safety, justice, and equality for all.

South Africa Should Bring Home Grandmother and Other Nationals from Northeast Syria (Human Rights Watch) By Letta Tayler
December 21, 2022

"I'm an 'accidental terrorist,'" Khadija, a 54-year-old South African woman, told me with a rueful laugh. She was seated in a battered tent in Roj, a detention camp on a windswept desert in northeast Syria. "Coming in was easy. Getting out? Not so easy."

Khadija has been trapped in war-racked Syria since 2015, when she embarked on what she calls a failed quest to rescue three young family members living under the Islamic State (ISIS). She is now among an estimated 17 South Africans detained for years in camps in northeast Syria as ISIS suspects and family members.

The South Africans include 4 women and 13 children, one just 2 years old, family members say. They are held in horrific conditions made even more life-threatening by recent Turkish air strikes against the Kurdish-led forces who guard them. None of these South Africans have been charged with a crime. The South African government should resume its aborted efforts to bring them back.

Hundreds of detainees have died in Roj and al-Hol, the two camps in northeast Syria holding thousands of foreign women and children for alleged ISIS links. One was a South African mother. Many were children who died of preventable illnesses. Others were murdered by detainees loyal to ISIS, burned in tent fires, drowned in sewage pits, or hit by water trucks.

The detainees have no way to challenge their detention. Women in the camps told me hardline ISIS detainees threaten and throw rocks at those who want to go home.

Khadija does not fit the profile of most women held in the camps. Unlike most foreign female detainees, who came to Syria as young women or girls, she is now a grandmother. Most of the women say they were trafficked into ISIS, brought by male relatives, or joined voluntarily, but Khadija insists she came on a naïve rescue mission.

Her aim, Khadija told me when I met her in Roj in May, was to bring home two nieces and a nephew, the children of a brother who joined ISIS. But when she arrived, she said, her brother refused to let the children go.

“The next thing I knew I was out on the street in Syria, with no Arabic,” Khadija said, and she knew ISIS killed or imprisoned those who tried to leave. Khadija said she survived by moving in with widows of ISIS fighters, cleaning and caring for their children. When she finally managed to flee ISIS in 2018, she was picked up in northeast Syria by the Syrian Democratic Forces, a Kurdish-led, US-backed group fighting ISIS. Regional forces held her first in a prison, then al-Hol, then Roj.

Like other camp detainees, Khadija lacks adequate medical care though she suffers from grave illnesses that have left her largely immobile and without vision in one eye. She and the other detainees also lack adequate food, clean water, and shelter. Although most of the 17 South Africans, including Khadija’s nieces and nephew, also ended up in Roj, they can only visit Khadija twice a year.

In 2021, South Africa tried to repatriate its nationals but the deal collapsed at the last minute. “We were packed and ready to go,” another South African woman in Roj said. “But we waited and waited and no one came for us.”

The setback stemmed from diplomatic sensitivities, informed sources said. South Africa has diplomatic relations with the Syrian government, complicating its negotiations with the detaining authorities in nominally autonomous northeast Syria. But at least 34 countries have repatriated nationals from northeast Syria, including some with diplomatic ties to Damascus such as Kazakhstan, Russia, and Tajikistan.

The South African government should repatriate or help bring home its nationals before any more die in northeast Syria. It should help rehabilitate and reintegrate the returnees, recognizing that children are victims of ISIS and that many women may be, too. Adults can be prosecuted if warranted. In other countries, children who have been brought home from al-Hol and Roj are doing remarkably well, Human Rights Watch found.

I can’t vouch for Khadija’s motives for going to Syria, but I can attest to her regret and despair that she may never again see her children or meet her grandchildren back in South Africa. “I wouldn’t like to die here,” she said. “I would like a funeral back home.”

Surely the South African authorities can act before it comes to that.

