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War Crimes Prosecution
Watch

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Libya

Migrant 'torturers' in Libya arrested in Italy (Aljazeera)

September 16, 2019

Italian police arrested three people on Monday accused of kidnapping, torturing and trafficking people hoping to set sail from Libya to Europe.

A 27-year-old man from Guinea and two Egyptians, aged 24 and 26, were taken into custody at a detention centre in Messina in Sicily after police gathered testimony against them from other migrants.

The witnesses said the three ran a prisoners' camp in Zawiya in Libya, where those ready to attempt the perilous Mediterranean Sea crossing were forcibly held until they could pay a ransom.

Those interviewed said they were tortured and beaten and had seen other prisoners die, police said.

Libya, despite being wracked by chaos and conflict since the 2011 uprising against dictator Muammar Gaddafi, has remained a major transit route, especially for people from sub-Saharan Africa.

According to figures from the International Organization for Migration in July, at least 5,200 people are currently trapped in official detention centres in Libya, often in appalling conditions.

No figures exist for the number of people held in illegal centres run by human traffickers, who brutally torture them to try to extort money from their families.

Putin-Linked Mercenaries Are Fighting on Libya's Front Lines (Bloomberg) By Samer Al-Atrush and Stepan Kravchenko
September 25, 2019

A private army linked to Russian President Vladimir Putin has begun fighting on the front lines of the Libyan war, according to people familiar with the matter, the latest projection of Russian power following a decisive military intervention in Syria.

More than 100 mercenaries from the Wagner group headed by Yevgeny Prigozhin, also known as "Putin's chef" for his Kremlin catering contracts, arrived at a forward base in Libya in the first week of September to support eastern strongman Khalifa Haftar's assault on the capital Tripoli, said the people, who included Libyan and Western officials. All asked not to be named because they weren't authorized to speak with the press.

A Russian mercenary commander also confirmed that Wagner contractors were fighting in Libya, and said that some had been killed in action there. Their arrival this month coincided with an escalation in airstrikes in support of Haftar, who's pushing for decisive gains on the battlefield to strengthen his hand before an international peace conference expected next month. His forces have been bogged down at Tripoli's outskirts since early April.

Russia is distancing itself from the struggling UN-backed administration in Tripoli and expects Haftar now to gain the upper hand after his initial failure to push into the capital, said a person close to the government in Moscow. Russian officials believe there will be a role for ex-dictator Moammar Qaddafi's fugitive son in any future power structure in Libya, though not as leader of the country, the person said.

An official with Haftar's Libyan National Army said no Russian or other foreign fighters were within its ranks. Prigozhin didn't answer emailed questions. Putin's spokesman Dmitry Peskov said they have no information regarding mercenaries in Libya.

Prigozhin has become a key player in Russia's increasingly expansive foreign policy. Last month, Bloomberg reported that his mercenaries in Syria are readying an assault on rebel-held Idlib to end that country's eight-year-long civil war. In the Central African Republic, his contractors are propping up a government that doesn't control most of the country; elsewhere in Africa, his operatives are offering security, arms training and electioneering services. In the U.S., a company owned by Prigozhin was indicted on charges of bankrolling Russian meddling in the 2016 election.

Foreign Intervention

In Libya, his men join an already crowded battlefield. The United Arab Emirates and Egypt also support Haftar, while Turkey backs the United Nations-recognized government in Tripoli. Both sides are attacking each other with armed drones, with the U.A.E. deploying Chinese Wing Loongs and the Tripoli government using Turkish models. Wagner's men have been providing Haftar with artillery support, two Western diplomats said.

Libya's Interior Minister Fathi Bashagha told Libya Al-Ahrar TV on Monday that Haftar's forces had first employed Sudanese soldiers, "and after they failed they relied on the Wagner company."

In Libya, home to the largest oil reserves in Africa, Russia has supported Haftar while also lobbying for a political role for Saif al-Islam al-Qaddafi, the son of the late Kremlin-friendly dictator. In May, two Russian citizens connected to Prigozhin were arrested on charges of seeking to influence possible future elections in Libya, and were alleged to have been involved in organizing meetings with Saif al-Islam and his representatives.

Libyan officials said evidence collected also shows the two Russians had plans to interfere in vote campaigns elsewhere in Africa. They are still being held.

Saif al-Islam is wanted by the International Criminal Court for war crimes, including the killing of protesters during the revolution against his father's regime. His whereabouts have not been publicly disclosed but Libyan officials say he remains in the country and his movements are restricted. His father, who ruled Libya for more than four decades, was captured and killed by rebels in 2011.

Prigozhin's mercenaries were first sent to Haftar's forward Jufra base before deploying around Tripoli's outskirts, the Western diplomats said. Two senior security commanders with Tripoli's UN-backed Government of National Accord said the

contractors have been targeted in air strikes, including a drone strike on Sept. 9 at a farm south of Tripoli that they'd been using as a base.

Drone Attacks

Libyan, Arab and Western officials say Turkey is carrying out the strikes on behalf of the government in Tripoli. The drones are supplied and operated by a company called Baykar İnsansız Hava Aracı Sistemleri, which is owned by the family of a son-in-law of Turkish President Recep Tayyip Erdogan. Both Baykar and a Turkish government official declined to comment for this story.

Libya has been under a poorly enforced UN arms embargo since 2011, with Turkey, Russia, the U.A.E., Egypt, France and others supporting either side -- or in some cases -- both sides of the civil war. For the most part, Washington, with more pressing priorities elsewhere, has watched as other powers battle each other for dominance in the OPEC state.

The deployment to combat areas marks Prigozhin's most direct intervention yet in the Libyan war, just weeks ahead of an international peace conference in Berlin that global powers hope will lead to a cease-fire.

Libya facing 'serious crisis' fueled by outsiders bent on dividing the country, UN Assembly told (UN News)

September 25, 2019

Libya is experiencing "a serious crisis because of negative foreign interference," Faiez Mustafa Sarraj told the United Nations General Assembly on Wednesday evening.

With "external financial and military support," the President of the Presidency Council of the Government of National Accord told delegations that a military assault against the capital, Tripoli, has "led to institutional and political division" and impacted the peace and security of the citizens.

"It is no exaggeration to say that the stability and civilian nature of Libya is a critical matter, not only for Libya...but for the region and the world", he lamented.

Mr. Sarraj recalled that this past April when the UN Secretary-General was visiting Tripoli and the country was preparing excitedly and hopefully to hold a national inclusive conference and "the criminal [self-styled Libyan National Army (LNA) of commander] Khalifa Haftar" had attempted a coup, which, like his 2014 attempt, failed.

"Repeating once again his desperate attempt to militarize the country and to block our path toward a modern civilian State," he said that outside support had enabled the "bloody criminal seeking power" to wage the aggression.

He criticized United Arab Emirates media for providing Haftar with a forum for his hate speech and incitement.

Denouncing "efforts that support the war criminal and... coup-plotters in violation of UN Security Council resolutions", Mr. Sarraj said Libya considers those supporters "morally and legally responsible".

Extrajudicial killings and aggression

Mr. Sarraj cited extrajudicial killings and enforced displacement as two examples of widespread human rights violations that have left some 3,000 casualties and hundreds of thousands displaced.

Moreover, Mr. Sarraj maintained that Mr. Haftar has committed war crimes, including randomly bombing civilian neighbourhoods, airports, hospitals and ambulances as well as recruiting children.

"We ask the ICC [International Criminal Court] to hold the responsible criminals accountable" and for the UN to "quickly send a fact-finding mission" and for the ICC prosecutor to begin its investigation, he said.

"Haftar is trying to promote a war between east and west Libya", he underscored, saying that "the truth is it's between a military State and a civilian State."

The President of the Presidency Council said Libya is "keen to prevent the bloodshed of all Libyans" and called upon its youth to "return securely and safely to their nation".

Irregular and illegal migration

Mr. Sarraj pointed out that amid this crisis, Libya was facing another, that of irregular and illegal migration.

The flow of migrants entering Libya on their way to Europe has affected its economy and society, he said.

“The aggression has exacerbated this situation”, he said, adding that migrants have become “easy prey for terrorist organizations”.

Against the backdrop of what he called “international silence”, Mr. Sarraj maintained, “we are victims of this migration and the cause”.

He affirmed his continued cooperation with the target States of migrants and welcomed the cooperation of organizations to address the situation.

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CENTRAL AFRICA

Central African Republic

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

Fresh fighting kills 23 in Central African Republic (Aljazeera)

September 15, 2019

Fighting between rival armed groups in the Central African Republic (CAR) has left at least 23 people dead and scores wounded, according to the United Nations peacekeeping mission in the country (MINUSCA).

The clashes between the Popular Front for the Renaissance of the Central African Republic and the Movement of Central African Freedom Fighters for Justice took place in Birao, near the Sudanese border.

The two groups, who also fought in Birao earlier this month, were among 14 armed groups that in February signed a peace deal with the government of the conflict-ravaged country. In a statement late on Saturday, MINUSCA spokesman Vladimir Monteiro said "the situation remains tense but there is no more fighting".

He added that a MINUSCA peacekeeper "was slightly wounded", without specifying the individual's nationality. A Zambian contingent of the multinational force is stationed in the area.

On September 5, President Faustin-Archange Touadera said the accord was "quite strong" but the renewed clashes raised further concerns about its effectiveness in ending the violence after years of conflict following the toppling of then-President Francois Bozize in 2013.

Previous peace agreements signed in 2014, 2015 and 2017 broke down.

The fighting has forced nearly half the country's 4.5 million people to migrate, making them now dependent on humanitarian assistance, according to the UN.

The 12,000-strong UN peacekeeping mission, deployed since 2014, has struggled to restore order to the countryside where the government has little or no control and attacks are frequent.

Central African Republic: Confirmation of Charges Hearing for Two Central African Militia Leaders Set for This Week (All Africa) By Wairagala Wakabi

September 15, 2019

The confirmation of charges hearing for two militia leaders from the Central African Republic (CAR), who are accused of persecuting Muslims in that country, is

scheduled to start this week at the International Criminal Court (ICC). Alfred Yekatom and Patrice-Edouard Ngaïssona have been in the court's detention for more than a year and a half over crimes allegedly committed during 2013 and 2014.

Earlier scheduled for last June, the confirmation hearing was postponed at the request of the prosecution, which needed more time to institute sufficient measures to protect witnesses and victims.

The crimes alleged against the duo include murder, torture and cruel treatment, mutilation, intentional attack against civilians, and intentional attack against buildings dedicated to religion. Other charges for the alleged enlistment of children under the age of 15 years and actively involving them in hostilities, displacement of the civilian population, and destruction of the adversary's property.

The prosecution alleges that fighters of the Anti-Balaka, a predominantly Christian militia led by the accused, committed numerous crimes as they fought against the Seleka, a coalition of armed groups predominantly composed of Muslims. It says the attacks were carried out in furtherance of an organizational policy to target Muslims in retribution for crimes committed by the Seleka.

According to the prosecution, Ngaïssona, 52, was the most senior leader and the "National General Coordinator" of the Anti-Balaka militia, which was founded to fight the Seleka, who had deposed president François Bozizé. Ngaïssona was arrested in France in December 2018 and was transferred to The Hague in January 2019.

The prosecution alleges that, following meetings in Cameroon and France between Bozizé, Ngaïssona, and others loyal to the former president, it was agreed to organize pro-Bozizé forces to overthrow the Seleka. Thereafter, Ngaïssona reportedly provided finances to found the Anti-Balaka militia; transferred money from Bozizé to the militia to prepare attacks, procured ammunition, and gave orders such as to attack perceived enemy positions.

Yekatom, 44, was transferred to The Hague last November following his arrest from the Central African Parliament, where he was a member. According to his arrest warrant, Anti-Balaka attacks targeted a large number of Muslim communities following a consistent pattern of violence, including forcible displacement, killings, torture, deprivation of physical liberty, looting of Muslim homes and businesses, and destruction of mosques and Muslim homes.

Yekatom served in the national army, the Central African Armed Forces (FACA), before being elected a member of parliament. The prosecution says he commanded an Anti-Balaka group consisting of around 3,000 men, of whom 200 were former FACA members. It also says Yekatom was a top leader in the Anti-Balaka militia, representing it at high-level meetings and negotiations.

In May 2014, the Central African government referred the situation in the CAR to the ICC. Four months later, the prosecutor announced that she had opened an investigation into the violence experienced in the country since August 2012.

Last March, Pre-Trial Chamber II judges rejected defense appeals and affirmed the joinder of the cases of Ngaïssona and Yekatom. In ordering the joinder last February, judges said a joint trial would enhance the fairness and expeditiousness of the proceedings by avoiding duplication of evidence, inconsistency in the presentation and assessment of evidence, undue impact on witnesses and victims, and unnecessary expense.

According to the judges, the alleged crimes in both cases are "virtually indistinguishable" as they constitute the same widespread and systematic attack against the civilian population in the same geographical areas. The judges also said the specific crimes alleged to have been committed by Yekatom and Ngaïssona correspond to a large extent because all the crimes alleged against Yekatom are also alleged against Ngaïssona. As a result, the judges said the evidence the prosecutor intends to rely on to establish the charges is expected to be substantially the same.

In affirming the joinder, the judges noted that under Rule 136, the chamber may join or sever cases on its own volition. Rule 136(1) of the Rules of Procedure and Evidence provides that persons accused jointly shall be tried together unless the trial chamber orders that separate trials are necessary, in order to avoid serious prejudice to the accused, to protect the interests of justice, or because a person jointly accused has pleaded guilty. Article 64(5) of the court's Rome Statute also provides that trial judges may direct that there be joinder or severance of charges against more than one accused.

The hearing is scheduled for September 19-27.

Football chief led 'violence and terror' in C.Africa, ICC hears (Modern Ghana) By Danny Kemp
September 19, 2019

A top Central African Republic football official and a militiaman nicknamed Rambo led a "campaign of violence and terror" against Muslims, the International Criminal

Court heard on Thursday.

Patrice-Edouard Ngaissona was a senior leader of mainly Christian militias as the country descended into war in 2013 to 2014, while Alfred Yekatom commanded thousands of the so-called anti-Balaka fighters on the ground, prosecutors said.

Former sports minister Ngaissona, 52, and Yekatom, 44, both appeared in court in The Hague for a hearing to confirm charges of war crimes and crimes against humanity. Judges will then decide whether there is enough evidence to move to a full trial.

Ngaissona -- the head of the CAR football association and board member of the Confederation of African Football (CAF) -- was arrested in France in December and then extradited to the Hague on an ICC warrant.

Prosecutor Kweku Vanderpuye told the court that the defendants "are here today because of their criminal implication in a campaign of violence and terror against civilians including children."

"Muslim residents of the Central African Republic were relentlessly terrorised... by a violent group intent on their elimination," he said.

"Muslims were seen as traitors, collaborators, foreigners... (the anti-Balaka) burned down their mosques, targeted their schools and houses, they murdered, they raped women and children."

Both wearing dark suits, the pair stood in court as officials read out dozens of charges including murder, torture, mutilation, enlistment of child soldiers and targeting civilians relating to the period from December 2013 to August 2014.

They deny all the charges.

The court heard that Ngaissona was a key supporter of then-president Francois Bozize, who was ousted by mainly Muslim Seleka rebels in 2013, sparking vicious intercommunal fighting.

The wealthy former minister "exploited the hatred" felt by the Christian anti-Balaka militias due to atrocities committed by the Seleka to "create a formidable fighting force to return to power," the prosecution lawyer said.

"Mr Ngaissona knew that the fighting force he had contributed to forming would... violently target the Muslim population and commit the war crimes and crimes against humanity with which he is charged," Vanderpuye said.

Ngaissona both encouraged the creation of the militias, coordinated them and provided them with access to weapons and ammunition, the court heard.

Targeting the capital Bangui, the anti-Balaka unleashed "armed convoys killing, looting and pillaging as they went", as well as driving huge numbers of Muslims out of their homes.

One of the key fighters was Yekatom, who was "styling himself as Commander Rambo", and led a force of thousands of people including child soldiers, the prosecutor said.

Yekatom had an "important" role in the plan to drive out Muslims, commanding thousands of men who were "organised in a military hierarchy", the court heard.

"He was respected, he was feared and his orders would be obeyed," Vanderpuye said.

Both defendants also knew that child soldiers under the age of 15 were being used, the prosecution said.

It quoted one child soldier as saying that when their chiefs caught "an Arab (Muslim) alive, they would order us to stab him, we were instructed to stab or cut his ear off, and when the prisoner was exhausted, dig a shallow grave about knee height, then the chiefs would come back and kill them."

Yekatom was extradited to The Hague in late 2018.

Presiding judge Antoine Kesia-Mbe Mindua said the purpose of the hearing, which will last a week, was "not to pronounce guilt or innocence".

Instead it will "establish if there is sufficient evidence to allow us to believe that Mr Yekatom and Mr Ngaissona have committed the crimes that they are accused with."

Lawyers for the defendants and for victims will speak later.

The UN has 13,000 peacekeepers deployed in the Central African Republic, where thousands of people have been killed and

about a fifth of the 4.5 million population has been displaced in the last six years.

In February, the government reached a peace agreement with 14 armed groups that led to the formation of a new government that includes representatives of the groups.

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Sudan & South Sudan

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

French bank BNP Paribas accused of enabling Sudan war crimes (Associated Press)
September 26, 2019

An alliance of human right organizations says nine Sudanese people have filed a criminal complaint against French bank BNP Paribas for alleged complicity in crimes against humanity, torture, and genocide during the conflict in Sudan's Darfur region.

The International Federation for Human Rights said the complaint filed Thursday in Paris marks "the first attempt" to hold the bank responsible for its alleged role in giving Sudanese authorities access to international money markets from at least 2002 to 2008.

The Sudanese government, military and militias were accused of committing crimes against humanity in response to a rebellion that started in 2003.

Former President Omar al-Bashir is wanted by the International Criminal Court on war crimes and genocide charges linked to the Darfur conflict.

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Democratic Republic of the Congo

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WEST AFRICA

Côte d'Ivoire (Ivory Coast)

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

ICC prosecutor appeals acquittal of ex-Ivory Coast president (The Washington Post)

September 16, 2019

International Criminal Court prosecutors have appealed against the acquittal of former Ivory Coast president Laurent Gbagbo and a youth minister on charges of involvement in deadly post-election violence.

Judges acquitted Gbagbo and Charles Ble Goude in January after ruling that prosecutors “failed to satisfy the burden of proof” in their presentation of evidence.

Prosecutor Fatou Bensouda said in a written notice of appeal that the reasons judges gave for their acquittals were “legally and procedurally defective” and urged appeals judges to declare a mistrial.

More than 3,000 people were killed in 2010 and 2011 after Gbagbo refused to accept his electoral defeat to current Ivory Coast President Alassane Ouattara.

Gbagbo and Ble Goude pleaded not guilty to four charges of crimes against humanity including murder, rape and persecution.

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

African War Crimes Suspect Denies Charges in UN Court (Courthouse News Service) By Molly Quell
September 23, 2019

The defense team for one of two former Central African Republic officials accused of crimes against humanity began presenting their case Monday during a preliminary hearing before the International Criminal Court, arguing there is not sufficient evidence to hold a trial.

Both Alfred Yekatom and Patrice-Edouard Ngaïssona were present in the crowded courtroom of the ICC, the United Nation’s judicial body for atrocity crimes, as Ngaïssona’s attorney told the judges he wasn’t capable of the acts he is accused of.

The hearing began last Thursday with statements from the prosecution, depicting both men as deeply involved in murder, torture and the use of child soldiers during the central African country’s civil war in 2012.

This case is referred to by the court as CAR2, as the ICC has also investigated crimes stemming from the conflict in the country from 2002 to 2003. The only conviction from CAR1 was of Jean-Pierre Bemba, the former Congolese president who led a cross-border militia, but that conviction was overturned on appeal.

Prosecutors wrapped up their opening statements on Friday. According to Kweku Vanderpuye, the senior ICC prosecutor, Yekatom led an armed Christian militia which attacked and killed Muslim civilians, while Ngaïssona, who was the country’s minister of youth, sports, art and culture, used his position to recruit child soldiers and to incite hatred against Muslims.

In 2012, the CAR government fell, in a coup, to a group of primarily Muslim militias called the Seleka. Christian armed groups, known as the anti-Balaka, formed in reaction and Yekatom and Ngaïssona are accused of helping to lead the reactionary forces.

Following the prosecutor, the court heard from several representatives from the victims. The 1,096 identified victims in the case do not appear themselves before the court. Instead, they are represented by several common legal representatives, who may represent various sub-groups of victims. For example, the 93 child soldiers have a particular representative.

In total, five representatives presented evidence of the alleged war crimes over two days. Abdou Dangabo Moussa spoke passionately about refugees he met in the neighboring country of Chad. He said the victims he met were exhausted, thirsty, weak and expressed the desire to go home.

On Monday afternoon, the hearing moved on to the defense. Mylène Dimitri spoke briefly on behalf of her client, Yekatom, who later waived his right to be present to see a doctor for an unspecified medical condition.

Dimitri focused her defense on criticizing the prosecutor for allegedly withholding information and complained that there was no victim testimony so the court was “unable to determine the veracity of the victims’ claims.”

She then attempted to give the remainder of her time to Ngaïssona’s defense, which was denied by the three-judge panel.

Ngaïssona’s own lawyer, Geert-Jan Alexander Knoops, painted his client as an “incompetent leader” who was afraid of the Seleka and unable to order the acts with which he is charged.

Knoops was missing for part of the morning session on Monday, as another one of his clients, the Dutch far-right politician Geert Wilders, was appearing before another court on charges of inciting racial hatred. Knoops’ wife, Carry Knoops, who is also a lawyer, filled in for him.

Knoops too complained about the evidence and claimed that most of the anti-Balaka groups were disorganized and dispersed, not the fighting force the prosecution claimed. The prosecution “distorted reality of the conflict in the CAR,” Knoops said.

The Ngaïssona defense will resume Tuesday.

Boko Haram: UN reacts as terrorists kill aid worker in Borno (Daily Post) By Musliudeen Adebayo
September 25, 2019

The United Nations Humanitarian Coordinator in Nigeria, Mr. Edward Kellon, has condemned the killing of an aid worker of Action Against Hunger, an international Non Governmental Organisation in Borno State.

Kellon said he was extremely concerned about the increasingly dangerous and restrictive operating environment for implementing humanitarian assistance in crisis-affected areas, where humanitarian aid workers continue to face challenges as they strive to deliver urgent, life-saving assistance.

Mr. Kellon in a statement made available to newsmen in Maiduguri, the Borno State capital on Wednesday, also said he was appalled and deeply saddened by the news of the horrific execution of the aid worker by terrorists.

“My most heartfelt condolences go to his family, friends and colleagues. The United Nations calls on authorities to ensure the perpetrators are brought to justice. The United Nations also calls for the immediate release of all aid workers who are still in captivity.

“I renew the call for all parties to the conflict to ensure the protection of aid workers and to respect international humanitarian law according to the humanitarian principles of humanity, neutrality, independence and impartiality.

“The humanitarian community in Nigeria is working in line with the 2019-2021 Humanitarian Response Strategy, jointly agreed with the Government of Nigeria, to provide life-saving assistance to 6.2 million of the most vulnerable people in Borno, Adamawa and Yobe states,” Kellon said.

It could be recalled that one of the abducted staff of the Action Against Hunger, an international Non Governmental Organisation was killed on Wednesday by his abductors.

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Mali

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Liberia

Liberia: 26 Lawmakers Sign Resolution for the War Crimes Court following President's Letter

(Front Page Africa) By Alpha Daffae Senkpeni

September 19, 2019

Monrovia – Twenty-six members of the House of Representatives have signed a resolution calling for the establishment of war and economic crimes court in Liberia.

The support from the lawmakers has hit new heights in less than one week after President George Weah sent a communication to the Legislature seeking the body's advice on the establishment of both a war and economic crimes courts.

"As President of the Republic of Liberia, I am committed to a holistic implementation of the National Consensus (recommendations of the dialogue) and do hereby call on the National Legislature to advise and provide guidance on all legislative and other necessary measures towards the implementation of the TRC report, including the establishment of war and economic crime courts," wrote President Weah in a letter to the legislature sent on Thursday September 12.

Prior to Weah's letter, only 11 representatives had signed the resolution, among them were four lawmakers who are leading the advocacy in the House. That means 17 additional lawmakers have signed the document since it was introduced barely two months after it was first introduced.

Representative Thomas Goshua of District #5, Grand Bassa County said "there's now relief for many Liberians since the President sent the communication to us."

Goshua claims the letter is causing lawmakers from "the ruling parting who were opposing the courts to have a rethink."

"A couple of them have been hiding [and saying] that the president has not come out full to back what we were doing and because of their party politicking, they have been a little bit quite," he said.

Rustonlyn Dennis, Chair of the House's Committee on Claims and Petition, who was one of the first backers of the resolution, said the President's letter has "removed the dark cloud over their advocacy."

Representative Dennis disclosed that an additional 15 persons have also expressed interest in signing the resolution.

What's Next?

With that number, those in favor of the resolution will be pushed up to 41 of 73 representatives. Backers of the resolution will need a two-thirds majority during a working session before it can be moved to the senate. At the Senate it would also need a two-thirds majority votes of 30 senators to be sent to the President for signing into law.

For now, Hon. Dennis says President Weah's letter is a "fast track endorsement of the process" which leads the resolution becoming a law.

If the resolution passes, it means a bill for the court drafted by the Liberian Bar Association will not pass through that long, formal legislative process.

"I can assure you that if the communication is being put on the floor today, it will be debated and the work we have done in terms of the resolution will be endorsed," she said.

"The resolution is only a strong statement that tells the President and the rest of the world that we are ready for the war and economic crimes court," Dennis said. "We do have a draft bill and we're working with the Bar Association and we will now admonish the Executive that we all work along with the lawyers to augment the draft bill," Dennis said.

Representative Hanson Kiazolu of District #17, Montserrado County, who is a member of the former ruling Unity Party, has been advocating alongside Dennis and other colleagues. He sees the President's letter as a breakthrough.

"What the President has done is also good because there have been a lack of political will and now that he has written, all we have to do now is do small editing to the resolution we already have by soliciting more signatures and tell the President yes, the Liberian people have spoken through their representatives and let's establish the courts," said Kiazolu.

'Mandate of the People Already There'

According to Dennis, the Speaker of the House has requested members of the legislature to begin consulting with their constituents.

But she argues that such mandate circumvents existing support from Liberians calling for the establishment of the courts.

And Representative Francis Dopoh of District #3, River Gee County insists that “the mandate has been given me already by my people” and there’s no need to go back and seek their consent.

Dopoh wants the TRC report complemented by new investigations to include accounts of the war that are not mentioned in its report.

He claims that there were several unrecorded massacres that occurred in his district during the war and many victims are still longing for justice.

For Hon. Kiazolu, consulting his constituents once again is “irrelevant because I have received the overwhelming support from my people.”

“They trust my opinion and they trust my force that if I take the decision along with others that have national impact, they will support me,” Kiazolu said.

Representative Goshua said his constituents have “long since” given him the mandate to support the establishment of the courts.

“That’s one reason why I’ve even affixed my signature to the resolution because I know the Bassa people want to see justice; and they have asked us to advocate,” he said.

Representative Dennis said her constituents have already given her the mandate, but she had, however, been holding consultations in recent weeks to get their views of others who have earlier expressed opposition.

‘No need for Advice’

Meanwhile, Hon. Dopoh called on President Weah should be implementing the TRC report while the Legislature exercised oversight, instead of the other way around.

“There’s no need for us to advise the president because the TRC recommendations are products of a previous legislation that gave birth to the Commission,” he said.

“We are not going to be advising the President; we have signed up on a resolution and I think he should join us to campaign for that resolution,” Dopoh said, while calling on all lawmakers to sign the resolution “for us to move on as quickly as possible”.

Advocates for the courts say it will curb impunity and strengthen the country’s justice system.

“The culture of impunity is about to come to an end,” Goshau said. “We will keep pushing this idea to our people and support all the efforts”.

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EAST AFRICA

Uganda

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

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Kenya

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

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [\[English translation\]](#)

Bosnian Serb General Radislav Krstic Denied Early Release (Balkan Insight By Emina Dizdarevic
September 11, 2019

The Mechanism for International Criminal Tribunals in The Hague has again rejected a request for early release filed by Radislav Krstic, the wartime commander of the Bosnian Serb Army's Drina Corps, who was convicted in 2004 of aiding and abetting genocide.

In February this year, Krstic asked to be released early on the basis of the law in Poland, where he is serving his sentence.

According to Polish law, a person serving a 25-year sentence, which is the maximum term Krstic may serve in that country according to a Polish court's decision, has the right to file a request for conditional early release after having served 15 years.

In line with these regulations, Krstic gained the right to file a request for early release in December 2013.

His first request for release was rejected in December 2016.

The president of the Mechanism for International Criminal Tribunals, Carmel Agius, said on Wednesday that he refused Krstic's second request because it did not meet the conditions for consideration.

"There are no indications that there exist persuasive or exceptional circumstances that would justify Krstic's release prior to him having served the minimal number of years needed to consider him suitable for an early release," Agius said in his decision.

"In the absence of any new data on Krstic's current health condition, there are no indications of any persuasive or exceptional circumstances that would require his release to liberty prior to serving two-thirds of his sentence," he added.

