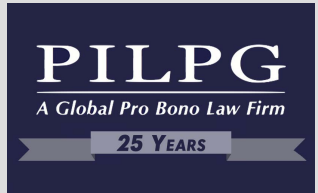




SCHOOL OF LAW
CASE WESTERN RESERVE
UNIVERSITY

War Crimes Prosecution
Watch



FREDERICK K. COX
INTERNATIONAL LAW CENTER

Founder/Advisor
Michael P. Scharf

Faculty Advisor
Jim Johnson

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Editor-in-Chief
Matthew Koutsky

Technical Editor-in-Chief
Alexa Stovsky

Managing Editors
Spencer Luckwitz
Harper Fox

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Contents

AFRICA

NORTH AFRICA

Libya

CENTRAL AFRICA

Central African Republic

- UN: Children in Central African Republic Are Victims of Appalling Abuse, Brutality (VOA)

Sudan & South Sudan

- Sudan's army chief, the warlord and a feud that risks civil war (Reuters)

Democratic Republic of the Congo

WEST AFRICA

Côte d'Ivoire (Ivory Coast)

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

- **Boko Haram kills pastor, injures wife, others in Borno (Vanguard)**
- **Troops repel three ISWAP attacks on Borno communities, 25 insurgents killed (The Cable)**
- **Army neutralises 18 suspected Boko Haram terrorists in Borno (The Guardian)**
- **DHQ: Boko Haram/ISWAP logistics supplier, informant arrested in Borno (The Cable)**
- **Troops repel ISWAP night attack in Borno (The Cable)**
- **ISWAP Claims Responsibility For Killing Of 3 Policemen In Edo (The Whistler)**
- **Nigeria: ISWAP Claims First Attack in Jigawa State (RANE)**
- **Three soldiers injured 'after running into IED planted by ISWAP' in Borno (The Cable)**
- **Suspected ISWAP terrorist kills 10 villagers in Yobe (The Guardian)**

Mali

- **Situation in Mali Remains Volatile amid Escalating Clashes between Armed Groups, Official Tells Security Council, Calling for Sustained International Engagement (United Nations)**

Liberia

EAST AFRICA

Uganda

- **Uganda's failure to jail child rapists as teen pregnancies soar (BBC)**

Kenya

- **Azimio wants ICC to probe Koome over 'targeted' killing of protesters (The Standard)**

Rwanda

- **Rwanda Genocide: Felicien Kabuga hits 90 as trial continues (The Star)**
- **Conflict in eastern DR Congo forces thousands of schools to close (Al Jazeera)**
- **Rwanda Again Asks UK to See Justice Served On Genocide Suspects (All Africa)**
- **DR Congo: Withdrawal of M23 rebels is an opportunity to investigate atrocities and provide aid (Amnesty International)**

Somalia

Ethiopia

- **Eritrea's government should not be allowed to harm peace in Ethiopia (Al Jazeera)**
- **Aid group says two employees killed in Ethiopia's Amhara region (Alarabiya News)**
- **UN agency investigating humanitarian food theft in Ethiopia (Africa News)**

EUROPE

Court of Bosnia & Herzegovina, War Crimes Chamber

- **Bosnian Army Ex-Officer Cleared of War Crime Against Serb Prisoners (Balkan Transitional Justice)**
- **The Trial of Rade Grujic for War Rape in the Area of Zvornik begins (Sarajevo Times)**

International Criminal Tribunal for the Former Yugoslavia

- **Blair's Former Allies on Trial for War Crimes (Consortium News)**

- **Vojislav Buzakovic: Alleged Serbian war criminal found hiding in Ireland (BBC)**

Domestic Prosecutions In The Former Yugoslavia

Turkey

- **As NATO Arms Ukraine, Russia's Wagner Sought War Chest From Turkey: Reports (Republic World)**
- **Biden administration to advance small F-16 equipment sale to Turkey - sources (YahooFinance)**

Kosovo Specialist Chambers

Azerbaijan

- **Provisional Measures at the ICJ in the Cases of Armenia and Azerbaijan (Lawfare)**
- **April 11th: unprovoked Armenian military action causes Azerbaijani casualties (EU Today)**
- **Armenia vows to recognize disputed Nagorno-Karabakh as Azerbaijan amid rising tensions (Politico)**
- **Azerbaijani soldier charged with murdering Armenian civilian (The Armenian Weekly)**

Russia

- **Ukraine war: President Zelensky condemns beheading video (BBC)**
- **Germany receives 337 reports on war crimes in Ukraine (Ukrinform)**
- **Ukraine's top prosecutor speaks of 'evil' Russian atrocities (Associated Press)**
- **Russian soldiers 'forced me to dig my own grave': US lawmakers hear accounts of alleged Russian war crimes (CNN)**

MIDDLE-EAST

Iraq

Syria

Yemen

Special Tribunal for Lebanon

Israel & Palestine

Gulf Region

ASIA

Afghanistan

- **Australian Army Chief Warns of Further Criminal Charges Over Alleged War Crimes in Afghanistan (Khaama Press)**

Extraordinary Chambers in the Courts of Cambodia

- **New UN exhibition reflects dark side of Cambodian history (The Phnomh Penh Post)**

Bangladesh International Crimes Tribunal

- **Bangladesh Muslims Protest to Slam Chinese Government for Atrocities on Uyghurs (Republic World)**
- **How Bangladesh's opposition 'Maayer Daak' betrayed victims' families to help BNP win western support (India Today)**

War Crimes Investigations in Myanmar

- **Interview: The attack on unarmed civilians in Myanmar is 'definitely a war crime' (Radio Free Asia)**

AMERICAS

North & Central America

South America

Venezuela

TOPICS

Truth and Reconciliation Commission

Terrorism

Piracy

- **Anti-Maritime Piracy Bill 2022: A Game-Changer for Shipping Industry Security? (Business World)**
- **Ongoing Incident: Pirates Board Another Tanker off Cote d'Ivoire (Maritime Executive)**
- **Ghana Tops Piracy Ranking in Gulf of Guinea (My Joy Online)**
- **War in Yemen and Risks to Shipping (Channel 16)**

Gender-Based Violence

Commentary and Perspectives

- **Australia Should Help Strengthen Democracy in the Region (Human Rights Watch)**

Aiding and Abetting

WORTH READING

- **Nihal Jayasinghe and Daley J. Birkett: A War Crimes Tribunal for Sri Lanka? Examining the Options Under International Law**

AFRICA

NORTH AFRICA

Libya

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

CENTRAL AFRICA

Central African Republic

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

UN: Children in Central African Republic Are Victims of Appalling Abuse, Brutality (VOA) By Lisa Schlein
April 3, 2023

A review by U.N. independent experts of the human rights situation in the Central African Republic reveals rampant ethnic violence and systemic gross violations throughout the country with children suffering appalling abuse and brutality at the hands of armed groups, defense and security forces, and private military and security companies.

“It is rare to find a country with a human rights record so alarming, which has been forgotten by the rest of the world,” said Volker Türk, U.N. high commissioner for human rights in his opening salvo at the U.N. human rights council Friday.

“The people of the Central African Republic face a daily reality of sudden spikes of violence where fear is used as a weapon and serious trauma, which has been caused by years of violence.”

He said children were not spared the ravages of the conflict that has been ongoing since 2012, noting that girls especially were subjected to horrific acts of sexual violence linked to the conflict.

“Last year, the Human Rights Division recorded 647 children who were victims of child rights violations. The majority concerning the use of children in the armed conflict, attacks on their physical integrity, their freedom, arbitrary detention, and sexual violence linked to the conflict,” he said.

Virginia Gamba, Special Representative of the U.N. Secretary-General for Children and Armed Conflict said the number of grave violations committed against children in 2022 had decreased compared to the previous year.

However, she added that conflict continued to take a heavy toll on boys and girls with many being killed and maimed by gunshots and explosive remnants of war.

Sexual abuse

“The recruitment and use of children remained the most prevalent violation verified in 2022,” she said. “While boys were most affected, girls were also recruited and used by parties to conflict and most of them were subjected to sexual violence during

their association. Some of the girls became pregnant following the rape.”

She said children were driven to join armed groups because of poverty and protection of their communities from attacks by rival armed groups.

More than a decade of armed conflict has kept the CAR in a state of perpetual impoverishment, hunger, and ill health. The U.N. office for the coordination of humanitarian affairs, OCHA reports more than two million people, or more than one-third of the population needs humanitarian assistance to survive.

A recent U.N. food assessment finds 2.7 million people, nearly half the population, are acutely food insecure, with 642,000 on the verge of famine. OCHA reports hundreds of thousands of people are suffering from acute malnutrition, most are children under age five. In addition, more than half a million children aged three to 17 are out of school, making them susceptible to recruitment, exploitation, and trafficking.

Mohamed Ag Ayoya, deputy special representative of MINUSCA, the U.N. peacekeeping force in CAR warns children continue to be raped, abducted, killed, maimed, and recruited by armed groups and security forces with impunity.

“There is no peace without justice. Despite the government and partners' efforts, there is still a lot of impunity,” he said.

“There are no criminal courts operating. So, rape is often tried as a minor crime, trivialized. And that stops peace and security efforts,” he said. “I urge all partners to support the government to bring an end to inequality and to give justice to the victims of rape.”

Calls for dialogue

The minister said there was no military solution to this long-lasting conflict and urged the warring parties to lay down their weapons and “take up a dialogue for the sake of all children in the country.”

His sentiments were echoed by rights chief Türk who urged the Government to adopt measures to prevent serious violations from occurring and to provide comprehensive care for the child victims.

Arnaud Djoubaye Abazene, minister of state in charge of justice, human rights and good governance of the CAR responded to these pleas by assuring members of the U.N. human rights council that attention was being paid to all children's issues at the highest level in the country.

“The government is resolved to ensure the protection and promotion of the rights of the child and to combatting the recruitment of children by armed groups.

“The government also reaffirms its commitment to prosecute and punish the perpetrators of crimes against children and other serious human rights violations,” he said.

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

Sudan & South Sudan

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

Sudan's army chief, the warlord and a feud that risks civil war (Reuters) By Michael Georgy
April 19, 2023

A battle that is hammering Khartoum and dragging Sudan to the brink of civil war pits the army chief and his regular forces against the streetwise fighters loyal to a former warlord.

Army head General Abdel Fattah al-Burhan controls heavy weapons and the airforce, but his soldiers face a irregular force led by the wealthy, one-time militia leader General Mohamed Hamdan Dagalo, better known as Hemedti.

Hemedti's Rapid Support Forces (RSF), which analysts say may have 100,000 or more paramilitary fighters, have already proved a tricky opponent, evacuating bases in the capital that have come under attack and melting away into residential areas where heavy armour and conventional military tactics lose any advantage.

With their once uneasy alliance in tatters, the two men are battling to make a killer blow in a power struggle that may instead deliver protracted conflict and more instability, shredding prospects for peace and economic revival in Sudan after decades of autocracy, military rule and international isolation.

Fighting that erupted on Saturday has already killed at least 270 people, injured 2,600, forced dozens of hospitals to close and left residents cowering at home with dwindling supplies.

Hemedti, a school dropout now in his late 40s, began as a camel trader in Darfur. According to Muhammad Saad, a former assistant, he first took up arms after men attacked his trade convoy, killed about 60 people from his extended family and stole his livestock.

His fighting skills were honed when his loyalists and other irregulars allied with the government to help quash a rebellion in Darfur that had erupted in 2003. The militia forces became known as the Janjaweed, a term loosely derived from the Arabic for 'devils on horseback' that reflected a fearsome reputation.

The International Criminal Court accused then President Omar al-Bashir of masterminding genocide, crimes against humanity and war crimes in the campaign he launched to crush the revolt.

Bashir and his government denied allegations of atrocities, saying only rebels were targeted in the conflict that lasted years, killed about 300,000 people and displaced 2 million.

ABANDONING THEIR BENEFACTOR

Amid the bloodshed, Hemedti captured the attention of Bashir, a general who came to power in a 1989 coup. Hemedti's militia, which morphed into the RSF, became a government enforcer. Bashir also gave his family and associates free rein to sell Sudan's gold, helping him amass a fortune.

Hemedti would later turn on his benefactor when Bashir was ousted in 2019. In the aftermath, Hemedti secured the post of deputy head of state, a position that technically reports to Burhan. He also transformed himself into a politician, giving speeches, meeting Western diplomats and winning backers abroad. Like Sudan's army, the RSF deployed fighters to Yemen where Gulf Arab states have fought a proxy war for years against Iranian-backed Houthis.

"Hemedti planned on becoming the number one man in Sudan. He has unlimited ambition," an opposition figure previously said of him, while asking not be named for fear of reprisals.

His RSF may lack typical army discipline, but they are skilled fighters, with their AK-47 assault rifles and rocket-propelled grenades and their trademark pick-up trucks with mounted machine guns, making them a highly agile force.

They have also retained a brutal reputation. Protesters blamed the RSF for a bloody crackdown on a protest camp in 2019 in Khartoum outside the Defence Ministry after Bashir's ousting. More than 100 people were killed. Hemedti denied any role.

Hemedti's rival cuts a very different figure. Burhan is a career soldier with 41 years service mostly under Bashir, whose rule saw Sudan become an international pariah that was on the U.S. terrorism list while its economy was battered by sanctions.

Burhan, now in his early 60s, has proved a deft political operator, rising under Bashir before also dumping him. He said he was among the military figures who told Bashir to step down.

BASHIR'S ALLIES BEHIND BURHAN

Since then, he has become Sudan's de facto leader and entered a power-sharing deal with civilians that was meant to put Sudan on a three-year path to democracy.

"What the country is going through now is a real threat and danger to the dreams of the youth and the hopes of the nation," Burhan said after seizing power, promising to hold elections in July 2023 and hand over to an elected civilian government.

But opponents, who have taken to the streets, say he has instead put the military firmly in charge. Protests against the military's grip on power have faced a fierce response from Burhan's security forces.

While both Burhan and Hemedti climbed under Bashir, the Islamists who were a pillar of Bashir's rule for three decades are likely to want Hemedti defeated and a victory by Burhan's regular army, putting their military allies back in government.

Pro-democracy groups have said Bashir-era loyalists - sometimes referred to as the "remnants" of the old order - could seek a return on the back of the army's fight with the RSF.

"The remnants' plan and their diligent work is to take control of the country once again, even if this means breaking the country apart," a group that includes the pro-democracy Forces of Freedom and Change Coalition and neighbourhood resistance committees said in a statement.

For now, the battle for Khartoum rages on amid fierce fighting for control of strategic assets such as the airport, army headquarters and state broadcaster. And neither leader is backing down. Burhan has ordered the RSF paramilitary disbanded and declared it a rebellious group. The military wants the RSF integrated into the regular army and under its controls, two military sources said.

Hemedti, who has branded Burhan a "criminal", told Al Jazeera TV: "We know where you are hiding and we will get to you and hand you over to justice, or you die just like any other dog."

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

Democratic Republic of the Congo

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

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

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

Boko Haram kills pastor, injures wife, others in Borno (Vanguard) By Ndahi Marama
April 6, 2023

Members of the Boko Haram terrorist sect, Tuesday evening, invaded Mathdaw village in Biu Local Government Area of Borno State, where they shot dead a pastor (name withheld), who was in charge of Church of Brethren in Nigeria, also known as EYN Church in Hausa parlance.

The insurgents, according to a source, also shot and injured the wife of the pastor, who is currently receiving treatment at an undisclosed hospital.

The terrorists also launched an attack on Njimtilo, Pulka and Ajiri Mafa, but the troops swiftly repelled them, killing many terrorists in the process.

Madthaw is a remote village around the Sambisa forest axis and located about 9 kilometres from Miringa town. It was gathered that aside the killing of the pastor, some civilian casualties were also recorded with destruction of buildings and looting of foodstuff/livestock in the community.

In a related development, Nigerian troops of Operation Hadin Kai have repelled three separate attacks by Islamic State West African Province, ISWAP and Boko Haram terrorists in the North-East of the state, killing many of the insurgents.

Intelligence sources, told Zagazola Makama, a counter-insurgency expert and security analyst in Lake Chad region, that the separate attacks were launched on Tuesday, in Njimtilo, Pulka and Ajiri Mafa, but the troops swiftly repelled the attacks.

The sources said that terrorists attempted to attack troops of 73 Battalion deployed at a vocational training centre (Morroco) ahead of Njimtilo, close to the restive capital of Maiduguri, which resulted in a heavy gun battle.

Troops repel three ISWAP attacks on Borno communities, 25 insurgents killed (The Cable) By Ahmad Sahabi
April 6, 2023

Troops of Operation Hadin Kai have repelled three attacks by the Islamic State of West African Province (ISWAP) in Borno state.

Zagazola Makama, a publication focused on the Lake Chad region, said the attacks took place on Tuesday at Njimtilo, Pulka and Ajiri Mafa communities. The insurgents were said to have attempted to attack troops of 73 battalion deployed at the vocational training centre at Njimtilo – but they were repelled by the troops, forcing them to flee with gunshot wounds.

Eighteen insurgents were also said to have been killed by troops during a raid on the insurgents' camp in the fringes of the Sambisa forest.

“During the operation, the gallant troops neutralised 18 terrorists. Makeshift tents belonging to the terrorists were destroyed,” a source was quoted as saying.

During the attack on Pulka, the insurgents were also fought off by the troops and members of the civilian joint task force deployed at Damra Primary School in the community.

Five insurgents were killed during the encounter while others fled.

The insurgents reportedly attacked the Ajiri Mafa community around 8:17 am on Tuesday but were also subdued by the troops.

Army neutralises 18 suspected Boko Haram terrorists in Borno (The Guardian) By Njadvara Musa
April 7, 2023

The Joint Task Force, Operation Hadin Kai (OPHK), has neutralised 18 suspected Boko Haram terrorists in the southern fringe of Sambisa Forest in Borno State.

Also, troops of Task Force Brigade, Bama, in collaboration with the Civilian Joint Task Force (CJTf), on April 4, foiled an intrusion into Garin Ba'aba. Counter-insurgency expert in the Lake Chad region, Zagazola Makama, disclosed, yesterday, in Maiduguri that troops successfully neutralised the fleeing terrorists in Bama.

Besides, a military source in Maiduguri stated that the terrorists' property and makeshift camps were destroyed by the troops.

DHQ: Boko Haram/ISWAP logistics supplier, informant arrested in Borno (The Cable) By Samad Uthman
April 7, 2023

The Defence Headquarters (DHQ) says troops of the Nigerian army have arrested a suspected terrorist logistics supplier.

Speaking at the DHQ monthly briefing held on Thursday, Musa Danmadami, director of the defence media operations, said the suspect supplies Boko Haram and Islamic State of West Africa Province (ISWAP) fighters.

Musa said the suspect was arrested in Biu LGA of Borno while conveying N2.2 million concealed inside a bag of corn to his brother who resides in the bush in Mandaragirau.

“Also, on 28 March 2023, troops on patrol arrested a suspected Boko Haram terrorists/Islamic State of West Africa Province (ISWAP) terrorist logistics supplier in Biu Local Government Area of Borno State who concealed the sum of two million naira, one hundred and sixty-nine thousand, seven hundred naira (N2,169,700.00) only inside a bag of ground corn,” he said.

“The suspect revealed that he was conveying the cash to his brother who resides in the bush at Mandaragirau.”

Musa said the troops arrested a suspected terrorist informant in Kakuwa LGA and rescued two kidnapped victims in Chibok LGA of Borno.

He said the rescued victims were earlier abducted by the Boko Haram terrorists.

The defence spokesperson said the troops also recovered some ammunition after a gun duel with terrorists who were imposing taxes on residents of Kulumukuwa village in Geidam LGA of Yobe.

Troops repel ISWAP night attack in Borno (The Cable) By Samad Uthman

April 7, 2023

The troops of sector 3 Multi National Joint Task Force (MNJTF) have reportedly repelled an attack by the Islamic State West Africa Province (ISWAP) fighters in Monguno, a northern Borno town.

Monguno is one of the 27 LGAs in Borno state which has a distance of about 137.8 kilometres north of Maiduguri, the capital.

Zagazola Makama, a counter-insurgency publication focused on the Lake Chad region, reports that the ISWAP fighters attacked the town right after the breaking of fasting with heavy weapons on Friday night.

A military source told the publication that the fighters were aiming to penetrate the town by running it aground.

The publication said the troops were able to push back the fighters “after engaging them in a heavy gun battle”.

TheCable had reported how the troops of the Nigerian army repelled a series of attacks launched against its bases in Mafa and Biu LGAs

On March 27, the troops of Operation Hadin Kai repelled an attack by the ISWAP fighters on a military base in Kunnari, a village near Buratai town, after invading the community.

Two days later, on March 29, the troops also repelled another attack by the ISWAP fighters targeted at a military asset in Ajiri, Mafa LGA of Borno.

Zagazola Makama said the failed attack was in retaliation to the killing of 41 fighters – including a commander – of ISWAP in Mukdolo by the troops of Operation Hadin Kai and the Civilian Joint Task Force (CJTF).

ISWAP Claims Responsibility For Killing Of 3 Policemen In Edo (The Whistler) By Nneoma Benson

April 8, 2023

The Islamic State’s West Africa Province (ISWAP) has claimed responsibility for the ambush on police operatives at their duty post near Ago, along the Igarra-Auchi Road in Edo State.

The sect disclosed this through its network: Amaq Agency, in the Arabic language where it noted that its foot soldiers attacked with machine guns.

“By granting success by God Almighty, the soldiers of the Caliphate attacked a checkpoint of the apostate Nigerian army, in the town of (Akoko) in the (Edo)region yesterday, with machine guns, which led to the killing of 3 (three) members and wounding of 4 (four) others, and praise be to God,” google translation of the Arabic message read.

The terrorists, strongly suspected to be a faction of the terrorist’s cell in Kogi had attacked the officers on Thursday at their duty post – a checkpoint established to curb the activities of kidnappers and other criminal activities in the area.

According to reports, police operatives upon receipt of the incident had reinforced to the area where they found the lifeless bodies of some of the officers, and blood markings on the ground were traced into a bush that led to the hideout of the suspect.

“We saw blood markings on the ground into the bush and we trailed that blood stains to a hideout of the suspects where we met two of them with gunshot injuries, one had already died from the gunshots while the other was taken away by the police to the hospital.

“We recovered the four police rifles and additional two in the hideout we met the assailants. Upon interrogation, the suspect said they are from Okenne in Kogi State but we don’t know their mission whether it is armed robbery or kidnapping they wanted to use the arms and ammunition for,” the head of the vigilante group in the area, Ibukun Dogo told newsmen.

When THE WHISTLER contacted the state’s police spokesperson, Chidi Nwabuzor, he declined to comment on the situation.

“I am not permitted to talk on the matter, except I get permission from my superior,” he said.

When asked about the suspects that were arrested on the day of the incident, he said, “Investigation is ongoing”.

Nigeria: ISWAP Claims First Attack in Jigawa State (RANE)

April 14, 2023

What Happened: The Islamic State West Africa Province (ISWAP) on April 13 claimed responsibility for an April 11 attack with an improvised explosive device (IED) in Nigeria's northwest Jigawa state, HumAngle reported April 14. Jigawa state police reported no fatalities and only one injured individual.

Why It Matters: The April 11 attack was the first ISWAP attack to occur in Jigawa, suggesting that the group intends to continue expanding its geographic scope of attacks to potentially target new areas, as it did successfully in 2022. However, ISWAP's most active operational bases will remain in the country's northeastern region, where over the past decade both ISWAP and its rival, Boko Haram, have gained a territorial foothold and govern swaths of territory. Additionally, ongoing counterinsurgency pressure from the Nigerian military and persistent clashes with Boko Haram will likely constrain ISWAP's operations, though intermittent attacks — including ambushes, village raids and bombings — cannot be ruled out in the coming months.