[\[back to contents\]](#)

Aiding and Abetting

As the West backs Nigeria's war on insurgents, it backs off on human rights (Reuters) By David Lewis, Reade Levinson, and Libby George
December 28, 2022

The abortion report – along with a second Reuters report detailing targeted military killings of children suspected of being offspring or supporters of the insurgents – drew outcry internationally. The U.S. state and defence departments, lawmakers in Washington and London, the German foreign minister and the United Nations secretary-general called for inquiries by staff or investigations by the Nigerians.

The Nigerian military denied such human rights abuses took place, as it had denied abuses in the past. After initially rejecting the need for an investigation into the abortion findings, General Lucky Irabor, Nigeria's defence chief, said on Dec. 16 that the military would cooperate with a probe by the country's independent human rights commission, adding that the Reuters report was "evil" and the military had "nothing to fear."

Diplomats in the United States and the United Kingdom, two of Nigeria's staunchest backers in the war against Boko Haram and its Islamic State offshoot, said the Reuters findings on abortions and targeted child killings were new to them. But the response so

far – international calls for action, Nigerian denials and uncertainty in world capitals about how to follow through – fits a pattern seen throughout the war.

Washington and London, along with the UN and international humanitarian agencies, have struggled for years with the tension between offering support to the Nigerian government during the war and denouncing alleged abuses by its military against civilians.

That tension has shaped the U.S. response since at least 2013. Matt Page, then a U.S. State Department analyst, told Reuters that the troubling U.S. intelligence on Giwa Barracks led then-Secretary of State John Kerry to release a statement that year expressing deep concern about "credible allegations that Nigerian security forces are committing gross human rights violations, which, in turn, only escalate the violence and fuel extremism."

Later that year, the White House registered its concern with the Nigerian president. Ahead of a meeting in New York between then-presidents Barack Obama and Goodluck Jonathan, Abuja's ambassador to the United States reassured the White House that Nigeria was committed to abiding by "international best practices" and said a decision had been taken "to immediately decongest" the Giwa detention centre, according to a Sept. 20, 2013, letter seen by Reuters. Obama stressed the need to protect and respect human rights while combating terrorism, according to a U.S. summary of the meeting.

By the following spring, however, Washington had backed off on human rights and doubled down on counterterrorism in Nigeria. In April 2014, the shocking news arrived that hundreds of schoolgirls had been kidnapped by Boko Haram insurgents from the northeastern town of Chibok, leading to "a sea change" in the administration's agenda, Page recalled. "The message coming from the White House changed to, 'We need to do everything possible to help the Nigerians bring back the girls.'"

In the intervening years, Page said, "the Nigerians have become very adept at pushing back and managing criticism and deflecting criticism, and in a sense have house-trained a lot of diplomats to basically keep their criticisms to themselves."

As reports of serious military abuses in Nigeria's northeast have mounted, international efforts to address them largely have fallen short, Reuters found. Calling out suspected abuses and seeing that the Nigerian military is held to account have proved difficult, given the dire security threat posed by the insurgents, the scope of the humanitarian crisis in the northeast and the limited role outsiders can play – or are comfortable playing – in the affairs of a sovereign nation, according to interviews, internal U.S. and British government documents and public reports.

The administration of U.S. President Joe Biden referred questions for this report to the state and defence departments. In separate statements, those departments said they were "deeply concerned" about findings in the recent Reuters investigations. Both said their cooperation with Nigeria was intended to help the country build "more capable, professional, and accountable security forces that abide by the Law of Armed Conflict, respect human rights and protect civilians."

The British government said in a statement that regional security and human rights were both key considerations in its relationship with Nigeria.

The Nigerian government and military did not respond to Reuters' requests for comment for this story. Previously, military and government leaders told Reuters the abortion programme did not exist and said children were never targeted for killing in the war.

Major General Christopher Musa, who leads the Nigerian counterinsurgency forces, told Reuters in a November interview that they were consistently trained to protect civilians as required by international law and the military's own code of conduct. Nigerian forces also received training in human rights from the UN, the United States and the UK, he said.