Krstic will have served two-thirds of his sentence by the end of March 2022.

He was sentenced to 35 years in prison for assisting in and supporting the commission of genocide of more than 7,000 Bosniaks from Srebrenica in July 1995.

According to the verdict – the first for genocide in the Bosnian war – Krstic knew about the killings of the Bosniaks and allowed the Bosnian Serb Army's Main Headquarters to use personnel and equipment under his command to assist in the massacres.

He was initially sent to Britain to serve his sentence, but was attacked by fellow inmates inside the prison, after which he was transferred back to The Hague and subsequently sent to Poland to serve the rest of his term.

His attackers, who were all serving murder sentences, were convicted by a British court in February 2011 and given additional life sentences.

In 2013, the Hague Tribunal acquitted Krstic of contempt of court charges that were laid after he had refused to testify at the trial of former Bosnian Serb political leader Radovan Karadzic.

Jail Urged for Bosnian Serb in Visegrad Mass Killing Trial (Balkan Insight) By Albina Sorguc
September 12, 2019

The prosecutor told the Bosnian state court in his closing statement on Thursday that Radomir Susnjar, alias Lalco, should be given the maximum possible prison sentence for his participation in the murder of 57 civilians in a house in Pionirska Street in Visegrad in June 1992.

"The crimes against children, women and the elderly were committed in a cruel manner. The defendant has not shown any regrets or remorse for his actions. The verdict must serve as a message to the victims and their families that they will never be forgotten," said prosecutor Seid Marusic.

Marusic said that protected witnesses and eyewitnesses confirmed that Susnjar arrived at a house in Pionirska Street in Visegrad in June 1992, accompanied by fellow Bosnian Serb fighters Milan and Sredoje Lukic, to which Bosniak civilians from the village of Koritnik had been brought.

Milan Lukic had ordered the civilians to hand over their money and other valuables, then Susnjar searched them, ordering them to take their clothes off and turn around and stand naked in front of him.

The prosecutor said the civilians were then ordered to move another house owned by a man called Adem Omeragic, into which Susnjar forced the last civilian, Hasib Kurspahic.

Milan Lukic threw an incendiary device into the house, which caused a fire, Susnjar threw in a hand grenade, and all three started shooting to prevent the civilians from fleeing, according to the indictment.

"Witness Huso Kurspahic described what he had heard from his father Hasib, who survived 'the living bonfire' through sheer luck. His father knew the defendant under the nickname of Lalco. After having been pushed into Omeragic's house, he smelled some sort of fuel. He was sitting on the doorstep when he heard a strong detonation and fell on his back. He was wounded, he heard crying and smelled burnt bodies," Marusic said.

A two-day-old baby was among the civilians killed, he added.

Marusic said that Susnjar fled to France in an attempt to avoid arrest but was extradited to Sarajevo last year.

"Justice is slow but achievable," he added.

Susnjar pleaded not guilty.

Milan Lukic was sentenced to life imprisonment by the Hague Tribunal for crimes in Visegrad, including the murders in Pionirska Street. Sredoje Lukic was sentenced to 27 years in prison.

The defence will present its closing statement on September 18.

Bosnia Retries Eight for Wartime Jail Camp Abuses (Balkan Insight) By Haris Rovcanin
September 17, 2019

The retrial of Mustafa Djelilovic, Fadil Covic, Mirsad Sabic, Nezir Kazic, Becir Hujic, Halid Covic, Serif Mesanovic and Nermin Kalember opened at the Bosnian state court on Tuesday, with the defendants accused of crimes against civilians illegally detained at the Silos camp, the Krupa barracks and the 9th of May elementary school in the Hadzici municipality.

All eight men were found guilty in July 2018, after a six-year trial, of illegally detaining the civilians and holding them in poor conditions in the three detention centres.

The court found that some prisoners were beaten, humiliated and forced to do hard labour while detained.

But all the defendants were acquitted of crimes against prisoners of war, after the court found that all the people detained in the three detention centres were civilians.

Djelilovic, the president of the wartime presidency of the Hadzici municipality, was sentenced to ten years in prison, as was Kazic, who was the commander of the Bosnian Army's 9th Brigade.

The former commander of the local police station in Hadzici, Fadil Covic, and the warden of the Silos camp, Becir Hujic, were sentenced to eight years in prison.

Sabic, who the court said was the de facto commander of the Pazaric police station in Hadzici, and Halid Covic, the deputy warden at the Silos camp, were both sentenced to six years.

Former Krupa barracks warden Serif Mesanovic and former guard Nermin Kalember were given five years.

The state court's appeals chamber quashed the verdict in July this year after appeals from both defence and prosecution, and ordered a retrial.

At Tuesday's hearing, lawyers for some of the defendants raised questions about some of the prosecution's assertions and about witness testimonies.

Kalember's lawyer claimed that during the lengthy court process, his client had only been mentioned sporadically and that it was apparent from witnesses' testimonies that they did not accuse him of the crimes with which he is charged.

"In their testimonies, the prosecution witnesses treated him as the most scrupulous and professional of all the guards. He was the only guard whose life was in danger, as he put his life at risk to save detainees on two occasions," said lawyer Dusko Tomic.

The retrial will continue on September 24.

Bosnian Mayor's Long-Delayed War Crimes Trial to Begin (Balkan Insight) By Lamija Grebo
September 19, 2019

The mayor of Vlasenica, Miroslav Kraljevic, will go on trial in Sarajevo next month with co-defendants Radenko Stanic and Goran Garic for the persecution of Bosniak civilians during the war in 1992 and 1993, it was announced on Wednesday.

The three men – all former police officers – are charged with unlawful imprisonment, murder, torture, sexual abuse and forced disappearances.

The trial will go ahead at the Bosnian state court after the case against a fourth defendant, Mane Djuric, was separated from the others.

The start of the trial, which was originally set for June 2018, has been repeatedly postponed due to Djuric's medical condition.

The delays angered war victims' families in the area.

Nedim Salaharevic, who saw his brother, Edin, being killed in Vlasenica during the war, told BIRN in April that he had been waiting for justice for years.

"Djuric and Kraljevic were rulers of life and death in Vlasenica. I saw it with my own eyes," he alleged.

All the defendants have declared they are not guilty.

The trial will now open on October 2, the Bosnian state court said on Wednesday.

Bosnian Mayor's Long-Delayed War Crimes Trial to Begin (Balkan Insight) By Lamija Grebo
September 19, 2019

After repeated delays caused by another defendant's health problems, the trial of Miroslav Kraljevic, the Serb mayor of the Bosnian town of Vlasenica, who is accused of wartime crimes against Bosniak civilians, will start next month.

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International Criminal Tribunal for the Former Yugoslavia

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Domestic Prosecutions In The Former Yugoslavia

Serbia Convicts 'Red Berets' Fighter of Wartime Rape (Balkan Insight) By Milica Stojanovic
September 19, 2019

Belgrade Higher Court on Thursday convicted Nikola Vida Lujic, a former member of the Special Operations Unit, an elite Serbian special forces unit also known as the Red Berets, of raping a Bosnian women in Brcko on June 20, 1992, and sentenced him to eight years in prison.

According to the indictment, Vida Lujic, together with two other unidentified fighters, entered a house in Brcko on the day of the assault, wearing a uniform and armed with a gun.

He pulled out the weapon, loaded it with bullets and put it back in his pocket in front of a woman who was in the house, whose identity was not disclosed in the indictment.

After she handed over her money and jewellery, Vida Lujic said “Come with me”, took her into the bathroom and locked the door. He raped her twice in the bathroom and then took her into the bedroom and raped her again, the charges allege.

During the assault, the victim asked Vida Lujic to kill her, to which he replied he was “not in charge of that”, the indictment says. While he was raping the woman, the two other soldiers broke everything in the house.

Judge Dejan Terzic said that there were no mitigating circumstances and noted that Vida Lujic, who was not present in court for the verdict, had been previously convicted of a similar crime.

“He used his dominance over the victim and her helplessness because she was already scared enough because her husband had been arrested,” Terzic said.

Vida Lujic insisted during the trial that he was not member of any armed unit during the war and that he did not know the victim.

But other witnesses, among whom was a member of the Red Berets, said Vida Lujic was a member of the Special Operations Unit, whose members have been accused of involvement in several wartime and post-war crimes.

The victim’s husband testified during the trial that on the day of the crime, a group of Serb soldiers came to his house and took him away for interrogation. After he came back, a neighbour told him that his wife had been raped.

The indictment was originally issued by Brcko District Prosecutor’s Office in Bosnia and Herzegovina in January 2018. But because Vida Lujic is a Serbian citizen, the case was transferred from the District Court in the Bosnian town of Dobojo to the Higher Court in Belgrade, and the trial started in December 2018.

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

Kosovo Ex-Guerrilla Rejects Summons from Hague Prosecutors (Balkan Insight)

September 23, 2019

Former Kosovo Liberation Army member Bashkim Gashi has rejected an invitation to give an interview about his role in the 1998-99 war to the Hague-based Specialist Prosecutor’s Office, the Association of KLA Veterans said on Monday, TV21 reported.

“Gashi... was invited to show up [in The Hague] on September 24, but he has not received any additional clarifications, so we suggested he accept the next invitation in order to not create any precedent for others,” the Association of KLA Veterans was quoted as saying.

Since last year, the Specialist Prosecutor’s Office has interviewed around 40 former KLA fighters, including several others who are also high-profile politicians. Many have said they wanted to prove to the prosecutors that the KLA’s war against Serbian forces was legitimate and ‘clean’.

The Specialist Prosecutor’s Office is tasked with probing killings, abductions, illegal detentions, sexual violence and other crimes allegedly committed by KLA members from the beginning of 1998 to the end of 1999.

The Hague-based Kosovo Specialist Chambers is expected to try those indicted by the prosecutors. No indictments have been made public yet, however.

The Specialist Chambers and Specialist Prosecution are formally part of the Kosovo judicial system and operate under Kosovo law but are staffed by international judges and prosecutors. They are widely resented in Kosovo, where many see the KLA as a liberating force that freed the country from hostile Serbian rule.

Kosovo’s Prime Minister Ramush Haradinaj resigned in July after being asked to give an interview to the prosecutors as a suspect.

Serbian Court Convicts Bosnian Serb of Wartime Assault (Balkan Insight) By Milica Stojanovic

September 24, 2019

Belgrade Higher Court on Tuesday sentenced Bosnian Serb ex-fighter Zeljko Budimir to two years in prison for beating up a Bosnian civilian and stealing his money in the village of Rejzovici in the Kljuc municipality in November 1992.

But the court acquitted Budimir of participating in the murders of the Bosniak man's wife and mother.

According to the indictment, Budimir was one of three fighters who broke into the house of Ale Strkonjic in Rejzovici at around 11pm on November 21, 1992, and beat him up and stabbed him.

Strkonjic gave the men the money they were demanding – some 5,800 German marks – and then escaped.

One of the two other fighters who was with Budimir approached Strkonjic's wife Fatima, pulled out his gun and shot her in the head, then killed her mother, Fata Koljic, with a knife, the indictment alleged.

However, the court cleared Budimir of involvement in the killings, with judge Vinka Beraha Nikcevic saying that there was not enough evidence to convict him.

“The prosecutor did not describe what actions Zeljko Budimir took with the aim of depriving Fatima Strkonjic and Fata Koljic of their lives, so it cannot be determined what actions he took that contributed to them being deprived of their lives,” said Beraha Nikcevic.

The judge said that the two-year sentence was imposed because Budimir was young when the crime was committed and now has three children, and because a lot of time has passed since the incident.

The indictment did not specify to which military group or unit the defendant belonged.

During the trial, he said that at the beginning of the war in 1992 he was in the reserve police force, and later in the summer of 1992, he was sent to the battlefield in Kupres in Bosnia.

However, he said that from October 13 to December 1, 1992 – the period in which the crime was committed – he was released from military service.

Budimir's main defence was that on the night of the attack, he was at home for a family celebration, and that he went to propose his girlfriend, who lived in the neighbouring village.

His girlfriend, who has since become his wife, also testified in court and backed up his story.

The two other men involved, Predrag Bajic and Mladenko Vrtunic, were convicted of the murders of the two women and the attack on Strkonjic by the cantonal court in Bihac in Bosnia and Herzegovina in 2014.

As Budimir lives in Serbia, his case was transferred to Belgrade, where his trial started in April 2018.

His case is typical of the 14 indictments issued by the Serbian War Crimes Prosecutor's Office in 2017 and 2018. The indictments generally charge one or two people who are not high-ranking army or police officers and are accused of crimes against a small number of victims, as BIRN has previously reported.

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

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Turkey

Top Turkish appeals court overturns sentences of former Cumhuriyet staff, rules for release (Daily Sabah)

September 12, 2019

Turkey's Supreme Court of Appeals ruled Thursday for the halt of the execution of sentences and the release of seven former staff of Cumhuriyet newspaper in their appeal of a local court decision on aiding Gülenist Terror Group (FETÖ).

The court's 16th Penal Chamber ruled for cancellation of conviction provisions for Akın Atalay, Orhan Erinc, Murat Sabuncu, Aydın Engin, Hikmet Çetinkaya and Ahmet Şık, who parted ways with the newspaper after a court-mandated management change in the foundation running the daily.

The chamber also ruled to apply its decision to Önder Çelik, Bülent Utku, Güray Tekinöz, Hacı Musa Kart, Hakan Karasinir,

Mustafa Kemal Güngör and Ahmet Kadri Gürsel, who had not applied to the court but whose convictions were approved in a court of appeals, over Article 306 of the Law of Criminal procedure that states the cancellation of conviction also applies to other defendants.

The ruling said that since execution of sentences began as their convictions were confirmed, the execution should be halted to avoid any possible loss of rights in the future. Tekinöz, Kart, Karasinir, Güngör and Çelik have been serving their sentences since April 25, 2019. The chamber also demanded the defendants be immediately released if not arrested or convicted of any crime and to annul Utku's arrest warrant. A foreign travel ban was applied to the six defendants.

"After the court order, we expect the release of five former staff this evening," lawyer Tora Pekin told AFP.

The chamber also confirmed the appeals court's rejection for Yusuf Emre Iper, who was sentenced to three years, one month and 15 days for aiding FETÖ. The 10-year prison sentence for Ahmet Kemal Aydoğdu, who was convicted of aiding FETÖ through the @jeansbiri Twitter account, was also confirmed.

Şık, who was sentenced to seven years and six months in prison for aiding a terrorist organization, should be tried on charges of propaganda on behalf of a terrorist organization and insulting the Turkish nation, state and institutions, the ruling said.

The chamber will later issue its detailed ruling.

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MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

Coalition forces in Iraq say attacks 'will not be tolerated' (Miami Herald) By Qassim Abdul-Zahra
September 24, 2019

U.S.-led coalition forces in Baghdad said Tuesday that attacks on coalition personnel and facilities in Iraq "will not be tolerated," adding that coalition forces retain the right to self-defense.

No coalition or U.S.-occupied facility was struck in Monday night's attack in which two Katyusha rockets were fired into the heavily fortified Green Zone, according to a statement issued by the coalition and Iraqi security forces.

The rockets landed few hundred meters (yards) away from the U.S. Embassy compound's perimeters, triggering alert sirens that sounded across the capital's Tigris River. "We take this incident seriously as do our Iraqi security forces partners," the coalition statement said.

No side has claimed responsibility for the attack, which comes amid heightened tensions in the region following an attack on Saudi oil installations that the U.S. has blamed on Iran. Similar attacks in the past have sometimes been blamed by Iraqi forces on Iranian-backed militias in Baghdad.

The militias have recently said they will retaliate to a series of airstrikes that have targeted their bases and weapons depots in recent weeks. No one has claimed the attacks but Israel, which frequently targets Iranian interests in neighboring Syria, is believed to be behind at least some of them. Some Iran-backed groups have publicly blamed Israel and its U.S. ally by extension.

A member of the Popular Mobilization Forces, the umbrella group for Iran-backed militias, said the forces fired the rockets at

the Green Zone from the Dora district southwest of the capital. He spoke on condition of anonymity because he was not authorized to give this information. A senior security official refrained from pointing fingers and said authorities were still investigating Tuesday night's rocket attack. Speaking on condition of anonymity in line with regulations, the official however said Iran-backed militias were likely to have fired the rockets considering they had vowed to retaliate to the airstrikes on their bases.

US to give Iraq minorities 'ethnically cleansed by Daesh' \$6.8m in aid (Middle East Monitor)

September 24, 2019

The US Agency for International Development (USAID) pledged to give Iraq's displaced ethnic and religious minorities financial support of \$6.8 million, the body said on Saturday.

US Vice President Mike Pence made the announcement which was confirmed by the organisation's administrator Mark Green.

The aid is intended to address and mitigate the victims of genocide perpetrated by Daesh, in particular in 2014 when the extremist group swept across swathes of northern Iraq, carrying out atrocities against the Yazidi community.

USAID also explained that the award will be administered through the Catholic Relief Services (CRS) and the Solidarity Fund Poland.

It is understood that the CRS will be working in partnership with the Chaldean Catholic Archdiocese of Erbil, in the Kurdistan region to assist vulnerable families with their essential needs and to help facilitate their safe return home.

Last year, Pence criticised USAID for being too slow and bureaucratic in its response to reaching those in need, in spite of efforts to bypass the "inadequate" UN through supporting efforts directly via USAID and faith-based charities.

The initiative forms part of USAID's Genocide Recovery and Persecution Response and compliments H.R.390, the Iraq and Syria Genocide Relief and Accountability Act of 2018, which takes into consideration the degree to which religious or ethnic identity contributes to one's vulnerability.

Speaking at the UN's Session on Religious Freedom, Pence also stated that "Iran-backed militias terrorize Christians and Yazidis who were nearly wiped out by ISIS's [Daesh's] recent campaign of genocide" before condemning China's record in its treatment of Christians and mass incarceration of over a million Uyghur Muslims.

ISIS claims Iraq minibus bombing that killed 12 (Stars and Stripes) By Qassim Abdul-Zahra

September 21, 2019

Islamic State claimed responsibility Saturday for a minibus bombing in Iraq a day earlier that killed 12 people outside the Shiite holy city of Karbala. The brief claim was carried by the group's Amaq new agency.

The charred minibus was still on the road near the city on Saturday morning.

The bombing was one of the biggest attacks targeting civilians since the extremist group was declared defeated inside Iraq in 2017. The group's sleeper cells continue to wage an insurgency by carrying out sporadic attacks across the country.

In the wake of the bombing, which also wounded five people, Iraqi forces have increased their presence and security measures around Karbala. Iraq's prime minister, Adel Abdul-Mahdi, said security forces detained a man suspected of leaving the bomb on the bus. The statement gave no further details about the suspect.

Speaker of Parliament Mohamad al-Halbousi expressed his frustration with the repeated "failures of intelligence agencies" to prevent such attacks. His statement added that security plans should be reviewed and intelligence gathering intensified.

On Saturday, security was tight on the roads entering Karbala, with added checkpoints searching cars.

The explosion occurred as the bus was passing through an Iraqi army checkpoint, about 6 miles south of Karbala in the direction of the town of al-Hilla.

The attack took place during a holy period marked by Shiites in Iraq between two important religious events, Ashoura and Arbaeen.

Arbaeen is the annual commemoration marking the end of the 40-day mourning period for the martyrdom of Imam Hussein, the Prophet Muhammad's grandson, a central figure in Shiite Islam.

Thirty-one pilgrims were killed and about 100 were injured in a stampede in Karbala last week as hundreds of thousands of Shiite Muslims marked Ashoura, one of the most solemn holy days of the year. It was the deadliest stampede in recent history during Ashoura commemorations.

Condemned to Death Abroad: The Case of French ISIS Members in Iraq (Just Security) By Margherita Stevoli
September 18, 2019

Iraq reportedly intends to carry out the execution of seven French nationals who are currently charged with being members of the Islamic State. The Iraqi government has denied reports that it would reconsider the imposition of the death sentences if France pays millions of euros in exchange.

The decision to carry out such executions has been criticized by Agnes Callamard, UN Special Rapporteur on extrajudicial, summary or arbitrary executions at the Office of the High Commissioner for Human Rights. She has expressed serious concerns for the situation of the French nationals and has urged the French government to press for their return home. The death penalty has been abolished in France, as well as in all other European Union member countries.

News of these executions generates a series of questions about what obligations States that abolished the death penalty have when their citizens have been sentenced to death in a foreign country. This is especially relevant in cases where capital punishment is imposed without the presence of important safeguards, such as access to a fair trial, an obligation that is enshrined in the International Covenant on Civil and Political Rights (Article 6.2), to which Iraq is a Party.

So far, E.U. Countries, like France and Britain, have repeatedly refused to repatriate their citizens who joined the Islamic State (or ISIS) in Iraq and Syria, arguing that they should face trials before domestic Iraqi and Syrian courts. But do States have an obligation to prevent the execution of their own nationals abroad, when fair trial guarantees are not ensured?

This dilemma is likely to recur for many European countries whose citizens left home to fight for the Islamic State. Iraq is, in fact, conducting trials of thousands of suspected ISIS fighters and ranks among the world's top executioners, according to Amnesty International. The presence of foreign fighters on death row in Iraq is also likely to increase: Among those currently detained, there are hundreds of foreign nationals from Europe.

The circumstances of the case in question cast serious shadows on France's compliance with international law.

It appears that the accused men were arrested by the Syrian Democratic Forces (SDF) and subsequently transferred to Iraq in February "at the alleged request of the French Government or with its suspected involvement," according to Callamard. Allegedly, the transfer of these individuals from Syria to Iraq happened after France refused to allow them to return home, an attempt at avoiding the burden of transferring and trying a number of French individuals who joined ISIS. If France's involvement in the transfer of these men is proven, it would be in clear violation of its human rights obligations. France abolished the death penalty in 1981 and it has ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (Optional Protocol). France is also a party to the European Convention on Human Rights and its 6th Protocol Concerning the Abolition of Death Penalty.

While these instruments merely prohibit the imposition of the death penalty within the jurisdiction of the State (article 1 of the Optional Protocol, and article 5 of the European Protocol), consistent jurisprudence from international tribunals have long established that the extradition of individuals to a country where it is foreseeable that the death penalty may be used, violates the right to life of individuals (See, inter alia Judge v. Canada, Human Rights Committee, para 10.6).

An express prohibition of extraditions towards non-abolishing countries is found in Article 11 of the European Convention on Extradition. European law does not limit its protection to formal extraditions, but it extends this ban to all acts entailing the removal or expulsion of the individual "to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment," as recognised in Article 19.2 of the Charter of Fundamental Rights of the European Union.

France's involvement in the transfer of its citizens to Iraq would therefore constitute a violation of the obligations it took when it ratified these international treaties.

However, France is claiming that it was not involved in the decision to transfer the men to Iraq. France's position, so far, has been to oppose to the death penalty for them, while at the same time, reiterating its respect for Iraq's sovereignty, implying that it would not intervene in judicial proceedings. As I detail below, in the absence of France's clear involvement in the transfer, France's reaction, which consists of merely issuing a statement, is in line with its international law obligations.

However, there are other options that France could undertake to assist its own nationals. International law grants States some

powers to intervene, giving France the chance to do much more than standby and watch its citizens undergo an unfair trial and be sentenced to death.

States powers (and obligations) to assist their citizens abroad are very blurred. Human rights obligations generally apply within a State's own jurisdiction (Art 1 ECHR, art 2.1 ICCPR), while their extraterritorial application is merely limited to cases when they exercise their control over another State's territory or individuals. The protection granted by human rights treaties is not linked to the nationality of the individuals, meaning that a person committing a crime abroad, will usually be judged accordingly to the rules of the State where the crime is committed (or of the State where he or she is transferred, as in the case of the French ISIS members in Iraq). This framework ensures the preservation of States' sovereignty as well as compliance with the principle of non-interference with the domestic affairs of another nation.

But, there have been some developments which expand the protection given to those facing human rights violations in countries abroad. The first major development in international law is the establishment of Diplomatic Protection, which has been defined by the International Law Commission (ILC) as:

“the invocation by a State, through diplomatic action or other means of peaceful settlement, of the responsibility of another State for an injury caused by an internationally wrongful act of that State to a natural or legal person that is a national of the former State with a view to the implementation of such responsibility” (Art 1, Draft Articles on Diplomatic Protection)

The exercise of the right to intervene on behalf of its citizens can be exercised by the State in a number of ways, such as consular assistance, diplomatic representations, negotiations, mediation, arbitration, judicial settlement and severance of diplomatic ties. However, the exercise of the State's right to intervene is merely seen as discretionary, meaning that there are no obligations on States to intervene if their citizens experience a human rights violation abroad (ICJ, Case concerning the Barcelona Traction, Light and Power Company (Belgium v. Spain) [1970] ICJ Rep 44, 78).

Another weakness of this institute is that it relates to the commission of internationally wrongful acts, and, despite the efforts of the ILC Special Rapporteur on Diplomatic Protection J. Dugard's, to include a specific provision relating to human rights violations, the ILC's final draft articles on Diplomatic Protection discarded the incorporation of such a provision.

A second avenue is detailed in the Vienna Convention on Consular Relations of 1963(VCCR), which creates a number of rights for individuals and States who find themselves in similar circumstances. In cases when foreign nationals are detained, they are entitled to be informed of their right to consular assistance and to communicate with their consulate. Moreover, the host State is obliged to notify the State of origin of the detention, should this be requested by the individual. Some States even go further and have included a legislative provision that enshrines the right to consular assistance for their nationals abroad. (See the case of Germany: Article 7, Consular Law, 11 September 1974).

However, due to the prevailing role played by the principle of non-interference in the domestic affairs of the receiving State, consular assistance has not been interpreted to mean the State has the power to intervene in a judicial process. Moreover, practice shows that States tend to limit their obligation to consider the request for assistance of the individual, without finding an obligation to make specific representations on behalf of the individual.

The avenues analyzed so far provide little room for the participation of the country of origin in the legal proceedings concerning its citizens. As mentioned, this is a reflection of the traditional understanding of international law, a body of law which was shaped to safeguard States' interests, and aspired to avoid any interference in the exercise of States' sovereignty.

Still, States have demonstrated in some circumstances their will to enforce the VCCR and the right to consular assistance enshrined in that law. Since 1998, the International Court of Justice (ICJ) has heard four cases of diplomatic protection in relation to individual human right violations (Paraguay v United States of America; Germany v United States of America; Mexico v United States of America; Republic of Guinea v Democratic Republic of the Congo.) Interestingly, the last three cases, involved individuals sentenced to death.

The death penalty is the ultimate punishment and denial of human rights. Over time, the international community, with the notable exception of the United States in the West, has adopted a moratorium on capital punishment, coming to recognize its cruel and inhuman nature. However, notwithstanding the abolition of capital punishment in 106 States, national sovereignty and the principle of non-interference in domestic affairs still play a prevailing role. This remains valid in cases relating to the imposition of death sentences to foreign citizens. Countries of origin are left with few instruments to ensure concrete safeguards for those who are in the death row, even when there are serious concerns about the fairness of the trial. However, international law does grant States with some minimum powers, and allows them to intrude in other State's proceedings.

If States are serious about enforcing the abolishment of death penalty, they must show a genuine commitment and do everything that is in their power to avoid the execution of their citizens, even those who are responsible for the most heinous crimes. This means that they must ensure full assistance to them while they are detained in a foreign country. France's refusal

to assist its citizens abroad will leave an indelible stain on its record and it is likely to weaken its credibility as a human rights champion.

Iraq Sentences Islamic State's Woman Chemical Weapons Expert (Voice of America) By Rikar Hussein
September 13, 2019

The Iraqi government on Thursday said it has issued life imprisonment for a female Islamic State (IS) member who helped the group develop chemical and biological weapons.

The woman, identified by the Iraqi Interior Ministry as Abrar al-Kubaisi, reportedly played a key role in research as a part of IS's team to develop chemical and biological weapons.

Iraq's Falcon Intelligence Cell did not disclose the time of her arrest, saying only that she had been arrested during an operation at an earlier date.

"The convicted terrorist Abrar al-Kubaisi, who was recently sentenced to life imprisonment, was one of the most prominent biological researchers involved in the IS program to manufacture and train special elements within the Development and Manufacturing Body of the terrorist organization responsible for preparation, production and use of chemical weapons in the country and abroad," said Abu Ali al-Basri, the head of Iraqi Interior Ministry's Directorate of Intelligence and Counterterrorism, in a statement for semi-official al-Sabah newspaper.

Al-Basri said Abrar al-Kubaisi had told Iraqi officials that she was lured into the extremist group through the internet and that she helped the IS militants conduct chemical operations in Iraq.

"Confessions of the terrorist Abrar al-Kubaisi show how she was tricked through social media to join the ranks of the terrorist organization," said the intelligence head, adding that al-Kubaisi followed IS directions to help in the use of chemical weapons materials in several operations in Baghdad.

Reports about the IS use of chemical weapons appeared as early as 2015 when local Iraqi and Kurdish forces complained about sustaining dozens of casualties from the battlefield because of the use of mustard gas by the jihadist group.

U.S. and Iraqi intelligence officials in November 2015 expressed grave concerns that the group was aggressively pursuing the development of chemical weapons. They reported the group was seeking the help of scientists from Iraq, Syria and elsewhere in the region to open a branch devoted to research and experiments of chemical and biological weapons.

