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

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AFRICA

NORTH AFRICA

Libya

NATO Secretary General calls for end to Libya fighting (NATO)

May 13, 2019

NATO Secretary General Jens Stoltenberg met the United Nations Secretary-General's Special Representative for Libya Ghassan Salamé at NATO headquarters on Monday (13 May 2019) for talks on the security situation in Libya.

The Secretary General expressed the Alliance's deep concern over the situation in Libya and stressed that he would continue to urge all parties to end the fighting and join again the political process, as called for by the United Nations. The Secretary General further emphasized that the current conflict is increasing the suffering of the Libyan people and putting civilian lives at risk. He made clear that there is no military solution to the situation in Libya. NATO fully supports the work of the United Nations in Libya and the Secretary General thanked the Special Representative for his work to broker a truce and to find a political solution to the crisis. NATO will continue to urge all parties in Libya, and all members of the international community, to support the UN-led process.

The Secretary General stressed that NATO is prepared to help Libya build effective security institutions, including a modern Ministry of Defence and effective security services under the civilian control of the government. This would be done at the request of the Libyan government and only when the security conditions allow it.

During his visit, Mr. Salamé also briefed the North Atlantic Council. All Allies reiterated that there is no military solution to the current crisis in Libya. They also reiterated their full support to the UN continued efforts in the country.

Libyan general praised by Trump accused of possible war crimes (CNN) By Zachary Cohen and Joshua Berlinger

May 15, 2019

The two sides battling for control of the Libyan capital Tripoli have engaged in "shameful" attacks on civilian neighborhoods that could amount to war crimes, Amnesty International said.

Renegade Field Marshal Khalifa Haftar, who has been praised by President Donald Trump, commands the Libyan National Army, which in April began an offensive to seize the city from the United Nations-backed Government of National Accord.

Libya has been plagued by violence since the ouster and killing of longtime strongman Moammar Gadhafi in 2011.

More than 400 people have been killed in the latest offensive and over 2,000 wounded, according to the World Health Organization. The UN's humanitarian affairs office said more than 60,000 people have fled their homes.

Trump was strongly criticized for praising Haftar last month as his forces moved in on the capital. The White House's official readout of a phone call between Trump and Haftar, who holds US citizenship, made no mention of the offensive on Tripoli, which Secretary of State Mike Pompeo had criticized earlier in April.

"As the battle for Tripoli unfolds, the warring parties have displayed a shameful disregard for civilian safety and international humanitarian law by carrying out indiscriminate attacks on residential neighborhoods," said Magdalena Mughrabi, Amnesty International's deputy Middle East and North Africa deputy director.

"Such reckless attacks could have devastating consequences for civilians and strengthen the need for the International Criminal Court to expand its investigations into possible war crimes by all sides in Libya's conflict."

Amnesty International said satellite images and witness testimony indicated that "densely populated residential areas in the Abu Salim district of Tripoli were indiscriminately attacked with rockets during an episode of intense fighting between 15-17 April."

Haftar's forces and a local militia affiliated with the Government of National Accord blamed each other for the indiscriminate attacks in southern Tripoli. Residents interviewed by Amnesty International told the NGO they believed Haftar's forces were responsible.

"Deliberate attacks on civilians and civilian property, and indiscriminate attacks that kill or injure civilians, amount to war crimes. All sides have an absolute obligation under international law to protect civilian lives and to clearly distinguish between civilians and fighters during their attacks," Mughrabi said.

Haftar took part in the coup that brought Gadhafi to power 50 years ago. Now in his mid-70s, he has sent his forces across the desert from Benghazi in a bid to seize the country for himself.

Haftar's main supporters are Saudi Arabia, Egypt and the United Arab Emirates.

The Government of National Accord has the recognition of the United Nations but has difficulty enforcing its rule beyond the capital. It is hobbled by internal feuds and depends for security on rival militia, most of whom have an Islamist complexion.

Amnesty International: War crimes committed in Tripoli offensive (The Libya Observer) By Abdulkader Assad
May 16, 2019

Amnesty International said Thursday that after six weeks, the offensive to take over Tripoli by Khalifa Haftar and his forces has resulted in unlawful attacks that could amount to war crimes which must be investigated by international prosecutors.

The report by Amnesty International said it had documented evidence of indiscriminate attacks on civilian areas in the Libyan capital.

"The organization has gathered witness testimony and analyzed satellite imagery, which indicates that densely populated residential areas in the Abu Salim district of Tripoli were indiscriminately attacked with rockets during an episode of intense fighting between 15-17 April." It said.

Amnesty International has also documented attacks that have placed the lives of hundreds of refugees and migrants at risk.

"As the battle for Tripoli unfolds, the warring parties have displayed a shameful disregard for civilian safety and international humanitarian law by carrying out indiscriminate attacks on residential neighbourhoods. Such reckless attacks could have

devastating consequences for civilians and strengthen the need for the International Criminal Court to expand its investigations into possible war crimes by all sides in Libya's conflict," said Magdalena Mughrabi, Deputy Middle East and North Africa Director at Amnesty International.

More than 454 people have been killed and 2,154 injured - including volunteering relief workers and civilians, according to the World Health Organization and the UN.

Around 70,000 people have also been forced to flee their homes because of the fighting.

Three killed in suspected Islamic State attack outside Libyan oilfield (Reuters)

May 18, 2019

BENGHAZI (Reuters) - Two guards and a soldier were killed and four other people were kidnapped early on Saturday in a suspected Islamic State attack targeting Libya's Zella oilfield, a security source said.

The death toll was confirmed by the National Oil Company (NOC) which condemned the attack in a statement on Saturday evening.

The attackers struck at an entrance gate to the field, which lies near the town of Zella about 760 km (470 miles) southwest of the capital, Tripoli, before fleeing, according to the source and local residents who asked not to be named.

Islamic State claimed responsibility for the attack through its Amaq news agency later on Saturday.

The Zella field belongs to Zueitina Oil Company, which pumped 19,000 barrels per day on average in the last quarter of 2018 across all its fields.

An engineer told Reuters workers at the field were safe and facilities had not been damaged.

Libya's NOC chief said on Saturday continued instability in the country could cause it to lose 95 percent of oil production.

Speaking in Saudi Arabia ahead of a ministerial panel gathering on Sunday of top OPEC and non-OPEC producers, Mustafa Sanalla also confirmed the Zella attack.

Islamic State has been active in Libya in the turmoil since the overthrow of Muammar Gaddafi in 2011. The militant group took control of the coastal city of Sirte in 2015 but lost it late in 2016 to local forces backed by U.S. air strikes.

In the last two years, the group has targeted three state institutions in Tripoli, home of the U.N.-backed government of national accord led by Prime Minister Fayed Serraj.

Saturday's assault took place as general Khalifa Haftar's Libyan National Army (LNA), which is allied to a rival administration in eastern Libya, mounts an offensive to control Tripoli.

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CENTRAL AFRICA

Central African Republic

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

First aid in years lifts hope for cut-off towns in Central African Republic (Reuters) By Nellie Peyton
May 14, 2019

Aid workers have negotiated with fighters to enter a remote part of Central African

Republic (CAR) for the first time in years, raising hope for other areas, the United Nations said on Tuesday.

Medical charity Medecins Sans Frontieres (MSF) was the first to reach the town of Mingala, in the southern Basse-Kotto prefecture, after exchanging written letters for months with the armed groups that control the area, the charity said.

“There are not many places as enclaved and inaccessible as Mingala was,” said Omar Ahmed Abenza, MSF chief of mission.

Tens of thousands of people in the town and surrounding villages had not seen a doctor in over two years before MSF went in late last month, he told the Thomson Reuters Foundation. People were drinking from rivers because dead bodies had been thrown down the wells, and diseases were rampant, MSF said.

Since heavy fighting broke out in 2017 the road to Mingala has been blocked by armed groups who set up checkpoints to collect taxes, aid workers said.

CAR has been in conflict since 2013, when mainly Muslim Seleka rebels ousted the president, provoking a backlash from Christian militias known as “anti-balaka”.

The violence has forced more than a million people to flee their homes, and aid workers have been increasingly targeted.

The head of the U.N. humanitarian agency in CAR said the breakthrough brought hope for reaching other cut-off towns.

“This is a good sign for us,” Francois Batalingaya said.

“If MSF can go to Mingala, I would encourage other NGOs (non-governmental organisations) to access other places,” he said.

There are other areas, including further south in Basse-Kotto prefecture, where no aid worker has gone in years, he said. In some, negotiations with armed groups are underway.

Now that Mingala is accessible other charities will go in the coming weeks to provide food, said Baptiste Hanquart, head of the Coordination Committee of NGOs in CAR.

But he was skeptical that access would improve more broadly.

CAR signed a peace deal with 14 armed groups in February, but aid workers said it was too soon to see the effects and that this was not a factor in the opening of access to Mingala.

Similar agreements in 2014, 2015 and 2017 all broke down.

ICC postpones hearing of Central African Republic case to September (CGTN) By David Ochieng Mbewa
May 16, 2019

The International Criminal Court postponed the beginning of the confirmation hearing in the case of alleged war crimes and crimes against humanity committed in the Central African Republic from June 18 to September 19, 2019.

The decision was made following a request by the Office of the Prosecutor in order to ensure the protection of victims and witnesses.

The accused in the case are Alfred Yekatom and Patrice-Edouard Ngaïssona.

Yekatom and Ngaïssona are accused of war crimes and crimes against humanity committed in various locations in the Central African Republic between December 5, 2013, and December 2014.

Yekatom was allegedly commanding a group of around 3,000 members which operated within the Anti-Balaka movement. Ngaïssona was the most senior leader and the “National General Coordinator” of the Anti-Balaka.

Yekatom was surrendered to the ICC by the authorities of the Central African Republic on November 17 2018.

Ngaïssona was transferred to ICC custody on January 23, 2019, after the completion of necessary national proceedings in France, where he was arrested on December 12, 2018.

The purpose of the confirmation of charges hearing is to determine whether there is enough evidence to establish substantial grounds to believe that an individual committed each of the crimes contained in the arrest warrant.

If the charges are confirmed, in full or in part, the case will be transferred to a Trial Chamber, which will conduct the trial.

UN: Armed Group Kills More Than 30 in Central African Republic (Voice of America)

May 22, 2019

More than 30 people were killed and many more wounded when an armed group attacked villages in northwestern Central African Republic on Tuesday, the UN's peacekeeping mission (MINUSCA) said.

The massacres took place in several villages near the town of Paoua, not far from the Chad border, Major General Pascal Champion, head of MINUSCA's police component, said at a press conference in Bangui on Wednesday.

"Criminals arrived and opened fire" on the residents, he said.

Thirty-one people were killed in Koundjili and Lemouna. At least three other were killed in Bohong.

Local security forces also reported the deaths of 15 people in Maikolo village, but this information was not immediately confirmed by the UN.

The slaughter was the biggest single loss of life since the government and 14 militias signed a deal in February aimed at restoring peace to one of Africa's most troubled countries.

The UN peacekeeping mission "utterly condemns" the killings, MINUSCA head Mankeur Ndiaye said in a tweet on Wednesday.

"The authors of crimes such as these will be sought, arrested and brought to justice."

News of the bloodshed coincided with an announcement by the Vatican that a French-Spanish nun had been brutally murdered in a village in southwestern CAR.

In Rome, Vatican News said that the 77-year-old was found beheaded early Monday in the town of Nola, where she worked in a center to help young girls.

"According to a local member of parliament, the murder could be linked to trafficking in human organs," the site said.

A UN source said the killings in the northwest were carried out by a group called 3R, which hosted a meeting with the villagers and then gunned them down indiscriminately.

The group takes its initials from three words in French meaning "Return, Reclamation and Reconciliation." It claims to represent the Fulani, one of the CAR's many ethnic groups.

The militia was one of the 14 groups that signed the February 6 peace accord, the eighth attempt to end violence in the impoverished country.

Under the deal, the government gave out key positions to warlords and agreed to set up mixed units of regular troops and militiamen.

The head of 3R, Bi Sidi Souleymane, also known as Sidiki, was appointed one of three "special military advisors" to the prime minister, in charge of setting up the combined units.

Communications Minister Ange-Maxime Kazagui, in a joint press conference with the UN, said "the government joins MINUSCA in demanding that Mr Sidiki arrest those responsible for this massacre within 72 hours, or else be held responsible for these acts."

"The government urges the public not to yield to the temptation of reprisals," Kazagui said.

Unconfirmed reports from the region say that so-called "anti-balaka" groups — militias claiming to protect Christians and animists from attacks by Muslim groups — are mobilizing.

The CAR has been struggling to recover from the bloodletting that erupted when former president Francois Bozize, a Christian, was overthrown in 2013 by mainly Muslim Seleka rebels.

Armed groups, typically claiming to defend an ethnic or religious group, control about 80 percent of CAR, often fighting over access to the country's mineral wealth.

In a population of 4.5 million, thousands have lost their lives, nearly 650,000 have fled their homes and another 575,000 have left the country, according to UN figures as of December last year.

Pope Francis paid tribute to the murdered nun, describing her as a woman "who gave her life for Jesus in the service of the poor" and her killing as "barbaric."

He called for those gathered in St. Peter's Square for his weekly general audience to pray in silence for her.

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Sudan & South Sudan

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

Sudan's Omar al-Bashir Charged in Connection With Killing of Protesters (NY Times) By Declan Walsh
May 13, 2019

Sudan's former president, Omar Hassan al-Bashir, has been charged over his role in the killing of protesters during demonstrations that led to his ouster last month, the nation's public prosecutor said in a statement on Monday.

The prosecutor's office accused Mr. al-Bashir and others of "inciting and criminal complicity" in the deaths of demonstrators, according to Sudan's official news agency.

The announcement came on a day of bloody clashes in Khartoum, the capital, between armed groups of unclear affiliation and protesters who are demanding civilian rule. The military denied any role in the violence and blamed saboteurs for the deaths.

On Tuesday, the Sudan Doctors Committee said six people had been killed, including an army officer, during clashes overnight in several parts of the country. Protest organizers urged people to rally again, saying on Twitter that "our moral obligation to protect and complete our revolution is rising."

The charge against Mr. al-Bashir was the latest step in the downfall of one of Africa's most enduring dictators, who was toppled on April 11.

First the military cast him into Kober prison in Khartoum. Then officials searched his home and said they uncovered bundles of hard currency. A military council, which had seized power, said it would not extradite Mr. al-Bashir to the International Criminal Court in The Hague, where he faces longstanding charges of genocide, war crimes and crimes against humanity over his role in the conflict in Darfur. But prosecutors accused him of money laundering and other financial crimes.

The statement on Monday signaled that prosecutors are now focusing on other potential crimes. The news agency report said Mr. al-Bashir would be held accountable for the death of "the martyr Babikir," a possible reference to Dr. Babiker Salama, a 27-year-old doctor whose death during a protest in January became a rallying point for the uprising against Mr. al-Bashir.

Witnesses said that Dr. Babiker, an idealist from a middle-class family, approached security officials during protests with his hands held high to plead for the evacuation of the wounded. Moments later a shot rang out and the doctor fell to the ground, grievously wounded.

An hour later he was declared dead, igniting a storm of public anger that offered an early sign that the authority of Mr. al-Bashir, who had ruled Sudan for 30 years, was crumbling.

The doctor was one of 90 people who have been killed in the protests throughout Sudan since December, according to the Central Committee of Sudan Doctors, which has been tracking casualties. The government lists 65 as dead. Until Monday, no senior government figures had been held to account.

In the case of Dr. Babiker, prosecutors have been seeking witnesses and gathering evidence in relation to his death, according to a relative who spoke on the condition of anonymity because of the sensitivity of the investigation.

Mr. al-Bashir's fate, once the sole focus of pro-democracy protesters, has moved into the background in recent weeks as protest leaders have negotiated with the country's generals over whether the country should be run by civilian or military leaders. Thousands of protesters have refused to leave a zone at the gates of the military headquarters in Khartoum, demanding they be given full control during a transition to elections, a period the military says may last two years.

Activists from Darfur have been in the forefront of those protests.

After weeks of tense negotiations, both sides emerged from talks on Monday appearing to signal progress. Spokesmen for the protesters and the generals told reporters that they had agreed on the structure of transitional bodies to run Sudan before elections, although their composition was yet to be decided.

Lt. Gen. Shams al-Deen al-Kabashi, a spokesman for the military council, spoke of an "optimistic atmosphere" in the meeting.

But hours later that optimism was challenged when paramilitary forces fired tear gas at protesters, in an apparent attempt to disperse them.

Photos and live video footage posted to the internet showed hundreds of young men gathered in the street, facing off against soldiers. During clashes, troops wielding canes thrashed protesters, witnesses said, while other soldiers fired live ammunition into the air.

Responding to the violence, more protesters rushed to the scene to confront the troops. By nightfall, some burned tires and trees in the street. Gunfire rang out late into the evening.

The Sudan Doctors Association later said that 12 people had been injured during clashes with the military, including eight at the central protest site. Reporters at hospitals said several people had been treated for gunshot wounds.

In a statement late Monday, the military said the unrest was caused by "parties seeking to sabotage the revolution," which it accused of opening fire on both soldiers and protesters. Without identifying the culprits, the military said they were "agitated" by progress in political talks earlier that day.

It appeared to be the most concerted attempt yet to break up the popular movement that was instrumental in the removal of Mr. al-Bashir last month. But on the streets of Sudan, where military lines of authority are fluid, it was unclear which armed group was behind the move.

The country's interim leader, Lt. Gen. Abdel Fattah al-Burhan, has repeatedly called on protesters to abandon their checkpoints near the protest zone, where volunteers check for weapons, while insisting his soldiers would never resort to force to clear them.

Some protesters have been discomfited by the prominence of General al-Burhan's deputy, Lt. Gen. Mohamed Hamdan, known as Hemeti, who controls the Rapid Support Forces, a powerful paramilitary group with a notorious reputation.

Set up in 2013, the Rapid Support Forces was drawn from the same ethnic base as the janjaweed militia that carried out a fearsome campaign of killing and destruction in Darfur during the 2000s.

On Monday evening, some protesters identified the forces clashing with protesters as the Rapid Support Forces. Others, however, disputed those accounts.

Numerous armed groups and militias flourished under Mr. al-Bashir as part of his strategy of spreading power broadly. Most went underground in the days after his ouster, but few Sudanese believed they had disappeared entirely.

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Democratic Republic of the Congo

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Côte d'Ivoire (Ivory Coast)

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

Buhari says Lake Chad basin is no longer a safe haven for Boko Haram (CGTN)

May 18, 2019

The Lake Chad Basin is no longer a safe haven for terror group Boko Haram, as joint military efforts by countries in the region have yielded good results so far, Nigerian President Muhammadu Buhari said on Thursday.

“We have led vigorous military campaigns against the terrorists by re-organizing the multinational joint task force which had dislodged them,” Buhari, represented by Nigeria's minister of interior Abdulrahman Dambazzau, said at the closing of the 16th Annual General Meeting of West African Police Chiefs Committee and Meeting of the Forum of Ministers in charge of Security in Abuja.

He said in the past four years, Nigeria, working with regional and international allies, had taken drastic measures and spared no effort in the fight against Boko Haram.

The Nigerian president urged the regional security chiefs to share their experiences, re-assess and harmonize crime control and operations in their various countries to see the end of the terror group.

He said the insecurity posed by corruption, terrorism, communal clashes, and kidnap for ransom, organized crimes, among others, were some vices threatening the region's peace, progress, integration, and development.

Buhari attributed the vulnerability of the region to criminal activities and other threats to peace and security to the vast borders and proximity to the Sahel.

Countries in attendance at the Abuja meeting included Burkina Faso, Cape Verde, Benin, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Senegal, Sierra Leone and Togo.

The three-day meeting was aimed at addressing transnational crimes, especially terrorism, violent extremism, kidnapping, illicit circulation of small arms and light weapons, human trafficking, maritime security, herders and farmers' conflict, among others.

Climate change pushes farmers to 'tipping point' in Lake Chad crisis (Reuters) By Nellie Peyton

[May 15, 2019

Climate change must be addressed to tackle conflict around Lake Chad, researchers said on Wednesday, as increasingly extreme weather has pushed poor farmers and fishermen to take up arms.

The region bordering Nigeria, Niger, Chad and Cameroon has been hit by a decade-long Islamist insurgency, uprooting 2.5 million people in one of the world's most neglected crises.

Irregular rains and rising temperatures have spurred on the conflict by causing food shortages and frustration, while fighting has made it harder for people to cope with these natural changes, said a report by German think-tank adelphi.

“People tend to think that you deal with the immediate humanitarian issues, then think about climate after,” lead author Janani Vivekananda told the Thomson Reuters Foundation.

“It doesn’t come later, it comes now,” she said, urging governments and aid agencies to help people deal with the changing weather by giving them better data about rainfall and support to change their livelihoods.

Some 40 million people living in the Lake Chad basin - one of Africa’s largest freshwater bodies surrounded by semi-desert - rely on it for crop and livestock farming, fishing and trade, according to the United Nations Development Programme.

The area is a stronghold for Islamic State in West Africa (ISWA) and Boko Haram, which began an insurgency in Nigeria in 2009 that has spread across its borders.

ISWA - which split from Boko Haram in 2016 - has tried to win over local people by digging wells, giving out seeds and providing safe pasture for herders in a bid to form an administration around the shores and islands.

Lake Chad fluctuates regularly with the rains, leaving fertile land for farming on its shores, said Vivekananda, but the amount and timing of rainfall has become unpredictable, so people no longer know what to plant and when.

“It is reaching a tipping point where their livelihoods are no longer viable,” she said. The lake shrunk by about 90 percent due to severe droughts from the 1960s to the 1980s, causing competition over resources that is another factor in the conflict today, she said.

But others warned against emphasizing climate change over politics.

“Focusing on natural factors is very convenient,” said Vincent Foucher, an expert on Boko Haram at the French National Centre for Scientific Research.

“I’m a bit worried that it takes people’s eyes away from the responsibility of the army and the state,” he said.

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Mali

Nigerian UN peacekeeper killed in Mali (Al Jazeera)

May 19, 2019

A United Nations soldier has been killed and several injured in two attacks on the UN peacekeeping mission in Mali, officials said on Sunday.

Gunmen attacked the UN troops in Timbuktu, where several armed groups are active, according to Stephane Dujarric, spokesman for UN Secretary-General Antonio Guterres.

The peacekeeper who was killed was Nigerian, as were three of those injured.

A further three UN soldiers from Chad were injured in Tessalit in the northern Kidal region near the border with Algeria when their vehicle drove over an explosive device.

Condemning the violence and expressing his condolences to the family of the killed soldier, Guterres said such attacks on UN soldiers could be considered war crimes under international law.

Mali has experienced sporadic attacks by armed groups since a 2012 coup that helped separatist rebels and groups associated with al-Qaeda gain a foothold in the country’s restive north.

A UN peacekeeping mission has been active in Mali since 2013.

A peace agreement signed in 2015 by the Bamako government and armed groups was aimed at restoring stability. But the accord has failed to stop the violence.

Since their deployment in 2013, more than 190 peacekeepers have died in Mali, including nearly 120 killed by hostile action - making Mali the UN's deadliest peacekeeping operation, accounting for more than half of blue helmets killed globally in the past five years.

There have been repeated attacks on the mission in the north of the country by armed groups, while ethnic conflicts in the centre flare up regularly.

Security Council Press Statement on Attacks against United Nations Multidimensional Integrated Stabilization Mission in Mali (United Nations)

May 19, 2019

The following Security Council press statement was issued today by Council President Dian Triansyah Djani (Indonesia):

The members of the Security Council condemned in the strongest terms the attacks perpetrated on 18 May 2019 against vehicles of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) in Timbuktu and Tessalit, which resulted in one peacekeeper from Nigeria killed and several others injured.

The members of the Security Council expressed their deepest condolences and sympathy to the family of the victim, as well as to Nigeria and to MINUSMA. They wished a speedy and full recovery to those who were injured. They paid tribute to the peacekeepers who risk their lives.

The members of the Security Council called on the Government of Mali to swiftly investigate these attacks and bring the perpetrators to justice. They underlined that attacks targeting peacekeepers may constitute war crimes under international law. They stressed that involvement in planning, directing, sponsoring or conducting attacks against MINUSMA peacekeepers constitutes a basis for sanctions designations pursuant to United Nations Security Council resolutions.

The members of the Security Council reaffirmed that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security. They underlined the need to bring perpetrators, organizers, financiers and sponsors of these reprehensible acts of terrorism to justice. They stressed that those responsible for these killings should be held accountable, and urged all States, in accordance with their obligations under international law and relevant Security Council resolutions, to cooperate actively with all relevant authorities in this regard.

The members of the Security Council reiterated that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed. They reaffirmed the need for all States to combat by all means, in accordance with the Charter of the United Nations and other obligations under international law, including international human rights law, international refugee law and international humanitarian law, threats to international peace and security caused by terrorist acts.

The members of the Security Council reiterated their full support to the Special Representative of the Secretary-General for Mali and Head of MINUSMA, Mahamat Saleh Annadif, MINUSMA and the other security presences in Mali and in the Sahel region, as mentioned in resolution 2423 (2018). The members of the Security Council expressed their concern about the security situation in Mali and the transnational dimension of the terrorist threat in the Sahel region. They urged the Malian parties to fully implement the Agreement on Peace and Reconciliation in Mali (the Agreement) without further delay. They noted that the full implementation of the Agreement and the intensification of efforts to overcome asymmetric threats can contribute to improving the security situation across Mali. They underlined that the efforts of the force conjointe of the G5 Sahel to counter the activities of terrorist groups and other organized criminal groups will contribute to create a more secure environment in the Sahel region.

The members of the Security Council further stressed the importance of MINUSMA having the necessary capacities to fulfil its mandate and promote the safety and security of the United Nations peacekeepers, pursuant to Security Council resolution 2423 (2018).

The members of the Security Council stressed that these heinous acts will not undermine their determination to continue to support the peace and reconciliation process in Mali.

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Liberia

Gov't Urged to Seek Accountability for War Crimes (Liberian Daily Observer) By Joaquin M. Sendolo
May 13, 2019

Adama Dempster, a member of the Secretariat for the Establishment of a War Crimes Court in Liberia (SEWACCOL) says the Liberian Government's failure to heed calls for accountability for alleged perpetrators of war and economic crimes during the 14-yr civil war may have grave consequences on the country at the international level.

He made the disclosure on May 9, 2019 in Monrovia at the launch of a Question and Answer (Q&A) document containing frequently asked questions and answers relative to the establishment of a war crimes court in Liberia.

With regards to consequences the country is likely to face for failing to address accountability concerns, Mr. Dempster said "The consequences will include the loss of Liberia's seat at the UN High Commission for Human Rights, financial strangulation and restriction of some government officials from traveling out of the country".

Mr. Dempster, however, noted that if the Liberian Government heeds to requests by the UN Human Rights Commission for accountability and demonstrates readiness to establish a court to hold perpetrators to account, the United Nations Human Rights Commission will source funding to facilitate the process.

Further, according to Mr. Dempster, because it appears the public lacks adequate information on what constitutes a war crime, SEWACCOL is commencing a sensitization campaign to provide information on what constitutes a war crime and those likely to appear when a court is established.

Printed booklets containing 20 frequently asked questions with relevant answers to what constitutes war crimes in Liberia are to be distributed to community radio stations to adequately inform, educate and sensitize the public.

"Many people do not know what war crimes are and who are connected to them, but everyone believes that as long as a person fought war he/she committed war crimes," Aaron Weah of Search for Common Ground said.

Those organizations and individuals leading the charge to sensitize, inform and educate the public on this all important issue include Aaron Weah of Search for Common Grounds, Adama Dempster of Civil Society Organizations Platform, Hassan Bility of Global Justice and Research project, Joseph M. Wreh, III of SEWACCOL and Peterson Sonyah of the Liberia Massacre Survivors organization.

Among the questions asked are: Why justice for past atrocities; whether anyone has been held to account for crimes committed during the civil war; why accountability remains an issue even after 15 years since the end of the civil conflict; and what options are available for accountability in Liberia.

Other questions include: what are the TRC recommendations on accountability for war crimes; what the role of justice in social healing is; what an Extraordinary Criminal Court would do for Liberia; who would serve on the extraordinary criminal court and how information about the court should be disseminated.

Additionally, the booklet contains questions on President George Weah's position on prosecutions for past crimes; the view of the international community on judicial accountability for past crimes; whether or not a referendum is needed to decide on the establishment of a war crimes court in Liberia; whether or not justice will threaten Liberia's peace; steps the government should take to ensure accountability for past crimes; how the TRC was established; what its mandates were, and what it did after its establishment.

Aaron Weah of SFCG said "The sensitization is essential because those who did not see what happened during the war must know the history by reading or hearing the true story."

He said they are also embarking on the preparation of a draft bill for submission to the National Legislature to disallow people with criminal records from contesting elections or holding positions of trust in public service.

Mr. Weah made specific reference to Nimba County Senator and ex-warlord Prince Johnson, according to him, has a huge support base in Nimba and is occupying a senatorial position with war crime charges hanging over him.

Prince Johnson led the Independent National Patriotic Front of Liberia (INPFL) that captured and killed President Samuel

Doe in 1990. He is also accused in the TRC report for committing many atrocities during the war.

As to whether anyone has faced justice for crimes committed in Liberia during the civil war, the Q&A clearly states that no one has faced prosecution for crimes committed in Liberia.

Nevertheless, it says some including Mohammed Jabateh, Jucontee Thomas Smith Woewiyu, Chucky Taylor and others have been prosecuted under the laws of the United States for their links to the war in Liberia.

It can be recalled that Mohammed Jabateh was sentenced for 30 years in the United States for lying to US Immigration authorities on his visa application. In Europe there are others including Agnes Reeves-Taylor and Martina Johnson, of the National Patriotic Front of Liberia (NPFL), and two other fighters of the United Liberation Movement (ULIMO) are currently under custody to be tried for their connection with the civil war in Liberia.

The launch also allowed journalists to ask questions on justice issues and, one of such questions was whether there is any truth to claims by family members -of Agnes Taylor-Reeves that her arrest by British authorities was influenced and informed by representations made to British authorities by some Mandingo people.

In response, Hassan Bility of the Global Justice and Research Project said “The UK, which has some of the best court experts will not arrest anyone simply on the basis of sentiments held by some members of her/his family.”

He said the case is in court and will be prejudicial to talk about it in the media and therefore could not elaborate further.

He also said others who are not captured in the TRC report can still face war crimes charges based on evidence and confession by witnesses because the TRC indicated that not all crimes committed during the civil war were recorded.

In further clarification, Aaron Weah said the question of funding for a war crimes court depends on the disposition of the Government of Liberia towards the need to establish the court and to solicit funding for it as well.

According to Mr. Weah, the government can liaise with partners and donors if it is serious about this venture just as it was in other countries including Sierra Leone and Rwanda. Liberians Call For War Crimes Court, Reparation (New Republic Liberia) May 21, 2019 <http://newrepublicliberia.com/liberians-call-for-war-crimes-court-reparation/>

As the debate heightens in Liberia on how to proceed with the recommendations made by the Truth and Reconciliation Commission (TRC) of Liberia since July 2009, a cross section of Liberians following deliberations at a three- day colloquium are recommending to national government for the establishment of a war crimes court, reparation and other mechanisms as some of the means of implementing the TRC recommendations.

The colloquium organized by Independent National Commission on Human Rights (INCHR) in collaboration with Center for Democracy and Development (CDD) with support from the United Nations Office of the High Commissioner for Human Rights (OHCHR) Liberia Country Office brought together participants from every segment of the Liberian society. Participants includes representative of the government both the executive and the legislature, representatives from the 15 counties of Liberia including chiefs, women groups, youth organizations, members of the Civil Society Organizations, Academics and representatives of international organizations in Liberia like EU, AU, ECOWAS, Embassy of Sweden etc.

Following the three days of intense discussions and brainstorming, a colloquium statement was produced by participants which was endorsed by all Liberians present. The Colloquium statement recommends among other things that “a war crimes court be established to prosecute all persons who committed gross human rights violations during the civil war in Liberia”. To further support the war crimes court recommendation, participants also wants a War Crimes Court Bill to be drafted within five months and submitted to the National Legislature for passage into law. The colloquium participants are also calling for the drafting of a Bill to be submitted to the National Legislature for passage into law for the Protection of Victims and Witnesses for the proposed War Crime Court to be set up in Liberia.

In order to fast-track the War crimes Court Bill, the Colloquium participants are recommending that the INCHR work with civil society actors with the experience and knowledge working on human rights, transitional justice and TRC to collaborate with the Liberia National Bar Association LNBA to conclude the drafting of the proposed Bill on the establishment of war crimes court in Liberia which the LNBA has commenced.