He added that the military had been fully transparent with its international partners about its activities. "Everybody sees what we're doing, and that we're abiding by the rules." INTERNAL MISGIVINGS The United States and the United Kingdom see Nigeria as a key but troubled ally in Africa: It is the continent's most populous country, its largest economy and the birthplace of Boko Haram and Islamic State's West Africa affiliate. In April, the U.S. State Department approved a nearly \$1 billion weapons sale and other military support to Nigeria after lawmakers had paused the deal over concerns about rights abuses. Both America and Britain have seen the devastating effects of Islamist extremism, at home and abroad, and are intent on seeing it suppressed in Nigeria. But their support for the Nigerian military comes with serious internal misgivings. At times, "abuses are being sanctioned at the highest levels of Nigeria's military command," a July 2018 UK government analysis reads. The main reason for the continued military support by Washington and London, say some experts, is Nigeria's growing importance in Africa and globally. With huge oil and gas reserves, it is home to some 200 million people and is on course to become the third most populous nation on the planet by 2050. If stable and successful, the country could become an economic and geopolitical powerhouse. If insecurity spreads, it could devolve into a vast failed state that exports extremism and migrants across the region and beyond. "The country's current struggle for security, for effective democracy, and for enough economic opportunity to accommodate its constantly growing labour force will determine whether it is a force for growth and peace or a source of disorder spilling far beyond its

borders," said Michelle Gavin, an Africa specialist on the National Security Council during the Obama administration. Well aware of Nigeria's current and future strategic importance, diplomats in recent years have had less visibility on potential abuses because of the deteriorating security situation, especially in the country's northeast, said Alex Vines, head of the Africa programme at the Chatham House think tank in London. Aid groups have a limited window as well, some humanitarian officials told Reuters. They are heavily restricted by the military in war-ravaged northeast Nigeria and need its approval to access populations caught up in one of the world's most pressing humanitarian crises. That limits their ability both to deliver aid in areas where civilians are most vulnerable and to bring abuses by security forces to light, they say. Meanwhile, the International Criminal Court (ICC), a body expressly set up to investigate and prosecute atrocity crimes, has been slow to act in Nigeria. Considered a court of last resort, it prosecutes only when national courts are unwilling or unable to bring defendants to justice. In 2020, after a decade of preliminary examination, the ICC Office of the Prosecutor said there was "a reasonable basis to believe" that war crimes and crimes against humanity were committed by Nigerian security forces, as well as by insurgents. Fatou Bensouda, the office's chief prosecutor until 2021, said that Nigerian officials had not held either side sufficiently to account, and criteria had been met for an investigation by her office. Two years later, the ICC's new prosecutor has not opened one. Bensouda told Reuters this month that Nigerian authorities dragged their feet in providing information her office sought. And as it became clear the ICC was looking at alleged crimes by government forces, as well as insurgents, members of the Nigerian government threatened to halt cooperation altogether, she said.

By now, "certainly, I think the case should have gone to the next stage," she said, referring to a full ICC-run investigation.

The ICC's current chief prosecutor, Karim Khan, did not respond to questions from Reuters.

The U.S. state and defence departments said in their statements that human rights are at "the core" of the U.S.-Nigeria relationship. As a result, "the Nigerian military has implemented mechanisms to engage in investigation of, accountability for, and prevention of misconduct, civilian casualties, and human rights violations and abuses," the State Department said.

The British government said its partnership with Nigeria, which includes training of its armed forces, is intended to both address rising insecurity in the region and "protect at-risk communities across the country."

"At the centre of this partnership," the government said, "is a mutual understanding that respect for human rights must be paramount."

'CLIMATE OF FEAR'

Human rights groups began raising concerns about abuses by Nigerian security forces in the northeast soon after the war broke out in 2009.

In 2012, the international group Human Rights Watch accused Nigeria's government of responding "with a heavy hand" to the insurgency and warned that crimes against humanity may have been committed by government forces. Nigerian security forces "have killed hundreds of Boko Haram suspects and random members of communities where attacks have occurred," the report said.