By late 2016, the group used chemical weapons, including chlorine and sulfur mustard agents, at least 52 times on the battlefield in Syria and Iraq, according an assessment by London-based intelligence collection and analysis service the IHS Conflict Monitor.

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Syria

Syria, US-led coalition may have committed war crimes: UN report (Al Jazeera)
September 11, 2019

Report by UN Commission of Inquiry on Syria finds US, Syrian, and Russian forces could be responsible for war crimes.

Syrian government forces backed by Russian warplanes may have committed war crimes while targeting medical facilities, schools, markets and farmland in an ongoing deadly campaign in northwestern Syria, UN investigators say.

The UN Commission of Inquiry on Syria also said on Wednesday that Hay'et Tahrir al-Sham (HTS), a former al-Qaeda affiliate fighting government forces in the northwestern province of Idlib, fired rockets indiscriminately and killed civilians.

Syrian forces carried out repeated air raids in Saraqib in Idlib on March 9, damaging Al-Hayat women's and children's

hospital despite being aware of its coordinates, the report said. In Idlib on May 14, "pro-government forces air-dropped between two and four missiles on a fish market and primary school for girls in Jisr al-Shughour", killing at least eight civilians, it said.

"Such attacks may amount to the war crime of deliberately attacking protected objects and intentionally attacking medical personnel," the UN report said.

The Syrian army denies it targets civilians and says its forces only bomb fighters associated with "terrorists".

Idlib, which borders Turkey, is the final rebel stronghold in the country.

In late April, Syrian forces, backed by Russia since 2015, began an offensive in the region in an attempt to capture the strategic area, which lies on a key highway connecting the capital, Damascus, with the northern city of Aleppo.

Last week, UN rights chief Michelle Bachelet said her office tallied more than 1,000 civilian deaths in northern Syria over the last four months - the majority caused by air raids and ground attacks by President Bashar al-Assad's forces and their allies.

The report, released Wednesday, also looked into other violations and documented how civilians continue to bear the brunt of the bloody eight-year war.

"Civilians continue to be unlawfully detained or kidnapped and often tortured for expressing political dissent," the report said.

"In government-controlled areas, civilians, including recent returnees, have been arbitrarily arrested and detained, harassed, mistreated and tortured."

The UN also laid blame on the US-led coalition that has been battling Islamic State of Iraq and the Levant (ISIL or ISIS) in the country.

It said coalition air raids in Syria have killed and wounded many civilians, highlighting that precautions were ignored and war crimes may have been committed.

Backed by US-led coalition air power in a fight to remove ISIL, the Syrian Democratic Forces, which include Kurdish fighters, retook the group's last major stronghold of Hajin in eastern Syria in late December.

The coalition's Al-Jazeera Storm operation resulted in a high number of civilian casualties, including in a series of attacks on January 3 in Sha'fah, south of Hajin, that killed 16 civilians including 12 children, the UN report said. "Launching indiscriminate attacks that result in death or injury to civilians amounts to a war crime in cases in which such attacks are conducted recklessly," it said.

Coalition officials could not be reached immediately for comment.

Night raids by SDF forces backed by coalition helicopter gunships killed and wounded civilians in Shahil and other parts of Deir Az Zor province, in further apparent violations of international law, the investigators said.

The report covered events up until July and is based on nearly 300 interviews and analysis of satellite imagery, photographs and video.

The Syrian civil war, now in its ninth year, has claimed hundreds of thousands of lives and forced 13 million people from their homes.

Iran and its proxy Hezbollah are partners in the Syrian regime's many war crimes (The National)

By Kareem Shaheen

September 11, 2019

Tehran is one of the prime backers of a tyrannical regime that has visited atrocities of incalculable scale.

In the ongoing saga over the Iranian oil tanker Grace 1, the outcome of the stand-off surprised few people. Earlier this week news reports said the tanker carrying two million barrels of crude from Iran and suspected to be heading to Syria, flouting EU sanctions, had unloaded its cargo in the port of Tartus, despite assurances by Tehran that it intended to do no such thing. The US and UK reacted angrily this week to satellite images showing the tanker approaching a port in Syria, with British foreign secretary Dominic Raab issuing a statement saying it was "now clear that Iran has breached these assurances and that the oil has been transferred to Syria and Assad's murderous regime", adding the move was an "unacceptable violation of international norms".

The episode has brought into stark relief once again Iran's destructive role in Syria, in support of a dictator who starves his own people. Tehran's foreign policy highlights the need to address its behaviour in the region as part of a grand rapprochement with Iran's rivals in the Middle East and the West.

British Royal Marines first impounded Grace 1 in July and the tanker was held in Gibraltar amid suspicions it was heading to Syria in violation of EU sanctions. The episode fuelled a spate of incidents and disruption of shipping channels in the Arabian Gulf that threatened to spiral out of control, raising tensions at a time when European powers were still trying to salvage the 2015 nuclear deal with Iran.

Gibraltar, an overseas British territory, eventually decided to release the ship after Tehran promised it would not send the valuable cargo to Syria, where the Assad regime, which presided over the killing of half a million Syrians and the displacement of half the country's population, continues to be affected by fuel shortages, despite claiming a military victory against the opposition. The fuel shortages have badly affected ordinary civilians and raised doubts about the regime's ability to restore normality to a shattered country and reprise its role as a state.

When Grace 1 was pictured off the coast of Tartus, the Iranian foreign ministry said it had offloaded its cargo, although it refused to confirm where it had been delivered.

The shipment is part of Tehran's long-standing alliance with the Assad regime, which has continued regardless of the Syrian government's well-documented brutality. In 2006, at the height of anti-American and anti-Israeli sentiment in the region, Iran's leaders, including the former president Mahmoud Ahmadinejad, enjoyed broad popular support there. This sentiment peaked after the Israeli campaign against Hezbollah in Lebanon, despite the enormous cost paid by Lebanese civilians. Tehran at the time was perceived as being at the vanguard of the fight against Israeli transgression in the region.

Fast forward to 2019, where Tehran is one of the prime backers of a tyrannical regime that has visited atrocities of incalculable scale, including chemical weapons attacks, on its own citizens. It has laid siege to starving civilians, vowing to burn the country in pursuit of the singular goal of maintaining the Assad family's rule over the shattered remains of Syria.

Iran and its proxy Hezbollah are partners and enablers of the Syrian regime's war crimes and have themselves carried out sieges and campaigns that aimed to crush opponents of Bashar Al Assad's dynasty. Hezbollah conducted the siege of Madaya, a town near the Lebanese border, whose inhabitants were forced to eat leaves and grass so they didn't starve to death. Militias led and backed by Tehran carried out many atrocities in the war, including spearheading the ground assault on the eastern half of the city of Aleppo, carrying out summary executions, looting and other abuses.

I remember a conversation with an official with knowledge of the surrender talks in Aleppo at the time, when Russia was negotiating an end to the fighting in exchange for the forced displacement of tens of thousands of civilians there. The official said he felt that "the Iranians just want to raze Aleppo to the ground".

While Moscow's intervention is what turned the tide of the war in Syria in Mr Al Assad's favour, the Iranians have been backers of the regime from very early on in the conflict. After initially sending advisers, Tehran propped up Mr Al Assad by extending credit lines that amount to tens of billions of dollars over the years, backing that became easier to furnish as Iran benefited from sanctions relief after the nuclear deal struck with the Obama administration.

In addition to sending operatives, Iran commanded its militias in Iraq and Lebanon to fight alongside the Assad regime, even sending impoverished Afghan refugees to fight with promises of benefits and status in the country. The participation of Iranian-backed militias further inflamed sectarian tensions that took hold in Syria. Many of these militias adopted overtly sectarian identities or symbols and participated in the forced displacement of civilians from opposition-controlled territories that surrendered to the Assad regime, presiding over demographic change meant to cement the stability of rebellious parts of the country.

Iran has sought to reap the rewards of this support for the Assad regime. In addition to cultivating ties with local communities and notables, a grassroots, long-term strategy of consolidating power, it has sought to secure a portion of the lucrative reconstruction pie and other contracts in the country, in addition to seeking influence with security forces, a goal that puts it in conflict with its Russian ally.

It has also sought to build a supply route that spans its territory all the way to the Mediterranean through Iraq and Syria, and improve its strategic position in the region by building up its presence along another front with Israel – abutting the Israeli-occupied Golan Heights – as insurance in the event of a future war.

Ultimately, Iran seeks to project its influence in the region by weakening the Syrian state. In Syria, this strategy has exposed Tehran's opportunistic foreign policy. The reality is that Iran's leaders, who claim to resist American hegemony, injustice and oppression, threw their full-throated support behind a totalitarian dictator, damning the dreams of Syrian citizens for

freedom.

It is wise to de-escalate tensions in the region. No one wants a war. But the pursuit of a long-lasting easing of the confrontations between Iran and regional and world powers must take into account actions that have provoked instability in Syria and that have subsequently reverberated around the world. Tehran's support for Mr Al Assad has destabilised the region and helped provoke the refugee crisis that has transformed global politics. Sustainable peace can only happen as part of a grand bargain, part of which, by necessity, must include an end of its support for Syria's regime.

US envoy rejects claim coalition airstrikes amount to 'war crime' by key UN Syria panel (New York Times) By The Associated Press

September 12, 2019

The United States' top envoy for Syria rejected Thursday findings by U.N.-backed investigators that deadly airstrikes by the U.S.-led coalition early this year may amount to a war crime.

Ambassador James Jeffrey said the coalition takes "extreme care in every military operation we do."

His comments came a day after investigators working for the U.N.'s top human rights body suggested that coalition airstrikes on Jan. 3 near the town of as-Safa, along the Iraqi border, that killed 16 civilians may not have been directed at a military objective or may not have been carried out with the "necessary precaution."

"Launching indiscriminate attacks that result in death or injury to civilians amounts to a war crime in cases in which such attacks are conducted recklessly," the Commission of Inquiry said in its latest report.

Jeffrey said: "We do not accept the findings of that particular body."

U.N. Syria envoy Geir Pedersen hosted envoys from Britain, Egypt, France, Germany, Jordan, Saudi Arabia and the United States for talks Thursday.

Both Jeffrey and Pedersen expressed concerns about rising violence in the rebel-held Syrian region of Idlib in their comments Thursday to reporters following a meeting of the so-called "small group" of nations: Britain, Egypt, France, Germany, Jordan, Saudi Arabia and the United States.

Pedersen has made a priority of getting the Syrian government and the opposition to agree on the creation of a committee to rewrite the country's constitution in hopes that it might lead to a way out from Syria's 8-year-old war.

Assad and Russia's bombing of hospitals isn't an accident — it's a strategy (Boston Globe) By

Susannah Sirkin

September 12, 2019

Airstrikes rained down on al-Iman Specialized Hospital for Women and Children on Aug. 31 in the battered Aleppo province of Syria. Six consecutive attacks injured three people and forced the evacuation of newborn babies — still in their incubators.

This type of grim scene has played out again and again during the eight-year-long Syrian conflict, a conflict defined by Syrian and Russian government attacks on civilian targets like hospitals and schools.

And while Syria has largely faded from the headlines, Syrian President Bashar Assad and his allies in Moscow are escalating their brutal assault on Idlib, the last opposition-held area. More than 540,000 women, men, and children are internally displaced and 3 million civilians are now trapped in this so-called deescalation area, according to the United Nations. An estimated 1,089 civilians have been killed amid the violence in Syria's northwest region over the past four months. This is because the vast majority of attacks on health centers in Syria are not accidents, not "collateral damage," nor terrorist propaganda. The Syrian and Russian government bombing of hospitals represents their deliberate, inhumane, and illegal strategy of war. As much as Syria and Russia try to obfuscate or cry "fake news," they cannot escape the facts.

Our researchers at Physicians for Human Rights have rigorously corroborated and documented violations by all combatants since the beginning of the Syrian conflict. From March 2011 through August 2019, PHR corroborated 583 attacks on at least 350 separate health facilities as well as the killing of 912 medical personnel. And these are conservative estimates — the true scale of the slaughter is likely greater. Our documentation indicates that 525 attacks — 91 percent — were perpetrated by the Syrian government and its allies. Every attack on a functioning health facility is a war crime. Taken together, these assaults constitute crimes against humanity.

Since the Syrian government's escalation on Idlib began in late April, PHR has received reports of 57 attacks on health facilities in that province. So far, we have confirmed 23 of them and are still counting.

Desperate to spare civilians from the carnage, 12 humanitarian organizations worked with the United Nations on an agreement in 2018 through which those operating health facilities would share their location with the UN, as part of its "deconfliction mechanism." The coordinates were then shared with parties to the conflict, including Syria and Russia. This would prevent hospitals from accidentally being attacked, the thinking went.

Barely a year after its implementation, this arrangement has backfired spectacularly. Those who dared to share their coordinates with the UN have been bombed.

We've seen health workers forced to go to extraordinary lengths to continue providing care. One group in northern Hama established a "cave hospital" some 55 feet into a mountain to escape the attacks. It, too, was bombed repeatedly.

In response to the intensified violence and blatant disregard of the humanitarian agreement, UN Secretary General António Guterres announced last month a new investigation into the failure of the deconfliction mechanism. While the UN is right to examine what went wrong, human rights groups are deeply concerned that the probe will not actually assign responsibility for the attacks. "The hospital was bombed" is very different from "the Syrian Air Force knowingly bombed the hospital."

The United Nations should name and shame those who flout the most fundamental principles of humanitarian law and show such callous disregard for human life. The investigation should be public, transparent, and rapidly executed.

But regardless of how the investigation plays out, it is unclear that new condemnation will do anything to change the barbaric behavior of Syria and Russia. Their violent takeover of Idlib may already be complete by the time the UN investigation announces its findings. This is a sad reflection of how impotent the UN Security Council has become, hamstrung by its own structure and the permanent veto threat from Russia. Regional neighbors and world powers alike have repeatedly failed the Syrian people, and now risk one of the worst humanitarian disasters of the 21st century unfolding before our eyes.

Above all else, Syria and Russia should stop the onslaught on civilians in Idlib. All groups should cooperate fully with the UN investigation. Since Russia has vetoed the referral of war crimes to the International Criminal Court, national governments should aggressively pursue accountability through "universal jurisdiction" options, which would allow for war crimes committed in Syria to be tried in the courts of other countries.

Continued inaction sends a message of abandonment and erosion of humanitarian law not only to those in Syria, but also to all people subjected to crimes against humanity.

Whether in Syria or elsewhere, we must never allow the bombing of hospitals, doctors, and patients to become normal. Hospitals — the places of safety, refuge, and life — should never become death traps.

Syrian government labels SDF 'separatist terrorist militias' ahead of Ankara talks (Defense Post)

By Jared Szuba

September 15, 2019

Kurdish-led SDF calls for dialogue one day before Putin, Erdogan and Rouhani are set to meet in Ankara.

In a rare shift of rhetoric, Syria's foreign ministry labeled the Syrian Democratic Forces as "separatist terrorist militias" in a letter to United Nations Secretary-General.

The letter accuses the SDF of operating in line with "schemes" by the United States and Israel and says the Syrian government will "liberate" territories captured by the militias, state news agency SANA reported on Sunday, September 15, ahead of a Monday meeting of the presidents of Russia, Iran and Turkey to discuss Syria.

According to SANA, the letter claims the SDF has moved on from taking part in "committing crimes of the "International Coalition" against the Syrian people," accusing the SDF of now "kidnapping, torturing, killing and displacing civilians."

An alliance of militias led by the predominantly Kurdish People's Protection Units (YPG) and supported by the U.S.-led international Coalition against Islamic State, the SDF fought the ground war against the jihadist group, capturing nearly all Syrian territory east of the Euphrates river between 2016 and 2019.

The General Command of the SDF in a Sunday statement said the government was "making fake accusations against our forces," noting that 11,000 fighters were killed and 24,000 injured battling ISIS.

It accused the government of failing to protect the people from terrorism, of randomly striking infrastructure in north and east

Syria, and of attempting “to create sedition” in the region.

“ISIS continues to use regime-controlled areas to carry out terrorist actions in northern and eastern Syria and target civilians,” the statement added.

The SDF and Syrian government forces have largely avoided confrontation during the country’s eight-year civil war. The SDF is not considered to be among opposition militias, earning them derision from rebel groups aimed at fighting Bashar al-Assad’s government.

The SDF’s push into the oil-rich majority-Arab province of Deir Ezzor in Syria’s east in 2017 drew scorn from the Syrian government, which has repeatedly vowed to take back all Syrian territory the government lost during the war.

Leaders of the Autonomous Administration of North and East Syria, the governance structure supported by the SDF, have visited Damascus for talks multiple times over the past year.

The Autonomous Administration demands a degree of autonomy from the pre-war centralized Baathist system and has said they will not surrender the people of Arab-majority territories such as Deir Ezzor to the Syrian government.

The SDF on Sunday again called on the government to end “hostilities against our forces” and renewed its call for “dialogue with the forces representing the Kurds, Arabs and all components of the north and east of Syria to search for real solutions” to secure peace and stability “on the basis of constitutional recognition of self-administrations” and acceptance of the SDF.

The Syrian government has rebuffed the Autonomous Administration’s demands before, calling them “separatist” and saying it will never accept the partitioning of the country. Northeast Syrian leaders say they are not seeking partition, but rather a form of negotiated integrated autonomy that would include incorporation of the SDF into Syria’s armed forces.

The Syrian government’s rare public rebuke came one day before Russia’s President Vladimir Putin and Turkish President Recep Tayyip Erdogan are set to meet President Hassan Rouhani of Iran in Ankara for their fifth summit on the Syrian conflict since 2017.

Russia has militarily backed the Syrian government since 2015, and Iran-backed militias in Syria comprise a significant portion of pro-government fighters. Turkey cut diplomatic ties with Damascus following the outbreak of the civil war. The power brokers in the war have previously expressed that the U.S. should leave Syria.

Monday’s meeting is likely to focus on the Syrian government’s push on Idlib, the last bastion of the anti-Assad opposition, but Russia is keen to see progress on establishing a constitutional committee to oversee the next stage of a political settlement in Syria.

Erdogan has threatened for months that Turkish troops will enter northeast Syria to clear a strip of its border area of SDF and YPG fighters and affiliated political figures.

The Turkish government insists the SDF and YPG are terrorist organizations inextricably linked to the outlawed Kurdistan Workers’ Party, or PKK, which has waged a four-decade insurgency against the Turkish government.

The PKK is designated a terrorist group by the U.S. and European Union, but the YPG is not.

The U.S. has facilitated the YPG’s withdrawal from the border area in an effort to ease tensions and to live up to commitments made earlier to NATO ally Turkey. Turkish and US troops have carried out joint ground patrols and joint aerial patrols in northern Syria under their agreement to create a border buffer zone.

Documents Smuggled Out Of Syria Being Used To Build War Crimes Cases Against Regime (NPR)

By Audie Cornish, Bill Wiley, and Deborah Amos

September 23, 2019

A storehouse in an undisclosed location in Europe holds hundreds of thousands of documents smuggled out of Syria that are being used to build war crimes cases against the regime.

AUDIE CORNISH, HOST:

Eight years into his country’s civil war, Syrian President Bashar al-Assad continues to cling to power. But what about the thousands of stories of kidnapping, torture and other crimes by the regime? Will those ever be investigated and prosecuted? These acts are well-documented, and NPR’s Deborah Amos has seen those documents, stored in a secret location in Europe. She joins us now from New York to talk about how this evidence is being put to use. Welcome back, Deb.

DEBORAH AMOS, BYLINE: Hi there.

CORNISH: We aren't going to say where these documents are being kept because there are people who would want them destroyed, right? But can you give us a sense of what this storage space is like?

AMOS: So this is the office of the Commission for International Justice and Accountability. There's no sign on the door. There's no website. But the staff, all of them, are experienced international war crimes investigators. Canadian Bill Wiley founded CIJA. It's funded by Western governments. His team builds cases based on official Syrian documents. They're kept in a locked fireproof vault.

(SOUNDBITE OF DOOR OPENING)

AMOS: And this is the evidence room.

BILL WILEY: So what you have in here is roughly 800,000 pages - original pages - of Syrian regime political, military and security intelligence documentation.

AMOS: Audie, there are 3.6 metric tons of paper in these vaults. Each page is scanned, given a barcode that has an evidence number.

CORNISH: Now, I know there's a network of people working on these cases, but how did they get all of this material?

AMOS: The documents have all been smuggled out of Syria over eight years of war. Wiley and his team started training Syrian activists in 2011. So whenever rebels ran over a town, these Syrian teams would go straight to the government buildings, and they'd scoop up official documents. It's very risky to get tons of paper out of Syria in the middle of a war. So a couple of them have been killed, some have been wounded doing this work.

CORNISH: How are the documents going to be used to help build a case against the regime?

AMOS: So the lawyers say that they aren't finding documents telling officers running prisons to explicitly torture. Officials don't put that in writing. The documents do show that the Assad regime issued orders to arrest people on an unprecedented scale to put down the uprising in 2011.

So what you see there are reports from prisons with details like the bodies are piling up or the corpses are not presentable to release to the families. Wiley says the documents show that the reports went all the way up the chain of command.

WILEY: You can't torture people and kill them in custody. It's illegal. It's illegal under Syria - forget international law. It's illegal under Syrian law. There's endless numbers of daily violations in security intelligence facilities of Syrian penal law by persons in the employ, on the payroll of the Syrian state.

AMOS: And that's the kind of evidence that you can use to show Syrian leaders are criminally responsible, especially when the documents show that the crimes of torture were unpunished.

CORNISH: And have they been used in courts yet?

AMOS: Yes. So the first time they were used was in Washington. And that was in the case brought by the relatives of journalist Marie Colvin. And the documents showed that she was targeted and killed by the Assad regime in 2012. Now, the documents are used in cases brought in national courts in Europe. And that's because cases are blocked at the International Criminal Court because supporters of Syria like the Russians, they can use their U.N. veto.

Now, in Germany and a handful of European countries, there's this legal procedure that allows prosecutions of war crimes committed anywhere. So there are 800,000 Syrians in Germany with stories of torture in jail. In February, Germany arrested a Syrian who'd come into the country as a refugee. And the documents show he ran a notorious prison. So I had this exchange with Bill Wiley.

WILEY: We received a routine request from the Germans just at the point we were finishing the dossier. So they got more than I think they had perhaps anticipated in a very short time.

AMOS: Is he a big fish?

WILEY: He's the biggest fish arrested in the West to this point - well, anywhere in the world to this point. He was a full colonel, head of interrogation and two security intelligence branches in Damascus, meaning he's responsible for the teams that interrogate the detainees and everything that goes with that in the Syrian context. And so yeah, he's a very big fish.

CORNISH: But he's one big fish. I mean, are there many more to come?

AMOS: You know, the odds of getting the very top people are slim. Germany and France issued international arrest warrants for top officials last year. But as long as they stay in Syria, they're immune from arrest. Wiley and his team have tracked about 15 regime officials who slipped into Europe with the refugees. They are more promising cases. But in the end, the prosecutors and the lawyers in Europe say it's important for Syrian witnesses to tell these stories in court to show the world what they've been through.

CORNISH: That's NPR's Deb Amos in New York. Deb, thanks so much.

AMOS: Thank you.

CORNISH: And you can hear more of Deb's reporting tomorrow on Morning Edition, where you can hear how one Syrian survivor is turning the tables on his torturers.

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Yemen

Yemeni officials say rebel shelling kills 13 civilians (ABC news) By Ahmed Al-Haj
September 14, 2019

Yemeni security officials say shelling by Houthi rebels has killed at least 13 civilians including women and children in the provinces of Hodeida and Taiz.

The officials said Saturday the attacks killed at least 11 people, including six from one family, south of the Red Sea city of Hodeida in the past 24 hours.

They say another two children were killed by mortar fire late Friday in the Salih district in the southwestern province of Taiz.

The officials spoke on condition of anonymity because they were not authorized to brief the media.

Yemen's war pits the Iran-backed Houthis against the internationally recognized government, which is supported by a Saudi-led coalition.

The war has claimed tens of thousands of lives and thrust millions to the brink of famine.

Lawyers ask Met to launch war crimes inquiry over Yemen funeral attack (The Guardian) By Owen Bowcott
September 16, 2019

The Metropolitan police and US justice department have been asked to launch a war crimes investigation into Saudi and Yemeni officials over a 2016 air attack that killed 137 civilians attending a family funeral.

Under the powers of universal jurisdiction states can undertake inquiries and prosecutions for serious offences such as torture and war crimes even if they were carried out by foreign nationals abroad.

A complaint was submitted on Monday to SO15, the Met's counter-terrorism command by lawyers acting on behalf of a UK national, Nabeel Gubari, 54, whose uncle, Muhammad Ali al-Rowaishan was among those who died in the community centre in Sana'a on 8 October 2016.

The bombing was one of the most notorious atrocities of the Yemen war. Many of the victims were young children. A further 695 people were injured, many suffering severe burns as flames engulfed the building. No one has ever been investigated or charged for the incident.

Lawyers, led by Rodney Dixon QC and Hakan Camuz of the London law firm Stoke White solicitors, have identified four Saudi and Yemeni officials – both military and governmental – whom they allege are directly responsible for ordering the bombing even though it was known those attending were civilians.

The suspects' names have been passed to the Met and US justice department which, the lawyers said, can expand their inquiries. All four are known to travel to the UK and US regularly and have therefore not been named.

If the police pursue the investigation and the suspects fly into Britain, they could be detained, questioned, charged and imprisoned in the UK. The complaint against the suspects is for alleged crimes of torture under section 134 of the Criminal Justice Act 1988.

The 2016 funeral attack involved the use of US-manufactured and supplied weapons. The Saudi-led coalition has already admitted responsibility for the bombing. British military staff and British weapons have been involved in other bombing raids on Houthi rebels in Yemen during the war.

The lawyers are also acting for a US citizen, Abdulla al-Alrowashan, who is the brother of Mohammed Ali, and another brother, Khalid Ali Saleh al-Ruwayshan, who is a Yemeni national living in Istanbul.

In a statement, Gubari said: "It is time that the people who murdered Ali and the many other innocent people on that day were made to face some consequences for their actions. They bombed a funeral. There is no excuse that can be given for what they did. We are angry and have suffered helplessly for too long. I really hope that the UK and US police take this seriously and do something about it. Too many innocent people have died for no reason and we deserve justice."

Dixon, of Temple Garden Chambers, said: "After reviewing the available evidence it is clear that the crimes committed on 8 October 2016 can and should be investigated under national laws for which universal jurisdiction exists.

"There is cogent evidence that the Saudi officials who planned and carried out the attack on the community hall where the funeral was being held should be investigated for committing war crimes and torture. We need to use all legal avenues that are available to try and bring the families of those innocent people who were killed on that day some semblance of justice."

Camuz said: "The people of Yemen have suffered for too long with no clear path for them to pursue justice for the many horrific crimes which have been committed against them by the Saudi and UAE coalition forces.

"Today's complaint is the first of its kind in relation to the appalling bombing of the funeral in 2016 and we will do everything we can to assist the Metropolitan police and the Department of Justice as they begin their investigation into these crimes."

Haydee Dijkstal, a barrister at 33 Bedford Row chambers, who is leading on the US complaint, said: "This was an attack on what was known to be a community centre and could hold up to 1,000 civilians. This is a US citizen who is asking his own government to have the murder of his brother investigated."

A Met police spokesperson said: "We can confirm that the Met has received a request to carry out an investigation in relation to an incident in Sana'a, Yemen, in October 2016. The request was made by lawyers acting on behalf of a man whose relative is said to have been killed during the incident. The details of the request have been passed to the Met's war crimes team and is currently being considered by officers."

Civilians killed in Saudi-led air attacks in Yemen: Report (Al Jazeera)

September 23, 2019

Five civilians from one family have been killed in air attacks by the Saudi-led coalition in Omran province in Yemen, according to Houthi-owned Al Masirah TV.

The armed group said early on Monday that the Saudi-led coalition hit a mosque where the family had sought shelter when the attacks began.

Two children from the same family were missing, the report said, and rescuers were searching the rubble of the building.

There was no immediate confirmation from Saudi Arabia.

On Friday, the Houthis announced they would stop aiming missiles and drones at Saudi Arabia, provided the kingdom reciprocated by stopping its attacks on them, warning that the continuation of the war could lead to "dangerous developments".

The announcement had followed Saudi-led air raids on Thursday against the Houthis based north of Yemen's port city of Hodeidah - an attack that was seen as retaliation for attacks on September 14 on two major oil facilities in Saudi Arabia.

A coalition led by Saudi Arabia and the United Arab Emirates intervened in Yemen in March 2015 after the Houthis removed the internationally-recognised government in Sanaa in late 2014.

The conflict has killed tens of thousands of Yemenis and left millions on the brink of famine, what the UN calls the world's worst humanitarian crisis.

The Houthi rebels have repeatedly targeted key infrastructure in Saudi Arabia in recent months.

Earlier this week, the Houthis also said they had picked out dozens of sites in the UAE as possible targets for future attacks.

Air strikes in Yemen kill at least 16 civilians, Houthis say (Reuters)

September 24, 2019

Air strikes blamed on the Saudi-led coalition killed at least 16 people in Yemen's disputed province of al-Dhalea on Tuesday, two residents and the Houthi-run al-Masirah TV said.

The Saudi-led coalition did not immediately respond to a request for comment.