Background: This attack appears to be the second ISWAP conducted in 2023 outside of the group's northeast bases. The previous attack occurred on April 6 in Nigeria's southern Edo state in which an unknown number of ISWAP fighters ambushed security forces in the Akoko-Edo Local Government Area, killing at least one police officer. Otherwise, the group has largely concentrated its 2023 operations in the northeast Borno state, targeting security forces and Boko Haram fighters and their families.

Three soldiers injured 'after running into IED planted by ISWAP' in Borno (The Cable) By Samad

Uthman

April 15, 2023

At least three soldiers attached to the 25 task force brigade of Operation Hadin Kai have been reportedly injured after running into an improvised explosive device (IED) in Borno.

According to Zagazola Makama, a counter-insurgency publication focused on the Lake Chad region, the IED was suspected to have been planted by the Islamic State of the West African Province (ISWAP).

Intelligence sources told the publication that the troop encountered the IED during a fighting patrol between Sabon Gari – Wajiroko on Friday.

The source said the three injured soldiers sustained minor bruises on their bodies and were evacuated to the hospital for medical attention

TheCable had reported how ISWAP fighters allegedly killed 10 residents in Dogsa village in Yobe state.

The residents were said to have been killed on Thursday evening while searching for one Shettima Dawi — who went missing after leaving home to get firewood.

Zagazola Makama said the bodies of the deceased were recovered and buried on Friday afternoon.

Suspected ISWAP terrorist kills 10 villagers in Yobe (The Guardian)

April 16, 2023

The Islamic State West Africa Province (ISWAP) terrorists have killed 10 people in a

fresh offensive on Dogsa Village, Yobe State.

The villagers were killed on Thursday, April 13, 2023, while searching for Shettima Dawi, who went to fetch firewood in Sambisa Forest.

A counter-insurgency expert, in the Lake Chad region, Zagazola Makama, disclosed, yesterday, in Maiduguri, that Dawi could not return home, as he was ambushed and killed by the terrorists.

“This prompted Dawi’s relatives and other neighbours to mobilise and search for his whereabouts in the forest,” he said. He said that the bodies of the villagers were recovered from the forest and buried on Friday afternoon.

“Shortly after the burial ceremony, the terrorists came to the community,” he said, adding that they threatened the villagers to relocate to other settlements in Gujba Local Council.

A military source in Maiduguri also stated that the terrorists stormed the community in a convoy of Hilux trucks and motorcycles on Wednesday evening, informing the residents not to panic about their presence.

“The insurgents though warned the locals not to reveal their presence to the security agencies,” he said, noting that they had told the villagers that they fear the military forest onslaughts.

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

Mali

Situation in Mali Remains Volatile amid Escalating Clashes between Armed Groups, Official Tells Security Council, Calling for Sustained International Engagement (United Nations)

April 13, 2023

Amid surging clashes between non-State armed groups, massive displacement and a “catastrophic” humanitarian situation, the United Nations continues to offer the best framework for the lasting stability of Mali and the larger Sahel region, the Organization’s senior official in that country told the Security Council today, as he detailed recent developments on the ground.

El-Ghassim Wane, Special Representative of the Secretary-General for Mali and Head of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), presenting the Secretary-General’s latest report (document S/2023/236), told the 15-member Council that the situation remains volatile. More than 30,000 people have been displaced to Ménaka, in eastern Mali, since the beginning of 2022 as a result of the clashes between two non-State armed groups, Islamic State in the Greater Sahara and Jama’at Nasr al-Islam wal Muslimin, known as JNIM.

“Listening to those displaced persons who were begging us literally for drinking water was a shocking experience,” he said, also noting the urgent need for food, medicine and shelter. In this increasingly complex environment, MINUSMA has continued to protect civilians through its patrols with Malian Defence and Security Forces. It also promotes reconciliation and social cohesion activities and calls on local authorities to provide basic social services. Improvements to MINUSMA’s freedom of movement and its coordination with Malian troops will be critical for the Mission to meet the legitimate expectations of the Malian people and authorities, he said, insisting that MINUSMA must retain its full operational capability and have the required uniform personnel.

He also called on signatory parties to the 2015 Agreement on Peace and Reconciliation in Mali to respond to the profound aspirations of the Malian people by rising above their own interests. While the authorities have yet to communicate a new date for the constitutional referendum that was initially scheduled for 19 March, they have nevertheless stated that the delay will not compromise the restoration of constitutional order. For their part, the Security Council must continue its support and all parties must extend the necessary electoral assistance. The resilience of the Malian people is proof that the situation can be turned around through sustained engagement and commitment, he pointed out.

As Council members took the floor, many paid tribute to the peacekeepers who have lost their lives in service of MINUSMA. Delegates also called for enhanced cooperation with the Mission, as many voiced their concerns over the country’s political,

humanitarian, security and human rights situations, and outlined their views.

The representative of Brazil, for one, welcomed the Malian authorities' inclusion of women, trade unions, political parties and civil society representatives in the commission tasked with drafting the country's new constitution. He also praised its cooperation on electoral support and efforts on gender, capacity-building and election-related violence prevention. While those developments are remarkable, he stressed that they cannot set a sound foundation for durable peace without the implementation of the Peace and Reconciliation Agreement. All Malian political forces must redouble their efforts to address the root causes of conflict, he emphasized.

Building on those sentiments, Ghana's delegate — also speaking on behalf of Gabon and Mozambique — called for broader investments in Mali's inclusive development. The role of the United Nations Peacebuilding Commission, especially its climate-related peace and development interventions and its promotion of community-based dispute resolution mechanisms, should be encouraged. Peace dividends in Mali can be realized if all stakeholders consider the solution to the crisis as a shared responsibility, he underscored.

The representative of the United Kingdom pointed out that it is the Malian authorities who have the primary responsibility to implement the Peace and Reconciliation Agreement and must therefore take the first step. The Secretary-General's latest report has clear indications that progress against the four parameters for MINUSMA to remain effective and relevant has not been made, she noted, citing the continuation of ground and air restrictions, persistence of tensions between signatory parties and expulsion of the Mission's human rights director from the country. With no visible signs from Malian authorities of a commitment to these parameters, it cannot be "business as usual" for MINUSMA's upcoming mandate renewal in June, she stressed.

China's representative, encouraging Council members to listen attentively to Mali's own wishes and priorities, urged the international community to remain patient as it undertakes practical steps to support the parties, resolve differences and ensure the smooth conduct of elections. The world must support Bamako's efforts in countering terrorism, maintaining stability and protecting civilians through increased funding, equipment, intelligence and logistical assistance. However, any linking of human rights with such assistance would be counterproductive, undermine national sovereignty and amount to an intervention, he warned.

Echoing those points, the representative of the Russian Federation stressed that MINUSMA's operations must be carried out with respect for the host country's sovereignty. The postponement of the constitutional referendum took place for valid reasons, he said, highlighting the need to ensure the security of Malians in light of recent troop withdrawals. States which have reacted negatively to Moscow's offer of support in Mali must renounce their own "neo-colonial habits", he added, stressing: "This region does not belong to you — let Malians resolve their own problems with the partners they themselves have chosen."

Mali's delegate emphasized that there is no desire to restrict MINUSMA's movement. Contrary to what is conveyed in the Secretary-General's latest report, those movement requests did not comply with agreed upon procedures. He assured the Council that his country is working to implement political, institutional and electoral reforms within the framework of a transparent and inclusive process. Mali will also continue to tirelessly promote and protect human rights, he pledged, adding that his Government will oppose any politicization with equal vigour. Against that backdrop, he appealed for greater international solidarity on his country's humanitarian situation.

Also speaking were the representatives of France, United Arab Emirates, Albania, Ecuador, Switzerland, Malta, United States and Japan.

The representatives of France, Ecuador and Mali took the floor a second time.

The meeting began at 10:05 a.m. and ended at 11:59 a.m.

Briefing

EL-GHASSIM WANE, Special Representative of the Secretary-General for Mali and Head of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), presenting the Secretary-General's latest report (document S/2023/236), said the security situation in the country remains volatile. Since the beginning of 2022, there has been an upsurge in clashes between Islamic State in the Greater Sahara and Jama'at Nasr al-Islam wal Muslimin, known as JNIM, as those non-State groups compete to extend their spheres of influence and control supply lines. Malian security forces have conducted operations around the town of Ménaka and in areas further south in response, and Niger's special forces have announced cross-border operations to pursue Islamic State elements. Despite this, the security and humanitarian situation remains catastrophic, with more than 30,000 people having been displaced to Ménaka.

"Listening to those displaced persons who were begging us literally for drinking water was a shocking experience," he said, also noting the urgent need for food, medicine and shelter. In that increasingly complex environment, MINUSMA has

continued to protect civilians through its patrols with Malian Defence and Security Forces; promote reconciliation and social cohesion activities; and call on local authorities to provide basic social services. The Mission has also carried out protection measures in the Gao and Centre regions, he added, noting that most of the incidents related to armed conflict in the past three months have occurred in the Mopti and Ségou regions. While operations in these areas have forced extremist groups to disperse into the surrounding areas of Timbuktu and Gao, they have nevertheless carried out surprise attacks on police stations along main supply routes and increasingly used improvised explosive devices to hamper the movements of Mali's forces. MINUSMA will continue its protection activities in Ogossagou and Douentza, protect critical infrastructure and continue its attention to the human rights situation.

For their part, he said, Malian authorities must make every effort to ensure that military operations against terrorist and extremist groups are conducted in full compliance with international human rights and humanitarian law, that violations and abuses are transparently and promptly investigated and that perpetrators are brought to justice. In light of the current security challenges, he stressed the need for closer coordination between Malian forces and MINUSMA, so as to allow for a more judicious use of existing resources and greater effectiveness. Equally important is the Mission's freedom of movement, especially as it continues to encounter challenges. Improvements in those areas will be critical for MINUSMA to meet the legitimate expectations of the Malian people and authorities for enhanced effectiveness, he said, insisting that the Mission must retain full operational capability and have the required uniformed personnel and capabilities in order to make a meaningful contribution.

He provided an overview of recent political developments, which included the submission of proposals from the international mediation to accelerate the implementation of outstanding provisions of the 2015 Agreement on Peace and Reconciliation in Mali. Signatory parties must consider these with the required spirit of compromise, refrain from any action that may heighten tensions or undermine ongoing efforts and respond to the profound aspiration of the Malian people by rising above particular interests, he said, underscoring the importance of continued Council support. While the authorities have yet to communicate a new date for the constitutional referendum which was initially scheduled for 19 March, they have nevertheless stated that this delay will not compromise the restoration of constitutional order within the agreed timeline. Spotlighting the continued support of the United Nations Integrated Electoral Team, he called on all parties to extend the necessary assistance.

While the challenges in Mali are many, he emphasized the importance of not overlooking the advances that are being made — even if what has been achieved after a decade of intense international engagement is below expectations, not least those of the Malian people. They are proof that, with sustained engagement by the international community and commitment from stakeholders, the situation can be turned around. “The United Nations offers the best framework to support the lasting stabilization of Mali and the larger Sahel region, in close partnership with the African Union and [the Economic Community of West African States (ECOWAS)],” he pointed out, adding: “We have all the tools required, ranging from peacekeeping to peacebuilding and development.”

Statements

NICOLAS DE RIVIÈRE (France), stressing the need for the Council's unanimous efforts to effectuate the full implementation of the Peace and Reconciliation Agreement, said it is, however, “in greater danger than ever”. The resumption of fighting would be bad for the population and play into the hands of terrorists, he said, adding that the Council must call on all parties to support the mediation efforts by Algeria and MINUSMA. Turning to the political transition, which must take place within the scheduled timetable, the Council should be attentive to monitoring efforts by the African Union and ECOWAS. Noting the postponement of the constitutional referendum, he underscored the need for political actors to be able to express themselves freely and participate in the electoral campaign. He also emphasized the important role of MINUSMA, which has a significant budget allocation of \$1 billion and a robust mandate that must be implemented. The Mission has a human rights mandate, which it must be allowed to carry out without hindrance. On that front, it is unacceptable that no further information has been released about the 2022 massacre in Moura, which involved the Wagner Group. Voicing concern over restrictions on the Mission's operations, he said it cannot carry them out without the use of drones. Mali and the Council must respond to issues raised in the Secretary-General's strategic review released in January before MINUSMA's mandate renewal, he added.

AMEIRAH OBAID MOHAMED OBAID ALHEFEITI (United Arab Emirates) stressed the need for a comprehensive approach to address the political, security, humanitarian and developmental facets of the challenges facing Mali, and for the Council's continued support in the context of discussions on the upcoming renewal of MINUSMA's mandate. “We hope that the Council will speak with one voice, in the interest of the Malian people, taking into account the regional perspectives on this matter,” she added. She underscored the need for continued cooperation with host countries in order to allow peacekeeping forces to carry out their mandate safely and looked forward to the Department of Peace Operations' joint study on the capabilities of the military and police forces. Turning to the political process, she stressed the need for progress — particularly on electoral arrangements for 2024, as well as the related constitutional steps — in line with the Peace and Reconciliation Agreement. She voiced her hope that international mediation efforts will help the signatories communicate constructively to address outstanding issues and overcome the obstacles preventing the Agreement's implementation. On the security front, she stressed the need for regional and subregional cooperation to address complex challenges, particularly trans-border ones, as

well as to address the root causes of violence and extremism. Progress is also needed in disarmament, demobilization and reintegration, she said, noting additional concerns about the humanitarian situation and the impact of climate change.

ALBANA DAUTLLARI (Albania), voicing concern over the multidimensional crisis facing Mali and the outstanding benchmarks to facilitate its transition to constitutional order by March 2024, acknowledged progress achieved by the Transitional Authorities in recent months, including through advancement on the constitutional review. That draft must now be adopted with broad-based consensus, and the return to constitutional order facilitated within the timelines agreed ECOWAS, she said, adding: “The constitutional reform should not be a reason to delay the elections.” Moreover, the stalled implementation of the Peace and Reconciliation Agreement is a major concern, she said, urging all parties to demonstrate commitment in implementing it. On the security front, which remains concerning, she noted that the Gao and Ménaka regions have become the epicenter of hostilities by violent jihadist groups targeting civilians. Since the Malian Defense and Security Forces started conducting military operations with the Wagner Group, violations and abuses have deplorably increased, she said, calling for operations to be carried out within the framework of international humanitarian law. Turning to MINUSMA, she regretted that the Mission faces major restrictions on its freedom of movement and the effective implementation of its mandate. Against that backdrop, she called for the release of the report on atrocities committed in 2022 during the Moura operations and called on the authorities to end their restrictions and respect the status-of-forces agreement ahead of MINUSMA’s mandate renewal in June.

HAROLD ADLAI AGYEMAN (Ghana), also speaking on behalf of Gabon and Mozambique, called for the early convening of the seventh high-level session of the Peace and Reconciliation Agreement’s monitoring committee to address implementation differences and encourage the safeguarding of civic space. While Malian authorities have made notable efforts to restore constitutional order, unresolved differences over the draft constitution and the postponement of the referendum are nevertheless concerning. The remaining time must be effectively organized to realize institutional reforms and fulfil electoral commitments, he stressed, urging all signatory parties to remain united and show political will, as lack of unity undermines the disarmament, demobilization and reintegration process. Turning to the worrying security situation, he condemned the persistent terrorist attacks and called for stronger commitments in the implementation of the strategy to stabilize Mali’s centre. As the Council awaits the outcome of the joint military and police capability study, it must urgently address logistical and operational constraints facing the MINUSMA. Ensuring adequate troop strength, enhancing counter-terrorism strategies and removing land and air restrictions are essential for the Mission to respond to evolving security challenges. Coordinated action is also needed to manage the threat posed to Mali’s stability by the return of foreign terrorist fighters and the proliferation of small arms and light weapons.

On the humanitarian situation, he appealed to donor partners to increase their funding. Despite the efforts made by host authorities on human rights – including the establishment of a human rights division within the Ministry of Justice – grave human rights violations against women and children, including conflict-related sexual violence and abductions, have continued, mainly at the hands of armed groups. Against that backdrop, the authorities must expedite investigations and facilitate the speedy arrest and prosecution of perpetrators so that justice may prevail. Investments in inclusive processes for socioeconomic development to address the root causes of instability must also be prioritized. In that regard, the role of the Peacebuilding Commission in climate-related peace and development interventions, as well as in the promotion of community-based dispute resolution mechanisms, should be encouraged. Peace dividends in Mali can be realized if all stakeholders consider the solution to the crisis as a shared responsibility and demonstrate strong political will in fulfilling their respective obligations, he underscored.

HERNÁN PÉREZ LOOSE (Ecuador) voiced concern about persisting security challenges and little progress in improving the situation in Mali, calling for a deeper analysis of MINUSMA’s mandate ahead of its renewal in June. Stressing the need for the implementation of the 2015 Peace and Reconciliation Agreement, he welcomed the mediation efforts by Algeria and by MINUSMA on 13 March and issued an appeal for the resumption of meetings of the organs tasked with implementing the Agreement, especially the Monitoring Committee. He went on to emphasize the need for State authority to be reestablished throughout the country to ensure peace, inclusion, the defense of human rights and the return of internally displaced persons. MINUSMA must be allowed to implement its mandate, including through Malian authorities’ respect for the status-of-forces agreement, by allowing freedom of movement, the authorization of reconnaissance flights and the use of drones, against the backdrop of asymmetric threats. Further, enhanced regional and subregional cooperation is needed in the context of porous borders. He underlined the need to adopt the draft constitution in a timely manner, while condemning the verbal slander and defamation against the civil society representative who briefed the Council on 27 January, attacks which demonstrate the shrinking of Mali’s civic space. The disinformation campaigns against MINUSMA and the opposition are deplorable, as is the expulsion from Mali of the Mission’s Human Rights Division Director, which demonstrates the manipulation of human rights issue, he said.

ZHANG JUN (China), underscoring the need to support Mali’s efforts on countering terrorism, maintaining stability and protecting civilians, called for increased assistance in terms of funding, equipment, intelligence and logistics. Since the ultimate purpose of counter-terrorism operations should be to protect civilians’ right to life and security, China objects to

using human rights as a political instrument. Linking human rights with counter-terrorism support and assistance would amount to intervention, undermine national sovereignty and be counterproductive to the protection of human rights, he warned. Turning to the implementation of the Peace and Reconciliation Agreement, he called on MINUSMA to ensure compliance with the ceasefire arrangement; advance the disarmament, demobilization and reintegration process; and provide capacity-building support to national security forces. For its part, the international community must remain patient as it takes practical steps to support parties in seizing the opportunity of a political transition, resolve differences through dialogue and ensure the smooth conduct of elections. He encouraged the Council to listen attentively to the views of Mali's Government as members consider streamlining MINUSMA's mandate to enhance its operational performance. He also commended the Mission's recent tweet showcasing the typical day of a female Chinese paramedic, which projected a positive image of peacekeeping operations.

PASCALE CHRISTINE BAERISWYL (Switzerland), condemning violence and attacks against peacekeepers, Malian armed forces and civilians, underscored the importance of "winning with women" by ensuring their participation in elections as both candidates and voters. Since the Peace and Reconciliation Agreement must remain the central framework to avoid a resumption of hostilities, she encouraged the Government and signatory parties to resume dialogue in a regular manner. While the launch of a stabilization strategy for the country's centre region and its related action plan is an important step to strengthen security, the challenge now is its immediate implementation, in close collaboration with MINUSMA. All actors must pull in the same direction, coordination with Malian Defence and Security Forces must be increased and MINUSMA's freedom of movement must be guaranteed. International humanitarian law and human rights must also be respected in all circumstances, she underscored, voicing her concern over the growing number of grave violations against children and the increasing reports of sexual and gender-based violence. All parties to the conflict must immediately end these violations and release all children in their ranks. For their part, the authorities must combat impunity by prosecuting perpetrators, she insisted, emphasizing that no lasting peace is possible without accountability and respect for fundamental rights.

VANESSA FRAZIER (Malta), reiterating her support for MINUSMA and condemning attacks against peacekeepers, welcomed the mediation efforts spearheaded by Algeria in support of the implementation of the 2015 Peace Agreement. Ahead of MINUSMA's mandate renewal, she took note of relative progress in the political sphere through the launch of the Strategy for the Stabilization of the Centre and the consultative process towards the drafting of the constitution, while recognizing the need for further deliberations. Timelines for the holding of the referendum should be established and respected. She expressed concern about grave security threats due to persisting terrorist activities and commended MINUSMA's cooperation with the Malian armed forces in that regard. Stressing the need for ancillary acts to respect international law, she condemned all violations against civilians by armed groups and private military companies such as the Wagner Group, calling for accountability for all such abuses, including the massacre in Moura in 2022. Turning to the humanitarian situation, she noted that needs increased by 17 per cent in 2023, with 8.8 million people requiring assistance, accompanied by large-scale displacement. She voiced concern about gender-based violence and an uptick in grave violations against children. On MINUSMA's operations, she called for the lifting of any restrictions of movement and access, adding that any imposed hindrance on the Mission's work constitutes a violation of the status-of-forces agreement.

BARBARA WOODWARD (United Kingdom) pointed out that the Secretary-General's latest report has clear indications that progress against the four parameters for MINUSMA to remain effective and relevant has not been made. Ground and air movement restrictions continue to hinder peacekeepers, with a quarter of flight requests rejected by authorities during the reporting period. MINUSMA's human rights director was also expelled following dangerous criticism directed at the civil society representative who briefed the Security Council in January, reflecting a worrying disregard for the Mission's mandate. Since the Council counts on MINUSMA's investigation of and reporting on human rights, she urged the immediate release of the report on the alleged massacre of civilians in Moura by Malian armed forces and Wagner Group personnel in March 2022. Tensions continue to persist between signatories to the Peace and Reconciliation Agreement, she added, calling on those parties to engage with the international mediation's proposals. Malian authorities must take the first step, since they have the primary responsibility to implement the Agreement and reforms must not impede the timely transition to constitutional rule. With no visible signs from Malian authorities of a commitment to the Secretary-General's parameters, it cannot be "business as usual" for MINUSMA's mandate renewal in June, she said.

JEFFREY DE LAURENTIS (United States), underscoring the importance of the four parameters for MINUSMA's mandate implementation set out in the Secretary-General's latest report, urged the Malian authorities to make progress on implementing the Agreement for Peace and Reconciliation and to ensure MINUSMA's freedom of movement and access, which are crucial for the implementation of its mandate. He deplored the denial of 300 flight requests, which threaten the security of peacekeepers and hinder their ability to carry out their mandate, calling on the transitional authorities to comply with their obligations under the status-of-forces agreement. The United States is gravely concerned by the decision to expel MINUSMA's human rights chief and condemns the obstruction of their human rights mandate. Further, he voiced concern about the denial of visas to the United Nations Panel of Experts on Mali – which impacts the activities of the Council's sanctions committee – and called for accountability for the civilian massacre in Moura, voicing disappointment that the United Nations has not yet released its report about the incident. Noting the postponement of the constitutional referendum,

he went on to voice the United States full support for MINUSMA's work, including ahead of elections.