In 2015, the Center for Civilians in Conflict, a U.S.-based research group, reported that the Nigerian military had difficulty distinguishing between civilians and combatants and at times viewed civilians as "conspirators." The report said security forces "directly targeted" civilians in the war, causing destruction of property, injury and death.

The same year, Amnesty International reported that thousands of people had been subjected to arbitrary arrests and hundreds to extrajudicial killings, including at Giwa Barracks.

The Nigerian government dismissed Amnesty's report as inaccurate, saying the organisation had "an agenda" that was "against the security agencies and image of Nigeria before the international community."

As the conflict in the northeast spread, the humanitarian crisis deepened. Hundreds of thousands of people were at risk of starvation, and suffering from violence and disease. Nigeria found itself in the uncomfortable position of needing international assistance.

The relationship between aid organisations and the authorities, both military and civilian, grew more tense. Humanitarian groups, used to a measure of independence in delivering food and medical care, chafed under military restrictions. For years, they have been barred from operating outside government-controlled areas.

In 2019, Nigerian officials tightened the rules, requiring aid workers to "undergo lengthy processes" to get approval for moving "personnel, cash and cargo," according to a 2020 Human Rights Watch report. On some routes, they were required to travel with armed escorts.

Humanitarian groups say the military's close control over their activities not only limits where they go and what they see, but also threatens their appearance of impartiality in the conflict, putting staff in danger of attack by insurgents and diminishing the likelihood that civilians will confide in them about military abuses.

Some aid agency officials told Reuters that staff members fear retaliation by the military if they voice concerns about how civilians are treated, including further restrictions on access, non-renewal of visas and closure of their offices. In 2019, two international aid groups, Action Against Hunger and Mercy Corps, had offices closed by the military due to accusations of alleged corruption or support for insurgents. The actions were later rescinded.

"There is a climate of fear," said one aid official, whose views echoed those of two others interviewed by Reuters. All spoke on condition of anonymity.

COMPETING INTERESTS

For years, U.S. officials have wrestled with the often-competing interests of collaborating with Nigerian authorities and pressing them over human rights concerns.

At the State Department in 2013, as Page was drawing attention to potential abuses by Nigerian security forces, he got pushback from the U.S. Embassy in Nigeria.

Ambassador Terence McCulley wrote to Page's boss, Matthew Harrington, in June of that year to express "considerable frustration" with Page's focus, according to an email seen by Reuters. Harrington was the State Department's director of the Office of Analysis for Africa in the Bureau of Intelligence and Research.

"While respect for human rights is unquestionably a high priority, we have many other equities at stake," McCulley wrote. Among them, the ambassador noted, was engagement between the U.S. and Nigerian militaries. He said the focus on human rights had sent relations between the two countries into the "lowest ebb" in his three years there.

Harrington declined to comment.

Contacted for this story, McCulley told Reuters that he had been frustrated that Washington suspended training of a specific military unit "on the basis of very limited evidence." He said his views reflected the U.S. diplomatic mission's perspective at the time. Nigeria was "arguably our most important strategic partner on the African continent," he said.

Soon, Boko Haram's abduction of 276 schoolgirls from Chibok, the town in northeastern Nigeria, horrified a world audience and changed the U.S. focus. Among other steps, President Obama announced a \$40 million Global Security Contingency Fund to provide Nigeria and three other countries technical expertise, training and equipment.

At a May 2014 hearing about the Chibok abductions before the House Foreign Affairs Committee, some officials and lawmakers voiced frustration at the challenges posed by working with the Nigerian military.

"The military has too often built a record of indiscriminate destruction themselves, theft of personal property, arbitrary arrests, indefinite detention, torture and extrajudicial killing of civilians, much of this with impunity," said then-Congressman Eliot Engel, a Democrat from New York.

Nigeria's human rights record wasn't only a moral issue – it was a legal one.