In Tehran, Iranian Foreign Ministry spokesman Abbas Mousavi condemned the strikes as "war crimes" and called for a political solution in Yemen, the state news agency IRNA said.

"The spokesman voiced regret over the new Saudi war crimes carried out with arms supplied by America and some European countries and said: "...The aggressors in Yemen continue to insist on beating the drum of war and committing their strategic mistake of using a military approach," IRNA reported.

The Houthis this month claimed an assault on Saudi oil facilities which initially halved the kingdom's production. Washington and Riyadh blame Iran for that attack, which Tehran denies.

Al-Masirah TV said 16 people in one building - including seven children - had died in strikes carried out by the Saudi-led coalition.

Saudi Arabia leads a coalition that intervened in 2015 to restore the government of President Abd-Rabbu Mansour Hadi, which the Houthis ousted from power in the capital Sanaa in late 2014. It has carried out many air strikes in Houthi areas.

Two residents told Reuters that 17 people had died in the strikes on Qataba, a frontline town which lies on the main north-south route between Houthi-controlled Sanaa and the southern port city of Aden.

Aden is nominally the interim seat of Yemen's internationally recognized government, but southern separatists seized control of the city last month.

A coalition spokesman said later on Tuesday that Houthi forces had fired a ballistic missile from Amran, northwest of Sanaa, and that it had fallen inside Houthi territory in Yemen. It was unclear whether this was intended as retaliation for Tuesday's air strikes.

Violence from both sides during the war has killed tens of thousands of people and pushed millions to the brink of famine.

Nine people, including three children, died this month when shelling from Houthi-controlled territory hit their house south of the major port city of Hodeidah, medical sources told Reuters.

The medical charity Medecins Sans Frontieres said eight women and one child had been admitted to a nearby hospital after shelling.

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Special Tribunal for Lebanon

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

Lebanon tribunal issues new murder charges against man accused of former PM's assassination (Arab News) By Najia Houssari

September 17, 2019

The Special Tribunal for Lebanon (STL) on Monday issued five new charges against Hezbollah cadre Salim Ayyash relating to the killings of three men including former secretary-general of the Lebanese Communist Party, George Hawi.

Pre-trial judge, Daniel Fransen, also sent out warrants for the arrest of court fugitive Ayyash to the Lebanese government and international police organizations.

Ayyash is one of four defendants accused of the assassination of former Lebanese Prime Minister Rafik Hariri in February 2005 and is on trial in absentia.

Fransen declassified an indictment against Ayyash, born in 1963, concerning attacks targeting Lebanese ministers Marwan Hamadeh (assassination attempt, 2004) and Elias Murr (assassination attempt, 2005), and Hawi (assassination, 2005).

The pre-trial judge's move opens the way for a new case before the international tribunal which was set up to try the killers of Hariri and other connected terrorist crimes.

Ayyash has been charged with five counts of "conspiracy to commit terrorist acts" which include the intentional homicide with premeditation of Ghazi Abou-Karroum, Khaled Moura and Hawi, and the attempted intentional homicide with premeditation of Murr, Hamadeh and 17 other people.

According to the STL's press office, the confirmation of the indictment means that "the pre-trial judge is satisfied, based on the supporting materials, that the prosecutor has established a prima facie case against Mr. Salim Jamil Ayyash and that there are grounds to initiate trial proceedings.

"This is not a verdict of guilt and Mr. Ayyash is presumed innocent unless his guilt is established beyond reasonable doubt at trial."

The indictment and arrest warrant were transmitted to the Lebanese authorities, which "have the obligation to search for, arrest and transfer the accused to the STL's custody."

The STL said that Ayyash must now be formally notified of the charges against him. "If the accused cannot be found, the trial chamber may decide to try him in absentia."

The press office said that following "reasonable attempts" to locate the accused and serve the indictment, the tribunal president could, after consulting the pre-trial judge, advertise the indictment in an effort to alert Ayyash of the need to appear before the tribunal and encourage anyone with information about his whereabouts to inform the tribunal.

It added: "If within 30 calendar days following such an advertisement, the accused is not under the tribunal's authority, the pre-trial judge shall ask the trial chamber to initiate proceedings in absentia."

In February, the STL concluded trials in absentia of four men accused of masterminding and executing the assassination of Hariri and is expected to rule on the defendants Assad Hassan Sabra (born 1976), Hussein Hassan Enissi (born 1974), Hassan Habib Merhi (born 1965), and Ayyash.

The STL overturned the prosecution of a fifth defendant, Mustafa Badreddine, who was killed in a mysterious operation in the Syrian capital Damascus in 2016.

The STL has more than 6 million papers and documents relating to the case.

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Israel and Palestine

Israeli elections dim prospect of peace agreement with Palestine (The Hill) By Zaha Hassan

The latest Israeli elections confirm the definitive lurch of voters to the right. The government will be right wing, making a peaceful resolution to conflict between Israel and Palestine remote. For Palestinians, a Likud Kahol Lavon unity government or a Likud hard right coalition makes little difference. The United States will stand behind whatever actions the Israeli government takes, however antithetical to a negotiated solution they may be, unless Congress takes steps to preserve the possibility of peaceful resolution. Instead, Congress is poised to lay the ground for a American peace plan that will only guarantee perpetual conflict.

For the almost two million Palestinian citizens of Israel, frequently referred to as “Israeli Arabs” to obscure their indigeneity, little will change. Despite criticizing the incitement of Israeli Prime Minister Benjamin Netanyahu against Palestinian citizens, Gantz has not promised to repeal the Jewish nation state basic law, which constitutionalizes the second class status of Palestinians. The Palestinian Joint List party will be unable to stop the evictions of entire Palestinian communities inside Israel, like Al Araqib, whose residents must pay for the demolition of their own homes.

The approximately five million Palestinians in the occupied West Bank and Gaza will feel less safe. Gantz, who is defending war crimes charges in the Hague, is more hawkish than the current prime minister, bragging in past campaign ads that he bombed Gaza “back to the Stone Age.” The years long siege and blockade of Gaza will continue, denying Palestinians their basic human dignity, as will the fits and starts of low to high intensity violence between the Israeli military and the militant groups and in the West Bank, where Palestinians will be confined to ever shrinking areas of land surrounded by ever expanding Israeli settlements. As for Palestinian Jerusalemites, they will continue to face revocation of their residency rights and additional attempts to zone them out of the city.

One potential difference between Gantz and Netanyahu may be on annexation. Although Israel has effectively annexed large swathes of the West Bank, it has not officially declared its extension of sovereignty there to avoid international repercussions. Instead, the Israeli government has been gradually integrating the settlements by connecting its sewage system, road network, and electricity grid, and by applying Israeli laws to settlements. Netanyahu made a campaign promise to go the next step, extending Israeli sovereignty to settlements and the Jordan Valley, while Gantz stated only that he supports holding on to the areas.

The Trump administration and members of the Middle East peace team have signaled support for legal annexation in myriad ways by denying that an Israeli occupation exists or that it only represents a tiny portion of the West Bank, removing the term “occupied” from the State Department human rights country reports, deleting “Palestinian Territories” from the lists of countries under one of its bureaus, taking a sledgehammer to the earth beneath Palestinian homes in occupied East Jerusalem, and stating that Israel has the right to annex some part of the West Bank.

To buttress this shift in policy, members of the Trump administration rely on biblical history. In an address before the annual American Israel Public Affairs Committee conference, Ambassador David Friedman said that he and the Trump administration could not leave a peace plan to another administration in order for Israeli to control Judea and Samaria, which is the occupied West Bank, and the Jordan Valley to be ensured.

President Trump has an interest in keeping something in his back pocket to gift his evangelical base ahead of the American elections. The continuation of his close partnership with the Israeli government is critical, which explains how easily he caste aside his bromance with Netanyahu by saying that “our relations are with Israel” rather than supporting the increasingly unlikely continuation of the status quo.

Where is Congress in all of this? Senate Republicans and Democrats cannot even agree on a nonbinding resolution to support a negotiated two state solution. A bill is advancing that would delegitimize Palestinian national aspirations and sovereignty by forcing the Palestinian Liberation Organization to downgrade its status at the United Nations and the International Criminal Court, where Palestine must be deemed a state to refer war crimes cases. Although the principal aim is to compel the Palestinian Liberation Organization and the Palestinian Authority to pay previously dismissed awards of damages to victims of political violence during the Second Intifada, the bill would bankrupt the Palestinian Liberation Organization out of existence. This ultimately means no Palestinian representative to sign a peace agreement with Israel.

In order to incentivize Palestinian acquiescence to annexation, the Senate Appropriations Committee is calling for funding to support partnerships between Israeli and Palestinian businesses in the West Bank, which means between Palestinians and settler businesses that are expropriating their land and natural resources. With that move, all that is left to turn the page on United States policy in the Middle East is the release of the American peace plan that recognizes complete Israeli sovereignty.

Forty-eight Gazans Wounded by Israeli Gunfire in Border Protests, Palestinians Report (Haaretz) By Jack

Khoury
September 20, 2019

Seventy-five Palestinians were wounded Friday, 48 by Israeli gunfire, during weekly protests along the border fence, Gaza's Health Ministry said.

According to the Health Ministry, two of the wounded are volunteer paramedics.

This comes just two days after seven Palestinians were wounded after a rocket barrage from the Gaza Strip exploded near a house inside the coastal enclave.

Palestinian eyewitnesses said Wednesday that two of the three rockets struck outside a home in the southern city of Rafah, and a third fell near the fence separating Israel and the Gaza Strip.

The Israeli military said it had identified "a failed launch attempt" from the Gaza Strip, but that no projectiles entered Israel.

On Monday it was revealed that Prime Minister Benjamin Netanyahu aborted plans for an unusual military move, which would likely have had far-reaching implications, at the last moment the week before. Such operation could have delayed Israel's general election which took place on Tuesday.

Netanyahu did so due to a legal opinion by Attorney General Avichai Mendelblit that the plan required the approval of the security cabinet.

The dramatic discussion over a potential military action began last Tuesday night. A few hours earlier, Netanyahu had gone through a disturbing experience: Gaza-based Islamic Jihad operatives fired a Katyusha rocket at the southern city Ashdod, where he was speaking at a campaign rally.

Palestinian sues former Israeli commander Gantz for war crimes (Al Jazeera) By Loes Witschge
September 17, 2019

As Israelis voted in a repeat general election, a Dutch court held a hearing on a war crimes case against the ex-general challenging incumbent Prime Minister Benjamin Netanyahu.

The Hague District Court weighed on Tuesday if it should hear a lawsuit brought by a Dutch-Palestinian man seeking damages from Benny Gantz and a co-defendant for their role in the killing of six of his relatives during the 2014 Gaza War.

On July 20, 2014, Ismail Ziada lost his mother, three brothers, a sister-in-law, and a 12-year-old nephew when their family home was bombed by the Israeli air force as part of Operation Protective Edge. A visitor was also killed in the air raid.

Ziada, who was born in Gaza and lives in the Netherlands, filed a civil lawsuit in 2018 seeking compensation from Gantz, the chief of staff of Israel's military at the time of the bombing, and then air force commander Amir Eshel.

Ziada alleged the attack violated international humanitarian law because it deliberately targeted civilians, was disproportionate and happened without prior warning.

The Israeli army said the house was a Hamas "command-and-control centre" and it killed members of its military wing and Islamic Jihad fighters and, therefore, was proportional.

Ziada said one of his brothers was involved with Hamas but was not an active member.

Asked to comment on the allegations, Gantz told Al Jazeera in a written statement, "The Israeli Defense Force is the most moral army in the world and I am proud to have served in it for almost 40 years and to have commanded it".

Neither Gantz nor Eshel were present at the hearing.

Tuesday's session addressed a motion filed by Gantz and Eshel's lawyers asking the court to dismiss the case. They argued the ex-commanders were immune from a foreign court because they acted in an official capacity and the Dutch court had no jurisdiction over the case because Ziada could sue in Israel.

Dutch courts can exercise universal jurisdiction over war crimes, provided the accuser cannot get a fair trial elsewhere.

Ziada told the court the bombing had "permanently scarred" him. He called the arguments by the defendants' lawyers "farcical and vicious", saying awarding immunity to the ex-generals would mean he would have "no recourse to justice at all", and it

would "do harm to the very concept of justice".

Thom Dieben, a lawyer for Gantz and Eshel, told the judges ruling on military acts by Israel was "not up to a Dutch judge" and it would be contrary to principles of immunity and sovereignty.

He said "the Israeli judge is the appropriate forum" to rule on the case.

Ahead of the hearing, Ziada's lawyer, Liesbeth Zegveld, said Palestinians from Gaza could not receive fair treatment by Israeli courts.

"[Under Israeli law] anybody from Gaza is an 'enemy subject' and an enemy does not have access to a judge. That shuts the door," she told Al Jazeera.

Omar Shakir, Israel and Palestine director at Human Rights Watch, said Tuesday's hearing "inspires hope that those involved in serious crimes will have to answer for their actions at a fair trial".

"Palestinian victims have faced a wall of impunity within Israeli courts for decades. Israeli military investigations and hearings - when they do take place - are generally a whitewash operation," he told Al Jazeera.

Gantz has enjoyed a rapid ascent in Israeli politics. As the leader of the Blue and White alliance, he is now the strongest challenger to Netanyahu in his bid to prolong his 13 years in office.

In a series of campaign videos released ahead of April's general elections, which failed to produce a coalition, Gantz boasted of killing 1,364 Palestinian "terrorists" and sending parts of Gaza "back to the Stone Age" during the 2014 Gaza War.

An inquiry by the United Nations found 1,462 Palestinian civilians were killed during the 51-day offensive, a third of them children. Palestinian armed groups killed six Israeli civilians in July and August of 2014, the UN Gaza inquiry said.

Ziada is seeking 536, 600 euros [\$592,200] in damages.

The Dutch court will decide on January 29, 2020 whether to proceed with the case.

Hamas warns Israel against harming protesters at Gaza border clashes (The Times of Israel) By Toi Staff
September 13, 2019

Several thousand Palestinians protested along the Gaza border Friday, hours after Prime Minister Benjamin Netanyahu warned that war with terror groups in the Gaza Strip could break out "at any moment."

Some 4,000 Palestinians took part in demonstrations with several hundred rioting and throwing rocks and explosive devices at Israel Defense Forces troops who responded with tear gas and occasional live fire.

The Hamas-run Gaza health ministry said 30 people had been wounded, including 15 from live fire. The IDF had no immediate comment.

Two Palestinian teens were killed in last week's clashes, which the IDF called "especially violent" and senior Hamas official Ismail Radwan on Friday warned Israel to act with restraint, saying the "resistance is a sword defending the Palestinian people."

Nevertheless, Hamas issued a call to those taking part in the protests to keep away from the fence and not give the IDF an excuse to open fire.

The protests come after a week of tension in the south.

Rockets have been fired at Israeli cities and communities multiple times over the past week — with most intercepted by the Iron Dome defense system or landing in open areas — drawing retaliatory Israeli airstrikes. On Tuesday night, two rockets were launched at Ashdod and Ashkelon during a campaign rally in Ashdod by the premier, who was whisked off the stage by his bodyguards to take shelter.

In his comments, which he made after returning from a meeting with Russian President Vladimir Putin, Netanyahu asserted, "An operation in Gaza could happen at any moment, including four days before the elections. The date of the elections does not factor [into a decision to go to war]."

Israelis go to the polls on Tuesday, September 17. Netanyahu, who is facing stiff competition in his bid to reclaim the

premiership, has been seeking to hammer home his credentials and past achievements in security and diplomacy, but ongoing attacks from Gaza have remained a nagging thorn in his side, repeatedly exploited by his political rivals.

For many of those rivals, the scenes of Netanyahu being forced to take shelter from rockets provided a counterpoint to the image he has attempted to cultivate as “Mr. Security,” highlighting what they say is his government’s failure to deal with ongoing attacks from Gaza terror groups.

On Wednesday, before he departed Israel for the Russian resort city of Sochi, the prime minister said the military would likely be forced to go to war in Gaza in the near future — though he did not hint such a move could occur before the elections — following the spiraling tensions on the southern front in recent weeks.

“There probably won’t be a choice but to launch an operation, a war with the terror forces in Gaza,” the prime minister said in a radio interview with the Kan public broadcaster, kicking off a media blitz five days before the elections. “There probably won’t be a choice but to topple the Hamas regime. Hamas doesn’t exert its sovereignty in the Strip and doesn’t prevent attacks.”

“We have a situation in which a terror group that launches rockets has taken over, and doesn’t rein in rogue factions even when it wants to,” Netanyahu said of Hamas, which has ruled the Strip since it took over in a bloody coup in 2007, and which says it seeks Israel’s destruction. It has fought three wars with Israel since 2008.

“Israel’s citizens know very well that I act responsibly and reasonably, and we will start an operation at the right time, which I will determine,” said Netanyahu, who is also defense minister.

Hinting that more “complex” military moves would possibly precede such a war, he said a military confrontation was “a last resort. I don’t endanger our soldiers and civilians to get applause.”

A day earlier, Netanyahu accused his rivals in the Blue and White party of “gloating” after he was rushed offstage to take cover as rockets fired from Gaza triggered sirens at his campaign event in Ashdod.

“A low point of the elections: Three former IDF chiefs of staff are gloating over fire at the prime minister. Shameful,” his Likud party tweeted, referring to Blue and White’s triumvirate of lieutenants-general: leader Benny Gantz, and MKs Gabi Ashkenazi and Moshe Ya’alon.

Gantz had touted the fact that Ashkenazi remained onstage at a campaign event in Ashkelon as the alarm sounded, potentially putting himself in danger, while Netanyahu left the stage — as required by Home Front orders.

“We are not afraid — not of Hamas and not of Hezbollah. We are committed and we are here,” Gantz said at an event in the Druze village of Julis in the north. “Today we saw how the big words are replaced with zero action.”

Would Jordan Valley Annexation Tip Scales in War Crimes Fight? - Analysis (Jerusalem Post) By Yonah Jeremy Bob
September 12, 2019

If Prime Minister Benjamin Netanyahu makes a postelection announcement annexing the Jordan Valley will it tip the scales against Israel at the International Criminal Court?

For those who have forgotten, ICC is likely into the last year of a five-year preliminary review of war crimes allegations against Israelis.

Nine months ago, the ICC Prosecution’s report said it had moved its decision on war crimes allegations relating to Israel and “Palestine” to the final track – suggesting there may be a decision by December.

In that same report, the ICC Prosecution appeared to maneuver more strongly than ever to set the stage for accusing Israelis of war crimes regarding the settlement enterprise.

Until that report, there had been hope from top Israeli government lawyers – a hope bolstered by former ICC chief prosecutor Luis Moreno Ocampo in an exclusive interview with The Jerusalem Post – that Israeli Supreme Court decisions ordering some Israeli settlements demolished and some changes in the West Bank security barrier might protect Israel from ICC involvement.

But the ICC Prosecution seemed to say in that report that it would view Supreme Court decisions as narrowly limited to instances in which it ruled, leaving any West Bank land dispute where it did not rule – meaning most of the land – open to ICC jurisdiction.

As a backdrop to all of this is the fundamental question of whether the ICC trusts Israel's rule of law and believes that its West Bank policies comply with international law.

If it does, then the ICC's own Rome Statute would prohibit it from getting involved.

If it believes that the government and Supreme Court do not enforce and comply with international law, then the path to a conflict with Israel over alleged war crimes becomes easier to take.

How would a Netanyahu declaration work into this? The truth is that a Netanyahu declaration, in and of itself, would probably not be terribly meaningful either to the ICC or to Israelis domestically.

In order to apply Israeli law to the Jordan Valley in any meaningful way, Netanyahu would, at a bare minimum, need a vote of the cabinet to take concrete actions.

The internal debate in Israel is whether that would suffice or could be summarily ignored or easily struck down by a Supreme Court ruling.

Many say that for Israel to actually annex even a centimeter of some new area of the West Bank, a Knesset law would need to be passed, as Israel did with Jerusalem and the Golan Heights.

Presuming Knesset action would be necessary to annex the Jordan Valley, the real question is whether such a Knesset law would tip the scales of the ICC against Israel or whether the Supreme Court would intervene and strike down such a law before the ICC could act.

The Supreme Court did freeze the Settlements Regulations Law around two years ago, to some extent taking that off the table as a weapon the ICC might use against Israel.

Curiously, the Supreme Court has never gotten around to actually ruling on the constitutionality of the law, though a two-year freeze – along with Attorney-General Avichai Mandelblit's opposition to that law – makes it clear that the court is not a fan.

But anyone who thinks that the Supreme Court would strike down or freeze a Knesset annexation law regarding the Jordan Valley did not carefully read Mandelblit's opposition to the Settlements Regulations Law.

Among other objections, Mandelblit and his international law advisers argued that the law could not be implemented, because Israeli domestic law had a decades-long precedent of treating the West Bank as belligerent occupied and disputed territory.

Israel might very well acquire ownership of the land in diplomatic negotiations, but it could not randomly legalize Israeli settlements that were built on land claimed by the Palestinians as privately owned.

But Mandelblit and his advisers had an "unless" – unless the Knesset decided to annex.

Mandelblit's advisers were clear that the Knesset has the sovereign power to pass a law reversing decades of policy and choosing to take full responsibility for annexing aspects of the West Bank. They simply were not prepared to pretend that Israel views the West Bank as disputed, while picking and choosing times to ignore that status.

This means that the same Supreme Court – which seems to have permanently frozen piecemeal, roundabout annexation-like moves – might very well accept straight-up annexation by the Knesset as binding its hands.

That is the scenario where the ICC might finally slant against Israel over the settlement enterprise.

Of course, Israel would have a range of counterarguments: Israel did not ratify the Rome Statute; Israel still disputes that Palestine is even a state which can ask for ICC intervention; no one in history has ever been probed for the "war crime" of building a house; and the specific areas being annexed might be generally acknowledged as staying with Israel even if there is a peace deal.

This last point is debatable regarding the Jordan Valley, though it seems the Palestinians were ready in 2014 to agree to Israeli control for several years or more even after a deal.

But unquestionably, annexing the Jordan Valley without a peace deal would carry risks before the ICC.

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Gulf Region

Yemen Atrocity Sparks Call For War Crimes Investigation Of Saudi Officials In U.S. And U.K. (Forbes) By Dominic Dudley

September 16, 2019

One of the deadliest incidents of the Yemen war is coming back to cause trouble for the Saudi authorities, with a call for war crimes investigations in the U.S. and U.K. launched today.

Lawyers representing relatives of Muhammad Ali Al Rowaishan, who was killed in a devastating air strike in late 2016, have submitted a complaint to the U.K. Metropolitan Police (the Met) and the U.S. Department of Justice, asking them both to investigate the alleged crimes.

If the American and British authorities accept the need for an investigation, a number of senior Saudi officials could be at risk of arrest and questioning if they travel to either country.

The incident in question took place on October 8 2016, when a funeral in Sanaa, the capital of Yemen, was hit by an airstrike carried out by the Saudi-led coalition. An estimated 137 civilians were killed and up to 695 others were injured in the strike.

It is the second highest death toll from a single incident during the four-and-a-half-year air campaign by the coalition, only exceeded by the 206 people killed on August 31 this year in an air raid on a community college which was being used as a detention facility. The Saudi war effort continues to be supported by the U.S. and U.K. governments.

The request for an investigation has been made on behalf of Rowaishan's uncle Nabeel Gubari (a U.K. national) and two of Rowaishan's brothers: Abdulla Alrowashan (a U.S. citizen) and Khalid Ali Saleh Al Ruwayshan (a Yemeni citizen).

"They bombed a funeral. There is no excuse that can be given for what they did," said Gubari. "We are angry and have suffered helplessly for too long. I really hope that the UK and US police take this seriously and do something about it. Too many innocent people have died for no reason and we deserve justice."

Lawyers have submitted evidence and a list of suspects to the Met's Counter Terror Command and to the D.O.J. for investigation. According to the lawyers, the suspects include those "at the highest level who were in charge of the operation and who bear the greatest responsibility".

For now, the names of those being targeted has not been released. "This has to remain confidential," said a spokeswoman. "We will be able to reveal the names eventually, but we do not want their names revealed to stop them from travelling and thus not being prosecuted."

It is the first criminal complaint to be filed in the U.S. or the U.K. in respect of the attack. However, it is not the first time the principle of universal jurisdiction has been used to target Saudi figures. In November last year, lawyers in Argentina threatened to use it against crown prince Mohammed bin Salman for his involvement in the Yemen war and his alleged involvement in the murder of journalist Jamal Khashoggi.

Like Argentina, the U.K. and the U.S. both claim universal jurisdiction for a small number of serious offences, allowing anyone accused of such crimes anywhere in the world to be brought to justice in British and American courts. Offences covered include war crimes and torture. The most high-profile case in the UK to date involved Chilean dictator Augusto Pinochet, who was arrested in London in October 1998 for human rights violations, following a request from a Spanish magistrate.

After a high-profile legal battle, Pinochet was released on health grounds in 2000, but he was later indicted by the Chilean authorities after he returned home. He died in 2006 before the legal proceedings against him had concluded.

Saudi Arabia has previously admitted that it carried out the bombing of the 2016 funeral, but blamed false information it had received which had indicated there was a gathering of armed Houthi leaders. At the time a statement from the Saudi-led coalition's Joint Incidents Assessment Team played down the consequences, only saying the strike "resulted in several deaths and injuries" and calling for compensation to be paid to the families of the victims.

"There is cogent evidence that the Saudi officials who planned and carried out the attack on the community hall where the

funeral was being held should be investigated for committing war crimes and torture,” said Rodney Dixon QC of Temple Garden Chambers, who is working on the case. “We need to use all legal avenues that are available to try and bring the families of those innocent people who were killed on that day some semblance of justice.”

The October 2016 funeral was for Ali al-Rawishan, father of the rebel Houthi government’s interior minister Galal al-Rawishan. Muhammad Al Rowaishan was one of around 30 family members there on the day of the funeral.

Yemen faces an existential threat, says UN special envoy (The Guardian) By Patrick Wintour
September 16, 2019

Yemen faces an existential threat, the United Nations special envoy has said, as he prepares to brief the UN security council on the country’s devastating, multi-faceted conflict.

The UN meeting comes after disputed claims by Yemen’s Houthi rebels that they were behind the drones that caused major devastation at two Saudi oil facilities on Saturday.

More than four years of war between the Iran-backed Houthis and a coalition led by Saudi Arabia has brought Yemen to its knees, with accusations of war crimes on all sides.

In recent months a secessionist movement in the south has emerged that is taking territory from the Saudi-backed government, further complicating the battlefield situation. The secessionists are backed by the United Arab Emirates (UAE), a partner in the Saudi fight against the Houthis.

Griffiths told the BBC that Yemen faced “the risk of fragmenting and threatening its own existence, which is a massive threat to stability in the region”.

“In these circumstances what we need to do is waste no more time, but to get to the table to get the political agreement in place to end that conflict,” he said.

Griffiths’ intervention reflects concerns that the attack on the oil installations could end any Saudi willingness to compromise on a future Houthi stake in Yemen’s government, and that Riyadh will instead revert to an uncompromising search for a military solution that crushes the rebels. If Riyadh believes victory against the Houthis is essential to reduce Iran’s influence across the region, the chances of compromise diminish.

Griffiths will call at the UN on Monday for all sides to come together to hold wide-ranging political talks on the country’s future, moving on from the narrow focus on security troop withdrawals in the Red Sea port of Hodeidah, the primary focus of his diplomacy since an outline agreement was reached in Stockholm last December.

Diplomats fear Griffiths’s appeal may be ignored if Saudi Arabia joins the US in attributing responsibility for Saturday’s attack to a nexus between the Houthis and Iran. The UAE has recently signalled that it is withdrawing some forces from Yemen, and there had been hope that the Saudis might also wind down their involvement.

Griffiths told the BBC he could not personally attribute responsibility for the oil facility attack, or substantiate the Houthis’ claim that they launched the drones.

The US government has produced satellite photo that officials have said shows impacts consistent with the attack coming from the direction of Iran or Iraq, rather than from Yemen to the south.

For the Houthi claim of responsibility to be true, their armed drones would have had to fly for nearly 620 miles (1,000km) from Houthi-controlled territory in north-west Yemen and across Saudi Arabia to reach their targets in Abqaiq. Few doubt the Houthis’ drone capabilities have grown more sophisticated since February 2017 when they first claimed they were using them for reconnaissance, surveying, assessment and early warning missions. But their basic drones do not have this range.

“I really hope the US are right that it did not come from Yemen because it would make it more difficult than even what we are now facing to resolve the conflict,” Griffiths said.

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Afghanistan

Afghanistan: Taliban's Criminal Attacks on Election Activities (Human Rights Watch)

September 17, 2019

Taliban insurgents in Afghanistan should immediately cease attacks on political rallies and other election-related activities, Human Rights Watch said today. In recent weeks, Taliban attacks seemingly aimed at deterring people from participating in the presidential election scheduled for September 28, 2019 have killed and injured scores of civilians.

The September 17 Taliban suicide attack on a campaign rally in Parwan, north of Kabul, killed at least 26 civilians and injured more than 42. The Taliban claimed responsibility for the attack, wrongly calling the campaign rally a "military target."

"Taliban attacks on political rallies and other election events are part of an apparent campaign to sow fear, undermine the electoral process, and deny Afghans the right to participate in political life," said Patricia Gossman, associate Asia director at Human Rights Watch. "The Taliban's claim of responsibility is essentially an admission of culpability for a war crime.