Out of all the TRC recommendations, the issue of establishing a war crimes court has dominated discussions in recent time and many think it is now overshadowing the numerous other recommendations made by the commission. However, besides the issue of war crimes court, the colloquium participants also recommend other actions that could lead to addressing some of the many transitional justice issues plaguing Liberia. As part of the recommendations, participants are calling for reparation at individual, national and community levels. They want the Government of Liberia to start the reparation process beginning with people with disability, the elderly and people under other special difficult circumstances.

“That National Government Compensates Victims or individuals who were victimized during the civil crises considering the elderly, Disable, women and youth”, the participants are recommending.

On national level reparation, they want the Government to extend an open apology for failure to protect its citizen during the crises and also to establish National Mourning programs that will be created by enacting into law a National Mourning and Memorial program to mourn those that were killed during the war and their bodies could not be found or buried.

“National government should enact the portion of the TRC report that says that perpetrator who holds public positions should be removed from their public position after their tenure of office expires and also those in appointed positions should be removed from office and banned for 30 years from holding public positions, so as to have a smooth Reparation implementation”, the statement added.

On the reconciliation aspect of the TRC recommendations, the participants are calling for the launch of a Palava hut program, nationwide awareness on the Palava hut, addressing the issues of victims appearing under the Palava hut, promoting and supporting conduct of community cleansing ceremonies and providing psychosocial services to victims and perpetrators

In conclusion, the participants declared in the statement “Finally, the need for further dialogue and consultations across the country and with all the Liberian people was discussed and agreed. The participants thereby call for the holding of a National Conference – to be convened under the auspices of the Traditional Chiefs to promote peace, reconciliation and national healing. This Conference will not depart from the spirit and conclusions of this Colloquium but will seek to broaden the consensus on the specific actions and recommendations contained herein. The Following Government institutions were agreed to support the efforts of the Chief and Elders: Ministry of Internal Affairs, Ministry of State for Presidential Affairs, the Peacebuilding Office, the Office of the National Peace Ambassador, the INCHR, and the National Legislature.”

The colloquium is one of series of activities being supported by OHCHR meant to create the platform for Liberian institutions and people to discuss issues of human rights and rule of law.

During discussions at the colloquium there were some level of disagreements by individual participants on issues but the statement was unanimously endorsed by all participants after it was read and corrections made before adoption of the final copy.

The participants agreed that the statement be communicated to national Government by the Independent National Commission on Human Rights.

US Senator Young to Lobby for War Crimes Court (Liberian Daily Observer) By Abednego Davis
May 22, 2019

The Alliance for Transitional Justice (ATJ), a human rights group of the United Methodist Church-Liberia, HAS said they have established relations with US Senator Todd Young of the State of Indiana to speedily sponsor and introduce H. Res 1055–115th Congress (2017-2018), which the US House of Representatives passed on November 13, 2018, to be placed on the floor of the House of Senate for discussion and possible concurrence.

The H. Res 1055 aims “to affirm strong United States-Liberia ties and support for democratic principles, and call for full implementation of the Truth and Reconciliation Commission recommendations, including the establishment of an Extraordinary Criminal Tribunal for Liberia.”

ATJ maintained that the Government of Liberia (GoL) has not fully implemented the recommendations of the Truth and Reconciliation Commission (TRC) Agreement to date, including the establishment of an Extraordinary Criminal Tribunal.

The Alliance National chairman, Jeremiah S. Swen, made the disclosure on Sunday, May 19, 2019, at the inaugural ceremony of officials-elect of the Alliance. He said their relationship with Senator Young has been positive to the extent that the senator has agreed to sponsor the H.Res 1055 and also push it on the floor of the Senate. “This partnership seeks to encourage his leadership, introduction and sponsorship of H.Res 1055 passed by the US House of Representation on November 13, 2018 for the senate concurrence and passage into law by the US Government,” Swen said.

The US House of Representatives, among other things, agreed that that:

“Whereas, today the United States is home to an estimated 80,000 people of Liberian ancestry in vibrant communities across the country, who have been instrumental in America’s efforts to build a peaceful, democratic, and prosperous Liberia; Whereas Liberia and the United States share close historical, political, and economic ties over the course of a nearly 200-year relationship; Whereas the people and Government of the United States have a deep interest in Liberia’s democratic stability

and post conflict development;

“Whereas the civil war from 1991 to 2002 resulted in the death of over 250,000 people in Sierra Leone and Liberia; the displacement of over 1,000,000 persons; and the horrific cases of amputations, mass rape, and human rights abuses conducted under the leadership of Charles Taylor;

Whereas Charles Taylor was convicted through the Special Court for Sierra Leone for 11 different charges of war crimes, crimes against humanity, such as rape, sexual abuse, and slavery, and violation of international law, including the use of child soldiers;”

Whereas a comprehensive peace agreement was signed by the GoL, rebel groups, and political parties in 2003;

“Whereas the TRC as established under the 2003 comprehensive peace agreement, was formally created in 2005 with a mandate, ‘to promote national peace, security, unity and reconciliation by investigating gross human rights violations and violations of humanitarian law, sexual violations, and economic crimes that occurred between January 1979, and October 2003.’

Whereas the TRC released a report in December 2008, recommending the establishment of an Extraordinary Criminal Tribunal for Liberia and listed individuals, corporations, and institutions recommended for further investigation and prosecution, among other recommendations;

Whereas the GoL has not fully implemented the recommendations of the Truth and Reconciliation Agreement to date, including the establishment of an Extraordinary Criminal Tribunal;”

Swen also encouraged Liberians throughout the country and those in the Diaspora to embrace justice as the sustainable vehicle for national healing, reconciliation, and sustainable peace.

“War Crimes Court don’t target a region, county, religion, tribe or family, but it squarely addresses crimes committed by an individual with his conscious knowledge and fully executed,” the Alliance for Transitional Justice chair explained.

On the issue of impunity, Swen believes that Liberia is not cursed, but that, “our failure to see the truth and pursue it is our problem. If we must succeed and surpass our prewar status, we must boldly defeat impunity, corruption and waste in our government.”

Swen urged the Weah-led government to establish a National Technical Committee that will comprise Civil Society organizations, the Liberia Council of Churches, Inter-Religious Council of Liberia, National Traditional Council, the Liberia Bar Association, the Independent National Human Rights Commission and the Ministry of Justice to timely develop a draft national roadmap for the holistic implementation of the TRC report, and the establishment of an Extraordinary Tribunal on War Crimes.

“We also recommend that the Weah-led government develops a National Colloquium alongside with international partners that will create the platform where representatives of the 15 political sub-division will be opportune to review the draft National Roadmap developed by the National Technical Committee and approve same,” Swen admonished the president.

According to Swen, Liberia is a founding member of the United Nations, and a member of the global community, “so we expected our leadership to honor and respect international treaties and resolution(s) signed in the interest of humanity.”

“Our government had contradicted the confidence and trust reposed prior to its ascendancy. They were elected by popular mandate of the population, so we asked them to listen and lead by the expectation of the people,” Mr. Swen said.

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EAST AFRICA

Uganda

Lawyers of Uganda's ex-Warlord Want June Hearing Dates at the ICC Changed (Journal du Cameroun)

May 17, 2019

The defense team of Dominic Ongwen , a former commander of Uganda's Lord's Resistance Army (LRA) rebel outfit, have asked judges at the Hague based International Criminal Court (ICC) to change the schedule of hearings for June to accommodate Ongwen's mental health needs. According a statement by the International Justice Monitor, the lead defence lawyer, Krispus Ayena Odongo, said in a May 7th filing that he was making the request after the judges of Trial Chamber IX unexpectedly cancelled most of the hearings scheduled for May.

The canceled hearings were scheduled to take place on May 2 – 3 and between May 6 – 10.

Odongo said following the cancellation five days have been added to the June schedule of hearings. These are June 13 – 14; June 17 – 18; and June 20.

He said the trial had previously been set to continue between June 4 and June 7 and then take a break until June 24.

According to Odongo the new schedule which has no breaks negatively affects Ongwen's health and limits preparation time thus he will be unable to consistently and effectively provide instructions to counsel.

"Although, the Defense does recognise that the Trial Chamber has accommodated the ICC-DC [Detention Center] Medical Officer's recommendation that Ongwen does not sit in Court on Wednesdays, given that he is still mentally unstable, no break in between the witness blocks in June will cause him to suffer undue stress and adverse mental health effects," Odongo said.

Ongwen is on trial for 70 counts of war crimes and crimes against humanity he allegedly committed as a commander of the Lord's Resistance Army (LRA) in northern Uganda between July 2002 and December 2005.

He has pleaded not guilty to the charges. Ongwen has been on trial since December 2016.

Joseph Akwenyu Manoba and Francisco Cox, who represent one group of victims in the trial, asked Trial Chamber IX to dismiss the request of the defense. Manoba and Cox are formally referred to as Legal Representatives of Victims (LRV) in court filings.

"The LRVs submit that Defense assertions regarding the detrimental effect of the addition of 5 hearings days in June on Ongwen's mental health are not supported by any concrete information and appear to be speculative," said Manoba and Cox in their May 10th response to the defense request.

Ongwen's mental health has been the subject of litigation and hearings since his lawyers issued a notice in August 2016 that they intended to present evidence that Ongwen suffered a mental defect or illness during the period he is alleged to have committed war crimes and crimes against humanity and therefore cannot be held responsible for those crimes.

His lawyers issued this notice under Article 31 of the Rome Statute, the ICC's founding law.

This year, Trial Chamber IX has postponed hearings twice because Ongwen has needed medical care.

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Kenya

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

Why are Kenyans protesting their government? (The Washington Post) By Ken Opalo

May 13, 2019

On May 6, Kenyan authorities arrested and then released Boniface Mwangi, a Kenyan photographer and political activist, on suspicion of fomenting a “revolution” against the government of President Uhuru Kenyatta.

The previous week, news reports said Mwangi participated in the “Beyond Zero Corruption” campaign in Nairobi (also dubbed the Red Vest Movement) — an initiative highlighting the poor state of Kenya’s economy, rampant corruption and entrenched impunity in the public sector.

Mwangi’s arrest is symptomatic of a nagging unease in the Kenyatta administration about mass protests. The flagging economy — marked by job cuts and corporate losses — along with poor policy choices and public sector corruption, have eroded popular support for Kenyatta over the past year. Here’s what you need to know about the current state of Kenyan politics.

Kenya’s economy is underperforming, especially when it comes to jobs

The debt-fueled investments in infrastructure and the associated growth in gross domestic product that have characterized Kenyatta’s tenure have not translated into jobs. According to the National Bureau of Statistics, in 2018 Kenya generated just 78,000 formal sector jobs, despite GDP growth of 6.3 percent. More than 500,000 youth enter the labor market each year, predominantly in the more precarious and low-wage informal sector.

A Red Vest Movement has emerged to protest grand corruption and impunity in government, failure to jump-start the stagnant economy, and ballooning public debt — Kenya’s debt ratio now stands at 56 percent of GDP and rising. If the movement gains traction, especially in urban areas, it is likely to be the result of the persistently high rates of youth unemployment — 18.5 percent in 2018, according to World Bank estimates.

The government may find it difficult to contain protests

After co-opting leading opposition politicians in early 2018, Kenyatta has more power than he has at any point of his presidency. For several months before and after the disputed 2017 presidential election, his government faced mass protests led by opposition leader Raila Odinga.

These opposition protests threatened to paralyze the country. But in March 2018, Kenyatta and Odinga announced a surprise truce and began the Building Bridges Initiative — a national dialogue process designed to generate ideas that will inform institutional reforms to engender more inclusive politics in the country. Opposition rallies ceased.

The rapprochement between Kenyatta and Odinga — popularly known as “the handshake” — created what appears to be a government of national unity in all but name. Criticism of the government in the legislature quieted down, and Kenyatta’s support led to Odinga being nominated for a plum African Union job.

But critiques of the Kenyatta-Odinga truce denounced the rapprochement as “the hand-cheque.” To many in Kenya, Odinga’s dalliance with Kenyatta has eroded his credibility as a reformist. For instance, although he previously criticized excessive borrowing and related corruption linked to large infrastructure projects, he recently accompanied Kenyatta on a trip to solicit China for more infrastructure loans.

The demise of the Kenyan opposition since early 2018 adds to the potency of any mass movement against the government. This is because potential protests would not be led by the now-discredited opposition politicians such as Odinga. As a result, such movements would most likely prove very hard to contain or co-opt. In addition, the severity of the current economic challenges suggest that they probably would be nonpartisan. Indeed, some of Kenyatta’s strongest critics are people who voted for him in both 2013 and 2017.

In light of these developments, one interpretation of the current state of Kenyan politics is that institutional decay and lack of faith in government increasingly push citizens to seek extra-institutional solutions to the many structural problems facing the country.

Institutional design doesn’t guarantee good governance

In many ways, Kenya is a lesson on the limits of institutional design. As I document in my forthcoming book, “Legislative Development in Africa,” Kenya has arguably Africa’s strongest legislature, which has, on occasion, been able to use its robust powers to check presidential authority. Kenya’s judiciary enjoys substantial political independence from the executive branch.

At the same time, the country’s constitution creates strong incentives for the emergence of a two-party system with a sizable opposition presence in the legislature. The ruling party currently controls 49 percent of seats in the National Assembly, which means it is forced to caucus with affiliate parties.

Electoral rules for the presidency reinforce these dynamics. The winner must garner more than 50 percent of votes cast and at least 25 percent of votes in at least half the counties. This makes national elections two-horse races, as happened in 2013 and 2017.

Personalist politics keep political institutions from fully recognizing their power

However, the persistence of personalist politics — driven by candidate-centric rather than policy- or party-based considerations — has meant that the legislature continues to underutilize its full constitutional powers.

Meanwhile, parties continue to operate like special-purpose vehicles that rise and fall at the mercy of ever-shifting political alliances at election time. This explains how a president can co-opt party leaders into government and neutralize the opposition, as appears to have happened with Odinga and his allies.

Mwangi's arrest signals what is to come

If citizens and activists emerge to fill the vacuum left by a now-silent opposition party, the government is likely to overreact, fearful of being unable to control any sustained “nonpartisan” and “leaderless” mass protests. And if the record of policy violence in 2017-2018 is anything to go by, such reaction will have little regard for the constitutional protections of freedoms of speech and assembly.

A lingering question is whether mass protests against Kenyatta's government will materialize, absent the backing of any major political alliance or politician. Recent research from Zimbabwe suggests that the odds of this happening are slim, especially in light of well-publicized past experiences with police brutality at protest rallies.

Indeed, Mwangi seems to understand the difficulty of mobilizing disaffected citizens outside of the channels established by the parties and alliances that dominate Kenyan politics.

Fate of Dadaab Refugee Camp in Limbo as Kenya Presses for Closure (Voice of America) By Rael Ombuor
May 16, 2019

More than once in recent years, Kenyan officials have called for the closure of Dadaab refugee camp in eastern Kenya, home to more than 200,000 refugees and asylum seekers, many of whom fled Somalia during or since the 1991 civil war. In February, Kenya's government wrote to the U.N. refugee agency, ordering the camp closed by mid-year.

The fate of thousands of refugees is in limbo.

Mohammed Aden says his parents fled Somalia's Gedo region for Kenya 27 years ago. He was just three years old when they arrived at Dadaab.

Now 30, he says he was able to get an education, good health care, and a family of his own that knows no other home but Dadaab. And constant threats of its closure now gives them sleepless nights.

"We do not have a nice place back in our country," he said. "We have been here for almost 27 years. What we are provided here — the key is education, health, and also water, sanitation, even food — we are provided for by UNHCR. So if we go back, first no education, so when we go back to our country — no life at all there."

Working on 'solutions'

The camp would be closed by the end of August if the Kenyan plan is followed through.

The United Nations refugee agency says it is working with the Kenyan government to provide "solutions."

Speaking to reporters, UNHCR Kenya representative Fathiaa Abdallah noted that Dadaab camp "has been in life since 1992."

"There are generations born in Dadaab and there is a large number of refugees living in Dadaab, more than 280,000," she said. "Therefore we are looking for a solution. Everyone agrees that we should have a solution for that situation. A solution lies in different strategies, one, the voluntary repatriation to Somalia. You know the majority of refugees in Dadaab are from Somalia and that program is ongoing."

Abdallah said relocation of some of the refugees to other parts of Kenya is another option.

"We are hoping to relocate some of the refugees in Dadaab to Kakuma, and again that is something we will not force," she said. "We will talk to them and see who would like to be relocated to Kakuma because we have an office there and we have a program there as well and this is all jointly with the government."

Aden, like some of the refugees VOA spoke to, hopes his family will get resettled to a third country instead of being "plucked" from their "home" to different part of Kenya.

Abdallah says the UNHCR is listening.

"Many of the refugees outside express that they would like to be resettled," she said. "And that is something I said earlier is not in our hands. It is a small number, it takes longer and it is for all vulnerable refugees, but we try our best to address that."

'Unconstitutional' move

In 2016, the Kenyan government said it would close Dadaab, asserting it was there that the 2013 Westgate terror attack was planned.

But in 2017, Kenya's High Court said the move was unconstitutional and a violation of the U.N. Convention on refugees.

After the attack on the Dusit D2 hotel complex in Nairobi in January, there were fresh calls to close Dadaab. Twelve of the suspects linked to the attack were arrested in Dadaab.

For Aden, his request to the Kenyan government is that they hold off closing the camp at least until peace returns to his country.

Spreading the net: Somali Islamists now target Kenyan recruits (Reuters) By Duncan Miriri
May 17, 2019

A youth recruited while watching football. A Catholic school graduate. Girls desperate for cash and jobs.

The al Qaeda-linked al Shabaab insurgency is using some unconventional accomplices to step up attacks beyond Somalia's borders.

January's assault on an office and hotel complex in the Kenyan capital, Nairobi, was the first to be led by a someone who is not an ethnic Somali since al Shabaab began major cross-border operations in 2010. Twenty-one people were killed.

The attack's leader, Ali Salim Gichunge, nicknamed Farouk, was a 26-year-old Kenyan who attended a Catholic school and whose largely Christian Meru ethnic group has no ties to Somalia. He led four other assailants, including at least one non-Somali used as a suicide bomber, Kenyan security officials said. All died in the attack.

They are among a growing number of Kenyans with no family links to Somalia drafted by the militants in recent years, according to relatives, security officials and analysts.

Widespread poverty and unemployment mean al Shabaab can tempt recruits by offering cash or promises of work, researchers who interviewed defectors said. Even small gifts have lured some young men, their families said.

These new recruits have expanded the militants' reach and complicated efforts by Kenyan security forces to thwart them.

"In the past, the security forces concentrated their efforts in parts of the country that are Muslim majority, Muslim-dominated," said Murithi Mutiga, a project director for the International Crisis Group think-tank. "Now it's much harder because al Shabaab has shown its adaptability by recruiting from outside the traditional areas."

At the same time, al Shabaab has expanded operations from Somalia into East Africa, where it has shown it can hit high-profile targets, such as the offices of Western multinational companies.

FOOTBALL, DRUGS AND MOTORBIKES Gichunge, the son of a Kenyan military officer, was radicalized while working at a hotel Internet cafe in Isiolo town, his sister told Reuters.

"It all started there. He was able to access new materials online, go to Facebook. He started studying Arabic language and all sorts of things," Amina Sharif said.

His Muslim family had sent him to a mission school in Isiolo, a dusty northern town that is a gateway to three vast, arid counties neighboring Somalia.

Many in Isiolo were reluctant to discuss him, fearing police attention. But some said al Shabaab recruiters had been targeting young, unemployed men from outside the ethnic Somali community there for years.

Abdi Bidu, 53, said smooth-talking recruiters befriended his son Boru, then 20, three years ago while the young man was watching European football matches at video parlors. They offered cigarettes, motor-bike rides and khat, a mildly narcotic leaf, he said.

The Bidu family are ethnic Boranas, a religiously mixed community not previously associated with Islamist violence.

Police caught Boru trying to join al Shabaab near the Somali border in 2017, his father said. The young man went to court, but authorities inexplicably dropped the charges.

His father keeps him at home now, forbidding him to use the phone. Bidu refused to allow Reuters to speak to his son, fearing a backlash.

“There is a big problem in Isiolo,” Bidu said. “Many have been persuaded to join the militants. Many others have been caught by authorities and returned.”

He said he knew three other families whose sons were recruited. Parents feel angry and helpless, and want the government to step up security.

Martin Kimani, Kenya’s chief counter-terrorism official, said statistics on al Shabaab recruitment are classified.

But a USAID-funded study in 2018, quoted in a local government strategy document, estimated the group had recruited about 200 young men in the county to which Isiolo belongs since 2013.

Another 2018 survey asked 190 young Kenyans and 23 community leaders about violent extremism in Isiolo, neighboring Garissa county, the coastal counties of Kwale, Kilifi and Mombasa, and Nairobi. Seventy percent of respondents had a family member, close peer or neighbor involved in such activities, including recruitment, the British-funded study found.

SOPHISTICATED MESSAGING Al Shabaab grew out of a political movement that used Islamic courts to impose order on war-ravaged Somalia. U.S.-backed Ethiopian soldiers defeated the Islamic Courts Union in 2006, but its youth wing split off and launched an insurgency.

Al Shabaab pledged loyalty to al Qaeda four years later, as the insurgency battled African Union peacekeepers in Somalia.

Kenya sent troops there in 2011 after al Shabaab started recruiting and kidnapping on Kenyan soil. Two years later, the insurgents massacred 67 people at Nairobi’s Westgate mall.

As al Shabaab morphed from a nationalist insurgency into an al Qaeda franchise, it increased its messaging to other nationalities.

The first such outreach came after it killed 76 people watching the World Cup football final in twin suicide attacks in Kampala in 2010. Al Shabaab released a video threatening further attacks from militants who “speak your language and walk your streets”.

Since then, the group’s messaging has grown more sophisticated.

Kenya’s 2012 election was denounced in a press release and radio statement as a tool for infidels. Ahead of the 2017 election, the group released seven videos in local languages.

In one video, eight al Shabaab fighters from Kenya spoke about grievances specific to their ethnic groups, such as land-grabbing on Kenya’s coast, according to a 2019 report by the London-based Royal United Services Institute for Defence and Security Studies.

Other videos discussed the rising price of flour, or used graphics and statistics to build an economic case for Kenyan troops to leave Somalia.

“Religious ideology ... is entirely absent,” the report said. “It seeks to relate to educated, non-Muslim audiences.”

COUNTER RADICALIZATION Kenya launched counter radicalization programs in 2014.

Reuters attended one meeting organized by a grassroots peace group two weeks after the January attack. Fifteen parents who feared their sons had been recruited met at Isiolo’s dilapidated main police station. Organizers asked not to be named.

Over samosas, boiled eggs and milky tea, police explained they needed information to thwart the militants. The police had been criticized after previous attacks for making mass arrests and hauling in suspects' families for questioning. This was a softer approach.

"These meetings encourage us ... We are not alone," said a mother whose son disappeared three years ago. She is furious at Islamist recruiters she blames for targeting her son.

"We don't know them. If we knew, we would lynch them," she said.

NEW TARGETS About two hours drive west from Isiolo, officials in Nyeri town say al Shabaab recruiters have penetrated one of its biggest slums.

The central Kenyan town, far from traditional militant hotspots along the Somali border and the coast, is a staging point for Mount Kenya hikers and home to the grave of Boy Scouts founder Lord Baden-Powell.

"It is not (only) people of Somali origin; we also have Kikuyu who have become members of the al Shabaab movement," said Fredrick Shisia, the county commissioner.

The recruiters were mainly local Kikuyus who had converted to Islam, two intelligence sources in Nyeri told Reuters.

Shisia declined to provide figures on recruitment but confirmed that promises of cash and gifts are often made, sometimes under false pretences.

One female recruiter in the city of Mombasa approached a tailor who was struggling to feed her family and offered the woman 30,000 shillings (\$300) to make dresses, according to a 2018 study by Fathima Badurdeen, a researcher at the Technical University of Mombasa.

When the woman went to deliver the dresses near the Somali border, she was seized and taken to an al Shabaab camp in Somalia, the report said. It did not say what happened next or how she escaped.

Others were lured to Somalia for as little as 3,000 shillings (\$30), said Badurdeen.

The first female-led attack in Kenya came in September 2016. Three women entered a Mombasa police station, stabbed an officer and set off a petrol bomb before being shot dead.

Gichunge's wife, Violet Kemunto, was another non-traditional recruit.

The Nairobi-born woman from the mainly Christian Kisii ethnic group described herself as an al Shabaab bride on social media. Police believe she has fled to Somalia.

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

Australian PM confirms secret Rwandan guerilla deal By Zoya Sheftalovich and Miriam Webber
May 16, 2017

The Australian prime minister confirmed his country resettled two Rwandans accused of murdering tourists two decades ago in a secret deal revealed by POLITICO Thursday.

"They're in Australia," Prime Minister Scott Morrison told the "7.30" TV news program on Australian broadcaster ABC Thursday evening, just two days before the country's general election on Saturday. He added: "They were cleared of those particular matters, in terms of Australia's assessment of those particular matters."

POLITICO reported that in a deal struck in 2016 by Australia and the U.S. under former national leaders Malcolm Turnbull

and Barack Obama, Washington publicly agreed to take in up to 1,250 refugees, predominantly from Iran, Sri Lanka and Afghanistan, who were being held in Australian-run offshore island camps in Papua New Guinea and Nauru. The deal was done after Australia agreed to resettle Central American refugees from camps in Costa Rica.

But in a secret arrangement, Australia also agreed to take in at least two of three Rwandans who were brought to the U.S. to face trial — and potentially the federal death penalty — on charges of involvement in the brutal murder of eight tourists, including two Americans and two New Zealanders, who were on a gorilla-watching visit to the Ugandan rainforest in 1999.

The three Rwandans, who were members of Hutu rebel group Army for the Liberation of Rwanda (ALIR), confessed to the murders, but the American case fell apart after a judge ruled the men were tortured in their home country.

On Thursday, Morrison said in a statement to broadcaster ABC: "I can confirm that the two individuals were subjected to strict security and character checks by our security agencies. That included checks relating to national security, criminality, war crimes and crimes against humanity.

"That resulted in an assessment that they did not represent a risk to security and they were cleared."

The revelations sparked condemnation from across the political spectrum.

The opposition Labor Party's Shadow Treasurer Chris Bowen said he wants the government to "thoroughly" explain the deal and promised his party would demand an urgent briefing if it's elected Saturday, according to the ABC.

Greens leader Richard Di Natale also condemned the deal on the ABC's Radio National "Drive" program, citing his party's opposition to offshore processing under any circumstances.

"If we had done what was our moral and legal obligation and that was to treat people with some decency, to process them here, to close the inhumane, unjust brutal regime that is offshore detention, then we wouldn't be facing this right now," Di Natale said.

Pauline Hanson, leader of Australia's far-right, anti-immigration One Nation party, posted a video statement on Twitter demanding answers.

"I'm really angry with what I've just heard: that Australia took two detainees from America, Rwandans, who were involved in the murder of eight tourists in Rwanda," Hanson said.

"We weren't told about this, how much other information have we not been told about? This is important, we as Australians know the type of people we are allowing into this country," she added.

Rwanda and Sri Lanka: A tale of two genocides By Sharry Aiken and Cheran Rudhramoorthy
May 16, 2019

This year marks the 25th anniversary of the Rwandan genocide and the 10th year since the Tamil genocide in Sri Lanka. While the 1994 Rwandan genocide has become part of the world's collective memory, the 2009 Tamil genocide has not.

Mullivaikkal Genocide Remembrance Day on May 18, named after the village that was the site of cataclysmic violence, is a day to remember those who died in the Sri Lankan conflict. Mullivaikkal commemoration events have been taking place around the world this month.

However, 10 years and a series of United Nations reports and resolutions have made little progress toward truth, accountability or reparations for the survivors of atrocity crimes in Sri Lanka. In the aftermath of the recent Easter Sunday bombings, the spectre of ethnic violence has resurfaced.

The Rwandan genocide offers important lessons for Sri Lanka.

Tutsis slaughtered

An estimated 800,000 Tutsis and politically moderate Hutu were killed in just 100 days in 1994. Thousands more were subjected to sexual violence and tortured in a systematic campaign by the Hutu ethnic majority.

Fifteen years later, another slaughter unfolded — this time in northern Sri Lanka. The protracted civil war between the national government and the Liberation Tigers of Tamil Eelam (LTTE) was coming to a catastrophic end. The goal of an independent state for the minority Tamils was slipping away.

Throughout the conflict, both sides failed to respect human rights and international humanitarian law. Unlawful killings and enforced disappearances carried out by the Sri Lankan security forces were daily occurrences. The LTTE was condemned for its suicide bombings and forcible recruitment of child soldiers.

For most of the 2000s, the LTTE was operating as a de facto state in the north and east. By early 2009, military losses had gradually crushed the LTTE's civil administration of these areas.

The LTTE and an estimated 330,000 Tamil civilians were trapped in a small piece of land on the northeast coast in the Mullaithivu District. The government ordered the UN to evacuate their last few international workers from the region while international media were excluded and local journalists silenced.

Carnage unfolded

Transatlantic cellphone photos and a few video clips had begun circulating with images of the unfolding carnage. Hospitals on the front lines were systematically shelled, as were food distribution lines and even Red Cross ships attempting to evacuate the wounded.

Within a few months, a brutal siege of the officially declared "safe zone" and the indiscriminate shelling of Tamil civilians concentrated there brought the war to an end. The Sri Lankan government celebrated its successful "humanitarian rescue operation." In fact, it was genocide.

By August 2009, Britain's Channel 4 News was broadcasting gruesome footage of summary executions and rape perpetrated by Sri Lankan soldiers. Dozens of surrendering Tamils, including senior Tiger political leaders and their families, had been shot dead by soldiers as they walked out of the safe zone hoisting white flags.

In 2012, the UN Secretary General estimated that 40,000 civilians were killed over the final five months of the conflict. The exact number, as in many conflict situations, remains contested and is likely higher.

Once the conflict ended, hundreds of thousands of Tamils were interned in squalid camps in the northern Vanni region. Even today, thousands of Tamils remain displaced in their own country.

'War without witness'

If the Rwandan genocide was a genocide foretold, yet no action was ever taken by the international community, then the Tamil genocide was deliberately hidden and dubbed the "war without witness."

In both cases, the UN and the European Union had direct warnings but opted against taking action. The international community's inertia in Rwanda and Sri Lanka has been acknowledged as "grave failures."

The establishment of an international criminal tribunal was an explicit attempt to grapple with Rwanda's past. Convictions were secured in the cases of 61 "ringleaders." A groundbreaking decision on sexual violence as an act of genocide was among its many rulings. Local "gacaca courts" conducted some two million trials. A truth commission continues efforts to promote reconciliation between the Hutu and Tutsi peoples.

While highly imperfect, these transitional justice mechanisms have generated a record of what really happened and why it happened.

In contrast, Sri Lanka has repeatedly reneged on pledges to investigate and prosecute war-time atrocity crimes. Abductions, torture in custody and sexual violence remain rampant amid a long history of failed promises.

Occupied land not returned

The harassment of Tamil activists as well as targeted violence against the Muslim community continue. Commitments to demilitarize and return occupied land are unfulfilled. Weak state structures, the lack of an independent judiciary and a culture of impunity remain significant obstacles.

As Harvard University scholar Martha Minow suggests, the relentless repetition of atrocity requires a pathway between "too much forgetting" and "too much memory," between vengeance and forgiveness. In Sri Lanka today, memory and memorialization are radical counterpoints to official state narratives that resist accounting for the past.

Holocaust survivor Primo Levi once said:

"It happened; therefore, it can happen again... it can happen everywhere." So long as impunity and the failure to address the root causes of atrocity crimes continue in Sri Lanka, lasting peace will remain elusive. Acknowledging the past must be a

precondition to meaningful reconciliation.

A poem in Cheran's anthology *In a Time of Burning* evokes the challenge of closure in the wake of mass violence:

“there is neither sea nor wind

for us to dissolve the ashes

proclaim an end

and close our eyes.”

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Somalia

Somalia War Crimes Trial Starts Monday, as Another Survivor Seeks Justice (Just Security) By

Amanda McCaffrey

May 10, 2019

The third in a trio of federal cases brought by the San Francisco-based Center for Justice and Accountability (CJA) on behalf of victims and survivors of Siad Barre's rule in Somalia will go to trial on May 13, almost 15 years after it was filed and more than 30 years since the events at issue took place. Plaintiff Farhan Warfaa brought this suit against defendant Colonel Yusef Abdi Ali (a.k.a. "Tukeh") in the Eastern District of Virginia, where Ali has been living for more than two decades. Judge Leonie Brinkema and a jury to be selected next week will hear four days of evidence and argument from the parties, with a verdict expected on or after May 17. The three cases have provided unique opportunities for the plaintiffs to seek recognition for the harm they suffered decades ago, and represent an effort to ensure that foreign perpetrators of torture and other violations of international law do not find safe haven in the United States.