ISHIKANE KIMIHIRO (Japan) stressed that the best way forward towards achieving lasting peace in Mali is to strengthen cooperation among all stakeholders — domestically, regionally and internationally. Securing a safe political and civic space for all concerned parties to engage in political dialogue is essential as the country prepares to conduct free, fair and transparent elections by March 2024. As the only existing framework to achieve durable peace and reconciliation, the Peace and Reconciliation Agreement's implementation must go hand in hand with the democratic transition, with the international mediation's role now more important than ever. For its part, the Council must hear the diverse voices of a variety of actors, including civil society leaders, he said, stressing that no one should experience intimidation before or after briefing the organ. On the alarming and worsening security situation, he said his country remains disturbed by continued human rights violations allegedly committed by Malian and foreign security personnel. Fostering social cohesion, addressing structural fragility, delivering basic services and ensuring respect for human rights and international humanitarian law must accompany security operations, he emphasized, underscoring the importance of enhanced cooperation between the transitional authorities and MINUSMA.

JOÃO GENÉSIO DE ALMEIDA FILHO (Brazil), reiterating his firm condemnation of terrorism, called on the Council to renew its efforts to protect the most vulnerable and support the Malian armed forces. So far, no solution has been reached for the resumption of unmanned intelligence, surveillance and reconnaissance flights, despite MINUSMA's adoption of agreed measures. He urged the authorities to urgently work with the Mission on the review procedure for such drone flights. Since regional cooperation can be beneficial in paving the way to a successful transition process, he voiced his hope that dialogue with ECOWAS mediators will lead to closer collaboration on a transition plan. The Malian authorities have notably added legitimacy to that exercise by bringing women, trade unions, political parties and civil society representatives to the drafting commission, he said, also welcoming the cooperation on electoral support, gender promotion, capacity-building and election-related violence prevention. Although these developments are remarkable, they cannot set a sound foundation for durable peace without the implementation of the Peace and Reconciliation Agreement. Against that backdrop, he urged all Malian political forces to redouble their efforts and underscored the need to address the root causes of conflict, which should guide the Council in adjusting and reviewing MINUSMA's mandated tasks.

VASSILY A. NEBENZIA (Russian Federation), Council President for April, spoke in his national capacity, commending the Government of Mali's systematic efforts to stabilize the security situation and lay the groundwork for elections within the stipulated timeframe. Discussions are also under way regarding a road map, electoral laws and the drafting of a new constitution. The postponement of the constitutional referendum on 10 March took place for valid reasons, he said, underscoring the need to ensure the security of Malians, due to the withdrawal of French Barkhane Mission troops and the European Union's Takuba force. The Malian Government is committed to the Peace and Reconciliation Agreement, including the work of the monitoring committee, he said, noting that negotiations towards the integration of former combatants are complicated. Stability is not possible in the Sahel without the stabilization of the situation in Mali, where groups of terrorists carry out regular raids against the population. Despite such difficulties, the Malian armed forces had demonstrated their capability in effectively combating terrorism, he said, adding that MINUSMA's operations must be carried out in close coordination with the host country and with respect for its sovereignty. He voiced regret about the decision of some troop-contributing countries to end or suspend participation in the Mission, while noting the negative reaction of some States to the Russian Federation's own support. Such countries must renounce their "neo-colonial habits", he said, stressing: "This region does not belong to you — let Malians resolve their own problems with the partners they themselves have chosen."

ISSA KONFOUROU (Mali) said his Government is working to implement political, institutional and electoral reforms within the framework of a transparent and inclusive process. Notably, the planned referendum on the finalized draft constitution has been postponed in order to prevent fraud, including by introducing a biometric national identity card, creating the conditions for effective participation and facilitating the operationalization of the independent electoral management authority. The Government is currently disseminating the draft among its population and will continue implementing the Peace and Reconciliation Agreement. To date, 2,750 ex-combatants have been reintegrated into national defence and security forces; the Council of Ministers has adopted texts on the creation of a reparations management authority for victims; and the Government will approve a centre for the promotion of peace and unity. Dozens of terrorists have also been neutralized and their sanctuaries destroyed, while large quantities of military ordnance have been seized and many perpetrators brought to justice.

He emphasized that these actions have collectively made it possible to strengthen the State's presence, lift terrorists' grip on northern and central regions and promote the provision of basic social services. All operations have been conducted in strict compliance with international human rights and humanitarian law, he noted. While Mali will continue to tirelessly promote and protect human rights, it will also stand up with equal vigour against this issue's politicization, he asserted, addressing the delegates of France and Ecuador, in particular, for having a "selective memory" on those matters. Appealing for greater international solidarity on Mali's humanitarian situation, he said that, contrary to what is conveyed in the Secretary-General's latest report, there is no desire to restrict MINUSMA's movements, as its requests did not comply with agreed upon

procedures. The Mission should work more closely with Government authorities. Turning to MINUSMA's future, he said the conclusions in its internal review did not meet the expectations of the Government and the Malian people. While Mali remains open to dialogue on that issue, Bamako expressly requested a change of penholder, in light of the numerous documented acts that France is guilty of committing.

The representative of France, taking the floor a second time, said he did not intend to cause controversy with his remarks. He recalled the circumstances of early 2013, with which he was well acquainted due to his previous role, when France intervened at the request of the Malian Government to stave off an offensive by Al-Qaida in the Islamic Maghreb — which would have taken over the country in 24 or 48 hours if it had not been for the intervention of the French army. Since 2013, 50 French soldiers have fallen to defend Mali's sovereignty and peace, he added. On the situation pertaining to the wedding in Bounti, he said that the representative of Mali did not describe the incident accurately. Initial reports by the United Nations were not accurate, he stressed, adding that he looks forward to the release of a report on the incident in Moura, which left 300 people dead.

The representative of Ecuador, taking the floor a second time in response to a reference to his country, stressed that human rights should not be politicized since they concern all of humanity and are not the property of any one country. Ecuador today is a democracy where no journalists, prosecutors or judges are persecuted, he pointed out, suggesting that Mali's representative may have forgotten that the Government under Ecuador's former President Rafael Correa completed its term four years ago.

The representative of Mali, taking the floor again, said the human rights situation in his country is a cause for concern and is linked to the security situation. Nonetheless, he opposed the statement by the representative of France, urging him to re-read available documents and reports on the issue he addressed. He also voiced concern over continued violations of his country's airspace and asked delegates to refrain from politicizing the issue of human rights.

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

Liberia

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

EAST AFRICA

Uganda

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

Uganda's failure to jail child rapists as teen pregnancies soar (BBC) By Tamasin Ford
April 16, 2023

The heavily pregnant girl - no more than 12 years old - looks down at her hands as the local council chairman asks about her latest visit to the doctor.

It is the sort of question a family member should be asking, but this is no normal pregnancy.

The girl lives on her own in a small home, in Kitgum district, and is expected to give birth any day.

Her parents' cassava business failed, so they returned to their village to find money for the family.

"She was left here because here is a little bit nearer to the schools," chairman Obita David Livingstone says.

"But the unfortunate part, the next room here is where people drink. That alone has exposed her to a lot of challenges."

No-one knows who the father is, or what happened.

'Three cases a week' BBC Africa Eye is only allowed to film this girl, who we are not naming, because Mr Livingstone said he wanted to raise awareness of the sexual violence happening in the community.

"In a week, we always have like three cases of defilement. Sometimes when we get the perpetrator, we have to tie them with ropes and take them, escort them to the police. But they don't bother to follow it up."

He is fed up with such levels of impunity.

"There is nobody who can really support the person who has been raped. To me I look at this justice as a weak justice," the local chairman says.

Defilement means unlawful sexual intercourse with a girl below the age of 18.

According to Uganda's Health Management Information System, pregnancies among girls between the ages of 10 and 14 increased by 366% during the country's first Covid lockdown (March-June 2020).

At the regional general hospital in Gulu nearly a quarter of all pregnancies in the last financial year were girls under 18, the age of consent in Uganda.

Dr Baifa Arwinyo, the head of obstetrics and gynaecology, said: "If I am talking of teenage mothers, all of them are defiled. They are teenagers, they are not supposed to be pregnant.

"You will find that young mothers are the highest proportion of those dying of obstructed labour. The younger the mother, the more the complication."

'Sexual abuse was a war strategy' The high levels of sexual violence are thought to be a legacy of the two-decade conflict in northern Uganda, which was infamous for its brutality.

The war was started by Joseph Kony, head of the Lord's Resistance Army (LRA), a rebel group that wanted to overthrow the government.

His fighters were known for their inhumane treatment of those they abducted: maiming, cutting off lips and limbs, and forcing people into submission through fear.

It is estimated 40,000 children were abducted, forced to become soldiers or sex slaves, and 1.7 million people lived in internally displaced camps.

The rebels moved on from Uganda in 2008, but the after-effects of their atrocities are still present today, according to gender rights activist Pamela Angwech, director of Gulu Women Economic and Globalisation, a grassroots non-governmental organisation (NGO).

"Living within a toxic, minefield environment had long-term effects on the community. People are used to seeing dead bodies, people are used to seeing death. Sexual abuse was used as a military strategy by the LRA team.

"I describe it as the war was fought in the body of the woman and the woman became the battlefield."

Few people ever saw justice for the heinous crimes committed during the war.

One LRA commander, Dominic Ongwen, was tried at the International Criminal Court (ICC) and found guilty of 61 counts of war crimes and crimes against humanity in February 2021.

Kony is also wanted by the ICC but his whereabouts remain unknown.

According to lawyer Eunice Lakaraber Latim, who works for NGO Caritas, that legacy of a lack of accountability thrives in northern Uganda to this day.

"Growing up from Gulu, I saw so many children getting defiled, and most of those parents did not have the resources to pursue the justice that their children deserved."

'My child lives in pain' Ms Latim took Africa Eye to the family of a three-year-old girl who was raped by a relative.

The mother only found out after she noticed the child's style of walking changed. When the police came to arrest her relative, she says they asked her for money to "transport him".

"I was then expected to feed the prisoner," says Ms Latim.

"You have to literally pay your way to get justice. You have to pay money for fuel to have the suspect apprehended.

"You're supposed to provide feeding for them while they're still at the police station."

The suspect was held for six months, but because some of the correct legal procedures were not followed, he was released on bail. The mother simply did not have the means to keep pursuing the case.

Police and medical reports confirm that the three-year-old had been infected with a sexually transmitted disease.

"My child is still in pain, even now. The infection has never healed," her mother said.

"He should face a prison sentence. I didn't want it to end this way."

Ms Latim says it is not unusual for the justice system to fail victims, saying they have had a number of cases that have fallen apart.

"There is a lot of corruption. People don't fear committing crimes here, because they say, if you have money, you will get out. That is what is happening."

Nachula Damalie, the regional police commander of Aswa, acknowledges the problems with how some cases are handled, but she denied corruption is rife.

"We are not supposed to ask a victim to pay for our services. But sometimes I should accept that we can run out of fuel. Yes.

"Now with the corruption, it has been a general perception that police officers are corrupt, but not all are corrupt, just like any other institution would be. We have good ones and bad ones."

The Minister of State for Northern Uganda, Grace Freedom Kwiwucwiny, also admits there are problems.

"I can't deny corruption. Corruption is there. It's at all levels, even at ministries' level," she says.

"We have laws on defilement, we have laws on incest, but somehow again, people just go behind the law and bribe police and then police say, 'OK, go and settle it at home.' There are cases which have been prosecuted, but the number is not high."

None of the suspects in any of the cases BBC Africa Eye investigated were prosecuted.

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

Kenya

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

Azimio wants ICC to probe Koome over 'targeted' killing of protesters (The Standard) By Brian Otieno
April 15, 2023

The Azimio la Umoja-One Kenya Coalition Party wants the International Criminal Court (ICC) to investigate Inspector General of Police Japhet Koome over the alleged killing of protesters.

In a letter to the ICC dated yesterday, Azimio accuses Koome of ordering attacks on opposition protesters and journalists, among the nine crimes Azimio wants The Hague-based court to investigate.

The letter came a day after Azimio leader Raila Odinga said his coalition was compiling a list of the particulars of police officers allegedly involved in the killing of protesters, with a view of presenting a case to the ICC.

In the letter addressed to ICC chief prosecutor Karim Khan, Azimio lawyer Paul Mwangi accuses Koome of allegedly committing crimes against humanity in the police's handling of the demos, which resulted in deaths and injuries, as well as what he terms "indiscriminate arrests".

The apparent basis of Azimio's assertion that crimes against humanity took place is the alleged attacks by police on its supporters and their persecution through the denial of fundamental rights.

Mwangi lists the IG as the main suspect in the said crimes, the first of which is allegedly establishing a special squad of rogue police officers whose alleged job was to carry out systematic attacks on protesters during three demonstrations late last month and earlier this month.

"The squads are reported to be dressed in plain clothes, to operate outside the normal command structure and to take direction directly from select commanders appointed for that purpose by Japheth Koome," Mwangi writes, as he lists nine people who lost their lives in the protests.

Among the dead include police officer Ben Oduor, who was reportedly run over by a police vehicle in Kisumu. Seven of the protesters who Azimio says died on diverse dates - Kevin Magero, Elijah Okumu, Ezekiel Makau, Derrick Nyamwange, John Doe, William Mayange and Steven Oduor - have been listed as succumbing to gunshot wounds. The cause of death of another protester, Julius Oduor, has not been stated.

By the time of going to press, The Saturday Standard was yet to get a response from the National Police Service on Azimio's allegations against Koome.

Appearing before the National Assembly on Wednesday, Interior Cabinet Secretary Kithure Kindiki said the Internal Affairs Unit as well as the Independent Policing Oversight Authority were investigating incidents of alleged police excesses. He, however, denied shoot-to-kill orders, saying it is unclear whether those who suffered gunshot wounds were shot at by the police or other individuals.

Koome, too, has previously denied ordering attacks against civilians and journalists, even as he revealed that the police was investigating an officer caught on camera vandalising Azimio's press vehicle and firing tear gas canisters into the vehicle that had occupants. Azimio also lists persons injured in the demos, a list that includes protesters and eight journalists from various media stations, among them the Standard Group, even as it seeks to have Koome investigated for an alleged attempt on Raila's life.

"On 3rd April 2023 at 1630 hours, at around the Pipeline area of Embakasi South Constituency in Nairobi City, a contingent of police officers approached the motor vehicle in which... Raila Odinga was being ferried in and fired approximately ten rounds of live ammunition with a clear intention to kill him.

"A report of the attack was made the next day and a complaint lodged the same day but no action was taken. Prior to this assassination attempt, the Deputy President of the Republic of Kenya had publicly stated that it was necessary that Raila Odinga be "dealt with" and "removed" permanently." Mwangi adds, even as he seeks to have the ICC investigate Koome over the attack at former President Uhuru Kenyatta's Northlands farm and the vandalism at his East Africa Spectre. He accuses the IG of allegedly withdrawing "police protection" prior to the attacks.

Azimio also accuses Koome of unconstitutionally and illegally banning its demonstrations contrary to Article 37, which guarantees the right to protest. Further, they claim that Koome had publicly threatened "to kill and maim protesters".

"At the time he commanded the actions aforesaid, the suspect Japheth Koome knew that he was acting as part of a widespread or systematic attack against a civilian population, to wit, members of the Azimio La Umoja One Kenya Coalition party..."

Other allegations are the delegitimisation of Azimio's members as Kenyan citizens and the alleged existence of an organisational policy of attacks against the opposition.

Mwangi requested Khan to submit the information to the Pre-Trial Chamber for authorisation for an investigation.

[back to contents]

Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

Rwanda Genocide: Felicien Kabuga hits 90 as trial continues (The Star) April 8, 2023

Rwandans will for the next 100 days join hands in commemorating the 1994 genocide which saw over a million Tutsi killed.

The memorial is aimed at honoring the victims, standing with survivors and recognising the resilience of the country.

This happens at a time lawyers representing Felicien Kabuga who is said to be the chief financier want Judges hearing his case to declare him unfit to stand trial.

"There is no other option than to declare Mr. Kabuga unfit to take part in his trial," his lawyer Emmanuel Altit is quoted by JusticeInfo.Net as to have submitted on March 30.

The report states that the lawyer presented this at the end of the hearings as independent medical expert, called to comment on the health of the suspect who is now 90 years old.

"The three experts' verdict concluded that the suspect suffers from senile "dementia" and cannot really stand trial," the report says.

According to Altit, his client cannot interact with his defence team, and in his current state does not have the capacity to give instructions.

Prosecutor Rupert Elderkin had just suggested that if Kabuga was to be declared unfit to participate in his trial, the proceedings could continue without him since in criminal trials the task of defence falls to the lawyers.

Presiding Judge Iain Bonomy argued this would not be a trial on the facts but "a review of the facts to ensure that the detention of an incapacitated person is justified".

Kabuga has been on trial since September 29, 2022, before the International Residual Mechanism for Criminal Tribunals (IRMCT) which succeeded the International Criminal Tribunal for Rwanda.

He was arrested on May 16, 2020, in France at the age of 87 and handed over to the IRMCT before being transferred to the custody of the IRMCT branch in The Hague in October.

He is facing six counts of genocide, incitement to commit genocide and crimes against humanity.

The former businessman is accused of funding the Interahamwe- a militia that carried out attacks against civilians as well as Radio-Télévision Libre des Mille Collines (RTLM), a private radio station that called for murder during the massacres.

This happens even as Rwanda continues to reestablish itself from the devastating events of April 7, 1994.

Before his arrest, Kabuga has been a fugitive for 26 years dodging several dragnets moving from one country to another.

He is said to have fled Rwanda in 1994 after the killings as it was being conquered by the Rwandan Patriotic Front and entered Switzerland but was ordered to leave.

The information available reveals that he went to Kinshasa in DR Congo and crossed over to Nairobi, Kenya.

In September 1995, before any indictment and before he was named as a suspected planner of the genocide, Kabuga is said to have registered and run a business, Nshikabem Agency, in Nairobi.

In fact when he visited Kenya in 2006, then US Senator Barack Obama delivered a speech in which he accused Kenya of "allowing Kabuga to purchase safe haven."

Kabuga is married to Josephine Mukazitoni and has 11 children.

Two of his daughters are married to two of former president Juvénal Habyarimana's sons.

Conflict in eastern DR Congo forces thousands of schools to close (Al Jazeera)

April 12, 2023

Thomas Tumusifu Buregeya wishes he were studying for his final school exams. Instead, he scrapes a living doing odd jobs in a displaced people's camp in the eastern Democratic Republic of the Congo after a wave of rebel violence upended his life yet again.

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Buregeya fled the town of Kibumba with his family in October amid a renewed offensive by the March 23 Movement (M23) rebel group – the third time in 15 years he has been forced to escape his home – and has not been able to study for a whole year. He is now 22 and still waiting to complete school.

“When from this camp I see ... finalists like me, it makes my heart ache, I wonder when I will finish my studies, the years are going by,” he said.

He is one of the 750,000 young Congolese whose schooling is currently disrupted by insecurity caused by multiple armed groups in the eastern provinces of North Kivu and Ituri, the United Nations children's agency (UNICEF) estimated in late March.

Neighbours at war For months, Kinshasa has accused Rwanda of supporting the M23 group making incursions into the DRC's east, increasing tensions between the neighbours.

The conflict in the region has gone on for decades, with more than 100 armed groups fighting for control of valuable mineral resources while others protect their communities, and has triggered an exodus of refugees.

Kigali in turn accuses the DRC of supporting the Democratic Forces for the Liberation of Rwanda (FDLR), another rebel group based in the DRC that has carried out raids into Rwanda in the past.

The FDLR has been accused of participation in the 1994 Rwandan genocide, in which ethnic Hutus killed more than 800,000 ethnic Tutsis and moderate Hutus who tried to protect them.

Last year, United Nations experts said they had “substantial evidence” of Rwandan government forces crossing into the DRC to reinforce M23 rebels or to conduct operations against the FDLR.

The United States and the European Union have urged Rwanda to stop supporting the rebels.

The Rwandan government has denied supporting M23 and says the accusations are part of a “tired old blame game” undermining efforts for peace, “to which Rwanda is fully committed”.

Lasting damage In the small camp next to an evangelical church outside the provincial capital Goma, Buregeya spends his time leaning against the tin wall of the church or playing cards with school friends also displaced from Kibumba.

Since January 2022, some 2,100 schools in eastern DRC have had to close because of armed conflict, according to UNICEF.

The damage could be lasting. Without access to education, children and young people can miss the chance to develop the skills needed to escape poverty and overcome the desperate economic challenges that help increase conflict in places such as mineral-rich eastern DRC, according to a 2011 UN report on global education and armed conflict.

Buregeya fears time is running out for him.

“My life's dream was to go to university after high school, to look for a job, become a teacher and earn a living,” he said.

Rwanda Again Asks UK to See Justice Served On Genocide Suspects (All Africa) By James Karuhanga
April 13, 2023

At an event to mark the 29th Commemoration of the 1994 Genocide against the Tutsi, on Wednesday, April 12, Rwanda's High Commissioner to the UK, Johnston Busingye, once more delivered a strong message calling for justice to be served on the alleged genocidaires who remain at large in the UK.

The High Commissioner highlighted that the UK is one of the few countries in the West not to try, expedite or deport Genocide suspects, stating that "after 29 years, every passing day is one too many."

The key suspects in the UK include Dr Vincent Bajinya, who is accused of coordinating killings in Kigali's Nyarugenge District where he set up and led a roadblock to kill the Tutsi.

Others are Célestin Ugirashebuja, Charles Munyaneza, Emmanuel Nteziryayo and Pierre Célestin Mutabaruka who headed the agricultural and livestock project, Crête Zaire Nil - CZN. Mutabaruka, a pastor, is accused of leading an attack on a church in April 1994 in which 20,000 Tutsi were killed.

Munyaneza and Nteziryayo are former mayors of former Mudusomwa and Kinyamakara districts in present-day Southern Province. They are accused of orchestrating mass killings in the southern parts of the country that left hundreds of thousands dead.

Among others, when hundreds of Tutsi were killed at Kigoma Commune in the former Gitarama Prefecture, currently Ruhango District, on April 26, 1994, some of the perpetrators included the former Bourgmestre - Ugirashebuja.

All we ask is that these men see their day in court On Wednesday, more than 400 members of the Rwandan community from across the UK, London's diplomatic corps, the UK Government and Commonwealth officials, including Secretary General Patricia Scotland, gathered in Marylebone, central London to commemorate the 1994 Genocide against the Tutsi.

Busingye stated: "In the UK, five alleged genocidaires remain at large. Their names are known, the communities they live in are known, and there is sufficient evidence they need to defend themselves against. 29 years after the Genocide they haven't stood trial. Rwandan authorities have cooperated in every way possible with their UK counterparts.

"We know that it takes time to prepare such cases, but after 29 years every passing day is one too many. All we ask is that these men see their day in court, that justice is permitted to take its course."

The High Commissioner called for UK institutions to ensure there are no delays to the ongoing investigations, lest justice be denied.

An All-Party-Parliamentary-Group on War Crimes was established in 2021 to lobby the UK Government to ensure individuals accused of war crimes face justice, including Genocide suspects from Rwanda. The group is expected to resume its activities in the coming months.

In June 2022, Conservative Party MP, Andrew Mitchell, a member of the British House of Commons reiterated the call to his government to arrest and extradite or try the men who continue to live in the UK despite indictments issued against them more than a decade ago.

Earlier, in April, In April, Busingye had again called on the UK government to invest more efforts in bringing to court the Genocide fugitives who are at large.

According to Ibuka, the umbrella body of Genocide survivors' organisations, justice is not served when fugitives die before they have their day in court to answer for their crimes. In April 2022, speaking at an event to mark the 28th commemoration of the 1994 Genocide against Tutsi, in London, Busingye, who is also Rwanda's former Minister of Justice, said "for Genocide survivors, the delay of justice is justice denied", pointing at the five suspected genocidaires, who continue to evade justice.

Their hate will be met with our unity On Wednesday, the High Commissioner also implored the gathered community members and dignitaries to equip themselves with the knowledge needed to identify and challenge Genocide ideology, hate speech and Genocide denial wherever they occur.