The recent attacks are the latest in a long string of attacks in Afghanistan in which Taliban forces have violated the laws of war by targeting civilians. A number of recent Taliban attacks on military targets have been unlawfully indiscriminate or caused disproportionate loss of civilian life.

A second suicide attack on September 17 near the Afghan Defense Ministry in Kabul killed 22 civilians and wounded 38, according to media reports. A September 5 suicide bomb attack in Kabul, which killed a soldier from the US and another from Romania, killed at least 10 civilians.

The Taliban announced on August 6 that they would disrupt the elections by targeting rallies and other gatherings. The United Nations condemned the announcement, saying "the electoral process in Afghanistan is a civilian undertaking ... all citizens have the right to be free from fear, intimidation and violence at all stages of an elections process."

During the October 2018 parliamentary elections, the Taliban carried out what UNAMA, the United Nations Assistance Mission in Afghanistan, called an "organized campaign" of violence targeting candidates, electoral staff, and voters.

"Targeting election rallies not only shows the Taliban's disregard for civilian life, but their contempt for democratic processes," Gossman said.

Australian Federal Police fly to Afghanistan to investigate alleged Australian war crimes (ABC News)] By Dan Oakes

September 19, 2019

Australian Federal Police investigators have travelled to Afghanistan to investigate war crimes allegedly committed by Australian special forces soldiers.

It is believed it is the first time the AFP has sent officers overseas to investigate alleged war crimes involving Australian soldiers.

The AFP has confirmed the officers deployed "recently" to Afghanistan and were supported in their investigations by Afghan authorities.

"In June 2018, the Australian Federal Police received a referral to investigate allegations of war crimes committed by Australian soldiers during the Afghanistan conflict. The AFP has accepted the matters for investigation," the AFP said in a statement.

"As this investigation is ongoing, the AFP will not confirm or deny the specific incidents or the identity of those subject to the investigation."

In June last year, the ABC published details of a September 11, 2012 raid by Australian SAS troopers and Afghan security forces on the village of Darwan, in Afghanistan's Uruzgan province, in which three men were allegedly killed.

The Australian troops and their Afghan allies were hunting a rogue Afghan soldier who killed three Australian soldiers at a patrol base. That man, Hekmatullah, was eventually captured in February 2013.

It was alleged by villagers that one man, a farmer named Ali Jan, was detained by the raiding party, handcuffed and then kicked or thrown from the top of a retaining wall. The villagers told an Afghan journalist employed by the ABC that Ali Jan was then shot dead.

"He was thrown from the top of a very high retaining wall all the way down into a ditch. He was kicked and thrown into the ditch," Ali Jan's brother, Gulab Shah, told the Afghan journalist.

In stark contrast to the villagers' version, it is understood that shortly after Ali Jan's death, an Australian soldier stated over the radio that a spotter — or somebody relaying the movements of Australian and Afghan soldiers to the Taliban — had been killed.

The Age and Sydney Morning Herald reported this morning the AFP investigators who travelled to Afghanistan have questioned witnesses to this alleged incident.

The Nine newspapers also reported that SAS members and support staff who were in Darwan on the day Ali Jan died had given signed statements to the AFP about the alleged killing of the farmer.

The villagers also told the ABC at the time that two other men in Darwan were unarmed and under detention when they were shot dead in a room used to store almonds.

The ABC revealed last month a NSW Supreme Court judge, who is heading an internal Defence Force inquiry into allegations of war crimes by Australian soldiers, had travelled to Afghanistan to speak to witnesses.

Justice Paul Brereton, who is also a Major General in the Army Reserve, and a small number of staff from the Inspector-General of the Australian Defence Force's office interviewed witnesses in Kabul.

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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)
Cambodia Tribunal Monitor**

Survey Shows Majority Want Independent Organization to Hold ECCC Archives (VOA Cambodia) By Say Mony
September 25, 2019

"In my view, those documents should be placed at Youk Chhang's organization's library because I am afraid that they could get lost if stored somewhere else," said Bou Meng, referring to DC-Cam's director.

The debate over the future of the Extraordinary Chambers in the Courts of Cambodia (ECCC) and if it has been able to deliver justice to the victims of the Khmer Rouge is one that riles up passions among Cambodians, academics, observers and the media.

It is a debate that will likely have no definitive conclusion. However, a recent survey brings up another question regarding the legacy of the Khmer Rouge Tribunal — the preservation of the vast troves of documents that make up the ECCC archives.

A survey, titled the "Public Opinion Study on the Disposition and Custody of the ECCC's Archives," finds that a large number

of respondents want these archives to be handled by an apolitical, credible and well-resourced organization, with the National Library and Documentation Center of Cambodia (DC-Cam) topping the list.

The survey was released as the hybrid court enters an uncertain period for its survival. To date, only one case involving torture center chief Comrade Duch has completed the entire judicial process.

The appeals process of Case 002 is in limbo following the death of Khmer Rouge leader Nuon Chea, who along with Khieu Samphan have been convicted for crimes against humanity, but are currently contesting their genocide convictions. Other cases made little to no progress.

Experts and court observers have suggested that after 13 years and \$300 million the UN-assisted Cambodian court is likely to meet a swift end, probably sometime next year.

The survey sampled academics, key informants, survivors, and the general public asking them who should handle the tribunal's archives, which importantly serves as a historical tracker of events since the rise of the Khmer Rouge. The survey was published by DC-Cam and conducted by Business Development Link (Cambodia), an advertising and marketing company, according to its website.

While he is unsure of the court's future, Bou Meng, a 78-year-old survivor of the S-21 interrogation center, is certain that he trusts only DC-Cam to hold the archives, which include historical and legal documents.

"In my view, those documents should be placed at Youk Chhang's organization's library because I am afraid that they could get lost if stored somewhere else," said Bou Meng, referring to DC-Cam's director.

"People know Youk Chhang's organization, but not any others," he added.

Bou Meng's opinion is in line with most of the respondents to the survey.

An overwhelming majority of people questioned wanted the archive to be in a safe and secure location in Cambodia, and managed by a neutral and non-political organization. More than 80 percent of respondents wanted to ensure easy access to the archives and technology that will help preserve the documents.

Asked for specifics, the National Library and DC-Cam received the most responses for housing the archives, beating out the government-run Legal Documentation Center Relating to the Extraordinary Chambers in the Courts of Cambodia stored under the management of the Council of Ministers.

The survey interviewed more than 1,500 people in five major provinces: Battambang, Kampong Cham, Prey Veng, Kandal and Phnom Penh.

Youk Chhang, director of DC-Cam, said the survey results show that a majority of Cambodians want the court's archives to be maintained by a credible and independent institution, which was not affiliated with political institutions or individuals.

"The people's concerns make them think that the archives are complex and comprehensive, so they focus on a place that is reliable, transparent, independent and free from politics and does not serve any foreign or government agencies," he told VOA Khmer.

And that it was critical that the institution tasked with handling historically important documents needed to be politically neutral, said Markus Zimmer, an advisor to the DC-Cam and involved with the survey.

"What the survey showed is that there is some distrust among the Cambodian people of the capacity of the Cambodian government or its agencies to care for these documents," he said in a phone interview.

According to court officials, documents relating to the Duch conviction have already been archived at the government's documentation center and more recent documents were making their way to the center.

But, Zimmer, who worked at the ECCC in 2010, felt the existence of political interference in the court's proceedings so far raised red flags over the government documentation center's ability to safely house the archives.

The court has been riddled with allegations of political interference since its inception, given the Hun Sen government's uneasiness with the establishment of the tribunal. Leading Cambodian politicians including the prime minister were part of the Khmer Rouge before defecting in the late 1970s and joining Vietnamese-backed forces that eventually ousted the ultra-communist group from Phnom Penh.

"There's no history there that demonstrates that the Legal Documentation Center can be entrusted with all those documents,"

Zimmer said.

Both Zimmer and Youk Chhang said the survey's findings were an indicator of the importance of planning for the archive's storage, especially in light of the court's impending end.

"[W]e decided to take it on so that it can serve as a basis for the tribunal and the United Nations to consider what to do with the archives when the court completes its job," Youk Chhang said.

However, ECCC spokesperson Neth Pheaktra dismissed any concerns over the credibility of the government documentation center. He also questioned the conduct and findings of the survey.

"I think the expressed concerns are not the genuine ones of the people, but could be those of an institution behind the arrangement of the survey," he said. Neth Pheaktra also holds the position of an official at the Ministry of Environment.

Knut Rosandhaug, deputy director of the ECCC's Office of Administration, did not respond to an email request for comment. The office's acting director, Kranh Tony, declined to comment, saying he had nothing else to add to Neth Pheaktra's comments.

For Youk Chhang, it was critical that stakeholders take the people's opinions into consideration to ensure safe storage of the archives.

"Both the UN and the ECCC have claimed since the beginning that they would ask for people's views and listen to their opinions and consider them," he said.

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Bangladesh International Crimes Tribunal

Bangladesh's silence on Kashmir is deafening (Daily Times) By Alina Younis
September 25, 2019

Bangladesh, a Muslim majority country has tacitly sided with the Indian government on its decision to revoke Article 370 and 35 (A) of the constitution that stripped Kashmiri's of their right to autonomy on August 5, 2019. In addition to demotion of Jammu and Kashmir's Special Status from a state to a union territory, the mainland government has since issued orders leading to complete media and communication black out and has forced a curfew that has persisted for more than a month now.

Bangladesh, a country whose very existence is based on identity remains silent over Kashmir's right to identity and freedom—the silence is deafening to say the least. According to local media reports, Bangladesh police has also issued a warning, criminalizing any protests and processions carried out to show solidarity for the Kashmiri cause. Unfortunately, Bangladesh's story isn't any different from that of Kashmir. It is a story of grief and resilience; of violence and defiance and of identity. Some 48 years ago Bangladesh changed the map of the world with its independence from what was formerly known as West Pakistan. Bangladesh's (former East Pakistan) struggle for freedom is a long painful history of structural violence that later aggravated into one of the most brutal events of violence in history.

The Bengali sub-nationalism is as old as the existence of Pakistan on the map of the world. The two wings, East Pakistan and West Pakistan, also referred to as the "Siamese Twins", had a complex relationship since the beginning, owing to a complicated structure left behind by the British Raj. The geographical differences, weak economic structures and a looming Indian threat were some of the major hindrances in the development of a stable relationship between the two wings. But most importantly, the struggle for Bengali freedom was deeply rooted in difference between Bengali citizens and the mainlanders in West Pakistan. Distinct cultures, political alienation and language formed the basis of one of the greatest movements in history— Bangladesh Liberation War.

According to Anthony Mascarenhas, a Pakistani reporter who escaped Pakistani forces in London reported the scale of

brutality unleashed on Bengalis of East Pakistan by West Pakistan's forces. His article in The Sunday Times, UK on June 13, 1971 was a ground breaking report that revealed the death of 30,000-50,000 Bengalis. There are however, conflicting narratives on the atrocities committed by West Pakistani forces in East Pakistan during the Liberation War. Sarmila Bose from India in her investigative seminal work, "Dead Reckoning" has done a case-by-case research to explore the truth of the war. According to Bose, war crimes were committed by all sides, including West Pakistan, East Pakistan and India, and resulted in an estimated 50,000-1,00,000 deaths on all sides. In addition to extra-judicial killings, an estimate of 200,000 Bengali women were raped by 93,000 West Pakistani soldiers according to Jayanta Ray, an Oxford researcher and the Red Cross Organization.

Similarly, Kashmiri nationalism, also known as Kashmiriyat is determined largely by the ethos and lifestyle of the Kashmiri population influenced by indigenous secularism. This principle of nationalism originates from Kashmir's rich legacy of moderate researchers and religious scholars, who were a voice of reason as opposed to the resolute, degenerated traditions and the exploitation of the man propagated by predominant religions. It was these voice of balance that made a difference in the spread of Islam as they impacted both the individuals and the rulers. Moreover, contrary to the custom, the spread of Islam in Kashmir was for most part not through the sword. It witnessed a more direct frame of Islam influenced by the Sufi developments instead of the more basic and standard structures predominant elsewhere. Conflict arose when in the late 20th century, both Kashmiri nationalism and Indian nationalism collided and struggled to co-exist with one another. On 5th July 1990, the Government of India enacted the Armed Forces Special Powers Act (AFSPA) 1990 in Jammu and Kashmir keeping in mind the ultimate goal to battle increasing separatist elements and also cross outskirt militancy from Pakistan. The Act was initially enacted to the North Eastern surroundings of India in 1958 as Armed Forces Special Powers Act (AFSPA) 1958 to deal with uprising circumstances there. The AFSPA 1990 in Jammu and Kashmir has been in power for over two decades now giving the Armed personals of the Indian security forces immunity to kill, rape, seizure, detain, torture, forcefully displace and migrate the indigenous community of Kashmiri's.

According to a recent report published by the Office of the UN High Commissioner for Human Rights (OHCHR) conflict-related casualties reached a historic high resulting in 160 civilian deaths in 2018 alone and 1,081 civilian deaths have been confirmed between 2008 and 2018. Since 2010 the Indian government has also continued the use of pellet-shot guns to resist the uprisings and protest processions in Kashmir that has resulted in 300 injuries and 16 cases of blindness including partial blindness of 19-month-old girl. According to the report, 1,253 people have been blinded by the metal pellets used by security forces from mid-2016 to end of 2018. In addition, the report also highlighted abuses committed by the security forces during search operations and in arbitrary detentions. Above all, the Indian security forces continue to be protected by the Indian constitution's AFSPA for crimes being committed in the Jammu and Kashmir territory which may also have led to increased unreported cases.

At present, 35,000 paramilitary forces in addition to the existing 70,000 have been deployed in the area making it one of the most highly militarized zones in the region. Kashmir remains under a 50 plus day curfew that has barred the population from living a normal life. Freedom of expression and movement has been restricted; several activists, trade unionists and political leadership has been arrested along with restriction from media appearances. According to latest reports, minors and young Kashmiris have been detained to curtail anti-government processions. Most of the situation remains unknown due to a complete communication cut off and media blackout that will reach its two-month mark in weeks to come.

Despite a common ground shared by both Bengali and Kashmiri nationalism, Bangladesh, an independent sovereign country has so far remained silent on the issue of human rights abuse in Kashmir by the Indian military and security forces. There could be a number of factors contributing towards this silence. One defining factor is economy- According to estimates trade volume between India and Bangladesh in 2017-18 reached a historic high crossing a \$9 billion mark. Under South Asian Free Trade Area (SAFTA), Bangladesh was also offered tariff concessions by India for trade imports in 2011. In the past six years, Bangladesh's exports to India grew from \$512 million to \$672 million. Garment export is predominantly a leading export product of Bangladesh to India. At present, it is the fastest growing economy in South Asia with a Gross Domestic Product (GDP) growth rate of 7.28 percent in 2017. The estimated GDP of Bangladesh stood at \$250 billion in 2017 and \$274.025 billion in 2018.

The principles of complex interdependence are at play as trade relations with India continue to resist countries like Bangladesh, Saudi Arabia and the United Arab Emirates (UAE) from condemning Indian brutality in Jammu and Kashmir. In addition to the Gulf giants, Kuwait, Qatar and Oman have also not issued any statement condemning the situation. Moreover, the UAE government last month awarded the Indian Prime Minister Narendra Modi with its highest civilian war amid the month-long curfew in Kashmir. The Gulf states and India share lucrative economic and trade relations worth \$100 billion, according to estimates. Other than economic factors, foreign policy behaviors and interactions are also significant in the present scenario.

Another factor contributing to Bangladesh's silence may be its enmity with Pakistan- primarily based on two reasons; historic grievances with its former wing and its strong political alliance with India. Pakistan has long claimed the territory of Jammu

and Kashmir for its predominant Muslim population since its independence in 1947. Hence, Bangladesh's pro-Indian stance on the Kashmir conflict is quite easily inevitable.

Although India has developed strong cordial relations with most economic giants that curtails states from adopting a defensive stance on Kashmir, Bangladesh holds a moral and ethical responsibility to at least condemn and demand a transparent investigation into the repealing of Article 370 and 35 (A), communication cut off and human rights abuses in Jammu and Kashmir.

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War Crimes Investigation in Myanmar

600,000 Rohingya in Myanmar face 'serious risk of genocide': UN (Aljazeera)

September 16, 2019

"Rohingya remaining in Myanmar's Rakhine state face a "serious risk of genocide", UN investigators have said, warning that the repatriation of a million others already driven from the country by the army remains "impossible".

In a damning report released on Monday, a United Nations fact-finding mission also called for top Myanmar generals, most notably army chief Min Aung Hlaing, to face trial for the killings, gang rape and arson during the Rohingya crackdown.

The mission, set up by the UN's Human Rights Council in March 2017, doubled down on its findings published last year, in which it had labelled the 2017 crackdown as a "genocide".

Some 600,000 Rohingya are living in "deplorable" conditions in Rakhine state, subject to restrictions on movement that touch almost every aspect of their lives, the report said.

The factors that "contributed to the killings, rapes and gang rapes, torture, forced displacement and other grave human rights violations" by the Myanmar military and other government authorities are still present, it said.

"Myanmar continues to harbour genocidal intent and the Rohingya remain under serious risk of genocide," the investigators said in their report, due to be presented to the UN Human Rights Council in Geneva on Tuesday.

Myanmar had repeatedly denied the UN investigators' 2018 findings and is yet to respond to the latest report.

About 740,00 Rohingya fled from Rakhine to Bangladesh following a crackdown by the government forces and other groups that began in August 2017.

The fleeing Rohingya, who alleged rape, murder and torture, joined about 300,000 Rohingya living in southern Bangladesh, which now hosts the largest refugee camp in the world.

While the predominantly Muslim Rohingya have lived in Myanmar for decades, the government views them as "illegal immigrants". A 1982 law denied citizenship to them, effectively rendering them stateless.

The mission reiterated calls for the UN Security Council to refer Myanmar to the International Criminal Court (ICC) or to set up a tribunal, like for the former Yugoslavia and Rwanda.

It said it had a confidential list of more than 100 names, including officials, suspected of being involved in genocide, crimes against humanity and war crimes, in addition to the six generals named publicly last year.

The report also repeated calls for foreign governments and companies to sever all business ties with the military, urging a "moratorium" on investment and development assistance in Rakhine state.

The Rohingya have long been subjected to movement restrictions, making it difficult or impossible to access healthcare, work and education.

The army justified the crackdown as a means of rooting out Rohingya fighters.

UN Special Rapporteur Yanghee Lee said Myanmar had "done nothing to dismantle the system of violence and persecution".

She pointed to satellite imagery revealing the development of "34 camps, the precise purpose of which is unclear". "But they may be intended to detain the remaining Rohingya population and those who decide to return," she said.

'Situation in camps worsening' Across the border in Bangladesh, the situation for Rohingya refugees living in camps is worsening, UN human rights experts warned on Monday in a separate release.

Bangladesh and Myanmar signed a repatriation deal two years ago, but virtually no refugees have returned to date, with UN investigators describing conditions in Myanmar as "unsafe, unsustainable and impossible".

Last month, an estimated 200,000 Rohingya held a so-called "Genocide Day" rally in Bangladesh's Cox's Bazar to commemorate the second anniversary of the crackdown in Myanmar.

But while conditions remain fraught for Rohingya living in Bangladesh and Myanmar, justice also remains elusive. Myanmar's justice system, which gives the military impunity, remains a major roadblock.

"Accountability is important not only to victims but also to uphold the rule of law. It is also important to prevent repetition of the [Myanmar military's] past conduct and prevent future violations," said Radhika Coomaraswamy, a Sri Lankan lawyer and one of the mission's three international experts.

Myanmar military spokesman Brigadier General Zaw Min Tun rejected the UN team's findings, calling them "one-sided".

"Instead of making biased accusations, they should go onto the ground to see the reality," he said.

The UN fact-finding investigators have never been granted permission to enter Myanmar or access Rakhine.

"The scandal of international inaction has to end," mission expert Christopher Sidoti said. "Unless the United Nations and the international community take effective action this time, this sad history is destined to be repeated."

Action to end Myanmar war crimes urged (Asia Times) By Khin Ohmar
September 19, 2019

The Asian Forum for Human Rights and Development (aka Forum-Asia), Progressive Voice and the Karen Human Rights Group are calling on member and observer states of the UN Human Rights Council to take concrete action to ensure justice and accountability for genocide, crimes against humanity, and war crimes perpetrated against ethnic and religious minorities in Myanmar.

We are deeply concerned regarding the escalation in conflict, particularly in Rakhine and Shan states, and are urging the UNHRC to broaden the mandate of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Special Rapporteur on the situation of human rights in Myanmar regularly to document and report violations and abuses of human rights and violations of international humanitarian law in that country.

Shan state has observed an escalation in conflict since the factions of the Northern Alliance's Ta'ang National Liberation Army (TNLA), Arakan Army (AA) and Myanmar National Democratic Alliance Army (MNDAA) carried out attacks against the Myanmar military's Defense Service Technological Academy at Pyin Oo Lwin in Mandalay Region, as well as a toll gate, customs house and police security outpost on August 15. The military was quick to retaliate, with some of the worst fighting observed in Lashio and Kutkai. In Lashio, the military used Buddhist temples to fire shells into villages, resulting in the death of a 52-year-old farmer. In Kutkai, parents and family grieved the death of three Kachin children due to heavy shelling between the Northern Alliance and the military.

About 7,500 people have been displaced in the past month alone in Shan state and 3,500 remain in temporary shelters. According to the UN, the renewed fighting has led to the killing of 17 civilians, including women and children, and has injured 27. A statement by 346 civil organizations called for an immediate end to hostilities and for all parties to abide by international humanitarian law and protect civilians in conflict. Infrastructure, including bridges, have been destroyed and transportation on the road linking Mandalay, Lashio and Muse has been severely affected by the conflict, leaving hundreds trapped and unable to access humanitarian assistance, causing shortages of food and medicine.

In Rakhine state, where conflict between the AA and the Myanmar military began in January, some 60,000 people – majority Buddhist Rakhine ethnic minorities – have been forced to flee their homes. According to media reports, at least six villages

have been turned to ashes by the military in recent weeks, most recently Ooyinthar village in Buthidaung Township, in the state's west.

The fighting also spread to southern Chin state and as of August, more than 3,600 people had been displaced. Cases of enforced disappearance are also on the rise as at least 10 civilians have disappeared in southern Chin state's conflict-hit Paletwa Township over the past year. New injuries due to landmines threaten villagers, while also preventing internally displaced people and refugees from a safe, dignified and sustainable return.

As the Myanmar military becomes ever emboldened to act with impunity – deploying the same heinous tactics it has used against the Rohingya and other ethnic and religious minorities for decades – it is no wonder that not a single Rohingya presented himself for a recent attempted repatriation by the governments of Myanmar and Bangladesh to return to Rakhine state.

The peace process in Myanmar has failed. In Karen state, the Myanmar military is increasingly reinforcing its troops and supplying ammunition, weaponry and rations to its army camps – directly violating Section 5(c) of the Nationwide Ceasefire Agreement, which states that signatories must “avoid troop reinforcements in the ceasefire areas.” This increase in militarization has significant consequences on the civilian population. In addition to causing displacement and preventing internally displaced persons (IDPs) from returning to their homes, villagers have expressed concerns about their livelihoods and security. They fear the increased militarization in the region may lead to a renewed armed conflict.

For far too long, the Myanmar military has used the alleged “ethnic” threat to national sovereignty and territorial integrity as a reason to wage brutal wars against entire ethnic communities and to ensure that Bamar-Buddhism remains as the status quo in the country. The government's efforts to co-opt ethnic minorities into the Bamar-Buddhist system, including through the centralized education and health system, is systematically destroying ethnic language, culture, tradition, religion, beliefs and the very social fabric upon which ethnic peoples' identities are built.

Meanwhile, the valuable land belonging to ethnic minorities that has been passed on from one generation to the next, keeping alive the stories and wisdom that link them with their past, present and future, is being stolen through official policies and laws such as the Vacant, Fallow and Virgin Land Management Law. Requiring those who follow customary land practices to register their land with the government reduces the value of their land to a one-dimensional economic interest that serves the interest of the central government. Such an approach to land management will only lead to further displacement and disfranchisement of ethnic communities.

Arrests and cases brought against ethnic minorities have only increased in recent years. On September 12, Naw Ohn Hla, a Karen woman and longtime human-rights defender, was charged under the Peaceful Assembly and Peaceful Processions law for organizing an event to commemorate Karen martyrs. Such arrests – also taking place against Karenni, Rakhine and Kachin rights defenders and activists – are a blatant display of oppression by the authorities and a clear message to all ethnic minorities who dare to celebrate their history and heroes.

At the root of conflict and human-rights violations in Myanmar is the prioritization of the Bamar-Buddhist identity, and the institutionalized regime of systematic oppression and domination of ethnic minorities that has emboldened the Myanmar military to continue to act with impunity. The UNHRC and the international community must take concrete steps to address this problem in order for the rights of all ethnic and religious minorities in Myanmar to be respected and protected.

The extensive documentation and reporting conducted by the Independent International Fact-Finding Mission on Myanmar has established significant building blocks toward criminal accountability for serious international crimes committed by the Myanmar military in particular, as it led to the establishment and operationalization of the International Independent Mechanism for Myanmar.

However, the end of the Fact-Finding Mission this month comes at a critical time for rights in Myanmar. As conflict continues to escalate in ethnic areas, it is vital that the UNHRC broaden the mandate of the OHCHR and the Special Rapporteur on Human Rights in Myanmar to document and regularly report on ongoing violations and abuses.

As recommended by the Fact-Finding Mission, it is time that the lifeline of the Myanmar military's operations be cut off by the international community, ending relationships with businesses, enterprises and subsidiaries owned or controlled by the military. Rights violations, particularly systemic and institutionalized oppression and persecution against ethnic and religious minorities, will continue as long as the military is able to enjoy the economic monopoly and receives the necessary funds and resources to carry out its heinous attacks against these communities.

The international community must heed the recommendations of the Fact-Finding Mission and divest from military-owned businesses and companies, particularly those associated with the two military conglomerates – Myanmar Economic Holdings Ltd (MEHL) and Myanmar Economic Cooperation (MEC). Priority should focus on investing in certain segments of the

private sector that have refrained from conducting businesses with the Myanmar military.

Neither the Myanmar government-established Independent Commission of Inquiry nor the inquiry by the Myanmar military into serious international crimes are viable pathways to justice and accountability for victims. Lending legitimacy to commissions that lack impartiality and neutrality with flawed methodology will only delay justice and genuine, concrete steps to address accountability. Domestic mechanisms are unable to address crimes of this magnitude. The impetus for accountability must come from the international community.

The end of the Fact-Finding Mission's mandate is only an end of a chapter. We must remain vigilant in holding perpetrators to account for the crimes they have committed. Now is the time to pursue all possible pathways towards accountability, including a referral of Myanmar to the International Criminal Court or an independent tribunal, exercising universal jurisdiction, as well as divesting from military-owned businesses and companies, imposing targeted sanctions and arms embargoes. Victims of the worst crimes, including genocide, deserve nothing less.

To this end, we urge the following:

- The Human Rights Council must provide a mandate to the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur on Human Rights in Myanmar, in particular to document and report abuses and violations of international humanitarian law as a result of conflict between the Arakan Army and the Myanmar military and ongoing hostilities in Shan state. The reporting gap after the end of the IIFFMM's mandate must be filled by regular reporting by the Special Rapporteur and the OHCHR;
- There must be a proper follow-up on the recommendations provided by the Fact-Finding Mission and the Special Rapporteur by UN mechanisms globally and in Myanmar;
- Ensure regular monitoring and reporting to the Human Rights Council with dedicated interactive dialogue on human rights in Myanmar at the Human Rights Council and the General Assembly;
- The Human Rights Council must not afford legitimacy to the Independent Commission of Inquiry or the Court of Inquiry, as their mandate does not address the issue of accountability and the methodology that have been employed by these bodies is deeply flawed;
- UN-mandated bodies should not cooperate with any mechanism involving a Myanmar court, as the Myanmar judiciary is not independent and cannot guarantee the safety of victims and witnesses;
- Hold a special session or form a Panel of Experts to address accountability in all parts of Myanmar where genocide, crimes against humanity and war crimes have taken place. These must include Kachin, Chin, Shan and Karen states, in addition to Rakhine state;
- The UN and the international community should use all appropriate measures, including by adopting a new resolution, to ensure the protection of rights defenders, witnesses, victims, and those who have engaged regularly with human rights mechanisms against reprisal.

We note that the UN secretary general's brief investigation on Myanmar found systemic failure in preventing the Rohingya genocide. The secretary general must now conduct a full independent inquiry into the UN's failures, including recommendations for action to ensure individual accountability, and promptly implementing reforms to prevent the recurrence of "systematic" failures and "obvious dysfunctional performance" outlined in the report, and to ensure accountability for those failures; taking practical steps to hold the UN officials responsible accountable for failures before, during, and since the 2017 ethnic-cleansing campaign.

We call on the Myanmar government to: Ensure the safe, dignified, and voluntary return of IDPs and refugees; immediately cease hostilities between the Myanmar military and ethnic armed organizations; immediately stop implementing the national strategy on camp closures, which is against the international standard and norms and is violating the rights of the IDPs; and ensure the unfettered and swift provision of humanitarian aid and support to IDPs.

