



SCHOOL OF LAW
CASE WESTERN RESERVE
UNIVERSITY

War Crimes Prosecution
Watch

PILPG
A Global Pro Bono Law Firm

FREDERICK K. COX
INTERNATIONAL LAW CENTER

Founder/Advisor
Michael P. Scharf

Faculty Advisor
Jim Johnson

Volume 14 - Issue 12
July 21, 2019

Editor-in-Chief
Alexandra Hassan

Technical Editor-in-Chief
Kurt Harris

Managing Editors
Gloria Neilson
Mary Preston

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

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

Contents

AFRICA

NORTH AFRICA

Libya

- **Four killed as car bombs target funeral in Libya's Benghazi (Aljazeera)**
- **France, Britain, Egypt, UAE, U.S., Italy call for immediate end of Libya violence (Reuters)**
- **UK arrests Manchester bomber's brother after Libya extradition (Reuters)**

CENTRAL AFRICA

Central African Republic

- **Central African Republic: CAR Rebels to Stop Recruitment of Children (All Africa)**
- **Central African Republic: CAR Refugees Reluctant to Return Home (All Africa)**

Sudan & South Sudan

- **Democracy Struggle in Sudan: More Than 100 People Killed, Over 10,000 Arrested (CSN News)**
- **Sudan protesters, army rulers sign power sharing deal (The East African)**

Democratic Republic of the Congo

- ICC convicts Congo warlord Bosco Ntaganda of war crimes including rape and murder (Deutsche Welle)

WEST AFRICA

Côte d'Ivoire (Ivory Coast)

- Gbagbo and Blé Goudé case: ICC Trial Chamber I files the written reasons for the acquittal (International Criminal Court)

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

- Rehabilitation of African child soldiers problematic says UN (The Citizen)
- Boko Haram: We're investigating soldiers for rights violations, says NHRC (The Punch)

Mali

- Alleged extremist tortured in Mali, lawyer tells Hague court (AP)
- Mali crisis worsens as hundreds of thousands flee militia attacks (The Guardian)

Liberia

EAST AFRICA

Uganda

- ICC rejects Ugandan warlord's 41-count plea (Journal du Cameroun)

Kenya

- Kenya: Nairobi Police Executing Suspects, Says HRW (Eurasia Review)

Rwanda

Somalia

- At Least 26 Dead in Somalia Hotel Attack Claimed by Shabab (The New York Times)
- In Anarchic Somalia, the Global War on Terror Continues (TownHall)

EUROPE

Court of Bosnia & Herzegovina, War Crimes Chamber

- Bosnian Army Ex-Officer Indicted for Crimes Against Prisoners (Balkan Insight)
- Two Bosnians Jailed for Planning Terror Attacks (Balkan Insight)
- Two Bosnians Jailed for Planning Terror Attacks (Balkan Insight)
- Bosniak Commander Acquitted of Abusing Serb Prisoners (Balkan Insight)
- Bosniak Commander Acquitted of Abusing Serb Prisoners (Balkan Insight)

International Criminal Tribunal for the Former Yugoslavia

- ICTY has pronounced a Total of Seven Hundred Years to Perpetrators of Srebrenica Genocide (Sarajevo Times)

Domestic Prosecutions In The Former Yugoslavia

- **Kosovo Liberation Army Ex-Guerrilla Convicted of War Crime (Balkan Insight)**
- **Kosovo Drops Village Massacre Charges Against Serb (Balkan Insight)**

Turkey

MIDDLE-EAST

Iraq

- **Survivors of ISIL terror in Iraq want justice, not revenge, says head of UN investigation team (United Nations)**
- **War Talk: Turkey Has Fired Ballistic Missiles Into Iraq (National Interest)**
- **Iraq: ISIL atrocities are over but where are missing Yazidis? (Al Jazeera)**
- **Turkish forces neutralize 68 terrorists in northern Iraq (TRT World)**
- **In Iraq, minority children haunted by ghosts of IS captivity (Yahoo News)**
- **Iran Launches Strikes in Iraq and Responds to Israel's Threat As It Vows to Defend Itself Against Any Attack (Newsweek)**

Syria

- **Russian-led assault in Syria leaves over 500 civilians dead: rights groups, rescuers (Reuters)**
- **Over 100 fighters killed in clashes in northwest Syria since Wednesday (France24)**
- **Over 300 dead found in latest mass grave discovered in Raqqa, Syria (CBC)**
- **Regime air strikes kill at least 11 civilians in Syria's de-escalation zone (TRT World)**

Yemen

- **UK ministers challenge court ruling on Saudi Arabia arms sales (The Guardian)**
- **UN drafts 'list of shame' over child deaths in Yemen (Dhaka Tribune)**
- **Saudi forces intercept Yemeni rebel drones targeting cities (AP News)**
- **Child soldiers used in Yemen civil war, report says (Deutsche Welle)**
- **UAE says reducing troops in war-torn Yemen (France 24)**

Special Tribunal for Lebanon

Israel & Palestine

- **UN official devises blueprint for Israeli accountability (Al Jazeera)**
- **Amnesty urges TripAdvisor staff to act against Israeli settlement complicity (Middle East Monitor)**
- **Israeli forces kill 16 Palestinian children in first half of 2019 (DAILY SABAH)**
- **Palestinian child shot in head during West Bank clashes: ministry (YAHOO! and AFP)**
- **Seven-year old Palestinian child killed by Israeli settler in hit-and-run (International Middle East Media Center)**
- **Israeli settler runs over, kills Palestinian boy in West Bank (PressTV)**

Gulf Region

- **Libya's Tripoli Government Blames U.A.E. for Deadly Airstrike (The Wall Street Journal)**
- **Swiss prosecutor probes plane maker over Saudi, UAE business (The Washington Post)**
- **Defying Trump, US House votes to block Saudi arms sales (Al Jazeera)**

ASIA

Afghanistan

- **Afghan War Crime Victims Appeal to Reverse ICC Judges' Decision (Journalists for Justice)**
- **Why is Germany Putting an Afghan Man on Trial for War Crimes? (DW)**

Extraordinary Chambers in the Courts of Cambodia

- **Khmer Rogue Leaders Appeal Their Convictions (NHK World)**
- **Khmer Rouge leaders consigned to dustbin of history (UCA News)**

Bangladesh International Crimes Tribunal

- **SC verdict on war criminal ATM Azharul any day (Dhaka Tribune)**
- **Bangladesh: Relentless Justice – Analysis (Eurasia Review)**

War Crimes Investigations in Myanmar

- **Myanmar groups stage protests at S'pore embassies (The Straits Times)**

AMERICAS

North & Central America

- **Trump moves to end asylum protections for Central Americans (CNBC)**

South America

- **Brazil: Rio governor brands rise in police killings as 'normal' (Aljazeera)**
- **Human rights advocates want Colombia's war crimes tribunal to try businessmen and politicians (Colombia Reports)**
- **UNSC in Colombia to examine challenges of FARC peace deal (CGTN)**

Venezuela

- **Venezuela Forces Killed Thousands, Then Covered It Up, U.N. Says (The New York Times)**
- **Extrajudicial killings detailed as thousands march in Venezuela (The Irish Times)**
- **UN report: Venezuela death squads kill young men, stage scenes (Aljazeera)**
- **The Maduro mystery: Why the armed forces still stand by Venezuela's beleaguered president (Reuters)**
- **Rights group calls Duterte's drug war crime against humanity (ABC News)**

TOPICS

Truth and Reconciliation Commission

- **Inquest Revives the Pain of Apartheid-Era Deaths (U.S. News & World Report)**
- **Excavating a Horror That Some Koreans Wish Would Stay Buried (The New York Times)**
- **Local and provincial governments are taking reparative measures for conflict victims (The Kathmandu Post)**

Appoint TRC, CIEDP officials after act amendment, says accountability watchdog (The Himalayan Times)

- Nepal: 13 years after civil war ends, victims await justice (AA)

Terrorism

- In Myanmar's conflict-torn Rakhine, fresh allegations of 'war crimes' (Reuters)
- Why these African countries are defending China's mass detention of Muslims (Quartz)
- Defying Trump, US House votes to block Saudi arms sales (AlJazeera)

Piracy

- Defying Trump, US House votes to block Saudi arms sales (AlJazeera)
- Turkish sailors taken hostage by pirates off Nigeria (middle east logistics)

Gender-Based Violence

Commentary and Perspectives

WORTH READING

AFRICA

NORTH AFRICA

Libya

Four killed as car bombs target funeral in Libya's Benghazi (Aljazeera)

July 11, 2019

At least four people were killed and 33 wounded when two car bombs exploded at a funeral for a former special forces commander in the eastern Libyan city of Benghazi.

Those killed in Thursday's blast included two civilians and two soldiers, while soldiers, police, and civilians were among the injured, Interior Ministry spokesman Tarek el-Kharraz told The Associated Press.

Several senior Libya National Army (LNA) figures, including current head of the special forces Wanis Bukhamada, attended the funeral service when the explosions happened, but none of the military leaders was killed or wounded, Kharraz said.

Al Jazeera's Mahmoud Abdelwahed, reporting from the capital, Tripoli, quoted medical sources in Benghazi as saying the death toll could rise, with many of those wounded in critical condition.

Colonel Khalifa Alobiedi, a military engineer who was at the bomb site, said initial findings suggested the attack was caused by two bomb-laden cars. He pointed to two burned vehicles about 10 metres apart.

No immediate claim of responsibility was made.

Renegade commander Khalifa Haftar leads the LNA, which is aligned with an eastern-based government.

Shortly after the explosions, Haftar ordered an investigation into the attack.

According to Kharraz, the east-based government recently arrested a group of collaborators inside Benghazi who were in touch with Tripoli-based militias. During interrogation, they confessed there were other cells of collaborators inside the LNA stronghold.

Haftar's forces have been fighting rival militias since April in a bid to wrestle control of Tripoli from Libya's internationally recognised Government of National Accord (GNA).

Fighting has killed more than 1,000 people since it erupted, according to the United Nations, including at least 106 civilians.

UN urges ceasefire

The UN Security Council last week called on Libya's warring parties to commit to a ceasefire after a deadly air raid on a detention centre for migrants and refugees near Tripoli killed at least 60 people and wounded 77 others.

GNA blamed Haftar's forces for the attack, which UN officials said "could constitute a war crime".

LNA denied the accusations, however, saying it targeted a nearby militia's position but did not attack a hangar where the migrants were being held.

Libya is one of the main departure points for African migrants and refugees fleeing poverty and war to reach Europe by boat, but many are intercepted at sea and brought back by the Libyan coastguard - with the approval of the European Union.

An estimated 6,000 migrants and refugees are held in detention centres across the sprawling North African country, despite the UN repeatedly warning it is not safe and calling for their release.

Oil-rich and home to vast swaths of largely unpopulated desert, Libya splintered into a patchwork of competing power bases following the overthrow of former leader Muammar Gaddafi in 2011.

LNA, which holds the country's east and much of the south, enjoys the support of Egypt, the United Arab Emirates, and Russia.

But it has faced stiff resistance from fighters aligned with the GNA, which is aided by Turkey and Qatar.

Haftar, who casts himself as a foe of "extremism" but is viewed by opponents as a new authoritarian leader in the mould of Gaddafi, has previously vowed to continue his offensive until Libya is "cleansed" of "terrorism".

France, Britain, Egypt, UAE, U.S., Italy call for immediate end of Libya violence (Reuters)
July 16, 2019

BRUSSELS (Reuters) - France, Britain, Egypt, the United Arab Emirates, United States and Italy on Tuesday called for an immediate end of hostilities around Tripoli and warned of attempts by "terrorist groups" to take advantage of the political void in Libya.

The six countries reiterated in a rare joint statement their deep concern over the ongoing hostilities in Tripoli and called for an immediate de-escalation, end of the current fighting, and urged a rapid return to the political process under the auspices of the United Nations.

UK arrests Manchester bomber's brother after Libya extradition (Reuters) By Ahmed Elumami
July 17, 2019

TRIPOLI (Reuters) - The brother of a suicide bomber who attacked a concert in the British city of Manchester in 2017 was extradited from Libya on Wednesday and arrested in London on suspicion of helping plan the blast, police said.

Salman Abedi, a 22-year-old Briton born to Libyan parents, blew himself up at the end of a show by U.S. singer Ariana Grande in the deadliest militant attack in Britain for 12 years.

The explosion killed 22 people and injured more than 500.

London had sought the extradition of his brother Hashem after police issued an arrest warrant for murder, attempted murder and conspiracy to cause an explosion. But Tripoli had long stalled on the request, made in November 2017.

“He has today been successfully extradited, for offences relating to the Manchester Arena attack,” Greater Manchester Police Chief Constable Ian Hopkins said in a statement.

“He was handed over by Libyan authorities to British police officers this morning. They escorted him on the flight back and he landed in the UK a short while ago.”

Police said Hashem Abedi, 22, would appear at Westminster Magistrates Court on Thursday.

A spokesman for the Tripoli-based Special Deterrence Force (Rada), who asked not to be named because of the sensitivity of the case, said he was extradited in accordance with a court verdict.

‘THANKS TO THE LIBYAN AUTHORITIES’

British politicians welcomed the extradition of Abedi.

“Thanks to the Libyan authorities for their close cooperation on the successful extradition of Hashem Abedi,” said British Foreign Minister Jeremy Hunt, a contender to replace Theresa May as prime minister.

“Whoever is found responsible for this great evil must face justice. It is right that Abedi will now face criminal proceedings in the UK.”

Rada, a counter-terrorism and anti-crime group aligned with the internationally recognized government in Tripoli, arrested Hashem shortly after the Manchester bombing on suspicion he had helped coordinate the attack.

Rada said at the time that Salman and Hashem fled together to Libya in April 2017, before Salman returned to Britain to carry out the attack at the Manchester Arena in May of that year.

British members of parliament last year found that the M15 security service missed potential opportunities to prevent the bombing.

Islamic State said it was responsible in the immediate aftermath of the bombing, but security services have always treated the claim with scepticism.

The Abedi family emigrated to Britain during the rule of late Libyan leader Muammar Gaddafi, moving from London to the Fallowfield area of south Manchester. The brothers’ parents returned to Libya after Gaddafi was toppled in 2011.

[back to contents]

CENTRAL AFRICA

Central African Republic

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

Central African Republic: CAR Rebels to Stop Recruitment of Children (All Africa) By Oman Mbiko
July 8, 2019

Rebel Muslim groups in the Central African Republic (CAR) have pledged to stop recruiting children and prevent grave violations against the youngsters.

This is part of a commitment by the militia to the peace process in the Central African country.

The Popular Front for the Renaissance of the CAR (FPRC) is the latest sect to sign an action plan with the United Nations (UN) to end recruitment and abuse of children.

The plan addresses the recruitment, killing, maiming, rape and other forms of sexual violence as well as attacks on schools and hospitals.

FPRC's pledge is the second signed by a member of the Islamist ex-Seleka coalition.

The Patriotic Movement for the CAR (MPC) signed the action plan with the UN in May 2018.

Virginia Gamba, the UN envoy for Children and Armed Conflict, welcomed the latest signing and asked for its immediate implementation.

"I call on all armed groups in CAR to immediately end and prevent all grave violations against children, release children from their ranks and when appropriate, adopt action plans with the UN," she added.

Armed groups have recruited an estimated 14 000 children since the conflict broke out in 2012.

Then, Muslim extremists seized power from President Francois Boazize.

The radicals have been vying for authority with the predominantly Christian anti-Balaka militias.

President Faustin-Archange Touadéra's government and the rebel groups signed a peace deal in February but violations persist.

Central African Republic: CAR Refugees Reluctant to Return Home (All Africa) By Moki Edwin Kindzeka
July 8, 2019

Cameroon says only a tiny fraction of the 285,000 Central African Republic refugees in the country have agreed to return to the CAR. Despite a February peace deal and months of negotiations with Cameroon and the United Nations refugee agency, refugees say they do not feel safe enough to return home.

Forty-nine-year-old Florence Yaomby's husband was killed in crossfire between rebels and government troops in the Central African Republic town of Mingala four years ago.

She fled to Cameroon for safety, where she has lived as a refugee ever since.

She says she spent her last three years studying in Yaounde to become an accountant. Yaomby says if she returned to the CAR, she is not sure she would find a decent job. She prefers to sell bottled water and soft drinks to university students in Yaounde, where there is peace, and take care of her three kids. They are certain not to get a good education in her country, says Yaomby, because it is devastated by war.

The CAR has been rocked by violence since 2013 when mainly Muslim Seleka rebels ousted then-President Francois Bozize, prompting reprisals from mostly Christian militias.

In February, authorities reached a peace deal with 14 armed groups following United Nations-sponsored talks in Khartoum. It was expected to usher in a period of stability and led to an agreement between Bangui, Yaounde, and the United Nations refugee agency for the CAR refugees in Cameroon to return home.

But only 6,000 refugees have so far agreed to leave. Most like Yaomby refuse to return to the CAR, citing fears of violence in some areas and a country devastated by war.

Viviane Baikoua is the CAR's minister for humanitarian action and reconciliation. She says her country needs its citizens to return and help develop their communities and the nation.

She says she is reiterating to her compatriots who agree to voluntarily return that they will be treated with dignity and that the CAR will protect them and respect all conventions it has signed to uphold their rights back home.

[back to contents]

Sudan & South Sudan

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

[Democracy Struggle in Sudan: More Than 100 People Killed, Over 10,000 Arrested (CSN News) By

Ilona Schumicky

July 15, 2019

Since December 2018, more than 100 people have been killed, over 10,000 arrested, 750 injured, and dozens raped in Sudan while fighting for democracy, according to the BBC and several other media reports.

A democratic government has not formed but there now is a Transitional Military Council (TMC), which has worked out an agreement with the people struggling for democratic rule.

Demonstrations and protests started last December in Sudan against President Omar al-Bashir, who was described by the International Criminal Court (ICC) in April 2018 as “[s]uspected of five counts of crimes against humanity, two counts of war, and three counts of genocide allegedly committed in Darfur, Sudan.

The ICC issued warrants for Al Bashir’s arrest first in 2009 and then again in 2010.

The Sudanese government launched austerity measures -- cuts to bread and fuel subsidies -- in December 2018 to try to deal with the poor economy. In addition, the government cut access to social media and instant messaging.

By January 7, 2019, an estimated 800 anti-government protesters were arrested and 19 people, including security officials, reportedly were killed in the civil conflict.

Protests continued into April, particularly at the military headquarters in Khartoum. Seven people reportedly were killed in that demonstration, approximately 57 were injured and another 2,500 were arrested, according to the BBC.

The U.S. Department of State reported in March 2019 about human rights conditions in Sudan (for 2018). Some of the government abuses included torture, regular sexual harassment and rape of female detainees, overcrowded prisons, regulated telecommunication, censorship of media, and restrictions on assemblies and associations.

In Sudan, under the National Security Act, warrants are not required for an arrest. “The law allows National Intelligence and Security Services (NISS) to detain individuals for up to 45 days before bringing charges,” according to the report.

On April 11 the Sudanese military took over and arrested al-Bashir. Currently, the Transitional Military Council (TMC) is negotiating with the protestors.

The military and protestors agreed on 15 May to a three-year transition period to civilian rule. They have also agreed on the structure of a new government.

Despite these agreements and a scheduled election for June 3, 2020, former British ambassador to Sudan, Rosalind Marsden, told the BBC that the snap election would “simply pave the way for much of the old regime to come back into power.”

Because of those concerns, protestors are now calling for a general strike. This has sparked additional conflict and, according to The Guardian, reportedly 100 people were killed, 70 were raped, and more than 700 were injured in a June massacre in Khartoum.

Sudanese armed forces stormed a camp there and opened fire on protestors and threw the bodies in the Nile River, according to PressTV. On June 3 the TMC ordered an internet shutdown of mobile access, which was restored only in July.

In response to the crisis, the African Union and Security Council based in Addis Ababa, Ethiopia, has suspended Sudan’s membership “until the effective establishment of a Civilian-led Transitional Authority, as the only way to allow the Sudan to exit from the current crisis,” the AU tweeted on June 6.

On June 30, tens of thousands protested in Khartoum and elsewhere around Sudan and called for civilian rule and justice in response to the June 3 massacre. As a result, protest leaders and the military leaders sat down and agreed on a power-sharing deal to run Sudan until elections can be held, reported The New York Times.

Although the agreement is not finalized, it gives hope to other countries in similar situations that they may be able to make a transition from dictatorship to democracy, reported The Times.

Sudan protesters, army rulers sign power sharing deal (The East African) By AFP
July 17 2019

Sudan's protesters and ruling generals Wednesday inked a power sharing deal, paving the way for a civilian administration, a key demand of demonstrators since president Omar al-Bashir was deposed in April.

The two sides initialled a document called the "Political Declaration", an AFP correspondent reported, after intense talks through the night over finer details of the agreement.

The deputy chief of the ruling military council Mohamed Hamdan Dagalo -- who initialled the deal on behalf of the generals -- told AFP the agreement was a "historic moment" for Sudan.

Ibrahim al-Amin, a key protest leader, said "today, we completed the political declaration."

"For the constitutional document we will resume talks on Friday," he told AFP.

The landmark power sharing deal, which was agreed on July 5, has been brokered by African Union and Ethiopian mediators after intense negotiations between the protest umbrella group and ruling generals.

POWER SHARING DEAL

The overall accord stipulates that a new transitional civilian-military ruling body be established, in a bid to end the country's months-long political crisis.

The governing body will have a total of six civilians and five military representatives.

The six civilians will include five from the umbrella protest movement, the Alliance for Freedom and Change.

A general will head the ruling body during the first 21 months of the transition, followed by a civilian for the remaining 18 months, according to the framework agreement.

That body is to oversee the formation of a transitional civilian administration that will govern for just over three years, after which elections would be held.

The breakthrough accord came after a political deadlock that gripped Sudan since the generals ousted Bashir in a palace coup in April, on the back of months of nationwide mass protests against his iron-fisted three-decade rule.

Tensions climaxed on June 3 when armed men in military fatigues stormed a longstanding protest camp in Khartoum, shooting and beating crowds of demonstrators in a pre-dawn raid.

Dozens were killed and hundreds wounded, triggering international outrage, although the generals insisted they did not order the violent dispersal of protesters.

Talks to fine tune the details of the deal since July 5 had been postponed several times at the request of protest leaders.

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

Democratic Republic of the Congo

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

ICC convicts Congo warlord Bosco Ntaganda of war crimes including rape and murder (Deutsche Welle) By Joshua Stein
July 8, 2019

Bosco Ntaganda, known as the "Congolese Terminator," has been found guilty of war crimes and crimes against humanity.

The convictions include murder, rape and the use of child soldiers in warfare.

He was found guilty of all the 18 counts of war crimes and crimes against humanity he faced. The court case took place in the Hague, where the judgment was read out on Monday.

'Key leader'

Head International Criminal Court (ICC) Judge Robert Fremr said Ntaganda was a "key leader" who ordered troops to "target and kill civilians" in the Ituri region of the Democratic Republic of Congo (DRC) in 2002 and 2003.

The convictions include responsibility for an atrocity in a Congolese village, where children were disemboweled or had their heads smashed in.

The ICC said 2,123 victims of Ntaganda, who included ex-child soldiers recruited under his watch, had been consulted in the trial.

Ntaganda's lawyers argued in the defense that he himself was a victim, as he had been a child soldier. He denied all charges.

The charges are from 2002 and 2003, when Ntaganda was deputy chief of staff of the military wing of the Union of Congolese Patriots (UPC).

He was also found guilty of pillaging and of forcefully displacing people from their homes.

'A great victory'

The court's verdict has been welcomed but there were some reservations about whether it would have long-lasting consequences for peace in the region.

Jean Bosco Lalo, who coordinates civil society groups in Ituri, told DW that "justice continues to do its work for us [...] but the situation on the ground has grown worse, and one wonders what impact this judgement by the ICC will have on these problems." Lalo said it was more important to him that criminal acts were prevented than that they were punished.

A victims' representative, Cherine Luzaisu, said the verdict was "a great victory" for victims who had been waiting for justice since 2002, and that it was also an homage to those who had died since. But Luzaisu said the surviving victims now expected compensation for the harm they had suffered.

Who is Bosco Ntaganda?

Bosco Ntaganda was born in Rwanda in 1973 and fled the country's genocide to the DRC. The Rwandan government had targeted people from his ethnic group, the Tutsis, during the genocide in the 1990s.

He joined, and then became the deputy Chief of Staff of the UPC, in 2002 and 2003. The case in the ICC focused on his actions as a high-ranking member of the UPC, in which he was accused and convicted of ordering violence targeting Lendu community in the fertile Ituri region of the DRC.

Thomas Lubanga, who was convicted of war crimes in 2014, led the UPC at the time. The ICC first called for Ntaganda's arrest in 2006. Then-DRC President Joseph Kabila did not arrest him in the interest of peace in the region, he said.

Army leader, then rebel

Ntaganda later joined the Congolese state army and rose to the rank of general. In 2012, however, he left the army and formed the M23 rebel group which was based in the North-Kivu region of the DRC. He has faced allegations of ordering mass executions, rapes and the use of child soldiers as a leader of the M23 movement. Some 800,000 people were displaced in the fighting across the country.

Ntaganda handed himself into the US Embassy in Kigali, Rwanda, in 2013, after his M23 group split. He was the first person to ever surrender voluntarily to the ICC.

"We hope for a lot from the international courts," the spokesperson of the Lendu community, who Ntaganda persecuted, told DW earlier this year. "We hope that the courts give the victims their rights back, and that the courts compensate them for Ntaganda's crimes."

The court has not yet announced a sentence but it could send Ntaganda to prison for life.

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

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**

Gbagbo and Blé Goudé case: ICC Trial Chamber I files the written reasons for the acquittal (International Criminal Court)

July 16, 2019

On 15 January 2019, Trial Chamber I of the International Criminal Court ("ICC" or "Court"), by majority, Judge Herrera Carbuccion dissenting, issued an oral decision acquitting Mr Laurent Gbagbo and Mr Charles Blé Goudé from all charges of crimes against humanity allegedly committed in Côte d'Ivoire in 2010 and 2011.

Today, 16 July 2019, Trial Chamber I issued its full reasons for the decision. The Majority, composed of Judge Tarfusser and Judge Henderson provided a detailed analysis of the evidence in Judge Henderson's reasons (Annex B). Judge Tarfusser has also separately set out his reasons and additional reflections on the case (Annex A). The reasons for Judge Herrera Carbuccion's dissenting opinion can be found in Annex C.

The Majority's reasons, as set out in Annexes A and B, address and develop all the points noted in the Oral decision. In particular, the majority explains why, in its view, the Prosecutor

- i. Has failed to demonstrate that there was a "common plan" to keep Mr Gbagbo in power, which included the commission of crimes against civilians;
- ii. Has failed to demonstrate the existence of the alleged policy to attack a civilian population on the basis of the alleged patterns of violence and other circumstantial evidence cited in support;
- iii. Has failed to demonstrate that the crimes as alleged in the charges were committed pursuant to or in furtherance of a State or organisational policy to attack the civilian population;
- iv. Has failed to demonstrate that public speeches by Mr Gbagbo or Mr Blé Goudé constituted ordering, soliciting or inducing the alleged crimes or that either of the accused otherwise knowingly or intentionally contributed to the commission of such crimes.

In the view of the Majority, one of the fundamental flaws of the Prosecutor's case was that it presented an unbalanced narrative, which was built around a unidimensional conception of the role of nationality, ethnicity, and religion (in the broadest sense) in Côte d'Ivoire in general and during the post-electoral crisis in particular and which ignored essential information without which it was not possible to fully understand what happened and certainly not what motivated key political actors in this case. Without making any findings in this regard, the Majority was of the view that the picture emerging from the evidence appeared to differ substantially from the one painted by the Prosecutor. The Majority also explains why it is of the view that the tendered evidence, most of which was circumstantial, was too weak to be capable of supporting the inferences the Prosecutor asked the Chamber to draw.

As far as the five charged incidents are concerned, the Majority analysed the relevant evidence without putting into question the fact that crimes were committed and focused instead on whether it was possible to establish who was criminally responsible for those crimes. The Majority concluded, in this regard, that the available evidence did not support the allegation that the crimes were the result of a policy to target perceived political opponents. Furthermore, the Majority was not satisfied that the evidence relied upon by the Prosecutor was sufficient to establish a pattern of crimes from which such policy could be inferred.

In addition, in his concurring opinion, Judge Tarfusser focussed on some specific features of the case, including developments preceding the opening of the trial and before the Appeals Chamber following the acquittal; he also expressed criticism of the Prosecutor's performance both at the investigative and prosecutorial stage, as well as of the Defence.

In her dissenting opinion, Judge Herrera Carbuca found that there is sufficient evidence, if accepted, on which a reasonable Trial Chamber could convict Mr Gbagbo and Mr Blé Goudé for crimes against humanity of murder, attempted murder, rape, inhumane acts and persecution committed against the civilian population within the context of post-election violence in Côte d'Ivoire.

Mr Gbagbo and Mr Blé Goudé remain under conditional release pursuant to the Appeals Chamber's decision of 1 February 2019.

Background: The Prosecutor brought against Laurent Gbagbo and Charles Blé Goudé charges of crimes against humanity (murder, rape, other inhumane acts or – in the alternative – attempted murder, and persecution) allegedly committed in the context of post-electoral violence in Côte d'Ivoire between 16 December 2010 and 12 April 2011.

Since the beginning of the trial on 28 January 2016, 231 hearing days were dedicated to the presentation of the Prosecutor's evidence and 82 witnesses testified in court and through video link; thousands of documents were submitted into evidence, hundreds of motions, requests and decisions were filed. On 4 June 2018, the Chamber declared that the presentation of the evidence of the Prosecutor was closed.