Political and Legal Background

The current case arises from alleged violations of international law in Somalia under the Siad Barre regime, namely torture and attempted extrajudicial killing. Barre became Somalia's president in 1969 after the assassination of then-President Abdirashid Ali Shermarke and a coup that overthrew the Somali Republic. With support from the Soviet Union, Barre led his revolutionary military junta to reconstitute the government; but Soviet support faltered after Barre invaded Ethiopia, another Soviet client, in 1977. The United States subsequently began to ingratiate itself with the Somali government, providing one of its largest military assistance programs in sub-Saharan Africa at the time. For the next decade, the Cold War powers vied for Barre's allegiance.

But with his 1978 defeat in the Ogaden War in Ethiopia, Barre's rule in Somalia grew increasingly tribalist and ruthless. He soon faced opposition in northeastern Somalia—a region overseen today by the Somaliland Administration—from the Somali National Movement (SNM), a militia group founded in response to Barre's abuses against the clan that dominated that region. Colonel Tukeh, who had been trained in the U.S. and Soviet Union as well as Somalia, led the Army's Fifth Brigade in a brutal crackdown against the SNM and the local population.

As Cold War tensions began to relax in the late 1980s, Somalia's strategic importance diminished, changing the calculus of western donors who had watched Barre's shift toward despotism with growing alarm. Earlier in the decade, Somalia had received \$25-34 million annually in U.S. military aid alone, and by 1987 foreign aid represented more than half of the country's GNP. But by 1989, the flow of foreign aid that had sustained Somalia since its independence virtually ceased.

Isolated and impoverished in its final years, Barre's regime became dictatorial, repressive, and violent. His forces—including the Somali National Army and National Security Service (NSS)—detained, tortured, and murdered tens of thousands of his people. Court verdicts have found that former Somali Prime Minister and Minister of Defense General Mohammed Ali

Samantar oversaw much of that mass killing and torture, as did Colonel Abdi Aden Magan, who headed the NSS Department of Investigations from 1988-90. And in the northeast, Tukeh directed the murder of thousands of civilians.

A coalition of many militia groups, including the SNM, and nonviolent political groups led the rebellion that ultimately toppled the Barre regime in 1991. Violence in the region has continued as members of Barre's clan have faced backlash for the preferential treatment some received from his government.

Under the Barre regime and since its fall, it has been impossible for ordinary citizens to bring civil suits in Somalia/Somaliland for the human rights violations they suffered at the hands of government and military officials. Neither have there been criminal prosecutions seeking justice for Barre-era atrocities. Somalia has not ratified the Rome Statute to join the ICC, which in any event would not have retroactive jurisdiction over decades-past crimes. No international mechanism was established after Barre's government fell to adjudicate its abuses. Until this trio of cases commenced in U.S. courts, there had been no legal action—in Somalia or elsewhere—seeking justice for the crimes of the Barre regime.

Seeking Justice in the United States

In 2004, CJA filed suit against General Samantar on behalf of three survivors of his policies — Bashe Yousuf, Buralle Mohamoud, Ahmed Gulaid — and the estates of four of his victims, including Aziz Deria's father and brother. The suit was filed in Virginia's Eastern District, where Samantar had found safe haven in 1997. The plaintiffs in *Yousuf v. Samantar* described being abducted, confined, threatened, and tortured by soldiers under Samantar's command. Their claims proceeded under the Torture Victim Protection Act (TVPA), which creates a cause of action against foreign officials who commit torture and/or extrajudicial killing.

Interlocutory appeals in *Yousuf* created two key legal precedents with respect to foreign sovereign/official acts immunity. In 2010, the Supreme Court ruled unanimously that individual foreign officials and their conduct are not shielded by the Foreign Sovereign Immunity Act (FSIA). And in 2012, the Fourth Circuit held that there is no common law immunity for jus cogens violations — acts against the peremptory norms of international law — even when committed by foreign officials or agencies. Such grave violations are definitively beyond the scope of any official authority, even if carried out under the color of law or government endorsement, the court said. Samantar attempted to appeal this ruling, but the Supreme Court denied certiorari in 2014, while proceedings were ongoing in the Fourth Circuit, and again in 2015, ending Samantar's effort "to claim that the torture and extrajudicial killing for which he admitted liability in U.S. court were official acts entitled to immunity."

In February 2012, Samantar had stated in open court that he would not contest the plaintiffs' action against him, accepting default liability for all violations they alleged. Judge Brinkema of the Eastern District of Virginia — the same judge who will hear Warfaa's case next week — awarded each of the three surviving plaintiffs and four represented estates \$1 million in compensatory damages and \$2 million in punitive damages, for a total award of \$21 million. This judgment represented the first time a court of law had held a Somali official accountable for human rights crimes under Barre. CJA advocated for Samantar's removal from the U.S. until his death in August 2016; unfortunately, the plaintiffs were not able to recover the award granted by the court.

The second CJA case involved Colonel Abdi Aden Magan, whose NSS forces had arrested Abukar Hassan Ahmed, a professor of constitutional law at Somali National University, in 1988. Ahmed was an outspoken human rights advocate and critic of the Barre regime. Magan's NSS detained, starved, and tortured Ahmed for months, accusing him of supporting opposition groups and writing for Amnesty International. Ahmed was shackled in his cell in an excruciating position day and night for three months.

Tracking His Torturer

After a 30-minute internet search in 2005, Ahmed discovered that Magan, the man responsible for his torture and arbitrary detention, was living freely in Columbus, Ohio. CJA filed suit on Professor Ahmed's behalf against Magan in 2010. In Nov. 2012 a federal judge in the Southern District of Ohio found Magan liable for arbitrary detention, cruel treatment, and torture. "The court's decision today is of great consequence not only for me but also for the many other Somalis who were tortured or even killed by NSS officers," Ahmed reflected after the judgment in *Ahmed v. Magan*. "In order for Somalia to heal after 20 years of military rule, it is essential to confront and hold accountable individuals like Colonel Magan."

Based on this judgment, a federal magistrate judge awarded Ahmed \$5 million in compensatory and \$10 million in punitive damages in August 2013. At the hearing to assess damages, Ahmed explained that he wanted justice not only for himself, but for the silent victims of torture around the world. "That's why I want to come to the United States to have the justice that I couldn't have in my country," he said.

Magan had fled, apparently to Kenya, while Ahmed's suit against him was pending. Even if Magan had assets worth \$15 million, Ahmed would not be able to enforce the American judgment in Kenya without a separate proceeding before a Kenyan

court. Still, the Southern District's decision marked the first time a member of the NSS had been held liable in court for violations committed under the Barre regime.

Ahmed became legal adviser to the president of Somalia in 2011, assisting the drafting of the new Somali Constitution and Human Rights Bill. He has also resumed teaching law at the City University of Mogadishu, and in October 2013, he received the International Bar Association Human Rights Award.

"The dictators and their thugs think that justice has geographical limitations, but justice is universal. . . . It belongs to all humanity," Ahmed said when accepting the award in Boston. "[M]y victory before the Ohio Court is not just for me, but for all the silent victims of torture—alive or dead."

Abducted as a Teenager

In the suit that will go to trial Monday, Farhan Warfaa alleges that he was abducted as a teenager in 1987 by Tukeh's soldiers, who claimed he was responsible for the disappearance of an Army water tanker. Warfaa says he was taken to the Army's regional headquarters, where he was confined, interrogated, and tortured for months, including by Tukeh himself.

Warfaa's complaint alleges that his "arms and legs were bound, he was stripped naked, and he was beaten to the point of unconsciousness at least nine times." One night in March 1988, while Tukeh allegedly was interrogating Warfaa in his office, the SNM attacked the Fifth Brigade. Warfaa says that Tukeh ordered his officers to capture or kill the SNM soldiers, then shot Warfaa five times at point-blank range and left him for dead. The officers ordered to bury Warfaa soon discovered that he was still alive, however, and allegedly ransomed him back to his family. It is possible that Tukeh did not know Warfaa had survived until the CJA lawsuit was filed.

At trial in Virginia next week, Warfaa will be seeking justice for the torture and attempted extrajudicial killing he alleges Tukeh commanded and committed. The precedent from Yousuf means that Tukeh cannot claim official acts immunity for the violations alleged by Warfaa. "Because [Warfaa's] TVPA claims are premised on alleged acts that violate jus cogens norms,"—here, the international consensus against torture and extrajudicial killing—"the act of state doctrine is inapplicable," wrote Judge Brinkema in her July 2014 opinion denying the defendant's motion to dismiss Warfaa's TVPA claims.

With Barre's commanders having found refuge in the United States and Somalia's government still struggling for stability, civil suits before American courts are these plaintiffs' only legal recourse to pursue justice for the harm they suffered. For Bashe Yousuf, Aziz Deria, Buralle Mohamoud, Ahmed Gulaid, Abukar Hassan Ahmed, and Farhan Warfaa, federal judges half a world away are singularly able to acknowledge their suffering, endorse an authoritative record of the injuries they survived, and confirm the responsibility of their persecutors.

Plagued by separatism and terrorism, Somalia struggles to take advantage of its oil reserves (TheNewArab) By Austin Bodetti

May 17, 2019

Peace in Somalia seems as elusive as ever. The African Union Mission in Somalia (AMISOM) and the Somali National Armed Forces continue to battle insurgents throughout the East African country as American warplanes launch airstrikes against the likes of al-Shabaab and the Islamic State group [IS]. All the while, separatists in Somaliland threaten to tear Somalia in two.

Amid all these examples of division, the petroleum industry's arrival on the Horn of Africa begs the important question of whether fossil fuels can bring Somalis across the political spectrum together or will just pull them even further apart.

The Somali government announced in February that it would start awarding foreigners licenses for hydrocarbon exploration later this year despite criticism from the opposition, which warned that the Federal Parliament had yet to enact laws regulating the petroleum industry. The prospect of foreign direct investment led some analysts to wonder whether an oil boom could help Somalia overcome its challenges, which include not only separatism and terrorism but also an economy struggling to stay afloat.

On the one hand, sizable oil reserves turned Qatar, Saudi Arabia, and the United Arab Emirates from Middle Eastern backwaters into Arab regional powers. On the other, the petroleum industry fuelled corruption in Iraq, Sudan, and Yemen, all of which share Somalia's history of political violence. Somali experts question the ability of fossil fuels to address social issues best handled by good governance.

"Before we think about economic growth and the petroleum industry in Somalia, we Somalis must ask ourselves, 'Is Somalia safe to live in?'" said Abdihakim Abdullahi, co-founder and director of the Somali Institute for Democracy and Human Rights.

"Somalis are struggling with problems tied to poverty, the absence of healthcare and clean water, and a lack of schooling as well as ethnic conflict, corruption, political violence, crime, and violations of human rights such as freedom of expression." The duelling problems of corruption and poverty remain two of Somalia's greatest social issues. Of the 180 countries that Transparency International ranked on the Corruption Perceptions Index in 2018, Somalia achieved the highest score, indicating that observers consider Somalia the most corrupt country in the world. Meanwhile, 73 percent of Somalis live on less than two dollars a day, and 24 percent must survive on less than a dollar a day.

Tapping oil reserves could contribute to lifting Somalis out of poverty, but the cash flow from the petroleum industry may also feed political corruption in Somalia.

The Somali Civil War poses an additional complication. In many conflicts, natural resources turn into part of the war economy, and Somalia has proved no exception. Al-Shabaab, al-Qaeda's affiliate in the East African country, not only exports charcoal but also participates in the ivory trade and the lumber industry. The petroleum industry could give Somali extremists another economic opportunity to exploit. In Iraq, IS reaped impressive profits by seizing oil wells abandoned by the Iraqi Security Forces. "The Somali Civil War has not only hindered the petroleum industry but also cost thousands of civilian lives, collapsed institutions of the Somali government, and forced millions of Somalis to become refugees in countries across the world," Abdullahi told The New Arab.

Despite the trauma of the Somali Civil War, the Somali government continues to invest much of its energy in promoting the petroleum industry, sharing its data on oil reserves with potential investors. For their part, the major players in the petroleum industry appear wary of investing in Somalia, given its past instances of state collapse as well as the further danger of piracy in the Gulf of Aden.

In addition to appeasing skittish investors, Somalia will have to outcompete regional powers with their own oil reserves, including AMISOM member state Ethiopia, which still holds substantial sway in Somalia. For now, hydrocarbon exploration may just give Somalia more trouble than it needs.

Somali politicians may accomplish more by focusing their energies on already-developed sectors, foremost among them the telecommunications industry. Telephone companies such as Golis Telecom and Somtel Network have thrived during the Somali Civil War. Hormuud Telecom Somalia in particular has profited from Somalis' use of mobile phones. The United Nations Development Programme estimates that almost three quarters of Somalis employ mobile wallets to receive payments and send remittances.

While strengthening Somalia's economy may hold the key to peace and sustainable development, Somalis sound skeptical of what staking their financial future on oil reserves promises, noting how natural resources have served to aggravate political violence in countries elsewhere in the Global South.

"The petroleum industry will create more war and exacerbate existing rifts and political tensions between Somali states on how the resources should be distributed," argued Abdullahi.

"Natural resources have cursed many African countries, such as Angola and the Congo. Despite their riches, these countries have less economic growth, weaker governance, and slower development."

UN chief: Somalia making progress but must tackle extremism (Associated Press) By Edit M. Lederer
May 20, 2019

Somalia is making progress toward building a functioning state but must still tackle violent extremism, terrorism, armed conflict, political instability and corruption, the U.N. chief said in a new report.

Antonio Guterres said in the report to the U.N. Security Council circulated Monday that these challenges "demonstrate the fragility of the gains made so far" and "threaten progress."

After three decades of civil war, extremist attacks and famine, Somalia established a functioning transitional government in 2012 and has since been working to rebuild stability. But Guterres said that "the security situation remained volatile" between the mid-December and early May reporting period.

The militant group Al-Shabab, an al-Qaida affiliate, continues to be "the main perpetrator of attacks against government facilities, government officials and security forces as well as popular restaurants and hotels," he said.

Guterres said March and April witnessed "a significant increase of attacks in Mogadishu, where incidents involving improvised explosive devices occurred almost every day." In March, he said, there were 77 such attacks across the country, the highest single monthly total since 2016.

In addition, Guterres said, there was “a notable increase in mortar attacks, which demonstrated Al-Shabab’s improved capacity to hit strategic targets with precision and accuracy.” And the militant group continued to carry out attacks using suicide vehicle-borne improvised explosive devices, he said.

At the same time, the secretary-general said, the reporting period saw an increase in security operations “and a large number of air strikes targeting Al-Shabab training bases and assembly points” that were deemed to have degraded its operating capability and freedom of movement.

“They have also led, however, to increased Al-Shabab movement into urban centers, in particular Mogadishu, where their forces are less likely to be targeted from the air,” he said.

In addition to security threats, Guterres said large segments of the Somali population face poverty and a lack of food. He said the World Bank estimates in a forthcoming poverty and vulnerability assessment that 77% of Somalia’s population is living below “the international extreme poverty line of \$1.90 per day.”

“Poverty is especially deep and widespread in rural areas and in internally displaced persons settlements,” Guterres said. “Almost 90 percent of households lack access to basic services, such as education and water and sanitation.”

The United Nations launched an appeal Monday for \$710 million to help 4.5 million drought-affected Somalis in the most severely affected areas of the country between now and the end of December. U.N. spokesman Stephane Dujarric noted that the 2019 U.N. humanitarian appeal for more than \$1 billion for Somalia is only 20 percent funded.

“Many areas are experiencing critical water shortages, widespread crop failure, and diminished livestock conditions following two consecutive failing rainy seasons,” Dujarric said, stressing the need for additional funding.

US troops, nonprofit trainers and a 'Lightning Brigade' battle for Somalia (MilitaryTimes) By Kyle Rempfer
May 22, 2019

U.S. government forces and a contractor with an unorthodox investment strategy have fanned out over Somalia to fight al-Shabaab by building a force of local light infantry known as the Danab — and they’re likely to continue doing so for years to come.

In April, President Donald Trump signed an executive order that extended the U.S. military mission to Somalia for another year, citing the threat from al-Shabaab — a militant group aligned with al-Qaida — as an “unusual and extraordinary threat to the national security.”

The move extends a mission that has paired airstrikes with ground operations and nation-building to a noteworthy degree of success.

The U.S. government has used al-Shabaab’s attacks on civilian targets in Somalia and Kenya, as well as its affiliation with al-Qaida, as justification for the military involvement that officials say prevents the country from slipping back into a failed state.

The military commitment to the country hovers between 500 and 600 troops, but an unknown number of contractors are also used to recruit and train Danab light infantry, also known as the Lightning Brigade. Many of those contractors have worked for a nonprofit that shares leaders with an investment arm that has bought up a significant amount of real estate in Somalia.

That contractor, founded as a mine-removal organization in 1999, earns its profits by investing in the stable environments it helps prop up.

Bancroft Global Development works in conflict zones as a nonprofit, but Bancroft Global Investments — a separate legal entity that shares leadership with the nonprofit arm — has made entrepreneurial investments in Somalia and become one of the country’s largest real estate investors and developers.

Bancroft did not return multiple requests for comment, but their connection to the U.S. mission in Somalia was confirmed to Military Times by a U.S. official on background earlier this year, as well as a series of public contracts that show an escalating partnership between the company and the U.S. government.

In May, Bancroft Global Development accepted a more than \$730,000 contract for six months of support services. By contrast, Bancroft received about \$490,000 for that same type of contract during the previous 12 months.

The nonprofit has several other contracts with the U.S., including a \$42,000, one-month lease on Bancroft property in

Somalia in December for a conference.

A former Army Green Beret officer experienced with stability operations said that an arrangement with a nonprofit connected to an investment firm was “strange.”

“I’ve never seen a nonprofit conduct foreign internal defense before,” he said. “You don’t need to be an expert for this raise eyebrows.”

Despite its unorthodox business model, Bancroft has successfully helped build a competent Danab force out of the small pilot platoon it started out as in 2012, said Paul Williams, an associate professor at George Washington University and author of several books on war in Africa.

“Danab has now grown to around battalion size and has been the only [Somali National Army] unit consistently able to perform offensive operations,” Williams said.

Danab’s success, however, has so far not been replicated within the larger Somali National Army, which remains undermanned, poorly equipped and riddled with corruption. And any efforts to scale Bancroft’s operations and the U.S. military advising could be met with resistance from clans that feel threatened.

U.S. assistance to Somali military forces is by policy restricted to units receiving direct mentorship, which is primarily the Danab. Bancroft recruits and trains Danab soldiers based on merit and with their clan considerations in mind, a key feature for the force to not appear as an occupying army in a country where tribalism plays a central role.

Bancroft then puts the recruits through a basic training program. The U.S. mission does not provide basic training to regular Somali soldiers, only those who will become Danab, a State Department official involved in the region told Military Times.

After basic training, those troops are sent to U.S. military advisers, where they’re further honed into offensive forces. Regular Somali soldiers are often used to hold ground that U.S. and Danab troops win back from al-Shabaab.

Sometimes the mission involves direct action for U.S. forces, which include a variety of special operations units, including joint terminal attack controllers, a senior U.S. Africa Command official told Military Times. JTACs are often used to direct artillery and close-air support from a forward location when friendly troops are close to enemy targets.

The U.S. commitment to Somalia is intended as a whole-of-government approach involving international partners, but “substantial involvement by U.S. military personnel on the ground, particularly the Mogadishu coordination cell,” takes the lead on building Somalia’s defense apparatus, the State Department official said.

Although al-Shabaab has been rolled back from its height of power a decade ago, the group remains strong, operating in roughly 20 percent of the country. The militants are still capable of carrying out massive attacks in Somalia and surrounding countries, despite the ongoing African Union mission in the country, which planned to hand over security responsibilities to local forces by 2021.

“If [the African Union mission] exits, it would be difficult for the U.S. to operate in Somalia, unless there is a viable Somalia National Army in place that the U.S. troops can work with,” said Zakaria Yusuf, a Kenya-based analyst on Somali issues for International Crisis Group, a nonprofit that conducts field research on violent conflicts.

What are Lightning Brigades?

“When we say Danab, tactically, that’s a capability on the battlefield,” Marine Maj. Gen. Gregg Olson, Directorate of Operations at U.S. Africa Command, said in an interview with Military Times. “Are you trained for offensive combat operations to take the fight to al-Shabaab, to take ground ... then somebody else will likely come behind you and hold.”

The Danab Brigade is supposed to eventually consist of five battalions, with 450 to 500 troops in each. The national security architecture calls for one battalion in each of Somalia’s federal member states, headquartered at Baledogle Airfield — a former Soviet air base in southern Somalia with a significant U.S. air and ground presence.

The majority of equipment for Danab is currently provided through the Defense Department. The U.S. also provides stipends to the Danab personnel once they’ve completed training, on top of the salaries paid by the federal government of Somalia.

The most advanced part of that effort is an initial battalion operating in the South West State of Somalia, called Sector 60, the State Department official said. That region of the country includes Lower Juba, Middle Juba and Lower Shabelle, areas where al-Shabaab has been active.

“We wouldn’t say it’s reached full operational capability in the sense that it does require some external support to actually

prosecute operations at this time," the official added. "But that battalion's sort of been formed fully at this point."

The State Department official said that there are multiple groups contracted to support Danab forces, "including grantees, cooperative agreement holders and a few cases of direct contracts with commercial firms," but they declined to confirm or deny the names of those entities.

Organizations like these, of which Bancroft appears the most prominent, provide only the most basic level of military training to new Danab intakes. "And these are the personnel who also, in Sector 60, are responsible for actually handling much of the initial recruiting as well for that effort," the State Department official said. The contractors do a basic assessing of Danab recruits, checking their physical fitness as well as their political and socioeconomic background.

"We are sensitive to the significant role that clan, sub-clan affiliations play in the Somali security context," the official said. The contractors also must gather biometric data off recruits, which is processed by U.S. government channels to ensure past human rights violators are not recruited.

Somalia has largely made inroads against al-Shabaab thanks to international assistance. The militant group rose to prominence in the mid-2000s, capturing the capital city of Mogadishu and controlling key ports like Kismayo, in the country's southern region.

Al-Shabaab was expelled from Mogadishu in 2011 thanks to African Union troops, and then lost Kismayo's lucrative ports in 2012, putting a dent in the group's financing. Al-Shabaab continued to lose most of its urban holdings, but remained strong in rural regions.

In 2017, the Trump administration stepped up airstrikes in the country, targeting al-Shabaab leaders and training camps.

But the group remains capable of launching large-scale terror attacks, such as an October 2017 bombing in Mogadishu that killed more than 500 people and a January 2019 attack on a hotel in Nairobi, Kenya.

Some analysts point to these operations, as well as the group's affiliation with al-Qaida, as evidence of the ability to strike Westerners should it not be checked on the battlefields of Somalia. That is the primary justification for U.S. troops to be fighting, and in one case dying, in the country.

How often do U.S. forces fight?

"Somalia is an area of authorized hostilities," Marine Maj. Gen. Olson said. "Our intention for U.S. forces is to have the Somali partners conduct the operations. Occasionally, as we're accompanying Somalis into the field, U.S. forces find themselves in situations where they have to either defend themselves or assist a partner in defending themselves."

"Those happen occasionally, but the intention of U.S. forces when they take to the field is to advise and accompany the partner where the partner conducts the actions," Olson added.

The U.S. often operates command and control centers from where they can track partner forces utilizing aircraft sensors and radios, even if Americans aren't physically involved in the mission.

"We often hear of joint U.S. and Danab missions in different parts of Somalia, and how closely the two forces work together," said Yusuf, the Kenya-based security analyst. "Literally, Danab cannot operate alone without the needed U.S. support. It heavily depends on U.S. intelligence gathering, and also in supplies and logistics."

There are various orders that provide U.S. troops the authority to operate in Somalia. Some of those mission names were leaked last year, including several 127 Echo programs, a budgetary authority that allows U.S. troops to control military units from other countries as a sort of "surrogate force."

Officials would not comment on which missions are still active and which authorities govern each.

"It's important to emphasize that the formations that we're training, advising, assisting either accompany Danab or are part of Danab themselves or are working with [the African Union]," Olson said.

U.S. forces operate across the entirety of Somalia, but there are some places where the effort is more mature, Olson said. There has been a longstanding partnership with the Puntland security forces in northern Somalia, he noted, as well as Baledogle Airfield further south.

"Somalia is the size of the East Coast of the United States. So we have forces distributed from the equivalent of Albany, New York to about Tallahassee, Florida," Olson said. "And we have a limited number of assets that support them."

U.S. troops are sometimes outside the wire, as evidenced by the death of Army Staff Sgt. Alexander Conrad, who was killed by al-Shabaab mortar teams in July 2018.

“Every mission that goes outside the wire is supported to a standard that permits us to react to what that force needs, whether it’s fire support, whether it’s personnel recovery, whether it’s medical support,” Olson said. “We carefully examine the minimum force requirements for every single mission, and we help make sure that they’re all supported to the standard.”

Long-term goals

The military mission in Somalia feeds into the national security architecture that Somali leaders arrived at during a May 2017 London conference on the situation in the country. At that meeting, the Federal Government of Somalia and its member states agreed on a federated security model that is intended to serve as the super structure for the Somali security forces.

The U.S. mission to the country is trying to help that process by setting up a national security architecture, which also includes civil society projects by U.S. diplomats and the U.S. Agency for International Development.

Danab is the most successful military initiative thus far.

“The elite commando unit trained by the Americans have been very useful, especially in combating the Al-Shabaab threat in Somalia,” Yusuf said. “But their numbers need be increased so they could reinforce Somalia National Army when it comes to operations against Al-Shabaab.”

Yusuf said the U.S. military’s focus on Danab is the right approach. “Al-Shabaab can only be defeated by ground-based troops such as Danab,” he said, noting that airstrikes do weaken the militants’ ability to operate freely in Somali, but also risk civilian casualties, which empowers the militants with propaganda.

“In the unfortunate incident that the Somali government in Mogadishu weakens or disintegrates, then it means every member [of Danab] goes back to their clans,” Yusuf said. “Just like the Somalia army disintegrated in 1991.”

Any external effort to build domestic security forces always runs the risk of empowering local strongmen, but the need to establish security outweighs that danger, according to Williams, the George Washington University professor.

“Africa has numerous examples of leaders manipulating armed forces to produce presidential guards or deliberately fragmenting them to guard against coups,” Williams said. “But those risks must be weighed against the existing problems that are exacerbated by the lack of an effective army.”

Bancroft’s long-term goal in all of this appears to be financial, but investment in a country’s infrastructure isn’t necessarily nefarious.

The company’s portfolio reportedly includes property development coupled with hydroelectric and solar power, wireless telecommunications, virtual banking and modern freight transport. From Bancroft’s perspective, its structure of security assistance, paired with investment, benefits both local people and investors.

For example, the company built an international campus at the Mogadishu International Airport several years ago that now hosts many foreign visitors, Williams said. “This was a prudent financial decision but it also provided employment and skills to over 800 young Somali men,” he added.

Expanding the lessons learned by cultivating Danab to the greater Somali military is the best way to continue making security gains, according to Yusuf.

In the end, that could mean greater cooperation with groups like Bancroft, if what they offer is scalable.

“Danab’s significance is both operational and symbolic, that is, showing that with proper training, equipment, financing and mentoring, multi-clan, meritocratic units are possible,” Williams said. “However, scaling this up from a battalion to a brigade or even beyond will run up against powerful clan-based interests in Somalia.”

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The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosnia Tries Ex-Fighters for Crimes Against Humanity in Konjic (Balkan Transitional Justice)

May 8, 2019

Prosecutor Marijana Cobovic told the Bosnian state court at the start of the trial on Wednesday that the 14 defendants were responsible for the murders, detentions, rape, torture and mistreatment of the Serb population in Konjic, as well as burning their property and the local Orthodox church.

The crimes were committed as part of a widespread and systematic attack against Serbs in the Konjic area in the period between May 1992 and May 1993, Cobovic said.

“There was an attack on Serb-majority villages. The attack was conducted on villages where no military targets existed,” the prosecutor explained.

“After that, civilians were detained, mistreated and their property totally destroyed. It is evident from the fact that around 300 Serbs live in Konjic nowadays, compared to the pre-war population of 6,200... that this was a widespread and systematic attack,” she added.

The defendants are Esad Ramic, Sefik Niksic, Adnan Alikadic, Mitko Pirkic, Redzo Balic, Hamed Lukomirak, Safaudin Cosic, Muhamed Cacic, Ismet Hebibovic, Almir Padalovic, Enes Jahic, Senadin Cibo, Zeljko Simunovic and Omer Boric.

According to the charges, they held command positions and were members of the Territorial Defence force’s municipal headquarters in Konjic, the Akrepi Commando and Reconnaissance Squad, the Croatian Defence Council and the local police force, as well as being guards at Celebici detention camp.

The trial will continue on May 15.

Serbian War Crimes Trials Undermined by Long Delays: Report (Balkan Transitional Justice) By

Milica Stojanovic

May 17, 2019

A new report by the Humanitarian Law Centre NGO in Belgrade, published on Wednesday, said war crimes proceedings in Serbia are subject to long delays and that justice is being further postponed when retrials are held.

“The lengthy duration of the proceedings, or their repetition, sends a negative and discouraging message to future witnesses and those who have been harmed – it is hard to get justice in Serbia,” the HLC’s report said.

The report also criticised the Serbian judiciary for prosecuting small numbers of suspects for crimes involving small numbers of victims – and in some cases, not prosecuting at all. The HLC said that the lack of political support for such trials was also a problem, arguing that “the attitude of the current Serbian authorities towards the past and the issue of war crimes has directly influenced the outcomes of war crimes trials”.

The report, which covers the years 2017 and 2018, shows that during the past two years, the War Crimes Chamber of the Belgrade Higher Court has passed first-instance verdicts in three cases, while the War Crimes Department of the Appeals Court in Belgrade issued four verdicts on appeals.

An interim convention was passed before the court of general jurisdiction, which was confirmed by the Appellate Court.

Meanwhile the Serbian War Crimes Prosecutor’s Office issued a total of 14 indictments during the two-year period.

However, HLC analysis showed that these indictments were mostly filed against a small number of low-ranking people in the army or police and for crimes involving a small number of victims. Almost all of the indictments were actually cases

transferred from Bosnia and Herzegovina.

This goes against the criteria for processing crimes outlined by the Strategy for Prosecution of War Crimes, which the Serbian government adopted in February 2016 and covers the period until 2020, and the obligations that Serbia has undertaken as part of the process of seeking to join the European Union.

In the report, the HLC also highlighted the continuing practice of adjournment of trials, mainly due to the non-attendance of witnesses or the medical condition of the defendants.

“The consequences of many years of proceedings are far-reaching and serious. Each year defendants die, and witnesses lose confidence in the judiciary of Serbia and do not agree to testify in repeated trials,” the HLC said.

In most of the cases, only a few days of hearings were held during two-year period reviewed by the report.

In the trial of eight former Bosnian Serb special policemen for crimes in Srebrenica, for example, only 11 days of hearings were held in two years – and this was the highest number of hearing days in any of the cases.

The report also accused the Serbian authorities of regarding the trials as unimportant and actively participating in the creation of a “social climate in which processes against those responsible, especially middle- and high-ranking officers, are practically impossible”.

“The demands of the European Union are being fulfilled only on paper, and in practice war criminals and individuals close to them are returning to institutions and becoming moral authorities in society, while the reinterpretation of court-established facts is taking place more widely than ever before,” the report said.

Over the past couple of years, convicted war criminal Veselin Slijivancanin has invited to appear at events organised by the ruling Serbian Progressive Party, while Serbian Radical Party leader Vojislav Seselj has been allowed to remain an MP despite his war crimes conviction, sparking calls for his parliamentary status to be terminated according to the law.

The Serbian Defence Ministry has published a book by former Yugoslav Army general Nebojsa Pavkovic, despite the fact he was also convicted by the Hague war crimes tribunal. Another convicted war criminal, Nikola Sainovic, was given an official position in the Socialist Party, which is part of Serbia’s governing coalition.

Bosnian Court Jails Woman for War Crimes Against Serbs (JusticeInfo)

May 8, 2019

A Sarajevo court on Wednesday sentenced a woman to 10 years in jail for killing a 12-year-old Serb boy during the 1992-95 Bosnian war.

Elfeta Veseli, who served with the Bosniac (Bosnian Muslim) forces, was convicted of a war crime for killing Slobodan Stojanovic, an ethnic Serb.

He and his parents fled their home as the Bosniac forces advanced, but he went back to fetch his pet dog and was never seen alive again.

Stojanovic died in the eastern Zvornik region at the beginning of the conflict, said a statement from the court.