"Armed with the historical clarity bestowed upon us by brave individuals such as Antoinette Mutabazi [the event's testimony giver], historians such as Dr James Smith, and allies in the cause for Never Again such as Secretary General Patricia Scotland, the deniers and the ideologues will never again be able to spread their hate. Their hate will be met with our unity."

Scotland stated that: "Rwanda is a shining example to a troubled world, proving beyond doubt that after dark times and division, justice and reconciliation can bring healing and progress."

Expert speaker James Smith, CEO of the Aegis Trust, the organization that helped to establish and operate the Kigali Genocide Memorial, spoke about the stages of Genocide and drew disturbing comparisons between the Genocide against the Tutsi and the Holocaust.

Dignitaries and officials took to Twitter to share messages of solidarity with the people of Rwanda. Among them was the UK's Minister for Africa, Andrew Mitchell MP, who, earlier, on April 7, said: "The testimonies I have heard from Rwandan friends and colleagues will stay with me forever. My thoughts are with the victims, today and always."

A moving video message of solidarity was also shared by players of Arsenal Football Club.

Commemoration events will continue across the United Kingdom over the coming weeks with community services set to take place up and down the country in Scotland, Oxford, Portsmouth and Leeds.

Mutabazi, a genocide survivor, said: "I saw what no child should see, what no human being should see.

"But people who were once robbed of life, will not be robbed of living today."

The CEO of Aegis Trust, among others, highlighted the stages of Genocide, that we must be able to identify, including exclusion, dehumanization, inaction and denial.

Smith added that all of these stages were imposed upon the Jews in the Holocaust and to the Tutsi in the 1994 Genocide against the Tutsi.

"To quote Mark Twain, history does not repeat itself, but it does often rhyme. I have been struck by how the events of The Holocaust and the 1994 Genocide against the Tutsi rhyme."

The final similarity Smith drew was the role of rescuers and their importance.

"Rescuers during Genocide show critical thinking, they show empathy beyond their own community, they had values, values that we should learn from today."

Busingye said: "We are proud of where we are today, looking at where we have come from. Today Rwandan citizens identify as Rwandans, our tribal and ethnic labels no longer feature on our ID's and are no longer a basis for access to any public service or opportunity."

"As Rwandans, we are grateful to those who have joined us on our journey of unity and healing over the last 29 years. Your partnership and friendship have contributed immeasurably. A precious national unity and an inclusive society has emerged from the rubble, one that is now equipped to resist ethnic division and bigotry."

DR Congo: Withdrawal of M23 rebels is an opportunity to investigate atrocities and provide aid (Amnesty International)

April 14, 2023

It is critical that Congolese and UN authorities urgently investigate reports of atrocities committed by members of the March 23 Movement (M23), following reports the armed group has withdrawn from several areas of the Democratic Republic of Congo's (DRC) North-Kivu province, including the towns of Kishishe, Bambo and Bugina, Amnesty International said today.

"Authorities in the Democratic Republic of Congo, and the United Nations, must promptly send investigators to the areas vacated by M23 to carry out thorough investigations into credible allegations of mass rapes and summary killings, to ensure those responsible are brought to justice. This should include all those up in the line of command and any States that may have supported M23," Amnesty International's Secretary General Agnès Callamard said.

In February, Amnesty International issued an extended press release in which witnesses from these towns described how M23 fighters, which UN reports say are backed by neighboring Rwanda, committed war crimes and possible crimes against humanity. Rape survivors, and others who were attacked, have yet to receive adequate assistance.

Agnès Callamard said: "The DRC authorities and humanitarian agencies must urgently step in and provide medical and other assistance to the survivors of rape and other victims of violations and crimes who have been left without help for months. The DRC authorities must ensure civilians in the area are protected."

"While M23 rebels may have withdrawn from some areas in North-Kivu province, civilians living in the Beni area, and neighboring Ituri province, continue to be killed by members of the Allied Democratic Forces (ADF) and other armed groups. The DRC authorities must take urgent measures to stop the killing of civilians in these areas."

BACKGROUND The March 23 Movement (M23) is the latest in a succession of Rwandan-backed rebel groups that claim to defend the rights of the Congolese Tutsi community. Launched in 2012 by insurgents from the Congolese army with support from Rwandan and Ugandan authorities according to the UN, the group was militarily defeated in 2013. It re-emerged in November 2021, and very quickly took control of large parts of North Kivu province, committing serious human rights violations in the process and forcing more than 800,000 people to flee their homes.

The group accuses Congolese authorities of persistently failing to dismantle Rwandan Hutu rebels established in eastern DRC

in the aftermath of the 1994 genocide in Rwanda, as well as other armed groups posing a threat to Congolese Tutsi and hindering the return of thousands of them who are refugees in Rwanda.

Through the East African Community's Nairobi Process and the International Conference for the Great Lakes' Luanda Process, regional leaders have urged all armed groups, including M23, to demobilize and resolve their grievances with the DRC authorities through dialogue. As a result, in January 2023, M23 started withdrawing from certain areas, while still fighting in others. Over the last month M23 seems to have halted its offensive and to have vacated several areas it had occupied, allowing the reopening of key roads and the gradual return of IDPs.

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

Somalia

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

Ethiopia

Eritrea's government should not be allowed to harm peace in Ethiopia (Al Jazeera) By Samuel Zewdie
Hagos
April 7, 2023

Long-simmering political tensions between the Ethiopian federal government and the Tigray regional state, led by the Tigray People's Liberation Front (TPLF), erupted into a military conflict on November 3, 2020. Neighbouring Eritrea entered the war early on, sending troops to Tigray to help the federal government.

Exactly two years later, on November 3, 2022, the Ethiopian government and the TPLF agreed to a "permanent cessation of hostilities", effectively ending the civil war which by then had already claimed thousands of lives, displaced millions and brought many others to the brink of starvation.

The Eritrean government, however, refused to withdraw its forces, who stand accused of various human rights violations, from Tigray and continued its provocations against the TPLF. Tigray residents accused the Eritrean soldiers of continuing to loot, arrest, and kill civilians long after the ceasefire. The Eritrean government has also been accused of providing financial and military aid as well as logistic support to armed groups from Amhara regional states that remain in Tigray and are also alleged to be involved in unlawful and violent activities in other parts of Ethiopia.

Now, nearly six months after the agreement on cessation of hostilities, Eritrean forces are still in Tigray and there are growing concerns that the actions of the government in Asmara may derail Ethiopia's crucial peace process and push the country, and with it the wider region, into renewed conflict.

Eritrean President Isaias Afwerki says he is determined to continue his country's decades-old conflict with the TPLF, which was in control of Ethiopia during Eritrea's 30-year independence war against the country.

He, however, does not appear to be pursuing a prolonged conflict with the leadership of the regional state solely to settle historical grievances.

In an interview published by the Eritrean Ministry of Information in February, Afwerki accused the TPLF of being mercenaries working to maintain Western hegemony in the Horn of Africa. The Tigray war, he claimed "was not really a TPLF agenda; but essentially the agenda of Washington". It was a result of the TPLF's willingness to serve as a foot soldier in Washington's quest to facilitate a return to the "unipolar world order", he argued.

He pointed to the invasion of Ukraine as an example of the US-led struggle to maintain a unipolar world, and claimed the US

uses “proxies, such as the TPLF clique and others, to create chaos everywhere”.

All in all, it is obvious that Afwerki believes in Tigray his troops helped the Ethiopian government defeat not only a rebellious regional administration but a plot to alter the world order to the detriment of Eritrean and African sovereignty.

This suggests Afwerki will continue to agitate for further conflict with the TPLF even if the group adheres to all the conditions of the agreement for the cessation of hostilities and agrees to respect the authority of the Ethiopian federal government.

This attitude, which casts TPLF as an American proxy inherently hostile to regional powers, could prove harmful not only for the people of Tigray but all Ethiopians, Eritreans and Africans for several reasons.

First and foremost, the Eritrean government’s insistence on keeping its troops in Tigray and supporting Amhara groups could undermine the efforts of the international community to build a sustainable peace architecture in Tigray and trigger a new conflict in Ethiopia.

Given the myriad accusations of human rights violations and war crimes directed at Eritrean soldiers, their continued presence in Ethiopia could lay the ground for more atrocities and make it impossible for Tigrayans to build their lives back.

Furthermore, the Eritrean government’s continued involvement in Ethiopian conflicts could negatively affect the wellbeing of the many Eritrean refugees currently residing in Ethiopia.

Before the recent conflict, about 100,000 Eritrean refugees lived in camps in Tigray. For a long time, they were safe in Ethiopia. But when the war erupted, these refugees and other Eritrean civilians in the regional state found themselves being targeted by all warring parties, including Eritrean forces. They have been subjected to siege tactics, deprived of any kind of aid for long periods of time, and fallen victim to targeted attacks. Reportedly, some were also forcibly returned to Eritrea in violation of the principle of non-refoulement. The Eritrean government’s refusal to leave Tigray and allow Ethiopians to resolve the conflict between themselves means that remaining Eritrean refugees in the regional state are still under threat.

The Eritrean government’s continued involvement in the Tigray conflict could also have grave consequences well beyond Ethiopia’s borders. Ethiopia is a key player in the Horn of Africa, and its stability is crucial to maintaining peace and security in the region. The continued involvement of the Eritrean government in Ethiopian conflicts, and President Afwerki’s efforts to provoke the TPLF, could exacerbate tensions and contribute to instability in the region.

To avoid this grim scenario, the international community should closely monitor the situation in Tigray and take the necessary steps to ensure Afwerki’s government is not given further opportunities to destabilise Ethiopia. This includes pressuring the Eritrean government in every way possible to pull its troops out of Ethiopia, holding it accountable for the atrocities it is alleged to have committed in Tigray, and encouraging the Ethiopian federal government to take a firm stance against Eritrea’s involvement in its domestic affairs.

In addition, the Ethiopian authorities and the TPLF should be encouraged to build on the Cessation of Hostilities Agreement and expand its scope to include other Ethiopian rebel groups, such as the Oromo Liberation Army, to provide sustainable and inclusive solutions to current security, social, political and economic challenges in Ethiopia.

After two years of civil war, the Cessation of Hostilities Agreement put Ethiopia on the path towards sustainable peace and long-term stability. The global community should do everything in its power to stop the Eritrean government from undoing this achievement.

Aid group says two employees killed in Ethiopia's Amhara region (Alarabiya News) April 10, 2023

Two Catholic Relief Services (CRS) workers were shot and killed on Sunday in Ethiopia's Amhara region, the charity said, amid violent anti-government protests triggered by a federal government decision to disband regional special forces units.

CRS director of communications Kim Pozniak said on Monday that the incident occurred in the town of Kobo, where residents reported heavy artillery fire on Sunday, but did not say whether the shootings were linked to the unrest.

“Details of the murder are still unknown,” CRS said in a statement.

The victims were Chuol Tongyik, one of CRS's security managers, and Amare Kindeya, a driver. They were returning from Amhara to the capital Addis Ababa, the statement said.

“The depth of our shock and sorrow is difficult to measure and we are saddened over this senseless violence,” Zemedu Zewdie, CRS's country representative in Ethiopia said in the statement.

Spokespeople for Ethiopia's federal government and for the Amhara regional government did not immediately respond to requests for comment.

Thousands have protested across Amhara since the federal government issued its order on Thursday and residents reported gunfire in at least two towns on Sunday.

Residents in the town of Dessie reported large protests there on Monday, with young people blocking the roads and burning tyres.

Amhara politicians and activists have condemned the government order that requires special forces from each of Ethiopia's 11 regions - which enjoy a degree of autonomy - to integrate into the police or the federal army.

They say disbanding Amhara's special forces would leave the region vulnerable to attacks by neighbouring regions, including Tigray, whose leaders agreed a truce with the federal government in November to end a two-year war that killed tens of thousands.

Amhara forces fought alongside the federal army in that conflict.

Prime Minister Abiy Ahmed says the integration of the regional special forces is needed to ensure national unity in a country with a long history of inter-ethnic conflict.

Amhara's regional government said on Monday it had banned protests in Gondar, which has seen some of the largest demonstrations, imposed restrictions on the circulation of three-wheeled vehicles there and ordered bars to close by 9pm.

UN agency investigating humanitarian food theft in Ethiopia (Africa News) April 11, 2023

The United Nations food relief agency is investigating the theft of food aid from lifesaving humanitarian operations in Ethiopia, according to a letter obtained by The Associated Press.

The World Food Program's Ethiopia director, Claude Jibidar, says in the letter that "WFP is very concerned about the large-scale sale of food in some markets" which "poses not only a reputational risk but also threatens our capacity to mobilize more resources for the needy people."

He adds that it "is therefore imperative that immediate actions be taken to curb ... the misappropriation and diversion of humanitarian food" in the country.

The letter is dated April 5 and addressed to humanitarian partners of WFP in Ethiopia, where drought and internal conflict have left 20 million of the country's 120 million people reliant on aid.

Jibidar asks the partner organizations to share "any information or cases of food misuse, misappropriation or diversion that you are aware of or that are brought to your attention by your staff, beneficiaries or local authorities."

The letter does not mention any specific cases. However, two aid workers told AP the stolen aid included enough food for 100,000 people and was recently discovered missing from a warehouse in Sheraro, a town badly affected by the conflict in Ethiopia's northern Tigray region. The aid workers spoke on condition of anonymity because of the sensitivity of the matter.

It was not clear who was responsible for stealing the aid from the Sheraro warehouse, which was previously looted by Eritrean soldiers allied to Ethiopia's federal government in a separate incident. One of the aid workers said it was supplied by USAID and due to be distributed by partners.

In an emailed statement, USAID said it "has proactively identified recent diversion of some of our assistance in Northern Ethiopia."

"We are in regular communication with our implementing partners regarding incidents of reported diversion and continue to monitor developments closely and take all necessary steps to stop the diversion," the agency added.

A peace deal signed by the federal government and its Tigray rivals in November has seen restrictions eased and aid deliveries have resumed to the region, where 5.2 million people need humanitarian help.

U.S. Secretary of State Antony Blinken announced \$331 million in funding for aid agencies working in Ethiopia during a trip to the country last month.

[back to contents]

EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosnian Army Ex-Officer Cleared of War Crime Against Serb Prisoners (Balkan Transitional Justice) By: Jasmin Begic

April 7, 2023

The Bosnian state court acquitted Hazim Fazlovic of having command responsibility for the detention, abuse and murder of 11 Bosnian Serb Army prisoners of war in Brcko in 1993.

The appeals chamber of the Bosnian state court announced on Friday that it has rejected a prosecution appeal and cleared Hazim Fazlovic, the former commander of the Third Battalion of the 108th Motorised Brigade of the Bosnian Army, of bearing responsibility for crimes against prisoners of war in Brcko in 1993.

In his original trial, Fazlovic was also acquitted of the charge that he had command responsibility for members of his battalion's Intervention Unit who captured 11 Bosnian Serb Army soldiers, abused them and then killed them, but did not intervene to punish them.

The prosecution claimed in its appeal that the original trial had incorrectly and incompletely established the facts of the case and called for Fazlovic to be convicted, but the appeals chamber rejected its arguments as unfounded.

The verdict is now final and cannot be appealed.

The Trial of Rade Grujic for War Rape in the Area of Zvornik begins (Sarajevo Times) April 10, 2023

The trial of Rade Grujić, accused of rape in Liplje near Zvornik in June 1992, will begin in the Court of Bosnia and Herzegovina this week.

The status conference and the start of the trial of Grujić, a former member of the Snagovo company, Territorial Defense (TO) Zvornik, is scheduled for Thursday, April 13. He is accused of raping a Bosniak woman in the town of Liplje, where a large number of Bosniak civilians were detained, who were mentally and physically abused.

Today, April 10, the defense of Borislav Paravac, who is being tried together with Andrija Bjelošević and Milan Savić for crimes committed in the area of Doboje and Teslić, is scheduled to begin.

They are accused of participating in a joint criminal enterprise and the persecution of Bosniak and Croat civilians from the area of Doboje and Teslić. According to the indictment, Paravac was the president of the Crisis Staff in Doboje, Bjelošević was the head of the Doboje Center of Security Services, and Savić was his deputy.

This week, trials for war crimes committed in other cities of Bosnia and Herzegovina will continue in the Court of BiH, BHRT reports.

[[back to contents](#)]

International Criminal Tribunal for the Former Yugoslavia (ICTY)

Official Website of the ICTY

Blair's Former Allies on Trial for War Crimes (Consortium News) By: Mark Curtis

April 14, 2023

During the 1999 conflict over Kosovo, the KLA was seen by the U.K. as terrorist, but was covertly and overtly supported by the Labour government, Mark Curtis reports.

NATO's bombing campaign against Slobodan Milošević's Yugoslavia in 1999 is routinely presented as an "humanitarian intervention." Former U.K. Prime Minister Tony Blair has long been praised for coming to the defence of ethnic Albanians in the territory of Kosovo who were subject to increasingly brutal abuses by the Yugoslav army from the end of 1998.

The Kosovo Liberation Army fought Yugoslav forces until the 78-day NATO air campaign, begun in March 1999, forced Milošević's army from Kosovo. Before and during the war Britain collaborated with the KLA which essentially acted as NATO's ground forces in Kosovo.

Fourteen years on, the KLA's former leader, Hashim Thaci, and three other senior members are now on trial charged with war crimes and crimes against humanity, including murder, enforced disappearances, persecution, and torture.

The prosecutor in The Hague alleges that the four formed part of a joint criminal enterprise to control Kosovo by "unlawfully intimidating, mistreating, committing violence against, and removing those deemed to be opponents."

The victims of these alleged crimes include Serbs, Roma and ethnic Albanians who were considered collaborators with Serbian forces or political opponents of the KLA.

'Terrorist Group'

The KLA comprised ethnic Albanians committed to securing independence for Kosovo from Yugoslavia and promoting a "Greater Albania" in the sub-region.

The force consisted of a mix of radicalised youths and students, professionals such as teachers and doctors, members of influential families and local rogues. It took to armed struggle and made its military debut in early 1996 by bombing camps housing Serbian refugees from the wars in Croatia and Bosnia and by attacking Yugoslav government officials and police stations.

By mid-1998 the KLA controlled a large segment of Kosovo and had armed and organised thousands of fighters. It was a formidable force on the ground when, amidst a growing civil war, the Yugoslav army launched a brutal full-scale offensive in Kosovo in March 1999.

From its inception, the KLA targeted Serbian and Albanian civilians, especially those considered collaborators with the authorities. Declassified British documents show the chair of the Joint Intelligence Committee, Michael Pakenham, writing in September 1998 that the KLA is "exploiting the plight of civilians, and itself appears to have committed atrocities against Serbs."

The U.S. and Britain clearly recognised the KLA as a terrorist organisation. In February 1998, the Clinton administration's special envoy to Kosovo, Robert Gelbard, described the KLA as "without any question a terrorist group."

Similarly, Foreign Secretary Robin Cook told parliament in March 1998: "We strongly condemn the use of violence for political objectives, including the terrorism of the self-styled Kosovo Liberation Army."

Indeed, in November 1998, and again in January 1999, Cook said that "most of the killings" in Kosovo recently had been carried out by the KLA, whose activities against ordinary Kosovars were only serving to "prolong their suffering."

Parliamentary statements by British ministers make clear that they continued to regard the KLA as a terrorist organisation right up to the beginning of the bombing campaign in March 1999.

“We condemn their violent activities,” said an internal Foreign Office brief about the KLA in August 1998.

Indeed, the files from 1998 clearly show that British officials were concerned that air strikes against Yugoslavia that they were then considering would empower the KLA and its claims to full independence for Kosovo, to which Whitehall was opposed.

British planners even considered military action against the KLA at this time but ruled it out as impractical.

The KLA was also widely known to be involved in heroin trafficking into Britain while MI6 was investigating its links to organised crime. Brian Donnelly, Britain’s ambassador to Yugoslavia, wrote in June 1998: “Some, at least, in the KLA are likely to be the first cousins of the Albanians who are running organised crime and drug running throughout Europe.”

Al-Qaida Connections

The KLA had also developed connections to Al-Qaida. Osama bin Laden reportedly visited Albania and established an operation there in 1994. In the years preceding the NATO bombing campaign, more Al-Qaeda militants moved into Kosovo to support the KLA, financed by sources in Saudi Arabia and the United Arab Emirates.

By late 1998, the head of Albanian intelligence was saying that bin Laden had sent units to fight in Kosovo. Al-Qaeda was said to be helping hundreds of foreign fighters to cross from Albania into Kosovo, including veterans of the militant group Islamic Jihad from Bosnia, Chechnya and Afghanistan, carrying forged passports.

Numerous KLA fighters had trained in Al-Qaida camps in Afghanistan and Albania. One of the “links” between bin Laden and the KLA said to have been identified by U.S. intelligence was “a common staging area in Tropoje, Albania, a centre for Islamic terrorists.”

One KLA unit was led by the brother of Ayman al-Zawahiri, then bin Laden’s right-hand man, according to a senior Interpol official who later gave evidence to the U.S. Congress.

Asked in Parliament in November 1998 about a media article stating that mujahideen fighters had been seen with KLA forces in Kosovo, Robin Cook stated: “I read that report with concern.”

In March 1999, his deputy, Foreign Minister Tony Lloyd, told the House of Commons that the government was aware of media reports of contacts between Islamic terrorist groups and the KLA but “we have no evidence of systematic involvement.”

The use of the word “systematic” was probably carefully chosen to imply that the government had some knowledge.

At some point in 1996 British intelligence, along with the U.S. and Swiss services, made its first known contact with a senior KLA official in Albania, likely to have been Shaban Shala, a commander who would fight in Kosovo in 1999 and also inside Serbia in 2000.

Formal contacts between the KLA and the U.S. took place in July 1998 when Chris Hill, the U.S. special envoy for Kosovo, met KLA officials. The following day a British diplomat also met KLA officials in their headquarters in the central Kosovan village of Klecka.

The U.K. government later claimed that “an initial meeting” between an official in the British embassy in the Yugoslav capital, Belgrade, and KLA leaders was held on July 30, 1998. If so, this came two days after Foreign Minister Baroness Symons recognised in an answer to a parliamentary question that the KLA was a “terrorist” organisation and that “it was clear” that it had “procured significant quantities of arms in Albania.”

By October, Robin Cook was making clear that Britain was opposed to the KLA’s political objective of forging a Greater Albania. “There is no place on the international map for a greater Albania — any more than there is for a greater Serbia or a greater Croatia,” he said.

Yet it was around this time that Britain started to train the forces it not only recognised as terrorists, but whose political agenda it was opposed to and which had links to Al Qaida.

Training

At some point in late 1998, the U.S. Defence Intelligence Agency approached MI6 with the task of arming and training the KLA, the Scotsman newspaper later reported.

A senior British military source told the paper: “MI6 then subcontracted the operation to two British security companies,

who in turn approached a number of former members of the (22 SAS) regiment. Lists were then drawn up of weapons and equipment needed by the KLA.”

“While these covert operations were continuing,” the paper noted, “serving members of 22 SAS regiment, mostly from the unit’s D squadron, were first deployed in Kosovo before the beginning of the bombing campaign in March.”

A few weeks into the bombing campaign, the Sunday Telegraph reported that KLA fighters were receiving SAS training at two camps in Albania, one near the capital Tirana, and the other near the Kosovan border, most likely close to the town of Bajram Curri.

This was the centre of the KLA’s military operations, where a series of training camps were dotted along the hills and from where arms were collected and distributed. It was also where jihadist fighters had their centre and common staging area with the KLA, as noted by the previous U.S. intelligence reports.