On 23 July 2018, Laurent Gbagbo's Defense filed its "Requête de la Défense de Laurent Gbagbo afin qu'un jugement d'acquittal portant sur toutes les charges soit prononcé en faveur de Laurent Gbagbo et que sa mise en liberté immédiate soit ordonnée" (Defence Motion for acquittal and immediate release). On 3 August 2018, the Defence of Charles Blé Goudé filed a No Case to Answer Motion. Hearings were held by the Chamber in October and November 2018 during which the Prosecution, the Legal Representatives of Victims and the two Defence teams presented their arguments regarding this Motion.

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

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

Rehabilitation of African child soldiers problematic says UN (The Citizen)

July 10, 2019

Approximately 8,000 have been recruited across the region in Central Africa since the militant organisation launched an insurgency in 2009.

The rehabilitation of thousands of African children recruited by Boko Haram as combatants across the Lake Chad region poses significant challenges, according to the UN.

Approximately 8,000 have been recruited across the region in Central Africa since the militant organisation launched an insurgency in 2009. In addition to being used as child soldiers, other children are also forced to serve in non-combatant roles.

In a statement, Sylvester Tunde Atere, national project officer of the UN Office on Drugs and Crimes (UNODC), warned that in addition to the difficulties in rehabilitating the children, reintegrating them into society would be hard due to the intense and lasting traumatic effects they had endured.

UNODC accused Islamic State-affiliated Boko Haram of raping or forcing teenage girls into marriage.

Between 2013 and 2017, the group recruited more than 3,500 children in Nigeria's north-east, according to the United Nations Children's Fund (UNICEF).

However, it's not only Islamist militants who are forcing children to become soldiers.

In May, a regional militia allied with Nigerian government forces freed almost 900 children it had used in the war against Boko Haram insurgents.

The militia group had committed in September 2017 to end their use of children in the conflict. Last October, 833 were released by the group.

Boko Haram: We're investigating soldiers for rights violations, says NHRC (The Punch) By Oladimeji Ramon
July 11, 2019

The National Human Rights Commission has said it is investigating allegations of human rights violations against soldiers involved in the counter-insurgency campaign in the North-East.

The commission vowed that soldiers found guilty would not go unpunished.

A statement on Thursday quoted the Executive Secretary, NHRC, Mr Anthony Ojukwu, to have said this in Damaturu, Yobe State, on Wednesday at the opening of a two-day training in human rights protection for soldiers involved in the fight against Boko Haram terrorists.

The NHRC organised the training in collaboration with the United Nations High Commissioner for Refugees.

Ojukwu was represented by the Assistant Director, Investigation and Monitoring, NHRC, Itheme Richmond.

He explained that the training was "aimed at brainstorming with the military on civilian protection," in the ongoing counter-insurgency war in the North-East.

"This training is aimed at improving the knowledge of the military on human rights, humanitarian principles and civilian protection in the course of counter-insurgency operations.

"There have been allegations of human rights violation against the military in the course of their operations, ranging from extrajudicial killings, prolonged detention without trial, torture and sexual exploitation, among others.

"So we are partnering the UNHCR to ensure the integration of human rights standards and humanitarian considerations in the military operations in order to reduce the incidents.

"The allegations are being investigated and perpetrators would be held accountable," Ojukwu said.

According to the statement, "more than 50 frontline military (personnel) and police officers attended the training."

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

Mali

Alleged extremist tortured in Mali, lawyer tells Hague court (AP) By Mike Corder
July 8, 2019

A defense lawyer for an alleged jihadist leader from Mali accused International Criminal Court prosecutors Monday of ignoring claims that her client was tortured in custody and called into question a judge's impartiality.

Prosecutors, meanwhile, alleged that the suspect was responsible for torture and mistreatment of the population of the desert city of Timbuktu from April 2012 until January 2013 while it was occupied and ruled by Islamic extremists.

The claims came as the court opened a preliminary hearing to consider whether evidence is strong enough to put Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud on trial for alleged crimes in Timbuktu including torture, rape and persecution.

Defense lawyer Melinda Taylor argued that the prosecution evidence relies heavily on statements Al Hassan made while he was held at an undisclosed location in Mali that she said was notorious for human rights abuses. She said that Al Hassan later told ICC prosecutors he was tortured.

“It would appear that in this case they turned a blind eye to allegations of torture simply because the victim was a suspect,” Taylor told judges.

She also asked for the case to be adjourned to consider whether one of the three judges involved at the hearing could be biased. Taylor said that Judge Reine Alapini-Gansou from Benin took part in fact finding missions to Mali for the African Commission on Human and Peoples’ Rights before joining the International Criminal Court.

Presiding Judge Peter Kovacs did not immediately rule on the request.

Prosecutor Fatou Bensouda urged judges to confirm all the charges against Al Hassan and order him to stand trial. Bensouda told judges that her evidence would show that Al Hassan was a key member of Ansar Dine, an Islamic extremist group with links to al-Qaida that held power in northern Mali at the time.

Bensouda said that Ansar Dine imposed a brutal regime on Timbuktu residents including public floggings, amputations and forced marriages.

She said Al Hassan was the de facto chief of the Islamic police and “played an essential and undeniable role in the system of persecution established by the armed groups throughout the period of occupation of Timbuktu.”

The case against Al Hassan is the second at the global court to focus on the occupation of Timbuktu.

A member of Ansar Dine, Ahmad Al Faqi Al Mahdi, was convicted in 2016 and sentenced to nine years’ imprisonment for intentionally directing attacks against nine mausoleums and a mosque door in Timbuktu in 2012. At previous hearings, Al Mahdi pleaded guilty and expressed remorse for his role in leading the destruction.

A French-led military operation in 2013 forced Al Hassan and others from power, though elements have continued to stage numerous attacks on Malian and international forces.

Mali crisis worsens as hundreds of thousands flee militia attacks (The Guardian) By Ruth Maclean
July 11, 2019

Hundreds of thousands of people are fleeing their homes in Mali, where deadly attacks on villages are destabilising an already critical situation in the country’s centre.

More than 200,000 people have fled since the start of the year, almost six times the number that were displaced in the same period last year, according to the Rapid Response Mechanism, a tracking and alert system that helps humanitarian organisations respond to vulnerable people.

Nearly 600 civilians were killed in the first half of 2019, most of them in the central region of Mopti, where villagers including many women and children have borne the brunt of gruesome attacks attributed to ethnic militias.

Herdsmen from the nomadic Fulani ethnic group and hunters from the more settled Dogon have been blamed for these attacks, though neither side has claimed them.

Though there are constant smaller-scale attacks, the most deadly of them were in March, when at least 157 people in Ogossogou lost their lives, and in June, when the mayor of Sobame Da said 95 people had been killed, before the governor revised it down to 35. The true total is still unknown, though an unverified list of 101 names of the dead was circulated on Wednesday.

Civilians say communities are attacking each other, while the military and armed groups are also fighting. The result is a perfect storm in which those mostly affected are the most vulnerable, such as women and children.

“The first victims of this cycle of violence are civilians,” said the Norwegian Refugee Council’s Hassane Hamadou. “They are killed, they are maimed, they are threatened; and their only chance of survival is to flee. Today, people are caught between armed groups, self-defence militias and military forces.”

In a centre sheltering more than 800 women and children in Bandiagara, the mayor of Doucoumbo, Bogo Kassogu , called on the government to respond to the crisis so that everyone could go home and carry on with their lives.

“We have enormous difficulties in this centre – difficulties concerning food, water and hygiene. Each day, more villagers arrive,” he said. “The people arrived here on 20 June so they’ve been here for one week now. There isn’t even enough space to sleep and move.”

There are two other centres in Bandiagara, where conditions are dire, with families huddled in the shadow cast by a wall in the centre, which has only one latrine.

But Yadigné Djiguiba, a 35-year-old mother of five, said there was no way she could go home, considering what she had seen and experienced.

“We fled because it wasn’t safe. There were killings, gunshots and also the presence of armed men,” she said. “As long as they are there, we do not want to go back.”

The attacks in the centre are adding to a crisis in the north that began in 2012 and led to the government losing control of vast swathes of the desert. The humanitarian situation across the country remains critical. Nearly 550,000 people are in urgent need of food, and more than 900 schools are closed.

The UN’s peacekeeping mission in Mali has just had its mandate renewed, and although it pledges to protect civilians, researchers say in practice it does not allow its troops to pre-emptively disarm communities.

Meanwhile, the Fulani accuse the government of supporting the Dogon militias, although there is no concrete evidence they are providing funding.

Yvan Guichaoua, a specialist in rebellions and the rise of jihadism in the Sahel, said the Malian government was creating monsters it could not control.

“The government doesn’t have the capacity to impose its own will,” he said. “So they somehow use loyal groups, but these loyal groups then become something else and start making political claims. What happened in the north, with all the mushrooming of different armed groups, is now also happening in the centre. And this is not about to end.”

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

Liberia

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

EAST AFRICA

Uganda

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

ICC rejects Ugandan warlord’s 41-count plea (Journal du Cameroun)

July 18, 2019

The Appeals Chamber of the International Criminal Court (ICC) has rejected a defense submission challenging the decision of Trial Chamber IX to decline to dismiss 41 of the 70 counts of war crimes and crimes against humanity against Dominic Ongwen the former commander of Uganda’s Lord’s Resistance Army (LRA) rebel outfit. According to a statement released by the International Justice Monitor on Thursday, in a unanimous judgment released on Wednesday, the Appeals Chamber said Trial Chamber IX was correct in its March 7th decision in determining the defense had had ample time to file its challenge to the 41 counts of war crimes and crimes against humanity.

The Appeals Chamber said the trial chamber was also correct in finding that the defense motion was time-barred according to the ICC's Rules of Evidence and Procedure.

"The Appeals Chamber recalls that the duty to act in a diligent and expeditious manner applies to all those involved in the proceedings, including the accused person. In this case, even though he could have raised much earlier specific and concrete objections concerning the charges as confirmed by the Pre-Trial Chamber, Mr. Ongwen waited until February 2019 to file the Defects Series which set out for the first time those specific challenges," read the judgment.

Pre-Trial Chamber II confirmed 70 counts of war crimes and crimes against humanity against Ongwen on March 23, 2016.

When his trial began on December 6, 2016, Ongwen pleaded not guilty to all the charges.

The Appeals Chamber observed in the judgment that the defense had four occasions when they could have filed challenges to the charges against Ongwen.

The first was after December 21st, 2015 when Ongwen received the Acholi translation of the document containing the charges filed by the prosecution.

The second was when Trial Chamber IX set October 28, 2016 as the deadline for filing any motions that needed to be resolved before the trial began.

The third was on the day the trial began, December 6, 2016, when Presiding Judge Bertram Schmitt asked the defense if they had any objections to raise.

Finally, the fourth was when a complete Acholi translation of Pre-Trial Chamber II's decision confirming the charges was registered on record on December 13, 2017. In the judgment, the Appeals Chamber observed the defense neither made concrete objections on those four occasions nor raised any objections at all.

Wednesday's judgment of the Appeals Chamber does not address the merits of the arguments the defense raised in the defect series about Pre-Trial Chamber II's decision confirming the charges against Ongwen.

Trial Chamber IX also did not address whether there were any defects in the confirmation of charges decision.

The main issue either chamber addressed was when the defense should have raised its arguments.

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

Kenya

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

Kenya: Nairobi Police Executing Suspects, Says HRW (Eurasia Review) By Eurasia Review
July 5, 2019

Police in Kenya have killed no fewer than 21 men and boys in Nairobi's low-income areas, apparently with no justification, claiming they were criminals, Human Rights Watch said today. The extrajudicial killings point to a broader problem of police using excessive, unlawful force in the name of maintaining law and order in Nairobi's informal settlements and failing to comply with the law in ensuring all police killings are reported, investigated, and those responsible for unlawful killings are prosecuted.

Since August 2018, police have shot dead, apparently unlawfully, at least 21 men and boys whom they alleged were criminals in Nairobi's Dandora and Mathare neighborhoods alone, Human Rights Watch found. Rights activists in those neighborhoods believe that, based on the cases they know about and those reported in the media, police have unlawfully killed many more in the past year. Under Kenyan and international law, the police should only intentionally use lethal force when it is strictly

unavoidable to protect life.

“Police are arresting unarmed people and then gunning them down, and neither the police service nor its watchdog agency is doing much to stop it,” said Otsieno Namwaya, Africa researcher at Human Rights Watch. “The authorities should promptly investigate these cases and hold to account any police officer responsible for unlawful use of force.”

In April and May 2019, Human Rights Watch interviewed 35 people including witnesses, family members of victims, medical and social workers, activists, and police personnel including the police spokesman in Nairobi. Human Rights Watch worked closely with partner organizations in Dandora and Mathare in identifying victims and families.

A businessman who is also a police informer told Human Rights Watch that the police have a list of people they plan to kill, including petty thieves and, in a few cases, men and women who have had disagreements with individual police officers.

Last April alone, and in a span of just three days, police in Mathare shot dead seven men who they said were involved in crime, without apparent justification for using lethal force, Human Rights Watch found. The men were not armed, did not resist arrest, and had either surrendered or were being held by the officers at the time of the killing.

On April 14, police shot dead Kevin Gitau, 25, who was due to travel out of the country to take up a job offer in the Middle East, according to his family members. On April 17, police shot six men in the Mlango Kubwa area. Staff at a community rights organization in Mathare, who have been documenting the killings and offering psychosocial support to relatives of victims, said that one of the six was a 17-year-old boy.

In May 2017, the community organization in Mathare documented police killings of 57 men and women, allegedly for links to crime, in Mathare alone in one year. Independent Medico Legal Unit (IMLU) and the Kenya Human Rights Commission, both Nairobi based human rights organizations, and the Kenya National Commission on Human Rights, a state funded constitutional institution, have over the years consistently reported on killings by police in low income areas.

Kenyan media frequently report on killings as part of law enforcement actions in low-income neighborhoods. In October 2018, the Star newspaper reported that police in Dandora, Mathare, and Majengo killed at least 17 people in a seven-day period. The same month, the Daily Nation reported that police killed at least 101 people in Nairobi and more than 180 people across Kenya in a nine-month period. It was not clear from the media reports whether any of these killings could be considered justified.

Human Rights Watch has also documented extrajudicial killings in the context of election violence and counterterrorism operations in Nairobi and the northeastern region, and at the coast in counterterrorism operations.

Under Kenya’s National Police Service Act of 2011, lethal force is only justified when strictly unavoidable to protect life. Kenyan security forces should abide by the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which stipulate that law enforcement officials should use nonviolent means and resort to lethal force only when strictly unavoidable to protect life. The basic principles also require governments to ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offense.

The Police Service Act requires police officers who use lethal fire to report to their immediate superior, explaining the circumstances that necessitated the use of force. Police also are required to report for investigation any use of force that leads to death or serious injury to the Independent Policing Oversight Authority (IPOA), a civilian police accountability institution created in 2011 to investigate and prosecute officers implicated in abuses.

In the cases Human Rights Watch documented, the police did not report the killings or initiate the process for an inquest, which is also required by law. Despite the oversight group’s efforts to investigate some of the killings since 2013, when it became operational, its work has led to only five convictions, according to an IPOA official.

The police spokesman, Charles Owino, said he did not have full information on the status of investigations but urged the oversight authority to investigate the killings. “Any officer who breaches the law must face the consequences as an individual,” he said. “In the case of the killings in Dandora and Mathare, IPOA ought to investigate such killings and ensure the culprits are prosecuted.”

Kenyan police should ensure justice for the victims of police killings and avoid appearing to be shielding those implicated, Human Rights Watch said. The National Police Service should work with community justice centers to ensure justice for the victims and support the oversight authority’s efforts to hold those responsible to account. The oversight authority should thoroughly investigate all police killings in Nairobi and across Kenya and ensure that all those responsible for unlawful killings are held to account.

“These killings are happening right under the nose of police commanders, who have done nothing either to stop them or to hold those responsible to account,” Namwaya said. “Both the police and the oversight authority need to call a halt to these

executions and to make sure that the police know they will face justice if they unlawfully kill suspects.”

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

Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

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

Somalia

At Least 26 Dead in Somalia Hotel Attack Claimed by Shabab (The New York Times) By Hussein Mohamed and Anemona Hartocollis
July 13, 2019

The death toll from a car bomb and gun attack on a hotel in Somalia rose to 26 on Saturday, officials said.

A former politician and two prominent Somali journalists were among the dead. One of the journalists was identified as Hodan Nalayeh, a well known Canadian-Somali who was lauded as a hero and an inspiration to fellow Somalis.

Three Kenyans, three Tanzanians, two Americans and a Briton also died in Friday’s attack, according to Ahmed Mohamed Islam, the president of the Jubbaland region where the attack took place.

The attack in the southern port city of Kismayo targeted the Asasey Hotel, which is popular with politicians and Somali expatriates.

The Shabab, an Islamic rebel group with links to Al Qaeda, claimed responsibility for the attack. The group, which has killed thousands across East Africa, seeks to overthrow Somalia’s Western-backed government and has accused the president, Mohamed Abdullahi Mohamed, of being an apostate and an American “puppet.”

The attack began Friday evening when at least four Al Shabab militants stormed the Asasey Hotel. Over the next 14 hours, government troops besieged the hotel compound and killed some of the attackers, officials said.

It ended Saturday morning after an all-night siege by Somali troops who shot and killed some of the attackers in the compound, officials said. Fifty-six people, including two Chinese citizens, were injured.

Iid Badal Mohamed, a former Somali ambassador to the United Nations, had been booked in the Asasey hotel for two weeks, but relocated to another hotel just before the attack.

“I was near the hotel. The attack started with a suicide bombing, then gunmen on foot stormed the hotel,” he said in a phone interview. “They were shooting every person they saw on the spot.”

He said he believes the location was targeted because it is known to host senior politicians. Some news reports said the attack coincided with a meeting of local elders and politicians at the hotel to discuss upcoming regional elections.

Ms. Nalayeh, the journalist, was born in Somalia but spent much of her life in Canada. She had recently returned to live in Somalia, according to a friend, Dr. Sadiyo Siad, the chancellor of Hano Academy, a technology institute.

“It’s devastating to know that she will no longer be with us,” she said. “She really wanted to send a positive image about Somalia.”

Ms. Nalayeh founded Integration TV, a video production company aimed at Somali viewers around the world, described as a platform for “inspiring and uplifting stories for Somalis.” Her husband, Farid Jama Suleiman, also died in the attack, according to The Associated Press.

Hassan Sheikh Mohamud, the former president of Somalia, tweeted about the death of Ms. Nalayeh. He wrote: “Our sister Hodan was a Mother and a hero that informs and educates her people at a time needed the most. Terrorists continue to target our heroes. Let us stand together and stop them once and for all.”

The other journalist killed was identified as Mohamed Omar Sahal.

Ismail Mohamed Shuriye, a former member of parliament from the Jubbaland region, was also among the victims, according to local media reports. He was a candidate in the upcoming elections for the head of the local Jubbaland government.

The State Department said on Saturday that at least one U.S. citizen was among those killed, but did not provide any further details. It condemned the attack and said the United States will continue to work with Somali and international partners in the fight against violent extremism in the country.

Mohamed Nasir Guled, the head of police for the Jubbaland region, said several people have been arrested as police continue to investigate.

In Anarchic Somalia, the Global War on Terror Continues (TownHall) By Austin Bay

July 17, 2019

On July 12, al-Shabaab Islamic terrorists attacked a hotel in the Somali seaport of Kismayo. They detonated a suicide car bomb, and then gunmen shot their way into the hotel. The attack left 33 human beings dead and injured at least 50.

Do events like this in anarchic Somalia matter beyond the immediate region?

Let's consider some uncomfortable history. In April 1992, the UN Operation in Somalia (UNOSOM I) deployed to feed and protect 5 million threatened people. In December 1992, American military forces arrived to assist Operation Restore Hope. In October 1993, U.S. Army Rangers fought militants hand to hand in the streets of the capital, Mogadishu. The tragic incident, now known as Black Hawk Down, led to America's 1994 withdrawal from Somalia.

Declassified al-Qaida documents revealed that the American withdrawal from Somalia fed the megalomaniacal fantasies of Osama bin Laden and his cohorts. Somalia told them Americans would flee when confronted by Islamists who possessed unbreakable will.

The U.S. left, for a while. However, international peacekeepers have remained in Somalia for 27 years (1992 to 2019). The African Union Mission in Somalia (AMISOM) is the current force. Uganda, Burundi, Ethiopia, Kenya and Djibouti contribute soldiers.

In late May, the UN, which co-sponsors AMISOM, ordered troop reductions and begrudgingly extended the mission through 2021.

Then, June and July produced bad news as al-Shabaab launched surprise attacks in Somalia and in neighboring Kenya.

With the spectacular Kismayo attack, al-Shabaab sent the message that virulent Islamist terrorism continues to plague Somalia and East Africa. A "declining" al-Shabaab had been the tenor of distant media coverage. Kismayo completely scotched rosy notions that al-Shabaab's threat to Somalia is abating.

Not everyone bought the optimism. In January, Bill Roggio, editor of the Long War Journal, wrote that al-Shabaab "continues to maintain an effective insurgency, controls large rural areas in southern and central Somalia, and continues to threaten Somali cities and towns." Roggio challenged an NBC News report that the Pentagon was scaling back counterterror unmanned aerial vehicle (drone) strikes in Somalia.

In the December 2018 issue of CTC Sentinel magazine, Voice of America's Harun Maruf and Dan Joseph noted al-Shabaab's financial strength: "According to U.N. monitors, the group's taxation system has grown in sophistication and reach to the point where al-Shabaab is now likely running a budget surplus."

Taxation? Theft at gunpoint is more accurate. Al-Shabaab's smuggling operations exploit Somalia's anarchy and fragmentation. There is evidence the terror outfit consorts with Somali pirates and shares in ship ransoms.

Al-Shabaab is resilient, but it's unlikely negotiations could end the war. The group insists Somalia must have an Islamic

government implementing al-Shabaab's preferred interpretation of sharia. Here's a hint of what that entails: According to AllAfrica.com, Dalsan Radio in Mogadishu reported that al-Shabaab has threatened to kill Somali clan elders helping select potential members of the federal parliament unless the elders "repent within 45 days." The terrorists accused the clan leaders of creating an "apostate administration contrary to the teachings of Allah."

Al-Shabaab isn't omnipotent. U.S. drone attacks have killed key al-Shabaab leaders and hindered its operations. Striking leadership meetings and concentrations of gunmen has a demoralizing effect.

U.S. drones also target al-Qaida and Islamic State terrorists in Somalia.

Al-Shabaab has ties to both international terror groups. It counts the Allied Democratic Forces-National Army for the Liberation of Uganda as a regional ally. Al-Shabaab claimed credit for the July 2010 terror bombings in Kampala, Uganda, that killed 76 people. The ADF's violence has no limits. This year, ADF jihadis have attacked and destroyed Ebola virus clinics in eastern Congo. The militants regard the Ebola virus as a weapon of mass destruction that their terror attacks can unleash on sub-Saharan Africa.

Yes, Somalia matters, for the global war on terror continues because the terrorists' war on America continues, and Somalia is one battleground.

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

EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosnian Army Ex-Officer Indicted for Crimes Against Prisoners By Denis Dzidic
July 3, 2019

The Bosnian state court.

The Bosnian state court on Wednesday confirmed an indictment accusing Mehmed Dobraca of crimes against civilians and prisoners of war in the period between February and October 1995.

Dobraca was charged in his former capacity as officer for headquarters security and military-police affairs with the 81st Division of the Bosnian Army's security service and assistant commander for security with the 81st Division.

The indictment alleges that Dobraca participated in depriving people of their liberty and other inhumane acts, committed with the intention of inflicting severe suffering or serious physical or psychological injuries.

Two Bosnians Jailed for Planning Terror Attacks (Balkan Insight) By Admir Muslimovic
July 4, 2019

The Court of Bosnia and Herzegovina on Thursday found two hard-line Islamists guilty of acquiring guns and explosive devices in preparation for terrorist attacks. It sentenced Maksim Bozic, born in 1990, to four years in jail and Edin Hastor, born in 1972, to two-and-a-half years.

"They were planning and preparing an attack on the State Investigation and Protection Agency, SIPA, building in Eastern Sarajevo and on the Tuzla Cantonal Ministry of Internal Affairs, MUP, building," the verdict said.

The court determined that, between the middle of June 2017 and April 10, 2018, Bozic planned and prepared the acquisition of the materials for the attack, which had “the aim of intimidating the population and ... seriously destabilizing the political and constitutional structure of Bosnia and Herzegovina”.

Explaining the verdict, Judge Andjelko Marijanovic said the State Prosecution had proved all the allegations from the indictment.

In June 2017, the judge said, “Bozic requested protected witness A to film him on a video about his wish to die for Jihad, after he had acquired weapons for the commission of the planned terrorist act, and to publish it [the video] in the media after the commission of the act”.

He added: “In March 2018, Hastor, knowing that Bozic was planning to commit a terrorist act consisting of an attack on the SIPA building in Eastern Sarajevo and the Tuzla Cantonal MUP building, provided premises in his own family home for the purpose of the terrorist act, which SIPA prevented.”

The court heard that Witness A confirmed the intention of Bozic and Hastor to commit acts of terrorism, and his testimony corresponded to other witness testimonies.

Under the verdict, Bozic’s custody was extended for nine more months. The custody measure for Hastor was terminated, but he was prohibited from leaving Bosnia. Bozic did not attend the pronouncement of the verdict.

The indictment against Bozic and Hastor was filed in July 2018. The defendants pleaded not guilty a month later. Following a year-long trial, in its closing statement in late June, the Prosecution requested the conviction of the two men while the Defence proposed their acquittal. The parties may appeal the verdict.

Former Bosnian Army Soldiers Jailed for Raping Minor (Balkan Insight) By Former Bosnian Army Soldiers
Jailed for Raping Minor (Balkan Insight)
July 5, 2019

The Appeals Chamber of the State Court in Bosnia has jailed two former former Bosnian Army members, following a retrial, for six years each, for raping a protected witness who was a minor at the time, in 1993.

It also ordered Samir Kesmer and Mirsad Menzilovic to pay KM 30,000 to Witness A in compensation for non-material damage.

“The court determined that ... Kesmer and Menzilovic beat and insulted minor A on the grounds of her ethnicity and raped her, while threatening her with murder, in a building in Sarajevo,” the verdict said.

In its explanation, it said witnesses who knew about the rape of minor A, as well as the material evidence and medical documentation of the injured party, confirmed the charge of rape.

“Minor A described the act of rape itself ... The differences between statements, which the defence teams were trying to show, were not big enough to call her testimony into question. Many witnesses spoke about the rape and their testimonies were in agreement and compatible with the injured party’s testimony,” the Chamber explained.

When deciding the sentence, the Chamber said it had considered the brutality and ruthlessness of the crime, as well as the fact that the injured party was underage, as aggravating circumstances.

As for mitigating circumstances, the Chamber said it had considered the fact that the two defendants were young adults at the time.

The trial was renewed after the Appeals Chamber quashed the first-instance verdict of July 2018, sentencing them to five years each.

Under the first-instance verdict, Elvir Muminovic was sentenced to six years in prison, but the proceedings against him were later separated due to his flight from justice. The parties may not appeal.

Bosniak Commander Acquitted of Abusing Serb Prisoners (Balkan Insight) By Marija Tausan
July 16, 2019

The Bosnian state court on Tuesday cleared former Bosnian Army brigade commander Ahmet Sejdic of 11 counts of inhumane treatment of Serb civilians and prisoners of war from the Bosnian Serb Army in the period between July 1992 and

February 1993.

Supporters of Sejdic, wearing T-shirts with a picture of his face and the words "Visegradski gazija" ("Visegrad captain"), celebrated outside court after the verdict.

"The evidence presented was not strong enough to be to the detriment of the defendant, in other words to pronounce the defendant guilty," said presiding judge Mira Smajlovic.

Sejdic was acquitted, after a three-year trial, of the unlawful arrest of Serb civilians from the village of Bucje in the Gorazde municipality in July 1992, their forced displacement, inhumane treatment and torture, as well as the pillaging of their property.

Smajlovic said that it had been determined on the basis of the evidence that the war presidency of Gorazde issued an order to the 43rd Gorazde Brigade about the disarmament of residents of Bucje, and that the war presidency and the Gorazde Brigade, not defendant Sejdic, were in charge of taking further action.

The court accepted that civilians were tortured and inhumanely treated at Trebesko Brdo in the Gorazde municipality, but there was no evidence placing the defendant at the scene of the crime.

"The chamber has not been able to determine which people committed the acts or under whose control they were," Smajlovic said.

Sejdic was also acquitted of issuing an unlawful order to captured members of the Bosnian Serb Army to remove 24 mines with their bare hands from a tunnel in Donja Strmica in the Rudo municipality in January 1993, during which two of the captives were injured.

Smajlovic said that the captured Serb troops had been questioned about the allegation and "only two of the witnesses" said they had heard Sejdic give the order to remove the mines.

She also said that some of them had not mentioned Sejdic in their previous statements.

This was a first-instance verdict and can be appealed.

Jail Urged for Bosnian Army Officer Accused over Croats' Deaths By Haris Rovcanin
July 16, 2019

In closing arguments at the Bosnian state court in Sarajevo on Tuesday, the prosecution argued that former Bosnian Army battalion commander Enver Buza should be found guilty and given the harshest possible penalty.

The indictment alleged that members of the Bosnian Army's Independent Prozor Battalion attacked the village of Uzdol, near Prozor, on September 14, 1993, and killed 27 Croat civilians in the hamlets of Kriz, Zelenike and Raici.

Buza is charged, in his capacity as commander of the battalion, with having failed to undertake measures to punish the perpetrators.

Prosecutor Sanja Jukic said that 27 civilians were killed but no soldiers from the Bosnian Army or the Croatian Defence Council, which both had troops deployed in the area, were injured.

"It could be heard in witnesses' testimonies that none of the civilians opened fire and that no members of the Bosnian Army and Croatian Defence Council were wounded in the hamlets," Jukic told the court.

"Killing a civilian in his own house or in front of it, killing a person who did not participate in the conflict is a crime," she said.