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AMERICAS

North & Central America

US-led coalition air strikes in Syria may amount to war crimes due to civilian casualties, UN investigators reveal (Daily Mail) By Chris Dyer

September 11, 2019

Airstrikes by the US-led coalition in Syria this year may amount to war crimes, a UN report has revealed.

US-led coalition forces, supported by British and French troops both in the air and on the ground, carried out strikes in Syria causing a 'high number of civilian casualties', the report stated.

The civilian death indicated that required precautions were ignored and war crimes may have been committed, United Nations investigators said today.

Syrian government and allied Russian warplanes are also accused conducting a deadly campaign that appears to have systematically targeted medical facilities, schools, markets and farmland, which may also amount to war crimes, the UN Commission of Inquiry on Syria report said.

The UN investigators also accused Hayat Tahrir al-Sham, a jihadist alliance formerly known as Nusra Front that is the dominant armed group in Idlib, of firing rockets indiscriminately and killing civilians.

The report focused on the final stages of the Deir ez-Zor campaign, codenamed Al-Jazeera Storm, which saw the coalition and Syrian Democratic Forces (SDF) close in on the remaining ISIS territory.

As well as US troops, the campaign saw French armed forces and the British SAS deployed on the ground.

Britain joined the US and France in launching airstrikes in April 2018 following a chemical attack on civilians in Douma.

Last May the Ministry of Defence admitted for the first time that a RAF strike using a Reaper drone on an ISIS vehicle caused a civilian casualty.

The eight-year-old war has claimed the lives of hundreds of thousands and forced 13 million people from their homes, half of whom have left their shattered homeland.

Backed by US-led coalition air power in a fight to oust Islamic State, the Syrian Democratic Forces, which include Kurdish fighters, retook the group's last major stronghold of Hajin in eastern Syria in late December.

The coalition's Al-Jazeera Storm operation resulted in a high number of civilian casualties, including in a series of strikes on January 3 in Sha'fah, south of Hajin, that killed 16 civilians including 12 children, the UN report said.

'The Commission finds that there are reasonable grounds to believe that international coalition forces may not have directed their attacks at a specific military objective, or failed to do so with the necessary precaution,' it said.

'Launching indiscriminate attacks that result in death or injury to civilians amounts to a war crime in cases in which such attacks are conducted recklessly,' it added.

Coalition officials could not be reached immediately for comment on the report.

Night raids by SDF forces backed by coalition helicopter gunships killed and wounded civilians in Shahil and other parts of Deir al-Zor province, in further apparent violations of international law, the investigators said.

Large-scale operations by the US-led international coalition and the Syrian Democratic Forces causing widespread destruction of towns and villages in Dayr al-Zawr, the UN stated.

Up to 70,000 displaced refugees remain interned in 'deplorable and inhumane' conditions at Al-Hol camp in Syria, the vast majority of whom are women and children under the age of 12, the report said.

Children in Al-Hol camp face the risk of being left without a nationality and being separated from their parents as a result of the policies of UN member states, investigators said.

The truce, which brought a halt to four months of devastating bombardment by the government and its ally Russia on Idlib province, had held despite persistent skirmishes on the ground.

But on Tuesday, Russia carried out its first air strikes in the area since the ceasefire began, according to the Syrian Observatory for Human Rights.

Syrian government forces carried out repeated air strikes in Saraqib, in northwest Idlib province on March 9, damaging Al-Hayat women's and children's hospital, despite pro-government forces being aware of its coordinates, the report said.

In Idlib on May 14, 'pro-government forces airdropped between two and four missiles on a fish market and primary school for girls in Jisr al-Shughur', killing at least eight civilians, it said.

'Such attacks may amount to the war crime of deliberately attacking protected objects and intentionally attacking medical personnel,' it said.

The Syrian army denies its strikes target civilians and says its forces only bomb militants associated with hardline Sunni fundamentalist groups linked to al Qaeda.

The report covers the year to July and is based on nearly 300 interviews and analysis of satellite imagery, photographs and videos.

Bombardment by Russian warplanes last night continued before dawn today in the village of Al-Daher where a 75-year-old man was killed, the Britain-based war monitor said, adding that the air raids had since stopped.

The victim - Ahmad Issa al-Moussa - had reportedly been displaced to Idlib from Syria's second city of Aleppo several years ago.

Abu Anas, the victim's son, said: 'We were asleep... when we heard the sound of a missile falling 50 metres away.'

The 31-year-old man said his father was slow to evacuate their home because of difficulty walking.

He died when a second air strike hit two metres away from him, the son added.

The truce was the second such agreement between the Syrian government and jihadists since August 1. The previous one collapsed after just a few days.

The Hayat Tahrir al-Sham alliance led by Al-Qaeda's former Syria affiliate controls most of Idlib as well as parts of neighbouring Aleppo and Latakia provinces.

The region of around three million people is one of the last holdouts of opposition to forces of Syrian President Bashar al-Assad.

The U.S.-Backed Coalition Can't Agree on Why It's Bombing Yemen (In These Times) By Shireen Adeimi
September 12, 2019

Since the onset of the joint Saudi-UAE military intervention in Yemen, the U.S. has played a significant role in backing the coalition. This war has taken a brutal toll on the people of Yemen: According to one estimate, over 91,600 people have been killed in the violence since 2015 and at least 85,000 children under the age of five have died of hunger and preventable illnesses. The U.S.—under Obama and Trump—has continued to provide weapons and other forms of military support to the coalition.

In recent weeks, the already-devastating war in Yemen has taken a turn that has unleashed even more conflict in the war-torn country. Though characterized by foreign observers as a "proxy" war among regional powers, recent events in the former South Yemen highlight the ways in which historic divisions still shape current politics and will no doubt play a role in molding Yemen's future. This conflict, in which UAE-backed separatist forces seized Aden from the Saudi-backed Hadi government, also serves to delegitimize U.S. participation in the Saudi-UAE intervention, which is now nearing 4.5 years.

Throughout the war, the Saudi-led coalition has emphasized its commitment to reinstating Yemen's president Abd Rabbu Mansour Hadi to power. However, recent events show members of the alliance that is backed and aided militarily by the

United States cannot even agree on the coalition's goals in Yemen. Continued U.S. participation only serves to prolong an increasingly aimless intervention that, according to a recent United Nations report, may implicate the U.S. in war crimes. Especially in light of these developments, the moral travesty of the war in Yemen should be front and center of the Democratic debates on September 12.

To understand the importance of this conflict and its potential impact on the U.S.- Saudi intervention, an examination of Yemen's recent history is important.

A brief history

Before Yemen's unity in 1990, parts of the country were ruled by different colonizers: The Ottomans ruled northern Yemen until the end of World War I, while the British Empire occupied Aden and southern Yemen from 1839 until 1967. Following the collapse of the Ottoman Empire, northern Yemen was ruled by the Mutawakkilite Kingdom until a coup backed by Egypt's Gamal Abdel Nasser ended its rule in 1962 and formed the Yemen Arab Republic (or North Yemen). The British, meanwhile, left the south in 1967, after which the People's Democratic Republic of Yemen (PDRY or South Yemen) was born and, shortly thereafter, transformed into a Marxist socialist republic.

Though the two countries were now free, colonizers left an indelible mark on each country's culture. This included the outlook toward religion; while Zaidi-Shia and Shafi'i-Sunni sects played a prominent role in North Yemen, southern leaders (especially in Aden) worked to de-emphasize religion in daily life. Other differences were also apparent. For example, while literacy rates were low across both countries, they were higher in South Yemen by 1985. Also, while women enrolled in Sana'a University in 1989 to 1990 represented 14% of the student population, 41% of those enrolled in Aden University were women. Despite these and other political, religious, and social differences, as well as hostility that led to a North-South civil war in 1972 and the assassination of North Yemen's president Al-Ghashmi by a PDRY peace envoy in 1978, unity was in the horizon.

A fragile unity

Worsening economic conditions in South Yemen—partly brought about by a significant loss of economic aid from the faltering Soviet Union in the years prior—led PDRY leaders toward unity talks in 1988. The Republic of Yemen was formed in May 1990, with North Yemen's Ali Abdullah Saleh as its president and South Yemen's Ali Salim Al-Beidh as its vice president. The unity, however, was short-lived. Though South Yemen was geographically larger than the North, its people only comprised 20% of the population—a demographic breakdown that is still in place today. With borders now open, many northern Yemenis began moving to the south, reinforcing southern fears of being outnumbered. And when Al-Beidh's Yemeni Socialist Party won 56 of the 301 parliament seats in a 1993 election (18%), the fragile unity began to crumble.

Civil war

On May 21, 1994, just one day shy of the fourth anniversary of the unification, southern leaders declared secession from the north. Saleh, an army veteran who rose through the ranks to become president of North Yemen in 1978, and president of a united Yemen in 1990, responded with war. After seizing a southern military base that allowed him access to the country's oil fields, northern troops led by Yemen's UN-recognized interim president (Abd Rabbu Mansour Hadi) succeeded in defeating the South's insurgency.

By July, Ali Abdullah Saleh was fully in control of Yemen while Ali Salim Al-Beidh—along with many in his socialist party—was exiled. Later in 1994, as a reward for his services, Saleh appointed Hadi—a southerner by birth—the now-vacant vice presidency. Hadi would go on to serve as Saleh's vice president until Saleh transferred power to him in late 2011 months after surviving an assassination attempt in June of that year.

Secession, resurrected

By 2007, resentment over various forms of marginalization, as well as exploitation of southern resources by northern elites, led to the creation of al-Hirak al-Janoubi (“the southern movement”), which challenged Saleh and renewed calls for secession from the north. The Hirak, along with other political groups such as the Houthis, gained momentum when Yemenis peacefully marched against Saleh and his government in early 2011. Shortly before the Saudi-led intervention began in 2015, Hadi first fled to Aden and later to Saudi Arabia. With backing from the United Arab Emirates, a faction of Hirak organized itself into a separatist political group called the Southern Transitional Council (STC) in 2017.

By then, the Saudi-UAE coalition had been attempting to wrestle control of the former North Yemen from Saleh and the Houthis for two years, following their takeover of the former South Yemen months into the intervention. Though they occasionally clashed with Hadi forces, however, the STC did not make a major military move until the UAE began to hint at a shifting role in Yemen.

A coalition at war with itself?

In July, following announcements (and denials) of the UAE's plan to pull back from the war in Yemen, the STC fighters launched an attack on Hadi government forces in Aden, capturing the city. Though they were previously tolerated by the Saudi-backed Hadi government, this takeover led to Hadi's government-in-exile declaring the takeover a "coup" and refusing talks until the STC retreats.

The view that this is a proxy war between Saudi Arabia and the UAE, however, fails to recognize Yemenis' own interests and separate them from the interests of those backing them. The latest events also further complicate the unconstitutional U.S. participation in the war.

Ostensibly, the U.S. supports the Saudi-UAE coalition's 4.5-year-long attempt to reinstate Hadi to power. With one coalition member now openly supporting separatists who, like the Houthis, are in active rebellion against the Hadi government, Trump's decision to remain in the coalition has little justification and dwindling legitimacy.

Respect for sovereignty

Ultimately, the only path for Yemenis to achieve their goals—not those of their occupiers—is to reject foreign interference altogether and return to the negotiation table. Though wounds run deep and the promise of unity may not be fulfilled, that decision should be made by the people of Yemen alone. Members of the coalition bombing and starving Yemen are fiercely protective over their own sovereignty (e.g. Saudi Arabia's reaction to Canadian 'meddling' and the U.S. investigation of Trump's ties to Russia). Yet they have trampled upon the sovereignty of Yemen through an intervention that transformed Yemen into the world's worst humanitarian crisis.

The U.S. has failed to achieve its goals in Yemen and has broken its own laws in pursuit of its Persian Gulf allies' imperialist interests. In the name of fighting Houthi rebels, Saudi Arabia and the UAE have been deliberately targeting civilians, using starvation as a weapon of war, and cooperating with al-Qaeda. Additionally, the UAE has been operating secret prisons and is now sabotaging its mission by backing separatist rebels and thereby unleashing more chaos in war-torn Yemen. For these reasons and more, it is time for the United States to finally end its illegal, unconstitutional, illegitimate war on Yemen.

UN report details possible 'war crimes' by many sides in Syrian war (The Defense Post) By Staff Writer
September 12, 2019

A United Nations investigation has found that various parties, including the Syrian government and rebels, Turkey-backed fighters and the United States, may have committed "war crimes" in the country's civil war.

The report, released on Wednesday, September 11 said that some U.S. air strikes and nighttime raids by the U.S.-backed local Syrian Democratic Forces against ISIS in the country's northeast may qualify as indiscriminate attacks on civilians.

The report also reiterated charges that the Syrian government's ongoing assault on Idlib, backed by Russia, has caused a "devastating human rights and humanitarian catastrophe" with pro-regime "striking dozens of hospitals, educational facilities, markets, schools, bakeries and agricultural lands."

"Such attacks may amount to the war crime of deliberately attacking protected objects and intentionally attacking medical personnel," the report read.

The report said Syrian rebel groups such as Hayat Tahrir al-Sham and Jaysh al-Izza have likewise been firing rockets indiscriminately into civilian neighborhoods.

The U.N. investigation also reiterated a charge of war crimes against Turkey-backed forces in the Kurdish enclave of Efrin. The documented crimes include allegedly extorting the local population, "hostage-taking, cruel treatment, torture ... and pillage." The report also said that insurgent attacks by groups linked to the Kurdish People's Protection Units (YPG) were killing civilians.

Regarding U.S. operations, the investigation focused on air strikes in support of the YPG-led SDF as it advanced on the Islamic State's final pocket in Syria's east earlier this year during the final phase of Operation Jazeera Storm.

The report cites an airstrike in early January on a residential home near Sha'afah, south of Hajin, that killed 16 civilians, including a number of children. The Islamic State used civilian-occupied buildings for military operations during the SDF's campaign, but states that "the Commission found no indication of any ISIL presence or military target in the wider area of the building struck at the time of the attack."

"The evidence obtained regarding this incident indicated that international coalition forces failed to employ the necessary precautions to discriminate adequately between military objectives and civilians."

“The Commission finds that there are reasonable grounds to believe that international coalition forces may not have directed their attacks at a specific military objective, or failed to do so with the necessary precaution,” the report said.

“Launching indiscriminate attacks that result in death or injury to civilians amounts to a war crime in cases in which such attacks are conducted recklessly.”

The report also notes an alleged U.S. airstrike on 29 January that struck a gathering of women and children preparing to leave ISIS-held territory and turn themselves over to the SDF.

James Jeffrey, the U.S. envoy to the Coalition to defeat-ISIS, rebuffed the findings on Thursday.

“We take extreme care in every military operation,” Jeffrey told journalists in Geneva when asked about the report, AFP reported.

“We do not accept the findings of that particular body,” he said.

The U.N. report also detailed reports of civilian casualties during ongoing nighttime raids by SDF special operations units in Syria’s east, where ISIS sleeper cells continue to coordinate insurgent attacks on the local Coalition-backed authorities.

In one late-night raid, two Coalition helicopters circling a building ordered women to come out separately from the men, according to the report.

“Afterwards, the men from the house were ordered to leave. While the exact unfolding of events is under investigation, three men and one pregnant woman, all reportedly unarmed, were subsequently shot by SDF. The following day, villagers protested against SDF and reportedly burned down SDF checkpoints,” the U.N. report read.

The SDF are perceived as less popular in Syria’s majority-Arab east than in some Kurdish-majority areas. Such raids have led to protests and riots in Deir Ezzor province over perceived mistreatment and corruption by the U.S.-backed forces and affiliated political bodies.

U.S.-led Coalition troops and the SDF control a swath of northeast Syria, mostly on the east side of the Euphrates river. The Syrian government has recaptured most of the rest of the country on the west side of the river with the military support of Russia and Iran. The last rebel holdout in Idlib province is slowly collapsing as pro-regime forces advance in an offensive declared earlier this year.

Syria’s civil war has killed hundreds of thousands of people and displaced several million others.

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South America

Colombia ex-rebels testify on kidnappings at peace tribunal (The Washington Post) By Christine Armario and Cesar Garcia
September 23, 2019

Former combatants for Colombia’s once-largest rebel army asked for forgiveness Monday as they acknowledged kidnappings during the nation’s long civil conflict at a special tribunal created by the peace process.

Eleven former rebels gave the Special Peace Jurisdiction three file folders offering the first joint, written testimony outlining the guerrilla army’s responsibility in kidnappings of politicians, soldiers and civilians.

“We are reflecting deeply over the acts of war so that we can ask for forgiveness for the errors committed,” said Rodrigo Londoño, alias Timochenko, the guerrilla army’s former leader who is now spearheading their nascent political party.

The testimony comes as cracks in Colombia's still-fragile peace process continue to emerge. A small cadre of ex-rebel commanders officially abandoned the historic accord recently and announced they are rearming. Vast stretches of remote, rural land remain in the control of illegal armed groups fighting over drug routes. Meanwhile, many former combatants transitioning to civilian life have turned up dead.

Londoño showed up at the Special Peace Tribunal in Bogotá carrying a car seat for his infant son and promising magistrates that despite the obstacles most ex-rebels are committed to providing a complete account of war crimes.

"After decades of fratricidal violence, no one can say there was a winner," he said, reading a statement before the tribunal. "To the contrary, entire generations were condemned to all types of humiliating violence. All of us lost."

The tribunal is tasked with investigating, judging and handing out sentences for the most serious war crimes. Thus far, it has opened a half dozen cases against leftist guerrillas and military officers. Most of the 9,700 ex-rebels who have vowed to cooperate will avoid any jail time by providing a full confession.

The first case concerns kidnappings that Revolutionary Armed Forces of Colombia rebels committed between 1993 and 2012, a time when the rebel army was expanding.

Kidnappings were a common practice used to extort money from families and show control of the civilian population. Victims included high-profile politicians like Ingrid Betancourt, who was abducted while campaigning for president.

Some kidnapping victims were rescued while others were killed or remain missing.

Londoño described the abductions as an "unfortunate practice" the rebel army tried to keep at a minimum. But as time stretched on, the guerrillas grew increasingly weakened by military bombings and arrests. He said the "dynamics of war" compelled them to target civilians who could advance the rebels' political and economic goals.

"We're not looking to justify any conduct that violates international humanitarian law, but to let it be known in our own words the objective reasons that led many Colombians to form what was the FARC," he said, referring to the group's Spanish acronym. Londoño added that the testimony provided Monday came after many months of meetings, interviews and questioning at demobilization zones scattered around the country. The written account does not provide details on individual cases. However, he said ex-rebels expect to offer a more detailed documentation on kidnappings in the months ahead.

"In the name of the men and women who formed our organization, we assume collective ethical and political responsibility for the harm done," he said.

The 2016 peace accord ending Latin America's longest-running conflict calls for a three-pronged approach to documenting a conflict so immense that a full reckoning of all crimes committed is virtually impossible.

The five-decade conflict between leftist rebels, paramilitaries and the state left at least 250,000 dead, 80,000 missing and millions displaced.

An independent truth commission is investigating why the conflict happened, what atrocities were committed and how future bloodshed can be avoided. A unit for the disappeared is gathering information on those whose remains have still not been found or identified. The Special Peace Tribunal, perhaps the most contentious part of the accord, will levy largely symbolic sanctions aimed at making reparations.

Though similar to other peace processes around the world, many Colombians with still-fresh memories of the conflict consider the terms far too generous and would prefer to see the former rebel commanders behind bars.

Monica Cifuentes, a representative of the inspector general's office, called on former rebels to share information on 522 missing people, including details like which guerrillas were involved and how, when and where the kidnapping happened.

"The moment has arrived to offer those clarifications, explanations," Cifuentes said, sitting before a row of ex-rebel leaders dressed in pale-colored dress shirts and sports jackets in a large room at the peace tribunal's offices. "To shed light on those events, for the good of the victims and the reestablishment of their rights, and for the good of Colombian society."

Magistrates will review the rebels' written testimony and compare it to accounts provided by the state and victims' organizations.

Whether Colombia's peace process is deemed credible in the eyes of victims and skeptical citizens will hinge largely on whether the ex-combatants can provide a detailed account of their war crimes, political analyst Leon Valencia said.

"Without a doubt, the crime they were most accused of and which had the most resonance in the media was kidnapping," he

said. “They need explain if these people are alive or dead and how they were killed. It’s a huge task.”

Colombia’s war crimes tribunal debunks defense minister’s lies to Congress (Colombia Reports) By Adriaan Alsema
September 19, 2019

Colombia’s defense minister was embarrassed on Wednesday when the war crimes tribunal debunked lies he had told Congress.

Defense Minister Guillermo Botero told Congress that the security forces were unable to capture FARC dissident leader “Majimbu” because he had submitted to the war crimes tribunal after the 2016 peace deal with the FARC.

The minister was lying through his teeth. Any FARC member suspected of a crime committed after the 2016 peace deal can be arrested. Majimbu is suspected of ordering the murder of a mayoral candidate in Cauca.

The president of the Special Jurisdiction for Peace (JEP), Patricia Linares, reiterated this in a short but harsh press release.

Linares additionally reminded the minister that it is the “duty and obligation” of the security forces to arrest demobilized FARC guerrillas who have rearmed.

The only limitation imposed on the security forces is that they can’t kill FARC members, or any citizen for that matter, who are not suspected of having committed a crime.

To make matters worse for Botero, the minister inadvertently discredited President Ivan Duque’s claim that the military had killed the FARC dissident who ordered the massacre in which mayoral candidate Karen Garcia was killed.

This alleged FARC dissident, “Alonso,” wasn’t linked to the massacre until after he was killed.

During Botero’s first year in office, the minister has been caught lying on multiple occasions in attempts to defend the security forces’ failures to guarantee security or cover up crimes committed by the army.

The minister was appointed by former President Ivan Duque in August last year despite having no experience in public security whatsoever.

Why Are Political Candidates Being Assassinated in Colombia? (InSight Crime) By Maria Alejandra Navarrete
September 12, 2019

The murder of seven candidates in Colombia’s upcoming municipal elections within a month, the highest rate since 2015, has raised new questions about the motives behind the violence.

According to the most recent report on political violence by the Electoral Observation Mission (Misión de Observación Electoral – MOE), 364 political, social and community leaders around the country have been the victims of assaults within the past year, 91 of whom were killed.

Among the most recent killings, when Karina García, a mayoral candidate from the Liberal party in Suárez, Cauca, was shot to death in her car along with five other people on September 1.

The following day, Colombia’s High Commissioner for Peace, Miguel Ceballos claimed in an interview with W Radio, that a dissident member of the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia – FARC) was responsible for the murder [of Karina García in Cauca].

Since García, two more political candidates have been murdered, bringing the total to seven assassinated in the departments of Antioquia, Bolívar, Valle del Cauca and Caquetá between August and early September.

In addition to the deaths, the MOE report counted other acts of violence during this pre-electoral period, including 224 threats, 45 physical attacks, two kidnappings and two forced disappearances nationwide.

The next regional elections will take place on October 27, when Colombians nationwide will elect governors, local department representatives, mayors and more.

InSight Crime Analysis Territorial control, the positioning of armed actors and campaign financing are among the major factors behind the assassinations of political leaders and candidates in Colombia.

Colombia's complex criminal and electoral landscape means that different motives in different areas may explain separate spikes in electoral violence. However, as the MOE report shows, political violence affects all communities, independent of where they fall on the political spectrum.

Over the past few years, leaders from at least 15 different political parties have been attacked. Candidates ranged from a conservative Democratic Center mayoral candidate in Toledo, in the department of Antioquia, to two municipal candidates from Bucaramanga and Socorro in Santander from the Common Alternative Revolutionary Force (Fuerza Alternativa Revolucionaria del Común), the party of the now demobilized FARC.

InSight Crime has been able to confirm through field visits that candidates are often murdered by armed groups looking to stamp their authority on a region. Candidates seen as a threat to this control or to illegal revenue streams often become targets.

Candidates in favor of specific actions, such as promoting the forced eradication or voluntary substitution of illicit coca crops, or supporting the development of alternative economies to replace coca, are especially at risk.

According an early warning issued by the Ombudsman's Office on August 31, there is a risk that ex-FARC dissidents, the National Liberation Army (Ejército de Liberación Nacional-ELN), the Popular Liberation Army (Ejército Popular de Liberación-EPL) and various paramilitary groups operating around the country will seek to influence the upcoming elections.

A second risk factor, also pointed out by the Ombudsman's Office, is the political stigma that candidates suffer during the election season.

A week before her murder, for example, Karina García had recorded a video in which she stated that her political opponents wrongly accused her of wanting to allow paramilitaries to enter the region, of bringing multinational companies into the municipality to extract gold and of supporting local inhabitants having their land repossessed. García claimed that these accusations put her at risk considering the current tumultuous security situation in Cauca.

Camilo Vargas, the coordinator of the MOE's Observatory on Political and Social Violence, said that the motives for violence may also be related to factors such as internal disputes within political parties and campaign financing.

"The internal negotiation processes on the local stage tend to be settled with violence," Vargas told InSight Crime.

Sometimes, he explained, the candidates themselves start disputes in order to receive their party's endorsement or win races, and even hire armed groups to get their opponents out of the way.

Another risk factor is related to campaign financing

"Due to the lack of control over financing, there is a perverse incentive to launder illicit funds in electoral campaigns," Vargas said.

Colombia's Bogotá-Medellín Highway Rife With Child Sex Exploitation (InSight Crime) By Laura Marcela Zuñiga
September 11, 2019

The highway between Bogotá and Medellín is one of Colombia's worst sites for child sex trafficking and exploitation, as criminal groups abuse underage, underprivileged girls who are now being encouraged to fight back by going to the authorities.

Girls between 12 and 15 years old, usually from very poor families, have been forced to offer sexual services to drivers passing through the service station known as Caracolí, located between the municipalities of Honda and La Dorada, as was first reported by El País. This service station is just a few meters away from a police station, yet it's one of the focal points of a network of pimps and motel operators working along this crucial road.

A number of organizations assisting survivors to file reports with authorities told InSight Crime that at least 39 underage girls were sexually exploited around the Caracolí service station.

Through long investigations, involving wiretaps and intercepting phone calls, authorities have managed to identify some of the sex traffickers and the modus operandi of these networks.

The usual method is that potential clients are approached and offered a catalog bearing the photos of the children, one investigator who asked to remain anonymous told InSight Crime.

Once a price has been agreed to, "they call the chosen girl and take her to the indicated site, whether it is a motel or private

residence,” the source added. This type of sexual exploitation operation, showing a catalog instead of having the girls present, is also known to exist in Medellín.

However, other girls reported having been coerced by their families. One 14-year-old girl identified as Patricia told El País that her aunt first took her to Caracolí and offered her directly to truck drivers for 20,000 Colombian pesos (around \$6).

In March 2019, prosecutors dismantled one sex trafficking ring which forcibly recruited girls around the town of Guaduas, 60 kilometers away from La Dorada and the highway, according to judicial sources consulted by InSight Crime.

InSight Crime Analysis The girls are now fighting back. An increasing number of them are filing complaints with authorities with the assistance of organizations such as Todas con las Mujeres.

Colombia is known as a destination for child sex trafficking. More than 100 cases of child sexual exploitation were filed with authorities every month between January 2013 and July 2018. And the figure is rising, with the number of reported cases having tripled in the last five years.

Yet the conviction rate has been abysmal. Of 85,000 investigations into claims of child sex abuse between 2005 and 2018, only 6,116 ended in a conviction.

To date, no arrests have been made related to complaints filed by the survivors of the crime networks operating on the Bogotá-Medellín highway.

Despite wider investigations into sex trafficking in Colombia, this lack of a response for the “girls of Caracolí,” as investigators refer to them, has shown the lack of protection being offered to these girls and to other potential targets, leaving them as easy prey for criminal groups.

Most of these cases have been filed in Bogotá and Medellín, considered to be major centers for sex tourism and child exploitation.

The case of the girls of Caracolí has also shown how child sex trafficking rings have extended their reach to other highways across the country, where they allegedly act with impunity due to a lack of state controls in service stations and other facilities.

Due to fears about obstruction of justice related to the case, their complaints are now being overseen in Bogotá by Mario Gómez Jiménez, Colombia’s special prosecutor for crimes against children and adolescents, who is in charge of the investigation.

Access to justice has historically been limited for the victims of child sex trafficking, who often do not file complaints. Authorities say that this has meant they do not have a full understanding of how many children have been abused in the country.

Gómez Jiménez told InSight Crime in an interview that many girls also do not want to participate in witness protection programs as they fear they could be taken far away from their families and homes.

The girls also refrain from speaking out for fear criminal gangs will target their families in retaliation, he explained.

This vulnerability has also seen many girls seek protection from different criminal groups or abusers, who may pledge more protection or only a certain type of client.

Members of Todas con las Mujeres, who have followed the girls of Caracolí for the last year to assist and document their lives, told InSight Crime that many of these children are no longer at Caracolí, but that they are sexually exploited at other points along the Bogotá-Medellín highway.