The British training reportedly involved instructing KLA officers in guerrilla tactics and weapons handling, demolition and ambush techniques, as well as conducting intelligence-gathering operations on Serbian positions.

The covert operation was reportedly funded by the C.I.A. while the German secret service, the Bundesnachrichtendienst (BND), provided weapons and training.

‘Arms Supermarket’

The British government was made aware of arms supplies to the KLA taking place near the Albanian border with Kosovo by at least June 1998.

The declassified files show that it was then that a confidential report was sent to Blair by Paddy Ashdown, a former special forces officer who then led the Liberal Democrats, following a visit to the Balkans.

Ashdown reported the Albanian view that arms were being transported to the KLA by the Albanian mafia. “Clandestine arms ‘supermarkets’” had been set up on the Albanian/Kosovo border “at which the KLA units and individuals on their way from abroad to join the KLA are able to purchase their needs,” he wrote

Ashdown also visited Bajram Curri and noted that Tropoje was “almost certainly the main center [sic]” for supplying arms to the KLA. Albania’s police authorities “are certainly turning a blind eye to what is happening,” he wrote.

Ashdown also wrote that the Albanian government “have evidence of Islamic attempts to infiltrate the KLA (especially from Iran) but believe this has been unsuccessful.”

Denials

The British training was kept secret. Ministers consistently denied any knowledge of the KLA’s sources of arms or training when asked in Parliament.

On 13 April 1999, three weeks after the NATO bombing campaign began, and just days before the Telegraph reported the British training, Tony Blair told parliament, “our position on training and arming the KLA remains as it has been — we are not in favour of doing so ... We have no plans to change that.”

Sometimes ministers used revealing language. Baroness Symons stated on two occasions, in March and May 1999, that there was “no firm evidence” and “no reliable information” on the KLA’s sources of weapons and training. The use of the words “firm” and “reliable” is revealing, being a common method officials use to feign ignorance of issues they are aware of.

One reason for secrecy was that such training was in violation of U.N. Security Council Resolution 1160, which forbade arming or training forces in all Yugoslavia.

James Bissett, a former Canadian ambassador to Yugoslavia and Albania, later wrote that the U.S. training of the KLA in 1998 involved “sending them back into Kosovo to assassinate Serbian mayors, ambush Serbian policemen and intimidate hesitant Kosovo Albanians.”

“The hope”, he added, “was that with Kosovo in flames NATO could intervene and in so doing, not only overthrow Milosevic the Serbian strongman, but, more importantly, provide the aging and increasingly irrelevant military organisation [NATO] with a reason for its continued existence.”

KLA leader Hashim Thaci explained that “any armed action we undertook would bring retaliation against civilians [by

Serbian forces]. We knew we were endangering a great number of civilian lives.”

‘Eyes & Ears’

The KLA certainly proved useful to Anglo–American planners. Blair stated a month into the NATO bombing campaign that “the KLA is having greater success on the ground in Kosovo and indeed has retaken certain parts of it.”

Described in media reports as NATO’s “eyes and ears” on the ground in Kosovo, the KLA was using satellite telephones to provide NATO with details of Serbian targets, according to reports in the British media.

Some of this communications equipment had been secretly handed over to the KLA a week before the air strikes began by U.S. officers acting as “ceasefire monitors” with the Organisation of Security and Cooperation in Europe. They were, in reality, C.I.A. agents.

They also gave the KLA U.S. military training manuals and field advice on fighting the Yugoslav army and police. The Sunday Times reported that several KLA leaders had the mobile phone number of General Wesley Clark, the NATO commander. Robin Cook, meanwhile, held a joint press conference with KLA representatives at the end of March 1999 and was in direct telephone contact with its commander in Kosovo, Hashim Thaci, the British media reported.

Thaci was “rang up regularly” by Cook “to get information about what was happening in Kosovo,” Labour MP Alice Mahon told parliament later in 1999.

By May, The Independent was reporting that British and U.S. special forces have “gone on the offensive in Kosovo” and were working behind Serb lines “with the help of KLA men hand-picked from camps in northern Albania.”

It said that units of up to 20 to 30 Allied soldiers were working with up to 100 KLA men and quoted a senior KLA commander saying the U.K. and U.S. soldiers “either wore uniforms that could not be traced to any Allied unit or were disguised in the combat fatigues of the ‘Black Hand’ Serb paramilitaries.”

Soon after the bombing had begun, in early April 1999, more than 500 Albanians living in Britain volunteered to go to fight in Kosovo, according to KLA representatives in London, though they were likely exaggerating the numbers.

Just as during the Bosnian War a few years earlier, Britain and the U.S. allowed, and may have facilitated, British and other Muslims to travel to Kosovo volunteering for the jihad.

Macedonian Campaign

U.S. covert support of the KLA guerrillas did not stop when NATO’s Kosovo campaign was brought to an end in June 1999, or even with the fall of Milosevic in October 2000.

After the Kosovo conflict, KLA forces launched new wars in southern Serbia and Macedonia to promote their aim of a Greater Albania, both of which were initially supported by the US – but, not, apparently, by Britain.

In March 2001, KLA guerillas began to operate across Kosovo’s nearby border with Macedonia, led by several commanders previously trained by British forces for the Kosovo campaign.

Now fighting under the banner of the National Liberation Army (NLA), formed in early 2001, two of the Kosovo-based commanders of this push into Macedonia had been instructed by the SAS and the Parachute Regiment at the camps near Bajram Curri in northern Albania in 1998 and 1999.

One was organising the flow of arms and men into Macedonia, while the other was helping to coordinate the assault on the town of Tetevo in the north of the country near the border with Kosovo.

NLA forces were being called “terrorists” by Robin Cook and “murderous thugs” by NATO Secretary-General Lord Robertson, just as they had been before the March 1999 bombing campaign, when, as the KLA, the British were cooperating with them.

Arms supplies to the NLA from the U.S. helped the guerillas take control of nearly a third of Macedonia’s territory by August 2001. Soon, however, Washington, under pressure from its NATO allies, started to rein in its proxy force and throw its weight behind peace talks.

Thaci emerged from the diplomatic settlement to the Kosovo war as the leader of the strongest faction within the KLA and became Kosovo’s first prime minister. After elections in 2016, he became the territory’s president, resigning in 2020 after the war crimes charges were brought.

In addition to Thaci, also on trial in the Hague are Kadri Veseli, former head of the KLA's intelligence service, Rexhep Selimi, head of the KLA's operational directorate, and Jakup Krasniqi, a member of the KLA's political directorate.

Vojislav Buzakovic: Alleged Serbian war criminal found hiding in Ireland (BBC) By: Matt Murphy
April 15, 2023

An alleged Serbian war criminal who spent 16 years on the run has been deported from Ireland after he was discovered by police in February.

Croatia has been searching for Vojislav Buzakovic - allegedly an ex-member of a pro-Serbian militia - since 2007.

Officials have accused him of abusing civilians during the Yugoslav War over a six-month period between 1991-1992.

According to the Irish Court Service, Mr Buzakovic consented to his deportation during a hearing in March.

A spokesperson for An Garda Síochána (Irish police) told the BBC that the force does not comment on named individuals, but confirmed an individual matching Mr Buzakovic's description was surrendered to Croatian authorities at Dublin Airport on 30 March.

The spokesperson added that the "male in his 50s" was detained in the south of Ireland on 1 February as part of a European Arrest Warrant by Croatia.

Local media reported that during an altercation with officers he triggered an alert on the Schengen Information System - an EU database of wanted suspects - and has now been flown back to Croatia to face trial in the eastern city of Osijek.

In 2007 Mr Buzaković was charged in absentia by Croatian prosecutors of being part of a paramilitary group loyal to the Republic of Serbian Krajina - a self-proclaimed statelet which Serb rebels had staked out in territory amounting to about a quarter of Croatia.

Alongside four other men, authorities said Mr Buzaković had "illegally detained, imprisoned, interrogated, beat and otherwise abused civilians" at what Croatian media called an "extermination centre" in the small eastern village of Petrovci.

He was also specifically accused of "participating in the physical abuse" of four named people during the Serb occupation of the village.

Despite the charges, Mr Buzaković remained at large for another 15 years before Croatian authorities issued a European Arrest Warrant in July 2021, citing a single count of "war crimes".

Irish media reported that he is believed to have been in the country for a number of years and had even obtained Irish citizenship before his arrest.

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

Domestic Prosecutions In The Former Yugoslavia

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

Turkey

As NATO Arms Ukraine, Russia's Wagner Sought War Chest From Turkey: Reports (Republic World) April 10, 2023

Russia's shadowy mercenaries group PMC Wagner, whose fighters are at the frontlines fighting against the Ukrainian military, "sought to purchase arms from

Turkey, a NATO ally [Turkey],” Washington Post reported, citing the classified war papers that were leaked online. Some of the Wagner personnel, backed by the Kremlin, “met with Turkish contacts to purchase weapons and equipment from Turkey for Wagner’s efforts in Mali and Ukraine” in early February, the leaked papers purported.

Mali leader Assimi Goïta "had confirmed that Mali could acquire weapons from Turkey on Wagner’s behalf," the American paper revealed on Sunday. It, however, did not elaborate on what exactly the Turkish government demanded in exchange, learnt about Wagner's war efforts or if the negotiations "proved fruitful".

Wagner Group, Russian high-profile mercenary group, was founded by Russian oligarch Yevgeny Prigozhin famously dubbed as "Putin's chef". Its fighters have been accused of committing war crimes, torture and extrajudicial killings, in Syria, Libya, the Central African Republic, Sudan, and Mozambique and recently in Ukraine as they fought in the battle of the salt mine city of Soledar and Bakhmut.

Putin planning to replace PMC Wagner?

It was earlier learned that Russia’s Vladimir Putin might be in search of "another private military firm" to take over the shadowy mercenaries paramilitary group 'Wagner' that has been staunchly vocal about the loopholes in the Russian Defence Ministry. In many instances, the group's outspoken founder, Yevgeny Prigozhin, has lashed out at Russia's top military brasses and the soldiers for trying to siphon off the achievements of his fighters in the neighbouring Ukraine offensive.

UK’s Ministry of Defence, in its Ukraine war intelligence, purported that Russia is “likely seeking to sponsor and develop alternative private military companies [PMC]” in order to replace Prigozhin’s mercenaries group. Wagner's chief, over the last few months, appeared in the recorded videos staunchly bashing the Russian armed forces for alleged "treason". He also publicly derided the Russian forces for the territorial losses of the previously captured territories. In the videos posted on his official press service on Telegram, Prigozhin hailed his fighters for swift advances and gains in the contentious Donbass region.

Biden administration to advance small F-16 equipment sale to Turkey - sources (YahooFinance) By: Humeyra Pamuk
April 17, 2023

U.S. President Joe Biden's administration is set to move ahead with the sale of a small modernization package for Turkey's existing F-16 aircraft, after leaders of U.S. congressional committees gave informal approval for the sale, sources familiar with the matter said.

The U.S. State Department could send the notification for the formal sale, which includes radars and avionics, as early as Monday, the sources said.

[[back to contents](#)]

Kosovo Specialist Chambers

Azerbaijan

Provisional Measures at the ICJ in the Cases of Armenia and Azerbaijan (Lawfare) By Anoush Baghdassarian
April 6, 2023

February saw new developments in two cases brought by Armenia and Azerbaijan against one another at the International Court of Justice (ICJ), the U.N.’s principal judicial organ. Most notably, in the request brought by Armenia, the court ordered Azerbaijan to stop its ongoing blockade of the Lachin corridor, the road that connects the breakaway region of Nagorno-Karabakh to Armenia and the rest of the world. Azerbaijan’s blockade endangers ethnic Armenians living in

Nagorno-Karabakh, as it severely impedes their access to essential materials such as food and medication. In paragraph 52 of its decision, the court ordered Azerbaijan to “take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin Corridor in both directions.” Nevertheless, the road remains blocked, and the people living there are denied freedom of movement. Individuals have limited access to food and medicine; those who need medical procedures in Armenia must wait for International Committee of the Red Cross cars, which have set schedules and a long waiting list; and there are still many individuals in Armenia who, over three months later, cannot return home to their families in Nagorno-Karabakh. In addition to these violations, the population is also being terrorized by those blocking the road, including personal confrontations where Armenians have fainted because of Azerbaijani actions. The situation is growing worse, and former NATO Secretary General Anders Fogh Rasmussen recently described the circumstances in Nagorno-Karabakh as a very serious risk of a humanitarian crisis that could escalate into a humanitarian catastrophe in Nagorno-Karabakh, with a serious risk of imminent ethnic cleansing.

To provide a better understanding of the court’s ruling and its implications, this article reviews the case’s procedural history, describes the context that led to the new requests for the provisional measures, analyzes the judges’ decisions on the matter, and details Azerbaijan’s noncompliance.

Procedural History

In 2020, Armenia and Azerbaijan brought claims against one another before the ICJ for alleged violations of Articles 2 through 7 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). Armenia accuses Azerbaijan of violating the convention through its continued campaign of ethnic persecution and violence targeting Armenians, including arbitrary detention, torture, and murder. Conversely, Azerbaijan accuses Armenia of violating the convention by denying Azerbaijan maps of landmines on its territory and facilitating the settlement of Armenians in disputed territory. While litigation on the merits of the case is expected to begin formally in 2024 and continue for years, the court, so far, has heard each party’s requests for provisional measures twice, first in 2021 and again in 2023.

In a previous article on Lawfare, I discussed the court’s 2021 decision indicating provisional measures for both parties in both cases. In the case of *Armenia v. Azerbaijan*, the court ordered that Azerbaijan must (a) prevent any harm to individuals captured in 2020 who remain in detention, and ensure their security and equality before the law; (b) take all necessary measures to prevent the incitement and promotion of racial hatred and discrimination, including by its officials and public institutions, targeted at persons of Armenian national or ethnic origin; and (c) take all necessary measures to prevent and punish acts of vandalism and desecration affecting Armenian cultural heritage, including churches and other places of worship, monuments, landmarks, cemeteries, and artifacts. In the case of *Azerbaijan v. Armenia*, the court ordered that Armenia must “take all necessary measures to prevent the incitement and promotion of racial hatred, including by organizations and private persons in its territory, targeted at persons of Azerbaijani national or ethnic origin.”

February’s court session dealt with the second set of requests for provisional measures from the parties. On Dec. 27, 2022, and Jan. 3, 2023, Armenia and Azerbaijan, respectively, submitted their requests to the court for additional provisional measures. Armenia also added an addendum on Jan. 26, alleging that Azerbaijan was to blame for the persistent cutoffs of natural gas supplies to Nagorno-Karabakh. At the end of January, the court heard the cases (Armenia’s verbatim record is here, and Azerbaijan’s verbatim record is here).

Context for New Provisional Measures Requests

In this second round of provisional measures requests, Armenia requested three provisional measures: (a) “Azerbaijan shall cease its orchestration and support of the alleged ‘protests’ blocking uninterrupted free movement along the Lachin Corridor in both directions;” (b) “Azerbaijan shall ensure uninterrupted free movement of all persons, vehicles, and cargo along the Lachin Corridor in both directions;” and (c) “Azerbaijan shall immediately fully restore and refrain from disrupting or impeding the provision of natural gas and other public utilities to Nagorno-Karabakh.”

As described above, Armenia’s requests stem from the ongoing blockade of the Lachin corridor. Armenia’s reasons for the request are laid out in the recent order in *Armenia v. Azerbaijan*:

30. Armenia contends that, since the end of the 2020 conflict between Armenia and Azerbaijan, the Lachin Corridor is the only route connecting Nagorno-Karabakh and Armenia. It asserts that the clear and overt purpose of the “blockade” is

fully integrated into what it calls Azerbaijan's long-standing policy of ethnic cleansing, in the sense that it is aimed at creating living conditions so unbearable for ethnic Armenians that they are forced to leave the area. Armenia further contends that the "blockade" was deployed on 12 December 2022 by a group of persons who present themselves as "eco-activists" but have in fact another goal in mind, many of them being well known for "posting anti-Armenian hate speech publicly on social media", for having "direct ties to the Government [of Azerbaijan]" or even for being supported by it. For all these reasons, Armenia considers that "the blockade and its support and encouragement constitute plausible and even manifest breaches of the obligations and corresponding rights under Article 2 (1), subparagraphs (a), (b) and (e), of CERD".

31. Armenia further contends that the "blockade" of the Lachin Corridor violates the freedom of movement implied in the right to leave any country, including one's own, and the right to return to one's country. In this regard, it asserts that the "blockade" has separated many families. Armenia adds that the "blockade" violates the right to public health, medical care, social security and social services, by preventing critically ill ethnic Armenians hospitalized in Nagorno-Karabakh to be transferred to medical facilities in Armenia for urgent medical care and for life-saving treatment. It claims, in addition, that the "blockade" has prevented the importation of essential goods, foodstuffs, medical and medicine supplies into Nagorno-Karabakh. Finally, Armenia alleges that, since 13 December 2022, the natural gas supply to Nagorno-Karabakh has been regularly cut off, leading to a number of adverse humanitarian consequences, such as disruption of the educational process in schools and disruption of the smooth running of hospitals. In conclusion, Armenia considers that the alleged blockade and related measures entail a series of highly plausible violations of rights protected under Article 5 (d), subparagraphs (i) and (ii), and Article 5 (e), subparagraph (iv), of CERD.

In its case against Armenia, Azerbaijan requested two provisional measures, namely that Armenia (a) "take all necessary steps to enable Azerbaijan to undertake the prompt, safe and effective demining of the towns, villages, and other areas to which Azerbaijani civilians will return"; and (b) "immediately cease and desist from any further efforts to plant or to sponsor or support the planting of landmines and booby traps in these areas."

Paragraphs 16 and 17 of the recent order in *Azerbaijan v. Armenia* lay out the context for Azerbaijan's provisional measures request. In its request, Azerbaijan refers to the:

alleged discovery in Azerbaijan's territory, since August 2022, of over 2,700 landmines manufactured in Armenia in 2021. According to Azerbaijan, over half of those landmines were discovered in civilian areas to which Azerbaijani displaced persons and refugees are due to return Additionally, Azerbaijan refers to the alleged discovery, in October 2022, of "newly constructed" booby traps, consisting of military equipment such as hand grenades and landmines activated by trip wire, purposely hidden in civilian houses to which Azerbaijanis were expected to return.

Azerbaijan's requests for provisional measures stem from a contention that:

the placement of landmines and booby traps in civilian areas previously inhabited by Azerbaijanis and to which they are due to return, following the terms of the Trilateral Statement, demonstrates the racially discriminatory nature of Armenia's conduct. In this regard, Azerbaijan asserts that the placement of landmines and booby traps in those areas poses an ongoing threat of death or injury to Azerbaijani civilians attempting to return to their homes.

The Court's Decisions

For the court to indicate provisional measures, the countries' requests must be plausible, connected to the rights the CERD is meant to protect, and demonstrate urgency, meaning that if the court does not act and indicate provisional measures quickly, there will be a risk of irreparable harm to the rights being litigated in the case under the CERD. In its order on Armenia's request for provisional measures, the court explained that the "condition of urgency is met when the acts susceptible of causing irreparable prejudice can 'occur at any moment' before the Court makes a final decision on the case."

Between the two cases, the court found that only one of the five requested provisional measures met all three prerequisites described above: Armenia's second request. Namely, that Azerbaijan "take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin Corridor in both directions." Because of this decision, the court also found that there was no need to grant Armenia's first request regarding "directing Azerbaijan to cease its orchestration and support of the alleged protests blocking uninterrupted free movement along the Lachin Corridor in both directions," as it would prove redundant and unnecessary since the measure it did issue addressed the blockade in its order to ensure "unimpeded" movement of people and cargo in the corridor. As for Armenia's third request regarding directing Azerbaijan to "immediately fully restore and refrain from disrupting or impeding the provision of natural gas and other public utilities to Nagorno-Karabakh," the court found that Armenia did not offer sufficient evidence that Azerbaijan is disrupting the region's supply of natural gas and other utilities to the residents of Nagorno-Karabakh and, thus, found it unwarranted as well. This finding, however, does not preclude the possibility of Armenia bringing this

claim—should the issue persist and the country gather sufficient evidence—before the ICJ again.

Notably, two judges offered dissenting opinions in *Armenia v. Azerbaijan*: Judge Abdulqawi Yusuf and ad hoc Judge Kenneth Keith. In his dissent, Yusuf reemphasized the same point he made in his last dissent during Armenia's first request for provisional measures in this case. He explained that he believes the court is misusing the compromissory clause of CERD to "stuff claims into the framework of CERD ... which do not fall within the provisions of that Convention." He calls this a "regrettable tendency[.]" suggesting that this sets a dangerous precedent of using the CERD for matters that go beyond the treaty simply for a state to obtain jurisdiction to bring these matters before the court. In turn, Keith explained that he dissented because Elnur Mammadov, the Azerbaijani agent for the case, said in a statement before the court that "Azerbaijan has and undertakes to continue to take all steps within its power to guarantee the safety of movement of persons, vehicles and cargo along the Lachin road." In his dissent, Keith interpreted this statement to "demonstrate the limits of Azerbaijan's powers in the current circumstances." Separately, Keith also wrote that "security" along the corridor is the responsibility of Russian peacekeepers, not Azerbaijan, and thus he disagrees with the provisional measure's order placing the burden on the country.

In *Azerbaijan v. Armenia*, the court unanimously rejected Azerbaijan's request for provisional measures. In paragraph 22 of its judgment, the court reiterates that the request is not plausible, just as it was not plausible the last time Azerbaijan brought it, and unanimously rejects Azerbaijan's requests for provisional measures on that ground:

[T]he Court recalls that Azerbaijan claims that this conduct is part of a longstanding campaign of ethnic cleansing. The Court recognizes that a policy of driving persons of a certain national or ethnic origin from a particular area, as well as preventing their return thereto, can implicate rights under CERD and that such a policy can be effected through a variety of military means. However, the Court does not consider that CERD plausibly imposes any obligation on Armenia to take measures to enable Azerbaijan to undertake demining or to cease and desist from planting landmines. Azerbaijan has not placed before the Court evidence indicating that Armenia's alleged conduct with respect to landmines has "the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing", of rights of persons of Azerbaijani national or ethnic origin.

Additionally, four judges issued concurring opinions that offered separate reasoning for rejecting Azerbaijan's request. Judge Julia Sebutinde agreed that the use of mines does not implicate plausible rights under CERD but disagreed that this reasoning also applies to the booby traps described above. Sebutinde continued, however, reasoning that Azerbaijan has not provided enough evidence to substantiate the claim that booby traps were placed in civilian areas. Keith agreed that landmines do not implicate plausible rights under CERD, writing, "by their very nature, landmines are indiscriminate in their effects." He also pointed out that "the requested measures would require Armenia to take actions in areas which Azerbaijan has now recovered and which are part of its sovereign territory. How could Armenia undertake those tasks?" Lastly, Judges Hilary Charlesworth and Leonardo Nemer Caldeira Brant agreed with the court's reasoning and recalled the court's reasoning in its Dec. 7, 2021, order reiterating that it had already ruled on this request at that time and need not address it again.

What Happens Next?

Under the provisional measure, Azerbaijan is now legally obligated to take all measures at its disposal to ensure unimpeded movement of persons, vehicles, and cargo along the Lachin corridor. Two external factors can help to ensure that Azerbaijan follows through on the ICJ's order. First, the U.N. Security Council can—pending the compliance of all five permanent members—pass a resolution to enforce the provisional measure. Second, the European Union and other members of the international community could threaten further involvement in the region if Azerbaijan does not comply with the order.