Jukic insisted that the murders were committed by members of the Independent Prozor Battalion commanded by defendant Buza, who, she claimed, led the Bosnian Army operation in Uzdol.

She said that his unit was the only one that participated in the attack.

"All these victims were killed intentionally, not in crossfire. They were shot from an immediate distance; some were shot in the back. One of the victims was beaten up. Children were killed too," the prosecutor said.

She said that the defendant knew that his subordinates committed war crimes and that his defence did not present a single piece of evidence to disprove this during the trial.

The defence will present its closing arguments on August 27.

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

International Criminal Tribunal for the Former Yugoslavia **(ICTY)**

Official Website of the ICTY

ICTY has pronounced a Total of Seven Hundred Years to Perpetrators of Srebrenica Genocide (Sarajevo Times)

July 11, 2019

A total of 47 people were sentenced to more than 700 years in prison and 4 life sentences for Genocide in Srebrenica.

The Appeals Chamber of the International Residual Mechanism for Criminal Tribunals composed of Judge Vagn Prüssé Joensen, presiding, Judge William Hussein Sekule, Judge José Ricardo de Prada Solaesa, Judge Graciela Susana Gatti Santana, and Judge Ivo Nelson de Caires Batista Rosa delivered today its judgement on the appeals filed by Mr. Radovan Karadžić and the Prosecution against the judgement rendered on 24 March 2016 by a Trial Chamber of the International Criminal Tribunal for the former Yugoslavia (“ICTY”).

Mr. Karadžić, who was a founding member of the Serbian Democratic Party and, from 17 December 1992, served as President of Republika Srpska and Supreme Commander of its armed forces, was convicted by the Trial Chamber of genocide, crimes against humanity, and violations of the laws or customs of war and sentenced to 40 years of imprisonment.

Specifically, the Trial Chamber found Mr. Karadžić individually criminally responsible through his participation in joint criminal enterprises to: (i) permanently remove Bosnian Muslims and Bosnian Croats from Bosnian Serb-claimed territory in municipalities throughout Bosnia and Herzegovina between October 1991 and 30 November 1995 (“Overarching JCE”); (ii) spread terror among the civilian population of Sarajevo through a campaign of sniping and shelling from late May 1992 until October 1995 (“Sarajevo JCE”); (iii) eliminate the Bosnian Muslims in Srebrenica in 1995 (“Srebrenica JCE”); and (iv) take United Nations personnel hostage in order to compel the North Atlantic Treaty Organization to abstain from conducting air strikes against Bosnian Serb targets from 25 May to 18 June 1995 (“Hostages JCE”). The Trial Chamber also found Mr. Karadžić responsible as a superior in relation to certain crimes committed by his subordinates in Srebrenica in 1995.

The Appeals Chamber reversed, in part, Judges Joensen and de Prada dissenting, Mr. Karadžić’s convictions related to the Overarching JCE to the extent that they are based on certain Scheduled Incidents. The Appeals Chamber unanimously dismissed all other aspects of Mr. Karadžić’s appeal and affirmed his remaining convictions pursuant to Articles 7(1) and 7(3) of the ICTY Statute for genocide, persecution, extermination, murder, deportation, and other inhumane acts (forcible transfer) as crimes against humanity, as well as for murder, terror, unlawful attacks on civilians, and hostage-taking as violations of the laws or customs of war, in relation to his participation in the Overarching JCE, the Sarajevo JCE, the Srebrenica JCE, and the Hostages JCE.

The Appeals Chamber dismissed, Judge de Prada dissenting, the Prosecution’s appeal, except as to the sentence. The Appeals Chamber granted the Prosecution’s sentencing appeal and found, Judges de Prada and Rosa dissenting, that the Trial Chamber committed a discernible error and abused its discretion in imposing a sentence of only 40 years of imprisonment. The Appeals Chamber, Judges de Prada and Rosa dissenting, set aside the sentence of 40 years of imprisonment and imposed on Mr. Karadžić a sentence of life imprisonment.

On 12 May 1992, Ratko Mladić was appointed Commander of the Main Staff of the army of the Serbian Republic of Bosnia and Herzegovina (“VRS”). He remained in command of the VRS Main Staff until at least 8 November 1996.

Sentenced by an ICTY Trial Chamber to life imprisonment on 22 November 2017.

On 18 December 2017, Ratko Mladić filed a motion seeking an extension of time to file his notice of appeal against the ICTY

Trial Judgment.

On 19 December 2017, the President of the Mechanism assigned a bench of five judges to this case before the Appeals Chamber. On 21 December 2017, the pre-appeal judge partly granted the motion for an extension of time and ordered that any notices of appeal in this case be filed within 120 days of the issuance of the ICTY Trial Judgment. On 22 March 2018 both parties filed their notices of appeal. Following a further extension of time granted on 22 May 2018 for the filing of the appellant's and respondent's briefs, the parties filed confidentially their respective appellant's briefs on 6 August 2018. On 7 August 2018 and 11 September 2018, respectively, the Prosecution and Mladić filed the public redacted versions of their appellants' briefs.

On 18 June 2018, Mladić requested the disqualification of Judges Meron, Agius, and Liu from the appeals bench in this case on the basis of actual or apparent bias. On 20 June 2018, the President of the Mechanism referred the matter to Judge Jean-Claude Antonetti. On 3 September 2018, Judge Antonetti upheld Mladić's requests and, on 4 September 2018, assigned Judges Mparany Mamy Richard Rajohnson, Gberdao Gustave Kam, and Elizabeth Ibanda-Nahamya to replace Judges Meron, Agius, and Liu on the appeals bench in this case. On 12 September 2018, Judge Rajohnson requested to withdraw from the bench in this case and, 16 September 2018, he was replaced with Judge Aminatta Lois Runeni N'gum.

Recent developments:

On 12 September 2018, after Judge Nyambe's election as the Presiding Judge in this case, she was designated as the Pre-Appeal Judge. On 14 November 2018, both parties filed their respective response briefs and on 29 November 2018, their respective reply briefs.

Appeals Proceedings (Ongoing)

On 18 December 2017, Ratko Mladić filed a motion seeking an extension of time to file his notice of appeal against the ICTY Trial Judgment. Mladić argued that, inter alia, the breadth and complexity of the ICTY Trial Judgment, as well as the extensive underlying record, warrant an extension of time by 150 days beyond the original date upon which his notice of appeal would have been due, namely 22 December 2017.

On 19 December 2017, the President of the Mechanism assigned a bench of five judges to this case before the Appeals Chamber. On 20 December 2017, Judge Theodor Meron was designated the Pre-Appeal Judge in the case. On 21 December 2017, the PreAppeal Judge granted the extension of time for the filing of the notices of appeal and, on 22 March 2018 both parties filed their respective notices of appeal. Following a further extension of time granted on 22 May 2018 for the filing of the appellant's and respondent's briefs, the parties filed confidentially their respective appellant's briefs on 6 August 2018. On 7 August 2018 and 11 September 2018, respectively, the Prosecution and Mladić filed the public redacted versions of their appellants' briefs.

On 18 June 2018, Mladić requested the disqualification of Judges Meron, Agius, and Liu from the appeals bench in this case on the basis of actual or apparent bias. On 20 June 2018, the President of the Mechanism referred the matter to Judge Jean-Claude Antonetti. On 3 September 2018, Judge Antonetti upheld Mladić's requests and, on 4 September 2018, assigned Judges Mparany Mamy Richard Rajohnson, Gberdao Gustave Kam, and Elizabeth Ibanda-Nahamya to replace Judges Meron, Agius, and Liu on the appeals bench in this case. On 12 September 2018, Judge Rajohnson requested to withdraw from the bench in this case and, 16 September 2018, he was replaced with Judge Aminatta Lois Runeni N'gum.

On 12 September 2018, after Judge Nyambe's election as the Presiding Judge in this case, she was designated as the Pre-Appeal Judge. On 14 November 2018, both parties filed their respective response briefs and on 29 November 2018, their respective reply briefs.

Case Background Information

Indictment

Ratko Mladić was charged before the ICTY with two counts of genocide, five counts of crimes against humanity and four counts of violations of the laws or customs of war committed by Serb forces during the armed conflict in Bosnia and Herzegovina ("BiH") from 1992 until 1995.

Mladić was alleged to be individually criminally responsible for those crimes, inter alia, through his participation in several related joint criminal enterprises ("JCEs"). The alleged objective of the JCEs was the permanent removal of Bosnian Muslims and Bosnian Croats from Bosnian Serb-claimed territories in BiH through crimes charged in the indictment.

Mladić was also charged as a superior pursuant to Article 7(3) of the Statute for, inter alia, knowing or having reason to know that crimes were about to be committed or had been committed by forces under his effective control and failing to prevent the

crimes or punish the perpetrators.

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

Domestic Prosecutions In The Former Yugoslavia

Kosovo Liberation Army Ex-Guerrilla Convicted of War Crime (Balkan Insight) By Blerta Begisholli
July 3, 2019

The court in Prizren on Wednesday sentenced Remzi Shala, a former Kosovo Liberation Army, KLA unit commander known during wartime as 'The Red Apple', to 14 years in prison for committing a war crime.

Shala was convicted of the kidnapping of Haxhi Perteshi from Duhel, a village in the Suhareka/Suva Reka area in 1998. Days after he was seized, Perteshi was found dead.

Shala, who had pleaded not guilty, told the court that he had no dealings with the civilian population during the war.

"I am proud I was a soldier of the KLA, and during the war I did not deal with the civilian population, neither Albanian nor Serb," he insisted.

Wednesday's verdict was a first-instance ruling and can be appealed.

At the beginning of this year, Shala went on the run after being charged.

He was initially supposed to appear in court in Prizren in January.

He was also invited for interview by the Hague-based Kosovo Specialist Prosecution, which is probing alleged wartime and post-war crimes by former Kosovo Liberation Army members, the same month.

However he did not appear in Prizren or The Hague, and went into hiding in Albania.

The court in Prizren then issued a warrant for his arrest.

Shala told BIRN in January that he would not appear for the interview in The Hague because he does not trust the Kosovo Specialist Chambers – the so-called 'Special Court' which is expected to try former Kosovo Liberation Army figures indicted by the Specialist Prosecutor's Office.

But he was subsequently questioned for two days by the Specialist Prosecution, BIRN has learned.

Kosovo Drops Village Massacre Charges Against Serb (Balkan Insight) By Blerta Begisholli
July 9, 2019

The prosecution in Pristina has dropped charges accusing Milos Petkovic of committing war crimes against civilians in Krusha e Vogel/Mala Krusha.

"Because of a lack of proof, I have requested that the court terminate the detention of Milos Petkovic," Special Prosecutor Drita Hajdari told BIRN.

"The evidence of witness A. L., who declared that Milos Petkovic was in a group of armed people who shot at him, was not enough to raise an indictment for war crimes, as according to the declaration of the witness, he did not directly see the defendant Milos Petkovic, as he was escaping and he had his back turned," said Hajdari.

No other witness incriminated Petkovic, she added.

Petkovic's lawyer Ljubinko Todorovic said on Tuesday that his client had proved that he was not guilty of involvement in the mass killing in Krusha e Vogel/Mala Krusha on March, 26, 1999, RTV Mir reported.

Petkovic was arrested in Hungary last September on a warrant issued by the EU rule-of-law mission in Kosovo, EULEX, and

then sent to Kosovo in May this year.

NOTE: This article was amended on July 10, 2019 to clarify that Petkovic was not acquitted by a court and include quotes from the prosecutor saying that the charges against him were dropped due to a lack of evidence.

[[back to contents](#)]

Turkey

[[back to contents](#)]

MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

Survivors of ISIL terror in Iraq want justice, not revenge, says head of UN investigation team (United Nations)

July 15, 2019

Mr. Khan was delivering his second report on the activities of UNITAD, during which he confirmed that his team has made “significant progress” in implementing its’ mandate, and that he expects investigators to provide concrete support for at least one case before the national courts, marking an “important milestone” in the delivery of their mandate.

The team, he said, had heard harrowing accounts of “mass killings, of entire families erased and of women and girls taken as slaves”.

He added that their courage in coming forward served to underline both “their continued heroism and the urgency with which we must work in order to deliver meaningfully on the promise made to them”, referring to the 2017 Security Council resolution that led to the creation of UNITAD.

The message of the survivors — from Shia, Sunni, Yazidi, Christian, Kaka’i, Shabak and Turkmen communities — is that ISIL fighters must face justice, not revenge, he stated.

The progress that Mr. Khan referred to during his briefing includes putting in place core staffing, facilities and evidence collection practices; the employment of 79 staff members in Iraq — including criminal investigators, analysts, witness protection experts and forensic scientists — 55 per cent of whom are women; and the collection of documentary, digital, testimonial and forensic material is now being collected.

Initial investigative work is focused on three areas: attacks committed by ISIL against the Yazidi community in the Sinjar district in August 2014, crimes committed by ISIL in Mosul between 2014 and 2016, and the mass killing of unarmed Iraqi air force cadets from Tikrit Air Academy in June 2014.

In the last two weeks alone, said Mr. Khan, UNITAD has gained access to more than 600,000 videos related to ISIL crimes relevant to investigative work, as well as over 15,000 pages of internal ISIL documents originally obtained from the battlefield by leading investigative journalists.

The Investigative Team, continued Mr. Khan, has received crucial support, from the Government of Iraq, Iraqi national authorities, and the Kurdistan Regional Government. Going forward, the team's work remains dependent on the continued support of the Security Council and the international community more broadly.

The ultimate success of the work of UNITAD, concluded Mr. Khan, will depend on the investigative team's ability to draw on its independent and impartial status in order to make its work the "product of a collective endeavour": a partnership between the Council, the victims and survivors of ISIL, national authorities and local actors, non-governmental organizations and academic institutions.

"It is only through such unity, and through our common recognition of the scale and gravity of the crimes committed by ISIL, that meaningful accountability can be achieved".

War Talk: Turkey Has Fired Ballistic Missiles Into Iraq (National Interest) By Michael Peck
July 14, 2019

As if the Near and Middle East needed more ballistic missiles, now Turkey has fired one in combat. Turkey fired a Bora – a ballistic missile based on a Chinese design – at Kurdish militants in northern Iraq.

"Turkey's domestically-produced tactical ballistic missile BORA successfully struck its target after it was used for the first time in actual combat within the scope of Operation Claw in northern Iraq," according to Turkey's Yeni Safak news site. "Bora was developed by Turkish defense giant ROKETSAN; its export version is called Khan."

Yeni Safak displayed a video of a Bora being fired. The target was reportedly in the Hakurk region of northern Iraq, which Turkish ground and air forces hit in an operation against bases belonging to the Kurdistan Workers Party (PKK), an independence movement that fought against Turkey for decades. There was no word on whether the missile inflicted any damage on its target.

The Bora is a mobile, solid-fueled missile based on China's B-611 short-range ballistic missile, brought to Turkey as part of Sino-Turkish defense ties that have resulted in several pieces of Chinese weaponry migrating west to Ankara. Turkish media suggests that Turkish engineers have managed to improve the original Chinese design.

"Turkey's new missile has a range of 280 kilometers [174 miles] and has GPS / INS guidance," according to a Turkish defense expert writing in the pro-government Anadolu Agency news organization. "Whereas the Chinese B-611 has a CEP (circular error probable) of some 50 meters [164 feet], open-source evidence suggests that ROKETSAN has managed to reduce it to some 10 meters [33 feet] for Bora, making the missile more accurate. The missile can carry a conventional warhead with a 450-kilogram [992 pound] payload."

"Considering the MTCR (missile technology control regime) restrictions, and given the fact that Turkey also seeks to export Bora, current specifications of the missile depict it as a reliable, combat-tested tactical asset," says Anadolu Agency.

Perhaps, though it is hard to know how successful the missile strike was without independent confirmation of its effectiveness. But what's interesting is how Turkey sees ballistic missiles as a must-have weapon in a region awash with missiles and regimes that aren't friendly to Ankara.

"Turkey's Middle Eastern doorstep has long been plagued by an arms race for ballistic missiles and weapons of mass destruction," Anadolu Agency explains. "Syria and Iran are formidable missile proliferators in this respect."

Turkey took advantage of the Syrian Civil War to occupy parts of northern Syria. Turkish troops and Turkish-supported Syrian rebels have created a buffer zone to keep Turkey's implacable enemy – the Kurdish rebels – at bay. This has resulted in clashes with Syrian government forces. The Syrian government has a huge arsenal of Soviet-supplied Scud missiles, as well as North Korean and Iranian ballistic missiles. Missile-rich Iran has criticized NATO missile defense radars stationed in Turkey.

The Anadolu Agency article also refers to Turkey being "surrounded by missile contingents across Crimea and Armenia." Which suggests that while relations between Turkey and Russia have warmed, Ankara is still mindful of the colossus on its northern frontier, as well as Armenia and its Russian-supplied Iskander missiles.

To add some hot sauce to an already volatile region, Greek media is reporting that Greece is within range of the Bora. This raises the prospect of an Aegean arms race if Greece feels compelled to acquire new weapons against its traditional rival Turkey.

Iraq: ISIL atrocities are over but where are missing Yazidis? (Al Jazeera) By Priyanka Gupta
July 14, 2019

It is going to be five years next month since the Islamic State of Iraq and the Levant (ISIL or ISIS) launched a mass killing campaign in northwest Iraq.

It is estimated that between 3,000 and 5,000 Yazidis were killed because of their religious beliefs. Many more are missing.

Earlier this year, UN teams began exhuming bodies from mass graves to identify the dead and gather evidence of ISIL atrocities for eventual trials. Forensic specialists are having trouble matching the samples with Yazidi survivors because they are scattered both in Iraq and abroad.

Some of the survivors are women who were sold into slavery. Many have lost their husbands and children, while others are unable to return home because of the trauma they suffered.

Turkish forces neutralize 68 terrorists in northern Iraq (TRT World)

July 14, 2019

Bodies of more terrorists have been found in northern Iraq, increasing the number of terrorists neutralised in Operation Claw to 68, the Turkish defence ministry said on Sunday.

On May 27, Turkey launched Operation Claw against the terrorist organization PKK in the Hakurk region of northern Iraq.

On Saturday, Turkey launched counter-terror Operation Claw-2 as a follow-up on the successfully ongoing Claw-1 operation in the Hakurk area which revealed new information on terrorist activity, according to the ministry.

Turkish authorities often use the word "neutralized" in statements to imply terrorists in question either surrendered or were killed or captured.

In its more than 30-year terror campaign against Turkey, the PKK – listed as a terrorist organization by Turkey, the US and the EU – has been responsible for the deaths of nearly 40,000 people, including many women and children.

In Iraq, minority children haunted by ghosts of IS captivity (Yahoo News) By Maya Gebeily

July 13, 2019

Brainwashed and broken, the Islamic State group's youngest victims are struggling to recover from years of jihadist captivity as they return to their own traumatised minority communities in Iraq.

Dozens of Yazidi and Turkmen children were rescued in recent months as IS's "caliphate", notorious for its use of child soldiers and "sex slaves", collapsed in Syria.

Many have been reunited with their families, but their mental recovery has been slowed by prolonged displacement, a lack of resources, and a milieu accustomed to fearing, not forgiving, IS members.

Lama, a 10-year-old Yazidi girl, has repeatedly threatened to stab herself or jump from a tall building in the few months since she returned to Iraq.

"I fear she'll never be like other Yazidi children," said her mother Nisrin, 34. All names in the family have been changed to protect their identities.

Lama has spent half her lifetime held by IS, who forced her to convert to Islam and speak Arabic instead of her native Kurdish.

During AFP's visit to her tent in the Khanke displacement camp in northwestern Iraq, Lama appeared engrossed in a mobile shooting game with her cousins Fadi and Karam, freed from IS around the same time.

Like the boys, Lama dressed in black and kept her hair short. The trio spoke Arabic to one another, switching to Kurdish when addressing her mother.

"They're still brainwashed. When they're bored, they start talking about how they wish they were back with Daesh (IS)," said Nisrin, saying no psychologist had visited them.

Virtually every generation coming of age in Iraq has been seared by conflict, presenting an "unprecedented" challenge, said Laila Ali of the UN children's agency.

UNICEF does not know exactly how many children IS recruited, how many returned or where they live.

It estimates that 1,324 children in total were abducted by armed actors in Iraq between January 2014 and December 2017, when Baghdad declared IS defeated, but expects the real number is higher. Of those freed over recent years, dozens live in orphanages or shelters in Baghdad, the former IS stronghold Mosul, and the Yazidi regions of Sheikhan and Sinjar.

Others accused of IS affiliation are in detention, with some access to psychosocial support in the form of religious re-education.

But the vast majority are growing up untracked and untreated in Iraq's camps, which host some 800,000 children.

"There are no child psychologists in Dohuk," said Nagham Hasan, a Yazidi gynaecologist who has become an informal therapist for survivors amid the lack of resources.

The rolling hills of Dohuk are dotted with camps hosting hundreds of thousands of Iraqis displaced by IS, particularly from the Yazidi heartland of Sinjar further south.

Displaced families rely on aid groups for food and medical care, and there are even schools in the camps for children. But targeted psychological support for minors is hard to come by.

Hasan said a dozen groups were implementing generic psychosocial programmes in camps with few results.

Yazidi cleric Baba Shawish demanded international agencies ramp up services.

"These organisations claim to provide mental support, but do you really think someone who spent five years under Daesh will be cured in five minutes?" he said.

"They need days and months to be rehabilitated."

Forced recruits will need tailored treatments based on age, said Mia Bloom, a US-based academic studying child soldiers.

Abducted infants may be more easily rehabilitated as they have fewer memories of life under IS, while those taken as teenagers "have pre-conflict memories and can go back to their happy childhoods", she told AFP.

But those recruited during formative years, like Lama and Fadi, were taught to despise minorities and may lack any positive recollections of their hometowns.

"They need to have their religious identities recharged," said Bloom.

That will require some heavy lifting from the communities themselves, still terrorised by IS and often treating rescued children as jihadists-in-wait.

To counter that assumption, UNICEF hosts workshops with religious and tribal leaders to reiterate that the children are, first and foremost, victims of IS. "One of the biggest challenges in rehabilitation and reintegration of children with perceived affiliations is not so much the children's experiences, but the negative perception from the adults around them," said Ali.

Five years after IS's rampage across a third of the country, minorities are mostly facing the demons haunting their young ones alone.

Nisrin, herself held by IS for two years, said she was self-medicating to cope with her anxiety. "We're in this tent together day and night," she said.

"If they were taken out for a few hours per day, I could rest and they could learn something."

Iran Launches Strikes in Iraq and Responds to Israel's Threat As It Vows to Defend Itself Against Any Attack (Newsweek) By Tom O'Connor

July 12, 2019

Iran has conducted strikes against targets in neighboring and responded to a recent threat from Israel as the Islamic Republic's armed forces vowed to defend their country's borders.

The Revolutionary Guards announced Friday that they conducted strikes against anti-Iranian government insurgents operating along the Iraqi border in the Kurdistan region. The move came after such groups, potentially Kurdish separatists, clashed with Iranian troops in the north and northwest in recent days, killing three.

Iran's semi-official Press TV outlet shared footage that appeared to show Iran's domestically-produced Mohajer M-6 drone as well as various howitzers and short-range missile systems striking targets. The Revolutionary Guards called on the people of Iraqi Kurdistan to avoid militant strongholds so as not to be used as human shields and warned that the recent strikes followed repeated warnings to Iraq's regional Kurdish government.

"As asserted several times, the national security and preserving the Iranian nation's calm and peace of mind, particularly for the dear and gallant people of the border provinces, is the red line of the country's Armed Forces, particularly the Islamic Revolution Guards Corps Ground Force," the Revolutionary Guards statement read, according to the semi-official Tasnim News Agency.

Though no timeframe was provided, the operation may have lasted more than a day as Ahmed Qadir, mayor of the northeastern Erbil village of Choman, told the Kurdish news outlet Rudaw on Thursday that "this shelling has taken place for two days in a row." He condemned the operation as an "indiscriminate" offensive, calling on Iran to "stop the shelling as soon as possible."

Like many countries in the region, Iran has complex ties with Kurdish groups, supporting some and opposing others. The head of one of the hostile organizations, Kurdistan Free Life Party (PJAK) co-chair Zilan Vejin, warned in May that her group would "not sit idly by" if war broke out between the U.S. and Iran and could "form a democratic front" in the event of a conflict. But she noted that she felt "Iran and the U.S. are fighting for their own interests," according to Kurdish outlet Rojnews.

U.S.-Iran tensions have worsened since President Donald Trump's decision to abandon the deal was based on his assertions that it did not do enough to stop Iran's funding for militant groups or ballistic missiles. His move was hailed by Israel, along with Saudi Arabia and the United Arab Emirates, but condemned by the agreement's other signatories, including China, the European Union, France, Germany, Russia and the United Kingdom.

Israeli Prime Minister Benjamin Netanyahu warned Tuesday that his F-35I Adir warplanes "can reach anywhere in the Middle East, including Iran and certainly Syria." In response, Iranian Defense Minister Amir Hatami stated Friday that "any enemy at any level intending to violate the sacred territorial integrity of the Islamic Republic of Iran will be met with a decisive and crushing blow that will instill regret," according to the country's official website.

Hatami also referenced earlier remarks made by Netanyahu at the Negev Nuclear Research Center, where the Israeli leader said "those who threaten to wipe us out, put themselves in a similar danger." Both Iranian and Israeli officials have long swapped such grave threats, but recent nuclear-fueled tensions have escalated to the point of crisis.

Israel is widely believed to possess nuclear weapons but has neither confirmed nor denied such an arsenal, while Iran has maintained that its own nuclear program was only for civil purposes. Still, Iran was hit with international sanctions only lifted by a 2015 deal that the United States left last year, leaving Tehran with minimal incentives to remain as new U.S. restrictions bound its economy and geopolitical frictions grew critical.

Around the anniversary of the U.S. exit in May, the White House began to warn of an alleged heightened threat posed by Tehran and its allies to Washington's interests in the Middle East and the Pentagon deployed additional assets to the region. Meanwhile, Iran has begun enriching uranium slightly beyond levels restricted in the 2015 deal.

Washington has also blamed Tehran for two series of attacks against oil tankers in the Gulf of Oman. Iran has dismissed the claims but shot down a U.S. Navy drone last month traveling within or near Iranian airspace, a move that nearly led Trump to consider, but ultimately cancel, launch strikes against the Islamic Republic. In the latest flare-up, the U.S. and the U.K. have reportedly accused the Revolutionary Guards of attempting to seize a U.K. vessel Wednesday, only to be turned back by a U.K. frigate escorting the ship.

The Revolutionary Guards denied the incident, but Iranian officials have continued to threaten retaliation for the seizure of an Iranian supertanker detained by authorities in U.K.-controlled Gibraltar, where the ship's captain and at least three other crewmembers have been arrested for attempting to transport oil to Syria, a violation of EU sanctions.

Iran and Syria have both denied this, but have argued that they were not subject to the EU's sanctions anyway. Trump and Netanyahu spoke Wednesday and condemned "Iran's malign actions," while Russia and China both called for calm.

[back to contents]

Syria

Russian-led assault in Syria leaves over 500 civilians dead: rights groups, rescuers (Reuters) By

Suleiman Al-Khalidi

July 6, 2019

At least 544 civilians have been killed and over 2,000 people injured since a Russian-led assault on the last rebel bastion in northwestern Syria began two months ago, rights groups and rescuers said on Saturday.

Russian jets joined the Syrian army on April 26 in the biggest offensive against parts of rebel-held Idlib province and adjoining northern Hama provinces in the biggest escalation in the war between Syrian President Bashar al Assad and his enemies since last summer.

The Syrian Network for Human Rights,(SNHR), which monitors casualties and briefs various UN agencies, said the 544 civilians killed in the hundreds of attacks carried out by Russian jets and the Syrian army include 130 children. Another 2,117 people have been injured.

“The Russian military and its Syrian ally are deliberately targeting civilians with a record number of medical facilities bombed,” Fadel Abdul Ghany, chairman of SNHR, told Reuters.

Russia and its Syrian army ally deny their jets hit indiscriminately civilian areas with cluster munitions and incendiary weapons, which residents in opposition areas say are meant to paralyze every-day life.

Moscow says its forces and the Syrian army are fending off terror attacks by al Qaeda militants whom they say hit populated, government-held areas, and it accuses rebels of wrecking a ceasefire deal agreed last year between Turkey and Russia.

Last month U.S.-based Human Rights Watch said the Russian-Syrian joint military operation had used cluster munitions and incendiary weapons in the attacks along with large air-dropped explosive weapons with wide-area effects in populated civilian areas, based on reports by first responders and witnesses.

Residents and rescuers say the two-month-old campaign has left dozens of villages and towns in ruins. According to the United Nations, at least 300,000 people have been forced to leave their homes for the safety of areas closer to the border with Turkey.

“Whole villages and towns have been emptied,” said Idlib-based Civil Defence spokesman Ahmad al Sheikho, saying it was the most destructive campaign against Idlib province since it completely fell to the opposition in the middle of 2015.

On Friday, 15 people, including children, were killed in the village of Mhambil in western Idlib province after Syrian army helicopters dropped barrel bombs on a civilian quarter, the civil defense group and witnesses said.

The heads of 11 major global humanitarian organizations warned at the end of last month that Idlib stood at the brink of disaster, with 3 million civilian lives at risk, including 1 million children.

“Too many have died already” and “even wars have laws” they declared, in the face of multiple attacks by government forces and their allies on hospitals, schools and markets,” the U.N.-endorsed statement said.

Last Thursday an aerial strike on Kafr Nabl hospital made it the 30th facility to be bombed during the campaign, leaving hundreds of thousands with no medical access, according to aid groups.

“To have these medical facilities bombed and put out of service in less than two months is no accident. Let’s call this by what it is, a war crime,” Dr. Khaula Sawah, vice president of the U.S.-based Union of Medical Care and Relief Organizations, which provides aid in the northwest, said in a statement.