Elfeta Veseli was born in Kosovo in 1960, but was living in Bosnia when the war started.

In 1992, she was part of a unit led by Naser Oric, then the commander of the Bosniac forces in Srebrenica, who last November was himself acquitted of war crimes by a Bosnian court.

According to media reports, Veseli was arrested in September 2016 in Switzerland before being extradited to Bosnia the following March.

She is one of about 10 women convicted of war crimes during the Bosnian war, while another 20 are currently being investigated. Several hundred men have been convicted of war crimes.

In December 2017, former Croat soldier Azra Basic was jailed for 14 years for war crimes against Serb civilians in the northern Derventa region.

That was the heaviest sentence to date handed down to a woman convicted of war crimes during the conflict.

The most senior woman convicted of war crimes is the former Bosnian Serb vice president, Biljana Plavsic.

The only woman judged before the International Criminal Tribunal for the Former Yugoslavia in The Hague, she was jailed in 2003 for 11 years, after pleading guilty.

The Bosnian war is thought to have left more than 100,000 people dead.

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International Criminal Tribunal for the Former Yugoslavia (ICTY)

Official Website of the ICTY

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Domestic Prosecutions In The Former Yugoslavia

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Turkey

Russian Ambassador Says Missile Defense for Turkey No Threat to Greece (The National Herald)
May 9, 2019

Russia's Ambassador to Greece, Andrey Maslov, defended his country's plans to sell an S-400 missile defense system to Turkey – which also wants US-made F-35 fighter jets – and said it would not be a threat to Greece.

Turkey and Greece are members of NATO but Turkish fighter jets have repeatedly violated Greek airspace without a word from the defense alliance whose leader, former Norwegian Premier Jens Stoltenberg, said he wants no part of it.

The US is also anxious that the Russian missile defense system in Turkish hands could compromise NATO defenses, including those of Greece, and the US fighter jets that have been held up for now.

Greek-American and Diaspora groups and Congressional supporters of Greece, including U.S. Senator Robert Menendez, who visited Greece and Cyprus, want to prohibit Turkey from being able to buy the F-35s but President Donald Trump has been keen on selling American armaments.

Speaking to the state-run broadcaster, Maslov said Russia is not violating any international agreement, in terms of weapons, by selling the state-of-the-art system to a member of a defense alliance aimed at countering his country.

He said the system is defensive and reminded that Russia has previously sold the S-300 system to Greece to be put on Cyprus in a response to Turkish aggression and with Turkey still occupying the northern third of the island since an unlawful 1974 invasion.

U.S. Missile Offer Still in Play as Turkey Stands by Russia (Bloomberg) By Selcan Hacaoglu
May 22, 2019

Turkey is evaluating the latest U.S. proposal to sell its Patriot air-defense system even as officials vowed they're determined to go through with a Russian missile deal that's angered the Trump administration and prompted threats of tough sanctions.

President Recep Tayyip Erdogan has rebuffed American demands that Turkey delay the purchase of the S-400 missile-defense system from Russia, and Turkey's top military official said army personnel have been dispatched for training in Russia ahead of the delivery of the missile batteries.

"The latest U.S. proposal dated March 28 had amendments on the price, co-production, upgrade and technology transfer, even though they don't exactly meet our demands," Turkish Defense Minister Hulusi Akar said. "Relevant bodies are continuing their evaluation and preparing their response. We have a principled stance and say we have relations with Russia and it is a done deal. Americans say 'no deal is a done deal.'"

The U.S. balked for years at selling its Patriot air-defense system to Turkey and sharing its technology. In December, the State Department notified Congress that it had proposed allowing the sale, a gambit seemingly designed to get Erdogan to scrap the S-400 deal. Akar said the U.S. is "apparently very disturbed that a NATO member country is buying a system from a provider outside the U.S. and Europe."

U.S. officials have repeatedly expressed opposition to Turkey buying the S-400 system, saying it isn't compatible with North Atlantic Treaty Organization equipment and could be used to collect data to improve Russian targeting of the next-generation F-35 jet, built by Lockheed Martin Corp.

"There will be very real and very negative consequences" if Turkey follows through with its plans to buy the Russia system, State Department spokeswoman Morgan Ortagus told reporters in Washington on Wednesday.

Turkey will send more personnel for S-400 training in the coming months, and Russian military experts may also arrive in Turkey to help set up the systems, according to Akar. Moscow may bring forward the delivery date from July, Erdogan said.

"We're just buying an air-defense system," Akar said at a news conference in Ankara late Tuesday. "There is no reason for anyone to be disturbed unless they're planning to attack Turkey."

As Ankara remains engaged in talks with Washington, it's still asking for the transfer of the U.S. missile technology that the Pentagon has resisted sharing. Turkey has until the end of first week of June to decide if it will buy Raytheon Co.'s U.S.-made Patriot missile-defense system or follow through on an agreement to buy the Russian missile, CNBC reported, citing multiple people familiar with the matter.

Turkey finds itself under threat on all fronts in a war-torn region and is working to minimize tensions, Akar said.

Elsewhere, a Turkish military delegation is engaged in talks this week in Athens. It's a rare effort to defuse territorial disputes by overcoming past grievances in an attempt "to discuss all problems" with Greece in the Aegean Sea, the eastern Mediterranean and Cyprus, so that each side can put forth its own arguments on the table, Akar said.

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MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

Iraqi Shiite figures warn US-Iran war could 'burn' Iraq (Associated Press) By Bassem Mroue and Qassim Abdul-Zahra

May 20, 2019

Leading Iraqi Shiite figures warned Monday against attempts to pull their country into a war between the U.S. and Iran, saying it would turn Iraq into a battlefield yet again, just as it is on the path to recovery.

The warning came hours after a rocket slammed into Baghdad's heavily fortified Green Zone, landing less than a mile from the sprawling U.S. Embassy. No injuries were reported and no group immediately claimed the Sunday night attack.

Shortly after, President Donald Trump tweeted a warning to Iran not to threaten the United States or it will face its "official end."

Last week, the U.S. ordered the evacuation of nonessential diplomatic staff from Iraq amid unspecified threats from Iran and rising tensions across the region. The White House has also sent warships and bombers to the Persian Gulf to counter the alleged Iranian threats.

Iraqi military spokesman Brig. Gen. Yahya Rasoul tweeted Monday that the army command in Baghdad is working "day and night" to guarantee the security of citizens, foreign missions and international and local companies.

On Monday, two influential Shiite clerics and a leading politician — all with close ties to Iran — warned that Iraq could once again get caught in the middle. The country hosts more than 5,000 U.S. troops, and is home to powerful Iranian-backed militias, some of whom want those U.S. forces to leave.

Populist Shiite cleric Muqtada al-Sadr said any political party that would drag Iraq in a U.S.-Iran war "would be the enemy of the Iraqi people."

"This war would mark the end of Iraq," the black-turbaned al-Sadr warned. "We need peace and reconstruction."

The influential cleric's statements were echoed by the Shiite militias, which appeared to distance themselves from Sunday's attack.

Qais al-Khazali, the leader the Iranian-backed Asaib Ahl al-Haq, or League of the Righteous group, tweeted that he is opposed to operations that "give pretexts for war" and added that they would only "harm Iraq's political, economic and security conditions."

A spokesman for Kataib Hezbollah said the rocket attack was "unjustified" and suggested a third party was trying to provoke a war, citing Israel or Saudi Arabia.

For the Shiite-majority Iraq to be a theater for proxy wars is not new. It lies on the fault line between Shiite Iran and the mostly Sunni Arab world, led by powerhouse Saudi Arabia, and has long been the setting where Saudi-Iran rivalry for regional supremacy played out.

After America's 2003 invasion of Iraq to oust dictator Saddam Hussein, American troops and Iranian-backed militiamen fought pitched battles around the country, and scores of U.S. troops were killed or wounded by sophisticated Iranian-made weapons.

The office of Hadi al-Amiri, the leader of a coalition of Shiite paramilitary forces backed by both Baghdad and Tehran, released a statement calling on Iraqis to work together "to keep Iraq and the region away from war."

"If war breaks out ... it will burn everyone," al-Amiri warned.

UN team unearths 12 mass graves in Iraq probe of IS crimes (Yahoo News) By Agence France Presse

May 20, 2019

A UN team investigating the massacre of Iraq's Yazidi minority and other atrocities has excavated 12 mass graves and is collecting witness accounts that could be used in Iraqi and other national courts, according to a UN report seen by AFP on Monday.

The Security Council agreed in 2017 to establish the UN probe to ensure the Islamic State group faces justice for war crimes in Iraq and Syria -- a cause championed by Nobel Peace Prize winner Nadia Murad and international human rights lawyer Amal Clooney.

In the report sent to the council, the head of the team, British lawyer Karim Asad Ahmad Khan, said efforts were focused on three initial investigations: the 2014 massacre of Yazidis, crimes committed in Mosul from 2014 to 2016, and the mass killing

of Iraqi military recruits in the Tikrit area in June 2014.

The team began work in October, with the first mass grave containing IS victims unearthed in March and April in the Murad's home village of Kojo in Sinjar in northwest Iraq.

Ahmad Khan said "progress had been slower than hoped" in the investigation and stressed the need to establish "clear and effective channels" to use the evidence in Iraqi proceedings.

The Iraqi government had resisted calls for the UN probe despite evidence of more than 200 mass graves in Iraq containing victims of IS, who swept across northern Iraq in 2014.

Murad is among thousands of Yazidi women who were taken hostage and held as sex slaves, while hundreds of men and women are believed to have been executed by the jihadists.

The United Nations has described the massacre of the Yazidis by IS militants as possible genocide. As well as excavations of mass graves, the 48-member team has "engaged first-hand with survivors and witnesses" and has put in place a witness protection program, said the report sent to the council on Friday.

"In Mosul, Tikrit, Dohuk, and elsewhere in Iraq, victims have told harrowing accounts of their suffering, of entire communities erased and of women and girls taken as slaves," it said.

The team is negotiating agreements with Iraqi authorities to hand over evidence and is ready to provide material to other courts to hold IS members accountable for their crimes, it said.

UN envoy: Islamic State revival in Iraq must be prevented (Associated Press) By Edith M. Lederer
May 21, 2019

The U.N. envoy for Iraq called Tuesday for "wide-based international support" to prevent Islamic State extremists from regaining a foothold in the country.

Jeanine Hennis-Plasschaert also told the Security Council that if the issue of thousands of returning Islamic State fighters and their families from Syria to Iraq isn't managed properly "we risk creating a new breeding ground for the next generation of terrorists."

She stressed that this "is not just an Iraqi problem" because there are non-Iraqi fighters as well, and she implicitly criticized some unnamed countries that are maintaining a "strategic distance" from their own nationals.

The Islamic State extremist group, which seized Iraqi cities and declared a self-styled Islamic caliphate in a large swathe of territory it took control of in Syria and Iraq in 2014, was formally declared defeated in Iraq in 2017 following a three-year bloody battle that left tens of thousands dead and Iraqi cities in ruins. But the group's sleeper cells continue to launch attacks in different parts of Iraq.

Hennis-Plasschaert said that on an encouraging note the capital Baghdad "is opening up" and "very soon" the high-security Green Zone where many government offices and embassies are located "will no longer exist." But she said the security situation in the capital and throughout the country will require close monitoring because the threat from the Islamic State extremist group "is still out there."

The U.N. envoy quoted an unnamed representative of the U.S.-led coalition in the country as saying recently that IS "is resurging. They rested, moved and are active."

Hennis-Plasschaert said "another dominant security concern" is "armed actors" operating outside the government who are engaged in illegal or criminal activities which undermine state authority, weaken the economy and prevent the return of thousands of displaced people.

She briefed the Security Council after it unanimously adopted a resolution extending the mandate of the U.N. political mission in Iraq that she leads until May 31, 2020.

More broadly, Hennis-Plasschaert also criticized political infighting in Iraq that has blocked key ministerial appointments a year after national elections, and corruption which is "pervasive at all levels in Iraq."

She alluded to escalating tensions between the U.S. and Iran which have raised concerns that Iraq could once again get caught in the middle, just as it is on the path to recovery. The country hosts more than 5,000 U.S. troops, and is home to powerful Iranian-backed militias, some of whom want those U.S. forces to leave.

Hennis-Plasschaert said she was pleased to report that Iraq's leaders continue to reach out to their regional and international counterparts, positioning the country "as a reliable partner."

"Iraq could well be a stabilizing factor in a turbulent region and instead of an arena for conflict, Iraq could well offer a space for regional reconciliation, preparing the ground for a regional security dialogue," she said.

"At the same time, we cannot ignore that Iraq faces serious challenges in preventing its territory from becoming the theater for different competitions," Hennis-Plasschaert said. "So, to all those feeling challenged: placing a further burden on Iraq is truly, the last thing it needs."

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Syria

Reveal Fate of Missing Victims of ISIS (Human Rights Watch) May 14, 2019

Families whose relatives disappeared in the custody of the Islamic State (also known as ISIS) while the group controlled parts of Syria are struggling to learn what happened to their relatives, Human Rights Watch said. The Coalition of Families of Kidnapped by ISIS, a new organization of Syrian families with missing relatives, and Human Rights Watch are holding a joint news conference on May 14, 2019, in Paris.

The international coalition against ISIS should make information-sharing with families a priority and help create a formal mechanism to address the issue of the missing and to allow families to register their cases, Human Rights Watch said. This mechanism should maintain a database of information on the missing, help under-resourced local authorities in northeast Syria exhume mass graves, and process appropriately obtained information on the status of those ISIS held.

"Now that the territorial battle against ISIS is over, the anti-ISIS coalition should address the terrible ISIS legacy," said Nadim Houry, terrorism/counterterrorism director at Human Rights Watch. "A critical issue for thousands of families is uncovering what happened to those ISIS abducted."

While the full scale of the missing is not known, the Syrian Network for Human Rights has documented 8,143 cases of individuals detained by ISIS whose fate remains unknown. Human Rights Watch has also documented numerous cases of activists, humanitarian workers, journalists, and anti-ISIS fighters, as well as residents who had a dispute with local ISIS members, whom the group detained and whose fate remains unknown. In some cases, family members saw ISIS taking their relatives into custody, while in other cases former prisoners said they had seen the missing person in ISIS detention centers.

Families of those missing told Human Rights Watch that they had been hopeful that the battlefield defeat of ISIS would quickly lead to information about their loved ones. However, neither the Syrian Democratic Forces (SDF) nor the US-led international coalition has created a mechanism or entity to handle queries from family members.

Families still living in northeast Syria told Human Rights Watch that they sought information from security stations staffed by Kurdish Asayish forces, local civilian councils, individuals in positions of authority, hospitals, and first responders responsible for excavating mass graves, but that their queries often produced no results. Families that ISIS or the fighting in Syria had forced into exile are finding it even harder to obtain information about missing relatives.

The SDF told Human Rights Watch that they found no detainees when they captured prisons and detention facilities from ISIS forces. It is not clear if the Asayish, SDF, and the international coalition have undertaken serious efforts to find out what happened to those who had been in ISIS custody.

While a number of mass graves have been found in Syria's Raqqa and Deir al-Zor governorates, local authorities are struggling to cope with the logistical challenges of properly collecting and organizing information about the bodies recovered, and greatly need further support.

In June 2018, Human Rights Watch observed the First Responders' Team in Raqqa, responsible for recovering bodies across the governorate, as they uncovered a mass grave at the al-Rashid playing field in Raqqa city. While the team worked diligently and carefully, their rudimentary methods and existing protocol for collecting information on the dead did not match best

practices. The team needed substantial training and technical assistance to exhume the bodies and collect data without losing information crucial to identifying them, Human Rights Watch said.

Governments and others now providing recovery and stabilization support to northeast Syria should help local authorities develop and maintain a more precise system for storing information on missing persons and identifying exhumed remains. International organizations with forensic expertise should provide technical support, including by sending in forensic experts to support the identification and exhumation processes, and local authorities should facilitate the process to the extent possible.

Many of the parties to the Syrian conflict, most notably the Syrian government, have contributed to the prolonged arbitrary detention or enforced disappearance of tens of thousands of people. But the end of ISIS territorial control provides a fleeting opportunity to provide answers to some families whose relatives went missing in Syria and to set the principle that the right of families to know what happened to their loved ones will be respected, Human Rights Watch said.

“Those forces now controlling former ISIS territory and their international backers can provide answers to families if they make this issue a priority,” Houry said. “This is a crucial step for the victims’ families and for broader efforts for justice in Syria.”

Syria: Security Council must address crimes against humanity in Idlib (Amnesty International)
May 17, 2019

The Syrian government, supported by Russia, is carrying out a deliberate and systematic assault on hospitals and other medical facilities in Idlib and Hama, Amnesty International said today, as it shared harrowing new testimony from shattered medical workers in the region.

With the UN Security Council (UNSC) set to discuss northwest Syria today Amnesty International urged action, calling for Russia to be pressured over the deliberate targeting of 15 hospitals in Idlib and Hama over the last three weeks.

“Bombing hospitals carrying out their medical functions is a war crime. These latest attacks have eliminated vital lifelines for civilians in desperate need of medical care. This is part of a well-established pattern targeting medical facilities to systematically attack the civilian population and it constitutes crimes against humanity,” said Lynn Maalouf, Amnesty International’s Middle East Director of Research.

“The international community has so far utterly failed to protect civilians in Syria from the horrors of this conflict. We are urging Security Council members meeting today to do everything in their power to end the onslaught against civilians in Idlib and hold the perpetrators of these appalling crimes to account.”

Staff from four hospitals in Idlib and Hama told Amnesty International that they had been targeted despite sharing their coordinates with the Syrian and Russian governments.

According to the UN and Syrian medical organizations, at least 15 hospitals have been reported to be damaged or destroyed in Idlib and Hama since the beginning of May. The escalation in attacks has also led to the displacement of 180,000 people. At least 16 humanitarian organizations have suspended some operations in Idlib due to the attacks, exacerbating an already dire situation where at least 1.5 million people need urgent humanitarian assistance.

Amnesty International interviewed 13 people about recent attacks on four hospitals and verified videos that corroborate the testimonies.

They said that between 5 and 11 May, the Syrian government had carried out multiple air strikes on the Pulse of Life hospital in Hass; Cave Hospital in Kaferzita; and Surgical Hospital and Al-Sham Hospital in Kafranbel. All these facilities, which together serve at least 300,000 in southern Idlib and northern and western Hama countryside, are now out of service.

On 5 May 2019, at around 5pm, Syrian government warplanes carried out multiple air raids on Kafranbel Surgical Hospital, destroying the first floor where a pharmacy, offices and storage and electricity room are located. The basement was severely damaged. The attack killed one patient and injured his brother.

A nurse who was inside the hospital at the time of the attack described how multiple air strikes led to chaos.

“We transferred the injured to the basement. A second air raid happened as we were trying to stop the bleeding, cutting the electricity... Then a third and fourth air raid happened... We only heard sounds of explosion and basement shaking... We turned on the oxygen because there was no more air.”

Videos reviewed by Amnesty International show damage to the hospital consistent with air strikes.

Two staff at the Nabad al-Hayat [Pulse of Life] hospital in Hass told Amnesty International that the hospital had been evacuated as a precaution after the intensification of attacks that began at the end of April. Two days after the evacuation, on 5 May, the Syrian government carried out multiple raids in the morning and afternoon, destroying the hospital. There were no injuries because the hospital had already been emptied.

The director of the hospital's surgical department told Amnesty International how last year, the hospital had been relocated to a remote area on the outskirts of Hass village. The attack on 5 May was the third since the hospital's relocation in March 2018.

He said: "Three days ago, Kafranbel town was shelled with rockets. Some of the injured were transferred to the homes of doctors and nurses so that we can at least provide them with emergency relief, so they can survive the transfer to another hospital."

Amnesty International verified that the video showing an air strike hitting a structure the location of which is consistent with that of the Nabad al-Hayat Hospital.

Two medical workers at Kaferzita Cave Hospital told Amnesty International that the Syrian government had carried out at least four bombing raids on 5 May 2019, at around 12pm, causing severe damage to the hospital and putting it out of service

A nurse who was present inside the hospital at the time of the attack with other medical workers and an injured patient described four successive strikes which began around 11 am. He said:

"We were very afraid the Syrian army would invade the town and enter the hospital... We relied on God and exited the hospital. After we evacuated, the fourth strike happened."

A member of staff and a medical worker at Al-Sham Hospital in Kafranbel told Amnesty International how two air raids on 11 May 2019 had put al-Sham Hospital out of service. The director of the hospital described how the hospital had been targeted and repaired multiple times since 2018, and said they would wait for the strikes to stop before beginning repair again.

Attacks on hospitals and medical facilities in opposition-controlled areas have become a familiar feature of the Syrian war. Hospitals in Aleppo, Daraa and the Damascus countryside were also targeted during Syrian government operations to reclaim the areas. In many cases hospitals and humanitarian organizations said they had shared their coordinates with the Syrian government to try and prevent attacks.

Deliberate attacks on civilians and on civilian objects, including hospitals and other medical facilities, violate international humanitarian law and amount to war crimes.

"As the assault on Idlib intensifies, at least 300,000 people have been left without accessible hospitals. This is a humanitarian disaster, caused by the ruthlessness of the Syrian government which, with Russian support, continues to trample over international law," said Lynn Maalouf.

"Members of the Security Council have a duty to prioritize the protection of Syria's beleaguered civilians over their narrow interests and great power rivalries. Russia, in particular, must use its influence to ensure that Syria immediately halts attacks on civilians and hospitals, and establishes conditions whereby humanitarian organizations can safely access civilians in need."

UK pair who planned Syria journey on TripAdvisor jailed By Jessica Murray
May 20, 2019

Two friends who planned their journey to Syria on TripAdvisor have each been jailed for 14 years for preparing to join Islamic State.

Safwaan Mansur and Hanzalah Patel, both 22, used the travel review site to check out an area near the Syrian border before travelling to Turkey in 2016 and 2017. Prosecutors claimed the men tried to explain away their travel plans as an "innocent camping holiday".

The pair were sentenced at Birmingham crown court on Monday after they were convicted of preparing for terrorist acts in support of Isis.

On their first trip to Turkey, in 2016, the pair took a 24-hour bus to Hatay province, an area near the Syrian border described in court as a "transit area" to the country. Mansur claimed he went there to "have a look" like "lots of other tourists".

They were arrested at an Istanbul hotel in 2017 and spent nine days in a Turkish jail before being returned to the UK.

The pair had been reported missing by family members earlier that year, with Patel's father saying he had become concerned when he found out his son had lied about leading prayers at a German mosque.

Defence lawyers said the men formed a "naive and idiotic" plan to cross into Syria but had no intention of fighting or committing acts of terrorism.

The friends had outdoor survival kit such as water purifiers and solar chargers in their luggage, which Mansur claimed were gifts for friends in Germany. Outlining Mansur's account, the prosecutor Simon Davis said: "The people at the mosque liked outdoor pursuits like camping – that was the explanation being given."

Mansur, of Aston, and Patel, of Leicester, were convicted by jurors on 1 April after a two-week trial.

The acting head of the West Midlands counter-terrorism unit, Ch Supt Shaun Edwards, said: "If anyone is concerned that a friend or family member is thinking of travelling to Syria, it is very important that they tell us as soon as possible.

"Police and other agencies can offer support to help safeguard those who are vulnerable to radicalisers. The sooner we can intervene, the better chance we have of preventing people from becoming embroiled in the conflict and facing potential prosecution."

Conditions Are Deteriorating At Syria Camp Where ISIS Families Are Being Held (NPR) May 22, 2019

MARY LOUISE KELLY, HOST:

Now for a rare look at what could be a crisis in the making in northeastern Syria. It's part of the aftermath of the fight against ISIS there. Thousands of foreign wives and children of ISIS fighters, people from the west and from around the world who went to Syria, they're being held in one section of a much larger displacement camp. Health conditions at the camp are deteriorating, security is tenuous, so journalists are rarely allowed in. NPR's Jane Arraf was. She was there today, and she joins me now from the region. Hey, Jane.

JANE ARRAF, BYLINE: Hi, Mary Louise.

KELLY: Hey, just describe what you were able to see. What's this camp like?

ARRAF: So this is actually a camp within a camp, and it's known as the annex. It's where non-Iraqis and non-Syrians are kept. And it's heavily guarded. There's a wire fence, a steel gate - a couple of them actually - and armed guards keeping watch. And it's kind of like a railway station. This is what it sounded like when I was there earlier today.

ARRAF: People from everywhere coming and going. Their kids hauling carts with supplies. It's kind of dusty, gravelly, this field with white tents, children playing with toy guns. At the gate, there are dozens of women pressed against that wire fence. They want to go out to go to the market and do other things, but for the most part, they're being told they can't. These are the wives of foreign ISIS fighters, who flocked to the caliphate, and their children. And they're kept under tight security.

KELLY: I can picture it. I can hear it. These women who were pressed against the gate and the others there, were you able to speak to any of them?

ARRAF: I did speak to a few. We were allowed to walk through the camp with the Kurdish guards. But we weren't allowed to talk to everybody we wanted. The guards said one path that we wanted to take was too dangerous. And definitely there was hostility towards the guards, not so much against us.

One woman who didn't want to be named or have her nationality noted said that at night in the camp where she was, everyone was afraid. She said they were afraid of the guards, who would do raids to search for phones or other contraband. And they were afraid as well of some of the other women, women even more extreme than ISIS, whose husbands were executed. I spoke to one woman from Chechnya who asked me in broken Arabic if it was true Russia was taking children back.

UNIDENTIFIED PERSON: (Speaking Arabic).

ARRAF: She said her 14-year-old son badly needed an operation. And she wanted the Russian government to take him out. It's a huge problem in that part of the camp, that lack of medical care.

KELLY: You said this is non-Syrians, non-Iraqis being held here. Is that right?

ARRAF: Yes. These are foreigners mostly from Europe and North Africa.

KELLY: What about Americans? Are Americans there?

ARRAF: So not in that camp according to officials. I have met an American in another smaller camp. But the interesting thing is that there weren't a lot of Americans or Canadians who actually went to join ISIS. Most of them were from North Africa, Eastern and Western Europe. The Americans that have been there have generally been taken out, although there are few thought to be left here.

KELLY: What is the future for people in this camp? Do the countries they came from say that they will ever be allowed to go home?

ARRAF: That is a huge and controversial question. For the women, it's really iffy. For the children, some of the countries have started to take back orphans - for instance, Sweden and Russia. I met two orphans in that foreigner section. There were two boys, maybe 13 or 14, one from Trinidad, one from Pakistan. They said they had no parents. They had nothing. They were looking for help. And pretty much everyone there is looking for help because it's a really big question, what happens to kids like that.

KELLY: NPR's Jane Arraf. Thanks so much, Jane.

ARRAF: Thank you.

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Yemen

Yemen government accuses UAE of landing separatists on remote island (Reuters) By Aziz El Yaakoubi
May 9, 2019

The Yemeni government has accused the United Arab Emirates of landing around 100 separatist troops on a remote island in the Arabian Sea this week, a claim the UAE denied, deepening a rift between nominal allies in Yemen's war.

The UAE is one of the Arab countries fighting formally on behalf of Yemen's internationally recognized government against the Iran-aligned Houthi movement that controls the capital.

But the UAE has had a tense relationship with the government and has recruited thousands of fighters from a movement of southern separatists who have clashed with government troops.

Yemeni officials said around 100 separatist fighters had disembarked in civilian clothes on Monday from a UAE naval vessel on Socotra, the main island in a sparsely populated Yemeni archipelago in the Arabian Sea.

The island, part of Yemen but closer to the African coast than the Yemeni mainland, is a UNESCO world natural heritage site protected by the U.N. body for its unique flora and fauna.

It was not the first time the government of President Abd-Rabbu Mansour Hadi, which is based in the southern port of Aden, has complained about UAE troop moves on Socotra.

The government accused the UAE last year of seizing the island when it unloaded tanks and troops there. Saudi Arabia, leader of the pro-Hadi Arab coalition, had to send troops to Socotra to defuse a standoff between Emirati and Hadi forces.

Two Yemeni government sources said on Wednesday the UAE had trained a batch of 300 troops bound for Socotra in Aden last week, and sent more than 100 of them to the island on Monday.

Yemen's interior minister, reacting to reports that southern separatist troops were headed for Socotra, criticized the UAE last week and said it should concentrate on fighting the Houthis.

"I think our partnership with the coalition is the war against the Houthis and not sharing the administrations of the liberated territories," Ahmed al-Mayssari said in comments broadcast by Yemeni television channels.

A spokesman for the Saudi-led coalition did not respond immediately to Reuters requests for comment.

UAE Minister of State for Foreign Affairs, Anwar Gargash, denied the reports. "It is among the fake news that I have seen today," Gargash said later on Twitter, without elaborating.

The UAE has also previously denied Yemeni accusations that it is seeking control of the island.

The separatists say they have more than 50,000 fighters armed and trained by the UAE and aim to restore the independent state of Southern Yemen, which united with northern Yemen in 1990 at the end of a long war.

Clashes between Hadi's forces and the southern separatists are relatively rare but they fought each other on Wednesday in the southwestern al-Dhalea province over control of government buildings, a statement from Hadi's forces said.

The statement said Hadi forces left al-Dhalea after the clashes but were ambushed again on the way to Aden by the southern forces and "many were killed and wounded". It gave no further details.

The UAE has been at odds with Hadi because of his alliance with the Islamist Islah party. The UAE sees Islah as an offshoot of the Muslim Brotherhood, which it has designated as a terrorist organization.

Yemeni minister accuses the Houthis of committing war crimes against civilians (The National) By Ali Mahmood Mohamed
May 16, 2019

Forty-seven Houthi fighters were killed and dozens injured during fierce confrontations with the Southern Joint Forces in Qatabah city, Al Dhalea province in southern Yemen on Wednesday.

"A raging battle flared up earlier on Wednesday when the Houthi rebels launched a wide-scale attack attempting to take control over sites controlled by our forces in the centre of Qatabah city," a commander with the forces told The National.

"We launched a counter-attack from three directions, which enabled us to tighten the noose around the Houthi fighters who broke into some buildings, forcing dozens of them to surrender, while dozens of them were killed in the confrontations.

Fuad Gubari, a journalist in Hajer, said coalition forces scored a crucial gain earlier on Thursday by recapturing key sites and liberating villages through a siege in Al Abara

Meanwhile, the Yemeni Minister of Human Rights, Mohammed Askar, accused the Houthi militia of committing war crimes against hundreds of civilians in the southern Yemen province.

Mr Askar said on Wednesday that 27 civilians were killed and 73 wounded by Houthi shelling deliberately aimed populated areas northern Al Dhalea.

He said that 9,361 families were displaced and 541 homes destroyed since March.

"The Houthi rebels have been imposing an indiscriminate siege against thousands of civilians in Qatabah, Hajer area, Mureis and Al Azarik district western Al Dhalea," Mr Askar said.

"The rebels have been preventing the relief convoys from reaching the besieged civilians in these areas and refusing to secure safe corridors for them to flee the conflict zones.

"In addition to the deliberate shelling, the Houthis looted many residences in Mureis and Qatabah, said Mohammed Al Waqidi, the Human Rights Watch office manager in Al Dhalea.

"They stormed the residences of the civilians who could flee the conflict areas and used them as fortifications and weapon depots."

Mr Al Waqidi said that the rebels repeatedly pounded populated areas with ballistic missiles and Katyusha rockets, causing casualties and huge devastation.

This week, the Houthis pounded the village of Al Wabeh in northern Al Dhalea with Katyusha rockets.

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Special Tribunal for Lebanon

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

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Israel and Palestine

Nearly 50 Palestinians wounded in 'Catastrophe' anniversary protests on Gaza-Israel border (Reuters) By Nidal al-Mughrabi
May 15, 2019

Israeli troops wounded nearly 50 Palestinians at the Gaza border on Wednesday during protests to mark the 71st anniversary of the “Nakba”, or catastrophe, when many Palestinians lost their homes in the fighting around Israel’s creation, Gaza officials said.

Thousands had gathered at the coastal enclave’s frontier with Israel, the scene of bloodshed over the past year that has raised international concern.

Groups approached the border fence, planting Palestinian flags and throwing stones toward Israeli soldiers on the other side despite the efforts of marshalls in orange vests to keep protesters away from the barrier, witnesses said.

Israeli troops fired tear gas and rubber bullets to repel them, but also live ammunition, the witnesses said.

The Gaza Health Ministry said at least 47 people were wounded, though it was not clear how many of those were hit by live ammunition or were hurt by rubber bullets or by inhaling tear gas.

The Israeli military said about 10,000 rioters and demonstrators gathered in several places along the Gaza Strip fence.

“The rioters are setting tyres on fire and hurling rocks. A number of explosive devices have been hurled within the Gaza Strip, as well, and a number of attempts have been made to approach the security fence. IDF troops are responding with riot dispersal means.”