The Leahy Laws, authored by Senator Patrick Leahy in the late 1990s, prohibit providing military assistance to individuals or security-force units that commit gross violations of human rights and have not been brought to justice. Sarah Sewall, then undersecretary of state for civilian security, democracy and human rights, testified at the May 2014 hearing that "some 50% of the Nigerian military" was ineligible for training and other military support from the United States because of the Leahy Laws. Sewall did not respond to a request for comment.

In 2014, Washington halted the resale of U.S.-made helicopters from Israel to Nigeria in part over human rights concerns. But in later years, deals went ahead despite similar worries.

In January 2017, the Nigerian Air Force bombed a refugee camp, killing between 90 and 170 civilians. The attack prompted the Obama administration to freeze a \$593 million sale of 12 A-29 Super Tucano light attack planes and thousands of bombs and rockets.

A few months later, the new administration of President Donald Trump resurrected the deal, citing the need to aid Nigeria in fighting Islamist extremists.

U.S. senators Cory Booker and Rand Paul protested in a letter in June 2017 to Rex Tillerson, the secretary of state at the time. "We

are concerned that the decision to proceed with this sale will empower the government to backtrack even further on its commitments to human rights, accountability, and upholding international humanitarian law," they wrote. "That ultimately helps to strengthen Boko Haram."

Reuters was unable to reach Tillerson. A spokesperson for Trump did not respond to a request for comment. Spokespersons for the Obama administration also did not respond to requests for comment.

In July 2021, with Biden now in the White House, U.S. lawmakers put a hold on a \$997 million arms sale to Nigeria over concerns about possible human rights abuses by the Nigerian government. But after Secretary of State Antony Blinken went to Nigeria in November that year and registered the concerns, the deal went ahead – the largest-ever sale of U.S. arms in sub-Saharan Africa. The deal included 12 AH-1Z Viper attack helicopters and 2,000 Advanced Precision Kill Weapon systems.

In their statements, U.S. defence and state department officials said that arms sales to the Nigerians were carefully vetted to ensure compliance with the Leahy Laws. Working under these laws provided "openings to incentivise and institutionalise" human rights protections within the Nigerian military, the State Department said.

U.S. assistance has long been based on the assumption that continuing to train and engage with Nigeria's security forces would help make them more professional and therefore less likely to commit abuses, according to current and former U.S. officials and Nigeria experts.

As the U.S. is providing equipment, Blinken said during his November 2021 trip to Nigeria, it is ensuring "that those who will be using the equipment are trained in a way that makes sure that they are doing it to avoid hurting the good guys even as they're going after the bad guys."

Since 2000, the United States has provided at least 41,027 training slots for Nigerian military personnel, many focusing on compliance with international law and appropriate use of weapons to mitigate civilian harm, according to a May 2022 report about Nigeria and its military by Brown University and others.

However, continued reports of harm inflicted by Nigerian security forces, including civilian casualties and sexual violence, suggest "that trainings provided by the U.S. and others have been insufficient in either quantity and scope or have not been appropriately targeted," the report found.

Karen Hanrahan, who oversaw implementation of the Leahy Laws as a State Department official in the Obama administration, told Reuters that she, like Page, pushed for greater emphasis on human rights compliance in Nigeria.

The Nigerian government wanted more advanced technology "that we knew, based objectively on all of the evidence, that they would have used to be more brutal," said Hanrahan, a former U.S. deputy assistant secretary for democracy, human rights and labor. But the Nigerians were adept at pushing back on international pressure, she said, and invoked the legacy of colonialism.

They said "that we should understand the situation they're in and what they have to do because they're fighting terrorists," Hanrahan said.

The bottom line, said some veteran diplomats, is the Nigerian military often got what it wanted.

"What they wanted is hardware, the attack aircraft and so forth, and I think they sort of roll their eyes at the lectures about human rights," said Alex Thurston, an assistant professor of political science at the University of Cincinnati and former desk officer at the State Department.