Over 100 fighters killed in clashes in northwest Syria since Wednesday (France24)

July 12, 2019

More than 100 have been killed since Wednesday evening in fierce clashes between regime troops and jihad-dominated forces in northwestern Syria, reported the Syrian Observatory for Human Rights (OSDH).

Violence has centered on Idlib as it is the jihadist group’s last remaining bastion in Syria.

There has been a dramatic rise in the death toll in recent days, with 13 civilians including three children also killed.

Despite a truce, Russian and regime aircraft have increased their aerial bombardments of the region which has been occupied by the Hayat Tahrir al-Sham jihadist group (HTS), as well as other rebel and jihadist factions.

UN Secretary General Antonio Guterres strongly condemned these air strikes.

FRANCE 24's expert on jihadist groups Wassim Nasr says that the latest attacks were retaliation for a rebel-led attack to re-take the strategic village of Hamameyat and a hilltop that had been under Syrian army control until Wednesday, when the battle commenced.

"This was the beginning of this rebel and jihadist offensive. They were able to overrun the army there. But then, this morning [Friday] at dawn, the army succeeded in taking back the hill. The rebels lost many fighters, the jihadists lost many fighters, but the Assad army also lost many fighters in this battle."

Over 300 dead found in latest mass grave discovered in Raqqa, Syria (CBC)

July 15, 2019

In an open field on the outskirts of the Syrian city of Raqqa, workers in black uniforms and red caps work under a scorching sun to dig up bodies from a large mass grave discovered last month.

They have so far unearthed 313 bodies from the grave since it was discovered, an official said. All of the dead are men, women and children believed to have been killed or died during the Islamic State in Iraq and Syria (ISIS) rule over the northern city, once the de facto capital of the extremist group's so-called Islamic caliphate and the site of atrocities committed by the group against residents who opposed its extremist ideology.

The group at the time commanded large swaths of territory in Syria and Iraq that it administered based on its own radical version of Islamic rule.

U.S.-backed Syrian forces retook Raqqa from ISIS in 2017 after a lengthy campaign that left the city in ruins. Since then, an organization known as the Civil Council of Raqqa has been working to uncover mass graves in and around the city, amid concerns about the preservation of bodies and evidence for possible war crimes trials.

International human rights groups say they are concerned that local groups are not getting the support they need in terms of forensic expertise and human resources.

Yasser al-Khamees, who leads a team of first responders, said workers have unearthed 4,760 bodies from a series of mass graves starting from January 2018.

The mass grave discovered in mid-June in al-Fukheikha agricultural fields south of the city is the latest grave located in and around Raqqa to date.

An Associated Press video showed workers on a recent day wearing surgical masks using shovels to dig up bodies from the field. Forensic workers then put the remains in white body bags, marking them with the date and location and other details.

Asaad Mohammed, a forensic worker, said workers were exhuming an average of 10 to 12 bodies each day.

"We inspect the body, identify the sex, age, time of death, cause of death. We take samples from each body and give it a number, we document it on official papers and then save the information on a computer database along with samples taken from this area," he said.

The bodies are then reburied in another plot of land outside the city.

Regime air strikes kill at least 11 civilians in Syria's de-escalation zone (TRT World)

July 16, 2019

The attacks targeted residential areas in the towns of Jisr al Shughur, Khan Shaykhun, Maar Shoreen, Hantooten and Ain al Bardeh in Idlib province, according to an Anadolu Agency correspondent on the ground.

At least 11 civilians were killed and 14 others injured in fresh regime air strikes in the de-escalation zones in northwestern Syria on Tuesday, a war monitor said.

Three children were among 10 civilians killed in the village of Maar Shureen in the south of Idlib province, said the Syrian Observatory for Human Rights.

Regime forces have also been locked in battle with Daesh and allied rebels on the edges of the bastion, which is held by Syria's former Al Qaeda affiliate Hayat Tahrir al Sham, including the north of Hama province.

Turkey and Russia agreed last September to turn Idlib into a de-escalation zone in which acts of aggression are expressly prohibited.

The Syrian regime, however, has consistently broken the terms of the ceasefire, launching frequent attacks inside the de-escalation zone.

A buffer zone planned under that accord was never fully implemented, and the region has seen an uptick in violence.

Syria has only just begun to emerge from a devastating conflict that began in early 2011 when Bashar al Assad's regime cracked down on demonstrators with unexpected severity.

Syria's war has killed a total of more than 370,000 people and displaced millions since it started in 2011 with a brutal crackdown on anti-government protests.

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

Yemen

UK ministers challenge court ruling on Saudi Arabia arms sales (The Guardian) By Dan Sabbagh
July 8, 2019

Ministers have asked the courts to set aside a landmark ruling that British arms sales to Saudi Arabia are unlawful, a legal manoeuvre that prompted Jeremy Corbyn to accuse the Conservatives of prioritising military exports over civilian lives.

The government has applied for a stay of last month's judgment pending an appeal, according to Campaign Against Arms Trade, which is fighting the case, at a time when conflict between the Saudis and Houthi rebels in Yemen has intensified.

That appears to contradict assurances given to MPs by Liam Fox, the international trade secretary, that Saudi arms sales would be halted after the ruling pending a review. At the time, 57 export licences were under consideration.

Corbyn said: "This makes a mockery of their own commitment to halt all new sales while a review takes place into civilian casualties. Nothing could be clearer: the government's priority is to sell arms, not to protect the rights and lives of Yemeni people."

Thousands of civilians have been killed since the civil war in Yemen began in March 2015. Indiscriminate bombing by a Saudi-led coalition is blamed for about two-thirds of the 11,700 civilian deaths in direct attacks.

At the time of the ruling, Fox told MPs that while the government considered the implications, "we will not grant any new licences for export to Saudi Arabia and its coalition partners which might be used in the conflict in Yemen".

Andrew Smith of Campaign Against Arms Trade said he believed a stay could be used to allow sales to continue. "The court found that the government acted irrationally and unlawfully in allowing these arms sales. If a stay is granted then it will result in more unlawful arms sales and more atrocities."

The Department for International Trade said it was not going to grant any new export licences to Saudi Arabia which could be used in Yemen in the light of the court of appeal judgment, although existing export licences are unaffected. But a spokesman added it was seeking to overturn the ruling: "We disagree with the judgment and will be seeking permission to appeal."

British arms that could be used in Yemen by the Saudis have to be signed off by the foreign secretary and the international trade secretary before a licence can be granted. Since the war began, the UK has sold at least £4.7bn-worth of arms to Riyadh. Last month's judgment by the court of appeal held that the foreign secretary, Jeremy Hunt, his predecessor and leadership

rival Boris Johnson, and Fox had illegally signed off on Saudi arms exports because they failed to properly assess the risk to Yemeni civilians.

Three judges held that ministers had “made no concluded assessments of whether the Saudi-led coalition had committed violations of international humanitarian law in the past, during the Yemen conflict, and made no attempt to do so”.

Last month, it emerged that Johnson had recommended that the UK allow Saudi Arabia to buy bomb parts expected to be deployed in Yemen in 2016, days after an airstrike on a potato factory had killed 14 people.

Lawyers for the government have asked the court of appeal for leave to take the case to the supreme court and to set aside the existing judgment until the appeal process is exhausted.

On Friday, Corbyn and the Westminster leaders of four other parties – the SNP’s Ian Blackford, the Lib Dems’ Vince Cable, Liz Saville Roberts of Plaid Cymru and Caroline Lucas from the Greens – called on Hunt and Johnson to hold a parliamentary or public inquiry into how the arms sales have been allowed to continue.

There are signs that some involved in the Yemen conflict are eager to escape a conflict that has become a quagmire, described by the UN as causing the world’s worst humanitarian crisis. In the past days, it emerged that a key Saudi ally, the UAE, has quietly begun pulling out its forces as western opposition grows.

UN drafts 'list of shame' over child deaths in Yemen (Dhaka Tribune)

July 13, 2019

An upcoming UN report featuring a blacklist of child rights violators is expected to refrain from toughening criticism of the Saudi-led coalition fighting in Yemen despite a bus bombing last year that killed scores of children, according to diplomats.

UN Secretary-General Antonio Guterres is due to release the annual list of shame later this month ahead of a Security Council meeting on children and armed conflicts scheduled for August 2.

The coalition was put on the UN blacklist in 2016 and later removed after Saudi Arabia reacted furiously, threatening to cut funding to UN programs.

To appease Riyadh, the United Nations split the list into two sections in 2017 and put the coalition on "Section B" -- which highlights efforts by the Saudi-led group to avoid killing and maiming children in Yemen.

According to diplomats with knowledge of the report, Guterres has received a draft recommendation from his UN envoy who determined that the coalition should remain on the separate section of the list that recognizes measures taken to avoid targeting children.

This recommendation comes after 40 children were killed in August last year when their bus was attacked in Saada governorate. The coalition admitted that "mistakes" were made in targeting.

The UN envoy for children and armed conflict, Virginia Gamba, also recommended that the armed forces of Myanmar, Syria and South Sudan be moved to the sub-section of the list to recognize measures that they have taken to protect children, according to the diplomats.

It remains unclear if Guterres will endorse the recommendations of his envoy in his final report, but rights groups expressed dismay.

"Secretary-General Guterres should not mince words when it comes to calling out the perpetrators behind these crimes and must put all violators on a single 'list of shame'," said Adrienne Lapar, program director at Watchlist on Children and Conflict, a coalition of NGOs.

"As long as Saudi- and Emirati-led airstrikes keep killing and maiming children in Yemen, the coalition doesn't deserve any praise for its empty promises to protect them," she said.

"In 2018 and into 2019, the Saudi-led coalition continued to carry out well-documented attacks on schools and hospitals, as well as other grave violations against children in Yemen," said Louis Charbonneau, UN director for Human Rights Watch.

The coalition "should not receive undeserved praise through inclusion in section B" of the list of shame, he added.

A spokesperson from Gamba's office declined to comment, saying the final report had yet to be published.

Gamba reported to the Security Council in April that the number of verified rights violations against children in Yemen was "staggering," blaming the coalition and the Huthi rebels for the violence.

More than 3,000 children have been recruited as child soldiers and at least 7,500 children have been killed or maimed between April 2013 and the end of 2018.

The UN has verified 350 attacks against schools and hospitals in Yemen during that period, she said.

The coalition intervened in Yemen in March 2015 to back the internationally-recognized government against the Iran-aligned Huthis, escalating a war that has led to the world's worst humanitarian crisis, according to the UN.

Saudi forces intercept Yemeni rebel drones targeting cities (AP News)

July 16, 2019

Saudi Arabia's air force intercepted and destroyed three Yemeni rebel drones before they could reach targets in the southern Saudi cities of Jizan and Abha, a military spokesman said Tuesday.

Col. Tukri al-Maliki was quoted in the state-run Saudi Press Agency saying the drones were launched by the Iran-backed rebel Houthis from the northern Yemeni governorate of Amran. Bomb-laden drones launched by Houthis killed a civilian and wounded others at a Saudi airport in Abha in recent weeks.

A Saudi-led coalition allied with Yemen's government has been at war with the Houthis since 2015. The fighting has killed tens of thousands of people.

A Yemeni human rights group released a report Tuesday detailing how civilians have suffered greatly in the war.

In the report released in Paris, Mwatana for Human Rights said humanitarian aid had been blocked at a time of impending famine and civilians can no longer move around the country freely or leave. The group documented 74 cases of obstructing aid or access, largely blaming the Houthis.

The group said Saudi coalition airstrikes have targeted schools and hospitals while Houthi forces and coalition proxy forces have tortured and arbitrarily detained dozens.

It said it documented around 150 Saudi-led coalition airstrikes in 11 governorates in 2018 that killed at least 375 civilians, including 165 children, and wounded 427 others, including 172 children.

The report was based on more than 2,000 interviews with Yemenis. The group documented 52 cases of land mines wounding civilians and 150 coalition airstrikes, together killing at least 435 people.

Child soldiers used in Yemen civil war, report says (Deutsche Welle)

July 16, 2019

More than 1,000 Yemeni children have been forced to fight in the civil war, the Yemen based NGO "Mwatana for Human Rights" has said.

The organization's annual report, which they presented on Tuesday in Paris, detailed how 1,117 children as young as 17 had been recruited by military groups in 2018.

The Ansar Allah — the official name of the Houthi rebels — the group said, were responsible for the majority of the use of children in the battlefield.

The children are used "by every group in the conflict to fight, guard checkpoints, and to provide logistical support to the military," the report said. The Houthi rebel group, which is backed by Iran and the terrorist group Hezbollah, is responsible for 72% of child soldier use. But the Saudi-backed Yemeni government has also used child soldiers in 11% of cases identified in the report.

"The warring parties are undermining Yemeni civilian and civic life every day this war continues," Radhya Al Mutawakel, chairperson of Mwatana for Human Rights, said. "Civilians are drowning in agony while states hesitate to take urgently needed action, like ending military support to warring parties and supporting accountability."

The report, titled "Withering Life: The Human Rights Situation in Yemen 2018," was based on over 2,000 interviews with Yemenis carried out in 2018 and 2019.

Mwatana also documented high use of mines by the Houthis in particular. They highlighted 52 landmine explosions in 2018, which killed at least 60 civilians across the country.

The coalition of Saudi Arabia and the UAE, which the organization Human Rights Watch has accused of war crimes, carried out at least 150 airstrikes across Yemen, the report said. At least 375 Yemenis, among them 165 children, have been killed in the strikes.

European states such as the UK, France and Germany have been under increasing pressure to stop approving defense exports to Saudi Arabia, the senior coalition partner. Germany has approved over €1 billion of defense exports to the country this year, despite export restrictions being in place.

"The longer states wait to hold Saudi, Emirati and Yemeni war criminals — on both the Houthi and Hadi sides — accountable, the more difficult it will be to rebuild Yemen," Al Mutawakal said.

Yemen has been locked in a civil war since 2012. A coalition of Saudi Arabia and the United Arab Emirates intervened in 2015 to drive out the Houthis, who had taken the capital Sanaa. The Houthis are backed by the Iranian government and Hezbollah.

The UN has since declared it the worst humanitarian crisis in the world. More than 70,000 people have been killed in the conflict, according to human rights groups, and five million children face famine.

UAE says reducing troops in war-torn Yemen (France 24)

July 8, 2019

The United Arab Emirates said Monday it was redeploying and reducing troops across war-torn Yemen and moving from a "military-first" strategy to a "peace-first" plan.

The UAE is a key partner in a Saudi-led military coalition which intervened in Yemen in 2015 to back the internationally recognised government of President Abedrabbo Mansour Hadi against Iran-aligned Huthi rebels.

"We do have troop levels that are down for reasons that are strategic in (the Red Sea city of) Hodeida and reasons that are tactical" in other parts of the country, a senior UAE official, who requested anonymity, told reporters.

"It is very much to do with moving from what I would call a military-first strategy to a peace-first strategy, and this is I think what we are doing."

The official however reiterated the UAE's commitment to the Yemeni government and the Saudi-led coalition, saying discussions on redeployment have been ongoing for more than a year.

"This is not really a last-minute decision. This is part of the process and naturally a process within the coalition that's been discussed extensively with our partners, the Saudis," he said.

According to a Yemeni military government official, UAE troops fighting the Huthis have "totally vacated" the military base in Khokha, about 130 kilometres (80 miles) south of Hodeida.

The UAE withdrew part of its heavy artillery from Khokha but was -- along with the Saudi-led coalition and the government -- still overseeing the military situation in Yemen's western coast, he said on Monday.

Middle East expert James Dorsey has said a redeployment reflects "long-standing subtle differences" in the Saudi and UAE approaches towards Yemen.

The pullback "highlights the UAE's long-standing concern for its international standing amid mounting criticism of the civilian toll of the war", he has said.

Tens of thousands of people, many of them civilians, have been killed in Yemen since the Saudi-led coalition intervened in March 2015, relief agencies say.

The fighting has triggered what the United Nations describes as the world's worst humanitarian crisis, with millions of people displaced and in need of aid.

In March 2018, rights group Amnesty International accused Western countries of supplying arms to Riyadh and its allies, who could stand guilty of war crimes in Yemen.

And in August last year a UN expert mission concluded that all warring parties had potentially committed "war crimes".

According to Dorsey with the pullback "the UAE may allow differences with Saudi Arabia to become more visible but will not put its alliance with the kingdom at risk".

Furthermore, Emirati-trained local troops will "continue to do its (UAE) bidding" on the ground, he said.

The Yemeni official told AFP the UAE has trained tens of thousands of Yemenis to fight against jihadists from Al-Qaeda in the Arabian Peninsula and the Islamic State group in southern provinces -- mainly Aden, Mukalla and Shabwa.

The UAE announcement comes amid a standoff between the United States and Iran, which spikes in June when Iran shot down a US drone over strategic Gulf waters following a series of tanker attacks that Washington blamed on Iran, which denied involvement.

The UAE official said the Emirates' redeployment decision was not linked to the increase of regional tensions but it was not "blind to the overall geostrategic picture".

The official stressed the redeployment was in line with the agreement reached in Sweden in December between Yemen's warring parties.

US-ally Saudi Arabia has repeatedly accused Iran of supplying sophisticated weapons to Huthi rebels, a charge Tehran denies.

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

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

UN official devises blueprint for Israeli accountability (Al Jazeera) By James Reinl
July 11, 2019

A United Nations investigator is drafting a series of steps the international community can take to deter Israel from building more settlements in the occupied West Bank and any efforts to formally annex the Palestinian territory.

Michael Lynk, an independent UN researcher, said the European Union (EU) and some world powers should consider cutting economic, political and cultural ties with Israel in support of the Palestinian quest for statehood.

"The international community has to look at the available menu of countermeasures that is commonly used to a wide range of countries involving gross human rights violations and has to decide what are the appropriate ones to consider to use with respect to Israel," Lynk told Al Jazeera.

"The international community actually holds a lot of cards with Israel, and it has to say to Israel: 'Your membership or privileges through bilateral or multilateral agreements with respect to your economy, political and cultural relationships are all going to be called into question and reviewed unless you show genuine attempts to unwind and undo the occupation'."

The continued expansion of Israeli settlements in the occupied territories is a hurdle to a future Palestinian state. Palestinians

say peace with Israel can be achieved if they are given control of the occupied West Bank, Gaza Strip as well as occupied East Jerusalem.

Lynk is on a week-long trip to meet Israeli and Palestinian officials and activists in Jordanian capital Amman to carry out research for a report he will submit to the UN's Geneva-based Human Rights Council in October.

Lynk was holding meetings in Jordan because, as on previous visits, he was not granted access by Israeli officials.

He is the UN's special rapporteur on the situation of human rights in the Palestinian territory, meaning he probes the issue and publishes reports. In the past, his conclusions have been heavily criticised by the United States and Israel.

Lynk's recommendations are not legally-binding. While his requests may seem overly ambitious, Palestinian activists could well see them as a useful alternative to a formal peace process that has largely ground to a halt.

Israel's mission to the UN did not immediately respond to Al Jazeera's request for comment.

Speaking by phone from the Jordanian capital, Lynk told Al Jazeera that UN members should consider everything from cutting cultural ties with Israel to suspending its membership of the world body.

He emphasised the role of the EU, which accounts for some 40 percent of Israel's external trade and could make the flow of Israeli goods and services to the 28-nation bloc contingent on policy shifts that help Palestinians.

The Canadian law professor also focussed on two UN-backed mechanisms designed to hold Israel accountable for human rights violations that appear to have ground to a halt under pressure from the US and Israel, he said.

Firstly, Lynk called for the speedy publication of a long-awaited blacklist of Israeli and international companies that profit from operations in Israeli settlements in the occupied West Bank, which has been drawn up by the UN's human rights apparatus in Geneva.

Secondly, he urged prosecutors at the International Criminal Court (ICC) in The Hague to hasten its preliminary investigation of allegations of rights abuses by Israel and Hamas on Palestinian territory, which began in 2015.

"Unless there is international pressure on Israel to do the right thing, Israel will continue to deepen and further entrench the occupation," Lynk told Al Jazeera.

"I don't know what the international community needs to come to the realisation that Israel is not going to unwind the occupation and permit Palestinian self-determination all on its own."

Israel captured the West Bank in 1967 war. Its settlements are illegal under international law. Palestinians deem the outposts, and the military presence needed to protect them, to be obstacles to their goal of establishing a state. Israel disputes this.

In April, Israeli Prime Minister Benjamin Netanyahu made a pre-election promise to voters that he would annex Israeli settlements in the occupied West Bank if he won another term in office - a move that is increasingly discussed by Israeli politicians.

His rhetoric was backed by US ambassador to Israel, David Friedman, who said that Israel has the right to annex at least "some" of the occupied West Bank.

According to Lynk, Israelis are confident because of support from US President Donald Trump, who has recognised Jerusalem as the capital of Israel, moved the US embassy there, and recognised Israeli sovereignty over the occupied Golan Heights.

Last month, a US-led conference in Bahrain designed to drum up investment in the Palestinian economy and pave a path to peace with Israel came under criticism, as no official delegation from either of the two parties attended.

Palestinians have rejected the US peace plan dubbed "deal of the century" - the terms of which have yet to be made public - saying they were not consulted.

That US peace initiative, hatched by Trump's senior adviser and son-in-law Jared Kushner, is "on life support", said Lynk.

"We're waiting to see what the Americans, presumably in November, will do ... but unless the political part of the American peace plan adheres to a rights-based approach and international law, I think the plan is going to be dead on arrival and rejected," Lynk told Al Jazeera.

Amnesty urges TripAdvisor staff to act against Israeli settlement complicity (Middle East Monitor)

July 11, 2019

Amnesty International is urging TripAdvisor employees "to use their power to demand that their company stops profiting from war crimes by listing tourist attractions and properties in illegal Israeli settlements across the Occupied Palestinian Territories (OPT)".

According to a press release from the international human rights group on Monday, Amnesty has addressed TripAdvisor staff in an open letter, highlighting the way in which "the settlements have had a devastating impact on the human rights of Palestinians".

"Tens of thousands of homes" have been "demolished and large numbers of Palestinians forcibly displaced to make way for their [the settlements] construction, in flagrant violation of international law, since Israel's occupation of the West Bank, including East Jerusalem, in 1967," Amnesty added.

In January, Amnesty International published "Destination: Occupation", "an investigation into the way online booking companies are driving tourism to illegal Israeli settlements and contributing to their expansion, maintenance, and normalization."

The report concluded that TripAdvisor "lists more than 70 different attractions, tours, restaurants, cafes, hotels and rental apartments in settlements across the OPT."

The new open letter was shared with TripAdvisor staff follows the company's response to the January report, in which it suggested "that the company had no responsibility to stop advertising activities in or with Israeli settlements or other listings that violate international law".

According to Mark Dummett, head of Business and Human Rights at Amnesty, "Israel's policy of settling Israeli citizens on stolen Palestinian land in occupied territory is a war crime."

"By promoting tourism in these illegal settlements, TripAdvisor is helping boost their economies and contributing to the immense suffering of Palestinians who have been uprooted from their land, had their homes destroyed and their natural resources plundered for settlement use."

Amnesty, which has long documented the impact of illegal settlements, highlighted that the very existence of the colonies has mean the imposition of "a system of institutionalized discrimination and human rights violations against Palestinians making their daily lives a struggle".

"We urge everyone working for TripAdvisor to stand up for human rights and join us in demanding that the company removes all its listings in settlements and of settlement-related attractions in the OPT," Amnesty concluded. "War crimes are not a tourist attraction."

Israeli forces kill 16 Palestinian children in first half of 2019 (DAILY SABAH)

July 11, 2019

Israeli occupation forces killed 16 Palestinian children and injured 1,223 in the blockaded Gaza Strip in the first half of this year, according to a Palestinian human rights group.

According to a report released by the Al-Mezan Center for Human Rights, hundreds of Palestinian children have been subjected to Israeli violence since the Great March of Return started last year, when hundreds of thousands of Palestinian demonstrators converged on the buffer zone separating Gaza from Israel. During the same period, 17 children were detained by Israeli forces during protests. The report also revealed that there has been an increase in the number of Palestinian children killed and injured by Israeli forces, while pointing out the ongoing systematic violations of human rights in the Gaza Strip.

In a press release last year, the Defense for Children International-Palestine, which advocates for the rights of Palestinian children in the Israeli-occupied Palestinian territories, asserted earlier that Israeli forces had deliberately killed minors with live ammunition. Israel has responded to the rallies, still held every Friday, with deadly force, killing more than 220 Palestinians and injuring thousands more. Israel was criticized by a U.N. human rights body for its killing of protesters in Gaza and for its treatment of Palestinians, declaring it a "war crime" under the Statute of Rome. The high casualty toll triggered a diplomatic backlash against Israel and new charges of excessive use of force against unarmed protesters.

Israeli violence has continued amid years of diplomatic paralysis, diminishing hopes for peace and escalating Palestinian frustration with the policies of U.S. President Donald Trump. Roughly 10,000 children have been detained by Israeli security

forces since 2000 and subjected to military court proceedings. International human rights groups have heavily criticized Israel's handling of Palestinian teen hero Ahed Tamimi, placing under scrutiny the Israeli military court system that Palestinian youth face in the West Bank. Tamimi was freed after an eight-month detention, but some 270 Palestinian children continue to be imprisoned and are subjected to poor treatment by Israeli jailers. According to a report released last July by the Palestinian Prisoners Center for Studies, there was a 30 percent increase in the number of children arrested when compared to the same period in 2017 when 380 children were arrested by Israeli forces.

Palestinian child shot in head during West Bank clashes: ministry (YAHOO! and AFP)

July 12, 2019

A Palestinian child was seriously wounded Friday during clashes between Israeli forces and protesters in the occupied West Bank, the Palestinian health ministry and official media said.

In a statement the ministry said the child was in the operating room in a "critical condition, after being shot in the head with live ammunition".

Official news agency Wafa named him as Abdelrahman Shteiwi, saying he was 10 years old and was wounded during clashes in Kafr Qaddum near Nablus in the northern West Bank.

It said he had been shot by Israeli live fire in the head, while other reports said it was a rubber-coated bullet.

Residents of Kafr Qaddum regularly protest against the Israeli closure of a nearby road.

An eyewitness accused the Israeli army of using unusually violent tactics to break up Friday's protest.

A spokeswoman for the Israeli army said around 60 people took part in a "riot."

"The rioters burned tires and hurled rocks toward IDF troops. In response, the troops used riot dispersal means," she said.

She added reports of a Palestinian being injured were being "looked into".

Meanwhile, at least 33 Palestinians were shot and wounded during weekly demonstrations and clashes Friday along the Gaza-Israel border, according to the Hamas-run health ministry in the coastal enclave.

Seven-year old Palestinian child killed by Israeli settler in hit-and-run (International Middle East Media Center)

July 16, 2019

A Palestinian child who was riding his bicycle near his village in the southern part of the West Bank was hit by an unknown Israeli settler and killed on Monday.

Tariq Zebania, 7 years old, was from Tarqumia, west of Hebron, and was riding his bicycle by the settlement road near his town. He was struck by a car driven by an Israeli settler who headed into the 'Adhoura' settlement after hitting the boy.

Eyewitnesses called the Israeli security forces, who sent a military ambulance to transport the child to an Israeli hospital, where he was pronounced dead from his injuries.

Local sources report that no efforts were made by the Israeli authorities to apprehend the driver who killed the boy.

Israeli settler runs over, kills Palestinian boy in West Bank (PressTV)

July 16, 2019

A Palestinian child has lost his life after being run over by an Israeli settler in the occupied West Bank.

According to Palestinian Information Center, the hit-and-run took place near the settlement of Adora, west of al-Khalil (Hebron) city, leaving 7-year-old Tareq Zabania dead on Monday night.

The boy was riding a bicycle when he was run over by the settler, who fled the scene.

He was later transferred to a hospital, where he was pronounced dead.

Such hit-and-run incidents against Palestinians are frequent, with most of them going uninvestigated by Israeli authorities.

In February, the United Nations said acts of violence and vandalism committed by Israeli settlers against Palestinians and their property had risen since the beginning of the year 2019.

About 600,000 Israelis live in over 230 illegal settlements built since the 1967 occupation of the Palestinian territories of the West Bank and East Jerusalem al-Quds.

Meanwhile, Palestinian media outlets reported that Nassar Taqatqa, 31, died in solitary confinement in the Israeli prison of Nitzan on Tuesday morning amid reports that the inmates are subjected to medical negligence and torture in the regime's jails.

Taqatqa was arrested at his home in Bethlehem last month and had not been convicted.

The prisoners and ex-prisoner affairs committee held the Israeli authorities fully responsible for his death.

Some 7,000 Palestinians are currently behind bars in 17 Israeli prisons and detention centers, according to reports.

More than 400 Palestinians are being held without trial under so-called administrative detention, which is a policy according to which Palestinian inmates are kept in Israeli detention facilities without trial or charge. Some Palestinian prisoners have been held in administrative detention for up to 11 years.

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

Gulf Region

Libya's Tripoli Government Blames U.A.E. for Deadly Airstrike (The Wall Street Journal) By Jared Malsin and Amira El-Fekki
July 4, 2019

Libya's United Nations-backed government blamed the United Arab Emirates for an airstrike that killed more than 50 people in Tripoli this week, suggesting a new level of foreign intervention in the battle for the capital.

The U.A.E. used an American-made F-16 jet fighter in the strike, said Interior Minister Fathi Bashagha of the Government of National Accord, citing an assessment of the sound of the warplane's engines and the size of the explosion.

"This was no ordinary bomb," he told The Wall Street Journal on Thursday.

Mr. Bashagha also suggested Egypt could have played a part. The plane may have used an Egyptian air base on the Mediterranean coast, if it didn't refuel in midair, he said, basing his conclusion on what he said were past airstrikes in Libya by the U.A.E.

A U.A.E. official and Egypt's military spokesman declined to comment on the GNA's statements.

Libya has emerged as a battleground for rival powers seeking dominance in the wider Middle East. Saudi Arabia, the U.A.E. and Egypt support Libyan militia leader Khalifa Haftar, who launched an assault on the capital in April, while Turkey backs the U.N.-backed government based in Tripoli.