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Venezuela

Venezuela: Extrajudicial Killings in Poor Areas (Human Rights Watch)

September 18, 2019

A Venezuelan police unit has been carrying out extrajudicial executions and arbitrary arrests in poor communities that no longer support the Nicolás Maduro government, Human Rights Watch said today. Since the creation of the unit Special Actions Force of Venezuela (Fuerza de Acciones Especiales, FAES) as a branch of the Bolivarian National Police in 2017, police with the unit have engaged in serious human rights violations with impunity. Its abusive policing practices in low-income communities are consistent with a pattern Human Rights Watch and Provea, a Venezuelan human rights group, found in 2016 of widespread allegations of abuses by security forces of ordinary citizens during what was known as the “Operation to Liberate and Protect the People” (Operación de Liberación y Protección del Pueblo, OLP).

“In the midst of an economic and humanitarian crisis that is hitting the poor the hardest, Venezuelan authorities are resorting to egregious abuses in low-income communities that no longer support the Maduro regime,” said José Miguel Vivanco, Americas director at Human Rights Watch. “In a country where the justice system is used to prosecute opponents instead of to investigate crimes, Venezuelan security forces are taking justice into their own hands, killing or arbitrarily arresting people they say have committed crimes, without showing any evidence.”

In June and July 2019, Human Rights Watch interviewed witnesses or family members of nine victims of violations by FAES in Caracas and a state in the interior, as well as lawyers, activists, and journalists covering alleged killings by the unit. Human Rights Watch also reviewed death certificates in four cases that were consistent with the sources’ accounts and reports by local human rights organizations and independent media outlets. The methods used by the Special Actions Force and the circumstances of the killings in the cases Human Rights Watch documented are consistent with the pattern identified by the United Nations Office of the High Commissioner for Human Rights (OHCHR) and local human rights groups.

Police and security forces have killed nearly 18,000 people in Venezuela in instances of alleged “resistance to authority” since 2016. Interior Minister Néstor Reverol reported in December 2017 that there were 5,995 such cases in 2016 and 4,998 in 2017. Venezuelan security forces killed nearly 7,000 people in incidents they claimed were cases of “resistance to authority” in 2018 and the first five months of 2019, according to the government figures.

Nobody has yet compiled detailed information as to how many of these killings by security forces have been extrajudicial executions, but OHCHR concluded that “information analyzed by OHCHR suggests that many of these killings may constitute extrajudicial executions.”

OHCHR investigated 20 cases of people killed between June 2018 and April 2019 in depth, hearing nearly identical reports that FAES agents fatally shot young men during arrests in circumstances in which lethal force was not necessary to protect life. The UN agency concluded that “taking into account the profile of the victims, the modus operandi of the security operations, and the fact that the Special Actions Force often maintains a presence in the communities after the operation ends, OHCHR is concerned that authorities may be using FAES and other security forces as an instrument to instill fear in the population and to maintain social control.”

In all cases Human Rights Watch investigated in depth, armed FAES agents were dressed in the unit’s black uniforms. In several cases, they wore ski masks, arrived in black pickup trucks without license plates, and burst into homes in low-income neighborhoods. The agents often took family members of the victims outside before carrying out the killings. In some cases, agents stole food and other items difficult to find during Venezuela’s economic and humanitarian crisis.

In every case of killings that we investigated, family members said that FAES manipulated the crime scene and evidence. Agents planted arms and drugs or fired their weapons into walls or the air to suggest the victim had “resisted authority.” After some killings, family members said, they had difficulty obtaining their loved ones’ bodies, autopsy reports, or death certificates.

In one case, the agents used electric shocks on a detainee, beat and kicked him, and covered his head with a plastic bag in which they had sprayed a chemical substance that made his face and throat itch and swell. Such treatment amounts to torture. The agents believed the man had stolen a motorcycle belonging to a Special Actions Force commander’s wife, the man told Human Rights Watch.

In six cases OHCHR documented, those killed by FAES were government opponents or people perceived as such. Agents executed them during raids after anti-government protests. Since January, many of these protests have been in support of Juan Guaidó, the National Assembly president, who is challenging the legitimacy of Maduro’s presidency. These executions fit the same pattern as most of the killings Human Rights Watch reviewed, as well as those OHCHR documented.

Most of the killings Human Rights Watch reviewed are consistent with the abusive policing practices that several security agencies have used for years. Between 2015 and 2017, Venezuelan security forces swept through low-income communities during the OLP. Participating security forces included the Bolivarian National Guard; the Bolivarian National Police (PNB); the Bolivarian National Intelligence Service (SEBIN); the Scientific, Penal, and Criminal Investigative Police (CICPC); and state police.

These raids resulted in widespread allegations of violations such as extrajudicial killings, mass arbitrary detentions, mistreatment of detainees, forced evictions, destruction of homes, and arbitrary deportations. In November 2017, Venezuela's then-attorney general said security forces had killed more than 500 people during the raids. Government officials repeatedly said the victims were armed criminals who had died during "confrontations." In many cases, witnesses or families of victims challenged these claims. In several cases, victims were last seen alive in police custody.

Human Rights Watch found no evidence that Venezuelan judicial authorities properly investigated any of the cases documented. Many victims fear retaliation if they report crimes or do not trust that authorities will investigate. In four of the cases, judicial or police authorities did not wait for the conclusion of a formal investigation before declaring that the victims were criminals.

Venezuelan authorities told the OHCHR that five FAES agents were convicted on charges including attempted murder for crimes committed in 2018, and that 388 agents were under investigation for crimes committed between 2017 and 2019. But OHCHR also reported that "[i]nstitutions responsible for the protection of human rights, such as the Attorney General's Office, the courts and the Ombudsperson, usually do not conduct prompt, effective, thorough, independent, impartial and transparent investigations into human rights violations and other crimes committed by State actors, bring perpetrators to justice, and protect victims and witnesses."

When the Special Actions Force was created in 2017, Maduro said its purpose was to combat crime and terrorism and "protect the people" from "criminal organizations and terrorist groups promoted by the criminal right." Its parent agency, the PNB, is part of Venezuela's Interior Ministry, which Néstor Reverol has led since 2016. Reverol reports directly to Maduro.

Instead of investigating widespread allegations of human rights violations by the agency, Venezuelan authorities have defended it, Human Rights Watch found. On July 17, 2019, Maduro chanted "Long live the FAES!" and expressed full support for the agency's "daily work to bring safety to the Venezuelan people."

Human Rights Watch shared this information with the International Criminal Court (ICC) prosecutor, Fatou Bensouda, who in February 2018 opened a preliminary examination into the situation in Venezuela to determine whether a full investigation by the court is merited. In September 2018, the governments of Argentina, Canada, Chile, Colombia, Paraguay, and Peru asked the ICC prosecutor to investigate potential crimes against humanity in Venezuela dating as far back as February 12, 2014. Costa Rica, France, and Germany later added their support to this request.

"These FAES killings are committed in the context of systematic brutality by Venezuelan security forces that has gone unpunished in Venezuela for years," Vivanco said. "The lack of judicial independence only reinforces the cold reality that there is no hope for any credible accountability for these crimes in Venezuela."

Selected cases documented by Human Rights Watch.

All of those interviewed are identified by pseudonyms for their protection.

Juan Diego Rodríguez (pseudonym)

At around 1 p.m. on a January day in 2019, Ana Lucía Rodríguez heard someone breaking down her front door, she told Human Rights Watch. An officer dressed in a black FAES uniform came in and said that a criminal was hiding in the neighborhood. A neighbor would later tell her that a Special Actions Force officer had previously showed a picture of a group of young men, including her son, and asked their whereabouts.

She told the officer that the only other people home were her daughter, her son, and her daughter's two children. She and her daughter wept as they were taken outside, and an officer grabbed the young children and put them on the front porch. Her son was still inside. An officer asked her about him, including what he did for a living. She said he was a computer and phone repairman. An officer assured her that those inside were only taking her son's statement.

A senior Special Actions Force officer arrived, went to Juan Diego's room, and yelled that the door was locked, his mother said. She offered to speak to her son and permitted the senior officer to break down the door, so long as he did not hurt her son.

The officers outside told her, her daughter, and the children to go to a neighbor's because her son was giving a statement. At

the neighbor's house, a Special Actions Force officer told her that her son was wanted on 20 drug trafficking charges. They heard six shots, the mother said.

Soon after, officers snapped a photo of Rodríguez's dead body beside a gun. A photo of a gun was eventually published in media reports that Human Rights Watch saw, calling Rodríguez a criminal.

Officers tossed the body into the back of their vehicle and took it to a hospital. The autopsy report determined that one bullet hit Rodríguez in the heart, another in the right side, his mother said. The death certificate, which Human Rights Watch reviewed, noted the cause of death as "cardiogenic shock" and a "cardiac injury" caused by a firearm.

Ana Lucía Rodríguez testified before investigative police officers soon after the killing. As of August – seven months later – neither she nor any neighbor, to her knowledge, had been asked to testify to prosecutors about the case.

She said she wants justice for the extrajudicial execution of her son. "They can't decide who lives and who dies," she said.

Miguel Angel Sosa and Adrian Herrera (pseudonyms)

During a Special Actions Force raid on several homes in mid-June 2018, the agents killed Elena Sosa's son and son-in-law.

At around 6 a.m., uniformed FAES officers arrived at her door, she said. She was sleeping, as were her 13-year-old daughter, 10-year-old son, and grandchildren, ages 7 and 4. The officers entered her home without requesting permission, and one told Sosa to leave with the children. An older son and daughter remained in the house, she said.

Miguel Angel Sosa, her 28-year-old son, was taking a shower. Officers forced her older daughter out, she said. She and her daughter heard shots inside, and later learned from Miguel Angel's death certificate that one pierced his chest and killed him. Human Rights Watch reviewed a copy of the death certificate, which says he died of a bullet wound in the thorax.

Officers then entered the nearby home of Ana Sosa, Miguel Angel Sosa's younger sister, and woke Ana's partner, Adrian Herrera, 22, Elena Sosa said. She said that Ana told her she was forced to leave, heard shots, and later learned that the officers had shot Herrera in the head and chest, killing him.

Officers took Elena Sosa son's body from the house, she said, and placed it next to Herrera's body, along with a gun and a bag full of narcotics. They took photographs, Sosa said.

Sosa returned home to find that the officers had stolen shoes, food, and other goods, leaving the carpet drenched in blood and the walls riddled with bullets. A neighbor later told Elena Sosa that officers had asked for soap to clean the blood stains from the carpet.

An official from the investigative police directed family members to the hospital to obtain the bodies. Sosa testified before the investigative police, who told her, she said, that mothers of "rats" always think their children are "saints." Sosa's family did not file a complaint before judicial authorities.

Kelvin Otero Paz and Alan Molina (pseudonyms)

At 5 a.m. one day in January 2019, Special Force officers stopped Kelvin Otero Paz, 24, and his brother-in-law, Alan Molina, 24, as they left home for work, said Otero Paz's aunt, Ana Paz.

The officers took Otero Paz and Molina to the side of a road blocked to traffic, Molina told Ana Paz several days later. As Molina was taken away, he said, he heard Otero Paz scream and a shot.

Paz went to the morgue to look for her nephew. The body was mislabeled, she said. A sheet covered his body up to the neck, but from photos she said she saw at the attorney general's office, she learned that her nephew had been shot in the neck and in the chest. The death certificate, which Human Rights Watch reviewed, says he died of a single gunshot to the thorax.

For approximately three days, the family did not know where Molina was, Paz said. A detainee who was released on the fourth day Molina was missing said he had seen Molina in detention and that officers had planted drugs on him. Molina remained in detention and subject to prosecution, Paz said in July.

Rafael Rodríguez (pseudonym)

At around 5 a.m. on September 24, 2018, Rafael Rodríguez returned to his mother-in-law's house in Caracas after celebrating his birthday with friends. His mother said that a witness described to her what happened next: as Rodríguez climbed the front steps, about 15 Special Actions Force officers with ski masks emerged from the brush and stopped him. They said they were looking for a local criminal called "El Negro" ("The Black Man") and shot Rodríguez once in the chest. The bullet pierced his

heart, his mother said, and though no autopsy results were ever released to the family, she learned later that he had died from the wound in the hospital.

After the shooting, one group of officers took Rodríguez to a nearby hospital, witnesses told his mother, while another group stayed and entered a next-door neighbor's home. They used the bathroom, drank coffee, and napped, then staged a violent confrontation in front of the mother-in-law's house, firing off rounds, yelling to each other not to let him get away, and shouting that he was "going to the roof."

At the hospital, officers prevented medical professionals from getting close to Rodríguez's body, his mother said witnesses at the hospital told her. She filed a complaint with the investigative police. The prosecutor who took the case barely spoke with her, she said, except to ask her to admit that her son was a criminal. Rodríguez's mother learned from the prosecutor of two outstanding warrants for his arrest – for robbery and for murder – but was told she had no right to see them. When a search for Rodríguez's criminal history turned up clean, his mother said, the prosecutor said her son had bribed someone to have his record expunged.

Genesis Romero (pseudonym)

At around 4:30 a.m. one morning in the first half of 2019, Genesis Romero's mother entered her bedroom in their fourth-floor apartment to say that Special Actions Force agents were in front of the building, said Romero, a 27-year-old psychologist. Officers rang the doorbell, and as Romero's mother hesitated, they yelled to open or they would shoot.

When Romero opened the door, six uniformed masked officers barged into the kitchen, two holding grenades, shouting: "Where is Efraín?" The officers pointed their guns at the two women and asked who else lived there. They responded that there was no Efraín there and that Romero's father was sleeping, recovering from an illness. The officers threw Romero's mother against a wall and went into the bedroom. Saying Romero's father did not fit the description of the man they were looking for, the officers showed a photo of a man who Romero and her parents did not recognize.

Such raids, by various security forces, including FAES and the Bolivarian National Guard, have been occurring regularly in Romero's neighborhood in Caracas for years, she said. Two months earlier, Romero said, Special Actions Force agents killed several people in her apartment complex. At around 5 a.m., she heard a neighbor's son yell for his father and then two gunshots. A neighbor reported that officers had taken the mother and child outside and killed the father, Romero said. Romero saw bloody marks that looked like a body had been dragged down the building's stairs.

Romero said she has not filed a complaint with judicial authorities for fear of retaliation against her and her family and because she lacks confidence that anybody would investigate.

At Trump's behest, Latin American countries invoke rarely used treaty against Venezuela (Los Angeles Times) By Tracy Wilkinson

September 23, 2019

At U.S. urging, leaders from numerous Latin American countries on Monday voted overwhelmingly to crack down on members of Venezuela's socialist government who have committed acts of corruption, human rights abuse and drug trafficking.

Members of the so-called Rio Treaty — a rarely invoked mutual defense pact among the U.S., Canada and several Latin American and Caribbean nations — voted 16 to 1 to approve the measures. Uruguay opposed, Trinidad and Tobago abstained, and Cuba was absent.

Colombian Foreign Minister Carlos Holmes Trujillo said the countries agreed to "all available measures" to pursue, prosecute and extradite suspects from the government of President Nicolas Maduro and to freeze the targeted individuals' assets in any of the treaty countries.

Holmes Trujillo said the governments, meeting on the margins of the United Nations General Assembly, did not consider military actions at this point. They also agreed to set up teams of financial crime investigators.

"Many democracies are now acting together to create the conditions for ... democracy and liberty to return to the Venezuelan people," Holmes Trujillo said.

It remains to be seen how the measures will be enacted and enforced. In theory, however, it would mark a much stronger action plan against a country already reeling under crushing poverty, deprivation and political chaos.

The 1947 Rio Treaty has not been activated since the Sept. 11, 2001, terrorist attacks in the U.S. The accord establishes that a threat to one member is a threat to all.

The annual U.N. summit, the world's largest diplomatic stage, provides a charged platform and unparalleled audience for Maduro opponents trying to unseat him — a campaign backed by the Trump administration that has largely floundered.

In addition to the Rio Treaty meeting, the so-called Lima Group, a smaller coalition of Latin American countries focused on Venezuela, was meeting, and opposition groups were being hosted by think tanks and holding bilateral talks with Trump administration officials — including the president on Wednesday.

Secretary of State Michael R. Pompeo announced last week that the Rio Treaty would be invoked on behalf of Juan Guaido, the Venezuelan opposition leader whom the U.S. and numerous other countries recognized as the legitimate leader of the once-oil-rich South American nation. Pompeo cited “bellicose actions” by Venezuela in purportedly deploying military units along its border with Colombia.

Eighteen Western Hemisphere countries are signatories to the treaty. Venezuela dropped out of the pact, as did Mexico. The Venezuelan opposition, which sought to rejoin the treaty, was allowed to vote on Monday.

“The one who has closed any door for negotiation, for elections, for national unity is Maduro himself,” Julio Borges, who is Guaido's representative for foreign affairs, said Monday in an interview. “We must use all the tools we have to push him.”

Borges spoke in the Venezuelan Consulate in New York, which anti-Maduro forces managed to take possession of only three months ago. They said the previous occupants, Maduro loyalists, ransacked the stately but faded building before leaving; there was little furniture and paint splotches on the bare walls.

Colombia is formally accusing Venezuela of harboring “terrorists,” mostly dissident guerrillas who oppose the Bogota government and refused to join an ongoing peace process that in 2016 ended the hemisphere's longest civil war.

Ahead of Monday's meeting, Colombian President Ivan Duque again condemned Maduro, accusing him of crimes against humanity.

“It is not only a dictatorship, it is a narco-dictatorship,” Duque told a group of Colombians in suburban New York on Sunday. “A dictatorship that has destroyed freedom of press, the institutions, has torn apart the people.”

Duque, from a right-wing party that did not participate in drafting the Colombian peace accords, has won enthusiastic backing from President Trump.

Dozens of sanctions have been imposed by the Trump and Obama administrations, but Maduro's opponents hope more of Latin America will join the pressure campaign, along with Europe.

Maduro is not expected to attend the U.N. General Assembly, but representatives of Guaido are in New York. The U.N. still recognizes Maduro.

The U.S., Colombia and several other regional leaders argue that the crisis in Venezuela is destabilizing the entire continent. More than 4 million Venezuelans have fled hunger and disease in their homeland and moved into neighboring countries.

Colombia's ambassador to the United States, Francisco Santos, said his country should serve as a model in immigration because it had welcomed the refugees and provided temporary shelter and other relief. But he said Colombians would eventually lose patience as the country's infrastructure and public budget become overwhelmed.

The United States, which has refused to grant special status for Venezuelan refugees, has long opposed Maduro and launched a concerted campaign in January backing Guaido and tightening sanctions on Venezuelan banks and oil. Administration officials at the time suggested Maduro would fall quickly.

But the former bus driver and autocratic leader remains in place, and the latest attempt at negotiations collapsed.

Borges, along with other members of the opposition, insist the sanctions are doing severe damage to Maduro's government by creating fissures in the military and other security forces. Borges said Maduro stayed in power thanks only to Cuba and Russia.

“Cuba is the real political mastermind” behind Maduro, Borges said, having shared tactics for harsh repression of dissidents and social activists.

Trump administration to triple democracy aid to Venezuela (WSB-TV Atlanta) By Joshua Goodman
September 24, 2019

The Trump administration is more than tripling U.S. support for pro-democracy work

in Venezuela and for the first time directly funding opposition leader Juan Guaidó as he attempts to set up a government to rival the socialist administration of Nicolás Maduro.

The \$52 million in new aid was announced Tuesday by Mark Green, the administrator of the U.S. Agency for International Development, following a meeting in New York with Guaidó's envoy Carlos Vecchio, whom the Trump administration recognizes as Venezuela's ambassador in Washington.

The funding was mostly repurposed from aid originally earmarked for Honduras and Guatemala that President Donald Trump cut last year after accusing the Central American countries of failing to stem the flow of migrants to the U.S.

The funding boost shows the level of U.S. support for Guaidó, who has drawn recognition as Venezuela's rightful leader by more than 50 nations. But he has been unable to translate the international support and popularity at home into real power capable of helping regular Venezuelans suffering from hyperinflation and an economic collapse akin to the destruction wrought by war.

A senior Trump administration official said the new U.S. aid package seeks to address that deficit, providing about \$19 million to pay for secure communication devices, travel stipends and training in budget planning and other tools to effectively govern should they manage to force Maduro from power.

The U.S. official spoke on the condition of anonymity because he is not authorized to publicly discuss details of the aid package.

Guaidó's team said in a statement that it would not administer the money directly or give it to any institution or political party. It said it hoped to work with the U.S. in the coming days to decide how the funds would be spent and leave it to the American authorities to distribute the funds and audit their use.

The decision aimed at boosting transparency comes after a string of accusations earlier this year that Venezuelan opposition groups mismanaged humanitarian aid for migrants in Colombia.

The Trump administration had budgeted \$9 million during the 2017 fiscal year and \$15 million in 2018 to promote free press, the monitoring of human rights abuses and anti-corruption initiatives - work by civil society groups that will be greatly expanded by the additional funding.

A U.S.-backed uprising in April by a cadre of security forces failed to break the armed forces' loyalty to Maduro. The embattled socialist in recent days has gone on the offensive, announcing a deal with a small group of minority opposition parties to reshape the nation's electoral council and other reforms after talks with Guaidó sponsored by Norway broke down.

Trump, speaking at the United Nations on Tuesday, delivered a sharp warning to Venezuela, declaring that he awaited the day "when Venezuela will be free and when liberty will prevail throughout this hemisphere." He also called socialism "the wrecker of nations" and "destroyer of societies."

It came just a day after the United States and more than a dozen Latin American countries agreed to investigate and arrest associates and senior officials of Maduro's government who are suspected of crimes such as drug trafficking, money laundering and financing terrorism.

Venezuela's opposition is relying heavily on the international community to force Maduro from power.

In addition to the Trump administration funds for pro-democracy work, the Treasury Department also moved to block any U.S. assets controlled by four transport companies that it says keep delivering Venezuela oil to Cuba, another act aimed at punishing those who support Maduro's government.

The funding announced Tuesday is in addition to hundreds of millions of dollars already committed by the U.S. to support the more than 4 million vulnerable Venezuelans who have fled the country's crisis and migrated to Colombia, Peru, Ecuador and other nations throughout Latin America.

The United Kingdom, meanwhile, announced a major boost in aid for Venezuela, responding to a U.N. call for donors to give \$223 million to support a humanitarian response this year.

The U.K. pledged 30 million euros (\$33 million) on top of the 14.5 million euros (\$15.9 million) it announced earlier this year. The funds will go to organizations delivering medicine, vaccinations and clean water inside Venezuela and neighboring countries hosting millions of Venezuelans who have fled the crisis.

The U.K. said it would not reveal which groups are receiving the funds for security reasons.

"The people of Venezuela are needlessly suffering as a direct result of Maduro's refusal to accept the scale of his country's worsening humanitarian crisis," said Alok Shark, U.K. international development secretary.

Venezuela: UN Creates Independent Investigative Body (Human Rights Watch)

September 27, 2019

The United Nations Human Rights Council has taken a crucial step to ensure that Venezuelan victims have access to justice and that those responsible for serious abuses are held accountable for their crimes, Human Rights Watch said today.

On September 27, 2019, the Human Rights Council adopted a resolution to create an independent fact-finding body to investigate extrajudicial executions, enforced disappearances, arbitrary arrests, torture, and other cruel, inhumane, or degrading treatment committed in Venezuela since 2014. The resolution was presented by the Lima Group – composed of states from the region including Argentina, Brazil, Canada, Chile, Colombia, Guatemala, Guyana, Honduras, Paraguay, and Peru. It was approved by a clear vote of 19 to 7.

"The creation of an independent investigative body to gather evidence of serious violations is an important step toward establishing responsibility for the horrendous suffering of the Venezuelan people since 2014," said Jose Miguel Vivanco, Americas director at Human Rights Watch. "The action by the Human Rights Council sends a clear message to the Venezuelan authorities that they will eventually be held accountable for their crimes. This is a victory for victims, who are one step closer to seeing those responsible for years of abuse brought to justice."

The Venezuelan government is conducting a brutal crackdown on dissent with arbitrary arrests, torture of opponents, and abusive policing practices, including extrajudicial killings. At the same time, the government is failing to address a devastating humanitarian emergency. The judiciary does not operate independently, and impunity for systematic violations is the norm. The result is a profound human rights crisis that has caused more than four million people to flee the country, the largest exodus in recent Latin American history.

The Human Rights Council resolution acknowledges the severity of Venezuela's crisis and condemns human rights violations by the government of Nicolás Maduro in Venezuela. It creates an independent fact-finding mission tasked with documenting egregious abuses "with a view to ensuring full accountability for perpetrators and justice for victims." The resolution calls on Venezuelan authorities to cooperate with the fact-finding mission, as well as with the UN experts whom they have agreed to allow into the country.

The council president will appoint the fact-finding mission and is to become operational immediately. The resolution authorizes the creation of a full commission of inquiry if Venezuelan authorities fail to meaningfully cooperate with the Office of the High Commissioner for Human Rights (OHCHR). An additional resolution, adopted by the Human Rights Council on September 26, with Venezuela's support, commits Venezuela to provide the high commissioner with "unlimited access to all regions and detention centres" and facilitate a "permanent presence" of OHCHR in the country, and asks the high commissioner to report on investigations "to ensure the accountability of perpetrators and redress for victims."

The fact-finding mission could complement other international avenues for accountability, Human Rights Watch said.

In February 2018, the International Criminal Court (ICC) prosecutor, Fatou Bensouda, announced the opening of a preliminary examination into the situation in Venezuela to determine whether a full investigation by the court is merited. In September 2018, the governments of Argentina, Canada, Chile, Colombia, Paraguay, and Peru asked the ICC prosecutor to investigate potential crimes against humanity in Venezuela since February 12, 2014. Costa Rica, France, and Germany later added their support to the submission.

The fact-finding mission should share information with the ICC prosecutor to assist in her evaluation of the situation in Venezuela. The fact-finding mission should support the Office of the Prosecutor's efforts to the fullest extent possible, including by sharing relevant evidence, testimony, and other information collected and documented by the fact-finding mission, if the Office of the Prosecutor proceeds with a full investigation. This should include leads that would enable the prosecutor's office to gather evidence that is admissible in court.

In addition, other countries could use the information that the fact-finding mission gathers and its analysis to support efforts, where consistent with domestic laws, to prosecute torture cases under the principle of universal jurisdiction.

"The Lima Group's leadership has been critical to redoubling the pressure on Venezuelan authorities and to establishing this independent investigative body," Vivanco said. "The message sent by the UN's top human rights body makes it clear to Venezuela that if it doesn't make good on its commitments and end abuses, the international community will take even stronger measures to hold those responsible to account."

TOPICS

Truth and Reconciliation Commission

'Repeating members against intention of legislature' (The Himalayan Times)

September 12, 2019

As an independent committee formed to recommend members of two transitional justice bodies prepares to finalise list of probable candidates for publication as per understanding reached between political parties last month, legal eagles have said re-appointment of the same members who the sovereign Parliament wanted to go a few months back would be against the 'intention of the legislature'.

The Parliament had, in February endorsed the amendment to the Transitional Justice Act, which extended the commissions' tenure by a year, but did not extend the tenure of members who retired April 13.

However, political parties reached understanding on August 21 whereby the Commission of Investigation on Enforced Disappeared Persons would have the same old team, while the Truth and Reconciliation Commission would have a new chair, two new members, and two old members. The selection committee has called a meeting tomorrow to finalise the list of candidates for publication, according to the panel's Spokesperson Sharmila Karki. "We have reached final stages," she said.

Karki did not say whether the panel would go with the political understanding, but sources said the final list would be published in line with the understanding.

This means the final list will have names of 64 candidates, including 57 who have filed applications and seven who have not. The 57 applicants already include TRC member Madhabi Bhatta, and CIEDP members Bishnu Pathak and Bijul Bishwakarma, according to sources.

The seven new names to be inducted in the list for the TRC include proposed chairman Raman Shrestha, member Janardan Nepal and one candidate from the quota of former CPN-UML. For the CIEDP, the names to be included are former chair Lokendra Mallick, and members Ai Bahadur Gurung and Nara Kumari Gurung. Against this backdrop, legal eagles said since both the government and the Parliament acknowledged that the then members should go by not extending their tenure through act amendment, bringing them back was against the intention of the Parliament.

"The Parliament endorsing the amendment means that it recognises the then members have failed," said Advocate Om Prakash Aryal. "Now plans to bring in the same members who the government humiliated as failure a few months back, suggests bad faith of the government and the parties." Aryal said the sovereign Parliament could hold the government and parties accountable.

Moreover, delegating authority to recommend members to an independent committee and not the government or parties is to ensure independent selection process. Parties even voicing their wish regarding the appointments, let alone forging understanding or issuing directives, will jeopardise the whole purpose of the independent committee, according to Senior Advocate Bipin Adhikari.

Adhikari also said the Parliament had held necessary consultations and endorsed the amendment that wanted the commissioners to go and thus made the Parliament's intention clear. "The Parliament formulated the law to ensure independent and competent members were appointed in the commissions," he said. "Acting against the Parliament's wish means only fulfilling a formality."

While conflict victims have said they will challenge in court any recommendation by the committee in line with political understanding, the National Human Rights Commission has warned it will pull its representative out of the panel if the names are decided as per the parties' decision.

Civil rights author cheers public launch of new commission on Maryland's lynching history (Baltimore Sun)

By Jonathan M. Pitts

September 13, 2019

It has been 12 years since the celebrated civil rights attorney Sherrilyn Ifill published her seminal book on the history of lynching in Maryland, a study in which she called for creating a South African-style "truth and reconciliation" commission to address the legacy of the terrible practice in her home state.