In comments to Reuters in November, Major General Musa said Nigerian security forces have been respectful of human rights but are still not receiving enough international help to defeat the insurgents.

"The Nigerian armed forces is doing all the best to be very professional, to be able to end this menace," he said. "But unfortunately, we're not getting the right support from even the Western world. And it's very, very, extremely, very sad."

A SPECIAL RELATIONSHIP

British officials have long considered Nigeria, a former colony, as a "priority" partner, with which it has long-standing economic and cultural ties.

The importance of the relationship is not fully captured in British exports to the Nigerian military, which have been much more modest than America's. The United States agreed to sell more than \$1.6 billion worth of arms to Nigeria in its two major deals since 2017. Since 2015, the UK approved at least \$64 million (53 million pounds) in sales of military and dual-use goods, according to export licences from the Department for International Trade accessed via the Freedom of Information Act.

The UK is keen on engaging with the Nigerian government on economic, security and geopolitical issues, government documents seen by Reuters show. And it sees the government's poor human rights record as a serious liability in this quest.

"Our engagement is not risk free and the shadow of Human Rights violations is always present," states a briefing paper prepared by the British defence ministry in 2021. The paper underscores that the UK sees such violations as a "reputational risk." The document was obtained and first reported on by the UK-based investigative media outlet Declassified. British officials did not respond to specific questions about the document, which was reviewed by Reuters.

Still, the UK has moved cautiously ahead in working with the Nigerian military, principally in offering training and non-lethal equipment while limiting collaboration on military operations.

Driving the UK, in part, is a fear of seeing its political and economic influence in Africa wane. In the 2021 briefing paper, the defence ministry expresses concern that the UK risks losing ground to other "competitors" in the sales of military equipment, including China and Russia. "Nigeria is a potentially huge market for the UK," and Lake Chad Basin countries, including Nigeria, "are often in a 'hurry' when it comes to procuring equipment and capability enhancements," the paper states.

Between 2014 and 2020, in response to the Chibok kidnapping, the UK dedicated a small number of military personnel to serve in the northeast – including about a dozen liaison staff stationed at Maimalari Barracks in Maiduguri, according to a government document and several sources with knowledge of the postings. Reuters reported this month that forced abortions were occurring at that site during that period.

British officials have long been aware of other suspected abuses by Nigerian security forces, according to other government documents and interviews.

"Specifically on the northeast, the Nigerian military has never been human-rights compliant," said one former foreign office analyst.

Around 2017, for example, staffers working in Nigeria for a humanitarian agency expressed concern in a report to British officials, including at the foreign office, about the fate of Nigerian men and boys detained in military operations. The staffers reported that the civilians, most of whom were perceived as insurgent sympathisers, were taken without any choice to a "screening centre" that was not accessible to humanitarian agencies, according to a confidential report by the humanitarian group.

The following year, in a July meeting with aid groups, then-British defence secretary Gavin Williamson was briefed about issues including forced relocations, screening centres and "missing men and boys," according to a meeting schedule reviewed by Reuters.

Williamson did not respond to requests for comment about the meeting or whether he took any action as a result. The Ministry of Defence also did not respond to questions about the meeting.

About the same time, in July 2018, the British government prepared an analysis of the war in Nigeria's northeast and how London could best respond.

The report was produced by the Stabilisation Unit, run by the UK National Security Council. It raised a red flag: "In certain circumstances, abuses are being sanctioned at the highest levels of Nigeria's military command, with the Presidential directive to defeat Boko Haram by the end of 2015 leading the military to adopt highly aggressive tactics, including the use of 'scorched earth' tactics, with the widespread burning of villages."

The office of Nigerian President Muhammadu Buhari did not respond to a request for comment on the report.

A month later, the British government signed a security and defence partnership with the Nigerian government aimed at helping to end the Islamist insurgency in the northeast. As part of the August 2018 pact, the UK agreed to provide more equipment and training to the Nigerian military, including help to train full army units before they deployed to the northeast.