The U.S. has backed the GNA since its creation by a U.N.-brokered agreement in 2015, but President Trump called Mr. Haftar in April and expressed support for a shared vision with the commander, creating ambiguity in the U.S. position on the conflict.

Turkey and the two Gulf powers are engaged in a regional struggle for power, backing opposing forces in Egypt, Somalia, and elsewhere in the Middle East and North Africa. Turkey has also deepened its alliance with Qatar since Saudi Arabia and the Emirates blockaded the Gulf nation in 2017. Qatar is also an ally of the U.N.-backed Libyan government.

The foreign powers have focused on providing weapons and other support, rather than getting directly involved in the conflict. An airstrike by the U.A.E. would be an escalation in the level of foreign intervention in the current battle for Tripoli.

The strike late Tuesday on a migrant detention center in Tripoli was the deadliest single attack in the country since the 2011 armed uprising that toppled the regime of Moammar Gadhafi. The U.N. has said the strike could amount to a war crime. The U.N. has raised the death toll to 53, after an initial estimate of around 44.

An expert on arms transfers to Libya cast doubt on the claim that the U.A.E. carried out the Tripoli airstrike.

"I highly doubt he could actually spot the type of aircraft. If it was an F-16, it would have probably used munitions that would be fired from a distance, so the aircraft wouldn't be over, or even near the target," said Oded Berkowitz, a security analyst at the Israel-based MAX consulting firm.

U.S. officials didn't respond to a request for comment on the allegations that a U.S.-made warplane was used in the attack.

The U.A.E. has provided air support to Mr. Haftar's forces in the past, according to a U.N. panel monitoring the international arms embargo on Libya. U.A.E. warplanes previously carried out strikes on Islamist militias in Libya in 2014.

The U.A.E., Saudi Arabia, and Egypt view Mr. Haftar as a bulwark against Islamist groups they regard as a source of political instability and a security threat.

Turkey, meanwhile, has stepped up support for the U.N.-backed government in Tripoli in recent months, sending armored vehicles and other weapons.

Mr. Haftar's attack on Tripoli crushed hopes for a negotiated solution between the two factions and triggered months of fighting that has killed hundreds of people and forced more than 80,000 to flee.

In the immediate aftermath of Tuesday's attack, the GNA blamed Mr. Haftar's forces, who denied responsibility.

A spokesman for Mr. Haftar's forces, Col. Ahmed Mismari, said at a news conference on Wednesday that the attack on the migrant center came 17 minutes after one of the militia's own airstrikes in the same area of Tripoli.

The accusation by the Libyan interior minister is the second time in a week that the U.A.E.'s role in the Libyan conflict has been thrust into the spotlight. Last week, the Tripoli government released images of American-made antitank missiles that had been captured from Mr. Haftar's forces.

The missiles bore markings indicating they had been sold to the U.A.E., the government said. The U.A.E. denied ownership of the missiles but didn't say whether they might have been transferred to another country.

Swiss prosecutor probes plane maker over Saudi, UAE business (The Washington Post)
July 12, 2019

Switzerland's federal prosecutor says it has opened a criminal investigation in connection with a Swiss airplane maker's sale of training aircraft to Saudi Arabia and the United Arab Emirates, whose militaries are involved in the war in Yemen.

The prosecutor's office did not specify any defendant but said the probe was linked to alleged violations of Swiss law governing private security services. It follows a report by Switzerland's department of foreign affairs last month about the Swiss aircraft manufacturer Pilatus Aircraft Ltd., amid department concerns that the company's operations qualified as "logistical support for armed forces."

The department also banned Pilatus from providing services to Saudi Arabia and the UAE linked to the PC-21 training aircraft, and ordered the company to pull out of the countries within 90 days.

Defying Trump, US House votes to block Saudi arms sales (Al Jazeera) By William Roberts
July 17, 2019

The United States House of Representatives on Wednesday approved three resolutions aimed at blocking President Donald Trump's planned sale of guided missiles and other weapons to Saudi Arabia, the United Arab Emirates (UAE) and Jordan.

The approval of the measures is another political rebuke of Trump's relationship with Saudi Arabia, which has drawn sharp criticism in Congress over human rights abuses and the mounting death toll from the war in Yemen.

Citing new military tensions with Iran in May, Trump used an "emergency" loophole in US arms control law to bypass Congress to complete the sale of more than eight billion dollars in weapons to Saudi Arabia, the UAE and Jordan. The move

circumvented US law that gives Congress the power to review major weapons sales.

Many politicians view Trump's claims of an emergency as exaggerated, pointing out that most of the weapons sales at issue could not be delivered for months, even years.

The House vote sends three of 22 joint resolutions of disapproval of already passed by the Senate to the president who is expected to veto the measures.

House Majority Leader Steny Hoyer, a Democrat, said the three specific resolutions were "most significant" because they would cancel contracts related to arms that could be used in the war in Yemen.

The three contracts relate to plans by US weapons-maker Raytheon to build a co-production plant in Saudi Arabia to assemble "Paveway" smart bombs, the type of laser and GPS-guided weapons that in 2018 destroyed a school bus in Yemen killing more than 40 boys.

"It's bad considering the Saudi war crimes in Yemen and the humanitarian crisis they are perpetuating through a blockade and air strikes on so many civilian targets," Hassan El-Tayyab, codirector of Just Foreign Policy, an advocacy group in Washington seeking to end the war in Yemen, told Al Jazeera.

"It's not a good thing for Yemen or the region or the national security interests of the US," El-Tayyab said.

Raytheon's agreement to co-produce hi-tech weapons in Saudi Arabia was reached in May 2017 during Trump's visit to Riyadh.

It is unclear whether Congress has enough votes to override a veto, but the controversy is a warning sign of potential trouble ahead in the US-Saudi relationship as the opposition to doing business with the kingdom grows.

Wednesday's vote against the weapons sales is the latest effort by Congress to express disapproval of US military support for Saudi Arabia since the murder of Saudi journalist Jamal Khashoggi in October 2018.

Khashoggi was killed after he entered the Saudi consulate in Istanbul, Turkey. According to reports, US intelligence agencies concluded that Saudi Crown Prince Mohammed bin Salman (MBS) ordered the murder, a conclusion Saudi officials deny.

On Monday, the House approved a measure that seeks to impose sanctions on officials involved in Khashoggi's murder.

Representatives also voted in favour of a bill that would condemn Saudi Arabia's detention and alleged abuse of women's rights activists.

House Democrats are also pushing an amendment to a major defence authorisation bill passed by the House and pending before the Senate that could force Trump's hand in ending US support for the Saudi war in Yemen.

In April, Trump vetoed a measure that sought to end US military involvement in the Saudi-UAE war in Yemen.

Senators on the Foreign Relations Committee have also approved a bill that would close the loophole Trump had used for Saudi Arabia.

Assistant Secretary of State R Clarke Cooper appeared before the House Foreign Affairs Committee in June to make the case for the weapons sales to Saudi Arabia.

He said Trump's weapon sales were necessary to reassure the US allies in the Gulf faced with Iranian aggression. Tensions between the US and Iran have intensified since Trump withdrew his country from the 2015 nuclear deal and reimposed sanctions on Tehran.

Cooper was met by hostile questioning from Democrats and some Republicans on the committee.

Citing "a disturbing pattern of destabilisation and terrorism" in the region, Representative Ilhan Omar, a Democrat, said, "Backing the Saudi government and Emiratis is backing war crimes and crimes against humanity. Providing them with arms is complicity."

[[back to contents](#)]

Afghanistan

Afghan War Crime Victims Appeal to Reverse ICC Judges' Decision (Journalists for Justice) By Nada Kiswanson and Fergal Gaynor
July 4, 2019

Eighty-two Afghan victims have appealed a recent decision by judges of the International Criminal Court that denied the ICC Prosecutor authorisation to open an investigation into crimes committed in Afghanistan over the past 15 years. It is the first time that the ICC Prosecutor has been denied authorisation to open an investigation, and the first time that victims have asked the ICC Appeals Chamber to authorize the commencement of an investigation. For the victims, the stakes could not be higher. They argued that the decision brought their quest for justice to an end – before the investigation had even begun – and was exceptionally detrimental to their well-recognised rights to truth, justice and reparation.

The victims submitted a notice of appeal to the Appeals Chamber as well as a request for leave to appeal to Pre-Trial Chamber II of the Court. The ICC Prosecutor has also filed a request for leave to appeal to the Pre-Trial Chamber.

The 82 appellants are victims of gruesome crimes involving anti-government groups such as the Taliban, as well as Afghan government forces, and United States forces. Afghanistan has endured violent conflict for more than 35 years. The United Nations has reported that more than 32,000 civilians were killed in the conflict between 2009 and 2018 alone, and that 'more civilians were killed in the Afghan conflict last year than at any time since records have been kept'. An ICC investigation, therefore, might at least deter these abhorrent crimes against civilians.

In 2017, the ICC Prosecutor determined that she had reached a reasonable basis to believe that war crimes and crimes against humanity had been committed against Afghans. The crimes include murder, torture, rape and sexual violence. The Prosecutor said that "[n]ear total impunity has been the rule, not the exception". ICC judges agreed that the relevant states were unwilling or unable to investigate and prosecute at a national level.

From the time that the Prosecutor requested permission from ICC judges to open an investigation, the court received 699 representation forms on behalf of 6,220 individuals, 1,690 families, several million victims including 26 villages, and one institution. In 680 of the 699 representations, the victims welcomed the prospect of an investigation.

After deliberating for almost three years, ICC judges ruled in April 2019 that, even though the crimes against the victims are of appalling gravity, the situation is admissible, and the court has jurisdiction, the investigation could not begin as it was "not feasible and doomed to failure". The judges pointed to the "scarce cooperation" obtained by the Prosecutor from various authorities during the preliminary examination and expressed doubt "that both relevant evidence and potential relevant suspects might still be available and within the reach" of the Prosecutor. The judges did not refer to specific incidents of non-cooperation.

Crimes allegedly committed by US personnel constitute a small slice of the total crimes under consideration, but attract most of the publicity. The decision not to begin an investigation in Afghanistan was issued shortly after expressions of hostility against the court by the US. The US revoked its visa issued to the ICC Prosecutor in April 2019. This followed threats by Secretary of State Mike Pompeo that ICC staff would be restricted from entering the country. "We're prepared to take additional steps, including economic sanctions, if the ICC does not change its course," Pompeo added.

An appeal gives the ICC Appeals Chamber an opportunity to reverse the decision and grant the Prosecutor permission to open an investigation. At the investigation and prosecution stages, states that are party to the ICC Statute, including European states involved in rendition cases connected to the Afghanistan conflict, have a duty to cooperate with the court. The court deals exclusively with crimes of the utmost seriousness – genocide, crimes against humanity, war crimes and aggression – that inevitably take place in great turmoil. Post-conflict environments are typically un conducive to investigation. But

international justice has a long memory, and detailed investigations carried out over years lead to results before international and hybrid (partly international) courts. The former Bosnian Serb President Radovan Karadzic, former Liberian president Charles Taylor, and former Khmer Rouge leaders Nuon Chea and Khieu Samphan, many years after their crimes, remind us that it is possible and worthwhile to pursue war criminals long after the pursuit might be deemed unfeasible and doomed to failure.

Why is Germany Putting an Afghan Man on Trial for War Crimes? (DW) By Lisa Hanel
July 5, 2019

A former Afghan military officer is on trial in Munich this week, accused of torturing captured fighters in late 2013 and early 2014. The 26-year-old allegedly mocked, defiled and desecrated the corpse of an enemy commander in front of civilians.

Since 2002, the International Criminal Code has been incorporated into the German legal system. It enables the German judiciary to lead prosecutions of certain crimes that violate international law, even if they were not committed on German soil. The most serious crimes that the law applies to are genocide, crimes against humanity, war crimes and crimes of aggression.

The German Federal Public Prosecutor handles these cases and the specialized War Crime Unit of the Federal Criminal Police Office (BKA) supports the lawyers working on the trials. The BKA unit is Germany's central body used to combat war crimes.

The first time the International Criminal Code was enforced in Germany was in 2011. Ignace Murwanashyaka, the former president of the Democratic Forces for the Liberation of Rwanda, and his aide, Straton Musoni, were tried before the Stuttgart Higher Regional Court. They faced charges of war crimes in the Democratic Republic of Congo (DRC). They were jailed for 13 and eight years respectively, but those sentences were later partially repealed. Murwanashyaka died in prison in April.

German authorities have increasingly turned to the International Criminal Code since 2015, when significant numbers of refugees began arriving in the country — including both victims and perpetrators of war crimes. A German parliamentary inquiry found that over the past five years, the BKA has received more than 5,000 leads to possible involvement in war crimes among asylum-seekers. Those suspected of involvement came from Syria, Afghanistan, Gambia and Iraq; of these, some 129 cases were investigated

Critics say that this number is too low, but international law expert Christoph Safferling disagrees. He believes it shows that Germany is doing "an incredible amount" in this area. "Germany is attending to this in a very systematic way. It is taken very seriously," he said, noting that so many cases are being brought before the Higher Regional Courts that these kinds of proceedings have become routine.

The fact that these cases focus on people who have arrived in Germany since 2015 has given investigators an advantage, as they are able to locate witnesses within the country. During the 2011 trial focusing on war crimes in the DRC, witnesses had to be flown in at high costs. Technological advancements have also provided investigators better access to evidence. In 2016, a man in the western German city Offenbach was found guilty of war crimes after he posted a photo on Facebook of himself posing next to the heads of two men impaled on metal bars in Syria.

Each year, the European Center for Constitutional and Human Rights (ECCHR), which provides legal support to war crimes victims, issues a report listing the largest cases being dealt with under the International Criminal Code.

In 2018 in Germany, there were 18 cases in which either an investigation was opened, a trial was initiated or judgments were handed down. The accused were often located within Germany when the indictment was issued. Such was the case for Syrians Anwar R. and Eyad A. when they were arrested in Berlin and Rhineland-Palatinate, respectively, in February. They are suspected of being former Syrian secret service agents who committed crimes such as torture and murder. The ECCHR is supporting the alleged victims of one of the detained agents.

Two Syrian men were arrested in Germany earlier this year on suspicion of war crimes "In Germany or Europe, the chances of an arrest are naturally greater," said Alexandra Lily Kather of ECCHR, though she noted that prosecuting these types of cases is not the primary purpose her organization. "Our stated goal is for the Federal Public Prosecutor to focus not only on those lower down the chain of command, but also on high-ranking perpetrators and to issue international arrest warrants against them."

Kather said that these warrants could one day prove important if the perpetrators enters another country, because then that suspect could potentially be extradited to Germany. But for the moment, said international law expert Safferling, German prosecutors prioritize cases that are directly connected to Germany, for example if there is a national security threat or the suspect resides within the country. Prosecuting these cases is not about not "acting like the world's police," he added.

Nevertheless, Safferling believes it is important to show that the International Criminal Code is being upheld in Germany,

because it sends an important signal that the country is not a safe haven for war criminals.

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

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

Khmer Rogue Leaders Appeal Their Convictions (NHK World) July 5, 2019

The last surviving leaders of the Khmer Rouge regime in Cambodia have appealed a court ruling that found them guilty of genocide.

A UN-backed special tribunal sentenced the two former leaders to life in prison in November last year.

92-year-old Nuon Chea was the right-hand man of the late Khmer Rouge leader Pol Pot. 87-year-old Khieu Samphan was the regime's head of state. Both were convicted of crimes against humanity, namely genocide and forced marriage. The defendants have appealed their convictions, saying the mistaken ruling infringed their rights.

The Khmer Rouge implemented an extreme form of communism during the 1970's. It is believed the regime killed at least 1.7 million people, one-fifth of Cambodia's population. Pol Pot died in 1998, but the special tribunal was set by the Cambodian government and the United Nations in 2006 to determine the culpability of other leaders. The defendant's appeal could prolong the trials. But an NHK reporter says some Cambodians doubt whether the trials should continue as considerable costs have already been incurred, and the people involved are nearing the end of their lives.

Khmer Rouge leaders consigned to dustbin of history (UCA News) By Luke Hunt

July 14, 2019

Twenty-five years ago, few thought the genocidal leaders of the Khmer Rouge would ever be tried for war crimes.

Pol Pot and his lieutenants lived freely in the remote northwest of Cambodia, indulged by the United Nations and Cold War allies and despised by survivors of their brutal regime.

Public opinion began to shift only after the last shots rang out at the end of 30 years of war and a transition to peace began, slowly at first with Cambodians haunted by their tragic past.

But the pace of normalization did pick up amid efforts to prosecute leaders of the barbaric regime, something that has accelerated in recent years.

As the Khmer Rouge tribunal winds down, how two million people were slaughtered or died of starvation, disease and overwork is no longer an allegation but rather a matter of record.

And a generation of Cambodians, not directly scarred by war, has emerged to help reshape the cultural landscape.

That Pol Pot's bitter legacy belongs in the history books and is no longer the stuff of daily life is among the subject matter that will be scrutinized at a landmark conference being held by the International Association of Genocide Scholars (IAGS) in Cambodian capital Phnom Penh this week.

Throughout the 1990s speculation was rife that political alliances and civil war would allow the Khmer Rouge hierarchy to live with impunity, denying justice for those who perished between April 1975 and January 1979 when Pol Pot had absolute control. But history's readout eventually revealed a far different picture.

Following the 1979 Vietnamese invasion of what was then called Democration Kampuchea, Pol Pot and his foreign minister

Ieng Sary were tried by a Hanoi-sponsored court for genocide and sentenced to death in absentia.

Those hearings lacked legal legitimacy, their convictions assured as Pol Pot's Vietnamese-appointed lawyer Hope Stevens even noted that her own clients were "criminally insane monsters."

She said she knew this because her own background as an African-American qualified her as an expert on "genocide, murder, rape, torture, mutilation, lynching and deprivation of human rights."

Legally it was a farce, but the evidence was overwhelming. Denise Alfonso, a former secretary at the French embassy, gave evidence of having witnessed cannibalism. "The condemned man was tied to a tree, his chest bare and a blindfold over his eyes," she testified. "Ta Sok the executioner, using a large knife, made a long cut in the stomach of the poor man."

She then testified that the man screamed like a wild beast: "His insides were all laid bare, and Ta Sok cut out the liver and cooked it on a little stove. They divided the liver among them and ate it hungrily."

Mass killings were well documented and Bun Sath, a political officer, told the court of the steady precision required to carry out the leadership's commands. Evenings were preferred because the streets were deserted. The prisoners were bound in pairs and bashed on the napes of their necks. "We began at 6 p.m. and continued until 9 p.m. or 10 p.m.," Bun Sath said.

Up to 300 people were killed in a session, day after day.

Despite the overwhelming evidence, Pol Pot and Ieng Sary would continue to snub global outrage until the Khmer Rouge finally capitulated to government forces in 1998, ending a drawn-out civil war. Senior KR leaders were again the focus of legal attention.

Seniority was defined by those who sat on the central and standing committees, responsible for drafting and implementing policies for the Communist Party of Kampuchea (CPK), and for most the end was humbling and in some cases gruesome.

Pol Pot cut a miserable figure, spending his last days under house arrest and dying in suspicious circumstances. His final humiliation was best summed-up by the Phnom Penh Post headline, noting his body was "Burnt Like Old Rubbish".

Ieng Sary became the only man in history to be charged with the "crime of crimes" twice, when he was again put in the dock for genocide by a U.N.-backed tribunal, the Extraordinary Chambers in the Courts of Cambodia (ECCC), which was established in 2003.

He escaped judgement day through death but his final years were spent behind bars while his wife Ieng Thirith was also jailed and died in custodial care after losing her mind.

Former head of state Khieu Samphan and Nuon Chea, known as Brother Number Two, are serving life sentences for genocide. Kaing Guek Eav, feared commandant of the S-21 torture and interrogation center, was convicted of crimes against humanity and will also die behind bars.

Among the others, army chief Ta Mok spent his last seven years in prison awaiting trial. Security chief Son Sen and his wife, the education minister Yun Yat, were arrested as spies and shot on Pol Pot's orders alongside 11 relatives. Their bodies were run over by trucks.

Only senior KR figure Ke Pauk died at home in his sleep, shortly before the ECCC was established.

Finding proper justice for those who died violently or through starvation and disease was always a difficult task but their miserable deaths and life prison sentences exposed the long-standing myth of Khmer Rouge invincibility.

It was only late last year that the ECCC delivered the guilty verdicts in the genocide trial, keenly sought by prosecutors and widely seen as a result that can lay the ghosts of the Khmer Rouge to rest and deliver some kind of closure for one of the great tragedies of the 20th century. Khmer Rouge history is on school curriculums, families torn apart by war have been reunited, memorials are planned along with a final cremation of millions of human bones scattered across the country, which as evidence for the ECCC have remained virtually untouched.

Adam Muller, first vice-president of IAGS, said the upcoming conference would be a first for Asia and focus on rethinking genocide studies and prevention with an emphasis on Cambodia, genocide justice and reparations.

"2019 marks the 40th anniversary of the fall of Cambodia's genocidal Khmer Rouge regime, making the timing of the conference all the more significant," he said.

These are lofty ideals to be thrashed out in a country that is finally normalizing with IAGS providing another milestone, two

generations after Cambodia lost a third of its population to a genocide.

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

Bangladesh International Crimes Tribunal

SC verdict on war criminal ATM Azharul any day (Dhaka Tribune) By Mizanur Rahman

July 20, 2019

The Appellate Division of the Supreme Court will deliver its judgment any day against war criminal and Jamaat leader ATM Azharul Islam.

The four-member bench of the Appellate Division, headed by Chief Justice Syed Mahmud Hossain, on Wednesday completed hearing of arguments from both the state and defense on an appeal, filed by Azharul challenging the International Crimes Tribunal (ICT) verdict that sentenced him to death.

On June 18, the Appellate Division started the hearing on the appeal filed the war criminal.

On December 30, 2014, ICT-1 gave Jamaat-e-Islami Assistant Secretary General ATM Azharul Islam a death sentence for his war crimes committed in Rangpur. He was found guilty on five of six charges.

Azhar filed his appeal on January 28, 2015.

Bangladesh: Relentless Justice – Analysis (Eurasia Review) By S. Binodkumar Singh

July 16, 2019

On June 27, 2019, the International Crimes Tribunal-1 (ICT-1) sentenced to death Mahbubur Rahman (69) for the murder of philanthropist Ranada Prasad Shaha, his son and 58 others during the 1971 Liberation War. The tribunal had framed three charges against Rahman on March 28, 2018, and the prosecution succeeded in proving the charges beyond any doubt. According to the first charge, Mahbubur, along with his father, brother and local Razakars (a prominent pro-Pakistan militia) and Pakistan Army men, raided the Kumudini Complex in the Mirzapur upazila (sub-District) of Tangail District on May 7, 1971, looking for Shaha. On not finding him, they humiliated doctors, nurses, teachers, students and employees there. They then attacked Hindu-dominated villages – Baimhati, Andhara and Sarishadair – and killed 33 Hindu men. The second charge was that Rahman, along with local Razakars and Pakistan Army men, raided Shaha's home at Khanpur village in Tangail District on May 7, 1971. From there, they abducted five persons – R.P. Shaha, his son, and three others – and took them to the Adamjee Burma Eastern Oil Depot. None of the persons abducted have since been traced. The third charge accused Mahbubur and the Razakars of abducting 24 Hindu civilians from Mirzapur on May 14, 1971. They were taken to Tangail Circuit House. 22 detainees were killed while two survived.

On April 24, 2019, ICT-1 handed down the death sentence for the Netrakona war crimes accused Hedayet Ullah Anju (80) and Sohrab Fakir (88). They were found guilty on all the six war crimes charges. Sohrab and Hedayet were jailed for 10 years for plundering, arson attacks and deporting Hindus from Modhukhali village in the Atpara upazila of Netrakona District on May 29, 1971. Sohrab and Hedayet were sentenced to death for murdering two villagers after torturing them in confinement, looting and setting fire to several houses in Mobarakpur village of Atpara upazila in Netrakona District on August 23, 1971. Separately both were handed death sentences for murdering Helim Talukder at Madan Dakhinpara village in Madan upzila of Netrakona District, on August 30, 1971. Sohrab was jailed for another 10 years for torturing Hamid Hossain of Madan Majpara village in Madan upzila of Netrakona District after abducting him on September 2, 1971. They got their third death sentences for committing genocide by killing seven Hindus in Sukhari village of Atpara upazila in Netrakona District after abducting and torturing them in confinement on September 3, 1971. Separately, both were jailed for another 10 years for setting Hindu houses ablaze and deporting them from Madan Dakhinpara village in Madan upzila of Netrakona District on September 6,

On March 28, 2019, ICT-1 sentenced Abdul Majid (70), Abdul Khalek Talukder (71), Kabir Khan (75), Salam Begh (65) and Nur Uddin (62) to death for their involvement in crimes against humanity during the Liberation War. The Tribunal found the convicts guilty on all seven charges framed against them. The tribunal found Majid, Khalek and Kabir guilty of abduction, looting and murder of three Hindu men, including one Hem Sundar Bagchi, in Rajpara village of Netrakona District on May 1, 1971, and sentenced them to imprisonment until death. The Court found Majid and Khalek guilty of abduction, confinement and torture of Abdul Gani Sarker aka Charu Miah in Barha village of Netrakona District and sentenced them to 10 years in prison. Majid and Khalek were found guilty of abduction, torture and murder of one Abdul Khalek of Barha village in Netrakona District on August 21 and given the death penalty. Majid, Khalek, Salam and Nur Uddin were also found guilty of abduction, torture and killing of one Mohir Uddin of the same village on August 27, and awarded the death penalty. All the accused were found guilty of abduction, torture and killing of four pro-liberation persons in between November 12 and 16, 1971, in different parts of Purbodhala upazila in Netrakona District and awarded the death penalty. Further, they were awarded the death penalty for the abduction, torture and murder of Siraj Mondol of Purbo Moudam village in Netrakona District on November 20, 1971. Majid, Khalek and Kabir were found guilty of raping a woman in Purbobudi village of Netrakona District. The jail terms would naturally be merged into the death sentence, the tribunal observed.

On November 5, 2018, ICT-1 found Liakat Ali (63) and Aminul Islam aka Rajab Ali (62) guilty of crimes committed during the Liberation War and sentenced them to death. The tribunal found the duo guilty on all seven charges framed against them, including the killing of 43 Hindu men in Krishnapur village under Lakhai upazila in Habiganj District; killing nine Hindu men in Chandipur village of Lakhai upazila in Habiganj District and 26 Hindu men in Gadainagar village of Lakhai upazila in Habiganj District; acts of genocide in Krishnapur, Chandipur and Gadainagar villages of Lakhai upazila in Habiganj District, which left eight Hindu men dead; the killing of one Rangu Mia in Nasirnagar village of Kishoreganj District; the killing of five men in Sabiyanagar village of Kishoreganj District; and the killing of another 10 men in the same village.

The War Crimes (WC) Trials, which began on March 25, 2010, have so far indicted 124 leaders, including 50 from the Jamaat-e-Islami (JeI); 27 from the Muslim League (ML); 11 from Nezam-e-Islami (NeI); five from the Bangladesh Nationalist Party (BNP); two each from the Jatiya Party (JP) and Peoples Democratic Party (PDP); 26 former Razakars; and one former Al-Badr member. Verdicts have been delivered against 88 accused, including 62 death penalties and 26 life sentences. So far, six of the 62 people who were awarded the death sentence have been hanged. On September 3, 2016, JeI Central Executive member Mir Quasem Ali (63) was hanged at Kashimpur Central Jail in Gazipur District; on May 11, 2016, JeI Ameer (Chief) Motiur Rahman Nizami (75) was executed at Dhaka Central Jail; on November 22, 2015, JeI Secretary General Ali Ahsan Mohammad Mojaheed (67) and BNP Standing Committee member Salauddin Quader Chowdhury (66) were hanged simultaneously at Dhaka Central Jail; on April 11, 2015, JeI Senior Assistant Secretary General Mohammed Kamaruzzaman (63) was hanged at Dhaka Central Jail; and on December 12, 2013, JeI Assistant Secretary General Abdul Quader Mollah (65), who earned the nickname 'Mirpurur Koshai (Butcher of Mirpur)' was hanged at Dhaka Central Jail. 28 others are absconding and another 28 cases are currently pending with the Appellate Division of the Supreme Court. Meanwhile, out of 26 persons who were awarded life sentences, five persons have already died serving their sentences – former JeI Ameer Ghulam Azam (91), who died on October 23, 2014; former BNP Minister Abdul Alim (83), who died on August 30, 2014; former JeI National Assembly member S.M. Yousuf Ali (83), who died on November 17, 2016; former JeI member Gazi Abdul Mannan (88), who died on December 19, 2016; and former ML member Mahidur Rahman (88), who died on May 21, 2018. 13 others are absconding and another eight are lodged in various jails of the country. Significantly, on July 10, 2019, the four-member bench of the Appellate Division of the Supreme Court, headed by Chief Justice Syed Mahmud Hossain, completed hearing of arguments from both the state and defence on an appeal filed by JeI Assistant Secretary General ATM Azharul Islam challenging the ICT-1 verdict that sentenced him to death. On December 30, 2014, ICT-1 had awarded Azharul Islam a death sentence for his war crimes committed in Rangpur. He was found guilty on five of six charges. Azharul Islam filed his appeal on January 28, 2015. On June 18, 2019, the Appellate Division started hearings on the appeal. The Appellate Division can deliver its judgment any day on Azharul Islam's appeal.

The Government is also trying to impound all movable and immovable assets of those convicted for war crimes in 1971. The demand to strip war criminals of their assets gained momentum in 2010, when the ICT set up by the Awami League-led Government began prosecuting Pakistan Army collaborators and war criminals. The process gained further momentum after a mass movement began at Shahbagh Square in 2013 to demand the maximum penalty for war criminals. The Government then promised to formulate new laws to seize assets of those convicted. On September 29, 2016, the Jatiya Sangsad (National Assembly) unanimously adopted a resolution to confiscate all movable and immovable assets of war criminals. Further, on January 17, 2019, Law, Justice and Parliamentary Affairs Minister Anisul Huq disclosed that the process for seizing the properties of the families of war criminals had been finalized.