Wednesday’s rallies were called to mark Nakba Day, what Palestinians term the catastrophe that befell them at Israel’s creation in 1948, when hundreds of thousands fled or were expelled from lands in what is now Israel.

“Our people rise today to announce their rejection to this crime and to assert their right in Palestine, all of Palestine,” Islamic Jihad leader Khader Habib said at one demonstration, referring to Israel and the territories it captured in the 1967 Middle East war.

“Palestine is ours, the sea is ours, the sky is ours and the land is ours, and those strangers must be removed,” he said.

Another protester, Jamila Mahmoud, 50, said her family had originally come from Asqlan, now the Israeli city of Ashkelon, near Gaza.

“If we don’t return, maybe our children and grandchildren will do, one day we will get our rights back,” Mahmoud said at the border protest site.

Palestinians also held rallies in the occupied West Bank but no major clashes with Israeli forces were immediately reported.

This year’s Nakba protests were preceded by a surge in deadly cross-border fighting between Gaza militants and Israel which ended in a ceasefire on May 6.

Israeli troops have killed more than 200 Palestinians and wounded thousands in regular border protests since March 2018, according to human rights groups. U.N. investigators have said the Israeli military might be guilty of war crimes for using excessive force.

Israel has said it is defending its border against attacks against its troops and infiltration attempts by gunmen.

Israel has rejected a Palestinian right of return as a threat to maintaining a Jewish majority in a country it describes as the nation-state of the Jewish people.

Frustration is growing among Palestinians as hopes fade for a two-state solution to the conflict which would give them an independent country. President Donald Trump's announcement in December 2017 of U.S. recognition of disputed Jerusalem as Israel's capital also fueled Palestinian anger.

Head of Reporters Without Borders says Israel shot journalists intentionally (Middle East Monitor) May 21, 2019

The director-general of Reporters Without Borders (RSF) said yesterday that the Israeli army had deliberately targeted journalists in the occupied Gaza Strip.

Christophe Deloire was speaking to the Jerusalem Post, having received the Dan David Prize in Tel Aviv on behalf of the international press freedoms watchdog.

"It is a war crime to target journalists because they are journalists," Deloire told the paper. "When Israel shot those journalists [during the Great Return March protests], it was intentional."

"The journalists could be clearly identified as journalists, with cameras and jackets and it could not be just by chance," he added.

Referring to the United Nations' Commission of Inquiry into the Gaza protests, Deloire pointed out that the report "confirmed what we already considered a fact".

According to the Jerusalem Post, last week RSF formally asked the International Criminal Court (ICC) to investigate suspected war crimes by the Israeli military against Palestinian journalists covering protests in Gaza since 30 March 2018.

At the time, Deloire stated that "the Israeli authorities could not have been unaware of the presence of journalists among the civilian demonstrators, and therefore failed in the elementary duty of precaution and differentiation when targeting these protected persons with live rounds."

"These deliberate and repeated violations of international humanitarian law constitute war crimes," the statement continued.

The RSF chief also had a warning for Israelis about deteriorating press freedoms at home.

"I am sure it does not happen in many countries that you have billboards with faces of journalists mentioning that they will not decide," Deloire told the paper, a reference to Likud election posters.

Deloire also criticised the prohibition on Israeli journalists entering the Gaza Strip, and added: "There is freedom in Israel... but editorial independence is not guaranteed."

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Gulf Region

Saudi ship facing arms protests leaves Spanish port (The Washington Post) By Barry Hatton and Aritz Parra
May 13, 2019

A Saudi cargo ship that Spanish arms control groups suspect is carrying European weapons for possible use in Yemen left the port of Santander on Monday and sailed for Genoa, Italy.

The Bahri Yanbu left the northern Spanish port after loading two containers, Alberto Estevez, of the Control Arms Coalition of human rights and aid groups which is trying to stop arms reaching conflict zones, told The Associated Press.

A Spanish government spokesman said the ship took on cargo contracted from private companies that he said wasn't illegal nor contravened any international laws.

A company called Instalaza, from Zaragoza, sent weaponry for a trade exhibition in the United Arab Emirates and it will be returned to Spain, while another company sent ceremonial cannon to Saudi Arabia, the spokesman told the AP.

He spoke on condition of anonymity, in accordance with government rules.

Countries are under pressure not to send arms to Saudi Arabia, amid concerns they are being used against civilians in Yemen where thousands have died since the conflict began in 2014.

In Yemen's civil war, the Iran-backed Houthis have been fighting a Saudi-led military coalition backing Yemeni President Abed Rabbo Mansour Hadi's forces. The fighting in the Arab world's poorest country has also left millions at risk from food and medical care shortages and pushed the country to the brink of famine.

The Bahri Yanbu, which has been making its way around European ports apparently to pick up weaponry, arrived in Santander from France on Friday.

French Defense Minister Florence Parly confirmed that the ship was meant to pick up French weapons in Le Havre as part of a contract signed with Saudi Arabia several years ago.

However, after French activists held a protest and sought emergency legal measures to try to stop the weapons supplies, the ship didn't pick up any arms in Le Havre after all, according to a French defense official. The official, who was not authorized to be publicly named, in accordance with French government policy, would not comment on why or give any further details.

Amnesty International suspects that, before sailing to France, the ship took on Belgian-made ammunition in Antwerp.

Activists provided a Belgian Customs document, dated May 7, to the AP that indicated arms were placed on board the Bahri Yanbu at Antwerp.

Belgian Foreign Minister Didier Reynders last week acknowledged concerns about the sale of arms to Saudi Arabia given concerns over their potential use but that such a decision lies with regional governments in the country under Belgium's constitution.

"I think it would be good to suspend arms delivery contracts to Saudi Arabia," he told Belgian state broadcaster RTBF.

Ara Marcen Naval, Amnesty International's Deputy Director for Arms Control and Human Rights, said the Bahri Yanbu was a "serious test" of the European Union's commitment to halt conflicts.

"No EU state should be making the deadly decision to authorize the transfer or transit of arms to a conflict where there is a clear risk they will be used in war crimes and other serious violations of international law," Naval said.

Saudi-UAE coalition carries out deadly air raids on Yemen's Sanaa (Al Jazeera) May 16, 2019

At least six civilians, including women and children, were killed and dozens wounded in Saudi-UAE-led coalition air raids on residential areas and Houthi rebel military targets in Yemen's capital, Sanaa.

The coalition carried out 11 attacks on the capital in all, out of a total of 19 across rebel-held territory on Thursday, the Houthi-run Masirah TV channel reported. It blamed "aircraft of the [Saudi-led] aggression".

The air strikes came two days after the Iran-aligned rebels claimed drone attacks that temporarily shut a key oil pipeline in neighbouring Saudi Arabia.

Rubble filled a populated street lined by mud-brick houses, a Reuters journalist on the scene said. A crowd of men lifted the body of a woman, wrapped in a white shroud, into an ambulance.

Saudi-owned broadcaster Al Arabiya quoted a coalition statement as saying it launched an operation aimed at "neutralising the ability of the Houthi militia to carry out acts of aggression".

"The sorties achieved its goals with full precision," it said, adding civilians had been warned to avoid those targets.

Masirah quoted the Houthi health ministry as saying six civilians, including four children, had been killed and 52 wounded, including two Russian women working in the health sector.

A witness told AFP news agency that raids began around 8am (05:00 GMT).

Afrah Nasser, a Yemeni journalist, said her family's home in Sanaa was near where one air strike hit. She accused the Saudi-UAE alliance of deliberately targeting civilians.

"I know the street. There are no military targets there. There is no excuse from the Saudi-led coalition - it was a deliberate and systematic bombardment attacking civilians," Nasser told Al Jazeera.

Nasser Arrabyee, another Yemeni journalist, said the number of casualties was expected to rise.

"Medical sources are saying that they have received a lot of victims - injured and dead - which means the number will be even higher than just six," he told Al Jazeera from Sanaa.

"Residential areas in the middle of Sanaa, in the most crowded areas, were randomly bombed and many houses were reduced to the ground."

On Tuesday, the Houthi rebels claimed responsibility for twin drone attacks on Saudi Arabia's main East-West oil pipeline, saying they were a response to "crimes" committed by Riyadh during the bloody air war it has led in Yemen since March 2015.

Saudi Arabia's deputy defence minister accused Iran on Thursday of ordering the drone attacks on two Aramco pumping stations as a "tool to implement its expansionist agenda in the region".

"The terrorist acts, ordered by the regime in Tehran, and carried out by the Houthis, are tightening the noose around the ongoing political efforts," Prince Khalid bin Salman said on Twitter.

The head of the Houthis' Supreme Revolutionary Committee denied that Iran directed the strike and said the movement manufactures its drones locally. Tehran also denies providing arms to the Houthis.

"We are not agents for anyone," Mohammed Ali al-Houthi said. "We make decisions independently and do not take orders for drones or anything else."

The Saudi pipeline, which can carry five million barrels of crude per day, provides a strategic alternative route for Saudi exports if the shipping lane from the Gulf through the Strait of Hormuz is closed.

Iran has repeatedly threatened to close the vital conduit for global oil supplies in the case of a military confrontation with the United States.

The Saudi cabinet called on Wednesday for "confronting terrorist entities which carry out such sabotage acts, including the Iran-backed Houthi militias in Yemen".

Key ally the United Arab Emirates (UAE) echoed the call.

"We will retaliate and we will retaliate hard when we see Houthis hitting civilian targets like what happened in Saudi Arabia," the UAE minister of state for foreign affairs, Anwar Gargash, said on Wednesday

France Should Stop Fueling Saudi War Crimes in Yemen (Human Rights Watch) By Kenneth Roth and Bénédicte Jeannerod
May 17, 2019

The departure from French waters of a Saudi cargo ship without picking up French arms is a small victory for public efforts to stop possible French complicity in Saudi war crimes in Yemen. But the French government has only double down in insisting that it will continue to sell arms to Saudi Arabia. None of the rationalizations offered by the French government justifies this prioritization of arms profits over human rights principles.

The Saudi-led coalition's bombing and blockading of Yemeni civilians since March 2015 is a central cause of the world's worst humanitarian crisis. With the best weapons that money can buy, Saudi-led aircraft have repeatedly hit Yemeni markets, hospitals, schools, funerals, even a school bus filled with children. Often after these deadly attacks on civilians the coalition promises a self-investigation, which if any result is announced, is almost invariably exculpatory. No one is known to have been prosecuted for unlawful airstrikes. Promises of improvement are refuted by more killing of civilians.

To make matters worse, the Saudi-led coalition has blockaded western Yemen, decimating the economy and leaving millions on the brink of famine. The ostensible aim of cutting off arms to the Houthi rebels opposed to the Saudi-backed Yemeni government has caused disproportionate harm to civilians who are facing mass starvation. A United Nations-brokered ceasefire in the main western Yemeni port of Hodeidah raises the prospect of relief, but implementation is only beginning. Too few of the urgently needed humanitarian aid and commercial imports, including food and fuel, have been getting through.

There is growing international outrage about the sale of arms to Saudi Arabia under these circumstances. Germany, Denmark, Finland, and Norway have announced an end to such sales. US President Donald Trump has made clear that he prioritizes the jobs created by Saudi arms sales over the Yemeni civilians killed by them, but few have openly endorsed this inhumane logic.

So where does France stand? In a recent interview, Foreign Minister Jean-Yves Le Drian offered several justifications for continuing the arms sales. Other officials have advanced additional rationales. None holds water.

First, the French government claims that Houthi forces, backed in part by Iran, started the war, and the Saudi-led coalition is simply defending the Yemeni government. A variation of the theme is that France needs to help the coalition fight terrorism. But the arguments for fighting the war are entirely distinct from the way in which the war is fought. If the Saudi-led coalition were conducting lawful strikes against military targets and seriously investigating and prosecuting any alleged violations, those selling them arms would not need to worry about complicity in war crimes. But it has long been clear that isn't the case.

Second, the French government says that the arms being sold to Saudi Arabia are pursuant to old contracts, implying that they were entered into before the current conflict in Yemen began. In fact, Disclose revealed that the most recent contract was signed in December 2018, well after the coalition's misuse of weapons was evident. In any event, contracts can be broken, particularly if keeping them means violating France's obligations under the Arms Trade Treaty, which is meant to prevent signatories' weapons from being used to commit war crimes or mass human rights abuses. Does the sanctity of a contract really take precedence over the sanctity of civilian life?

Third, the government claims that French arms are being used only "defensively," not for attacks in Yemen, and that "there is no evidence that weapons have been used against civilians." That is factually untrue. Recently leaked documents show that French-made Caesar howitzers have been used to "back up loyalist troops and Saudi armed forces in their progression into Yemeni territory," and that the "population affected by potential artillery fire [is] 436,370 people." In addition, coalition attack aircraft are equipped with a laser-targeting system called Damocles, made by Thales. French ships have been sold to the Saudi and the Emirati navies and used to enforce the crippling blockade.

More to the point, it shouldn't matter whether French arms are used offensively or defensively. The Saudi military is responsible for large-scale loss of civilian life in Yemen in violation of international humanitarian law. Any weapons sales bolsters that military, contributing to the abuses. France and any other nation respectful of human rights should have nothing to do with such sales.

Fourth, although the French government is less blatant than Trump, some say that French jobs weigh in the balance. The French arms industry also gains big from sales to Saudi Arabia. But these arms sales beg urgent questions. How many Yemeni civilians must die in unlawful airstrikes before the French jobs they create cannot be justified? How many Yemeni civilians must starve from a cruel blockade before the French military establishment stops trying to benefit from it?

These issues facing France are all the more pressing given the need to reinforce international norms when they are under attack, as Le Drian and President Emmanuel Macron have, in other contexts, eloquently stated. But the threat does not come from only the far right. International norms are being flouted as well when governments underwrite the unlawful bombing and blockading of Yemeni civilians. No one pretends these issues are easy. Yes, many arms today are produced with parts from multiple countries, but if France is to contribute components, it should insist on full compliance with international law rather than the lowest common denominator before arms are sold. Yes, if European arms suppliers end their complicity in Saudi war crimes, Russian suppliers or others may step into the breach, but their disregard for the rule of law is no excuse for France to debase itself. The only decent thing for the French government to do is to end all arms sales to Saudi Arabia now—until the killing of Yemeni civilians stops and the coalition credibly investigates the serious violations committed.

Saudi Arabia to convene Arab leaders over recent attacks (Reuters) By Stephen Kalin
May 18, 2019

Saudi Arabia's King Salman invited Gulf and Arab leaders to convene emergency summits to discuss the implications of this week's attacks against the kingdom and neighboring United Arab Emirates, the foreign ministry said on Saturday

The meetings are set for May 30 in Mecca, the ministry said on Twitter.

Four commercial ships were sabotaged off the coast of the United Arab Emirates on Sunday, and two days later drones attacked oil installations west of the Saudi capital Riyadh.

Saudi Arabia Threatens 'Force If Necessary' Against 'Criminal Iranian Regime' (Forbes) By Zak

Doffman

May 19, 2019

"The kingdom of Saudi Arabia does not want a war in the region nor does it seek that," the country's Foreign Minister told reporters on Sunday. Adel al-Jubeir's message to Teheran and the watching world was that his country "will do what it can to prevent this war," although, "reaffirm[ing] that in the event [Iran] chooses war, the kingdom will respond with all force and determination, and it will defend itself and its interests."

The country's official press agency reported that "Al-Jubeir said that the Kingdom of Saudi Arabia calls upon the international community to take a firm stance against this regime in order to stop and prevent it from spreading destruction and chaos throughout the world."

Al-Jubeir was direct in accusing Iran of "committing countless crimes" which risked destabilizing the region and said that "our security and religion are a red line... The Iranian regime has directly and through its proxies sought to provoke unrest and supported terrorist and extremist groups and organizations. Over the past decades, the countries of the region have suffered from the crimes of the Iranian regime and its interventions which are too numerous to count."

Also on Sunday, "His Royal Highness Prince Mohammed bin Salman bin Abdulaziz, Crown Prince, Deputy Prime Minister and Minister of Defense, has received a telephone call from U.S. Secretary of State, Mike Pompeo. During the telephone conversation, they discussed developments in the region and efforts to enhance security and stability in the region."

Referring to reports that the U.S. had sought and received an agreement to deploy forces from allied territory in the region, the press agency reported that Al-Jubeir had said that "the GCC states have agreements with the United States, which is an ally and friendly state, stressing the importance of maintaining the security and stability of this very important and sensitive region, which is the main source of oil, to the international economy."

Saudi Arabia blames Iran for the drone strikes on its pipelines, which, in the words of the country's vice minister for defense, were "terrorist acts, ordered by the regime in Tehran, and carried out by the Houthis."

The country also holds Iran responsible for the attack on its oil tankers last weekend. On Friday, Reuters reported that "Iran's elite Revolutionary Guards (IRGC) are 'highly likely' to have facilitated attacks last Sunday on four tankers including two Saudi ships off Fujairah in the United Arab Emirates, according to a Norwegian insurers' report seen by Reuters.

On the other side of the standoff, Iran's Fars news agency reported that "the commander of Iran's Army Major General Moussavi warned that the country's Armed Forces will respond to any strategic mistake by enemies with a crushing strike," and the head of Iran's IRGC Hossein Salami said that the country is "in an atmosphere of a full-blown intelligence war with the U.S. and the front of enemies of the Revolution and the Islamic system."

The recent tanker and pipeline attacks have panicked Saudi Arabia with a fear that its economic lifeblood is more vulnerable than before. The New York Times reported on Friday that "rapid changes in technology may mean that the Saudi infrastructure is more exposed than previously thought... United Nations experts have estimated, for instance, that drones used by the Houthis have a range of nearly 1,000 miles allowing them to reach well into Saudi Arabia." The newspaper quoted one energy analyst saying that "the fact that they managed to reach tankers and a pipeline... means they could strike at the heart of Saudi interests if they wanted to."

All of which is but a backdrop to the path to 'inadvertent' war now being followed by all sides. As the Gulf News said on Saturday: "The worry on which the world should focus is not a deliberate and overt Iranian attack, but a miscalculation that spirals into war." And that risk has become significantly greater in recent days with Iran's mobilization of proxy militias in Iraq.

"Iran's most prominent military leader has recently met Iraqi militias in Baghdad and told them to 'prepare for a proxy war,' the Guardian reported on Thursday. And so even as the leaders of Iran and the U.S. publicly maintain that a full-blown

conflict is not on the cards, it is the mobilization of those loosely controlled and much more trigger-happy proxies on both sides that carries the most serious risk of writing the script for what happens next.

"The Kingdom is following with great concern the regional and international developments," Saudi Arabia's Foreign Ministry tweeted on Sunday, "which are escalating as a result of the aggressive actions of the Iranian regime and its proxies in the region," adding that, "the Iranian regime is not looking for security and stability in the region... The Kingdom affirms that if the other side chooses war, the Kingdom will respond firmly and decisively, and it will defend itself and its interests."

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ASIA

Afghanistan

What Trump's pardon of war criminals says about US policy in Afghanistan (TRT Word) By Mohammed Harun Arsalai
May 21, 2019

Donald Trump is preparing to pardon several US military members this Memorial Day, including a soldier who admitted to murder in Afghanistan in 2010, according to the New York Times.

According to officials, preparing the needed documents for a military pardon normally takes months to complete, but Trump is rushing the process in hopes to maximise propaganda efforts by using the military holiday on the 27th of May to galvanise his pro-military base

Trump's effort to pardon Mathew Golsteyn, the Army Green Beret who killed an unarmed Afghan in 2010, as well as the pardon of Matthew Behenna, a soldier convicted in 2009 of murdering a released detainee in Iraq, is part of a broader campaign to obscure the reality of the US-led war in Afghanistan and shield the US military from accountability.

Last month, after aggressive posturing and threats by the Trump administration and US State Department under Mike Pompeo, the International Criminal Court (ICC) ruled to reject an investigation into US war crimes in Afghanistan.

The US first revoked the visa of Fatou Bensouda, the ICC's chief prosecutor, who had initiated the investigation request, then threatened to revoke visas to ICC staff and judges who participated in any investigation against the US.

The decision to abandon a war crimes investigation came as a slap in the face to Afghans, who filed an astounding 1.17 million statements on abuses ranging from sexual abuse and torture to outright murders against the US and CIA, as well as other factions involved in the Afghan conflict.

"It is outrageous that victims of war crimes are far less likely to get justice for well-documented atrocities because of the Trump administration's authoritarian efforts to sabotage an investigation before it could even get started," said Jamil Dakwar, director of the American Civil Liberties Union's Human Rights Program in response to the ICC's decision, adding:

"The Trump administration's bully tactics may have helped the United States skirt accountability this time, but the administration is playing a dangerous game that will inevitably come back to haunt the United States. No one except the world's most brutal regimes win when we weaken and sabotage international institutions established to fight impunity and hold the human rights abusers accountable."

Just weeks prior to the ICC rejection, the Trump administration also rolled back an Obama-era Executive Order to account for civilian casualties in American military and CIA led airstrikes, including the use of drones, in countries like Afghanistan, Pakistan, Somalia and Yemen.

The announcement to stop collecting, or publicly delivering, data on civilians killed or injured in airstrikes came after startling reports were released by the UN at the end 2018 demonstrating a 39 percent rise, year on year, in the number of civilians - mostly women and children - killed or injured by airstrikes in Afghanistan

The attempts at obscuring the devastating reality of the war in Afghanistan started the moment the US invaded. From refusing to do body counts of civilians killed, to labelling children the age of 12 and up “militants”, to the silence around widespread torture and sexual abuse of detainees, the US has made every effort to cover up its crimes as well as the ground reality of the war.

In October 2017, the US military stopped reporting casualty figures for Afghan security forces at a time when casualties numbers were approaching what the Pentagon called “unsustainable levels”.

According to a recent report on Bloomberg: “Casualties among Afghan National Defense and Security Forces rose 31 percent from December 2018 to February 2019 over the same period a year earlier, while troop levels fell short again of authorised strength for the first quarter of this year.”

Afghanistan's president himself has stated publicly that at least 45,000 Afghan security personnel have been killed since 2014.

In another slight to transparency, early this month the US military announced that it would stop releasing information on how much of Afghanistan is under Taliban control.

The Special Inspector General for Afghanistan Reconstruction (SIGAR), a watchdog group created by the US Congress for the oversight of reconstruction and other activities in Afghanistan, was told by the US military that assessments of district control were “of limited decision-making value to the (RS) Commander.”

One does not need to be a West Point graduate or Five Star General to be confused on how “district control” assessments would be of such little value in the middle of a war. But of course the US military was not planning to stop its own intelligence gathering work, it simply plans to stop informing the general public.

"I don't think it makes sense," John Sopko, the head of SIGAR told the media. "The Afghan people know which districts are controlled by the Taliban. The Taliban obviously know which districts they control. Our military knows it. Everybody in Afghanistan knows it. The only people who don't know what's going on are the people who are paying for all of this, and that's the American taxpayer."

Although these blatant efforts by the Trump administration to obscure the reality of the war in Afghanistan are a blow to transparency, other international bodies and organisations are also attempting to keep watch.

According to the latest United Nations Assistance Mission in Afghanistan (UNAMA) report on violence in Afghanistan, civilian deaths attributed to US military and Afghan Government Forces surpassed those attributed to ISIS (Daesh) and the Taliban during the first quarter of 2019.

In the first three months of 2019, international and pro-government forces inflicted 608 casualties (305 killed, 303 injured), which was up 39 percent from the same period last year, according to the UNAMA report.

The war in Afghanistan has long been considered the “good war” by the American public although there is hardly any reporting in the US national mainstream media.

Afghanistan, the longest-running foreign war in US history was not even a mention in the most recent US presidential elections. This level of willful ignorance has allowed the US government under Trump to obfuscate the war in Afghanistan and provide cover for war crimes and war criminals.

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Extraordinary Chambers in the Courts of Cambodia (ECCC)

Official Website of the Extraordinary Chambers [English]

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

How Cambodia's Day of Remembrance for Genocide Victims Has Always Been Complicated by Politics

(Time) By Andy Kopsa

May 20, 2019

Reenactments of the Khmer Rouge genocide are annual events in Cambodia. On the grounds of the famous killing fields of Choeung Ek, outside the capital of Phnom Penh, a troupe of young performers will take their positions on an open field. The loudspeakers will blare haunting music and words of hate. Actors carrying wooden machine guns will simulate the mass murder of civilians. Children aren't spared and neither are the elderly. It is May 20, the National Day of Remembrance.

The annual observance marks the day in 1975 when the communist regime of Pol Pot and the Khmer Rouge began the mass killings of the Cambodian genocide. Such national days of remembrance are often a key part of confronting and acknowledging a troubling past; Germany's decision to create a day to remember the Holocaust, for example, has been seen as an important step forward. But Cambodia's version is complicated by the purpose the day has served for the governments that followed the Khmer Rouge — and the questions it raises are profound: What does it mean when a government decrees that the past must be remembered in a certain way? And how do you memorialize something you can't forget?

Pol Pot — the nom de guerre of a man named Saloth Sar — had rapidly climbed the ranks of the Khmer Rouge, Cambodia's "red communists," in the 1960s, and became the leader of the guerrilla fighters who orchestrated the systematic take-over of the country in the 1970s. Starting in the northern provinces, the regime worked its way to Phnom Penh. In April of 1975, they seized the city and forced residents to evacuate. By late afternoon the wide boulevards of the city were emptied of cars and filled with a procession of soldiers and trucks loaded with concertina wire and weapons. Families fanned out from the city on foot, not knowing where they were meant to go. Many, falsely told they could return in a few days, left with only the clothing they wore.

By that point, Cambodia had already been devastated by wars from within and without: the First Indochina War, the Vietnam War and their own civil war. A flood of refugees spilled into Thailand while others from the countryside came to Phnom Penh. Rice fields were decimated, livelihoods were lost and people went hungry. The Khmer Rouge stepped into the breach, espousing a vision of a communist utopia. The struggling rural farmer would get the same food, shelter and life as the city-dwelling doctor. It was an easy sell with horrific consequences.

The mass killings began about a month after Phnom Penh fell. Pol Pot convinced a destroyed nation to join an agrarian revolution turned genocide; an estimated 1.7 to 2 million people were killed including ethnic minorities, Buddhists and Cham Muslims died under his regime.

The official remembrance of those events began to take shape almost immediately after Cambodia was liberated from the Khmer Rouge in 1979, as the new government looked for ways to legitimize itself. The newly formed People's Republic of Kampuchea (PRK) began distancing itself from the regime — at least outwardly, as many of its own leaders had been officers in the Khmer Rouge too. The Day of Remembrance, first staged in 1984, was originally known as The National Day of Hatred Against the Genocidal Pol Pot-Ieng Sary-Khieu Samphan clique and the Sihanouk-Son Sann Reactionary Groups.

Anthropologist Alex Hinton has written that the Day of Hate was a way for the PRK to keep anger toward the Khmer Rouge active so that they could put it to use for their own political purposes if needed. In his book *Voices from S-21*, historian David Chandler writes the PRK "worked hard to focus people's anger onto the 'genocidal clique' that had governed Cambodia," as the "new government based its legitimacy on the fact that it had come to power by toppling the Khmer Rouge [though] it was in no position to condemn the entire movement, since so many prominent PRK figures had been Khmer Rouge themselves."

In the 1980s and '90s, the Day of Hate was staged on a massive scale. Paper effigies of Pol Pot were burned and survivors told the true horror stories of their lives under the Khmer Rouge. These events were critical to the PRK leadership reinventing itself, eventually becoming the Cambodia People's Party of today, the party of Prime Minister Hun Sen. While attendance wasn't compulsory at the original days of anger, it was strongly encouraged and with the help of local authorities' mass turnout was assured. After years of war and the Khmer Rouge, the people were left starving in a land littered with landmines and mass graves. The day of hate fell into place easily on this backdrop.

But in 2018, Prime Minister Hun Sen decreed that May 20 was no longer the day of hate. Instead, it would be the National Day of Remembrance. Hun Sen not only changed the official name of the holiday, he told reporters it was now set aside to "respect and pray for the victims who passed away from Democratic Kampuchea (DK) regime."

His decree, timed during an election year, also created a time to praise the Cambodian People's Party for all its "achievements" since the DK was overthrown — and to cast Hun Sen as protecting citizens from the not-so-distant terror. Hun Sen "has a particular knack for playing on fears of a return to the dark days of massacres and civil war," writes Sebastian Strangio, an independent journalist and author of Hun Sen's Cambodia.

However, a 2016 Open Society Justice Initiative Report on Cambodia's war-crimes tribunal found that at least two court cases stemming from the genocide fell apart because they could "embarrass" the CPP and Hun Sen by revealing ties to former Khmer Rouge members.

But, with or without an official day to remember the horrors of the Khmer Rouge, memories of the atrocities are woven through the daily lives of those who survived the regime and their descendants.

Nowhere is that fact clearer than at the secret prison known as Tuol Sleng, or S-21, where Pol Pot sent officers and officials to be tortured. Today, it's the site of a genocide museum. When the Vietnamese liberated the city, they found piles of bodies at S-21; some estimates say 18,000 people were killed there alone. The museum is designed to be tourist-friendly. Visitors are given headphones and guided through the complex via audio tour. Photos of S-21 victims paper the walls but the brutality of the Khmer Rouge is hard to see behind Plexiglas.

Chheng Samin, one of the employees there, was born in a pagoda three months after the evacuation of Phnom Penh; she says soldiers forced her mother to return to work the morning after Samin was born. She now has two children of her own, and says she is grateful her children have happy childhood memories far different than her own.

"My grandmother died during the Khmer Rouge and I remember thinking 'don't put my grandma in that boat and take her away,'" Samin told me, laughing at her 3-year-old self, a girl who thought a casket was a ship.

Not far from Tuol Sleng is a one of the twenty thousand or so killing fields of the genocide. Choeung Ek on the outskirts of Phnom Penh is perhaps the most well know. After the fall of the Khmer Rouge it was a collection of abandoned buildings and a field of bodies.

Now it is a tourist destination too. An ornate stupa surrounds a stories high scaffold, each level lined with human skulls. Walking the grounds visitors are guided through buildings and alongside unexcavated fields; a shirt or dress held by the gnarled roots of a banyan tree like an insect preserved in amber.

There, on May 20, tourists will again join scores of saffron-robed monks and local residents to watch the performers act out Khmer Rouge atrocities with appropriate horror.

But for people like Samin, memories of the Khmer Rouge are more personal, and perpetually close to the surface. I asked her if working at the museum as a survivor of the genocide was difficult. For the most part, it isn't, she tells me — but one thing does get to her. In the main hall, an iconic photo is displayed, of a mother holding her baby, cataloging their arrival at S-21. That's hard for her to see some days. "That," she said, "could have been my mom and me."

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Bangladesh International Crimes Tribunal

Rohingya girls rescued from traffickers in Bangladesh (Al Jazeera)

May 12, 2019

At least 23 teenage Rohingya girls have been rescued after being brought from refugee camps to the capital, Dhaka, to be sent to Malaysia by air, Bangladesh police said on Sunday.

Dhaka police also arrested four human traffickers including a Rohingya couple and recovered more than 50 Bangladeshi passports from them on Saturday.

Police spokesman Mokhlesur Rahman said they raided a residence in the northern part of the city and found the teenagers

hiding in a room behind a tailoring shop.

"They were promised jobs in Malaysia and brought from refugee camps in Cox's Bazar," he told AFP news agency, referring to the Rohingya settlements in Bangladesh's southeastern coastal district.

The girls - aged between 15 and 19 - could have been potential victims of forced prostitution, the official said.

"We have filed cases against the four arrested persons and sent the girls back to their camps in Cox's Bazar," Rahman said.

Abul Khair, local police chief of Ukhiya, where Kutupalong, the world's largest refugee camp is situated, said he received the girls and would send them to their homes in the camps.

Some 740,000 Rohingya fled a brutal military clampdown in Myanmar in August 2017 and arrived in Bangladesh to join another 300,000 already living in the refugee camps.

Desperate for a better life and an economic future, the refugees and in particular teenage girls easily fall prey to human traffickers roaming in the overcrowded camps.

According to Rohingya activists and rights groups, dozens of women are now regularly arriving in Malaysia to marry Rohingya men, reviving a form of transnational human trafficking that once moved thousands of Rohingya a year.

Thousands of Rohingya refugees have risked their lives travelling to Malaysia and Thailand, mainly by boat, when the Bay of Bengal is calm before monsoon season sets in at the end of May.

Bangladeshi authorities have stopped more than 300 Rohingya this year alone from attempting such perilous boat journeys on rickety fishing boats.

Many have also attempted to fly to Malaysia and Middle Eastern countries by procuring Bangladeshi passports and travel documents.

"Rohingya refugees in Cox's Bazar have few options. They cannot work and have no formal access to education," John Quinley, a researcher with Fortify Rights, told Al Jazeera.