The pact also noted that London and Abuja had agreed on an "enhanced human rights dialogue" to ensure compliance with international rights standards.

The UK's offer frustrated Nigerian military leaders, who felt it was not sufficient for the war effort, said two British officials who dealt with the Nigerian authorities at the time.

In 2020, Nigerian troops opened fire on civilians who were protesting police brutality in Lagos, the country's commercial capital. The shooting was widely condemned by the international community and led to a review of British security assistance to Nigeria, according to the 2021 defence ministry briefing paper obtained by Declassified. The review found that six of the 10 UK-funded projects in Nigeria held "a serious risk that the assistance might directly or significantly contribute to a violation of human rights."

The review recommended changes including scaling back British military staff in Nigeria and focusing on helping the Nigerian

military institutions reform.

At a meeting in London in early 2022, officials from the UK and Nigeria said they reaffirmed their countries' deep relationship based on shared principles of "democratic governance and respect for international humanitarian and human rights law."

ACCOUNTABILITY 'ESSENTIAL'

Human rights abuses in Nigeria have long been scrutinised at the highest levels of the system meant to ensure justice across the world. The International Criminal Court's prosecutor opened a "preliminary examination" in 2010 to determine whether an investigation into possible charges was warranted. The office spent 10 years collecting and analysing information.

While doing so, the court pushed for Nigerian authorities to organise their own judicial proceedings. Some low-level insurgents went on trial. But in 2020, the then-prosecutor, Bensouda, said that Nigerian authorities "are deemed inactive" in part because of the absence of relevant legal proceedings against alleged perpetrators of abuses in the security forces. Military authorities, Bensouda said, "informed me that they have examined, and dismissed, allegations against their own troops."

Six months before leaving office in 2021, Bensouda said the criteria for opening an investigation into war crimes and crimes against humanity in Nigeria had been met.

Nigeria has not clearly addressed in public the ICC's role in examining possible abuses by its security forces. It has in the past broadly supported the mission of the court.

In April 2022, Khan, the court's new prosecutor, paid his first visit to Nigeria and met with President Buhari, the president's deputy, the foreign minister and the acting solicitor general. "My message was clear: accountability for atrocity crimes is essential," Khan said after the meetings.

In its proposed budget for 2023, however, the court did not set aside any money for a full-scale Nigerian probe. It said it faced "an unprecedented workload, in terms of both volume and complexity, with operations in 16 situations," including Ukraine.

[\[back to contents\]](#)

WORTH READING

War Crimes Prosecution Watch Staff

Founder/Advisor
Dean Michael P. Scharf

Faculty Advisor
Jim Johnson

Editor-in-Chief
Matthew Koutsky

Managing Editors
Spencer Luckwitz
Harper Fox

Technical Editor-in-Chief
Alexa Stovsky

Technical Editors

Alexa Stovsky
Kayla Briskey
Matthew Koutsky
Emory Bado

Emerging Issues Advisor

Judge Rosemelle Mutoka
Contact: warcimeswatch@pilpg.org

Africa

Libya

Kelsey Tschanen, Associate Editor

Matthew Mullins, Senior Editor

Central African Republic

Kelsey Tschanen, Associate Editor

Matthew Mullins, Senior Editor

Sudan & South Sudan

Chad Weisman, Associate Editor

Matthew Mullins, Senior Editor

Democratic Republic of the Congo

Chad Weisman, Associate Editor

Matthew Mullins, Senior Editor

Côte d'Ivoire (Ivory Coast)

Austin Milliren, Associate Editor

Matthew Mullins, Senior Editor

Lake Chad Region

Austin Milliren, Associate Editor

Matthew Mullins, Senior Editor

Mali

Spencer Luckwitz, Associate Editor

Matthew Mullins, Senior Editor

Liberia

Spencer Luckwitz, Associate Editor

Matthew Mullins, Senior Editor

Uganda

Eliza Roberts, Associate Editor

Francesca Bergeret, Senior Editor

Kenya

Eliza Roberts, Associate Editor

Francesca Bergeret, Senior Editor

Rwanda (International Criminal Tribunal for Rwanda)