Notably, Liberation War Affairs Minister AKM Mozammel Huq, after inaugurating the Muktijoddha (Freedom Fighters) Complex in Pabna District on June 29, 2019, declared that the Home Ministry was preparing a list of Razakars, who were involved in killing, arson and other crimes against humanity during the country's Liberation War in 1971. He further stated

that the graveyards of the freedom fighters across the country would be preserved in the same pattern to show homage to them. According to the War Crimes Facts Finding Committee, Bangladesh, there are about 5,000 mass graves across the country, where the Pakistan Army and its collaborators conducted genocide in 1971.

The JeI, which opposed Bangladesh's birth, had already been in trouble after its senior leaders were handed down punishments for crimes against humanity. The Dhaka High Court, on August 1, 2013, in a landmark ruling, declared "illegal" Bangladesh's biggest right-wing party, JeI, and banned it from contesting future polls, leaving the once-most powerful fundamentalist party with an uncertain future. Further, the Election Commission (EC) cancelled the party's registration on October 28, 2018. Citing its failure to apologise for its role in the 1971 War and bring reforms to its constitution, on February 15, 2019, JeI Assistant Secretary General Abdur Razzaq quit the party. The following day, JeI's Majlish-e-Shura (Central Governing Body) member Mojibur Rahman Monju, who had been vocal about reforms, was expelled from JeI for "breaching discipline" and "anti-party activities". Over the following days, several other JeI leaders were expelled on similar grounds. On April 27, 2019, a group of former JeI leaders launched a new political initiative, the Jana Aakangkhar Bangladesh (JAB) headed by Mojibur Rahman Monju. The move came following differences of opinion within JeI over reforms and whether it would apologise to the nation for opposing the 1971 Liberation War.

Meanwhile, bilateral relations between Bangladesh and Pakistan have been strained since 2013, when Dhaka decided to hang several of the 1971 war criminals, and have plummeted further after March 26, 2019, as Bangladesh sought United Nations (UN) recognition for one of the world's worst genocides, conducted by Pakistan Army, commencing on the fateful night of March 25, 1971, against the citizens of what was then East Pakistan. On March 25, 1971, upon secret order from Pakistan authorities, under 'Operation Searchlight', Pakistani Forces and their collaborators committed the most brutal and targeted mass killing in Dhaka City in particular and elsewhere in country, which continued throughout the night. Thousands of people from all walks of life, including students, teachers, intellectuals, religious minorities and members of different services, especially from the Police and the then East Pakistan Rifles, were slaughtered.

Recognising the genocide committed by Pakistani Forces during the 1971 Bangladesh war of independence, Adama Dieng, the UN Secretary-General's Special Adviser on the Prevention of Genocide, on March 24, 2019, pledged to Bangladesh Prime Minister Sheikh Hasina, "Though some countries may oppose, we will raise the issue of Pakistani genocide in Bangladesh during the Liberation War in the international forum." Dieng visited Bangladesh ahead of the country's Independence Day on March 26.

The achievements on the War Crimes Trials in Bangladesh are already remarkable. The new verdicts against the guilty have once again reaffirmed the Awami League-led Government's determination to honour its 2008 General Election pledge to bring the War Criminals of the 1971 genocide to justice. However, as a number of cases are pending with the Appellate Division of the Supreme Court, the eventual conclusion of the trials and appeals is far from over.

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

War Crimes Investigation in Myanmar

Myanmar groups stage protests at S'pore embassies (The Straits Times) By Charissa Yong
July 18, 2019

Dozens of Myanmar nationals staged a series of demonstrations in front of the Singapore embassies in Tokyo yesterday and Washington on Monday to protest against the Singapore Government's arrest and deportation of leaders of the Arakan Association (Singapore).

Six Myanmar nationals were arrested in Singapore last week and deported for illegally garnering support for armed violence against the Myanmar government, Singapore's Ministry of Home Affairs said in a statement on Wednesday last week.

The arrested Myanmar nationals were allegedly supporters of the Arakan Army (AA), a Rakhine insurgent group which the Myanmar government has designated a terrorist organisation. The AA is the armed wing of the United League of Arakan, which seeks greater autonomy for the Rakhine state and whose members are mostly ethnic Buddhists.

Protesters in Tokyo held up printed banners calling on the Singapore Government to "stop giving up Arakanese" to the Myanmar government, according to photos posted online by the Development Media Group (DMG), an Arakan news agency.

The Arakan Youths Union (Japan), which organised the Tokyo protest, said in a statement that the arrested individuals were not connected with the Arakan Army but instead were aiding Arakanese refugees in Myanmar.

It added that the AA was not a terrorist organisation but a legitimate rebel army.

Singapore's Ministry of Foreign Affairs said it was aware of the protest, and that a group from the Arakan American Community had delivered a letter to the embassy in Washington regarding the arrest of some Myanmar nationals in Singapore. "MFA will convey the letter to (the) relevant authorities," said an MFA spokesman in an e-mail.

Monday's protest at the Singapore embassy in Washington was attended by at least two dozen protesters, according to photos posted on the Voice of Arakan Twitter account. They held handwritten placards which urged Singapore to "stop selling Arakanese to the Myanmar army", and signs with the names of the six Myanmar nationals who had been arrested.

A DMG article on the protest cited organisers as "denouncing the Singaporean government for transferring the leaders of the Arakan Association (Singapore) to the Myanmar police force despite knowing the Myanmar Army is committing war crimes in ethnic regions". It added that a total of 150 people attended two protests in the US capital on Monday, one outside the Singapore embassy and another outside the Myanmar embassy.

Meanwhile, the United States announced on Tuesday that Myanmar's army chief and four other generals would be banned from entering America due to their role in human rights abuses, including extrajudicial killings in the Rakhine state, during the military-led ethnic cleansing of the Rohingya in August 2017.

"With this announcement, the United States is the first government to publicly take action with respect to the most senior leadership of the Burmese military," said US Secretary of State Mike Pompeo in a statement which referred to Myanmar's former name of Burma.

"We remain concerned that the Burmese government has taken no action to hold accountable those responsible for human rights violations and abuses, and there are continued reports of the Burmese military committing human rights violations and abuses throughout the country," he added.

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

AMERICAS

North & Central America

Trump moves to end asylum protections for Central Americans (CNBC)

July 15, 2019

The Trump administration on Monday moved to end asylum protections for most Central American migrants in a major escalation of the president's battle to tamp down the number of people crossing the U.S.-Mexico border.

According to a new rule published in the Federal Register, asylum seekers who pass through another country first will be ineligible for asylum at the U.S. southern border. The rule, expected to go into effect Tuesday, also applies to children who have crossed the border alone.

There are some exceptions: If someone has been trafficked, if the country the migrant passed through did not sign one of the major international treaties that govern how refugees are managed (though most Western countries have signed them) or if an

asylum-seeker sought protection in a country but was denied, then a migrant could still apply for U.S. asylum.

But the move by President Donald Trump's administration was meant to essentially end asylum protections as they now are on the southern border.

The policy is almost certain to face a legal challenge. U.S. law allows refugees to request asylum when they arrive at the U.S. regardless of how they did so, but there is an exception for those who have come through a country considered to be "safe." But the Immigration and Nationality Act, which governs asylum law, is vague on how a country is determined "safe"; it says "pursuant to a bilateral or multilateral agreement."

Right now, the U.S. has such an agreement, known as a "safe third country," only with Canada. Under a recent agreement with Mexico, Central American countries were considering a regional compact on the issue, but nothing has been decided. Guatemalan officials were expected in Washington on Monday, but apparently a meeting between Trump and Guatemalan President Jimmy Morales was canceled amid a court challenge in Guatemala over whether the country could agree to a safe third with the U.S.

The new rule also will apply to the initial asylum screening, known as a "credible fear" interview, at which migrants must prove they have credible fears of returning to their home country. It applies to migrants who are arriving to the U.S., not those who are already in the country.

Trump administration officials say the changes are meant to close the gap between the initial asylum screening that most people pass and the final decision on asylum that most people do not win. But immigrant rights groups, religious leaders and humanitarian groups have said the Republican administration's policies amount to a cruel and calloused effort to keep immigrants out of the country. Guatemala, Honduras and El Salvador are poor countries suffering from violence.

Along with the administration's recent effort to send asylum seekers back over the border, Trump has tried to deny asylum to anyone crossing the border illegally and restrict who can claim asylum, and Attorney General William Barr recently tried to keep thousands of asylum seekers detained while their cases play out.

Nearly all of those efforts have been blocked by courts.

Meanwhile, conditions have worsened for migrants who make it over the border seeking better lives. Tens of thousands of Central American migrant families cross the border each month, many claiming asylum. The numbers have increased despite Trump's derisive rhetoric and hard-line immigration policies. Border facilities have been dangerously cramped and crowded well beyond capacity. The Department of Homeland Security's watchdog found fetid, filthy conditions for many children. And lawmakers who traveled there recently decried conditions.

Immigration courts are backlogged by more than 800,000 cases, meaning many people won't have their asylum claims heard for years despite move judges being hired.

People are generally eligible for asylum in the U.S. if they feared return to their home country because they would be persecuted based on race, religion, nationality or membership in a particular social group.

During the budget year for 2009, there were 35,811 asylum claims, and 8,384 were granted. During 2018 budget year, there were 162,060 claims filed, and 13,168 were granted.

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

South America

Brazil: Rio governor brands rise in police killings as 'normal' (Aljazeera) By David Child
July 17, 2019

Amid a soaring number of police killings in Brazil's Rio de Janeiro state, its tough-talking governor has said it is "normal" for the rate to increase and will likely keep rising during his tenure.

Governor Wilson Witzel said on Tuesday that the surge in police killings was a consequence of his policy of "confronting terrorists", a term he uses for drug trafficking groups.

"We live in a situation of confrontation and the criminals are testing the limits of the police and the government," Witzel told reporters during a meeting with foreign correspondents.

Police in Rio killed 731 people in the first five months of this year - nearly five a day - marking an almost 20 percent increase compared with the same period in 2018, according to Rio's Public Security Institute figures.

Witzel shrugged off the increase as "normal", saying it was due to police "hitting hard" at criminals.

"Nobody wants to kill bandits. We want to arrest them," Witzel said. "But they need to know we are going to act with rigour. When we arrive, they either surrender, or die."

'Dig graves'

Witzel, who assumed Rio's governorship at the beginning of January, has previously pledged to "slaughter" criminals by using helicopter-borne snipers to target and kill anyone carrying a rifle, even if they were not shooting their weapons, and warned that Rio would "dig graves" for criminals under his watch.

His rhetoric has prompted alarm among rights groups and NGOs, with Amnesty International slamming police violence in Rio - where a federally-sanctioned military intervention was rolled out for most of last year - as a continuation of bloodshed "stimulated by the state's own policies" for decades.

"The repercussions of this inhumane approach are felt to this day. Instead of guiding the police to protect and preserve life, the state has reinforced the notion that the police's role is to kill," Jurema Werneck, Amnesty's executive director for Brazil, said in a statement last month.

According to official figures, police lethality in Rio has reached its highest level since 2003, when records began. Homicides by criminals have fallen by 24 percent so far this year.

'Local version' of Bolsonaro's appeal

A former judge with a military past, Witzel was a relative unknown in Brazilian politics prior to his election win in October last year.

But his tough-on-crime stance found favour with many voters concerned by insecurity and helped align him with the message trailed by Brazil's far-right President Jair Bolsonaro.

Bolsonaro, a former Rio congressman, campaigned on a largely law-and-order platform that included easing restrictions on guns and giving police greater licence to kill suspected criminals. But critics of the president's approach have warned that more guns are not the answer to reducing violent crime in a country where a record high 63,880 homicides took place in 2017, the most recent year for which data is available. Nearly 45,000 of those cases involved firearms.

Mauricio Santoro, a political scientist and professor of international relations at Rio de Janeiro State University, said Witzel was able to offer the Rio electorate a "local version" of Bolsonaro's appeal.

"He presented himself as an outsider, a hardline judge who was going to bring order to Rio," Santoro told Al Jazeera.

"Public security is the core of Witzel's message, but his biggest challenge is how to improve economic conditions in Rio, with a state administration almost without financial resources," he added, citing the heavy toll Brazil's economic downturn has taken on the state.

Human rights advocates want Colombia's war crimes tribunal to try businessmen and politicians (Colombia Reports) By Adriaan Alsema

July 17, 2019

Human rights advocates requested Colombia's Constitutional Court on Tuesday to broaden the powers of the country's war crimes tribunal to include businessmen and politicians accused of war crimes.

According to the Jose Alvear Lawyer's Collective, multiple human rights groups filed the petition that requests the court to overrule an article in the statutory law of the Special Jurisdiction for Peace (JEP) limits the court's powers to summon only

members of the military or the demobilized FARC guerrilla group.

The human rights defenders want the court to have the authority to summon the thousands of businessmen and politicians who have been accused of being complicit in paramilitary war crimes committed also to appear.

According to the prosecution, some 2,300 businessmen “particularly from the cattle, agriculture and hydrocarbon sectors” and 3,300 state officials, including “mayors, governors, judges, magistrates, prosecutors, congressmen, deputies and council members” colluded with the paramilitary organization AUC that killed more than 100,000 civilians between 1997 and 2006.

The current statutory law allows the court only summon members of the FARC and the military to appear and confess their crimes in return for reduced sentences.

The so-called third-party actors are allowed to submit to the JEP voluntarily. The human rights advocates want to make this compulsory, considering that the country’s ordinary justice system has chronically failed to call these alleged war criminals to court.

The article that bans the JEP from summoning businessmen and politicians allegedly involved in war crimes to submit is unconstitutional and ought to be eliminated, according to the human rights defenders.

Colombia’s ordinary justice system has been notoriously inefficient in taking the powerful businessmen and politicians accused of war crimes to court.

Former President Alvaro Uribe, for example, was charged in February last year with tampering witnesses who have testified about his alleged leading role in the foundation of a death squad that left more than 4,000 victims in his home province Antioquia.

The Supreme Court, however, has yet to set a court date while evidence of Uribe’s alleged war crimes reportedly has been destroyed or made useless.

UNSC in Colombia to examine challenges of FARC peace deal (CGTN) By Michelle Begue
July 12, 2019

A United Nations Security Council delegation visited Colombia to monitor the peace process. They came at a critical moment.

Hundreds of former FARC members have been killed since a 2016 agreement was reached. CGTN’s Michelle Begue had more from Bogota.

Fifteen representatives of the United Nations Security Council visited Colombia to support efforts to implement a peace agreement.

“This has been an opportunity to receive Colombia’s commitment for peace, and to reiterate the National Security Council’s unity in respects to Colombia’s peace process which continues to be an example for Latin America and all of the international community,” Gustavo Meza Cuadra, U.N. Security Council President, said.

In 2016, a peace accord was signed to end 50 years of armed conflict with the leftist guerrilla group known as Revolutionary Armed Forces of Colombia, or FARC. While the agreement was considered a huge win by the international community, it’s been difficult to implement.

On Friday, the delegation from the U.N. Security Council held a private meeting with the Colombian President Ivan Duque. The president requested the U.N. monitoring commission remain in the country another year.

The group also met with FARC members and government agencies dedicated to the implementation of the peace accord.

One peace expert said peace efforts need support now more than ever from the international community.

“There is a very substantial and positive evolution in terms of the FARC disarmament and conversion into a political party,” Miguel Barreto Henriques, Director of the Peacebuilding Institute at Jorge Tadeo Lozano University. “But the root causes of the conflict, rural reform, political participation, drug trade have faced enormous obstacles.”

On Thursday, FARC party Senator Carlos Antonio Lozada asked the Colombian prosecutor’s office to investigate an alleged plan to kill FARC party leaders. The FARC claimed more than 140 guerrillas have been killed since the signing of the accord. The United Nations peace observers have verified most of them.

“In the peace agreement, what we agreed to is that we laid down our arms, because the state was able to guarantee the lives of all Colombians including those who signed the peace agreement,” Lozada said. “That is what we are asking, that the state fulfill that constitutional obligation.”

United Nations Secretary-General Antonio Guterres has urged Colombia and others to work together toward peace. He added that “the challenges in Colombia are too great” for the country to remain divided.

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

Venezuela

Venezuela Forces Killed Thousands, Then Covered It Up, U.N. Says (The New York Times) By Nick Cumming-Bruce
July 4, 2019

Venezuelan special forces have carried out thousands of extrajudicial killings in the past 18 months and then manipulated crime scenes to make it look as if the victims had been resisting arrest, the United Nations said on Thursday in a report detailing wide-ranging government abuses targeting political opponents.

Special Action Forces described by witnesses as “death squads” killed 5,287 people in 2018 and another 1,569 by mid-May of this year, in what are officially termed by the Venezuelan government “Operations for the Liberation of the People,” United Nations investigators reported.

Laying out a detailed description of a lawless system of oppression, the report says the actual number of deaths could be much higher. It cites accounts by independent groups who report more than 9,000 killings for “resistance to authority” over the same period.

“There are reasonable grounds to believe that many of these killings constitute extrajudicial executions committed by the security forces,” the investigators said.

The report, which the United Nations human rights chief Michelle Bachelet will present to the Human Rights Council in Geneva on Friday, delivers a scathing critique of President Nicolás Maduro’s embattled government and its handling of Venezuela’s deepening political and economic crisis.

Since 2016, the report says, the government has pursued a strategy “aimed at neutralizing, repressing and criminalizing political opponents and people critical of the government.”

Venezuela’s Foreign Ministry rejected the findings on Thursday, saying the report offered a “distorted vision” that ignored most of the information presented by the government to United Nations researchers.

“The analysis is not objective, nor impartial,” the Foreign Ministry said in a statement, listing what it said were numerous errors. “The negative points are privileged in the extreme and the advances or measures adapted in the area of human rights are ignored or minimized.”

The Special Action Forces, known locally by their Spanish acronym FAES, are nominally tasked with combating drug trafficking and crime, but United Nations human rights officials said they were concerned the government was using these and other security forces “as an instrument to instill fear in the population and to maintain social control.”

Families of 20 young men who were killed in the last year described a pattern of violence in which the FAES units arrived in pickup trucks without license plates, dressed in black and with their faces covered by balaclavas.

They broke into houses, seized belongings and molested women, forcing some to strip naked. Then “they would separate young men from other family members before shooting them,” the investigators reported.

In every case described to the investigators, attackers manipulated the crime scene. “They would plant arms and drugs and fire

their weapons against the walls or in the air to suggest a confrontation and to show the victim had resisted authority,” the report says.

The investigators said they had also documented the execution of six young men carried out during one of the house raids, the killings done as a reprisal for their participation in anti-government demonstrations.

Five special forces members were convicted of attempted murder and other offenses in 2018, and another 388 members were under investigation for abuses, according to the report. But few victims, it says, have access to justice or any redress.

The report also describes routine abuse by security and intelligence services of people detained for political reasons. In most of the cases, men and women were subjected to one or more forms of torture, including electric shock, suffocation with plastic bags, water boarding, beating and sexual violence. Women were dragged by their hair and threatened with rape, the report says.

The detentions often had no legal basis, according to the report, which says that more than 2,000 people were arrested for political reasons in the first five months of the year and more than 720 were still detained at the end of May.

Human rights activists welcomed the spotlight the report is turning onto government repression and abuses. “The government’s reaction shows it hits the right points,” said Tamara Taraciuk Broner, a senior researcher for Human Rights Watch.

But Ms. Taraciuk expressed disappointment that the report stops short of urging the United Nations to set up a commission of inquiry. It calls instead for the government to set up an independent investigation, with some unspecified international participation.

“You cannot ask Venezuelan courts, which have no independence, to investigate the executive,” she said.

The report comes two weeks after Ms. Bachelet visited Venezuela. Its hard-hitting tone was especially eye-opening, given her political background. In her second term as Chile’s left-leaning president from 2014 to 2018, she was among the few South American leaders who refused to openly criticize Mr. Maduro’s growing authoritarianism.

The Venezuelan government had tried to use Ms. Bachelet’s visit to bolster Mr. Maduro’s international legitimacy. More than 50 nations, including the United States, have stopped recognizing him as Venezuela’s legitimate leader, calling his re-election last year fraudulent.

Ms. Bachelet’s team was given unusual access inside Venezuela, unlike that given to her predecessor or to other United Nations agencies. Mr. Maduro heavily publicized his meeting with Ms. Bachelet and promised to consider allowing her to open a full-time office in the country. The government also agreed to allow two United Nations human rights staff members to work in the country and said it would give them full access to detention centers.

But any hopes that her visit paved the way for a government change of course on human rights were quickly dampened by the news days later of the death in custody of a Navy captain, Rafael Acosta, who was detained the day Ms. Bachelet’s visit ended. His lawyer said he had been in good health at the time of his arrest, but he died in a military hospital a week later showing visible signs beatings.

Ms. Bachelet expressed her shock at Captain Acosta’s death and called for an investigation, but human rights groups said it showed the limited outcome from her visit.

“This case shows that the government of Venezuela is not taking her seriously,” Ms. Taraciuk said.

Extrajudicial killings detailed as thousands march in Venezuela (The Irish Times)

July 5, 2019

UN human rights chief Michelle Bachelet presented a damning report on atrocities carried out by the Venezuelan government, as thousands marched through Caracas on Independence Day demanding an end to President Nicolás Maduro’s rule.

Ms Bachelet told the UN Human Rights Council in Geneva on Friday that the Maduro regime was guilty of “arbitrary detention, torture and ill-treatment, sexual violence, killings and enforced disappearance” as well as a cover-up of the crimes.

“As our report makes clear, essential institutions and the rule of law in Venezuela have been profoundly eroded,” she said.

The report said the number of apparent extrajudicial killings in Venezuela was “shockingly high”. By the government’s own admission, nearly 5,300 people were killed in 2018 for “resistance to authority” and more than 1,500 more in the first five

months of this year. “Other sources suggest the figures may be much higher,” the report noted.

Ms Bachelet, the former socialist president of Chile, visited Venezuela last month, meeting Mr Maduro and opposition leader Juan Guaidó as well as members of civil society, business leaders and the church. Her report was based on more than 500 interviews with victims and witnesses of human rights violations.

It also examined the health system in Venezuela, describing it as “dire, with hospitals lacking staff, supplies, medicines and electricity to keep vital machinery running”.

“We should all be able to agree that all Venezuelans deserve a better life, free from fear and with access to adequate food, water, healthcare, housing and all other basic human needs,” Ms Bachelet said.

The Maduro government condemned the report as biased, saying the UN had relied on “sources lacking in objectivity” and had presented a “selective and openly partial vision” of the nation. The president says his security forces are trying to maintain law and order in the face of violent attempts to remove him from power.

As the report was presented, thousands of Venezuelans marked the 208th anniversary of the declaration of independence from Spanish rule by marching through Caracas demanding an end to Mr Maduro’s increasingly authoritarian government.

“I’m here for the freedom of Venezuela, for democracy and to show my support for interim president Guaidó,” said 57-year old Juan Pérez as he marched with a throng of people waving banners and red, yellow and blue Venezuelan flags. “The Bachelet report represents Venezuelan reality.”

Across town, the government marked the day with a military parade and in the building housing the Constituent Assembly – an alternative parliament set up by Mr Maduro in 2017 to bypass Congress and cement his rule – an admiral in chief from the armed forces made a combative speech condemning US-led “imperialism”.

July 5th is traditionally the day on which the president announces promotions and appointments in the armed forces, which have been key to ensuring he remains in power.

Caracas Chronicles, a local opposition-friendly online media outlet, recently quoted an unnamed source saying that the commander of the army, Gen Jesús Suárez Chourio, would be replaced by someone “that’s committed to an iron-fist control of the army and will not hesitate to deploy them against civilians”.

Venezuela has been in political turmoil since the start of the year when Mr Guaidó, the president of the opposition-controlled Congress, declared himself interim president. He did so, he said, on the basis of the constitution, arguing that Mr Maduro won power in bogus elections last year and was an illegitimate leader.

Mr Guaidó has the backing of the US and most of Europe and Latin America but despite months of campaigning has failed to dislodge Mr Maduro, who retains the support of Russia and China.

Venezuela is in the throes of a severe economic crisis. The economy has halved in size since Mr Maduro assumed power in 2013 and the country is gripped by hyperinflation. Oil exports – the only notable source of legal foreign income – have crashed to their lowest level since the 1940s.

Mr Maduro blames this on a US-led “economic war” and US sanctions.

The Bachelet report noted that “Venezuela was in crisis well before any sectoral sanctions were imposed” although it also acknowledged that “the latest economic sanctions linked to oil exports are further exacerbating the effects of the crisis.”

UN report: Venezuela death squads kill young men, stage scenes (Aljazeera)

July 4, 2019

Venezuelan security forces are sending death squads to murder young men and stage the scenes to make it look like the victims resisted arrest, a new UN report said.

Government figures showed deaths ascribed to criminals resisting arrest numbered 5,287 last year and 1,569 by May 19 this year. The report, issued on Thursday by United Nations human rights chief Michelle Bachelet, decried a “shockingly high” number of extrajudicial killings.

Families of 20 men described how masked men dressed in black from Venezuela’s Special Action Forces (FAES) arrived in black pick-up trucks without licence plates. Witnesses said the death squads broke into houses, took belongings, and assaulted women and girls, sometimes stripping them naked.

"They would separate young men from other family members before shooting them," the UN report said.

"In every case, witnesses reported how FAES manipulated the crime scene and evidence. They would plant arms and drugs and fire their weapons against the walls or in the air to suggest a confrontation and to show the victim had 'resisted authority'," it added.

The report - which drew on 558 victim accounts, witnesses of violence and other sources - said the killings were part of a strategy by the government of President Nicolas Maduro aimed at "neutralising, repressing and criminalising political opponents and people critical of the government".

Interviewees consistently referred to FAES as a "death squad" or "extermination group". NGOs say it is responsible for hundreds of killings.

Bachelet visited Venezuela last month and will present the report to the UN Human Rights Council on Friday.

The UN also released a written response to its findings by Venezuela's government, which called the report a "selective and openly partial vision" about the human rights situation in the South American country. It argued the UN relied on "sources lacking in objectivity" and ignored official information.

"An analysis that privileges negative testimonies to the extreme, while hiding or minimising measures adopted to advance human rights, is not objective or impartial," read the government's response.

Bachelet said in a statement that she had the government's commitment to work with the United Nations to resolve some of the thorniest issues, including the use of torture and access to justice, and to allow full access to detention facilities.

"I sincerely hope the authorities will take a close look at all the information included in this report and will follow its recommendations. We should all be able to agree that all Venezuelans deserve a better life," Bachelet said.

"A Catholic priest in Caracas said to me: 'This is not about politics, but about the suffering of the people.' This report too is not about politics, geopolitics, international relations or anything other than being about the human rights to which every Venezuelan is entitled," she added.

The UN report came after former Venezuela spy chief Manuel Cristopher Figuera told The Associated Press on Tuesday that Maduro's administration was a "criminal enterprise".

Maduro personally commissioned a coterie of human rights abuses under his watch, including arbitrary detentions and the planting of evidence against opponents, Figuera said.

"I am like a soldier who raises the flag upside-down in the international sign of distress. I am looking for help to free my country from the disgrace that it is living through now," he said.

Figuera defected from the Venezuelan government shortly after being blacklisted by the United States in February over alleged "mass torture, mass human rights violations and mass persecution against those who want democratic change".

Maduro has blasted Figuera as a traitor and accused him of working as a mole for US intelligence services for more than a year.

US President Donald Trump's administration has sanctioned dozens of Venezuelan officials, power brokers and businesses it accuses of raiding public coffers and carrying out human rights abuses against people struggling to survive, as the country collapses amid a spiralling economic and political crisis.

The sanctions list includes Maduro, considered illegitimate by Washington since his re-election in a ballot last year marred by opposition boycotts and allegations of irregularities.

The US and some 50 other nations have since backed Juan Guaido, leader of the opposition-controlled National Assembly legislature, in his campaign to overthrow Maduro and assume power.

Maduro, whose main backers also include Russia and China, has accused the US of leading an imperialist economic war against oil-rich Venezuela.

The Maduro mystery: Why the armed forces still stand by Venezuela's beleaguered president (Reuters) By Brian Ellsworth and Mayela Armas
July 11, 2019

Despite unprecedented poverty, crime and mass migration, the armed forces remain loyal to President Nicolás Maduro. Reuters explains how a military overhaul blurred commands, politicized the ranks and drafted troops into partisan activities.

One of the central mysteries of Venezuela's slow-motion collapse: Why does the military continue to support Nicolás Maduro, the president who has led the once-prosperous South American country into poverty and chaos?

The answer, according to people familiar with Venezuela's military structure, starts with Maduro's late predecessor, Hugo Chávez, the charismatic caudillo who cemented strongman socialist rule in the nation of about 30 million people. In a series of actions that began in 1999, the former lieutenant colonel and one-time coup leader began taming the military by bloating it, buying it off, politicizing it, intimidating the rank and file, and fragmenting the overall command.

Once he took office in 2013, Maduro handed key segments of the country's increasingly ravaged economy to the armed forces. Select military officers took control of the distribution of food and key raw materials. A National Guard general and military deputies now manage the all-important national oil company, *Petróleos de Venezuela SA*, or PDVSA.

The two leaders also embedded intelligence agents, with the help of Cuba's security services, within barracks, former officers say, instilling paranoia and defusing most dissent before it happens. Intelligence agents have arrested and jailed scores of perceived troublemakers, including several high-profile officers, even for minor infractions.

The overhaul, former military officials say, created a jumbled and partisan chain of command. Top officers, grateful for perks and fearful of retribution, are often more preoccupied with pleasing Socialist Party chiefs than with national defense. Instead of drills and war games, some generals find themselves fielding calls to plant vegetables or clear garbage.