Despite these safeguards and its legal obligation, Azerbaijan has publicly stated that it will not comply with the court's order. As described in a tweet immediately following the court's decision by Azerbaijan's ambassador to the Netherlands, Azerbaijan argues that the country is doing everything in its control and at its disposal to stop the protests and to ensure free access along the corridor, and thus there is nothing else it must or can do.

There are at least three reasons, however, that this argument would likely not be successful in court, and why Azerbaijan should do more. First, Keith's dissent in *Armenia v. Azerbaijan* argued the same: that Azerbaijan need not do more. However, the fact that it was a dissent underscores that the majority did not agree with him, and thus he had to write a separate opinion espousing this view. Further, the majority decision even took note of this statement at paragraph 56 of its order, yet still ordered Azerbaijan to stop the blockade. Thus, it can be suggested that the majority believes Azerbaijan must do more than what it is doing now and precludes the country from saying that it is already doing everything in its power to achieve unimpeded access across the corridor.

Second, Azerbaijan likely cannot rely on an argument that doing more would infringe on the rights of the protesters, such

as freedoms of speech or assembly. In a letter to the U.N. secretary-general, Azerbaijan's minister of foreign affairs said that Azerbaijan "is not responsible for the protests of a group of civil society organizations, and Azerbaijan is not obligated to prevent them from exercising their legitimate right to protest." As outlined in Article 21 of the International Covenant on Civil and Political Rights (ICCPR), "The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others." The U.N. Human Rights Committee's General Comment on the right to freedom of assembly under the ICCPR (which serves as an interpretative tool for it) reiterates the grounds on which freedom of assembly can be restricted: "the interests of national security; public safety; public order (ordre public); the protection of public health or morals; or the protection of the rights and freedoms of others." As described previously, the protesters creating the blockade are denying those in the Nagorno-Karabakh region access to essential goods and, more broadly, access to Armenia and the rest of the world. The blockade of protesters clearly threatens the public safety and public order of those in the region, as well as many of the other rights and categories specified above. To protect these rights and, more broadly, national security, it is defensible and legal for Azerbaijan to infringe on certain rights of protesters, such as freedom of speech.

Further, even Azerbaijan's laws allow for the government to regulate freedom of speech in certain scenarios. For example, Article 7 of the Law of the Republic of Azerbaijan on Freedom of Assembly provides for the regulation of the time, place, and manner of protests. Therefore, complying with international law by infringing on the individual rights of these protesters would not necessarily be at odds with Azerbaijan's own national law.

Lastly, the CERD itself, in the articles discussed above, prohibits such treatment and makes Azerbaijan's omission a violation of Articles 2 and 5 of the convention. The court notes in paragraph 36 of its order that the CERD imposes obligations on state parties with regard to the elimination of racial discrimination in all its forms and manifestations; thus, Azerbaijan's noncompliance with these obligations is unlawful.

Still, the blockade is ongoing, and those trapped in Nagorno-Karabakh are largely continuing to suffer. The provisional measure should have been welcome news for the people of Nagorno-Karabakh and could have served as an example of how human rights treaties can be enforced using the legal mechanisms set in place for them. Yet this case lends further doubt to the efficacy of the law in ending hostilities and necessitates looking elsewhere for relief. While Armenia will likely still look to the law as a recourse for justice, it is frustrating for those who hope the court can enforce the human rights treaties within its purview to face the noncompliance of states that ultimately have the control to enforce whatever is decided. The international community can help, though, by bolstering the EU Mission already in place in border villages in Armenia, advocating that their own governments rescind support from Azerbaijan for these offensives, and even urging the Security Council to intervene in the name of peace and security for the people of Nagorno-Karabakh. There is an arsenal of tools that states can use to make the political reality match the judicial one, and at this point it seems to be a matter of will. Until then, the Armenians in Nagorno-Karabakh will keep being resilient, enduring gas and electricity shortages, standing in line for food rations, and withstanding the damaging effects on their businesses, physical health, and mental wellbeing, until the situation on the ground changes.

April 11th: unprovoked Armenian military action causes Azerbaijani casualties (EU Today) April 12, 2023

The Ministry of Defence of the Republic of Azerbaijan has reported that on April 11th units of the Armed Forces of Armenia from the direction of the Digh settlement of the Gorus district subjected to intensive fire the Azerbaijan Army's opposing positions stationed in the direction of the Lachin district. As a result of the provocation, a number of Azerbaijan Army personnel were killed or injured.

The fact that such provocations by Armenia took place in the face of serious calls for negotiations on a peace agreement by the international community suggests that Armenia is not interested in the peace process. Such military provocations of Armenia at the same time are accompanied by provocative political actions and statements.

Armenia's provocations against Azerbaijan, violating the norms and principles of international law, not only breach the territorial integrity and sovereignty of Azerbaijan, but also seriously threaten regional peace and security.

The government of Azerbaijan has called for the actions of Armenia to be rejected and condemned by the international community in the most serious manner.

In order to prevent further provocations by Armenia, the Armed Forces of the Republic of Azerbaijan are taking and will continue to take all necessary measures, and the government emphasises that once again that the responsibility for the provocations caused by Armenia falls entirely on Armenia.

Armenia vows to recognize disputed Nagorno-Karabakh as Azerbaijan amid rising tensions

(Politico) By Gabriel Gavin

April 18, 2023

Armenia's prime minister has given the strongest signal yet that he is prepared to acknowledge Azerbaijan's sovereignty over the disputed Nagorno-Karabakh region, while urging the EU and Russia to help prevent a catastrophic new conflict in the South Caucasus.

Speaking in parliament Tuesday, Nikol Pashinyan said his government "reaffirmed that the Republic of Armenia fully recognizes the territorial integrity of Azerbaijan" and called for a peace treaty to be signed with the neighboring nation "without ambiguities and pitfalls." In return, he said, Baku should recognize Armenia's territory within its Soviet-era borders.

The move effectively accepts Baku's sovereignty over Nagorno-Karabakh, two and a half years on from a brutal war over the breakaway region that is home to tens of thousands of ethnic Armenians who have for decades refused to be governed by Azerbaijan. In September, Pashinyan was forced to deny he was poised to recognize Azerbaijan's borders after mass protests broke out on the streets of Yerevan, accusing him of hanging Karabakh Armenians out to dry.

Speaking on condition of anonymity, a senior Azerbaijani official told POLITICO that Baku welcomed the latest comments from Yerevan. "We hope that Pashinyan is ready to sign the deal that includes everything he said ... including withdrawing troops [from Nagorno-Karabakh]." Armenia denies it maintains a military presence in the region, and has previously insisted Karabakh Armenians have the right to maintain their own self-defense forces.

However, Artak Beglaryan, an adviser to Nagorno-Karabakh's state minister, said that Pashinyan "should not damage the protection of our security and rights, including the right to self-determination," arguing that Azerbaijan's territorial integrity should only be recognized in the context of Nagorno-Karabakh's self-declared independence. The Karabakh Armenian administration has repeatedly warned that, were Azerbaijan to take control of the region, those living there would be forced to leave their homes, or worse.

According to Pashinyan, discussions over the future status of Nagorno-Karabakh can only be had once both sides accept it is legally Azerbaijani territory. Refusing to do so over previous decades, he said, meant "we have deceived ourselves, the people of Armenia and the people of Nagorno-Karabakh."

In recent months, experts have expressed concern. "Many Armenians believe there'll be a spring offensive by Azerbaijan," Markus Ritter, head of the EU border mission in Armenia, told Deutsche Welle last month. "If this doesn't happen, our mission is already a success."

Fears growing

In late 2020, the two countries fought a bloody war over Nagorno-Karabakh, which is part of Azerbaijan's internationally recognized territory but has been governed as a breakaway state by its ethnic Armenian majority since the fall of the USSR. A Moscow-brokered cease-fire put an end to the fighting, but saw the Karabakh Armenians forced to give up swathes of territory, leaving them connected to Armenia by a sole highway under the protection of Russian peacekeepers.

Then, in December, self-declared Azerbaijani activists, operating with government support, set up camp on the single road in or out, effectively blockading the mountainous region. Since then, only Russian convoys and Red Cross aid workers have been able to get through, carrying food and other supplies to those living there. Meanwhile, a series of clashes in recent weeks along the border between Armenia and Azerbaijan have left more than a dozen soldiers dead and sparked fears of a new conflict.

According to Pashinyan, both Russia and the rest of Europe now need to work together to avert another war between his country and fossil fuel-rich Azerbaijan because, "if our region explodes again, at least in terms of energy, it can become a problem for both Russia and the West."

In July, European Commission President Ursula von der Leyen traveled to Baku to sign a deal with Azerbaijan to double its annual gas deliveries to the bloc by 2027, describing it as a "crucial" energy partner. Brussels has also stationed a civilian monitoring mission in neighboring Armenia in an effort to help keep the peace, despite claims from Baku that outside intervention is making violence more likely.

Following talks mediated by the EU and France in October, the two sides pledged to respect each others' territorial integrity, but negotiations have since stalled and tensions are rising.

Azerbaijani soldier charged with murdering Armenian civilian (The Armenian Weekly) By Lillian Avedian

April 19, 2023

An Azerbaijani soldier who crossed the border into Armenia has been charged with murdering a civilian.

Huseyn Akhundov was detained on April 13 near the village Achanan in the southernmost Syunik province of Armenia. On April 18, the Office of Armenia's Prosecutor General announced that Akhundov has been charged with "murder motivated by national hatred, intolerance and enmity."

The Prosecutor General's office said that Akhundov murdered 56-year-old Hayrapet Meliksetyan, a security guard at the Zangezur Copper-Molybdenum Combine in the town of Kapan in Syunik. Meliksetyan was found shot to death on April 12.

Armenia's Ministry of Defense previously reported that an Azerbaijani soldier had been arrested in Armenia on April 10. Residents of Ashotavan in Syunik told reporters they had found the soldier, Agshin Babirov, and turned him in to the police. Three days later, the Defense Ministry said that a second soldier, Akhundov, had been detained. The Defense Ministry said that both soldiers had crossed into Armenia together from the Azerbaijani exclave Nakhichevan.

Azerbaijan's Ministry of Foreign Affairs said that the two soldiers "went missing due to limited visibility due to bad weather conditions."

Armenian Prime Minister Nikol Pashinyan did not comment on the soldiers' presence in Armenia until April 12. PM Pashinyan told the National Assembly that the first soldier detained on April 10 had fled from the Azerbaijani army. "A soldier of the Azerbaijani army simply ran away from their positions with his comrade due to pressure and humiliation from other comrades," Pashinyan said.

Babirov has been charged with illegally crossing and transporting weapons across the state border. Both soldiers are being held at the police department in Kapan.

Meliksetyan was shot dead by Akhundov, according to the Prosecutor General's office. Akhundov stole Meliksetyan's phone and tried to escape in his car. When he couldn't get the car to start, he began walking along the highway with the intention to cross the border into Iran. Locals found him near Achanan village and reported him to the police.

Two videos of Akhundov have circulated on social media. In one video, Akhundov says he had "beheaded" Armenians and "shed Armenian blood." "We are not traitors, and we hope to successfully return to Azerbaijan," Akhundov says. The video was filmed on Meliksetyan's phone, according to the Prosecutor General's office.

The second video shows Akhundov tied up on the ground and kicked in the face. The soldier appears bloody and bruised. The video reportedly depicts Akhundov being beaten by Armenian residents of Syunik.

The Prosecutor General's Office said it has sent reports of injuries on Akhundov's body to the Investigative Committee.

Azerbaijan's Foreign Ministry said that it has informed the "relevant international organizations" about the "cases of physical torture and inhuman treatment" against Akhundov, which it called "another example of violence on ethnic grounds by Armenia."

"Relevant international organizations should investigate the facts of violence committed by Armenia over the past 30 years against Azerbaijani prisoners of war and civilian prisoners, 3,890 missing Azerbaijanis, and give an adequate assessment," Azerbaijan's Foreign Ministry said in a statement.

The US Embassy in Baku said that the United States is "disturbed by a video appearing to depict violence against an Azerbaijani soldier in Armenia." "We urge Azerbaijan and Armenia to resolve all outstanding issues through peaceful negotiations," the US Embassy said.

The Office for Democratic Institutions and Human Rights, which is part of the OSCE, called the footage "deeply troubling" and said the "incident should be immediately investigated, helping to ensure accountability for those responsible in line with international law standards."

The video has also sparked criticism within Armenia.

Andranik Shirinyan, project coordinator at the democracy watchdog Freedom House, said that the "mistreatment of the captured Azerbaijani soldier by locals must be addressed."

“The recent sabotage infiltration by the Azerbaijani soldiers into Armenia has resulted in a serious violation of international law and human rights. The alleged killing of a security guard and beheadings by the Azerbaijani soldiers are heinous acts that cannot be condoned,” Shirinyan tweeted. “While it’s important to hold those responsible for the infiltration and murder accountable, it’s equally important to recognize that violence toward prisoners is never justified.”

Daniel Ioannisyán, programs coordinator at the Union of Informed Citizens, said that Azerbaijani soldiers should be treated humanely so that Armenia can demand similarly humane treatment for its prisoners of war held in Azerbaijan. “Beating a bound and already neutralized POW brings neither honor nor benefit,” Ioannisyán said.

Several years after the end of the 2020 Artsakh War, Armenian lawyers estimate that 200 Armenian POWs and civilian captives are held in Azerbaijan. Azerbaijan only acknowledges the continued detention of several dozen prisoners.

Human rights investigations show that Armenian POWs are subjected to systemic torture and degrading treatment. Armenian lawyers have submitted requests for interim measures, or urgent measures to protect individuals at imminent risk of irreparable harm, to the European Court of Human Rights on behalf of 123 Armenian POWs, 111 of which have been granted.

Armenian MP and chair of the parliamentary committee on foreign relations Sargis Khandanyan told reporters that Armenia has no intention to swap the two detained Azerbaijani soldiers in exchange for Armenian POWs held in Azerbaijan. “Armenia is not planning to make any concessions on this matter,” Khandanyan said.

Human Rights Defender of Armenia Anahit Manasyan visited the Azerbaijani soldiers held in Kapan on April 16. Manasyan said that “complaints about torture, and other forms of ill-treatment, including psychological pressure, committed by state bodies and officials, were not received” during private interviews. She also said that the soldiers are “provided with proper detention conditions, including constant drinking water, food, and hygiene items. They are also provided with medical assistance and service when necessary.”

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

Russia

Ukraine war: President Zelensky condemns beheading video (BBC) By Olga Robinson, Shayan Sardarizadeh and Adam Robinson
April 14, 2023

Ukrainian President Volodymyr Zelensky has called on world leaders to respond after a video emerged apparently showing a Ukrainian soldier being beheaded by a Russian serviceman.

"Everyone must react. Every leader. Do not wait for this to be forgotten," he said in a video address.

Ukraine's SBU security service said it was investigating the "war crime".

The Kremlin said the video was "awful" but its authenticity had to be checked as well as who was behind it.

The grainy and extremely graphic video appears to have been filmed on a mobile phone, and possibly during the summer months. It shows a man in military uniform wearing a yellow armband - frequently worn as identifying symbols by Ukrainian soldiers.

The perpetrator and other men visible in the clip have white bands on their legs, which Russian soldiers are known to wear as a means of identification. They can also be heard to speak Russian, although that is not conclusive as many Ukrainians speak Russian too.

During the short video, the victim with the yellow armband is beheaded by a man with a large knife who is wearing a white band around his leg. At one point, one of the men holds up body armour with a trident mark - the state symbol of Ukraine.

The colours and shape of the trident badge are similar to the insignia of the Ukrainian ground forces.

The body armour also features what looks like the Punisher skull symbol (a comic-book character), which in the current conflict has been spotted being worn by fighters on both sides.

A green passport-like booklet is also visible on the ground.

It's upside down in the video (highlighted below) but its appearance matches that of the standard-issue Ukrainian military ID in its colour, the presence of a Ukrainian trident symbol and the layout of the writing.

There has been speculation online that the video was filmed near the city of Kreminna in eastern Ukraine.

The BBC has been unable to verify these claims as the video's surrounding features offer too few visual clues to identify its location, such as buildings or specific landscape points.

It also remains unclear when the footage was filmed. It looks as if it's from the current conflict, where white and yellow armbands have been used by opposing sides as identification.

The leaves in the video are bright green which suggests that it may have been from late spring or summer last year.

Some social media users have suggested it may have been filmed in July but we cannot verify this.

The footage began circulating on Telegram late on Tuesday, after a popular pro-Kremlin blogger shared it with his nearly 300,000 followers.

He later claimed he was not the original source of the video and that the footage had been on Telegram before he posted it. We have been unable to find any earlier versions.

The video has since spread to Twitter.

Exiled Russian journalist Vladimir Osechkin says Andrey Medvedev, a former Wagner Group commander who sought asylum in Norway, told him after watching the video that he could recognise the perpetrators as Wagner fighters.

"He says he can unambiguously identify his former Wagner colleagues by their characteristic call-signs, by how they talk," Mr Osechkin told the YouTube channel of exiled ex-oligarch and Kremlin critic Mikhail Khodorkovsky.

Kremlin spokesman Dmitry Peskov said that "in the world of fakes that we inhabit, we need to check the veracity of this footage".

Another video purporting to show the bodies of two beheaded soldiers has also been circulating on social media in recent days.

The video shows what appears to be a destroyed M113 armoured personnel carrier, mainly used by Ukrainian forces. A man filming the scene says in Russian that it had driven over a mine. At least two bodies without heads and hands can be seen lying on the ground nearby.

A yellow armband is visible on the right arm of one of the bodies, suggesting the victims had been fighting on the Ukrainian side. At least three other soldiers can be seen standing over the two bodies.

Social media comments have suggested the video was filmed near Bakhmut, where Russian forces - including the Wagner private military company - have been battling Ukrainian troops for control of the city.

However, the BBC has been unable to verify the location of the video.

Wagner founder Yevgeny Prigozhin has put out a statement saying that he has "not found" any evidence that the events in the video had happened near Bakhmut or involved Wagner fighters.

Many gruesome videos have been posted online since the war began.

Last month President Zelensky promised to find the Russian soldiers who apparently shot dead an unarmed Ukrainian prisoner of war named Oleksandr Matsiyevskiy.

EU foreign affairs spokeswoman Nabila Massrali reminded Russia it had to abide by humanitarian law and added that the EU was committed to holding to account all perpetrators of war crimes committed during the war.

Germany receives 337 reports on war crimes in Ukraine (Ukrinform) April 16, 2023

As of mid-April 2023, Germany's Federal Criminal Police Office (BKA) received 337 reports on alleged war crimes in Ukraine.

This follows from the response of the Federal Ministry of the Interior and Community to the parliamentary request of the conservatives, Ukrinform reports with reference to the Deutschlandradio.

The information has been collected since the beginning of Russia's full-scale invasion of Ukraine in February of last year. It is provided by Ukrainian refugees in Germany or citizens of Germany who stayed or now stay in Ukraine.

BKA supports Ukrainian investigators, in particular, by collecting evidence and also purchasing and providing materials for forensic works.

As reported, since the beginning of the full-scale Russian invasion, Ukraine has already registered more than 77,000 war crimes committed in its territory.

Ukraine's top prosecutor speaks of 'evil' Russian atrocities (Associated Press) By Kevin Freking
April 19, 2023

Russia's invading forces are deliberately using rape, torture and kidnapping to try to sow terror among civilians in Ukraine, the top prosecutor in Ukraine told U.S. lawmakers in graphic testimony Wednesday.

Prosecutor General Andriy Kostin said nearly 80,000 cases of war crimes have been registered in Ukraine since the war began in February 2022.

Focusing on just one area of the country that has felt the brunt of the war, Kostin described some of the discoveries made when the Ukrainian military liberated Kherson last November. He said some 20 torture chambers were found and more than 1,000 survivors have reported an array of abuses, including the use of electric shocks, waterboarding, being forced to strip naked, and threats of mutilation and death.

Kostin said more than 60 cases of rape were documented in the Kherson region alone. In areas still controlled by Russian forces, residents, including children, are being forcefully relocated to other occupied territories or to Russia.

"Such evil cannot let be," Kostin said.

He was asked about the motivations behind Russia's tactics, but said he struggles to understand the brutality of the Russian forces in targeting civilians.

"The only possible explanation is that they just want to erase Ukraine and Ukrainians from the land," Kostin said. "Maybe because they want to really kill all of us."

The House Foreign Affairs Committee invited Kostin to testify. The chairman, Rep. Michael McCaul, R-Texas, believes that spotlighting the brutality of Russia's actions will show lawmakers and voters why the United States is in the right in supporting Ukraine.

"This is happening right now. They are monsters and they need to be brought to justice," McCaul said. He added: "These are more than war crimes. These are more than crimes against humanity. What we are witnessing in Ukraine is genocide."

McCaul also issued a challenge to fellow lawmakers, saying "history will judge us by what we do here and now."

"No country can remain neutral in the face of such evil," McCaul said.

Congress approved about \$113 billion in economic, humanitarian and military spending in 2022 to assist Ukraine. President Joe Biden has repeatedly said the United States will help Ukraine "as long as it takes" to repel the Russian invasion, though support for that aid has softened, polling shows.

Congressional leaders anticipate that Ukraine will need billions of dollars in additional assistance in the months ahead.

Ukraine is preparing to launch a counteroffensive in an attempt to regain territory lost to Russian troops. McCaul said he would like to see the U.S. back Ukraine's efforts to retake Crimea, the Black Sea peninsula that Russia seized in 2014, so it could negotiate for a cease-fire from a stronger position. He is pushing for the U.S. and its allies to provide Ukraine with long-distance artillery and F-16 fighter jets for the counteroffensive.

On Tuesday, Ukrainian President Volodymyr Zelenskyy tweeted that he spoke by telephone with House Speaker Kevin McCarthy, R-Calif., and thanked him for bipartisan support from Congress. Zelenskyy also outlined the "situation at the front" and Ukraine's "urgent defense needs in armored vehicles, artillery, air defense & aircraft."

The House committee also heard from a war crimes survivor, a 57-year-old woman, who said she was taken to a torture chamber for five days, beaten, forced to strip and endured threats of rape and murder. At one point, she was forced to dig her own grave. She said her house was looted. She has escaped, but other Ukrainians still experience such treatment in Russian-controlled territories, she said.

“These terrible crimes need to be stopped,” she told lawmakers. Her identity was not revealed out of concerns about retribution. Kostin said exposing atrocities is not enough.

“Only with discovering and determining truth, bringing perpetrators to responsibility and providing adequate reparations to victims and survivors, we can say justice has been done,” Kostin said.

The International Criminal Court issued an arrest warrant last month for Russian President Vladimir Putin for war crimes, accusing him of personal responsibility for the abductions of children from Ukraine. But the practical implications are limited as the chances of Putin facing trial at the court are highly unlikely because Moscow does not recognize the court’s jurisdiction or extradite its nationals.

McCaul told The Associated Press he will press for the Department of Justice and FBI agents to assist prosecutors in Ukraine, even as he doubts there will ever be a full reckoning for the war crimes.

“I don’t know what’s going to happen, how this is going to end,” McCaul said. “But at least there’ll be historical documentation about what they did, for generations to read about the atrocities.”

Russian soldiers ‘forced me to dig my own grave’: US lawmakers hear accounts of alleged Russian war crimes (CNN) By Jennifer Hansler

April 19, 2023

A 57-year-old Ukrainian woman from Kherson testified to US lawmakers that Russian forces beat her, threatened to rape her and forced her to dig her own grave.

Lyubov’s story was one of two powerful and horrific testimonies shared with House Foreign Affairs Committee members at a hearing about Russian war crimes Wednesday. Their last names were withheld by the committee at the survivors’ request.