"Rohingya refugees in Bangladesh fear forced repatriation or relocation to the island. All these push factors could lead to a real uptick in Rohingya families - including girls - moving to Malaysia, some for child marriage," he added.

Jishu Barua, an aid worker specialised in human trafficking prevention, said he dealt with 100 cases of human trafficking in the camps in the last six weeks.

"But this figure represents only a small portion of what is actually going on," he told AFP.

Muslim-majority Rohingya have faced persecution in Myanmar for decades. Myanmar stripped the Rohingya of their citizenship in 1982, rendering them stateless.

Bangladesh Halts Visas for Pakistani Nationals Amid Diplomatic Impasse (Sputnik International)
May 20, 2019

Bangladesh has halted visa issuance to Pakistani nationals amid rising diplomatic tensions between the two south Asian nations; diplomatic sources told Sputnik news agency on Monday. Sources added that since last Monday, the visa section has been closed due to a delay in the renewal of the visa of a diplomat from Bangladesh in Islamabad.

It's believed that Pakistan has delayed the renewal of the visa after Dhaka refused to accept the nomination of the new high commissioner of Pakistan to Bangladesh for over a year.

Pakistan's Foreign Ministry sent the proposed nomination of its proposed envoy Saqlain Syedah to Bangladesh in March 2018. Bangladesh has yet to respond to the appointment, according to a report in The Daily Star.

Last year, the Bangladesh tribunal ruled for the death sentence for five war criminals charged with committing crimes against humanity and siding with Pakistani troops carrying out genocide during the Liberation War in 1971.

Pakistan's parliament has issued condemnations and passed resolutions against the hanging of these war criminals on several occasions, Bangladesh considers this an interference in its internal affairs.

The war crime tribunal was established in 2010 to prosecute criminals who assisted the Pakistani army in suppressing the struggle for independence in Bangladesh.

In 1971, a civil war broke out in Pakistan, leading to its division, after West Pakistan launched a military operation in East Pakistan seeking independence. The death toll among Bangladeshi people at the time was estimated to be nearly three million lives.

Bangladesh didn't stop visas to Pakistanis, says foreign minister (Business Standard)

May 21, 2019

Bangladesh Foreign Minister A K Abdul Momen said Tuesday that his country did not stop issuing visas to Pakistanis, amid reports that Dhaka's high commission in Islamabad has stopped issuing visas to Pakistani nationals over a fresh diplomatic row.

"The report should have appeared in the media in the reverse way," he told a press conference in Dhaka, attributing the current crisis to Pakistan's inaction in issuing visas to Bangladeshi diplomats to be posted in Islamabad.

Earlier, the media reported that Bangladesh stopped issuing visas to Pakistan nationals.

"We have not stopped issuing visas to Pakistanis, but delays could happen in some cases which are common worldwide," the minister said.

He said Bangladesh's mission in Islamabad was facing manpower shortage which affected the processing of visas as Pakistan was delaying in issuing visa for Bangladesh's newly appointed visa councilor in Islamabad.

Moreover, he said, Islamabad was not renewing the visa of the officer who was temporarily entrusted with the task of issuing visas.

"It is them (Islamabad)...how could we issue visa unless we have our manpower to do that there," the minister said.

His comments came amid strained bilateral ties since 2013 when Dhaka decided to hang several of the Bangladeshi 1971 war criminals, who carried out atrocities siding with Pakistani troops during the country's Liberation War.

"You can call it a sign of protest against the Pakistani gesture," a Bangladeshi foreign ministry official familiar with the development told PTI.

But the official, who preferred anonymity, said the Bangladeshi diplomat in-charge of issuing visas refrained from processing the application by Pakistanis as the authorities there had been sitting on his own official visa renewal application for the past four months.

Pakistani high commission in Dhaka is not processing his family members' visa applications, barring Bangladesh high commission's press and visa affairs councillor Iqbal Hossain from meeting his family, the official said.

According to the official, Hossain is living in Islamabad with his daughter while his wife and son were in Dhaka.

"We earlier contacted and still communicating with them to resolve the pending visa issues of our diplomats," Momen said.

No official in the Pakistani high commission was immediately available for comments over the impasse.

The diplomatic row between Bangladesh and Pakistan is on the rise since last year when Dhaka denied a visa to the Pakistan high commissioner.

In March 2018, Pakistan's Foreign Ministry proposed Saqlain Syedah as its new high commissioner to Bangladesh.

Bangladesh refused to accept Syedah's "agreement" (documents related to proposal of nomination) as Pakistan's envoy.

Six months later, Bangladesh verbally notified Pakistan that it cannot accept Syedah's nomination, and asked for an alternative nomination.

Asked if there was any development over the acceptance of the credentials of Pakistan's proposed envoy in Dhaka, Momen said Bangladesh did not accept Islamabad's proposal for "some reasons".

"(But) this is a quite normal phenomenon (in diplomatic arena), if they propose someone new, we will definitely consider it,"

he said.

Pakistan has not come up with any alternative nominations yet.

The row over the 1971 war criminals' trials visibly prompted Bangladesh not to clear the credentials of the proposed Pakistani envoy to Dhaka.

Syedah is now appointed as high commissioner to Kenya, according to an announcement by Pakistan's Foreign Minister Shah Mahmood Qureshi on Monday.

According to a report in Pakistani media, the foreign ministry made a suggestion to Prime Minister Imran Khan to downgrade Bangladeshi mission in Islamabad as Pakistani mission in Dhaka was being run by a consular level officer.

Pakistan's national and provincial assemblies in recent years passed several resolutions while several of their ministers too issued statements protesting trial of the top 1971 collaborators of Pakistani troops in Bangladesh.

The move prompted the foreign office in Dhaka to summon repeatedly Islamabad's envoy to be handed down protest notes.

Five top collaborators of the Pakistani army, four being leaders of fundamentalist Jamaat-e-Islami, which opposed the country's 1971 independence from Pakistan, have so far been executed after their trial in Bangladesh's International Crimes Tribunal.

The strained bilateral relations worsened in 2016 when Bangladesh forced Islamabad to take back three of its officials, including a woman diplomat, alleging their links to Islamist militants.

Diplomatic negotiations between the two countries are at a standstill for a few years now over Dhaka alleging Pakistani high commission of financing terrorist activities in the country.

Foreign secretary-level talks have not taken place between the two countries in the past four years now.

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War Crimes Investigation in Myanmar

Army Shoots Motorcycle Driver Dead in N. Rakhine (The Irrawaddy) By Moe Myint
May 10, 2019

A motorcycle ferry operator was shot dead while driving home to his village in northern Rakhine State's Kyauktaw Township early Friday morning, according to local residents.

The victim was identified as Ko Maung Maung Hla, 36, from Phayar Paung village 4 miles south of downtown Kyauktaw. Village administrator U Aung Tin Win, who went to see the body at Kyauktaw General Hospital on Friday morning, told The Irrawaddy that Ko Maung Maung Hla worked as a ferry operator. He had a 9-year-old son with his wife, Daw Hla Win, who sells vegetables in a market.

After driving to downtown Kyauktaw by motorcycle and dropping his wife off at the market, Ko Maung Maung Hla was returning to his village to pick up a weighing scale when he was shot dead on the road, according to the village administrator.

The Myanmar Military Information Team's Brigadier-General Zaw Min Tun confirmed the death of Ko Maung Maung Hla. He said the man was an Arakan Army (AA) member who was attempting to flee after detonating a landmine against a marching army column.

"He ran away after detonating [the mine]. So there was an engagement and he died of gunshot wounds," he said.

The brigadier-general added that a motorbike, grenade and some landmine-related materials were found nearby.

Kyauktaw resident and social activist Ko Zaw Win, who also went to the hospital, said the victim had been shot in the knee and the forehead.

An eyewitness who was among a group of police and rescue team workers who picked up the body at the crime scene told The Irrawaddy over the phone on Friday morning that some wires, an unexploded grenade and a phone keypad were found near the body. The motorbike lay several feet from the body without major damage, he said.

Locals reported hearing a landmine blast at about 5:45 a.m. near Phayar Paung and Taung Pauk villages. Following the blast, commuters and private cars avoided traveling between Kyauktaw and Mrauk-U. There were also unconfirmed reports that government troops and AA fighters had engaged in a brief firefight in the area.

Also on Friday, another ferry operator, Ko Tin Win, 26, from Taung Pauk village, was struck in the head by a stray bullet while docking a boat in a local creek, though there were no reports of an armed clash near the village. The bullet did not strike his skull and he survived. The wounded man was also taken to Kyauktaw Hospital.

At about 3.00 p.m. Friday, the Office of the Commander-in-Chief released a brief statement accompanied by a map but without any photos, saying that AA members twice attacked military troops on Friday with remote controlled mines.

It said that while Army personnel were clearing the area, "One suspected AA man was shot dead and a motorbike, grenade and some landmine-related materials were found at the scene."

The Army stated that AA rebels had planted landmines in about 16 locations in contested areas in the region, and that the Army had defused a total of 46 landmines.

Bangladesh police kill two suspected Rohingya traffickers in clash (Reuters) By Mohammad Nurul
May 15, 2019

Bangladesh police have clashed with suspected people smugglers sending Rohingya Muslim refugees to Malaysia, killing two of the traffickers, a police official said on Wednesday.

The clash took place on Tuesday when police acting on a tip-off raided an area near camps set up for Rohingya refugees from Myanmar in southeast Bangladesh, said Pradip Kumar Das, the officer in charge of the police station in the town of Teknaf.

"As soon as the police team reached the spot, a group of traffickers opened fire on them triggering a gunfight," Das told Reuters.

Some of the smugglers fled, but two were wounded - both Rohingya themselves - and died on the way to hospital. Four policemen were wounded, Das said.

In a separate incident on Tuesday, Bangladesh authorities said they had stopped dozens of Rohingya Muslims from being trafficked to Malaysia by boat.

Bangladesh is home to nearly 1 million Rohingya Muslims from mostly Buddhist Myanmar. Most fled a Myanmar military-led crackdown in 2017 that U.N. investigators have said was conducted with "genocidal intent".

Myanmar has denied almost all allegations of atrocities against Rohingya civilians, saying its forces were engaged in a legitimate counterterrorism operation launched after Rohingya insurgent attacks on the security forces.

Refugees in Bangladesh pay traffickers for the voyage to Southeast Asia. But crossings in over-crowded boats can be treacherous, especially in the rainy season, which is beginning now.

"They've been luring the Rohingya, especially women, with hopes of a better life and better jobs in Malaysia," Das said of the smugglers.

Girl Killed, Villagers Hurt by Myanmar Army Gunfire in Rakhine State (Radio Free Asia)
May 20, 2019

One child was killed and two other villagers were injured by gunfire from government soldiers in war-torn Rakhine state's Kyauktaw township Sunday evening, amid wider armed conflict with a rebel ethnic military in Myanmar's western region, local residents said.

The shooting, which occurred in an area between Myauk Taung and Marlar Taung villages east of the Kaladan River, left 10-

year-old Athein Chae dead, said Aung Hla Sein, the administrative head of Myauk Taung village.

“There is a pagoda near our village,” he said. “We heard gun shots around 6 p.m. and they stopped around 7 p.m. A young girl who lived in the northern side of our village was shot and killed.”

“Villagers said the shooting was by the military in response to a recent mine attack on their troops,” he said.

Win Zaw Oo, spokesman for the military’s Western Regional Command, which is responsible for Rakhine state, said that government forces engaged in a firefight with the Arakan Army (AA), an ethnic Rakhine army that seeks greater autonomy in the state, after rebel soldiers attacked an army convoy with mines and fired on troops from Myauk Taung village.

“The military convoy was passing through the area near Marlar Taung village,” he said. “While the troops conducted a clearance operation, AA troops fired at them from inside the village. Then, [our] troops shot back at them.”

“The military wouldn’t have fired without a reason,” he said. “Because there was shooting from both sides, the bullet could have been from either side. We can’t tell whose bullet killed the girl for sure.”

AA spokesman Khine Thukha said Arakan troops denied that AA troops attacked the convoy and said they had not engaged in any battles near the villages.

“This is just another fabricated story from the Myanmar military to cover up its consistent war crimes,” he said. “There have been many incidents in which it fired shots into villages. There were even shootings by the military in Mrauk-U township where there were no battles.”

“The evidence is everywhere,” he said. “There were no battles in that area yesterday.”

Villagers, however, said that the shooting was in retaliation for the mine attacks on the military convoy that comprised more than 50 vehicles as it headed toward Kyauktaw from Paletwa township in neighboring Chin state.

Eyewitnesses to the shooting said Athein Chae was caught in the crossfire while she was on her way back from visiting a Buddhist monk who resided in the area between the two villages.

One villager, who requested anonymity due to fear of retaliation, said Athein Chae was walking with her younger brother who was also injured in the shooting.

“The two siblings were in the area,” he said. “I asked the younger brother of the deceased girl what had happened. The boy said they [soldiers] fired at them after yelling ‘Enemy, enemy.’”

“As the girl was shot, the boy ran back to his home,” he said. “It was the small arms fire that hit the girl from behind.”

Some artillery shells from the clash fell and exploded in a monastery compound and near some homes in Marlar Taung village, injuring a three-year-old boy and a 75-year-old man, villagers said.

The boy, Khine Linn Htay, was taken to Sittwe Hospital for emergency care, while the man, Aung Ni, is receiving treatment in Kyauktaw Hospital, they said.

Marlar Taung village is a half-mile from Myauk Taung village where the shootings occurred.

Since fighting between the Myanmar and Arakan armies spiked in early January in Rakhine state, nearly 40 civilians have been killed by artillery explosions and improvised explosive devices, and about 70 people have been injured.

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AMERICAS

North & Central America

Both Saudi Arabia and the United States Are Probably Guilty of War Crimes in Yemen (The Nation) By

Mohamad Bazzi

May 17, 2019

On August 9 of last year, warplanes from a Saudi-led coalition bombed a school bus near a market in the northern Yemeni town of Dahyan, killing 54 people, 44 of them children. After interviewing more than a dozen witnesses and survivors, Human Rights Watch called the attack an “apparent war crime” because “there was no evident military target in the market at the time.” The munition used by the Saudis was supplied by the United States—a 500-pound laser-guided bomb made by Lockheed Martin.

As it has done repeatedly when its air strikes kill civilians, the Saudi coalition at first insisted that it had attacked a legitimate military target. On August 11, Saudi Arabia’s mission to the United Nations claimed that the strike had “targeted Houthi leaders who were responsible for recruiting and training young children, and then sending them to battlefields.” It did not provide evidence to support these claims. Finally, after growing international condemnation, on September 1, the Saudis acknowledged that the attack was unjustified and vowed to “hold those who committed mistakes” accountable.

In an interview with Axios in November, President Donald Trump said the Saudis and their allies did not know how to use American weapons properly. Asked if he was bothered that the Saudis had blown up a school bus with a US-made bomb, Trump responded, “Bother’s not strong enough. That was basically people that didn’t know how to use the weapon, which is horrible.” He called the bus attack a “horror show” and promised to take up the matter with Saudi leaders. “I’ll be talking about a lot of things with the Saudis,” Trump added, “but certainly I wouldn’t be having people that don’t know how to use the weapons shooting at buses with children.”

Trump’s muddled answer reflected a narrative that has been gaining traction for years among US officials and in sectors of the Western media: that the Saudis and their allies in the Yemen war, especially the United Arab Emirates, are killing civilians and destroying infrastructure by mistake. But this is not true. The Saudi coalition has targeted civilians and the country’s infrastructure by design since it intervened in Yemen’s civil war in March 2015. It’s not that the Saudis and their allies don’t know how to use American-made weapons or need help in choosing targets—they’re using them as intended. And American officials have known this for years.

On April 4, the House voted to end US military support for the Saudi-led war in Yemen, finally approving a bill to restrain presidential war powers that has taken years to pass both chambers of Congress. The measure, which invoked the 1973 War Powers Act and argued that Congress never authorized support for the Saudi coalition, underscored growing anger over American involvement in a war that has created the world’s worst humanitarian crisis. The vote was also a rebuke to Trump for doubling down on his support for Saudi Arabia’s ruthless crown prince, Mohammed bin Salman, after Saudi agents murdered journalist Jamal Khashoggi at the Saudi Consulate in Istanbul. On April 16, Trump vetoed the bill, and supporters in Congress did not have enough votes to override that veto.

One of the most persistent false arguments advanced by Pentagon and Trump administration officials against the congressional bill is that American support is necessary to keep the Saudi coalition from killing even more civilians. On April 29, Michael Mulroy, deputy assistant defense secretary for the Middle East, told a Washington think tank that US support is now limited to “side-by-side coaching to help mitigate civilian casualties.” He argued that if Congress was to override Trump’s veto of the War Powers Act resolution, this US assistance would end. “If that happens, that’s obviously not helping the situation,” Mulroy said at the Center for a New American Security.

The Trump administration continues to insist that Saudi Arabia and the UAE have tried to reduce civilian deaths and to enable humanitarian-aid deliveries in Yemen, despite contradictory evidence documented by the United Nations, human-rights groups, and, most recently, former US officials who served in President Barack Obama’s administration. In September, Secretary of State Mike Pompeo formally assured Congress that the two US allies were trying to reduce civilian deaths. Congress required the administration to make this certification a condition for the Pentagon to continue providing military assistance. But Pompeo’s claim contradicted most other independent reviews of the war, including a report issued in August by a group of UN experts. The report found both the Saudi-led coalition and rebel Houthi militia responsible for likely war crimes, but it blamed the Saudis and their allies for killing far more civilians. “Coalition air strikes have caused most of the documented civilian casualties,” the report said. “In the past three years, such air strikes have hit residential areas, markets, funerals, weddings, detention facilities, civilian boats, and even medical facilities.”

Saudi leaders and their allies have ignored American entreaties to minimize civilian casualties since the war’s early days. And, according to recent testimony in Congress by two members of the Obama administration, US officials recognized as early as

2016 that top Saudi and UAE leaders were not interested in reducing civilian casualties. In little-noticed testimony to the House Subcommittee on the Middle East, North Africa, and International Terrorism in early March, the two former State Department officials explained how deeply involved the United States has been in helping the Saudis choose their targets in Yemen, creating “no-strike” lists, and sending trainers to help avoid civilian casualties. The officials were Dafna Rand, a former deputy assistant secretary of state, who is now a vice president at Mercy Corps; and Jeremy Konyndyk, former director of the USAID Office of US Foreign Disaster Assistance.

Rand testified that soon after the Saudis launched the war in 2015, and civilian casualties started to mount, the State Department sent a trainer to Riyadh to work with Saudi Defense Ministry officials. She said the trainer had worked with the US military’s Central Command to reduce civilian casualties in Afghanistan, and US officials had thought the Saudis could use similar techniques to reduce casualties in Yemen. “We approached this very technically behind closed doors, very quietly, sent our trainer in,” Rand said, adding that, after a cease-fire in 2016, US officials were hopeful that their efforts were paying off. But once the cease-fire collapsed in August 2016, the Saudi coalition attacked a series of civilian targets that caused mass casualties. At that point, Rand said, “it gave us pause to recalibrate the strategy, and wonder what had happened to our training.” The State Department continued to quietly send the trainer to Riyadh.

But Rand and other officials soon realized that top Saudi leaders were not interested in limiting civilian casualties, despite American appeals. She said Saudi leaders only cared if the president—first Obama and later Trump—applied pressure or threatened to suspend weapons sales. Rand did not mention Mohammed bin Salman, who was then the deputy crown prince and Saudi defense minister and a major architect of the Yemen war. “We came to the conclusion by late 2016 that although there were very many well-meaning and professional generals in the Saudi Ministry of Defense, there was a lack of political will at the top senior levels to reduce the number of civilian casualties,” she said.

Representative Tom Malinowski, a Democrat from New Jersey who had served as assistant secretary of state for democracy, human rights, and labor during the Obama administration, asked Rand if the problem was “imprecise targeting, or were they targeting the wrong things?”

Rand responded, “It was very clear that precision was not the issue, and that guiding was not the issue. It was the type of target selection that became the clear issue, and even when the US government told them which targets not to hit, we saw instances where the coalition was targeting the wrong thing.”

“So they deliberately struck targets like water treatment facilities and food distribution centers that were on a no-strike list that was handed to them?” Malinowski asked at the sparsely attended hearing.

Konyndyk, who in his role at USAID helped compile a no-strike list of civilian targets, responded that US officials initially assumed that the Saudis and their allies would know not to attack schools and hospitals, which are visible from the air. The initial list of humanitarian sites included the offices of nongovernmental organizations and warehouses—“things that if you looked at them from the air, you would not be aware it’s a humanitarian facility.” American officials soon realized that “the Saudis tended to treat anything not on the no-strike list that we gave them as fair game, so then we expanded the list,” Konyndyk said. “And we began naming categories of sites, including specific road routes that were critical to the humanitarian effort.”

But the Saudis and their allies attacked sites that were on various no-strike lists, which has grown to include thousands of locations compiled by the UN and humanitarian groups. In August 2016, for example, the Saudi coalition bombed the main bridge on the 155-mile road from Hodeidah port, along the Red Sea coast, to the capital, Sanaa. That road was the main artery for humanitarian groups to bring aid into Yemen, especially territory controlled by the Houthi militia. “They struck that [bridge] despite us having specifically told them through that process not to,” Konyndyk said.

Radhya al-Mutawakel, co-founder and leader of Mwatana for Human Rights, a Yemen-based organization, told the House subcommittee that the Saudis and their allies simply don’t care about protecting Yemeni civilians. “It’s not a matter of training. It’s a matter of accountability. They don’t care,” she said. “If they cared, they can make it much better, at least not to embarrass their allies.”

According to the Yemen Data Project, Saudi and UAE warplanes have conducted more than 19,500 air strikes on Yemen since the war began, an average of nearly 13 attacks per day. (About a third of these attacks are on military targets, while the rest are classified as nonmilitary targets or “unknown.”) The coalition has bombed schools, hospitals, markets, mosques, farms, factories, roads, bridges, power plants, water-treatment facilities, even a potato-chip factory.

Rand and Konyndyk did not accuse the coalition of war crimes, but international humanitarian law forbids the intentional targeting of civilians during war. Representative Ted Lieu, a Democrat from California and a former military lawyer who has been one of the most vocal critics in Congress of the US role in Yemen, was more blunt at the subcommittee hearing: Saudi Arabia and the UAE “are deliberately targeting civilians,” he said. “I think these are war crimes.”

Despite thousands of air strikes over the past four years, the Saudi-led alliance has failed to dislodge the Houthis from Yemen's capital. That stalemate has embarrassed the war's two main architects: Saudi Crown Prince Mohammed bin Salman, who has overseen the Yemen campaign from its start, and his mentor, Abu Dhabi's crown prince and the UAE's de facto ruler, Mohammed bin Zayed. And as the war dragged on, the two leaders have become more brutal, with little restraint from the United States or other Western allies.

Beyond the intentional bombing of civilians in violation of international law, the Saudi and Emirati militaries have also destroyed civilian infrastructure and imposed air and naval blockades that have led to the deaths of tens of thousands of Yemenis from starvation and preventable diseases like cholera. In their report last August, a group of independent UN experts noted that, before the Saudi-led war, Yemen imported nearly 90 percent of its food, fuel, and medical supplies. The report concluded that the Saudi-UAE blockades "have had widespread and devastating effects on the civilian population."

The war triggered a humanitarian catastrophe, which has been partly obscured because the UN stopped updating civilian deaths in January 2017, when the toll reached 10,000. Many news reports still rely on that outdated figure, even though the actual death toll is far higher. An independent estimate by the Armed Conflict Location & Event Data Project has recorded more than 70,000 fatalities between January 2016 and April 2019. (That figure includes both civilian and military casualties, but it does not cover the first seven months of the war, when the death toll was highest.) And even that estimate fails to capture the full scope of human suffering in Yemen.

In November, the aid agency Save the Children released an analysis estimating that 85,000 children have likely died of hunger since Saudi Arabia and its allies began their bombing campaign. "For every child killed by bombs and bullets, dozens are starving to death and it's entirely preventable," Tamer Kirolos, the group's country director, said in the report. "Children who die in this way suffer immensely as their vital organ functions slow down and eventually stop."

Last month, the United Nations Development Programme issued a report, produced primarily by researchers at the University of Denver, with a dramatically higher estimate: It warned that the death toll in Yemen could rise to 233,000 by the end of 2019. That projected count includes 102,000 deaths from combat and 131,000 indirect deaths due to the lack of food, health crises like the cholera epidemic, and damage to Yemen's infrastructure. The conflict has turned into a "war on children," with one Yemeni child dying every 12 minutes; the report estimates that 140,000 of those killed by the end of 2019 would be children under the age of 5.

The Saudi-UAE alliance is also using starvation as a weapon of war by deliberately targeting the infrastructure of Yemen's food production and distribution, including the agricultural sector and fishing industry. As a result, the war has also left more than 22 million people—75 percent of Yemen's population—in need of humanitarian aid, and 1.4 million infected with cholera. The UN estimates that 8.4 million Yemenis are on the brink of starvation and need assistance to stay alive.

The destruction of Yemen's food supply is another war crime, which has been documented by human-rights groups that have investigated Saudi and UAE conduct in the war, including a report issued in October by Tufts University and the World Peace Foundation. The report, written by Martha Mundy, an emeritus professor of anthropology at the London School of Economics, shows that the Saudi coalition has deliberately targeted food supplies and distribution systems in an attempt to starve the Houthi-controlled parts of Yemen into submission. Mundy found that, after August 2015, when it became clear to the Saudi coalition that it would not achieve a quick military victory—the kind of triumph promised by bin Salman and bin Zayed—"there appears a shift from military and governmental to civilian and economic targets, including water and transport infrastructure, food production and distribution, roads and transport, schools, cultural monuments, clinics and hospitals, and houses, fields, and flocks."

The report makes clear that the coalition is targeting food supplies by destroying agricultural land and fishing vessels—a war crime under international humanitarian law. For example, the report notes that, from the start of the war through December 2017, the coalition destroyed at least 220 fishing boats along Yemen's Red Sea coast, killed 146 fishermen, and reduced fish catches by at least half from pre-war levels.

Saudi Arabia and the UAE are not the only states potentially implicated in war crimes. By the summer of 2015, some US officials were worried that American support to the Saudis—including weapons sales, intelligence support, assistance in identifying targets, and the mid-air refueling of Saudi and allied warplanes—would make the United States a co-belligerent in the war under international law. That means US personnel could be implicated in war crimes and, in theory, could be exposed to international prosecution. By late 2015, Reuters reported, Obama administration officials had debated for months whether to proceed with arms sales to Saudi Arabia, which was becoming Washington's largest weapons customer. American officials were particularly worried about a 2012 ruling from an international tribunal that convicted Charles Taylor, Liberia's former president, for "aiding and abetting" war crimes committed by rebels in neighboring Sierra Leone in the 1990s. The tribunal ruled that an individual could be guilty of "aiding and abetting" if he provided "practical assistance, encouragement, or moral support which had a substantial effect on the perpetration of a crime." Yet, despite those concerns, in November 2015, State Department officials approved the sale of nearly \$1.3 billion in bombs and missiles to replenish Saudi munitions dropped in

Yemen.

In October 2016, the Saudi coalition bombed a community hall in Sanaa, where mourners had gathered for a funeral, killing at least 140 people and wounding hundreds—the deadliest attack of the war. As international condemnation mounted, the Obama administration promised to review its military support for Saudi Arabia and its allies in Yemen. Human Rights Watch found that the Saudi coalition used an American-made 500-pound laser-guided bomb in the attack, which it called “an apparent war crime.” In a follow-up letter, the group urged Obama to halt all weapons sales to Saudi Arabia and warned, “The repeated use of US-manufactured munitions in unlawful attacks in Yemen could make the US complicit for future transfers of arms to Saudi forces.”

Representative Ted Lieu, the former military lawyer who has been a leading critic in Congress of American involvement in Yemen, wrote to then-Secretary of State John Kerry warning of potential US complicity in war crimes. “The Charles Taylor case precedent puts US officials at risk of being implicated in aiding and abetting war crimes in Yemen,” Lieu wrote in October 2016. “In addition, under both international law and U.S. law, American officials can be prosecuted for conspiring to commit war crimes.”

Despite these warnings, Obama essentially gave the Saudis a slap on the wrist: He suspended the sale of about \$350 million in munitions and directed the Pentagon to stop sharing some intelligence. Once Trump took office in 2017, he reversed Obama’s decision on the weapons sale and escalated US military involvement in Yemen. And the Trump administration dismissed worries about US exposure to war crimes. Instead, Trump and some of his top administration officials, especially Pompeo and national-security adviser John Bolton, accepted the Saudi and Emirati line that Yemen is an extension of the campaign to contain Iran’s regional influence. (While the Saudis were quick to label the Shiite Houthis as agents of Iran, the group did not receive significant help from Tehran before the Saudi intervention.)

As criticism of Saudi Arabia increased in Congress after Saudi agents murdered Jamal Khashoggi last October, the Trump administration took a step to appease members of Congress critical of the US role in Yemen. In November, the administration announced it was ending one element of US military assistance: the refueling of Saudi and UAE warplanes bombing Yemen. But that’s not enough to end the war. In addition to refueling warplanes and providing intelligence assistance, Washington has rushed billions of dollars’ worth of missiles, bombs, and spare parts to help the Saudi and UAE militaries continue their bombing campaign. But neither the Obama nor Trump administrations put enough pressure on the Saudis or Emiratis to negotiate a political settlement with the Houthis to end the war.

Two days after Trump announced his decision to end the mid-air refueling, a group of 30 former senior officials in the Obama administration—including former national-security adviser Susan Rice and former CIA director John Brennan—released a letter acknowledging some responsibility for initiating American support for the Saudi coalition. “We did not intend US support to the coalition to become a blank check. But today, as civilian casualties have continued to rise and there is no end to the conflict in sight, it is clear that is precisely what happened,” the former officials wrote, adding, “However, rather than learning from that failure, the Trump administration has doubled down on support for the Saudi leadership’s prosecution of the war, while removing restrictions we had put in place.... It is past time for America’s role in this disastrous war in Yemen to end.”

The former Obama administration officials exaggerated how many constraints they had put on the Saudis and avoided responsibility for not acting far more forcefully sooner. The Obama administration could have ended weapons sales and other military assistance long before the tentative steps it took in late 2016. But these former officials are right about one thing: Trump has given Saudi Arabia and the UAE an even bigger blank check in Yemen—and he’s made the United States more deeply complicit in war crimes.

America Loves Excusing Its War Criminals (Foreign Policy) By James Palmer
May 21, 2019

The report that U.S. President Donald Trump is preparing to pardon a number of U.S. war criminals, both accused and convicted, has sparked rightful outrage. These are not ambiguous cases: Seven former platoon members have accused one of the men, Navy SEAL Edward Gallagher, of routinely targeting women and children as a sniper in Iraq, as well as murdering a teenage captive in cold blood. Nicholas Slatten is a mercenary who is, so far, the only man convicted of a massacre of 14 Iraqi civilians in 2007. Trump has repeatedly expressed his support for torture and atrocity in war, though as with Trump’s previous pardons of murderers in uniform, many of those who, unlike the president, actually served in the military are particularly disgusted by the move.

But while the violence of Trump’s rhetoric is new, effective impunity for U.S. soldiers in foreign lands is not. Iraqis’

resentment of U.S. forces is obvious and violent, but the pardons will also further corrode U.S. credibility among its calmer allies. That's especially true in East Asia, where the inequities of U.S. military justice have frequently riled locals. In South Korea, Japan, and the Philippines, among others, the perceived impunity of U.S. military personnel has turned residents against the presence of military bases, sparked mass protests, and strained diplomatic relations.

Individual violations of sovereignty, as protesters see it, drive these complaints—but they're also tied to a wider anti-American tradition fueled by the United States' own repeated failures to try its own soldiers fairly. Although these failures of justice took place in different countries, and at different times, they form a strong part of collective historical memory. South Korean protesters frequently refer to the U.S. massacres in Vietnam—where South Korean forces also committed atrocities—as well as to horrors committed during the Korean War itself. The gross failures of Iraq are a touchstone for those opposed to the U.S. presence across the world.

U.S. military training today goes out of its way to emphasize the laws of war and the necessity of disobeying illegal orders. Yet U.S. actions offer little reassurance that political attitudes have changed.

U.S. military training today goes out of its way to emphasize the laws of war and the necessity of disobeying illegal orders. Yet U.S. actions offer little reassurance that political attitudes have changed.

U.S. politicians have repeatedly refused to accept the role of the International Criminal Court, and current Secretary of State Mike Pompeo has levied numerous threats against it. The arrogance, racism, and cheerleading for atrocity at the top of the U.S. government under Trump continue to negate any efforts to repair America's reputation at the bottom.