Many lower-ranking soldiers, destitute and desperate like most of Venezuela's working class, have deserted the military in recent years, joining at least 4 million other fellow emigres seeking a better life elsewhere. But few senior officers have heeded the opposition's call for rebellion, leaving the armed forces top-heavy, unwieldy and still standing by Maduro.

"The chain of command has been lost," said Cliver Alcalá, a former general who retired in 2013 and now supports the opposition from Colombia. "There is no way to know who is in charge of operations, who is in charge of administration and who is in charge of policy."

Some commanders, like Defense Minister Vladimir Padrino, a four-star general, are nearly as much a face of the administration as Maduro. Padrino is sanctioned by the United States for ensuring Maduro's "hold on the military and the government while the Venezuelan people suffer," according to the U.S. Treasury Department.

Reuters was unable to reach Padrino or other senior officers mentioned in this article. Venezuela's defense ministry didn't reply to email or telephone inquiries. The country's information ministry, responsible for government communications including those of the president, didn't reply to Reuters either.

Padrino is hardly alone. Consider the sheer number of officers awarded flag rank in Venezuela.

The country's roughly 150,000 Army, Navy, Air Force and National Guard troops are a fraction of the more than 1 million who make up the U.S. armed forces. Yet Venezuela, with as many as 2,000 admirals and generals, now boasts as much as twice the top brass as the U.S. military – more than 10 times as many flag officers as existed when Chávez became president. The estimate is according to calculations by former Venezuelan officers and the U.S. military.

The result, government opponents say, is a bureaucratic and operational mess, even at the very top. Padrino, for instance, is both a general and defense minister. But he can't officially mobilize troops without the consent of Remigio Ceballos, an admiral who also reports directly to Maduro and heads the Strategic Operations Command, an agency created by Chávez to oversee deployments.

"You have a general in chief and an admiral in chief," said Hebert García, a retired general who once served under Maduro but now supports the opposition from Washington. "Which one are you supposed to obey?"

The armed forces could still turn on Maduro, particularly if popular outrage boils over and makes military support for the president untenable. Still, calls by opposition leader Juan Guaidó, who in late April unsuccessfully sought to rally the troops against Maduro, thus far remain unheeded.

Guaidó in May told reporters his efforts to convert troops are thwarted by the military's fragmented structure and intimidation within its ranks. "What is preventing the break?" he asked. "The ability to speak openly, directly with each of the sectors. It has to do with the persecution inside the Socialist Party, inside the armed forces."

To better understand the pressures and policies keeping the troops in Maduro's camp, Reuters interviewed dozens of current and former officers, soldiers, military scholars and people familiar with Venezuelan security. In their assessment, the military has evolved into a torpid bureaucracy with few leaders capable of engineering the type of mass mutiny that Maduro's opponents long for.

Venezuela's "Bolivarian Revolution," as Chávez dubbed his remaking of the country, itself has roots in military rebellion. Six years before he was elected president in 1998, Chávez led a failed coup against Carlos Andrés Pérez, a deeply unpopular president who Congress eventually forced from office.

Once in power, Chávez immediately took steps to enlist the military in his vision for a paternalistic, state-led economy that would share abundant oil wealth with long-neglected segments of Venezuela's population.

With a new constitution in December 1999, Chávez stripped Congress of its oversight of promotion of senior officers. That gave the president ultimate authority to assign flag ranks and empower allied officers.

Because many state and local governments at the time were still controlled by rivals, Chávez also saw the military as a tool that could show his administration hard at work. A new program, "Plan Bolívar 2000," ordered troops to fill potholes, clean highways, refurbish schools and carry out other public works.

The \$114 million effort put sizeable sums at the discretion of commanders, giving officers a taste for a new kind of influence. "What Plan Bolívar 2000 taught officers was that real power doesn't lie in commanding troops, but rather in controlling money," said one retired general. The general, who served under Chávez and Maduro, spoke on condition of anonymity.

Soon, some of the funds began to disappear.

Miguel Morffe, a retired major, once worked as a captain in the remote northwestern region of La Guajira. He recalls receiving a request from superiors to provide materials for an unspecified schoolhouse. When Morffe told a lieutenant colonel that he didn't understand where the supplies would be going, the superior told him: "I need those materials for something else."

"The school didn't exist," Morffe concluded.

Military officials didn't reply to questions about the alleged incident.

By 2001, a raft of corruption allegations plagued the Plan Bolívar program.

Chávez fired General Victor Cruz, the Army's commander in charge of the program. Cruz denied wrongdoing and wasn't charged with any crime at the time. Venezuelan authorities arrested him last year when press reports linked him to funds in an offshore account. A Caracas court in May ordered him to stand trial on charges of illicit enrichment.

Reuters couldn't reach Cruz for comment or identify his legal counsel.

In 2002, Chávez said he would wind down Plan Bolívar 2000. Regional elections, he told Chilean sociologist and political activist Marta Harnecker in an interview, had put more allies in mayoral and state offices, where they could now work in unison with the national government. The military, he said, would return to its normal business.

That April, however, a small group of top officers emboldened Chávez to further remake the armed forces. Encouraged by conservative leaders and wealthy elites unhappy with his leftist agenda, the officers staged a coup and briefly arrested Chávez.

But the coup unraveled. Within two days, Chávez was back in power.

He purged the top ranks. More importantly, he reined in several powerful offices, including the Defense Ministry. Henceforth, the ministry would manage military budgets and weapons procurement, but no longer control troops themselves. Chávez created the Strategic Operations Command, the agency that manages deployments.

The move, former officers say, jumbled the chain of command.

He also rethought overall strategy.

Increasingly concerned that Venezuela's oil wealth and leftist policies would make it a target for invasion, particularly by the United States, Chávez pushed for the military to integrate further with the government and society itself. "We're transforming the armed forces for a war of resistance, for the anti-imperialist popular war, for the integral defense of the nation," he said at a 2004 National Guard ceremony.

Military leaders soon had to pledge their allegiance to Chávez and his Bolivarian project, not just the nation itself. Despite

resistance from some commanders, the ruling party slogan, “Fatherland, Socialism or Death,” began echoing through barracks and across parade grounds.

As of 2005, another factor helped Chávez tighten his hold on power. Oil prices, years before fracking would boost global supply, soared along with the notion the planet’s reserves were dwindling. For most of the rest of his time in power, the windfall would enable Chávez to accelerate spending and ensure popular support.

Oil money also helped him strengthen relationships with like-minded countries, especially those seeking to counterbalance the United States. Venezuela purchased billions of dollars in arms and equipment from Russia and China. It secured medical and educational support through doctors, teachers and other advisors arriving from Cuba, the closest ally of all.

Cubans came with military know-how, too.

A “cooperation agreement” forged between Chávez and Fidel Castro years earlier had by now blossomed into an alliance on security matters, according to two former officers. Around 2008, Venezuelan officers say they began noticing Cuban officials working within various parts of the armed forces.

General Antonio Rivero, who the previous five years had managed Venezuela’s civil protection authority, says he returned to military activities that year to find Cuban advisors leading training of soldiers and suggesting operational and administrative changes. The Cubans, he told Reuters, advised Chávez to rework the ranks, once built around strategic centers, into more of a territorial system, spreading the military’s presence further around the country.

Rivero was stunned at one training session on military engineering. A Cuban colonel leading the session told attendees the meeting and its contents should be considered a state secret.

“What’s happening here?” Rivero said he asked himself. “How is a foreign military force going to possess a state secret?” Rivero left Venezuela for the United States in 2014.

Cuban officials didn’t respond to requests from Reuters for comment.

The island’s influence soon would become apparent in day-to-day operations.

In Cuba, the military is involved in everything from public works to telecommunications to tourism. In Venezuela, too, ruling party officials increasingly began ordering officers to take part in activities that had little to do with military preparedness. Soldiers increasingly became cheap labor for governors and mayors.

In 2010, a general then serving in the Andes, a western region on the Colombian border, was overseeing a complex mobilization of 5,000 troops for a month of combat training. The general spoke on condition that he not be named.

Another general, from a nearby command, called and asked him to halt the exercises. The state governor, the other officer told the general, wanted to reroute the troops - to install energy-efficient light bulbs in homes.

When the general refused, Army Commander Euclides Campos issued a formal order to scrap the training. “This would sound shocking to any military professional, but it’s exactly how the Venezuelan armed forces work,” the former general said.

Reuters was unable to reach Campos for comment.

“Traitors never!”

Chávez, stricken by cancer, died in 2013. Maduro, his vice president and hand-picked replacement as the Socialist party candidate for president, won the election to succeed him.

The new president continued naming new flag officers and appointed even more military officials to helm agencies. By 2017, active and former military figures had held as many as half of Maduro’s 32 cabinet posts, according to Citizen Control, a Venezuelan non-profit that studies the armed forces.

In 2014, just as a collapse in oil prices torpedoed Venezuela’s economy, Maduro further fragmented the military structure.

Following the advice of the Cubans, former military officers say, Maduro created new command centers nationwide. He appointed senior officers to run new commands in each of the 23 states and Caracas, the capital, as well as eight regional commands above those. His public speeches are now increasingly peppered with terms like ZODI and REDI, acronyms for the new commands.

Near military facilities, new brass abounded.

"Before, seeing a general was like seeing a bishop or an archbishop, he was an important figure," recalls Morffe, the retired major. "Not long ago, I saw one in an airport. He walked past a group of soldiers and they didn't even salute."

Flag officers now oversee some areas that were once slivers of larger commands, in areas so remote that they have few human inhabitants. The largest landmass in the Western Maritime and Insular Command, overseen by an admiral, is a rocky archipelago with little vegetation and no permanent residents.

The officer, Vice Admiral Rodolfo Sánchez, didn't respond to a Reuters phone call to his office.

The lopsided, partisan structure has led to mission creep, former officers say.

In the Andes command, which oversees three states, six generals once oversaw roughly 13,000 troops, according to officers familiar with the region. Today, at least 20 generals are now managing ranks that have dwindled to as few as 3,000 soldiers, according to officers familiar with the region.

Last August, three of the generals, including the regional commander, met with municipal officials in the state of Táchira, a hotbed of protests against Maduro in recent years. Days earlier, the government had said explosives used in a drone attack on a military parade in Caracas had been smuggled through Táchira from Colombia.

"All of us together can solve this problem," Major General Manuel Bernal told the assembled officers and a group of onlookers, including a Reuters reporter.

Bernal wasn't talking about the drones, however. Or even national security, once a major issue in the Andean region, where Colombia's guerrilla war long posed a threat. Instead, the generals had gathered to talk about trash overflowing at a landfill.

They deployed soldiers to clear garbage and put out a fire there.

A communications official for the Andes command didn't respond to a Reuters request to speak with Bernal about the episode.

Military bosses show few signs of shying away from such directives. In the weeks since Guaidó's failed call to arms, senior officers have reiterated their commitment to Maduro.

"We will continue fulfilling our constitutional duties, fulfilling duties under your command," Defense Minister Padrino told Maduro alongside troops gathered in Caracas in early May.

"Loyal always!" Padrino shouted.

The troops responded in unison: "Traitors never!"

Rights group calls Duterte's drug war crime against humanity (ABC News) By Jim Gomez
July 8, 2019

Amnesty International urgently called for international pressure and an immediate U.N. investigation to help end what it says are possible crimes against humanity in the Philippine president's bloody anti-drug crackdown.

The London-based rights watchdog said in a study released Monday that extrajudicial killings in President Rodrigo Duterte's 3-year-old campaign remain rampant and the scale of abuses has reached "the threshold of crimes against humanity."

About 6,600 people, most of them accused of petty drug crimes, have been killed in the crackdown Duterte launched as his centerpiece project when he took office in mid-2016. But nongovernment groups claim a much higher death toll, including many suspects killed by motorcycle-riding gunmen human rights groups suspect were financed by police officers.

Duterte and the police have denied any authorization of extrajudicial killings. Duterte, however, has repeatedly threatened drug suspects with death in televised speeches and encouraged law enforcers to shoot suspects who fight back. He has warned that the crackdown will be more dangerous for suspects in the final three years of his six-year term.

Philippine National Police chief Oscar Albayalde said such claims were "allegations that have never been proven." All police actions, he said, have been done within the bounds of the law and the constitution, which guarantees the protection of human rights.

Amnesty said Bulacan province north of the capital has become "the country's bloodiest killing field" after some officers involved in the crackdown were transferred there from the Manila metropolis, which used to be the "epicenter of killings."

"The reliance on violent and repressive policies continues to perpetuate human rights violations and abuses in the country," Amnesty said in its study.

Nicholas Bequelin, Amnesty's regional director for East and Southeast Asia, said Duterte's campaign "continues to be nothing but a large-scale murdering enterprise for which the poor continue to pay the highest price."

Amnesty said it investigated 20 drug-related incidents in which 27 people were killed across Bulacan from May 2018 to last April by interviewing witnesses, families of the dead, local officials and rights activists.

Amnesty concluded that half of the incidents "appear to have been extrajudicial executions" based on witnesses' accounts and other information. The others were murky due to difficulty in obtaining information about the killings "although their broad outlines were consistent with patterns of previous extrajudicial executions," the group said.

Slain suspects who struggled to earn a living were accused of being "big-time" drug dealers, Amnesty said, citing interviews with families of suspects. Police officers always justified the deaths by claiming that suspects fought back during so-called "buy-bust" operations, where undercover agents posed as drug buyers, but Amnesty said it doubted the police reports, saying they did not "meet the feeblest standards of credibility."

Some suspects who police claimed fired back were too poor to buy a gun. Others died after police forcibly broke into homes and opened fire then later claimed the suspects fought back after sensing they were being entrapped in police "buy-bust" transactions, Amnesty said, citing accounts by suspects' relatives and witnesses.

Amnesty also questioned the legitimacy and accuracy of drug "watch lists," which it said contain the names of drug suspects targeted in police raids.

The group called on the U.N. Human Rights Council to immediately initiate an investigation into the killings. It asked an International Criminal Court prosecutor to hasten the examination of complaints sparked by the massive deaths for The Hague-based tribunal to open a separate investigation.

Foreign governments should "use all diplomatic and political tools at your disposal to put pressure on the Philippines to immediately end all crimes" committed under the crackdown and stop foreign aid or any support that may contribute to the commission of human rights violations by police officers," Amnesty said.

Iceland has submitted a draft resolution to the 47-state Human Rights Council asking the U.N. High Commissioner for Human Rights to prepare a comprehensive report on human rights in the Philippines and calling on the Duterte administration to facilitate visits by U.N. rights experts and refrain "from all acts of intimidation." Duterte has opposed any visit by U.N. investigators.

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

TOPICS

Truth and Reconciliation Commission

Inquest Revives the Pain of Apartheid-Era Deaths (U.S. News & World Report) By Ufrieda Ho
July 4, 2019

A mild winter's morning in Johannesburg in June, 80-year-old Joao "Jan" Rodrigues sat in the city's High Court, waiting to learn of his legal fate over a mysterious apartheid-era death that took place 48 years ago.

In the 1970s Rodrigues had worked as a police officer in South Africa's Special Branch, the police unit that attacked groups

and individuals opposed to the country's segregationist policies. In October 1971 Rodrigues was present when anti-apartheid activist Ahmed Timol fell to his death from the 10th floor of a police building. Authorities at the time called it a suicide and closed the inquest into Timol's death. As the decades passed, Rodrigues faded from public attention.

Timol's relatives, however, as well as a collection of human rights attorneys, maintained pressure to reopen the inquest. Their campaigning paid off on June 3, when Rodrigues was in court to hear the ruling: he would have to stand trial for his alleged role in Timol's death.

The precedent-setting decision may now open the door to more investigations into the deaths and disappearances of dozens, possibly hundreds, of other activists. The reopening of the Timol case also risks reviving one of the most painful legacies of the apartheid era: the accusations and counter-charges of atrocities allegedly committed by the apartheid regime and by activists challenging segregationist policies.

Ahmed Timol's family never accepted that the 29-year-old school teacher, who was arrested for being in possession of pamphlets of the banned South African Communist Party, jumped to his death while under police interrogation. Since 2002, Timol's nephew, Imtiaz Cajee and a band of human rights lawyers have appealed to South Africa's National Prosecuting Authority (NPA) to reopen the inquest into his uncle's death.

The Timol case is one of about 300 inquest cases of deaths from unnatural circumstances linked to politically motivated killings during apartheid, the institutionalized racial segregation in South Africa that ran from 1948 to the early 1990s. In 2003 the country's Truth and Reconciliation Commission (TRC), the restorative justice body formed in the mid-1990s at the end of apartheid, handed the cases over to the NPA with instruction for further investigations and possible prosecutions. The TRC was formed to allow perpetrators of politically motivated crimes to come forward voluntarily and offer full disclosure of their offenses in exchange for amnesty.

However, the Timol case and the hundreds of others gathered dust until June 2017, when news surfaced through Cajee and the human rights lawyers' own investigations that Rodrigues was alive. Rodrigues was located, subpoenaed and eventually charged in July 2018. Rodrigues' lawyers had sought a permanent stay of prosecution, but the June 3 court hearing ordered him to stand trial.

The Timol case is one of four high-profile inquests that human rights lawyers have successfully sought to be reopened since 2003. They continue to work on more cases, currently about 25, but so far none have yielded answers for the victims' relatives or resulted in prosecutions.

William Gumede, associate professor at the University of Witwatersrand's School of Governance and executive chairperson of the Democracy Works Foundation, says he expects more pressure to be put on the NPA and more families to come forward as a result of the Rodrigues ruling.

"This was always going to happen because the TRC could not practically deal with all these cases. The children or grandchildren of the victims are now also reaching an age where they understand how to use the law, including the possibility of class actions."

Gumede says the public is also regaining confidence that the NPA will now act. The NPA head is a political appointment and has under two previous presidencies been criticized for being politically tainted and therefore rendered ineffectual. In February of this year, President Cyril Ramaphosa appointed a new national director of the NPA, a move that Gumede says is winning back public trust.

Yasmin Sooka, executive director of the Foundation for Human Rights in Johannesburg, says her organization is calling for an investigation into political interference at the NPA. The organization's alarm, she says, is because Rodrigues didn't apply for amnesty at the TRC yet still eluded prosecution for decades. Sooka wrote a formal appeal to Ramaphosa.

"Political interference from the time of Thabo Mbeki's presidency in 1999 to the end of Jacob Zuma's presidency in 2018 must be investigated."

Bulelwa Makeke, the NPA's head of communications, rejects such charges, saying "the obstacle of political interference is a thing of the past" with a new national director at the helm. She says the NPA is fast-tracking the reopening of inquest cases and is bolstering staffing.

Makeke acknowledges the challenges presented by lost dockets, inadmissible evidence and witnesses who may not be able to provide reliable testimony due to the passage of time. She has no timetable for when more cases will actually be reopened.

Sooka, like Gumede, says justice must be done but she says many families have been open to plea bargains and custodial sentences for perpetrators. "The process is not about revenge, but about giving the families answers and closure."

The media attention around the Rodrigues case has seen former security branch police members emerge from the past. Like Rodrigues, many did not apply for amnesty at the TRC and could end up facing legal action. Such scenarios are drawing criticism from former law enforcement officials.

"The Rodrigues case is about revenge; Rodrigues did not apply for amnesty because he has always claimed he did not do anything illegal," says Johan van der Merwe, the former national police commissioner during the last days of apartheid. In 1996 he helped form the Foundation for Equality Before the Law, an organization aiming to protect the interests of former Special Branch policemen.

Van der Merwe criticizes the Rodrigues ruling as "gross violation of South Africa's Constitution." Just as Rodrigues is being made to stand trial now, so should a number of prominent African National Congress members who never sought amnesty, argues Van der Merwe, who insists are implicated in committing apartheid-era atrocities.

Mo Shaik, a former fighter in Umkhonto we Sizwe, the armed wing of the African National Congress and former state security boss in Jacob Zuma's presidency, says today's divides created by the apartheid-era deats is a result of South Africa having to build a democracy that only about by making compromises with the former regime.

"We were negotiating with enemies in a brutal time. Maybe we were too hasty to put things behind us and we believed the TRC would close the book on these matters."

The path forward for resolving the apartheid-era deaths won't be easy, says Gumede, the University of Witwatersrand professor.

"There is no silver bullet for how South Africa deals with these old apartheid cases. It will need parallel processes from the courts and leadership from civil society, business and the faith-based community."

He adds: "It's about finding closure and justice for the families that acknowledges harm done; symbolic and material reparations and using a process that is not about terror or revenge."

Excavating a Horror That Some Koreans Wish Would Stay Buried (The New York Times) By Choe Sang-Hun
July 5, 2019

On a lush hillside torn open by an excavator, Park Sun-joo and volunteers combed through the soil with trowels and brushes, looking for villagers, including children, who were bludgeoned and buried, some still alive and moaning, by their own neighbors in 1950, at the outset of the Korean War.

Mr. Park, a physical anthropologist by training, has excavated ancient human bones all his adult life to study the origins of the Korean people. But by recovering more recent human remains in this and other towns in recent years, he is cracking open one of the most tragic chapters of modern Korean history — and becoming a lightning rod for criticism from conservative nationalist groups.

"Colleagues ask why I do this work, which is not exactly my academic specialty, paleoanthropology," said Mr. Park, 71, in an interview. "But I cannot ignore the reality, the still-living agonies of the victims' families, the old men and women who come out to our excavation site every day and watch us, hoping that they will finally be able to take home the remains of their loved ones."

The stories the old villagers tell Mr. Park resonate with him.

His father was running a transportation company in Seoul when the war broke out. The police came and tortured him, demanding the whereabouts of his brother, a publishing company official who was accused of being a Communist sympathizer.

Mr. Park's uncle eluded the police, but his father never recovered from the injuries inflicted on him and died a broken man, sick and jobless. His mother was forced to toil in a shoe factory to support her six children.

"The people killed in these sites are of my father's age," Mr. Park said. "While digging up their bones, I think the same thing might as well have happened to my own family."

As Mr. Park learned during his work, the killings of the Korean War were done not just by troops, but also by the police and rival villagers.

When North Korean invaders swept down into the south, the South Korean police executed thousands of political prisoners

and people suspected of sympathizing with North Korea to prevent them from joining the North's side. Then, as the rival armies swept up and down the Korean Peninsula in the early months of the war, towns changed hands and more blood baths followed.

North Korean supporters slaughtered the relatives of the South Korean police and soldiers with spears and pitchforks. When the South Korean police came back, they and right-wing villagers who had lost their relatives quickly ferreted out and executed those they accused of being Communist collaborators and their family members.

Remains found in an abandoned gold mine in Asan last year. Credit via Park Sun-joo Sometimes the revenge killings were fueled not just by political ideology, but also by prewar family feuds. Villagers often wiped out entire families so that there would be no one left to retaliate.

After the war ended, those murdered by the Communist invaders and leftist vigilantes were treated like martyrs in South Korea.

But military dictators who ruled South Korea after the war banned any public discussion of the atrocities committed by the South Korean police and right-wing vigilantes. The police put the victims' families under surveillance and kept secret files on them into the 1980s. The families themselves hid their backgrounds, fearful of the stigma of being labeled the "reds' offspring."

Today, many victims remain buried where they were executed and dumped nearly seven decades ago.

"There is still a leftist-rightist tension at the bottom of our society, with the red stigma not yet removed and many people deeply uncomfortable with any attempt to excavate the past," Mr. Park said. "One way of healing the wounds that still divide our society is to recover the remains and return them to their families."

Mr. Park, a Seoul native, was a history major and aspiring journalist at Yonsei University in Seoul when he fell in love with archaeology while interning in a museum. But he had little inkling that he would become involved with Korean War remains when he returned home in 1989 with a doctorate in human osteology from the University of California at Berkeley and began teaching at Chungbuk National University.

Then, in 2000, the Defense Ministry asked Mr. Park to help recover fallen soldiers in Korean War battle sites. A colonel told Mr. Park that he was the only osteologist he could find in South Korea.

While excavating the young fallen soldiers, Mr. Park felt the tragedy that the war brought home. A soldier whose remains his team uncovered inspired the movie "Taegukgi: Brotherhood of War," a 2004 box-office hit in South Korea.

Around this time, another tragedy of the war was brought to Mr. Park for excavation.

Under the liberal government of President Roh Moo-hyun, South Korea established its Truth and Reconciliation Commission in 2005 to investigate civilian massacres during the war. The commission eventually confirmed widespread extrajudicial mass executions of unarmed civilians across South Korea by its own police and military, as well as by right-wing villagers.

When it started excavating the killing sites in 2007, Mr. Park was asked to lead the efforts.

Mr. Park's team quickly uncovered the long-suppressed horror: skeletal remains stacked one on top of another, with hands still tied and bullet holes in the skulls. They corroborated witness accounts of the police making victims crouch in trenches before shooting them in the head. Children's bones were found with toy marbles.

"Villagers were mobilized to dig anti-air-raid trenches when their towns were under Communist rule," said Ahn Kyung-ho, a former truth commission investigator who still works with Mr. Park in excavating burial sites. "When South Korean forces took over, they were taken to the same trenches and executed."

The commission's work proved deeply divisive, with conservative politicians condemning it as an ideologically driven campaign to discredit their fight against Communism. By the time President Lee Myung-bak, a conservative, shut it down in 2010, Mr. Park's teams had excavated only 11 of 168 potential mass burial sites, recovering 1,600 sets of remains, a small fraction of the tens of thousands of civilians killed.

Families felt dejected. Their efforts to reinstate the commission have remained stuck at Parliament, even after President Moon Jae-in, a liberal, took office in 2017. In 2014, their advocates launched a nongovernmental excavation team and asked Mr. Park to lead it.

By then, Mr. Park was retired and was ready to join his Korean-American wife in Washington. Both of his children grew up as United States citizens and live in America now. His son works in the United States Agency for International Development. His

daughter works at a software company after a stint in the White House.

"I asked my wife to give me five years before joining her," Mr. Park said. "It looks like I have to ask for five more years."

Mr. Park's team has recovered the remains of 400 people in six killing sites since 2014, including 208 executed in an abandoned gold mine in Asan, about 50 miles south of Seoul, in what the truth commission called a "crime against humanity."

Of those found in the mine, 58 were 12 years old or younger. Of the rest, more than 80 percent were women.

In May, Mr. Park's team returned to Asan to excavate a hillside near a village called Daedong-ri.

"They bludgeoned the victims, adults and children, indiscriminately," a witness identified only by his last name, Lee, told the truth commission, describing the execution of 80 people by fellow villagers at the site in 1950. "They then threw dirt over them, some still alive and writhing in pain."

"For years, the victims' families could not dare come near this site for fear of being called reds," said Hong Nam-hwa, 53, a Daedong-ri resident who lost several relatives and watched Mr. Park's team work on a recent Saturday.

Mr. Park's work, funded largely by donations, has been painfully slow. Old burial sites have been destroyed to make room for highways and factories. The few witnesses alive who could locate the killing sites often would not cooperate, fearful of rekindling the ill feelings that remain raw in isolated rural communities.

After 29 days of searching the hillside, Mr. Park's team found bones that appeared to come from four people. But they had to stop to wait out the monsoon season.

"I know there are more bones down here," Mr. Park said.

Local and provincial governments are taking reparative measures for conflict victims (The Kathmandu Post)

July 6, 2019

At a time when the federal government seems reluctant to provide justice for the victims of the decade-long armed insurgency, the local and provincial governments have started taking some steps to provide reparations for the victims locally.

Reparation, truth-seeking, prosecution, and institutional reformation to ensure that there is no repetition of violence in the future are the four major components of the transitional justice process, which has been dragging on for more than a decade now.

With financial assistance from the Province 3 government, statues of 21 people killed by Nepal Army have been constructed at Dandakatari in Doramba Rural Municipality of Ramechhap.

Nineteen unarmed Maoist cadres and two locals were shot dead after their arrests in August 2003 while peace talks between the government and then Maoist rebels were going on at Hapure of Dang district.

The provincial government allocated Rs2 million, following a request from the victims' families for setting up the statues in memory of those who lost their lives during the conflict.

Dhan Bahadur Tamang, chairman of the Doramba Sahid Smriti Prathisthan, said establishment of the statues is a part of measures to recognise the contribution of the victims.

"We have a long-term plan to develop Doramba as a war tourism destination," said Tamang, who is among the 11 who managed to escape in 2003.

The local governments from Bardiya, one of the districts most affected by the insurgency, with the highest (197) cases of disappearance and 212 deaths from 1996 to 2006, are ahead of others when it comes to initiating the reparation drive.

Bansgadhi Municipality has constructed a memorial park dedicated to those who were killed or disappeared from the area during the conflict.

It has also created a fund from which the victims' families can take a concessional loan.

The municipality also has launched income generation activities aimed at uplifting the economic conditions of such families.

“We got to witness the present change due to their [victims’] contribution. Now it becomes our responsibility to work in recognition of their contribution,” Shalik Ram Adhikari, mayor at the municipality, told the Post.

Similarly, Rajapur Municipality from the district has started writing the profiles of those who were either killed or forcibly disappeared from the area.

Barha Bardiya and Badhaiyatal Municipalities have named the roads in their areas after the victims while creating a basket fund for the livelihood support for such families. Shuklaphanta Municipality in Kanchanpur and Ratuwa Municipality in Morang also have named local infrastructure after the names of the victims.

“We are happy to see the local and provincial governments taking some steps towards recognition of the victims. The federal government must come up with such reparative measures without delay,” Bhagi Ram Chaudhary, chairperson of the Conflict Victims Common Platform, told the Post.

At least 17,000 people were killed and 1,344 forcefully disappeared while hundreds of others were injured as victims of either the state or the Maoist party during the insurgency. Though the families of those who were killed or forcefully disappeared got Rs 1 million each as interim relief, no other steps at providing justice or reparations have been taken, 13 years after the insurgency ended.