Her experience, along with that of 16-year-old Roman, who was forcibly transferred to Russia and placed with a family who attempted to indoctrinate him, are just some of the tens of thousands of incidents of war crimes alleged to be committed by the Russians since their invasion of Ukraine last year.

Ukrainian Prosecutor General Andriy Kostin, who also testified at the hearing, said his office registered around 80,000 incidents of potential war crimes, and to date has convicted 31 Russians for war crimes in Ukrainian courts.

The hearing comes as some lawmakers work to rally continued support for Ukraine and push for the Biden administration to bolster the weapons it is providing Kyiv.

“These are more than war crimes. These are more than crimes against humanity. What we are witnessing in Ukraine is genocide,” Committee Chair Michael McCaul said in his opening statement.

“(Russian President Vladimir) Putin and Kremlin senior officials have made clear that their intent is to systematically wipe out Ukraine’s existence,” the Texas Republican said.

“The free world cannot sit idly by and allow this to happen. It is beyond time that this administration, along with our allies, provide Ukraine with the weapons they need to win,” he said, referencing long-range missile systems like ATACMS.

“Ukrainians will have to deal with all of the consequences of this evil act,” Ranking Member Gregory Meeks said.

“It will last a lifetime – the scars, the trauma,” the New York Democrat said.

‘These terrible crimes need to be stopped’

Lyubov, who worked as an accountant, lived under Russian occupation for nearly a year and “in January of this year, they came for me,” she said.

Speaking via a translator, she said that Russian soldiers forced their way into her house, claiming they were looking for weapons, and confiscated “a map of Ukraine, the flag of Ukraine, souvenir magnets with Ukraine images, and a token with

blue and yellow ribbon symbolizing victims of World War II.”

“Those were their evidence against me,” she said.

She was taken to what she called a “torture chamber” and held for five days, where she said she was beaten, forced to undress, cut with a knife and threatened with rape and murder.

“I also was taken out into the field and they beat me again and they were putting a handgun next to my head and shooting as if, as if executing me,” she recounted. “Also forced me to dig my own grave.”

She said she saw other people being tortured, “taken out with black plastic bags on their heads.”

“I worry so much for them. I would love to find them one day, but I am not sure if they’re still alive,” she said.

Lyubov said the soldiers let her go, “but they said they will come back.”

When she returned to her house, it had been looted, and they had taken away medals that belonged to her father.

She was able to flee Kherson and made her way to the United States to be with her daughter, but she hopes be able to return to Ukraine.

“I’m telling you my story, and there are other people who are getting robbed and raped and beaten in those territories now,” she said. “These terrible crimes need to be stopped.”

‘They tried to reshape his mind’

The second account shared with the committee was that of 16-year-old Roman, who was forcibly sent to Russia “for vacation,” according to his representative who briefed lawmakers via translator.

Last month, the International Criminal Court issued an arrest warrant for Putin and another top Russian official, Maria Lvova-Belova, for an alleged scheme to deport Ukrainian children to Russia.

Roman, who is an orphan, left his school after the Russian invasion of Ukraine and walked 60 kilometers (about 37 miles), all while allegedly being threatened by Russian soldiers along the way. After he reached his destination – a village in Donetsk – Russians occupied that village as well, and Roman was put in a local hospital with other children, the representative said.

“At that hospital, he was notified that he will now have a different family,” his representative said via a translator. “The occupation authorities ignored the fact and his words that he wanted his brother or sister to be his legal representatives because he had them there.”

The representative said he was then sent to another hospital in Donetsk, issued a new birth certificate on behalf of the self-declared Donetsk People’s Republic, and then was sent to Russia “for a vacation.”

Once there, Roman and other Ukrainian children were visited by Lvova-Belova, who told them they would be adopted, which the children protested. They were instead sent to a boarding school, the representative said.

“Eventually, they found a new family for Roman,” the representative said. “They tried to reshape his mind. ... They made him watch propaganda programs on TV.”

His communication with his peers was restricted, his movements were tracked through his cell phone, and they “forced him to say that he liked his new family and his new life,” she said.

“He was forced to obtain a passport of the Russian Federation but then immediately they took it away from him, saying that they will process papers for adoption,” she said.

Roman was able to make his way back to Ukraine with the help of volunteers from the country, the representative said.

[back to contents]

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

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

ASIA

Afghanistan

Australian Army Chief Warns of Further Criminal Charges Over Alleged War Crimes in Afghanistan (Khaama Press) March 30, 2023

Speaking to the Lowy Institute in Sydney, Campbell reportedly stated that the Office of the Special Investigator (OSI) was still looking into claims of war crimes against Australian service members, reports the Guardians.

According to reliable information, Australian Special Forces members killed up to 39 people while operating in the country, and 19 servicemen were referred for criminal prosecution. Over 40 alleged offences are being looked at, according to the Office of the Special Investigator (OSI), established in the wake of the report.

It claimed that throughout 23 different occurrences, 25 Special Forces members had either directly participated in or served as “accessories” to unlawful killings.

“The OSI, which is working independently, has seen a first arrest and charging of a former soldier. You will not see me trying to gloss over these things, and I think there could be some very uncomfortable days coming forward,” Campbell said.

According to the 2020 probe report, some soldiers’ unchecked “warrior culture” was responsible for the murders of “prisoners, farmers, or civilians” between 2009 and 2013. Australia had 400 soldiers operating in Afghanistan until the Taliban took control of Kabul in August 2021.

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

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**

New UN exhibition reflects dark side of Cambodian history (The Phnomh Penh Post) By Hong Raksmeay
April 11, 2023

The UN Department of Global Communications – alongside the UN Office on

Genocide Prevention and the Responsibility to Protect – are launching a New York exhibition that aims to remind viewers that no country is immune from the risks of genocide and related atrocities.

Stories of Survival and Remembrance – A Call to Action for Genocide Prevention features the reflections of survivors of four major atrocities including the Holocaust; the genocide and related atrocities in Cambodia; the 1994 genocide against the Tutsi in Rwanda; and the 1995 genocide in Srebrenica, Bosnia and Herzegovina.

“Where we see people facing systematic discrimination or becoming targets of violence simply because of who they are, because of their identity, we must act – both to defend those at immediate risk and those who could be in jeopardy in the future,” UN secretary-general Antonio Guterres, was quoted as saying.

“By promoting a culture of peace and non-violence that includes respect for diversity and non-discrimination, we can build societies that are resilient to the risk of genocide,” he added. The exhibition was opened on the night of April 11 at the UN headquarters in New York, and will be open for public viewing until June 15.

“Sopheha Eat, permanent representative of the Kingdom of Cambodia, delivered remarks at the opening ceremony,” Tracey Petersen, manager of the Holocaust and the UN Outreach Programme, told The Post.

“The audience included senior UN staff, diplomats and members of the public,” she said. The exhibition showcases the poignant connection between history, memory, and survival by featuring photographs and cherished personal items that belonged to victims and survivors. The photographs of items related to the Holocaust and the 1994 Tutsi genocide were taken by acclaimed photographer Jim Lommasson, while the War Childhood Museum in Bosnia and Herzegovina and the Remembering Srebrenica organisation provided reminders of the Balkan tragedy. The Documentation centre of Cambodia (DC-Cam) supplied items related to the Khmer Rouge period.

The UN provided a summary of Cambodia’s Khmer Rouge history. From 1975 to 1979, the Khmer Rouge regime caused the death of approximately 1.5 to 2 million individuals through forced disappearances, extrajudicial killings, and starvation.

The Extraordinary Chambers in the Courts of Cambodia (ECCC) categorised these acts as crimes against humanity and serious breaches of the 1949 Geneva Conventions.

In November 2018, the ECCC announced that the Khmer Rouge regime committed genocide against the Cham Muslim and ethnic Vietnamese minorities by implementing a policy that targeted religious and racial groups with the intention of creating an atheistic and homogenous society without any class, ethnic, national, religious, racial, or cultural differences.

It is estimated that 36 percent of the pre-war Cham population of 300,000 were killed under the Khmer Rouge regime. Up to 90 percent of the 200,000 ethnic Vietnamese in Cambodia were forcibly displaced to neighbouring Vietnam, and up to 20,000 were killed outright.

Among the items on show is a hand-made beard/moustache trimmer. It was made by Keo Chhoeun, a former national volleyball and tennis champion.

An official of the National Bank of Cambodia, he vanished during the purge of the Preah Netr Preah commune of the Khmer Rouge’s region 5 in 1978. His sister, Keo Nann, who is now 96 years old, kept his beard/moustache trimmer with her for over 40 years, before gifting it to DC-Cam.

Kong Sarifas gifted photographs of her two sons, Ly Yousib and Ly Smael, to the exhibit. Sarifas, a cake seller and member of the Cham muslim community, was married to a goldsmith. Her sons became fishermen in Phnom Penh.

During the Khmer Rouge period, Sarifas and her daughter lived separately from her husband and sons because Angkar, the shadowy organisation behind the Khmer Rouge, would not allow Cham families to be together.

After the country was liberated in 1979, she heard from several villagers that both of her sons had been murdered by the Khmer Rouge while searching for her. She shared photos of her handsome sons with the exhibit, noting that their pale skin meant they may have been considered Vietnamese by the Khmer Rouge cadres.

Sarifas once consulted a fortune teller who assured her that her sons will return to her, but she has been waiting for decades, and is losing hope.

“The exhibition also includes a child’s teddy bear, a woman’s scarf, and ballet shoes, objects that survivors carried with them, and which sustained survivors when the world felt without hope,” said a UN press release.

“For some survivors, the object holds value because it is a physical connection to their loved ones who did not survive — a little girl’s cardigan, a grandfather’s watch, or well-worn photographs of happier times,” it added.

“Over 75 years ago, the United Nations was founded in response to the atrocities committed during World War II. The prevention of genocide is just as important today as it was then. This exhibition serves as a call to action, reminding people of the necessity to create a world in which justice prevails and where all individuals are equal in dignity and rights,” it concluded.

Youk Chhang, the executive director of DC-Cam, is a survivor, and author and a researcher.

“The world should not forget those who are no longer with us and those who are still suffering the far-reaching effects of genocide,” he said.

“If we don’t learn from past mistakes, how can we define ourselves today and how will we shape the future we want for our children?” he told The Post.

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

Bangladesh International Crimes Tribunal

Bangladesh Muslims Protest to Slam Chinese Government for Atrocities on Uyghurs (Republic World)

April 6, 2023

Muslims in Bangladesh have taken to the streets to demonstrate for the rights of the minority ethnic Uyghur population. They protested against the Chinese government's inaction on the Han Chinese in East Turkistan that have resort to cleansing the Uyghur populace by razing their homes, according to ANI. The protestors demanded that the Chinese government must stop such moves. demonstrations in different parts of Bangladesh came as the country marked the 33rd anniversary of the Baren Revolution in East Turkistan, known as the Xinjiang region in China.

In the Bangladeshi capital of Dhaka, Bangladesh Khilafat Andolan (BKA) organized a conference to preside over the matters of the rights of the ethnic-minority Uyghur community. The conference was attended by the organization's leader Shaheed Zaidin Yusuf. Speaking to the crowd, he condemned China for its illegal occupation of East Turkistan (Xinjiang) and for committing atrocities on innocent Uyghur Muslims and violating their fundamental rights. BKA extended support to safeguarding the freedom and rights of the Uyghur population from the atrocities of China, and its illegal occupation. The organization demanded that the international community must do more to support the cause of Uyghur Muslims. To commemorate the occasion, Islamic Progotoshil Janata Front also organized a discussion and Dowa Mahfil at Bangladesh Photojournalist Auditorium, Purana Paltan, ANI reported.

The Dawa Mahfil was attended by Maulana Abdur Rashid Majumder of Nizam-e-Islam, Maulana Abu Jafar Kashemi of BKA, Maulana Shahidul Islam of Bangladesh Jamiat-Ulema-e-Islam, Maulana Kabirul Islam, Adviser of Alem Muktijoddha Projonmo Forum, Maulana Abdulla Yahyiyah, Assistant Secretary-General (Dhaka City) of Bangladesh Hefazat-e-Islam among others. As many as 200 protesters from Bangladesh Mohajir Welfare and Development Committee (BMWDC) gathered near Dhaka University marching for the rights of Uyghur.

The BMWDC slammed China and submitted a memorandum to the China embassy to register protests against the PRC's treatment of the ethnic community. Some 300 protesters assembled in Gazipur, the members of the Sanchetan Nagarik Samaj formed a human chain and protested against the Chinese atrocities and the ongoing genocide of Uyghur Muslims. Muktijoddha Mancha (MM) also demonstrated in front of the Bangabandhu Mural near Rangpur Press Club, Rangpur City. Md. Murad Kausar, MM General Secretary of Rangpur City, addressed the crowd and derided the Chinese government for taking an estimated ten Lakh Uyghur Muslims in detention centres.

Bangladesh asks Pakistan to apologize

Just last month, Bangladesh Muktiyuddha Mancha, a non-registered organization that countered Bangladesh's popular quota reform movement, dispatched a memorandum to the United Nations (UN) Missions in Dhaka. In the memorandum, the Bangladeshi organization asked the UN Secretary-General Antonio Guterres for the trial of the Pakistani Army. Dhaka derides Pakistan for its involvement in the genocide during the Liberation War of Bangladesh in 1971.

Bangladesh has been slamming the neighbouring Pakistan's Armed Forces and has demanded a formal apology for the war crimes and brutality wreaked on the Bangladeshi citizens during the partition. "Pakistan desists, overtly or covertly, from engaging with those forces that stood against our freedom struggle," ANI reported the Bangladesh Muktiyuddha Mancha as alleging to the UN. The group demanded that Pakistan's government and its Army must offer an "unconditional apology" to the Prime Minister of Bangladesh, Sheikh Hasina as well as to the people of Bangladesh.

How Bangladesh's opposition 'Maayer Daak' betrayed victims' families to help BNP win western support (India Today) By Sahidul Hasan Khokon

April 8, 2023

For Shafiq Ullah Monaem's father, finding the whereabouts of his son, missing for over 15 years, is still a futile but compulsive exercise.

The teary-eyed man said he has had enough of the rights platform 'Mayeer Daak' and that he is no longer counting on them to deliver.

Mayeer Daak, named after Argentina's popular platform Mothers' Call formed in 1960 to help families come to terms with enforced disappearances, has been asking the families to show up at opposition rallies to demand the ouster of the Bangladesh Prime Minister Sheikh Hasina-led government.

According to the country's eminent rights experts, even a single incident of disappearances is deplorable but at times, the cases are blown out of proportions or misused for opposition propaganda .

When a leader of the Bangladesh Chhatra League's Barishal unit, Monaem, went missing in 2007, the country was ruled by a military-backed caretaker government which enjoyed active backing from a number of western countries known for efforts to depoliticise the country and politicize the human rights issue as weapons for regime change.

With top political leaders locked up by the caretaker government, the army even botched up an effort to help the country's not-so-celebrated Nobel laureate, Dr Yunus, make a run for power after the latter announced his decision to float a new political front.

But in the face of outright public rejection, that plan fell apart.

The Awami League's return to power in Jan 2009, thanks to an overwhelming majority, did not help Monaem's family very much, but the emergence of Mayer Dak in 2013 rekindled some hope for him.

His father joined the platform with several other victims' families, hoping to finally hold the perpetrators to account. Renaming the platform after the Argentine Mother's Call seemingly sharpened the focus on tracing the missing victims.

A band of so-called "impartial" rights activists like Nur Khan Liton, Adilur Rahman Khan Shuvro, Barrister Sara Hossain, Prof Asif Nazrul and Prof CR Abrar, among others, turned out for the Maayer Dak and pledged to help find the victims.

The case of another aged mother whose son, Moazzem Hossain Tapu, went missing from the capital years later, also unfolded in a similar way -- of starting off with efforts to trace the victims but ending up using them just as tools of regime change.

Likewise, hope was also noticed in the family of another youth, who has been missing from Northern Bangladesh for over eight years now.

"But all such commitments to keep the platform out of party politics soon fell flat on the face", added the brother of another victim from Northern Bangladesh.

Much to their surprise, the victims' families found that the in-news and much-applauded platform was more like a "news-hogging front in the opposition's efforts to weaponise the human rights issue in Bangladesh",

Those of them who joined the Maayer Dak rallies found the stage usurped by Opposition leaders and pro-Opposition notables to attack the Hasina government and blame it for all disappearances, enforced or otherwise.

The frustration seeped in thick and fast. Of the 80 such families who started the platform in 2014, a handful of 19 are left now to hold aloft the Mayer Dak banner. Their numbers are often beefed up during rallies by opposition activists to make the public events look big enough for notice.

But those carefully tracing the emergence of Mayer Dak can see through the hoax.

“Every single incident needs to be investigated by law enforcers so that no one remains missing or those falling victim to enforced disappearances deserves justice”, says Prof Mizanur Rahman, who teaches law in country’s top public university.

In response to the fate of Moname’s father, Prof Mizan, who also headed the national human rights commission in the past, deplored the opposition party’s bid to grab power, capitalizing on the emotions of the victims' families still in pursuit to find their near ones.

“As a rights activist, it is an irony to see that one’s rights issues can be used as a pretext to serve a political agenda... no parties should play with the emotions of families who lost their near ones at the hands of state or non-state actors,” added Prof Mizan.

Hazera Khatun founded Mayer Daak in August 2014 to create a platform for the family members of the victims of enforced disappearances in Bangladesh. Her son Sajedul Islam Shumon was a well-known BNP leader from Dhaka and was picked up, along with five others, on December 4, 2013 allegedly by the RAB. Shumon’s sister, Sanjida Islam, has been leading the platform and has been accused of allowing the platform a stage for opposition leaders to announce even ouster of the government.

Even a careful analysis on the videos of earlier events arranged by Mayer Daak revealed opposition leaders raised the demand of ouster of the government to put an end to the menace of disappearance, some even squarely blamed it on state actor.

But a sordid track record of faking cases of human rights by the BNP, as exposed by a number of national outlets, coupled with convenient ignorance over ruthless killings including execution of 1000 war heroes from armed forces and the rehabilitation of war criminals and embracing assassins who gunned down the country’s founding-father sheikh Mujibur Rahman with 19 family members under BNP’s founder Gen Ziaur Rahman lend further credence to allegations of political motive raised by families who left Maayer Daak.

The parting of such a huge number of family members, who are still fighting in their pursuit to find out their lost ones, coupled with allegations of bringing them under the banner of the BNP, stands as a stark contrast to the projection of the platform as “non-political one” and peddling “neutral and objective” views, given a number of rights groups seeks to project for a long time as “one free of any political interest”.

“Under the façade of a rights body, their obvious goal is to draw sympathy from the international audience and mislead the world with wholesale blame against the government centering on the fate of those who went missing for yearsâ€œ They are very selective in projecting cases of abduction..Cases of abduction are aplenty when BNP Jamaat led alliance took over the power and other administration also, let alone AL, but this organization conveniently ignore such instances”, said Monaem’s father.

Echoing a similar view, Tapu’s mother exposed her reason that led her to maintain a distance from the platform though she stood under the banner at the initial stages.

“They (organisers) asked us to attend different programmes held by the BNP. But I declined and did not comply with their insistence”, added Tapu’s mother.

Another mother from a Northern district admitted that Mayer Daak often asked them to stand beside the BNP. Moreover, organisers have now turned out an opposition-backed platform frequently cited by international rights bodies, including Human Rights Watch (HRW) to these victims, on mounting global pressure against the government to bring the lost ones back.

Disinformation campaign by some rights groups in close nexus with Jamaat and BNP

A look at HRW’s activity in alliance with Mayyer Daak, among other organizations including the Asian Human Rights Commission, would reveal all these groups issued joint statements at frequent intervals, but concerns raised by Moname’s father and others were never put on any of these statements.

Interestingly, HRW came under fury of anti-war crimes campaigners in Bangladesh long back in 2013 for “brazen advocacy to defend self-confessed turned convicted war criminals who committed rape and genocide in 1971”, according to

the country's eminent rights activists, and most of these war criminals belong to Jamaat, a strong BNP ally.

Striking a similar chord with HRW, Khaleda Zia, on October 5, 2010, the BNP chairperson called the War Crime Trial "a conspiracy to throw the nation into chaos in the name of a war crimes trial four decades after the general amnesty to the collaborators."

Back then, the country's anti-war crime campaigners also pointed out HRW as the "shield for covering up crimes against humanity".

Recently, the Lemkin Institute for Genocide Prevention, a US-based institution, recognised the brutal killings of Bangladeshis by the Pakistani occupation forces in 1971 as a 'genocide'. Back then, Jamaat leaders emerged as the "partners in committing war crimes".

Moreover, another case of producing half-truth before the world about Bangladesh's law-enforcing agencies was revealed by media outlets back in 2013 about Odhikar, a body run by Adilur Rahman Khan, who had been reportedly silent on scores of rights violations after he was appointed as deputy attorney general by the BNP-Jamaat led government. Following a flush out drive by law enforcers as Hifazat e Islam hardliners lay siege on the capital's business district in 2013, Odhikar blew up the death toll and even altered geography, only to be revealed by media investigations.

Between 2001 and 2006, the BNP Jamaat regime was accused of perpetrating attacks on minorities and the rise of militancy, reportedly under state patronage, led to a gruesome killing spree of liberal writers and systematic liquidation of AL leadership, including the gruesome grenade attack known as 21st August attack that then opposition leader Sheikh Hasina narrowly escaped with ear injuries.

Yet the appearance of Adilur in the events of Mayer Daak, and a number of statements in accordance with HRW, ignoring the dissatisfaction of those families who parted from this platform posed a serious question of "willful bias" among these bodies, added rights activists.

On the other hand, the BNP's record of manipulating rights issues has been well exposed, as in 2014, independent investigations, carried out by mainstream outlets, revealed figures announced by the party's chief, Begum Khaleda Zia, on the killing of BNP-led alliance leaders and activists, are not supported by facts on the ground and even exaggerated and false.

While Khaleda, on February 4, 2014, claimed that law enforcers and Awami League men had killed 242 BNP-led alliance men in 34 districts across, separate investigations in nine of such districts found there had been 17 deaths during the period as against 152 as claimed by Khaleda.

Interestingly, the recent exposure of the inclusion of two Indian insurgents in an error-ridden list compiled by the UN, the BNP Jamaat combine and Mayer Daak, let alone other "partisan" rights bodies defended staunchly, also gave rise to the question of credibility on the part of such bodies.

And amid such a revelation, the BNP's other senior leader, Ruhul Kabir Rizvi, in a brazen manner, lashed out at the country's celebrated rights activist Sultana Kamal, calling her out as an "AL sympathizer", without offering any substance to his claim.

Later, a number of the country's top rights activists, numbered around 21, including veteran leader of minority rights advocate Rana Das Gupta and Sanjeeb Drong, the general secretary of Bangladesh Adivasi Forum, pulled up the BNP and brought about the BNP's earlier record of trampling rights issues in both tenures - in power and out of power.

On the other hand, all these like-minded fronts, upon such exposure on the UN list, that even triggered the global body to acknowledge the error, have branded the expose a "government-sponsored hate campaign", in a blatant attempt to defend their error-ridden work.

According to Prof Mizan, finding errors in reports is not disinformation or a government-backed campaign.

Missing people reappearing

Even reappearances of people who were earlier reported as missing by family but later turned out to have joined militancy and even disputes centering on property and personal enmity have emerged as factors behind some cases of disappearances, according to media reports.

In the run up a recently held by election in Brahmanbaria 2, former BNP leader and a candidate, Abu Asif Ahmed, who was missing for six days before and during the election, reappeared and claimed that he went into hiding of his own

volition.