Harper Fox, Associate Editor
Francesca Bergeret, Senior Editor

Somalia

Harper Fox, Associate Editor
Francesca Bergeret, Senior Editor

Europe

Court of Bosnia and Herzegovina, War Crimes Section

Alicia Mallo, Associate Editor
Kayla Briskey, Senior Editor

International Criminal Tribunal for the Former Yugoslavia

Michaela Guyot-Polverini, Associate Editor
Kayla Briskey, Senior Editor

Domestic Prosecutions in the Former Yugoslavia

Alicia Mallo, Associate Editor
Kayla Briskey, Senior Editor

Turkey

Kyle Dunnell, Associate Editor
Kayla Briskey, Senior Editor

Kosovo Specialist Chambers

Michaela Guyot-Polverini, Associate Editor
Kayla Briskey, Senior Editor

Azerbaijan

Kyle Dunnell, Associate Editor
Kayla Briskey, Senior Editor

Turkey

Kyle Dunnell, Associate Editor
Matthew Koutsky, Senior Editor

Kosovo Specialist Chambers

Michaela Guyot-Polverini, Associate Editor
Matthew Koutsky, Senior Editor

Azerbaijan

Kyle Dunnell, Associate Editor
Matthew Koutsky, Senior Editor

Middle-East

Iraq

Brandon Burkey, Associate Editor
Maryam Assar, Senior Editor

Syria

Brandon Burkey, Associate Editor
Maryam Assar, Senior Editor

Yemen

Elise Manchester, Associate Editor
Maryam Assar, Senior Editor

Special Tribunal for Lebanon

Kendyl Biondich, Associate Editor
Maryam Assar, Senior Editor

Israel and Palestine

Elise Manchester, Associate Editor
Maryam Assar, Senior Editor

Gulf Region

Matthew Mullins, Associate Editor
Maryam Assar, Senior Editor

Asia

Afghanistan

Lucas Katz, Associate Editor
Estefania Sixto Seijas, Senior Editor

Extraordinary Chambers in the Courts of Cambodia

Asia Moore, Associate Editor
Estefania Sixto Seijas, Senior Editor

Bangladesh

Asia Moore, Associate Editor
Estefania Sixto Seijas, Senior Editor

War Crimes Investigations in Myanmar

Lucas Katz, Associate Editor
Estefania Sixto Seijas, Senior Editor

Americas

North and Central America

Sam Rodis, Associate Editor
Maryam Assar, Senior Editor

South America

Sam Rodis, Associate Editor
Maryam Assar, Senior Editor

Venezuela

Sam Rodis, Associate Editor
Maryam Assar, Senior Editor

Topics

Truth and Reconciliation Commissions

Francesca Bergeret, Senior Editor

Terrorism

Kayla Briskey, Associate Editor
Francesca Bergeret, Senior Editor

Piracy

Matthew Koutsky, Associate Editor
Francesca Bergeret, Senior Editor

Gender-Based Violence

Francesca Bergeret, Senior Editor

Commentary and Perspectives

Harper Fox, Associate Editor
Francesca Bergeret, Senior Editor

Worth Reading

Matthew Koutsky, Senior Editor

War Crimes Prosecution Watch is prepared by the
International Justice Practice of the **Public International Law & Policy Group**
and the **Frederick K. Cox International Law Center** of
Case Western Reserve University School of Law
and is made possible by grants from the **Carnegie Corporation of New York**
and the **Open Society Institute**.

Grotian Moment: The International War Crimes Trial Blog:

<http://law.case.edu/grotian-moment-blog/>

Frederick K. Cox International Law Center:

<http://law.case.edu/centers/cox/>

Cox Center War Crimes Research Portal:

<http://law.case.edu/war-crimes-research-portal/>



To subscribe or unsubscribe from this newsletter, please email warcimeswatch@pilpg.org.