None of this is the responsibility of U.S. soldiers as a group themselves, who are no better or worse than any other group of young people away from home. The root of the resentment is not their behavior but the agreements that protect them, and the frequent failure of U.S. military institutions to deliver justice. In Okinawa, the Japanese island that holds America's key Pacific bases, they were immune from local justice until 1972 and rarely prosecuted by their own forces. "They would just hit somebody, and when they drove back to the base, through the gates, it was the same as going back to the USA," one Okinawan told the Nation. "It's so frustrating. You rape and kill or run over somebody and just go back?" That resentment formed the basis of a powerful anti-base movement on the island—despite the central Japanese government's repeated attempts to crush it.

In both South Korea and Okinawa, the status of forces agreements today send U.S. personnel to military justice only when the alleged crimes are committed in performance of their duties. That has done little to dispel suspicions that the U.S. military protects its own. In Okinawa in 1995, a rape case—even though the accused were handed over to the Japanese authorities—instantly sparked rumors of a cover-up.

In South Korea in 2002, the deaths of two schoolgirls in a horrendous accident during U.S. military exercises, and the subsequent (and probably fair, from witness accounts) acquittal of the soldiers involved on negligent homicide charges by a military court, produced huge riots and a massive swelling of anti-American feeling. I was teaching in Seoul at the time, and my 10-year-old students would tell me they hated Americans because "Americans killed Shin Hyo-sun and Shim Mi-seon." The deaths are still commemorated by annual protests.

These emotions have practical consequences. Anti-Americanism remains a powerful force in South Korean politics, despite the looming threat of North Korea and the shield offered by U.S. troops. The building of U.S. bases on Okinawa has been frequently delayed or canceled due to opposition from locals. In the Philippines, U.S. forces were kicked out in 1991 and have been met with concerted protest and political opposition since their return in 1999.

Peacetime failures are serious enough but behind all this is also a long history of America's failure to convict or punish its own personnel for war crimes in Asia. That goes back to the numerous atrocities committed during the occupation of the Philippines at the beginning of the 20th century. In 1902, Republican Sen. George Frisbie Hoar, a vehement anti-imperialist, condemned U.S. war crimes in the Senate: "You make the American flag in the eyes of a numerous people the emblem of sacrilege in Christian churches, and of the burning of human dwellings, and of the horror of the water torture." Yet the men responsible for mass murder and torture received little punishment. Jacob Hurd Smith, who had ordered the revenge killing of thousands of Filipinos after 48 U.S. troops were killed in an ambush, became infamous for his instructions to kill every man over the age of 10. But while he was court-martialed, the consequence was only a quiet retirement, and other high-level perpetrators went untouched.

Vietnam was little better. While war crimes were sometimes investigated, many were swept under the carpet. To be clear, these weren't the high-level war crimes that critics of the Vietnam War accused Washington of pursuing, such as strategic bombing of civilians, but acts of rape and murder illegal under U.S. military law—but rarely prosecuted. The men of Tiger Force, an elite unit of the U.S. Army, murdered, tortured, and mutilated their way across Vietnam's highlands; a four-year investigation by the Army confirmed the crimes but produced no prosecutions.

After the massacre at My Lai, exposed by whistleblowers after a year of cover-ups by the U.S. Army, many Americans cried for justice—but far more enthusiastically supported the men who had murdered more than 500 Vietnamese villagers, gangraping the women and mutilating the children. Letters to the White House ran 100 to 1 in favor of the perpetrators, while polling showed 75 percent of the public backed them and just 17 percent disapproved of their actions. Twenty-six men were charged with crimes, but only one, Lt. William Calley, was convicted. Despite Calley originally receiving a life sentence, President Richard Nixon intervened to ensure he spent his time under cozy house arrest, until he finally received parole after just three and a half years in nominal confinement.

If Americans want to be seen as protectors, not oppressors, U.S. justice has to deliver in a way it has never managed in the past. Future leaders will have to seriously consider incorporating local courts into the military justice system—a solution that carries its own problems of cultural clashes and political biases, but that would go a long way to answering concerns. In the meantime, if Trump's pardons happen, it will only reinforce the message already being heard by even America's allies: U.S. troops can rape and murder in your country to their heart's content, and U.S. leaders will defend them to the hilt over it.

Court rules Virginia Uber driver is Somali war criminal (The Telegraph) May 22, 2019

A jury on Tuesday found a northern Virginia man who once served as a colonel in the Somali Army responsible for torturing a man more than 30 years ago under a government campaign against its perceived enemies.

After more than three days of deliberations, the civil jury in the Washington suburb of Alexandria awarded a \$500,000 verdict to Farhan Mohamoud Tani Warfaa, a member of the Isaaq clan in northern Somalia.

Warfaa came to the US and testified at the trial last week. He said he was 17 years old and herding camels and cattle for his family's farm when he was rounded up in a mass arrest in December 1987 over a missing water-tanker truck. He said he was then regularly beaten and hogtied during weeks of incarceration and interrogations. Finally, he said that Yusuf Abdi Ali, a colonel who was known as "Tukeh" or "Tokeh," shot him multiple times and left him for dead when his interrogation was interrupted by an insurgent attack.

According to the lawsuit, Ali ordered his underlings to bury Warfaa, but the soldiers quickly realized Warfaa was still alive and instead solicited a bribe from Warfaa's family to let him live.

Ali, who now lives in Alexandria, acknowledged he was a Somali colonel, but denied torturing Warfaa.

The jury's verdict found Ali responsible for the torture of Warfaa, but it explicitly rejected an allegation that Ali was responsible for the attempted extrajudicial killing of Warfaa, even though Warfaa testified directly that it was Ali who shot him.

Ali's lawyer, Joseph Peter Drennan, said the jury's verdict indicates that it did not believe parts of Warfaa's testimony, and held Ali responsible for the torture only under the theory the soldiers who did torture Warfaa were under the command and control of Ali, who led the Army's 5th Brigade.

The lawsuit was first filed in 2004. It was delayed for 15 years mostly by legal debate over whether a Somali national could bring suit in the US over alleged torture overseas. Parts of the lawsuit were tossed out, but Warfaa was allowed it to proceed to trial under the federal Torture Victims Protection Act.

Drennan said the case left Ali in an almost untenable position of trying to defend himself for the actions of his underlings more than 30 years ago. He also noted those actions occurred half way across the world in a country divided by civil war, where the central government was breaking down.

"This idea of universal jurisdiction, and American courts adjudicating issues like this that happened far away, and long ago, is very problematic," Drennan said.

Warfaa, who brought the lawsuit with help from the San Francisco-based center for Justice and Accountability, said in a statement that the verdict was "a vindication not only for me, but also for many others in Somaliland who suffered under Col. Tukeh's command."

It is unclear whether Warfaa will be able to collect any significant judgment. Drennan said his client does not have that kind of money - he had until very recently been working as an Uber driver until he lost that job because of publicity over his case.

Drennan alleged that the real motive for the case is clan vengeance, and cited efforts by members of the Isaaq clan to establish an independent Somaliland state in northern Somalia.

The judgment comes several years after resolution of a similar lawsuit against Somalia's former prime minister under dictator Siad Barre, Mohamed Ali Samantar, who also took up residence in northern Virginia. In that case, Samantar accepted a default judgment against him on the eve of trial and refused to contest the allegations against him in court, though he said outside court that he committed no wrongdoing.

CJA lawyer Kathy Roberts said the evidence in the most recent case "has confirmed the truth about crimes perpetrated by the Siad Barre regime against members of the Isaaq community during the Somali civil war. Our client Farhan's strength and perseverance is a testament to all those who seek truth, justice and accountability."

Ali drove for Uber for about 18 months, after passing a screening process. The background check included a review of Ali's criminal history using state and national records, and a scan of government watchlists from the FBI and Interpol.

Trump May Be Preparing Pardons for Servicemen Accused of War Crimes (The New York Times) By Dave Philipps
May 18, 2019

President Trump has indicated that he is considering pardons for several American military members accused or convicted of war crimes, including high-profile cases of murder, attempted murder and desecration of a corpse, according to two United States officials.

The officials said that the Trump administration had made expedited requests this week for paperwork needed to pardon the troops on or around Memorial Day.

One request is for Special Operations Chief Edward Gallagher of the Navy SEALs, who is scheduled to stand trial in the coming weeks on charges of shooting unarmed civilians and killing an enemy captive with a knife while deployed in Iraq.

The others are believed to include the case of a former Blackwater security contractor recently found guilty in the deadly 2007 shooting of dozens of unarmed Iraqis; the case of Maj. Mathew L. Golsteyn, the Army Green Beret accused of killing an unarmed Afghan in 2010; and the case of a group of Marine Corps snipers charged with urinating on the corpses of dead Taliban fighters.

The officials, who spoke on condition of anonymity because they were not authorized to speak publicly, said they had not seen a complete list, and did not know if other service members were included in the request for pardon paperwork.

The White House sent requests on Friday to the Justice Department's Office of the Pardon Attorney, which alerted the military branches, according to one senior military official. Pardon files include background information and details on criminal charges, and in many cases include letters describing how the person in question has made amends.

The official said while assembling pardon files typically takes months, the Justice Department stressed that all files would have to be complete before Memorial Day weekend, because the President planned to pardon the men then. A second United States official confirmed the request concerning Chief Gallagher.

Chief Gallagher's case has been thrown into turmoil over claims of spying.

The military branches referred questions to the Justice Department, which declined to comment on the matter.

Mr. Trump has often bypassed traditional channels in granting pardons and wielded his power freely, sometimes in politically charged cases that resonate with him personally, such as the conviction of the former Arizona sheriff Joe Arpaio. Earlier this month, the president pardoned former Army First Lt. Michael Behenna, who had been convicted of killing an Iraqi during an interrogation in 2008.

While the requests for pardon files are a strong sign of the president's plans, Mr. Trump has been known to change his mind and it is not clear what the impetus was for the requests. But most of the troops who are positioned for a pardon have been championed by conservative lawmakers and media organizations, such as Fox News, which have portrayed them as being unfairly punished for trying to do their job. Many have pushed for the president to intervene. The White House declined to comment.

Pardoning several accused and convicted war criminals at once, including some who have not yet gone to trial, has not been done in recent history, legal experts said. Some worried that it could erode the legitimacy of military law and undercut good order and discipline in the ranks.

"These are all extremely complicated cases that have gone through a careful system of consideration. A freewheeling pardon

undermines that whole system,” said Gary Solis, a retired military judge and armor officer who served in Vietnam. “It raises the prospect in the minds of the troops that says, ‘Whatever we do, if we can get the folks back home behind us, maybe we can get let off.’”

Chief Gallagher’s lawyer, Timothy Parlatore, was surprised by the news that the president could be considering a pardon, and said ideally the chief would be acquitted at trial.

“We want the opportunity to exonerate my client,” Mr. Parlatore said in an interview. “At the same time, there is always a risk in going to trial. My primary objective is to get Chief Gallagher home to his family. To that end, Chief Gallagher would welcome any involvement by the president.”

Navy SEALs were warned not to speak out about Chief Gallagher.

Other than violating military law, the cases the president is said to be considering defy easy categorization.

Navy SEALs who served with Chief Gallagher told authorities he indiscriminately shot at civilians, gunning down a young woman in a flowered hijab and an unarmed old man. They also said he stabbed a teenage captive, then bragged about it in text messages. His trial is set to start at the end of this month. If convicted, he faces life in prison. He has pleaded not guilty and denies all charges.

Major Golsteyn is charged with killing an Afghan man that he and other soldiers said had bomb-making materials. After an interrogation, the soldiers let the man go. Fearing that the man would return to making improvised explosives, which had already killed two Marines in the area, Major Golsteyn later said he killed the man.

Mr. Trump has singled both men out on Twitter, calling Major Golsteyn a “U.S. Military hero,” and praising Chief Gallagher for his service to the country.

The Blackwater contractor, Nicholas A. Slatten, is one of several Blackwater contractors charged in the killing of 17 Iraqis and the wounding of 20 more on a Baghdad street. After a number of mistrials and other delays, he is the only one who has been convicted.

The Marines charged in urinating on the corpse of a Taliban fighter were caught after a video of the act was found.

The fact that the requests were sent from the White House to the Justice Department, instead of the other way around, is a reversal of long-established practices, said Margaret Love, who served as the United States pardon attorney during the first Bush administration and part of the Clinton administration.

Long ago, presidents wielded clemency power directly, Ms. Love said, but that changed at the end of the Civil War when President Lincoln delegated review of clemency requests to his attorney general. Since then, cases have generally been vetted by Justice Department lawyers before being sent to the president.

President Trump has upended that practice, often issuing pardons with little or no notice to the Justice Department, she said, adding that the fact the department is requesting files on men like Chief Gallagher at all suggests that Attorney General William P. Barr is trying to re-exert some authority over the process.

Process aside, she said that pardoning the men would be an abrupt departure from the past.

“Presidents use pardons to send messages. They recognize when a process wasn’t just or when punishments were too extreme, like for some nonviolent drug cases,” she said. “If this president is planning to pardon a bunch of people charged with war crimes, he will use the pardon power to send a far darker message.”

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South America

Brazil officials say 11 dead in ‘massacre’ at Belém bar (USA Today) May 19, 2019

A gang of gunmen reportedly attacked a bar in the capital of Brazil’s northern Pará

state Sunday afternoon, killing 11 people.

The state security agency confirmed late Sunday only that six women and five men died in the incident in the Guamá neighborhood of the Pará state capital, Belém.

The G1 news website said police reported that seven gunmen were involved in the attack, which also wounded one person. The news outlet said the attackers arrived at the bar on one motorcycle and in three cars.

"A massacre is confirmed," Pará state spokeswoman Natalia Mello said.

In late March, the federal government sent National Guard troops to Belém to reinforce security in the city for 90 days.

Brazil hit a record high of 64,000 homicides in 2017, 70% of which were due to firearms, according to official statistics.

Much of Brazil's violence is gang related. In January, gangs attacked across Fortaleza, bringing that city to a standstill with as commerce, buses and taxis shut down. Rio de Janeiro experiences daily shootouts between rival gangs and also police that often kill innocent bystanders.

Rio de Janeiro, the country's second biggest city, experiences daily shootouts between rival gangs and also between police and criminals, battles that often result in the deaths of innocent bystanders. Fogo Cruzado, a group that monitors shootings in the Rio metropolitan area, says there were 2,300 shootings in Rio and its suburbs during the first 100 days of this year.

One of new President Jair Bolsonaro's main campaign promises was that he would loosen Brazil's strict gun laws, arguing that because criminals are well-armed with illegally obtained guns, "upstanding citizens" should have the right to defend themselves with legally bought guns.

Bolsonaro has made good on that campaign promise with two presidential decrees that make buying guns easier, though federal prosecutors are seeking to get the courts to block that move.

Ex-rebel in Colombia recaptured after release from jail (Fox News) May 17, 2019

A former Colombian rebel leader was re-arrested Friday moments after his release from jail by a special peace tribunal whose protection of him from extradition to the U.S. has triggered an institutional crisis and revived debate about justice for victims of the country's armed conflict.

Prison authorities escorted Seuxis Hernández in a wheelchair to the gates of La Picota jail outside Bogota on Friday as dozens of armed riot police held back a small group of supporters who've gathered at the prison the past two days to demand his release. His wrists were bandaged from what prison authorities described earlier as self-inflicted wounds that required emergency medical attention.

But as soon as he was beyond the prison gates, a group of police took him back into state custody, arguing that new evidence provided in the past 48 hours by the U.S. gave greater clarity about his alleged crimes. He was quickly loaded onto a helicopter and shuttled away from the commotion.

A special tribunal investigating war crimes during Colombia's decades-long civil conflict ruled Wednesday that the former peace negotiator best known by his alias Jesús Santrich should not be extradited to the United States, where he's wanted on drug trafficking and conspiracy charges.

The decision triggered the resignation of Colombia's chief prosecutor and has renewed debate about whether the 2016 peace deal with the Revolutionary Armed Forces of Colombia is too lenient with rebel leaders.

At issue is whether the alleged crimes took place before or after the signing of the December 2016 peace accord between the government and the FARC. Rebels who lay down their weapons and confess to crimes are spared jail time and extradition but aren't protected for crimes committed after the signing.

An Interpol notice for Santrich's arrest claims he met with cocaine buyers at his residence on Nov. 2, 2017. During that meeting and subsequent negotiations, he and his co-conspirators allegedly discussed plans for a 10-ton shipment to the U.S., boasting they had access to cocaine laboratories and U.S.-registered planes to move the cargo, the notice says.

Santrich has repeatedly professed his innocence, saying he was the victim of a scheme led by the U.S. to put him behind bars for a crime he didn't commit.

The case has also complicated already-tense relations with the U.S.

The U.S. Embassy in Bogota this week called the ruling "regrettable," arguing that the extradition request satisfied all Colombian requirements and firmly established that the alleged crimes took place after the signing of the peace deal.

Ecuador Sends in Troops Amid Troubling Prison Gang Violence (Insight Crime) By Parker Asmann
May 16, 2019

Officials in Ecuador have deployed armed forces to various prisons around the country in an effort to improve security within them, underscoring the consequences of leaving organized crime groups to thrive unchecked within the penitentiary system.

Ecuador's Vice President Otto Sonnenholzner announced on May 14 that members of the Andean nation's armed forces have been sent to reinforce security outside of the country's prisons while police reinforcements will tackle increased security inside the prisons.

The move comes as two of the country's gangs, known as "Los Choneros" and "Los Cubanos," are waging a battle for control of drug trafficking and other illicit activities on the streets and within a number of the country's regional prisons in Latacunga, Guayas and Turi, El Telégrafo reported.

This gang war appears to stretch back several years with regular flare-ups of violence. Earlier this month, the mother of suspected Cubanos member Darwin Corozo received an audio recording indicating that her son was going to be murdered. A short time later, two of Corozo's rivals in the Choneros stabbed him 31 times and killed him at the regional prison in Latacunga, just south of the capital Quito, according to El Telégrafo.

A career criminal by the name of Jorge Luis Zambrano, alias "Rasquiña," is thought to be the head of the Choneros' operations. He has been in jail since 2011 on a variety of charges ranging from extortion and kidnapping to arms trafficking and murder.

On the other hand, William Poveda, alias "El Cubano," is believed to be the leader of the Cubanos. His brother Walter, alias "El Caimán," murdered a prison director in 2005 before meeting the same fate in 2012 at the hands of his rivals in a prison in Santo Domingo.

The recent military deployment to prisons across Ecuador in an effort to restore order highlights the consequences officials are now facing after failing to address a prison problem — much like other governments in Latin America — that has been on the radar for years.

The Choneros are not a new organized crime group, nor are the group's clashes with rival organizations contesting their criminal control inside and outside prison walls.

For more than a decade, the group has spread terror throughout the small town of Chone in Ecuador's Pacific province of Manabí through violent murders carried out by hired hitmen, extortion, kidnapping and other crimes.

Primarily engaged in drug trafficking and allegedly acting as an armed wing for a Colombian criminal group, according to La Hora, the Choneros play a crucial role in this coastal province, which is increasingly becoming an important departure point for international drug shipments.

But with several of the group's leaders serving time in jail, a number of internal conditions have allowed the Choneros to continue operating and exerting control over their rivals.

To start, Ecuador's prisons are severely understaffed and their prison guards underpaid, a combination that has fostered corruption. Across the country, there are only 1,500 guards for more than 40,000 inmates, or about one guard for every 27 prisoners. What's more, prison guards earn a yearly salary of just \$520, a rate some guards have been paid for 15 years, according to data from Ecuador's national service for prisoners reported by El Telégrafo.

Such conditions lend themselves to official corruption. So far this year, 21 prison guards have been expelled from various penitentiaries across the country for helping inmates smuggle drugs, alcohol and other contraband into prisons.

That said, inmates are not afforded much support either, which could be vital in steering them away from engaging in criminal activity. Almost half of the country's inmates are housed in prisons that are overcrowded. In addition, Ecuador's prison system lacks effective professional training programs or education classes to help rehabilitate inmates, according to official data reported by El Telégrafo.

Such issues are not exclusive to the South American nation. Prison systems in Brazil, Colombia and Mexico, among others,

have suffered with similar problems. In some cases, prisons in Latin America are under the de facto rule of criminal groups, such as in Venezuela. This phenomenon has caused the region's prisons to become breeding grounds for organized crime groups, rather than rehabilitation centers that aim to reintegrate inmates back into society.

But Ecuador's prison issues have not yet reached the dire state of others in the region. Authorities still have a chance to reverse this trend. This is especially true if they look towards systems put in place in countries like Belize, where inmates have access to addiction treatment services, schooling and a variety of vocational courses to put them in a better position to positively impact society upon their release.

US invests an extra \$160 million in Colombia's peace process (Colombia Reports) By Jake Kincaid
May 14, 2019

The United States government announced on Monday it will invest another \$160 million in Colombia's ongoing peace process.

The announcement came during an event with the US Agency for International Development (USAID), where Director for International Development Administrator Mark Green told reporters in Bogota that the funds are meant for the "implementation of peace" and to formalize land ownership of small farmers.

The funds were announced alongside a binational agreement in which the US agreed to invest \$754 million in development projects and just days after Ambassador Kevin Whitaker allegedly threatened cuts in aid funds.

President Ivan Duque said the funds for the peace process would primarily be put towards labor projects for former FARC fighters, many of whom still depend on government food supplies since they laid down their weapons three years ago.

Duque and US government officials also signed a joint statement to finalize the Mass Land Formalization and Cadastre pilot in Ovejas, Sucre.

Through this program, 2,900 landless farmers will receive land titles in a municipality where six out of 10 properties do not have title deeds to the land. The pilot is designed to rapidly clarify property rights, one of the principal causes of conflict while strengthening infrastructure and state presence in rural communities.

The new deals come at a time of high tensions between the two countries, after Whitaker's threats to cut off aid and Constitutional Court judges saw their visas revoked amid a dispute over the extradition of war criminals.

To further complicate the bilateral relations, US President Donald Trump criticized his Colombian counterpart, claiming Duque "has done nothing" to curb an unprecedented rise in the cultivation of coca, the base ingredient for cocaine.

According to Colombia's foreign minister, coca cultivation reached a record high in 2018 when 206,000 hectares of farmland were used to grow the illicit crop.

Colombia sentences two ex-paramilitary fighters for 2000 attack on Jineth Bedoya (Committee to Protect Journalists) May 8, 2019

The Committee to Protect Journalists welcomes the sentencing on May 6 of former paramilitary fighters Alejandro Cárdenas Orozco and Jesús Emiro Pereira Rivera for the kidnapping, rape, and torture of Colombian journalist Jineth Bedoya Lima in 2000.

A court in Bogotá, in a ruling made public May 7, sentenced Pereira to 40 years and six months in prison for the attack, according to the Bogotá-based Foundation for Press Freedom (FLIP) and news reports. The court also sentenced Cárdenas to 30 years in prison for assault, according to the same sources; he had already been sentenced to 11 years in prison in 2016 on charges of kidnapping and torture in the same case, as documented by CPJ. In the decision, the court found that other third parties could be held responsible, including a former high-ranking police official, and it forwarded copies of the case to the prosecutor's office for further investigation, according to the same sources.

"The conviction and sentencing of two men involved in the violent attack against journalist Jineth Bedoya is another important victory in her courageous 19-year fight against impunity," said CPJ South and Central America Program Coordinator Natalie Southwick in New York. "However, it is still not the last step. Colombian authorities must continue to investigate this horrific crime and ensure that all of those responsible face justice."

Bedoya was reporting on paramilitary death squads for the daily El Espectador when she was kidnapped outside La Modelo prison in Bogotá on May 25, 2000, according to CPJ reporting. The assailants drove her to the nearby city of Villavicencio,

where she was beaten and raped, according to the attorney general's office. Bedoya wrote about the attack in "The Sadness of May the 25," an article in the 2016 edition of CPJ's Attacks on the Press.

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Venezuela

Amnesty urges ICC to probe 'crimes against humanity' in Venezuela (Rappler)

May 15, 2019

Amnesty International said on Tuesday, May 14, it believes the Venezuelan authorities have committed crimes against humanity in their crackdown on anti-government protests, and urged the International Criminal Court to investigate.

The rights group said President Nicolas Maduro's government responded with "a systematic and widespread policy of repression" in late January, when anti-government protests swept the country after opposition leader Juan Guaido declared himself acting president.

Maduro opponents were tortured and killed during the protests, it said.

"The nature of the attacks... the level of coordination by the security forces, as well as the signs of similar patterns in 2014 and 2017, leads Amnesty International to believe that the Venezuelan authorities committed crimes against humanity," Amnesty said in a statement.

Maduro, the political heir to late leftist firebrand Hugo Chavez, has presided over a spiralling political and economic crisis in Venezuela since taking office in 2013.

He was re-elected to a second term in May 2018, in a vote boycotted by the opposition and rejected by much of the international community.

Guaido, the leader of Venezuela's opposition-controlled legislature, declared himself acting president on January 23. He has since been recognized by more than 50 countries, led by the United States.

Amnesty sent a fact-finding mission to the country in February to research the ensuing crackdown.

The London-based rights group said at least 47 people were killed during the protests from January 21 to 25. At least 33 were shot dead by the security forces, and six by government supporters.

Eleven of the deaths were extrajudicial executions, it said.

"State forces identified people who had been prominent in the protests in their communities, located them and shortly afterwards killed them.... Some of them were tortured before they were killed," it said in its report.

More than 900 people, including children, were arbitrarily detained over the same period, it said, calling on the UN Human Rights Council and International Criminal Court to investigate.

Its team found that crimes and human rights violations were committed in "an attack planned and led by the security forces against individuals identified as or perceived to be opponents, particularly in impoverished areas."

Maduro himself "knew about these public and appalling acts and took no measures to either prevent or investigate them," it said.

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Truth and Reconciliation Commission

Parties in negotiations to get ‘their’ people in transitional justice bodies (Kathmandu Post)

May 9, 2019

The two transitional justice mechanisms’ failure to achieve anything substantial in the last four years has largely been attributed to politics and political bickering. Conflict victims have long said that since officials in the two bodies were selected under political quota, there was a lack of independence.

Now, the government has formed a committee to appoint new officials in the two transitional justice bodies after bidding adieu to old office-bearers on April 13.

But multiple sources the Post spoke with say the delay in appointment has been caused by ongoing negotiations among political parties, or senior leaders KP Oli, Pushpa Kamal Dahal and Sher Bahadur Deuba for that matter.

This comes amid demands from conflict victims and human rights defenders that the stakeholders refrain from repeating past mistakes and ensure the new leaderships of the two transitional justice bodies are selected purely on merit basis.

Sources said the parties are yet again trying to induct their confidantes in the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons.

“The delay in recommending officials for the transitional justice bodies is aimed at allowing time for political parties for negotiations,” a source familiar with the ongoing development told the Post on condition of anonymity, citing the sensitivity of the matter.

The top leaders of the ruling Nepal Communist Party and the opposition Nepali Congress are said to be in talks to share chairmen and members in the two commissions between the two parties.

They have already held at least two meetings attended by Nepal Communist Party Co-chair and Prime Minister KP Sharma Oli, party’s another Co-chair Pushpa Kamal Dahal and Congress President Sher Bahadur Deuba.

The Nepal Communist Party wants its sympathisers to lead both the commissions, though it is flexible about accommodating a maximum number of members to the Nepali Congress.

The main opposition, however, is adamant that it should have a person of its choice to lead one of the commissions.

“This is the main bone of contention,” said the source.

When the two commissions were formed in 2015, the Nepali Congress was leading the government. The party had picked the chairpersons and one member each for the two commissions from among its supporters. The CPN-UML and Maoist party, as well as Madhes-based parties, were allotted a member each in the two commissions.

To appoint the new set of office-bearers in the two transitional justice bodies, leaders close to then Maoist party are said to be flexible about addressing the demand of the main opposition, but those from then UML are refusing to budge. Ramesh Lekhak and Minendra Rijal from the Nepali Congress and Subash Nembang and Barsha Man Pun from the Nepal Communist Party backed by their top leaders are in negotiations.

Today, the political equation has changed—UML and Maoist party have become one as the Nepal Communist Party, and the Congress is the main opposition.

Sources said though technically there are two parties—Nepal Communist Party and Nepali Congress—in essence, there are still three parties when it comes to transitional justice—the former UML, former Maoist party, and the Nepali Congress.

“We haven’t reached any conclusion yet,” Rijal told the Post stopping short of going into details. “Our consultation is going

on.”

Political negotiations among these parties now have stoked concerns among conflict victims who have been waiting for justice for more than a decade.

Conflict victims and rights defenders have of late raised their voices against political interference in the transitional justice process and demanded that officials in the transitional justice commissions be selected on the basis of merit and competence.

They have also demanded that the government amend the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act-2014 before appointing officials in the two commissions.

“The parties have turned a deaf ear to our concerns,” Bhagiram Chaudhari, chairperson of Conflict Victims Common Platform, a grouping of conflict victims, told the Post. “Their present act shows they don’t care about justice to the victims; they just want to linger the process.”

The government-instituted recommendation committee, led by former chief justice Om Prakash Mishra, is currently working to select new officials from among the applicants, but its recommendations will also include the names suggested by the top political leaderships.

As many as 57 people have applied, according to the committee, but it also has the authority to recommend names other than from among the applicants.

Though the committee was given the leeway to recommend names other than from among the applicants to ensure selection of experts, in case they don’t apply for their own reasons, political parties are using it to appoint individuals of their choice in the two commissions.

Records at the recommendation committee show Kamal Narayan Das, a former justice of the Supreme Court, and Ali Akbar Mikrani and Kalauddhin Akhtar Ansari, former chief judges of the then Appellate Court, are among the applicants for chairmanship of the truth commission. Former government secretary Madhu Regmi has also applied for the same post. Tara Bahadur Neupane, a lecturer at Nepal Law Campus, and advocate Durga Bahadur Ghale have applied for member and chairman of both the commissions.

Of late, pressure from conflict victims, rights defenders and the international community has been mounting on the government to ensure transparency and proper consultation before selecting officials for the two transitional commissions.

Last month, five special rapporteurs under the United Nations High Commissioner for Human Rights wrote to Foreign Minister Pradeep Gyawali, saying the selection procedure [of officials for the transitional justice process] lacked impartiality, independence and transparency.

They had also called on the Nepal government to amend the Transitional Justice Act in line with the Supreme Court ruling and international obligations.

Though Gyawali, during his speech in Geneva at the UN Human Rights Commission in March, had assured the international community that there won’t be any blanket amnesty in cases of serious human rights violations and that Nepal would amend the Act in line with the court ruling, the government has shown no signs of amending the Act as of now.

In 2015, the Supreme Court had struck down the amnesty provision and said the consent of the victims was necessary for any reconciliation, besides clarifying that cases that are sub-judice at various courts cannot be transferred to the commissions.

Earlier in January, nine foreign missions based in Kathmandu, at the initiative of the UN, had called on the Nepal government to clarify its plans to take the transitional justice process forward in 2019 and ensure broader consultation with the stakeholders.

Experts and observers have long said Nepal’s transitional justice process has failed to progress largely due to the lack of political will and bickering among the leaders.

Around 63,000 complaints have been filed at the two commissions since they were set up four years ago. But the commissions failed to make any significant progress in the investigation into the cases.

As political negotiations continue among the top leaders over the selection of officials in the transitional justice bodies and the government continues to show reluctance to amend the Act, conflict victims are becoming increasingly wary of not getting justice.

Representatives of the victims’ groups say the parties have not learnt from past mistakes.

They say the attempt to induct party faithfuls into the two commissions shows political parties don't want a fair investigation.

"The recent development shows parties are the least bit concerned about our demands," said Gopal Shah, vice-chair of Conflict Victims National Network. "It is disappointing that they are putting so much effort to install their faithfuls in the commissions and doing nothing to amend the Act, which is a priority."

Liberia: Justice Campaigner Dismisses TRC Claim by Family of Agnes Reeves Taylor (Front Page Africa) By Mae Azango
May 13, 2019

Hassan Bility of Global Justice Research Program (GJRP) has dismissed claim by the family of Agnes Reeves Taylor that she could not have committed the crimes she's accused of, because her name is not in the Truth and Reconciliation Commission's (TRC) report.

GJRP collaborates with the Switzerland-based Civitas Maxima in the prosecution of Liberians in Europe and America, including ex-ULIMO generals Kunti Kamara in France and Alieu Kosiah in Switzerland, and Reeves Taylor in London.

Addressing a recent press conference at the launch of a booklet containing questions and answers on the establishment of a war crimes court for Liberia Secretariat for the Establishment of War Crimes Court in Liberia, (SEWACCOL)—of which Bility is a member—Bility said the TRC recommendations should not be used as a yardstick to determine who gets prosecuted or not. He was responding to accusation by the family of Reeves Taylor that he had something personal against the ex-wife of former President Charles Taylor.