Moreover, a video, recovered and released by Rapid Action Battalion, from the mobile phone of Masikur Rahman alias Ranbir, the military commander of the banned outfit Jama'atul Ansar Fil Hindal Sharqiya, helped at least nine families to find their missing ones, who had gone missing.

Instead of drawing any judgement solely on the state of human rights through the prism of such controversial and biased rights bodies, responsible global powers should also need to verify information through proper channels and process before jumping to conclusions, added rights activists.

After the recently imposed sanction on law enforcing agencies by the US on grounds of rights violations, it has become clear that Washington has taken the allegations of groups such as Mayer Dak far more seriously than warranted, added experts.

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

War Crimes Investigation in Myanmar

Interview: The attack on unarmed civilians in Myanmar is 'definitely a war crime' (Radio Free Asia) By
Khin Khin Ei
April 18, 2023

A brutal airstrike by the Myanmar military on civilians in northwestern Myanmar's Sagaing region a week ago has been reported by news outlets around the world. The attack on residents of Pa Zi Gyi village attending the opening ceremony for a public administration building killed an estimated 200 people, including 40 minors.

Miemie Winn Byrd, a Honolulu-based Asia-Pacific security analyst and retired Burmese-American lieutenant colonel in the U.S. Army, says the aerial assault is unacceptable and a war crime because junta forces targeted civilians. Byrd spoke with RFA Burmese reporter Khin Khin Ei about what action the international community should take to try to stop the junta's atrocities against civilians. The interview has been edited for length and clarity.

RFA: Almost 200 civilians, including women and children, were killed during an aerial attack on April 11 by Myanmar junta forces as the people celebrated the opening of an administrative building in Sagaing region's Pa Zi Gyi village. What's your take on this?

Byrd: I must say that it's an extremely tragic incident because those villagers were doing a charity event when the military junta air-raided them. It's really a brutal act. It was actually a peaceful gathering. The civilians were not armed. That's why the attack on these innocent and unarmed civilians is definitely a war crime, something completely unacceptable by any means. I strongly condemn such an atrocity. Even a small publication like the Honolulu newspaper here reported that horrible incident of the Myanmar junta on its front page. This indicates that the whole world is acknowledging this attack and condemning such brutality of the military junta. The world has become more and more aware of the junta's cowardice atrocity.

RFA: The junta said it attacked the crowd because the civilians were involved with the anti-junta People's Defense Forces, but it also claimed that the aerial assault triggered further explosions because shots hit weapons and ammunition stored on the ground. What do you make of this explanation?

Byrd: They simply don't have the evidence to back their claim. The claim that weapons and ammunition were stored there is just a lame excuse of the military junta. Attacking the peaceful gathering of innocent civilians, like I said earlier, is a very wrong act already. And it is evident that they had deliberately targeted the civilians. The more brutality the junta uses to oppress, the more bitter the people feel towards them. Myanmar people will never accept them, as a consequence. It's a negative result for the military council. I think they know that they are in a bad situation. That's why they have committed such brutal crimes as their last straw. Since they are used to such brutal strategies, we can say that their administration is

losing strength.

RFA: Have there been any similar such incidents involving international military organizations?

Byrd: Well, when we plan a military operation, we always have to consider the collateral damage. If there is any civilian presence near the target, we do not go forward with the operation because although the plan may be tactically successful in the short term, we will receive the bitterness of the people in the long run. As I have always said, a war is not won by means of superior firepower. It is won only with the support of the people and by means of politics. That's why what the Myanmar military is doing appears to me that they do not understand the way of war. They understand the tactical level, but they don't know the strategic level to win a war. That's why their strategies always go backwards from what we have learned.

RFA: How many military organizations around the world are carrying out horrendous activities like those of the Myanmar junta? Are there ways to stop them from committing such atrocities?

Byrd: There are some militaries in Syria like them. The North Koreans may be acting similarly, too, but we don't know for sure as we cannot infiltrate the interior of North Korean affairs. But it can be concluded that only the bad guys commit such brutal crimes. The countries where the people love and respect the government and the developed countries do not have such atrocious militaries. The more the Myanmar military oppresses the people in such brutal tactics, the more deteriorated the country becomes and the lower its economy declines to a point of never coming back to progress. The children and the Myanmar people will lose their opportunities to be able to go abroad and learn in international countries, something they used to have before. These will never be possible for them again. The economy will decline. Since they do not have the support of the people, they won't be able to develop the country.

RFA: The junta chief, Senior Gen. Min Aung Hlaing, has said he will crush the armed anti-regime forces and ethnic armed groups supporting them. How much will he accomplish in doing so?

Byrd: If they could totally crush resistance forces by using their military strength like he said, there would not be any ethnic armed groups left by now, right? They haven't been able to do that for over 70 years. The situation has worsened for them as 90% of the whole country is resisting them in addition to the ethnic armed groups. It doesn't matter what he said; his administration is losing strength. It's questionable whether he could accomplish what he claimed.

RFA: How do you evaluate the situation of Myanmar in terms of eradicating the military dictatorship?

Byrd: I think the military is aiming to use superior firepower to solve the crisis, but it is actually a political problem. Since it's a political problem, the trust and support of the people play a major role. They won't be able to cope with the crisis because 90% of the people are opposing them.

RFA: What should the international community do to take effective action against the Myanmar military?

Byrd: Well, the military junta is already under a lot of international pressure. They have been being taken into action at the International Court of Justice, and sanctions and embargoes have been imposed against them. The junta has just little freedom left. The more atrocities the junta commits, the more international support the resistance forces receive. Like I said, the Burma Act was sped up when the news of the execution of political activists such as Ko Jimmy and Zayar Thaw spread around the world. The more brutally they act, the clearer the international community sees their atrocities and the more support they give to the people and the resistance groups.

RFA: What are the necessary components for the success of the people's Spring Revolution, the protests that began in early 2021 in opposition to the military's coup d'état on Feb. 1, 2021?

Byrd: The most important thing is for the people to be able to cooperate in the resistance. The more united the revolution the people have become, the faster the success will be. The people will have to cooperate and defy the military junta in any way possible.

[back to contents]

AMERICAS

North & Central America

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

South America

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

Venezuela

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

TOPICS

Truth and Reconciliation Commission

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

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

Piracy

Anti-Maritime Piracy Bill 2022: A Game-Changer for Shipping Industry Security? (Business World) By R. Venkat Prabhat
April 6, 2023

The legislation will apply to India's Exclusive Economic Zone (EEZ), which extends to 200 nautical miles from the coastline, and penalty for piracy includes the death sentence.

The Rajya Sabha (upper house of the Indian parliament) passed the Anti-Maritime Piracy Bill, which aims to provide an effective legal tool to combat maritime piracy. The bill assumes importance as India's strategic location on the world's major shipping routes, combined with its long coastline of approximately 7517 kilometres, makes it an important hub for global trade. Especially at the time when the world is looking towards India as a "China plus one" policy, as EAM Dr Jaishankar put it maritime security is key to safeguarding India's security and economic well-being. The security of the sea lanes of communication is vital as over 95% of India's trade is conducted via these routes and more than 80% of the country's hydrocarbon needs are imported by sea.

The bill aims to prevent maritime piracy and prosecute individuals for such piracy-related crimes. It will apply to all parts of the sea adjacent to and beyond the limits of India's Exclusive Economic Zone (EEZ), which extends to 200 nautical miles from the coastline. The bill also incorporates the United Nations Convention on the Law of the Sea (UNCLOS).

The bill defines piracy as any illegal act of violence, detention, or destruction committed against a ship, aircraft, person, or property for private purposes by the crew or passengers of a private ship or aircraft. This includes any other activity that is considered piratical under international law and inciting or intentionally facilitating such acts. Piracy also includes voluntary participation in the operations of a pirate ship or aircraft used for piracy.

Penalties for piracy under the bill include imprisonment for life or death if the act of piracy causes or attempts to cause death. An attempt to commit, aid, support, or counsel an act of piracy is punishable with up to 14 years in prison and a fine. Participating, organizing, or directing others to participate in an act of piracy is also punishable with up to 14 years in prison and a fine. Offences under the bill are considered extraditable, meaning that the accused can be transferred to any country with which India has signed an extradition treaty for prosecution. In the absence of such treaties, extraditions may still be granted based on reciprocity between the relevant nations. Adopting the recommendations of the Standing Committee, the Bill defines the Authorised Personnel who are empowered to carry out arrest and seizure even on the ground of suspicion.

Under the provisions of the bill, the Central Government, in consultation with the Chief Justice of the relevant High Court, has the authority to designate Sessions Courts as the court of jurisdiction for offences committed by individuals in the custody of the Indian Navy or Coast Guard, regardless of nationality, as well as by Indian citizens, foreign residents in India, or stateless persons. However, the Designated Court will not have jurisdiction over offenses committed on foreign ships unless requested to intervene by the country of origin of the ship, the ship owner, or anyone else on the ship. Warships and government-owned ships used for non-commercial purposes are not subject to the jurisdiction of the Designated Court.

One potential challenge with the bill is that it provides for a mandatory death penalty for acts of piracy that cause or seek to cause death. This could be seen as violating Articles 14 and 21 of the Indian Constitution, as the Supreme Court has previously ruled in the cases of Bachan Singh vs. State of Punjab and Dalbir Singh vs. State of Punjab that mandatory death penalty for any offence is unconstitutional as inter alia it denies courts their right to exercise their discretion on whether to impose a death sentence on the peculiar facts and circumstances of case. The Supreme Court has also narrowed the application of the death penalty to 'rarest of rare cases'. However, there are other laws in India, such as the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, that provide for mandatory death penalty for certain offences.

Further, since penal consequences for 'committing an act of piracy' are different from 'participating in an act of piracy', it is unclear how punishment would be determined and would be interesting to see how the courts would interpret and differentiate the same as on the face of it both expressions could have the same interpretation. The bill also raises the question of whether it should cover the EEZ, which extends from 12 nautical miles to 200 nautical miles from the coastline.

In conclusion, the Anti-Maritime Piracy Bill 2022 is a significant step towards combating maritime piracy, enhancing maritime security as well as addressing the nebulous areas where the Suppression of Unlawful Acts Against Safety of Maritime Navigation and Fixed Platforms on Continental Shelf Act (SUA Act), 2002 is inapplicable but acts of piracy are covered by UNCLOS. This bill is a step in the right direction where it will further strengthen India's maritime security, including the safety of maritime trade and is a reiteration of India's compliance and support to UNCLOS.

Ongoing Incident: Pirates Board Another Tanker off Cote d'Ivoire (Maritime Executive) April 10, 2023

Security services issued a warning at midday for an ongoing piracy incident on

another product tanker this time in the northern reaches of the Gulf of Guinea near Cote d'Ivoire. This attack is likely in a similar position to where another tanker was boarded at the beginning of 2023 but far away from the position where a Danish-owned tanker was assaulted just over two weeks ago.

The British-French monitoring effort Maritime Domain Awareness for Trade Gulf of Guinea (MDAT-GoG) issued a warning saying that it believed an unknown number of individuals had boarded a product tanker about 300 nautical miles to the south of Abidjan. They are classifying it as an ongoing situation with no additional details being provided.

Security consultants Praesidium issued a piracy attack security incident report saying that the boarding was believed to have happened around 1400 UTC. They are identifying the vessel as the Singapore-flagged Success 9. According to the Equasis database, the vessel is a 6,135 dwt product tanker owned by HS Ocean of Singapore. AIS data appears to indicate the vessel was laying off Abidjan at least since late March.

Praesidium analyzed available data reporting that the Success 9's speed started to drop at around 0600. By 1425 they believe the vessel was drifting when the AIS transmission was lost. They are speculating that this is the time that the perpetrators took control. The latest incident is believed to be one of several where pirates are boarding bunker tankers in the area to steal oil. Praesidium believes the Success 9 has been operating in the region for some time likely as a bunker vessel. Another product tanker, the 5,700 dwt B. Ocean owned by South Korean interests was attacked several times over the course of 2022 and the beginning of 2023. Each time the pirates stole oil and damaged the ship's equipment before leaving. The Italian Navy reported assisting the vessel after it was boarded in November 2022. In these incidents the crew was unharmed.

Due to the distance from shore of the vessel during this current boarding, EOS Risk Group is also warning that the danger could be continuing in the region. They highlight that it is likely that a mothership was used to launch the attack, as it is beyond the normal range of the skiffs. As such, it is possible that the mothership remains in the area. It might be able to launch other assaults or being remaining in the area to receive the stolen cargo. MDAT-GoG is also warning of increased risk in the region during this ongoing incident.

Last month, pirates boarded another tanker further south along the African west coast near Congo. Unlike those other incidents, they commandeered the vessel which went missing for several days. They kidnapped several crewmembers when they abandoned the vessel. Those crewmembers remain unaccounted for with the authorities and shipping company Monjasa reporting they were working to secure the release of the missing crew.

Ghana Tops Piracy Ranking in Gulf of Guinea (My Joy Online) April 11, 2023

With Nigeria recording no piracy incidents in 2022, Ghana and Angola have risen to the top on the list of countries reporting piracy incidents in the Gulf of Guinea, data from the International Maritime Bureau's Piracy Reporting Centre (IMB PRC) have shown.

The data indicated that Takoradi Anchorage and Luanda Anchorage were both included in the IMB PRC's list of worldwide ports with three or more reported incidents of piracy in 2022, with more than two-thirds of the events occurring while ships were anchored or berthed.

The country ranks highest in the percentage of incidents – 33 per cent – with Angola scoring 24 per cent last year, the IMB PRC pointed out.

Despite the trend in Ghana and Angola, the IMB explained that the increased presence of naval vessels and cooperation between coastal authorities in the Gulf of Guinea continues to positively impact the piratical activities reported in Africa.

Interestingly, South Africa and Egypt made their first appearance in the IMB PRC's report in more than six years.

Meanwhile, a non-profit group, Oceans Beyond Piracy, says the cost of maritime piracy in West Africa reached more than \$1.2 billion in 2021.

Gains made in 2022.

The overall number of incidents reported in the region last year decreased by 46 per cent compared to 2021, and by a factor of four compared to 2020 the report said.

Crew kidnappings have equally decreased; from 57 crew members taken in seven separate incidents during 2021, to two crew members taken in a single incident in 2022.

Gulf of Guinea waters still dangerous.

The IMB emphasised that Gulf of Guinea waters are still dangerous despite the appreciable gains and recent positive trends.

“The fact that two vessels were hijacked in 2022 – with 29 crew held hostage, and another vessel was fired upon while steaming demonstrates that threats to innocent seafarers remain in these waters,” the report noted.

West Africa remains juicy for piracy.

Ninety per cent of trade to West Africa comes by sea, according to the Danish Ministry of Foreign Affairs – with the Scandinavian nation noting that maritime security is a crucial factor in economies on the Gulf of Guinea stretch.

With the region covering 11,000 km² and stretching from Angola to Senegal, it is one of the world’s most important shipping routes for both oil exports from the Niger Delta and consumer goods to and from Central and West Africa.

As the region remains vulnerable despite massive investments in security, the phenomenon has created ideal conditions for piracy to thrive.

Overall drop in global piracy

Overall, global piracy and armed robbery numbers decreased last year; a reduction in the IMB annual report attributed to a general decline in piratical activities in the Gulf of Guinea. The entity’s annual report for 2022 shows a 13 per cent drop compared to attacks in 2021.

War in Yemen and Risks to Shipping (Channel 16) April 11, 2023

Despite the removal of the Indian Ocean high-risk piracy area at the beginning of 2023, security in the area is at risk from other threats. Notably, the civil war in Yemen is a primary driver of instability in the region, with multiple security events in 2022 being linked to the conflict.

The conflict in Yemen is linked to the Arab Spring, which spread through the Middle East in 2011. President Ali Abdullah Saleh was ousted from power by protesters and his vice president, Abd-Rabbu Mansoor Hadi was put into office. This only lasted until 2014, when the Shia Houthi minority allied with their former president to try and take back power. This action resulted in Hadi fleeing to Saudi Arabia in September 2014 after the capital Sana’a fell to the Houthi rebels. The conflict became increasingly violent with the entrance of the Saudi-led coalition into the fighting. Saudi Arabia fears that the Iranian backing of the Houthi rebels will lead to a dangerous security threat on their border. They entered the conflict through an air campaign and the support of the internationally recognised government with other Arab states such as the UAE and Bahrain. Western countries such as the US, UK, Germany and Canada have backed the coalition with arms sales and intelligence, which has received condemnation.

Currently, the conflict has been going on for nearly nine years, with a six-month ceasefire improving conditions in 2022. However, a renewal failed and fighting continues presently. Al-Qaeda in the Arabian Peninsula and ISIS are also involved in the conflict with a new faction, the Southern Transitional Council, being engaged in powersharing in the internationally recognised coalition and controlling territory in the south.

The conflict has had a marked effect on maritime security in the Red Sea and the Indian Ocean area despite the reduction of piracy resulting in the removal of the Indian Ocean high-risk area. The coalition has accused the Houthis of being involved in piracy. One attack in May of 2022 on the S.V. Lakota sailing vessel was hypothesised to have been carried out by opportunistic rebels. However, it is unknown if such actions are sanctioned by their leadership. Furthermore, missile attacks have taken place in ports and oil terminals. The Al-Dhabba oil terminal was attacked with missiles in November 2023, resulting in international condemnation. Ships have also been held illegally over concerns of arms smuggling.

In 2023, 23 fishermen were returned to the Houthi-controlled Hodeida province in Yemen after being captured by the Saudi coalition. The Houthis stated this was an act of state piracy. Previously, further protests and complaints had been levelled at the coalition for stealing marine resources, including oil. For example, current estimates are that the conflict and the blockade of Yemen have created losses of \$12bn for the Yemeni fishing industry, further impacting the devastation the conflict has created.

Overall, as long as the war in Yemen continues, maritime security in the region will be at risk, which impacts not only people sailing through nearby waters but the people of Yemen themselves. As the EU operations ATALANTA and AGENOR are still in operation in addition to Combined Task Forces 150 and 151, the hope is that the situation will remain

stable concerning the presence of security forces in the wider region.

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

Gender-Based Violence

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

Commentary and Perspectives

Australia Should Help Strengthen Democracy in the Region (Human Rights Watch) By Elaine Pearson
April 10, 2023

Democracy is under an all-out assault in the Asia-Pacific region. People from Hong Kong to Myanmar to Thailand have risked their lives to join peaceful protests or speak out for democratic freedoms that most Australians take for granted.

On March 29, a 15-year-old girl was put in pre-trial detention in Thailand, accused of violating the lèse-majesté (defaming the monarchy) law after her participation in a peaceful protest.

On March 27, I visited former senator Leila de Lima of the Philippines. She has not been convicted of any crime but has remained in police custody for more than six years for opposing former President Rodrigo Duterte’s “drug war” killings. While the Ferdinand Marcos Jr. administration continues to detain her, virtually all those responsible for the thousands of killings in the “war on drugs” walk free.

National League for Democracy (NLD). The junta had already imprisoned and convicted NLD leader Aung San Suu Kyi and other opposition politicians on trumped-up charges. But the dissolution of her party is another move towards the junta’s sham elections, organized in an attempt to garner international legitimacy after overthrowing an elected government two years ago.

Since the February 2021 coup, the military has committed a litany of war crimes, crimes against humanity, and other abuses, including executing NLD politician Phyo Zeya Thaw and leading civil society figure Kyaw Min Yu (aka Ko Jimmy).

These are just three examples in the period of a few days, showing how democracy is being eroded across Southeast Asia. More broadly, across the Asia-Pacific region, we are seeing the impact of the Chinese government –its opaque infrastructure projects, easy loans, and trade deals are attractive to many governments. So too is its model of “economic development without rights” authoritarianism. The lack of accountability for Beijing’s abuses provides cover to other abusive governments in the region.

Even countries in Southeast Asia that want to be treated as democracies, like Cambodia and Thailand, are scheduling elections that don’t even purport to be free and fair. They have dissolved genuine opposition parties, tied up political candidates in legal cases, imprisoned politicians or forced them into exile. Functioning but deeply flawed democracies such as India and the Philippines have censored critics and threatened independent journalists and human rights defenders.

To address these threats, there is a need for stronger and more resilient democracies like Australia to press for accountability for serious human rights violations. As the Australian parliament undertakes an inquiry to examine government efforts to support democracy in the region, there are measures the government can take to protect human rights defenders and strengthen democracies that are under siege.

The Australian government quietly supports initiatives to strengthen institutions, build capacity, and promote people-to-people partnerships. That is important work, but both carrots and sticks are needed when it comes to accountability.

Here are five things the Australian government can do to support democracy in the region.

First, the Department of Foreign Affairs and Trade should draft a clear human rights policy requiring regular and public human rights reporting on issues and countries of concern. Human rights should not be limited to ineffective closed-door dialogues among bureaucrats. Any dialogue should include a civil society component. And human rights should be raised both publicly and privately with offending governments.

Second, Australia should show more leadership at the United Nations Human Rights Council when it comes to human rights violations in the Asia-Pacific region. Australia has led on joint statements on abuses in Saudi Arabia and Lebanon. But it has been less willing to risk upsetting neighbouring governments. Failing to do so gives abusive governments a free pass.

The Philippines is a clear example. Despite a strong report from the UN human rights office in 2020, the Philippine government was able to hoodwink UN member states into avoiding follow-up on the report, and UN-recommended accountability measures for its deadly “drug war.” Instead, the Council agreed to a “joint program” with the UN and Philippines government focusing on training and capacity-building, with no monitoring and reporting mandate.

Despite thousands of killings since 2016, only two cases have resulted in convictions of police officers. UN human rights monitoring mandates matter to governments like the Philippines and provide additional pressure to hold abusers to account.

Third, the government should apply targeted sanctions on human rights grounds. Australia adopted a Magnitsky-style law for travel bans and asset freezes against rights violators abroad. The government should apply it in a principled, consistent fashion so that abusers even in powerful countries like China do not evade scrutiny.

Fourth, Australia should support a civil society democracy summit for activists in the region. We’ve seen the high-profile, US-led Summit for Democracy 2023 in recent days. But a meeting that centres the experiences of human rights defenders at risk will help them to deepen their connections, build regional networks, and learn from one another how to organize effectively and monitor human rights.

Finally, the Australian government should invest in strengthening civil society activists and independent journalists who are under attack, including working with groups in exile. Meeting local human rights defenders should be a priority whenever an Australian minister or a politician plans an international visit. Human rights defenders like Leila de Lima need the Australian government’s support.

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

Aiding and Abetting

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

WORTH READING

A War Crimes Tribunal for Sri Lanka? Examining the Options Under International Law
Nihal Jayasinghe and Daley J. Birkett
April 13, 2023

In light of the growing international demands for accountability in relation to alleged war crimes committed in Sri Lanka during its twenty-six-year armed conflict, this article aims to evaluate the options available to both Sri Lanka and the international

community under the applicable rules of international law. First, the background to the armed conflict in Sri Lanka will be investigated, with a particular focus on the escalation thereof in 2009. This article will then examine the options available under public international law to address the increasing calls for accountability. Throughout the analysis, comparisons will be drawn between the situation in Sri Lanka and those in which criminal tribunals have been established to prosecute those responsible for perpetrating alleged international crimes. By contrasting the options available in relation to the situation in Sri Lanka with analogous situations, conclusions will be drawn as to the most viable options through which the intensifying demands for accountability might be met under international law.

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

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**Terrorism
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Matthew Koutsky, Senior Editor**

**Piracy
Annalie Buscarino, Associate Editor
Matthew Koutsky, Senior Editor**

**Gender-Based Violence
Katherine McBane, Associate Editor
Matthew Koutsky, Senior Editor**

**Commentary and Perspectives
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