The Truth and Reconciliation Commission and the Commission of Investigation on the Enforced Disappeared Persons in the four years of their formation could do nothing except collecting the complaints. The truth commission has received around 63,000 cases while the disappearance commission is sitting on around 3,000 cases. Both the commissions have been defunct since April as the government hasn’t been able to appoint new officials. Lack of agreement among the ruling and opposition parties over the seat-sharing has delayed the appointment process. Nor has the government amended the Transitional Justice Act in line with the Supreme Court ruling and international obligations.

Appoint TRC, CIEDP officials after act amendment, says accountability watchdog (The Himalayan Times)
July 10, 2019

Accountability Watch Committee has appealed to the government to amend the Transitional Justice Act before appointing members of two transitional justice mechanisms, Truth and Reconciliation Commission and Commission of Investigation on Enforced Disappeared Persons.

The government has formed a committee led by former chief justice Om Prakash Mishra to appoint members and chairpersons of the commissions. Issuing a statement, the AWC said the commissions would remain ineffective if they were formed without the amendment of the act, in line with the Supreme Court verdicts and by incorporating suggestions from international community.

The AWC said commissions formed without wider consultations, following a transparent process and putting necessary legal framework in place would not be effective, trustworthy, victim-friendly and credible. They undermine the rule of law and will further strengthen impunity rampant in Nepal.

The AWC also reminded the government of key UN documents that expressed its inability to support the TJ mechanisms of Nepal established under the existing Act as it violated Nepal’s international human rights obligation. “AWC once again appeals to the government to expedite the process of consultation and amendment of the legal framework, ensuring its ownership by the conflict victims and human rights community, without further delay. It also appeals to the recommendation committee not to recommend names to the TJ bodies prior to the amendment of the TRC Act, 2014, in line with the decision of the Supreme Court and international standards,” read its statement.

The AWC also made its position clear that it would not support and engage with the commissions if they were established without the amendment of the Act.

It appealed to all stakeholders, including international partners, not to be a part of the TJ process that undermines international human rights obligation of Nepal and contributes to further erode rule of law and promote impunity in the country.

Nepal: 13 years after civil war ends, victims await justice (AA) By Deepak Adhikari
July 13, 2019

Prakash Chaudhary, 32, vividly remembers the day when his teenage sister was killed 18 years ago in a blast outside their home in Nepal’s southwestern district of Dang.

On May 11, 2001, at the peak of Maoist insurgency, the explosion hit the 5th grader and her cousin when they were playing at their courtyard. Chaudhry's cousin survived in the attack, but his 14-year-old sister died on the spot.

"At the time, we were gripped by fear. The Maoist combatants frequented our home to stay overnight. The police also came to enquire about them," recalled Chaudhry, who is a coordinator of a conflict victim group, in Dang.

He himself was incarcerated for three months in 2001 and was allegedly tortured by security forces. Four years later, his 15-year-old brother was among three people allegedly killed by the army.

Eighteen years on, these memories serve as a painful reminder of the price common people like Chaudhary paid in the 10-year-long Nepalese Civil War, which ended after a peace deal between the government and Maoist insurgents in 2006.

The war left over 17,000 people dead. About 1,530 people went missing and more than 8,000 were injured or suffered physical disability.

The former rebels have led or become part of the government in Kathmandu on several occasions.

Despite the peace deal and promise to investigate war crimes -- extrajudicial killings, torture and sexual violence during the war -- not a single perpetrator has been punished.

Bal Krishna Dhungel, a senior Maoist leader, who was convicted for a murder during the war in Okhaldhunga district and sentenced to 12 years and 5 months in jail, was released in May last year after serving an 18-month jail sentence. He was released following a presidential amnesty.

Similarly, Agni Sapkota, a former Maoist minister, faces charges of murder in his home district of Kavrepalanchok in central Nepal.

However, a splinter Maoist party, exploiting the growing frustration among former Maoists, has resorted to violence. It has vowed to fight for the cause of their "people's war". Their campaign has led to the death of eight of their cadres over the last three months.

As victims of the war demand justice, photo exhibitions by nonprofit organizations have showcased stories and portraits of survivors. An exhibition -- which depicted the war's impacts on masses and tales of survival and brutality -- ended in Kathmandu last week.

Sabin Shrestha -- the executive director of Forum for Women, Law and Development (FWLD), an advocacy group which organized the exhibition -- said the transitional justice process had failed to address the grievances of people affected by the violence.

"There seems to be a huge gap between victims at the grassroots level and their leaders in Kathmandu. The war ended but its trauma remains intact," he said.

The government in 2015 set up two commissions -- the Commission of Investigations on Enforced Disappearance Persons and the Truth and Reconciliation Commission -- to probe into human rights violations committed during the war.

Despite receiving over 60,000 complaints of human rights violations from victims' families and survivors, the commissions have so far failed to prosecute anyone.

Rights groups including Human Rights Watch (HRW), based in New York, have criticized Nepal for failing to meet international standards in regard to transitional justice.

"The commissions will fail again unless Nepal ensures that the law provides for proper justice for serious violations during the conflict," said Meenakshi Ganguly, HRW's South Asian director.

"For 12 years and counting, Nepal's rulers have tried to railroad conflict victims into accepting transitional justice process designed largely to protect those responsible for the abuse," she said in a statement in April.

Some survivors, such as 56-year-old Tulasa Pathak, have lost hope that they will ever get justice.

Trouble for her began soon after her 60-year-old husband was made to disappear by security forces after his arrest in 2004 in Kohalpur, a small town in the country's southwest.

"My husband was a Maoist supporter. We were working on our field one day when police came looking for him. They arrested him three times. I haven't heard from him or about him since his last arrest," Pathak said.

She said there was no point in narrating her ordeals again since it will not bring her husband back.

“For me everything is dark. We searched for him everywhere, but there’s no trace of him,” she said.

But, rights activist Shrestha, the executive director of FWLD, said advocacy was needed to heal the wounds of war.

“Many survivors cannot afford medicine because they don’t have a steady income. The local governments must address these issues to minimize the survivors’ plight,” he said.

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

Terrorism

In Myanmar's conflict-torn Rakhine, fresh allegations of 'war crimes' (Reuters) By Poppy Mcpherson, Thu Thu Aung
July 12, 2019

When 35-year-old Ah Hla showed up to a police station in western Myanmar in late April hoping to see her husband among the prisoners, she didn’t know whether he was alive or dead.

Several dozen men, including her fisherman husband, had been detained weeks earlier when the military raided their village in central Rakhine state’s Mrauk-U township and accused them of belonging to a rebel army, residents told Reuters.

“I went there with the hope that I am going to see my husband, but he was not there,” said Ah Hla, who had walked to the police station with a group of relatives of the detained men. When she arrived, police told her that her husband of 15 years had hanged himself in his cell, and that his body had already been disposed of.

“I passed out on the floor of the police station,” she said, cradling her six-month-old son and choking back tears.

An army spokesman told Reuters that three of the detainees had died in custody, saying one, a 24-year-old man, had a heart attack, while another died from drug withdrawal and a third, 40-year-old Thein Tun Sein - Ah Hla’s husband - killed himself.

In Rakhine state, where security forces expelled more than 700,000 ethnic Rohingya Muslims in a 2017 campaign the United Nations says was carried out with “genocidal intent”, Myanmar’s military is waging a new war.

This time, the target is the Arakan Army, an armed group that recruits from among state’s mostly Buddhist ethnic Rakhines and has been fighting for greater autonomy for the region that was an independent kingdom for centuries.

In its calls for an armed “revolution”, the Arakan Army draws on deep-seated historical resentment felt by some Rakhines toward the ethnic Bamar majority that dominates the central government, and their sense that Myanmar’s faltering transition to democracy has not brought the western state greater prosperity or self-determination.

The authorities imposed an unprecedented internet shutdown across the region in late June, citing the need to avert unrest. Yanghee Lee, the U.N expert on human rights in Myanmar, said last week that both sides may be committing “war crimes” under the cover of the blackout, citing reports of deaths during army interrogations.

During a rare trip by Reuters to the conflict zone, much of which is off-limits to journalists and humanitarian agencies, 10 residents gave accounts of soldiers firing weapons indiscriminately, killing and wounding civilians, and torturing detainees.

Reuters was unable to independently verify the accounts, which were similar - though on a smaller scale - to those of Rohingya refugees who fled the violence in 2017.

According to three lawmakers in the region and Amnesty International, the military has deployed as many as five Light Infantry Divisions - shock troops famed for brutal counter-insurgency campaigns against the nation’s myriad ethnic armed groups.

In 2017, two LIDs were accused of leading a scorched earth campaign against the Rohingya, burning hundreds of villages to the ground and raping and killing women and children. The military denies ethnic cleansing and genocide.

“What’s astonishing is that some of the same military units responsible for atrocities against the Rohingya are now committing new abuses in Rakhine,” said Laura Haigh, Amnesty’s Myanmar researcher.

Contacted by phone, Zaw Min Tun, a military spokesman, said such abuse of detainees “might happen or might not happen”, adding that allegations would be investigated.

“I am not denying there is abuse or torture during the period of arrest, because this kind of thing might be happening on the ground level, whatever we order,” he said.

“If that kind of thing happens, we can go through the legal process. We always take action against our military men who unjustly torture people.”

Three hours by boat from the state capital of Sittwe up the languid Kaladan river, Mrauk-U was for more than 300 years the capital of an independent Rakhine kingdom, until it was annexed by the Burmese in 1784.

Despite rich oil reserves and a strategic location on the Bay of Bengal, the state is one of Myanmar’s poorest.

Before the recent fighting, the town was popular with tourists who came to see the ancient temples that dot the landscape.

Now, displaced villagers camp in tents in the shadows of the monuments and, in the town, families sleep in bunkers loaded with sandbags to escape shelling and gunfire.

In Lekkar, the village where Ah Hla lived with her husband, half a dozen residents said troops from the 22nd and 55th LIDs fired indiscriminately into the village, driving inhabitants into a monastery where they were detained, separated by gender, questioned, and forced to squat for hours under the hot sun. Reuters was unable to contact local officials to seek comment.

Soldiers then took 27 men and held them for several weeks in an interrogation center where, according to three of the detainees and six family members of the arrested men, they were kept in darkness, deprived of food and water, and subjected to beatings and electrocution. One man told his wife a fellow detainee was forced to stand on his tip-toes with a noose tied around his neck.

Ah Hla said police officers gave her a photo, seen by Reuters, showing her husband’s bone-thin dead body, so she could explain to her children what had happened to him.

“I don’t know even know what they did with his body or if they did a funeral for him,” she said.

National police spokesman Colonel Myo Thu Soe did not answer calls seeking comment. A police officer in the state capital Sittwe hung up the phone.

Outside a courtroom in Sittwe last week, the detained men taken in the same raid said they were innocent and urged journalists to “tell the truth” about what had happened to them. They have been charged with breaking the Terrorism Act, punishable with up to 10 years in prison, and are on remand awaiting trial.

“They tortured us in many ways,” one of the men shouted. “We were beaten in so many ways.”

Khin Shwe Than, the mother of one of the detainees, a 16-year-old boy, said he told her he was kept in a dark cell, deprived of food and water and beaten.

The central government led by Nobel laureate Aung San Suu Kyi has little support in an area where her National League for Democracy party lost to the Arakan National Party in the 2015 election that brought her to power.

Suu Kyi called for the armed forces to “crush” the rebels during a meeting with the military chief in January, her spokesman said.

On June 21, the Ministry of Transport and Telecommunications directed all telecoms companies to “temporarily” disable internet services in nine townships across Rakhine and neighboring Chin state, citing “disturbances of peace and use of internet activities to coordinate illegal activities”.

Human Rights Watch says as many as 1 million people have been affected.

Myo Swe, a spokesman for the Ministry of Communications and Information Technology, told Reuters the shutdown was in the “public interest” and connectivity would be restored when “rule of law and security” could be ensured.

Khine Thu Ka, a spokesman for the Arakan Army, said the military had sent in reinforcements in recent days overland and by

boat. “We can say fighting and clashes are happening frequently since the internet shutdown,” he said.

The group has been accused of abuses including the abduction of dozens of civilians. Khine Thu Ka said it had eight people in its custody but was planning to release them.

Since internet access was cut off, activists say news about the escalating conflict has been slower to trickle out.

The U.N says more than 35,000 people have been forced to flee their homes since January because of the fighting.

Aung Than Tun, who runs a volunteer ambulance service in the town, said he has driven dozens of wounded people to hospital after clashes in villages since the conflict began in January, most with mortar and gunshot injuries.

The shutdown meant he could no longer post appeals for blood donors on Facebook, he said.

Some residents said they were resorting to traveling hours by road to the state capital, risking landmines and gunfire, to get access to the internet.

Oo Twan Hla, a lawyer, said he took the road regularly to check court dates and communicate with a growing number of clients – including many arrested over alleged ties to the Arakan Army.

“It’s like we are in the dark, behind a locked door,” he said.

Why these African countries are defending China’s mass detention of Muslims (Quartz) By Abdi Latif Lahir
July 16, 2019

China has for years faced international pressure over its mass detention of ethnic Uyghur Muslims in the north-western Xinjiang region under the guise of “re-education” against extremist thought. Those moves have now drawn support from 37 countries, including from over a dozen African states some of them with majority Muslim populations.

In a letter to the United Nations Human Rights Council last week, ambassadors from African, Asian, and Latin American countries praised Beijing’s “remarkable achievements in the field of human rights.” The states said China faced terrorism, separatism and religious extremism in the restive Xinjiang region and noted the de-radicalization measures contributed to peace and security in the restive region.

Chinese authorities have repeatedly denied allegations of torture and brainwashing, saying the camps are “vocational training centers” aimed at combating terrorism and Islamic extremism.

The letter was signed by many global Muslim states including Qatar, Pakistan, and Saudi Arabia. But it also drew the signatures of 16 African countries like Burundi, Eritrea, and Nigeria, besides countries with large Muslim adherents including Sudan, Egypt, Algeria, and Somalia.

The statement was also a rejoinder to another one signed days earlier by more than 20 European and Western states including Britain, Germany, and Canada that rebuked China over the repression in Xinjiang. On Monday (July 15), Beijing praised the letter from the 37 states saying it was a retort to the way Western nations and foreign media covered the situation in Xinjiang.

The clash of letters underscores China’s growing influence in the United Nations and its push to advance its interests globally. This comes as threats to multilateralism grow and the UN faces increasing limitations and funding cuts from the Trump administration.

For African states, China’s surging influence in the global body arrives as Beijing expands its presence and investments in their nations. It’s a relationship that many African leaders see as crucial. Twice as many African presidents attended China’s Africa summit last year than they did the UN general assembly in New York.

The African states that signed the letter in support of the large-scale arbitrary detentions are also entangled economically with China. Some of them like Angola, Gabon, and Nigeria have secured billions of dollars in Chinese financing for infrastructure projects. A majority of these nations including Togo, Algeria, and Zimbabwe have also ratified the memorandum of understanding on the China-proposed Belt and Road Initiative, which aims to establish a trans-continental passage that connects China with Asia, Europe, and Africa.

Many of the countries that signed the letter are also major exporters of minerals and metals to China. These include nations like South Sudan, Angola, DR Congo, and the Republic of Congo, who are increasingly reliant on China for their petroleum, zinc, copper, and cobalt exports.

Some of the signatories to the letter have also been condemned by the United Nations and activists for their own human rights violations. Since president Abdel Fatah el-Sisi took power in Egypt, his administration has been accused of escalating a campaign of harassment and arrests against civil society groups, political opponents, and journalists.

The same is true of Eritrea where the one-party state of president Isaias Afwerki has overseen a notorious national conscription service likened to slavery, contributing to the wave of refugees fleeing the country. In February, the UN's Human Rights Council highlighted scorched earth policies in South Sudan that "may amount to war crimes" which included rape and sexual violence against women and girls.

Defying Trump, US House votes to block Saudi arms sales (AlJazeera) By William Roberts
William Roberts

Measures related to \$8bn in arms sales to Saudi Arabia now go to Trump, who is expected to veto the resolutions.

The United States House of Representatives on Wednesday approved three resolutions aimed at blocking President Donald Trump's planned sale of guided missiles and other weapons to Saudi Arabia, the United Arab Emirates (UAE) and Jordan.

The approval of the measures is another political rebuke of Trump's relationship with Saudi Arabia, which has drawn sharp criticism in Congress over human rights abuses and the mounting death toll from the war in Yemen.

Citing new military tensions with Iran in May, Trump used an "emergency" loophole in US arms control law to bypass Congress to complete the sale of more than eight billion dollars in weapons to Saudi Arabia, the UAE and Jordan. The move circumvented US law that gives Congress the power to review major weapons sales.

Many politicians view Trump's claims of an emergency as exaggerated, pointing out that most of the weapons sales at issue could not be delivered for months, even years.

The House vote sends three of 22 joint resolutions of disapproval of already passed by the Senate to the president who is expected to veto the measures.

'Most significant' House Majority Leader Steny Hoyer, a Democrat, said the three specific resolutions were "most significant" because they would cancel contracts related to arms that could be used in the war in Yemen.

The three contracts relate to plans by US weapons-maker Raytheon to build a co-production plant in Saudi Arabia to assemble "Paveway" smart bombs, the type of laser and GPS-guided weapons that in 2018 destroyed a school bus in Yemen killing more than 40 boys.

"It's bad considering the Saudi war crimes in Yemen and the humanitarian crisis they are perpetuating through a blockade and air strikes on so many civilian targets," Hassan El-Tayyab, codirector of Just Foreign Policy, an advocacy group in Washington seeking to end the war in Yemen, told Al Jazeera.

"It's not a good thing for Yemen or the region or the national security interests of the US," El-Tayyab said.

Raytheon's agreement to co-produce hi-tech weapons in Saudi Arabia was reached in May 2017 during Trump's visit to Riyadh.

It is unclear whether Congress has enough votes to override a veto, but the controversy is a warning sign of potential trouble ahead in the US-Saudi relationship as the opposition to doing business with the kingdom grows.

Wednesday's vote against the weapons sales is the latest effort by Congress to express disapproval of US military support for Saudi Arabia since the murder of Saudi journalist Jamal Khashoggi in October 2018.

Khashoggi was killed after he entered the Saudi consulate in Istanbul, Turkey. According to reports, US intelligence agencies concluded that Saudi Crown Prince Mohammed bin Salman (MBS) ordered the murder, a conclusion Saudi officials deny.

On Monday, the House approved a measure that seeks to impose sanctions on officials involved in Khashoggi's murder.

Representatives also voted in favour of a bill that would condemn Saudi Arabia's detention and alleged abuse of women's rights activists.

House Democrats are also pushing an amendment to a major defence authorisation bill passed by the House and pending before the Senate that could force Trump's hand in ending US support for the Saudi war in Yemen.

In April, Trump vetoed a measure that sought to end US military involvement in the Saudi-UAE war in Yemen.

Senators on the Foreign Relations Committee have also approved a bill that would close the loophole Trump had used for Saudi Arabia.

Assistant Secretary of State R Clarke Cooper appeared before the House Foreign Affairs Committee in June to make the case for the weapons sales to Saudi Arabia.

He said Trump's weapon sales were necessary to reassure the US allies in the Gulf faced with Iranian aggression. Tensions between the US and Iran have intensified since Trump withdrew his country from the 2015 nuclear deal and reimposed sanctions on Tehran.

Cooper was met by hostile questioning from Democrats and some Republicans on the committee.

Citing "a disturbing pattern of destabilisation and terrorism" in the region, Representative Ilhan Omar, a Democrat, said, "Backing the Saudi government and Emiratis is backing war crimes and crimes against humanity. Providing them with arms is complicity."

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

Piracy

Indian veterans back in dangerous waters to fight pirates (DW.com)

July 18, 2019

Maritime security firms are increasingly turning to India and other Asian countries to hire lower-paid security guards. For some armed forces veterans, it's a lucrative way to return to civilian life.

That confrontation with Somali pirates still sends shivers down Abdul Razack's spine. It was a close shave for the former Indian Navy sailor.

Razack and his team of former Indian veterans were manning an oil tanker in the Red Sea off the coast of Somalia in 2013, when they came under attack from pirates.

The buccaneers relentlessly pursued the tanker, unfazed by several rounds of warning gunshots. As the chase went on, Razack's team was fast running out of ammunition. But as luck would have it, the pirates gave up their pursuit, knowing little that the guards and crew onboard the tanker were just short of becoming sitting ducks.

"We feared for our lives," Razack said. "Had the pirates not left, we would have been dead." Razack today runs a hiring firm that supplies Indian veterans to global maritime security firms, which are turning to Asia for lower-paid guards to drive down costs in a crowded industry that is struggling amid a decline in piracy off the coast of Somalia.

The demand for cheap labor has provided Indian armed forces veterans with a lucrative path back to civilian life. Indian guards with over 15 years of experience in the forces can earn as much as five times their last drawn salaries in the military — remunerations attractive enough for them to embark on a risky second innings.

"There was always a threat to life. We did not know we would come back to India or not. My family was worried for me," Razack told DW. "But the salary was enough to convince my family. They understood that the high risk came with the promise of a higher salary."

Private maritime security firms mushroomed in the late 2000s, when piracy off the Horn of Africa was at its peak. They supplied security teams to secure ships traversing the dangerous waters. The guards were drawn predominantly from elite military units in the UK, the US and Greece.

As the industry became more crowded, the smaller players started hiring lower-paid guards from India, Sri Lanka and other Asian countries to remain competitive. In most cases, these guards lacked the experience and expertise of their Western peers.

"These smaller companies that were driving the 'price wars' introduced to the industry the whole Asian game," said Dimitris

Maniatis, chief commercial officer of Diaplous, one of the largest private maritime security firms. "Each and every company tried to find an agent who could supply them guards at the lowest possible rate." Soon the bigger firms, including Diaplous, also joined the bandwagon to avoid being priced out of an industry that within 4 years of its inception had nearly 500 companies. Many of the companies have since folded up, unable to survive the competition amid a fall in piracy off the coast of Somalia.

Piracy remains rampant in the Gulf of Guinea, off the West African coast.

The pursuit of cheap labor has brought about a drastic demographic change in the workforce. Nearly two-thirds of the guards employed by the industry today are Asians, including Nepalese, Burmese and Filipinos.

The shipping companies hiring their services ensure they are served their local food. The only exceptions are firms from China, which only serve Chinese meals.

The Asian guards are paid less than half the salaries drawn by their Western peers. An experienced team leader from the West would earn around \$4,500 (€3,600) per month, while his Indian counterpart would make around \$2,000.

A Western newbie would get paid around \$1,600 per month, while a new Indian guard would receive \$750 per month, minus the job agent's commission.

"I don't believe that nationals coming from countries that require lower monthly salaries are of lesser quality because of their nationality," Maniatis told DW.

"India, for example, has a brilliant navy and excellent officer academies. These people come with a wealth of knowledge on marine operations, on vessel operations, on maritime security, on interaction with naval assets in the region. They also understand patterns of life at sea and don't mistake fishermen for pirates, for example," he said.

More than a third of the guards at Diaplous, which means "sea passage" in Greek, are from India, while another 10% are from Sri Lanka.

Maniatis stressed that his company does not employ Gurkhas from Nepal, unlike many British firms. Gurkha soldiers are an integral part of the British army and are known for their valor. "We don't understand how a mountainous people from a landlocked country could operate onboard a vessel sailing on the high seas," he said.

Despite a rise in demand following attacks on oil tankers in the Gulf of Oman last month, many maritime security firms are struggling to stay afloat.

Several of them are not even hiring any guards, instead they are simply leasing them from recruitment firms to cut corners.

"This is alarming, extremely dangerous for the operation and the industry as whole," said Maniatis. "They do not have any training. They lack understanding of the standard operating procedures of the company hiring them and they do not have proper certification when it comes to the weapons they would be using."

Turkish sailors taken hostage by pirates off Nigeria (Middle East Logistics)

July 18, 2019

A Turkish cargo ship was attacked by pirates off the coast Nigeria and all 10 members of her crew have been taken hostage, reports the Daily Sabah.

Kadioğlu Maritime, the operator of the ship, said in a statement that the ship Paksoy-1 was sailing without freight from Cameroon's port city of Douala to Abidjan in Ivory Coast when it was boarded by pirates.

"No injuries or loss of lives occurred according to initial information. Our efforts continue for the safe and sound release of all of our personnel," it said in a statement.

According to Turkish maritime-related news website denizhaber.net, the 114-meter-long and 17-meter-wide ship was brought to the territorial waters of neighboring Ghana.

A ship from the Ghanaian Navy is sailing close to the abducted ship, the report said, citing Ghanaian officials who were trying to communicate with the pirates for the release of the personnel, including the captain and first mate.

Ömer Çelik, a Turkish government spokesperson said the government was closely following the matter and both the Foreign Ministry and intelligence units were "working on it."

The Turkish Foreign Ministry said in a statement that the pirates abandoned the ship, which was later towed to Tema Harbor in Ghana.

The statement added that the ministry was in contact with Nigerian and Ghanaian authorities to secure the release of the kidnapped Turkish citizens.

Kidnappings and piracy for ransom in Nigeria and the Gulf of Guinea are common. Last week, the International Maritime Bureau described the Gulf of Guinea as the most dangerous area in the world for piracy. It said 73% of all sea kidnappings and 92% of hostage-takings took place in the Gulf of Guinea.

The Nigerian Navy has been actively trying to combat the growing crisis in recent months.

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

Gender-Based Violence

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

Commentary and Perspectives

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

WORTH READING

War Crimes Prosecution Watch Staff

Founder/Advisor
Dean Michael P. Scharf

Faculty Advisor
Jim Johnson

Editor-in-Chief
Alexandra Hassan

Managing Editors
Mary Preston
Gloria Neilson

Technical Editor-in-Chief
Kurt Harris

Senior Technical Editors

Lysette Roman
Jaclyn Cole
Demari Muff

Associate Technical Editors

Kristin Lyons
Benjamin Boggs

Emerging Issues Advisor

Judge Rosemelle Mutoka

Contact: warcimeswatch@pilpg.org

Africa

Libya

Alex Lilly, Senior Editor
Jessica Sayre Smith, Associate Editor

Central African Republic

Amy Kochert, Senior Editor
David Codispoti, Associate Editor

Sudan & South Sudan

Amy Kochert, Senior Editor
George Kamanda, Associate Editor

Democratic Republic of the Congo

Amy Kochert, Senior Editor
Elizabeth Connors, Associate Editor

Côte d'Ivoire (Ivory Coast)

, Senior Editor
, Associate Editor

Lake Chad Region

, Senior Editor
, Associate Editor

Mali

, Senior Editor
Asako Ejima, Associate Editor

Liberia

, Senior Editor
Divyang Patel, Associate Editor

Uganda

Elen Yerosyan, Senior Editor
Matthew O'Connor, Associate Editor

Kenya

Elen Yerosyan, Senior Editor
Emily Hoffman, Associate Editor

Rwanda (International Criminal Tribunal for Rwanda)

Elen Yerosyan, Senior Editor
Luke Palmer, Associate Editor

Somalia

Elen Yerosyan, Senior Editor
Kathryn Meloni, Associate Editor

Europe

Court of Bosnia and Herzegovina, War Crimes Section

David Krawiec, Senior Editor
Laura Graham, Associate Editor

International Criminal Tribunal for the Former Yugoslavia

David Krawiec, Senior Editor
, Associate Editor

Domestic Prosecutions in the Former Yugoslavia

David Krawiec, Senior Editor
Alexander Peters, Associate Editor

Turkey

David Krawiec, Senior Editor
Kristina Aiad-Toss, Associate Editor

Middle-East

Iraq

Alex Lilly, Senior Editor
Michael Zucker, Associate Editor

Syria

Alex Lily, Senior Editor
Tyler Portner, Associate Editor

Yemen

Matt Casselberry, Senior Editor
Brenna Diley, Associate Editor

Special Tribunal for Lebanon

David Krawiec, Senior Editor
, Associate Editor

Israel and Palestine

Matt Casselberry, Senior Editor
, Associate Editor

Gulf Region

, Senior Editor
Maeve Dineen, Associate Editor

Asia

Afghanistan

, Senior Editor
, Associate Editor

Extraordinary Chambers in the Courts of Cambodia

David Krawiec, Senior Editor
, Associate Editor

Bangladesh

Estefanía Sixto Seijas, Special Senior Editor
Amanda Makhoul, Associate Editor

War Crimes Investigations in Myanmar

Estefanía Sixto Seijas, Special Senior Editor
Elizabeth Safier, Associate Editor

Americas

North and Central America

Matt Casselberry, Senior Editor
Shannon Golden, Associate Editor

South America

Amy Kochert, Senior Editor
Changdae Baek, Associate Editor

Venezuela

, Senior Editor
Cory Novak, Associate Editor

Topics

Truth and Reconciliation Commissions

Alayna Bridgett, Senior Editor
Sophia Billias, Associate Editor

Terrorism

Alayna Bridgett, Senior Editor
John Collins, Associate Editor

Piracy

Alayna Bridgett, Senior Editor
Nicole Divittorio, Associate Editor

Gender-Based Violence

Estefanía Sixto Seijas, Special Senior Editor
Rachel Adelman, Associate Editor

Commentary and Perspectives

Alayna Bridgett, Senior Editor
Courtney Koski, Associate Editor

Worth Reading

Alexandra Hassan, Editor-in-Chief
Dillon Brown, Associate Editor

War Crimes Prosecution Watch is prepared by the
International Justice Practice of the **Public International Law & Policy Group**
and the **Frederick K. Cox International Law Center** of
Case Western Reserve University School of Law
and is made possible by grants from the **Carnegie Corporation of New York**
and the **Open Society Institute**.

Grotian Moment: The International War Crimes Trial Blog:

<http://law.case.edu/grotian-moment-blog/>

Frederick K. Cox International Law Center:

<http://law.case.edu/centers/cox/>

Cox Center War Crimes Research Portal:

<http://law.case.edu/war-crimes-research-portal/>



To subscribe or unsubscribe from this newsletter, please email warcimeswatch@pilpg.org.