"People have to understand that the United Kingdom has one of the best judicial systems in the world; so I do not believe the United Kingdom will arrest an individual without evidence as is being reported in Liberia. Nobody should believe that, because the United Kingdom's jurisprudence is much older than the United States of America [and many other countries in the world]," said Bility, who urged Reeves Taylor's family to raise their argument in the court, not in the media.

Bility added the TRC report did not include the names of all those who allegedly committed crimes during the Liberian Civil War (1989-2003) or all of the human rights abuses that occurred during the war. He cited an example with Kunti Kamara, the ex-ULIMO general who has been charged with war crimes and crimes against humanity in France in September last year.

"The TRC recommendation does not say that only [the people it listed] should be prosecuted," he said. "It leaves room for prosecution of other people who could be investigated in the future. Furthermore, the TRC is a lead to tell us what to go into. "The TRC could not have captured everyone," he said, cautioning Liberians not to think that all wartime crimes will be prosecuted when the court is set up.

Bility then called on the public to stop blaming him for the prosecution of Liberians in foreign countries. "Why should someone believe that I have such power to sit in Liberia and order the United Kingdom and the US to arrest someone and put them in prison?" He asked rhetorically, referencing other prosecutions GJRP has been involved in in Philadelphia, USA, including Mohammed Jabbateh's and Thomas Woewiyu's. "The law is the law; no one is going to blame me for doing my job," he added.

In June 2017, Reeves-Taylor, 53, was arrested and charged by Britain's Metropolitan Police with conspiracy to torture and infliction of severe pain or suffering in the performance of official duties. She allegedly committed the crimes between 1989 and 1991 in Gbarnga, Bong and Gborplay, Nimba.

Her trial was due to start on February 25, but was for a second time rescheduled to June after it was initially rescheduled from January. Experts say that her trial could start in September. She has been denied bail and is currently in detention in London.

Reeves Taylor's lawyer is Courtney Griffiths, the man who defended her former husband in his trial at the Special Court for Sierra Leone in The Hague. Taylor is serving a 50-year sentence for his role in the war in Sierra Leone. She married Taylor in 1984.

On the booklet whose launch Bility spoke, SEWACCOL in a statement read by Adama Dempster said that the 10-page booklet on war crimes in Liberia "is a response to knowledge gaps [showed] by citizens, including journalists, officials of government, members of the Legislature ... and alleged perpetrator ... about accountability issues for past crimes in Liberia." Dempster said plans were underway to produce a simpler version of the booklet to circulate in communities across the country so that people can make informed decisions and debate on the court.

Liberia: Video Appeal for War Crimes Court (Human Rights Watch)

May 14, 2019

Liberian citizens called on President George Weah in a video released today by an array of local and international groups to support a war crimes court to bring justice for atrocities committed during Liberia's civil wars. On May 15, 2019, Liberia's Independent National Human Rights Commission will hold a conference to assess progress on the recommendations made by Liberia's Truth and Reconciliation Commission.

The Truth and Reconciliation Commission, which operated between 2006 and 2009, recommended creating a war crimes court – the Extraordinary Criminal Court for Liberia – to try those responsible for grave crimes committed during Liberia's armed conflicts from 1986-96 and 1999-2003. That recommendation has never been carried out, and no one implicated in abuses has been prosecuted in Liberian courts.

“This video is an emotional appeal from Liberians for President Weah to back a war crimes court,” said Adama Dempster, on behalf of the Secretariat for the Establishment of a War Crimes Court in Liberia. “We hope that President Weah watches the video and acts in the interests of justice for the citizens of Liberia who are crying out for justice to be served.”

During the civil wars, Liberians suffered widespread violations of international human rights and humanitarian law such as mass killings, rape, and other forms of sexual violence, summary executions, mutilation and torture, and use of child combatants. Liberia is obligated under international law to ensure that serious abuses are investigated and that those responsible are appropriately brought to justice.

The video includes 10 people of varied backgrounds who took part in a national conference on accountability in Monrovia in November. They explain why a special court is needed and ask for Weah's support:

“We beg you that the war crimes court come to Liberia.” “Without justice and accountability in this country we could see Liberia going back to its dark days.” “You are now sitting in the right position to address the issue of accountability in our country.” “President Weah, we are calling on you to take justice as a priority.”

The groups also prepared a question-and-answer document on accountability for past crimes in Liberia.

Momentum for a war crimes court continues to grow. Liberians held marches, most recently in November 2018, to campaign for a war crimes court, and petitioned the legislature to carry out the Truth and Reconciliation Commission's recommendations.

Liberian, African, and international nongovernmental organizations have come together to campaign for justice in Liberia and presented a submission to the UN Human Rights Committee in July on the need for trials of past crimes in Liberia. The Liberian Bar Association added its support for a war crimes court in April.

The UN Human Rights Committee in July 2018 called for the Liberian government to report back within two years on its progress to ensure that those accused of human rights violations and war crimes are prosecuted.

The video was released by Liberian and international nongovernmental organizations, including Advocates for Human Rights, Center for Justice and Accountability, Centre for Civil and Political Rights, Coalition for Justice in Liberia, CSO Human Rights Advocacy Platform of Liberia, Flomo Theatre, Global Justice and Research Project, Human Rights Watch, Liberia Massacre Survivor Association, Rights and Rice Foundation, Search for Common Ground –Liberia, Secretariat for the Establishment of a War Crimes Court in Liberia, and the Transitional Justice Working Group.

“President Weah has an opportunity to stand with victims and their families by establishing a war crimes court in Liberia,” said Elise Keppler, associate international justice director at Human Rights Watch. “He should support establishing a court and seek to work with the United Nations and other international partners to set up a court that can hold fair, credible trials.”

Liberia: President Skips Truth & Reconciliation Commission Event in Gbarnga (Front Page Africa) By James Harding Giahvue
May 17, 2019

President George Weah on Thursday failed to attend the opening of a conference on the implementation of the Truth and Reconciliation Commission (TRC) here, the second he has not turned out at an event held by the Independent Human Rights Commission.

The program sheet reflected that he was supposed to deliver a special statement and perform the opening ceremony of the

colloquium at 12 mid-day but was deputized by Olayee S. Collins, Deputy Minister for Research and Development Planning at the Ministry of Internal Affairs.

There was no reason given for the President's no-show. The first time he did not attend an IHRC event was a dedicatory ceremony for the Maher Memorial in Bomi County on Decoration Day, observed on March 14 this year.

The President's comments were hugely anticipated by organizers of the three-day National Colloquium on the Implementation of the Truth and Reconciliation Commission as civil society activists prepare for a mid-term report on Liberia at the United Nations Human Rights Committee, which has set July next year for Liberia to address gross human rights violations committed during the country's civil war (1989-2003).

President Weah has not shown political will to set up the court. He has formed an alliance with the National Patriotic Party of former President Charles Taylor and enjoys a power bloc with Senator Prince Johnson, one of the "most notorious perpetrators" of the war, according to the TRC, and has appointed other warlords such as Chris Farley, Superintendent of Grand Gedeh County.

In November following his return from France, President Weah called on Liberia to choose between peace and reconciliation, and war crimes court.

Adama Dempster of the National Civil Society Human Rights Advocacy Platform that is collaborating with the IHRC to hold the conference said it was "disappointing" that President Weah did not show up.

"We have not had any formal excuse, we have not had any formal communication giving ground for why the President is not attending this national colloquium," he said in an interview with FrontPage Africa. "This national colloquium is tied to the governance of this country. This national colloquium has a great way to get Liberia sustaining the peace," he said. "This national colloquium is a great platform where most Liberians who are victims of the civil war can get redress."

Abdul Tejan-Cole, a former prosecutor of the Special Criminal Court for Sierra Leone has told the FrontPage Africa in an interview on the margins of the gathering that Liberian war crimes court would have to make sure not to make the mistakes of the Special Court for Sierra Leone if it is established.

Tejan-Cole said the decision to set up a court or not lies squarely in the hands of Liberia, but said it just needed to look across the border for tips to set up the court.

"I think there are lots of lessons Liberia can learn from Sierra Leone process of transitional justice," he said. "I think you can learn from the way our special court was set up, the way it was structured, the way it was composed," added. He said Liberia would need to make sure has more Liberian nationals working with the tribunal in senior positions than the number of Sierra Leoneans who worked with the Special Court for Sierra Leone. He added that the country would also have to guide against too many Liberians working with the court, referencing the Extraordinary Chambers in the Courts of Cambodia that came in for criticism of for siding with former Khmer Rouge operatives who had switched alliances. The TRC recommends the Liberian have judges appointed by the President of Liberia, the European Union, the African Union and the United Nations.

The Liberian Civil War (1989 – 2003) was one of the 20th Century's bloodiest armed conflicts, with estimated 250,000 people killed. The TRC in 2009 called for an extraordinary criminal tribunal to try more than 100 alleged perpetrators of the war. However, almost a decade after the TRC report, not a single individual has been tried and only a handful of its more than 200 recommendations implemented so far.

The colloquium is a three-day event organizers say will look into ways how the TRC recommendations can be implemented by creating awareness, looking at challenges, brainstorming alternative models, and getting the government of Liberia to comply to national and international laws that support the recommendations, including the court.

Tejan Cole warned Liberia against setting up a very costly court such as the one in Sierra Leone, which cost the Special Court US\$300 million to prosecute nine people after it had initially budgeted for US\$75,000. "I think there are ways you can save resources, way you can save money that when the court is set up you can be more efficient," he told FrontPage Africa.

Those against the court have argued it would cost Liberia too much money it could spend on development processes, but Tejan-Cole dismissed the argument. "I think the price of justice can never be evaluated. I think it is important to punish those who committed atrocities. I think it is important to let people see that for their actions there is a price to be paid. I don't think you should just look at the financial cost alone. There are a lot of other costs that you need to look at," he said. "What kind of message are you sending to the victims? What kind of message are you sending to those who rights were abused, whose rights were violated?" He asked rhetorically.

He said arguments that retributive forms of justice such as the prosecution of alleged persecutors were untrue. "I don't think

courts are retributive... in the true sense of the word,” he said. “Courts can help with reconciliation. Courts can help with healing. Courts can help with bringing society together. Those who have committed atrocities must realize that there is a price that they have to pay for the atrocities that they’ve committed. “It is not about retribution. It is about accountability.”

But the occasion survived a no-show, however, with speeches from the United Nations, the Swedish Embassy and the African Union.

Prosper N.N. Addo, the Representative of the African Union said impunity undermines reconciliation as disrespect of the rule of law, calling on civil society to constructively engage the government of Liberia.

Elizabeth Harleman, the Swedish ambassador, called for Liberia to put into place measures against any repercussion of the establishing a war crimes court.

Yacoub El Hillo, UN Resident Coordinator, said that the UN believes implementation of the TRC recommendations would lead to lasting peace in Liberia. “Grievances of the past must be addressed,” he said

And Representative Dorwohn Twain Gleekia of Nimba County District #6 said, “The TRC recommendations must be implemented in its totality”. He said that if the recommendations had been heeded it would have been easy to make people to account for US\$25 million infused into the economy by the government, which an inquest earlier this year found was not accounted for.

Gbarnga is a familiar place for discussion on reconciliation. Bong County suffered the most casualties of the civil war, according to the TRC report. Gbarnga was the headquarters of the National Patriotic Front of Liberia (NPFL) in the 1990s. It was in the same Administrative Building here that then President Ellen Johnson Sirleaf reacted to the TRC report in 2009 during the 162nd Independence Day anniversary.

Liberia: Slain Ex-Minister’s Son Calls for Prince Johnson’s Prosecution as He Avenges His Father’s Death (Front Page Africa) By Bettie Johnson-Mbayo
May 21, 2019

Joseph S. Kannah Jr. was just five years old when his father was allegedly gunned down by Prince Johnson’s forces. More than 28 years on, Kannah, whose father Joseph S. Kannah Sr. was the Assistant Minister of State for Logistics, is yet to locate his father’s remains for burial.

“My father’s death is a tragedy and a nightmare for me and my family. We are still hurt because there is no justice and perpetrators are paid for the evil they unleashed on humanity,” said Kannah Jr.

Kannah Jr. is clear about who is to blame for his father’s death: Prince Johnson. Now Senator for Nimba County, in 1990 Johnson was the head of his own militia known as the Independent National Front for Liberia (INPFL). Johnson had broken from Charles Taylor’s National Patriotic Front for Liberia after a dispute. Both groups were fighting to overthrow Doe’s government.

While Kannah Jr. and the rest of his family had fled to neighboring Ivory Coast as Liberia’s civil war worsened, his father remained in Monrovia and continued to serve in Doe’s government.

Kannah is speaking up now as the push for a war crimes court in Liberia gains momentum. The international community and local activists are putting immense pressure on the legislature and the president to approve a court finally for Liberia, 16 years after the guns fell silent. Kannah is one of thousands of Liberians who have come forward to demand justice for the death of family members. Prince Johnson heads the Truth and Reconciliation Committee Report’s “Most Notorious Perpetrators List”, and is by far the combatant most named by victims interviewed by New Narratives reporters.

Kannah’s father was a member of Doe’s entourage killed

Joseph S. Kannah Sr. was at the Freeport of Monrovia along with the late president Samuel Doe in September 1990, according to Kannah Jr.’s late uncle Robert Kannah and his mother Lucy Kannah. His family believes Kannah Sr. was there to join an ECOMOG boat that would carry them out of the country and to safety as anti-Doe forces closed in. (ECOMOG was the Economic Community of West African States Monitoring Group sent by the regional body to help restore peace during the Liberian civil war).

“Doe was captured at the temporary headquarters of the ECOMOG at the Free Port of Monrovia and killed along with some 70 members of his guard battalion on September 9, 1990 by Prince Johnson. A gun battle lasted for 90 minutes and Doe was seen tortured-to death- in a video documentary recorded by his assailant, Prince Y Johnson,” according to the Truth and

Reconciliation's final report In fact, a widely shared video shows Johnson's men torturing Doe under Johnson's order but does not show Doe's death.

Other accounts, cited in Stephen Ellis' book on the first Liberian civil war, *The Mask of Anarchy*, assert that ministers and government personnel and staff were also present in a 20-car motorcade that followed Doe across the Gabriel Tucker Bridge to ECOMOG's headquarters at the Liberia Industrial Free Zone Authority, Doe's entourage was made to disarm by the ECOMOG forces and ambushed by Johnson's men.

Robert Kannah, Kanneh Jr.'s late uncle, witnessed and survived the attack, and claimed Kannah Sr. was killed under Johnson's orders.

Johnson's appearance before the TRC

Prior to Johnson's appearance before the TRC in 2009, the former rebel leader accused the commission of "witch-hunting" and warned that it was "treading a dangerous path that will lead to chaos." He claimed there would be "massive resistance across the country."

Johnson's testimony was the most anticipated. Crowds gathered on the balcony at the Centennial Pavilion to hear him testify. During the hearings he admitted to killing Doe and claimed to have buried him and justified his acts as "legitimate acts of war."

Calls for a war crimes prosecutions mount

Kanneh Jr. joined other advocates and victims demonstrating outside the Legislature last November, and said he would join demonstrations scheduled for next month. He carried a poster with writing asking Senator Johnson where their father's body was buried.

"My siblings and I support the bringing of war crimes court because killers are celebrating their evil without fear," said Kannah during an interview at the protest.

"Youths are emulating the acts of evil people like Charles Taylor, Prince Johnson, Ellen Johnson Sirleaf, and others, and there is no court that has jurisdiction to adjudicate war crimes and crimes against humanity," said Kannah.

Johnson was recommended for prosecution by the TRC in two categories: first as head of a warring faction and then as one of more than a 100 "most notorious perpetrators" of the war.

In March of this year, the Liberia National Bar Association and the Transitional Justice Working Group, which is made up of a coalition of 20 civil society organizations, endorsed the establishment of war and economic crimes court in the country.

Kanneh Jr. in September last year petitioned the Legislature to query Senator Johnson for his father's remains

The senator has repeatedly claimed his actions were legitimate acts of war and has threatened to take up arms should a war crimes court attempt to prosecute him. He has also said the citizens of Nimba County would take up arms to defend him.

When contacted Senator Prince Johnson said his mother was also killed during the war and he is keeping silent because he wants Liberia to be peaceful.

Senator Johnson said Kanneh Jr. should have appealed before the Truth and Reconciliation Commission to testify what he Johnson did to his father.

Senator Prince Johnson said he cannot speak more on the issues because people are being paid to tell lies about him now that there is a call for war crime court to be established. a Born Again Christian pastor who now runs a school and church called Chapel of Faith Ministries in Paynesville, spoke at a recent Sunday's service at his church. He said he entered into politics "to kill corruption, nepotism, and favoritism and deal with vices based on my principles".

Channeling sorrow into charity

In between his activism for a war crimes court, Kanneh Jr. runs a non-profit organization he established in 2014 in honor of his late mother, Lucy Kannah, who he said suffered from "inhumane treatment" during the war and in exile. She was 30 years old, when her husband was allegedly killed.

Kanneh Jr. said the organization serves war-affected women who face humiliation, sexual gender based-violence and helps young women with schooling and vocational education.

He said his mother struggled to raise them in exile in the absence of her husband and he and his siblings found it difficult to complete secondary school.

Kannah Jr.'s mother grieved for her husband until she died, Kannah said. She also refused to support Kannah Jr. when he ran for the legislature in 2017 in District eight, Montserrado County, reminding him of how his father died.

"She was worried and it was mental tension that probably killed her," Kannah Jr. said.

"She saw Prince Johnson as a nightmare, and if I sit and don't avenge for my dad, she will get mad," he added.

Yet other families, who were alleged victims of Johnson's forces, remain fearful about speaking out and taking action. Former government minister, Senator Fred J. Blay was reportedly executed by the INPFL on August 1990. His family did not testify at the TRC.

Blay was executed by INPFL forces along with Congressman William T. Jabbah due to their Krahn ethnicity, according to the TRC's final report.

The family both in Liberia and the United States said they were traumatized by the incident and refused FPA's request for an interview due to safety concerns.

"I have given your request a serious thought and decided that it is unsafe for my family to give an interview, at this time," one of the family members responded and asked not to be named.

But war crimes court advocates are showing no sign of relenting, with demonstrations scheduled for next month.

Fubbi Henries the head of Citizens United for war and Economic Crimes Courts in Liberia claimed that prosecutions are the only war forward.

"Retributive justice is what we need to end the culture of impunity. If we don't set precedence, we will see a deadly war in future than we had in the past," he said.

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Terrorism

France Should Stop Fueling Saudi War Crimes in Yemen (Human Rights Watch)

May 17, 2019

The departure from French waters of a Saudi cargo ship without picking up French arms is a small victory for public efforts to stop possible French complicity in Saudi war crimes in Yemen. But the French government has only double down in insisting that it will continue to sell arms to Saudi Arabia. None of the rationalizations offered by the French government justifies this prioritization of arms profits over human rights principles.

The Saudi-led coalition's bombing and blockading of Yemeni civilians since March 2015 is a central cause of the world's worst humanitarian crisis. With the best weapons that money can buy, Saudi-led aircraft have repeatedly hit Yemeni markets, hospitals, schools, funerals, even a school bus filled with children. Often after these deadly attacks on civilians the coalition promises a self-investigation, which if any result is announced, is almost invariably exculpatory. No one is known to have been prosecuted for unlawful airstrikes. Promises of improvement are refuted by more killing of civilians.

To make matters worse, the Saudi-led coalition has blockaded western Yemen, decimating the economy and leaving millions on the brink of famine. The ostensible aim of cutting off arms to the Houthi rebels opposed to the Saudi-backed Yemeni government has caused disproportionate harm to civilians who are facing mass starvation. A United Nations-brokered ceasefire in the main western Yemeni port of Hodeidah raises the prospect of relief, but implementation is only beginning. Too few of the urgently needed humanitarian aid and commercial imports, including food and fuel, have been getting through.

There is growing international outrage about the sale of arms to Saudi Arabia under these circumstances. Germany, Denmark, Finland, and Norway have announced an end to such sales. US President Donald Trump has made clear that he prioritizes the

jobs created by Saudi arms sales over the Yemeni civilians killed by them, but few have openly endorsed this inhumane logic.

So where does France stand? In a recent interview, Foreign Minister Jean-Yves Le Drian offered several justifications for continuing the arms sales. Other officials have advanced additional rationales. None holds water.

First, the French government claims that Houthi forces, backed in part by Iran, started the war, and the Saudi-led coalition is simply defending the Yemeni government. A variation of the theme is that France needs to help the coalition fight terrorism. But the arguments for fighting the war are entirely distinct from the way in which the war is fought. If the Saudi-led coalition were conducting lawful strikes against military targets and seriously investigating and prosecuting any alleged violations, those selling them arms would not need to worry about complicity in war crimes. But it has long been clear that isn't the case.

Second, the French government says that the arms being sold to Saudi Arabia are pursuant to old contracts, implying that they were entered into before the current conflict in Yemen began. In fact, Disclose revealed that the most recent contract was signed in December 2018, well after the coalition's misuse of weapons was evident. In any event, contracts can be broken, particularly if keeping them means violating France's obligations under the Arms Trade Treaty, which is meant to prevent signatories' weapons from being used to commit war crimes or mass human rights abuses. Does the sanctity of a contract really take precedence over the sanctity of civilian life?

Third, the government claims that French arms are being used only "defensively," not for attacks in Yemen, and that "there is no evidence that weapons have been used against civilians." That is factually untrue. Recently leaked documents show that French-made Caesar howitzers have been used to "back up loyalist troops and Saudi armed forces in their progression into Yemeni territory," and that the "population affected by potential artillery fire [is] 436,370 people." In addition, coalition attack aircraft are equipped with a laser-targeting system called Damocles, made by Thales. French ships have been sold to the Saudi and the Emirati navies and used to enforce the crippling blockade.

More to the point, it shouldn't matter whether French arms are used offensively or defensively. The Saudi military is responsible for large-scale loss of civilian life in Yemen in violation of international humanitarian law. Any weapons sales bolsters that military, contributing to the abuses. France and any other nation respectful of human rights should have nothing to do with such sales.

Fourth, although the French government is less blatant than Trump, some say that French jobs weigh in the balance. The French arms industry also gains big from sales to Saudi Arabia. But these arms sales beg urgent questions. How many Yemeni civilians must die in unlawful airstrikes before the French jobs they create cannot be justified? How many Yemeni civilians must starve from a cruel blockade before the French military establishment stops trying to benefit from it?

These issues facing France are all the more pressing given the need to reinforce international norms when they are under attack, as Le Drian and President Emmanuel Macron have, in other contexts, eloquently stated. But the threat does not come from only the far right. International norms are being flouted as well when governments underwrite the unlawful bombing and blockading of Yemeni civilians.

No one pretends these issues are easy. Yes, many arms today are produced with parts from multiple countries, but if France is to contribute components, it should insist on full compliance with international law rather than the lowest common denominator before arms are sold. Yes, if European arms suppliers end their complicity in Saudi war crimes, Russian suppliers or others may step into the breach, but their disregard for the rule of law is no excuse for France to debase itself. The only decent thing for the French government to do is to end all arms sales to Saudi Arabia now—until the killing of Yemeni civilians stops and the coalition credibly investigates the serious violations committed.

Dutch police arrest Syrian suspected of war crimes, terror (The Washington Post)

May 21, 2019

Dutch prosecutors say police have arrested a Syrian on suspicion of war crimes and terrorism in his home country where he allegedly was a commander in the former al-Qaida affiliate the Nusra Front.

Prosecutors say in a statement that the suspect, a 47-year-old man living in the Netherlands since 2014 on a temporary asylum visa, was arrested Tuesday in the southern town of Kapelle following a tip from German police.

Law enforcement officers seized a computer, smartphone and documents during a search of the suspect's house.

Dutch prosecutors say that German police simultaneously searched six homes of suspected members of the Nusra battalion led by the man arrested in the Netherlands.

The suspect is due to be brought before an investigating judge in The Hague on Friday.

Military Brass Warn Trump Against Memorial Day Pardons for War Criminals (New York Magazine) By Ed Kilgore
May 22, 2019

Last week, the New York Times reported that the president was thinking seriously about pardoning military officers and one contractor who had been convicted of, or were facing charges for, committing war crimes, in time for announcement on Memorial Day. It seemed a grossly inappropriate way to celebrate a national holiday devoted to those who died for our country, not those who lived but slaughtered innocents. But then again, Trump does seem to conflate patriotism with jingoism, parades, and intimidating foreigners with threats of lethal violence.

It's unclear what will happen on Memorial Day, but the Los Angeles Times is now reporting that a backlash has developed among current and former military leaders who consider the idea, well, kind of dishonorable:

Current and former military officers urged the White House not to pardon service members and security contractors implicated in war crimes, warning that forgiving their offenses would send a dangerous signal to U.S. troops and potential adversaries ...

Other officers warned that if U.S. personnel accused of such crimes escaped punishment, civilians on foreign battlefields would be less inclined to cooperate with U.S. forces, and U.S. service members taken prisoners would be more likely to be mistreated or even killed when taken captive.

One former chairman of the Joint Chiefs of Staff went very public on Twitter:

GEN(R) Marty Dempsey @Martin_Dempsey Absent evidence of innocence or injustice the wholesale pardon of US servicemembers accused of war crimes signals our troops and allies that we don't take the Law of Armed Conflict seriously. Bad message. Bad precedent. Abdication of moral responsibility. Risk to us. #Leadership

And a former Marine Corps commandant, Charles Krulak, was equally blunt in remarks to the L.A. Times:

If President Trump issues indiscriminate pardons of individuals accused — or convicted by their fellow service members — of war crimes, he relinquishes the United States' moral high ground and undermines the good order and discipline critical to winning on the battlefield.

That should be obvious, but as the Times laconically put it: "Trump has ignored top military officers before."

The president has consistently supported barbarous wartime behavior — from torture of prisoners to attacks on the families of terrorism suspects — that violates international norms (for which he is especially contemptuous) and the U.S. military's own codes of conduct. So it's not especially surprising that he sympathizes with those who believe in killing 'em all and letting God sort them out:

The pardons reportedly under consideration involve a Navy SEAL officer, Edward Gallagher, who is soon to go on trial for allegedly killing multiple unarmed Iraqi civilians, and a Blackwater gunman, Nicholas Slatten, who has already been found guilty of murdering ten women, two men, and two children, also in Iraq.

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Piracy

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Gender-Based Violence

Commentary and Perspectives

UN: Catastrophic failure as civilians ravaged by war violations 70 years after Geneva Conventions (Amnesty International)

May 22, 2019

The UN Security Council must mark the 70th anniversary of the Geneva Conventions this year by ending its catastrophic failure to protect millions of civilians around the world whose lives and livelihoods are routinely ravaged by violations of the laws of war, Amnesty International said today.

Tomorrow (23 May), the Security Council will hold an open debate on the protection of civilians in armed conflict – 20 years after this goal was first added to its agenda.

“Twenty years after the UN Security Council pledged to do its utmost to protect civilians in armed conflict, and 70 years since the Geneva Conventions sought to shield civilians and others from the types of atrocities committed during the Second World War, the picture is incredibly grim,” said Tirana Hassan, Crisis Response Director at Amnesty International.

The great military powers cynically boast about ‘precision’ warfare and ‘surgical’ strikes that distinguish between fighters and civilians. But the reality on the ground is that civilians are routinely targeted where they live, work, study, worship and seek medical care. Parties to armed conflict unlawfully kill, maim and forcibly displace millions of civilians while world leaders shirk their responsibility and turn their backs on war crimes and immense suffering.

“The great military powers cynically boast about ‘precision’ warfare and ‘surgical’ strikes that distinguish between fighters and civilians. But the reality on the ground is that civilians are routinely targeted where they live, work, study, worship and seek medical care. Parties to armed conflict unlawfully kill, maim and forcibly displace millions of civilians while world leaders shirk their responsibility and turn their backs on war crimes and immense suffering.

“Russia, China and the United States continue to abuse their veto power by blocking draft resolutions that aim to prevent or stop atrocities from taking place. Every time this happens, they are putting innocent people living in these danger zones at grave risk.”

In recent years alone, Amnesty International has documented a blatant disregard for civilian protection and international humanitarian law in armed conflicts where four of the five permanent members of the UN Security Council are parties – Russia, the USA, the UK and France. The fifth, China, has actively shielded neighbouring Myanmar as it carried out war crimes, crimes against humanity and possibly genocide.

The disastrous failure to protect civilians has been evident in the US-led Coalition’s blitzing of Raqqa, Syria, that left more than 1,600 civilians dead; in Russian and Syrian forces’ wanton destruction of civilian infrastructure and lives in Aleppo, Idlib and elsewhere – forcing mass displacement of millions and amounting to war crimes and crimes against humanity; and in the war in Yemen where the Saudi Arabia/UAE-led coalition, backed by Western arms, has killed and injured thousands of civilians in unlawful attacks and fuelled one of the world’s worst humanitarian crisis.

Somalia remains another of the world’s worst human rights and humanitarian crises. All parties to the conflict, including the USA, have violated both international human rights and humanitarian law. Despite ramping up air strikes in its secretive war in Somalia over the past two years, the USA failed to admit a single civilian casualty until an Amnesty International investigation prompted it to.

Israel has repeatedly targeted civilians and civilian objects during military operations in Gaza since 2008, causing great destruction and loss of human life. Between March 2018 and March 2019, Israel used lethal force against Palestinian protesters, killing at least 195 people, including medics, journalists, and children. Palestinian armed groups have fired indiscriminate rockets into civilian neighbourhoods in Israel, causing several fatalities.

In South Sudan and elsewhere, conflict-related sexual violence and gender-based violence are occurring at shocking levels. Witnesses and victims of a brutal government-led offensive in April-July 2018 in the north of the country described how civilians, including women, children, older persons and persons with disabilities were deliberately killed by gunfire, burnt

alive in their homes, hung from trees and rafters and run over with armoured vehicles. Civilians were hunted down while fleeing into nearby wetlands, or rivers, as soldiers shot indiscriminately into areas where people were hiding and carried out attacks on islands where they had sought refuge.

The UN Assistance Mission in Afghanistan (UNAMA) reported a record high number of civilian casualties in 2018, with 10,993 people killed or injured

Just last week, in Libya, Amnesty International documented how a fresh offensive on Tripoli has been marked by indiscriminate attacks and assaults putting the lives of civilians, including vulnerable detained refugees and migrants, at risk.

Nor is the record of the United Nations itself unblemished. In South Sudan, the Central African Republic, and elsewhere, UN peacekeepers have failed, on multiple occasions, to protect civilians facing deadly violence. A particularly reprehensible problem is that of sexual exploitation and abuse, with civilian women and girls being raped and assaulted by the very peacekeepers who are supposed to protect them.

Especially vulnerable people like children, older persons and persons with disabilities have also been targeted in particular ways in conflict – such as militaries and armed groups recruiting child soldiers or brutally assaulting those less able to flee during attacks on civilian populations.

Despite international treaties prohibiting their use, some states and armed groups continue to use inherently indiscriminate weapons like cluster munitions and landmines, which have been banned under international law for their impact on civilians. Others, such as Syria and Sudan have also used chemical weapons, which have no place in warfare.

Last year, the UN Refugee Agency decried the record-breaking figure of 68.5 million people displaced worldwide by armed conflict and other forms of violence.

World leaders have all but abandoned civilians to the ravages of war. This week's open debate in the Security Council must yield more than just posturing and empty promises. Concrete action is needed to reverse course, effectively protect civilians, stop war crimes and end impunity.

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WORTH READING

What is a War Crime?

Oona A. Hathaway, Paul Strauch, Beatrice Walton and Zoe Weinberg

Yale Journal of International Law, Vol. 44, 2019

May 8, 2019

What is a war crime? Do all violations of the international law of war qualify as war crimes? And are all war crimes violations of the law of war? Academics, international criminal tribunals, and domestic courts have struggled to adopt consistent and comprehensive answers to these questions. To date, the most common approach has been to specify an act as a war crime if it violates the law of war and has been "criminalized." Although this approach has the appeal of simplicity, it lacks a deep underlying justification and fails to adequately guide criminal tribunals, courts, and commissions. This Article instead identifies the core features of war crimes untethered from prior criminalization. We show that, despite differences in war crimes across jurisdictions and statutes, agreement exists as to the core features of war crimes. A war crime has two key elements: (1) a breach of international humanitarian law (IHL) that is (2) "serious." Several practical implications follow from defining war crimes in this way: First, it provides a clearer standard for domestic courts holding individuals accountable for war crimes. Second, it clarifies the reach of international legal obligations requiring States to investigate violations of the law of war. Third, it provides clearer guidance for determining whether charges lodged in military commissions are in accordance with the "law of nations,"

as required by Article I of the U.S. Constitution. And fourth, it helps to clarify the extent to which combatants can be subject to war crimes prosecutions.

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