On Thursday night, Ifill took to a podium at the University of Baltimore School of Law night to address the members of just such a commission — and nearly 200 interested members of the public — at what she called a historic moment in the nation's struggle to process its lynching past.

The event was the public launch of the Maryland Lynching Truth and Reconciliation Commission, a task force formed by the passage of a bill in the Maryland General Assembly in April and the first of its kind in the United States.

It can take a while "for the stars to align," Ifill said, when it comes to making historic change, but she called it "wonderful to see the needle being moved forward" as the state begins to reckon with events she says have reverberations to this day.

More than 4,000 African Americans were killed in racial terror lynchings, most by white mobs, in the United States between 1850 and 1950.

At least 40 — all African American males — are known to have been killed by lynching in Maryland over approximately the same span. The murders took place in 18 of the state's 24 counties.

The numbers are modest compared to the death toll in the most violent of states, such as Mississippi, with 654, or Georgia, with 589, according to the Equal Justice Institute, an Alabama-based research center in Montgomery, Alabama, that focuses on lynching and other forms of racial violence.

But it was more than enough to capture the attention of Ifill, whose 2007 book "On the Courthouse Lawn: Confronting the Legacy of Lynching in the Twenty-First Century," centered on the two most recent lynchings in Maryland, the torture killings by white mobs of African American laborers Matthew Williams in Salisbury in 1931 and George Armwood in Princess Anne in 1933.

Researchers at the Maryland State Archives built a database of known cases of lynching in the state over a course of years after that, but public attention to the subject intensified more recently with the creation of the Maryland Lynching Memorial Project, a nonprofit whose president, Towson filmmaker Will Schwarz, was inspired by the work of Bryan Stevenson, the attorney and activist who founded the Equal Justice Institute.

Schwarz and Nicholas Creary, then a history professor at Bowie State University, worked with Del. Joseline Pena-Melnyk, a Democrat who represents portions of Anne Arundel and Prince George's counties, to author House Bill 307, which passed with overwhelming bipartisan support in April.

The commission's goals, according to the bill, are to carry out research on the lynchings known to have occurred in the state, to hold public meetings in the communities where the killings took place, and to include their findings and recommendations in a report to the governor and members of the General Assembly by the end of 2021. A final report is to be submitted by the following December.

The bill asserts that lynchings deprived victims of life as well as the right to due process; that no one in Maryland was ever "tried, convicted or otherwise brought to justice" in the cases; that "various state, county and local governments colluded" in the racial terror killings and acted to flout the law and protect perpetrators; and that no victim's family ever received an apology or compensation.

"Restorative justice requires a full knowledge, understanding and acceptance of truth before there can be any meaningful reconciliation," it states.

The commission includes, among other members, one historian from each of the state's historically black colleges and universities, Coppin State University, Morgan State University, the University of Maryland Eastern Shore and Bowie State University; a state archivist; a member of the Maryland Commission on Civil Rights; a representative of the National Great

Blacks in Wax Museum in Baltimore; and a member of the Maryland Commission on African-American History and Culture.

Ifill and a second guest speaker, Kelebogile Zvobgo, a PhD. candidate in the social sciences at the University of Southern California who studies truth and reconciliation commissions, offered encouragement to the commission members as well as a few words of caution and concern.

Zvobgo warned there would likely be pushback, stressing that it would be important to keep the pressure on politicians and other leaders in the state as more information about lynchings is revealed and made public.

Ifill applauded members for their plan to hold public hearings in the communities in which lynchings occurred, as she said the crimes continue to loom large in the public consciousness in those places.

The commission, which held its second monthly meeting in the law school building earlier in the day, is still seeking the four public members mandated by the legislation. Members have received 15 applications and expect to narrow the list down by next week.

Liberia Bar Association Backs Traditional Council Recommendation for War Crimes Court (Front Page Africa)

September 13, 2019

The establishment of war and economic crimes courts in Liberia is gaining momentum as the Liberian National Bar Association (LNBA) on Thursday, September 12 backed a new recommendation by the National Traditional Council.

The traditional council, which comprises of elders and chiefs from across the country, announced its support for the setting-up of the two special tribunals last week during a stakeholder meeting in Monrovia.

After the recommendation was submitted to the government, the umbrella organization for all lawyers in the country in a special statement, lauded the traditional chiefs and elders' decision.

The LNBA added that the establishment of the war and economic crimes court is necessary because "such courts will hold accountable those who committed war and economic crimes during the Liberian civil conflict".

The LNBA further that it is completing its revision of the first draft of a Bill that calls for the establishment of a war and economic crimes courts following several suggestions from Liberians and foreign experts.

The Truth and Reconciliation Commission report made several recommendations including the establishment of the special tribunals, but lack of political will from the government has delayed the process for more than a decade.

Meanwhile, making reference of the recent ruling of the 2nd Judicial Circuit Court in Grand Bassa County where seven defendants from Sinoe County were found guilty of murder and gang rape and sentenced to 25 years, the LNBA commended the government for the speedy and successful prosecution of the case.

"Such swift action by government will strengthen respect for the rule of law and human rights throughout Liberia consistent with the general desire of the Liberian people to build a better Liberia in which peace, progress and prosperity will be perpetual," the LNBA statement added.

The Bar Association also condemned the wave of violence taking place in various parts of the country and called on government to bring to justice swiftly those who allegedly adopted and committed gang rape and other grave offenses against Madam Jestina Taylor and called on women across the country to show deep concern for her.

At the same time, the LNBA has called on the government to take serious actions against individuals and groups who are still engaged in trial by ordeal otherwise known as "sassy wood", that has been declared by the Supreme Court as unconstitutional.

TRC used as tool to exact revenge: Dahal (The Himalayan Times)

September 16, 2019

Co-chair of the ruling Nepal Communist Party (NCP) Pushpa Kamal Dahal said some domestic and international forces attempted to derail the peace process and used the Truth and Reconciliation Commission as a tool to achieve their goal.

Speaking at an interaction today, Dahal said though political parties had reached an understanding regarding the appointment of the chair of the TRC, complications still persisted.

“The PM has assured that he will okay any names I recommend as chair of the TRC, but if we don’t stand united things will be difficult,” he added.

“All those involved in the Maoist movement should come together to finish the job,” he said. Both national and international elements had made transitional justice a profitable business, alleged Dahal.

“This issue is related to our political movement, so we all need to come together to strengthen relationship with people to take peace process to a logical conclusion,” NCP Co-chair Dahal said.

President Weah Seeks Legislature’s “Guidance Toward Implementing TRC Report” (Liberian Daily Observer) By Leroy M. Sonpon, III
September 16, 2019

Bong County District #4 Representative Robert Womah and Nimba County District #8 Representative Larry Younquoi, have agreed to vote for the establishment of War and Economic Crime Courts in Liberia.

This followed a communication from President George Weah to the House of Representatives on the creation of the Special Courts and the implementation of the Truth and Reconciliation Commission (TRC) recommendations.

The Bong and Nimba counties’ lawmakers, in separate interviews after Friday’s Special Sitting, informed journalists that their decisions to support the creation of the Special Courts are aimed at ending impunity in the country and allow perpetrators of the wars to give account of human rights and economic abuses by exonerating themselves before the court.

The lawmakers’ exposure to favor the Special Courts seem daring, since many others who also support the creation of the Court are quiet and begged to remain hushed in keeping their support to themselves.

Grand Gedeh County District #2 Representative, George S. Boley, one of the notable warlords, told journalists: “The sooner the war crimes court is established, the better it would be for Liberia.”

Nimba County Districts 1 and 4 Representatives, Jeremiah Koung and Gonpu Kargon (both Senator’s Prince Y. Johnson loyalists), disagreed over the establishment of the War Crime Court.

Rep. Koung said he preferred the creation of an economic crimes court, calling on his colleagues to table the discussion on the establishment of a war crimes court, while Rep. Kargon preferred “dialogue as the best alternative” to the two courts.

President George Manneh Weah, in his two-page letter to Speaker Bhofal Chambers, which was read in Friday’s Special Session, said from September 4– 6, 2019, over 350 concerned participants from the three branches of government, political parties, youth, women, development partners, civil society organizations, institutions of higher learning and international experts, engaged in an intense deliberation on the present economic, and monetary challenges of the county, under the nomenclature the “National Economic Dialogue.”

Among the recommendations on the National Consensus on the Revival and Growth of the Liberian Economy, the participants stressed the need for accountability for past human rights violations as essential ingredients for sustainable peace for the implementation of the TRC report, including the establishment of the War and Economic Crimes Courts.

The creation of Special Courts is part of the Peacebuilding and Reconciliation thematic strategy, which is one of the four key thematic strategies that require immediate and medium term action to revive and grow the Liberian economy, including Public Finance Mobilization and Management; Investment and Private Sector Growth and Unemployment and Skills Development.

“In addition, the United Nations has brought to the attention of the Liberian government two sets of amendments to the Rome Statute of the International Criminal Court, including the War Crimes Amendment and Crime of Aggression Amendment,” the President wrote.

“As President of Liberia, I am committed to a holistic implementation to the National Consensus and do hereby call on the Legislature to advise and provide guidance on all legislative and other necessary measures towards the implementation of the TRC report, including the establishment of the Economic and War Crime Courts.”

Meanwhile, Montserrado County District #16 Representative Dixon Seeboe, who appears to support the establishment of War and Economic Crime Courts, proffered a motion that the President’s communication should be discussed with their respective constituents to solicit views to allow them make informed decisions as the peoples’ Representatives.

Rep. Seeboe’s motion also called on his fellow lawmakers to provide logistics and necessary resources to enable them hold

consultations around the country.

Members of the House of Representatives unanimously voted for the establishment of the War and Economic Courts to be taken to their 'peoples' and then be reintroduced during the 3rd Sitting, which will begin the second working Monday in January, 2020.

A motion from River Gee District #2 Representative Francis Dopoh, that any motion for reconsideration should only be allowed on Friday, shut the purpose of any future motion against Plenary's decision to advise and provide guidance towards the implementation of the TRC report, including the establishment of War and Economic Crimes Courts.

Liberia: President Backs War Crimes Court (Human Rights Watch)

September 17, 2019

(Monrovia, September 17, 2019) – Liberian President George Weah took a major step to bring justice for atrocities committed during Liberia's civil wars by endorsing a war crimes court, 10 Liberian and international groups said today. The legislature should promptly establish a court in line with international human rights standards, drawing on relevant international support and expertise.

President Weah, in a letter to the legislature dated September 12, 2019, wrote: "I ... do hereby call on the National Legislature to advise and provide guidance on all legislative and other necessary measures towards the implementation of the TRC [Truth and Reconciliation Commission] report, including the establishment of the Economic and War Crimes Court."

"President Weah's support for a war crimes court is an important step for victims and for helping to ensure the violence that brought so much pain and loss to Liberia will not happen again," said Adama Dempster at CSO Human Rights Advocacy Platform of Liberia and the Secretariat for the Establishment of a War Crimes Court in Liberia. "This decision benefits the victims, the country, and the rule of law in Liberia."

During Liberia's armed conflicts from 1989-96 and 1999-2003, 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.

The Truth and Reconciliation Commission (TRC), 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. Many of the TRC's recommendations, including for the war crimes court, have never been carried out.

The few cases involving civil wars-era crimes have all occurred outside Liberia before United States and European courts. Authorities have been pursuing cases under the principle of universal jurisdiction, which allows national courts to try international crimes committed abroad, as well as for crimes related to immigration, such as lying on immigration forms.

"In the past few years we have made significant progress in cases abroad to try alleged perpetrators of Liberia's wartime crimes," said Hassan Bility at Global Justice and Research Project and the Secretariat for the Establishment of a War Crimes Court in Liberia. "But our people should have the chance to see justice at home. Liberia should work with the United Nations and other international partners to set up a court that can hold fair, credible trials."

Liberians have held marches to campaign for a war crimes court, and petitioned the legislature to carry out the commission's recommendations. Liberian, African, and international nongovernmental organizations have come together to campaign for justice in Liberia. In May several of the groups released a video appeal for the court, with statements from people of varied backgrounds who took part in a national conference on accountability in Monrovia in November.

The Liberian Bar Association added its support for a war crimes court in April. The Traditional Chiefs Council backed a war crimes court in early September. On September 6, the National Economic Dialogue, attended by 350 Liberians, including members of the government, political parties, youth, and civil society, recommended establishing the court.

In July, lawmakers attended a legislative conference on accountability organized by local and international groups. The joint committee of Liberia's House of Representatives then put forward a resolution backing the court, which was immediately endorsed by nine lawmakers.

The groups urged the legislature to move ahead with a law to establish the court and request assistance from Liberia's international partners in the effort, particularly the United Nations, as well as the European Union, African Union, United States, United Kingdom, Germany, and Sweden. There should also be greater involvement from nongovernmental organizations with expertise in war crimes courts.

Governments and international organizations have supported war crimes courts and developed expertise in recent decades in addressing challenges that often arise with them. Such expertise includes protection and support for witnesses and victims, security for judges and staff, assuring fair legal process, and educating the local population about the court.

“All eyes now turn to our national legislature,” said Aaron Weah at Search for Common Ground-Liberia and the Secretariat for the Establishment of a War Crimes Court in Liberia. “Some victims have been waiting more than two decades. The legislature should move ahead to establish the court without delay.”

The groups issuing this news release are: Advocates for Human Rights, Center for Justice and Accountability, Centre for Civil and Political Rights, CSO Human Rights Advocacy Platform of Liberia, Global Justice and Research Project, Human Rights Watch, Liberia Massacre Survivor Association, Search for Common Ground-Liberia, Transitional Justice Working Group, and the Secretariat for the Establishment of a War Crimes Court in Liberia.

43 Lawmakers Sign for War, Economic Crime Courts (Liberian Daily Observer) By Leroy M. Sonpon, III
September 23, 2019

Forty three of the seventy three Representatives have so far affixed their signatures on a Resolution to establish the War, Economic Crime Court in Liberia, the Daily Observer has reliably gathered.

Margibi County District #2 Representative Ivar Jones, also confirmed in a telephone conversation over the weekend that he signed the document since Wednesday, August 28, 2019, and was among the first batch of the lawmakers, who strongly support the establishment of War, Economic Crime Courts in the country to end impunity.

Montserrado County District #17 Representative Hanson Kiazolu and chairman of the Unity Party (UP) Legislative Caucus, also told the Daily Observer that was signing the Resolution to join Bong County District #4 Representative Robert Womah, who is also from the UP.

The UP caucus chairman said that other like-minded lawmakers, including Representatives Francis Dopoh, Dixon Seeboe, Rustonlyn Suakoko Dennis, and Mary Karwor, also signed the Resolution.

Representative Thomas Goshua of the Alternative National Congress (ANC), also joined Nimba County District #8 Representative Larry P. Younquoi, who earlier expressed support to the creation of the War , Economic Crime Courts in the country.

“We have spoken through our signatures, and there are remaining six signatures to have the two-thirds that would be forwarded to the Senate for concurrence,” Rep. Kiazolu said.

It can be recalled that Representatives Womba and Younquoi, in separate interviews, informed journalists that their decisions to support the creation of the Special Courts are to end impunity in the country, and allow perpetrators of the wars to give account of human rights and economic abuses by exonerating themselves in open court.

Grand Gedeh County District #2 Representative, George S. Boley: “The sooner the war crime court is established, the better it would be for Liberia.”

Some of Nimba County lawmakers, including Districts #1 and #4 Representatives, Jeremiah Koung and Gonpu Kargon, respectively (both supporters of Senator Prince Y. Johnson) did not sign the Resolution. They have expressed displeasure over the establishment of the War Crime Court.

Political pundits are arguing the endorsements of the establishment of the War, Economic Crime Courts and the eight propositions for constitutional, printing of new banknotes and some priority bills. These were some of the prime reasons the recent Presidential-Legislative Retreat that was hosted from Friday, August 16 – Saturday, August 17, 2019.

The President’s recent communications are evidence of the four weeks’ extension of the 2nd Sitting of the 54th Legislature.

The President informed the Legislature that he is committed to a holistic implementation of the National Consensus, and do hereby call on the Legislature to advise and provide guidance on all legislative and other necessary measures towards the implementation of the Truth and Reconciliation Commission (TRC) report, including the establishment of the Economic and War Crime Courts.

The President also told the Legislature in another communication that the Central bank of Liberia (CBL) has advised him that the economy may be seriously affected due to the unaccounted local currency infused in the economy that is causing high inflation, and has recommended the printing of LS\$35 billion new currency to replace the existing ones.

Meanwhile, the President has written for the consideration of eight propositions to amend certain sections of the Constitution of Liberia (1986).

The Daily Observer has learned that among the eight suggested propositions, the House of Representatives is considering the passage, but with modifications on the 'dual citizenship' that any person, at least one of whose parents was a citizen of Liberia at the time of the person's birth, shall be a citizen of Liberia; but a citizen of Liberia may hold the citizenship of another country, but shall not qualify or contest elected position and shall not be appointed or to hold positions of Chief Justice and Associate Justices of the Supreme Court of Liberia, Minister of Foreign Affairs, Ambassadors, Minister of Defense and Minister of Justice.

Also, the House of Representatives has agreed to scrub propositions two and eight to amend Article 45 to provide for filling vacancies created by death, resignation, expulsion or otherwise of senators, as well as suggested amendment Article 80 (f) to address historical imbalances and gender inequality experienced by the female population, one female constituency seat shall be established and reserved exclusively for women representatives in each county.

The lawmakers argued that democracy is expensive, and therefore, by-elections must exist and elections must be equally conducted for such a position as may deem necessary.

Senator Prince Johnson Supports President Weah's Decision to Seek Legislature's Advice on War Crimes Court (Front Page Africa) By Gerald C. Koinyeneh
September 26, 2019

The debate of the establishment of a war and economic crimes court came into the limelight recently when President George Weah sought the Legislature's advice on the establishment of the court.

Support for the establishment of the court is garnering momentum as several members of the House of Representatives have affixed their signatures to a document calling for its establishment. However, one of the key figures included in the defunct Truth and Reconciliation Commission's (TRC) recommendations for sanction, Senator Prince Johnson, has said that it will be unlawful to establish such court in the country.

Addressing reporters at the Capitol Building on Wednesday, September 25, Senator Johnson stated that because of its illegality, the clause within the TRC Report barring certain individuals from Liberian politics for 30 years was thrown out by the Supreme Court during the administration of ex-President Ellen Johnson Sirleaf.

Senator Johnson, once a fierce warlord during the first round of the civil war, headed the rebel faction, the Independent National Patriotic Front of Liberia (INPFL).

According to Liberia's Truth and Reconciliation Commission (TRC), the INPFL can be held liable for just two percent of the total violations —2,588 —tallied in its final report.

Though this figure is low compared with Taylor's NPFL with 41 percent (63,843 violations), INPFL leader Prince Yormie Johnson is documented as having the highest number of violations ever recorded for individual perpetrators during the whole civil war, which lasted 15 years. Johnson earned this record in comparatively short spell (1990 to 1993) in the civil war.

In addition to killing Doe, the TRC documented other crimes committed by Johnson's INPFL: "Two trucks filled with native Krahn and Mandingoes were captured from ECOMOG by the INPFL and apparently killed since they were never accounted for," the report reads.

Among Senator Johnson's violations, according to the TRC, are killing, extortion, massacre, destruction of properties, force recruitment, etc.

But in 1992, Senator Johnson fled into exile. Following the end of the war, he returned in 2005 and was elected Senator of Nimba County.

He was reelected in 2014 and is currently serving his second nine-year term. The Nimba Senator often defends his actions during the war, especially when the name of former President Samuel K. Doe is mentioned. Sen. Johnson usually speaks of protecting his kinsmen from the Doe regime.

Senator Johnson, now in his late 50s, father of 12 children, is a son of a bush hunter in Nimba County. He first resorted to arms as a member of the failed 1985 General Thomas Quiwonkpa invasion, which was intended to topple the Doe regime. Quiwonkpa, a son of Nimba, was arrested and butchered when the uprising failed. Johnson fled into exile.

This infuriated President Doe, who sent members of the army to Nimba. Nimbaians, including women and children, were slaughtered and that massacre is known today as the “Nimba Raid.”

Further trying to justify why he thinks the war crimes court would be “illegal”, Senator Johnson pointed out that Article 97 of the Constitution of Liberia, which grants amnesty to actors of the Military junta’s People’s Redemption Council (PRC) for whatever actions it may have taken that led to the change of government in 1980 as well as before and after the adoption of the 1986 Constitution of Liberia, also covers him and others, who took part in 15-year civil carnage.

Article 97 ‘A’ states: “No executive, legislative, judicial or administrative action taken by the People’s Redemption Council or by any persons, whether military or civilian, in the name of that Council pursuant to any of its decrees shall be questioned in any proceedings whatsoever; and, accordingly, it shall not be lawful for any court or other tribunal to make any order or grant any remedy or relief in respect or any such act.”

‘B’: “No court or other tribunal shall entertain any action whatsoever instituted against the Government of Liberia, whether before or after the coming into force of this Constitution or against any person or persons who assisted in any manner whatsoever in bringing about the change of Government of Liberia on the 12th day of April, 1980, in respect of any act or commission relating to or consequent upon: (i) The overthrow of the government in power in Liberia before the establishment of the government of the People’s Redemption Council; (ii) The suspension of the Constitution of Liberia of July 26, 1847; (iii) The establishment, functioning and other organs established by the People’s Redemption Council; (iv) The imposition of any penalties, including the death penalty, or the confiscation of any property by or under the authority of the People’s Redemption Council under a decree made by the Council in pursuance of but not limited to the measures undertaken by the Council to punish persons guilty of crimes and malpractices to the detriment of the Liberian nation, the people, the economy, or the public interest; and (v) The establishment of this Constitution.”

Senator Johnson indicated that the Doe regime was influenced by this constitutional provision to do ‘what it did’ and its actions led to the civil war.

According to him, former President Taylor, sensing the adverse implication of a war crimes court or tribunal, passed a resolution granting amnesty to all participants of the war.

He also added that ex-President Ellen Johnson Sirleaf challenged the TRC resolution barring her and other 48 people including Sen. Johnson from politics in Liberia for 30 years at the Supreme Court, which termed that particular TRC’s recommendation “unconstitutional.”

He backed President Weah for seeking the lawmakers’ advice and called on his colleagues in the Legislature to carefully read the Constitution before taking a stance for.

Unlike Sirleaf, who sought redress to the Court, Senator Johnson noted that it was prudent for the President to ask the Legislature for their opinion.

Meanwhile, Senator Johnson responding to allegations about him bragging recently for killing former President Samuel Doe in September 1990, said at no time he talked about the incident.

A lawmaker of Grand Gedeh County, where Doe hailed from, Representative Zoe Pennue, addressing the media upon his returned from abroad recently, noted that while away, he was told that Senator Johnson, who now prides himself as an Evangelist, in a sermon to his congregation allegedly boasted about killing the former President. Rep. Pennue said Senator Johnson’s constant boasting and justification of killing the former Liberian president, who was his (Pennue’s) uncle is counterproductive to the peace of Liberia.

Pennue called on stakeholders, including the religious community, international organizations and diplomatic missions in Liberia to “call Senator Johnson to order” to stop sowing seed of discord as the war is over and Liberians are united and rebuilding their nation.

But Senator Johnson noted that he was referring to his fellow Nimba County lawmakers, who have signed a resolution paving the way for a war crimes court in Liberia.

In an apologetic tune, Sen. Johnson stated that he has since tried to reach out to Rep. Pennue to make him understand, but Rep. Pennue has not responded to his call.

“Mr. Pennue misunderstood me. I mean no harm to the people of Grand Gedeh. I was only trying to make them (Nimba lawmakers who signed up to the petition) know that I came to liberate them from the hard hand of the administration of Samuel Doe. I mean no harm. I want to see Liberia moves forward. I appeal to him to relax the aggressiveness towards me. We are neighbors. We are in-laws,” he pleaded.

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Terrorism

UN Warns Libya Moving Toward Full-Scale Civil War (VOA News) By Lisa Schlein

September 25, 2019

The United Nations warns escalating violence and a deepening humanitarian crisis in Libya is pushing the country closer toward a return to the full-scale civil war that overthrew former dictator, Muammar Gaddafi in 2011.

The United Nations warns progress toward achieving a more stable, effective, and humane government has been shattered. It says the military offensive of rebel leader General Khalifa Haftar on the Libyan capital, Tripoli, in April has brought the political process to a standstill.

Deputy High Commissioner for Human Rights Kate Gilmore says she fears the chaos, the unbearable suffering of the civilian population, and widespread human rights violations in the country will continue unabated.

She says summary executions, abductions, enforced disappearances, torture and gender-based violence are rampant. She notes thousands of women, men and children languish in prolonged arbitrary detention. She says human rights defenders and activists are targeted. She says U.N. staff, humanitarian workers, and civilians are attacked, killed and wounded.

"Intentional targeting of civilians and civilian objects as well as indiscriminate attacks may amount to war crimes. Crimes of such gravity cannot pass unpunished--those responsible must be identified and held accountable," said Gilmore.

Gilmore expresses concern about the plight of thousands of migrants detained under appalling, abusive conditions in Libyan detention centers. She says many migrants also are exposed to the impacts of the conflict.

"Today, of the 4,900 migrants detained in inhumane conditions in Libya, 3,500 are held in detention centers located in conflict zones, many of those being located in or next to militia compounds or ammunition stores," said Gilmore. "One in five of those so detained is a child."

Every year, tens of thousands of migrants, mainly from sub-Saharan Africa, make the hazardous journey across the Sahara Desert toward Libya. From there, thousands risk their lives on the dangerous Mediterranean Sea crossing to Europe in search of a better life.

Gilmore notes migrants intercepted at sea by the Libyan Coast Guard are returned and put into detention. She is calling for the closure of all immigration detention centers in Libya.

The Libyan charge d'affaires in Geneva, Tamim Baiou, accepts many of the criticisms in the U.N. report, but notes the political division in his country cannot end without international support.

He calls on the international community to help his government tackle the problems of weapons proliferation, organized crime, illegal immigration and terrorism.

Suspended for helping Nigeria's Boko Haram: Mercy Corps, UNICEF, Action Against Hunger (Africa News)

By Daniel Mumbere

September 26, 2019

International aid agencies in Nigeria have repeatedly found themselves on a collision course with the authorities, with the latter accusing them of sabotaging its efforts to fight extremists and terrorists.

Northeast Nigeria has been blighted by a decade-long insurgency led by militant group Boko Haram that has killed 30,000 people and forced two million to flee their homes. The United Nations has said 7.1 million people in the region need assistance in one of the world's worst humanitarian crises.

In this article, we highlight the aid agencies whose operations have been previously suspended by the Nigerian military.

Consequently, the AAH has been declared persona (non) grata.

On Wednesday, Mercy Corps issued a statement saying it was suspending its operations in two of the northeastern Nigerian states worst hit by Islamist insurgents after the army closed four of its offices in the region.

A military source and an aid worker at the organisation, both speaking on condition of anonymity, said the army closed the offices on Wednesday after troops said they had found 29 million naira (\$94,771) in cash being transported in northeastern Borno state by a driver who said the money belonged to Mercy Corps.

Last week, Nigeria's army ordered for the closure of the offices of non-profit Action Against Hunger, accusing it of aiding terrorist groups such as Boko Haram and Islamic State.

Colonel Ado Isa, the deputy director of army public relations, said Action Against Hunger was warned several times that it was "aiding and abetting terrorists" by supplying food and drugs.

"Consequently, the AAH has been declared persona (non) grata," Isa said.

Last year, the Nigerian military accused the United Nations children's agency (UNICEF) of organising workshops in the northeast city of Maiduguri to train people for "clandestine" activities that were "sabotaging" counter-terrorism efforts.

The army spokesperson Onyema Nwachukwu explained that the activities of some Unicef representatives could further jeopardise the fight against terrorism and insurgency, as they train and deploy spies who support the insurgents and their sympathisers", adding that the organisation's activities in the Northeast region would be suspended for three months.

Amnesty International has previously condemned such suspensions saying they were part of 'a wider drive to intimidate international humanitarian and human rights organisations who are working to save lives in this devastating conflict'.

The Nigerian military has also dismissed reports from international human rights organisations that it has committed rights violations and war crimes during its fight against Boko Haram.

The media has also been attacked for reporting casualty figures of the attacks, with the army actually threatening legal action against organisations for publishing unofficial death tolls.

U.S. Sanctions Russian Firm For Alleged Fuel Sales To Syria (The Wall Street Journal) By Ian Talley
September 26, 2019

The Trump administration imposed sanctions Thursday against a Moscow-based firm and five vessels the Treasury Department said shipped fuel to Syria used to support the Assad regime's bombing campaigns against civilians.

The action announced by the U.S. Treasury Department is designed not only to disrupt fuel deliveries to Syria, but to highlight Russia's military support for a government accused by the U.S. and others of committing war crimes.

The move came as the U.S. accused the Syrian government of carrying out another chlorine attack, in May, according to a new U.S. intelligence assessment. That adds to several years of incidents under investigation by the international watchdog agency, the Organization for the Prohibition of Chemical Weapons.

President Bashar al Assad's "despotic regime is under an international spotlight for using chemical weapons and committing atrocities against innocent Syrian civilians, and they rely on these types of illicit networks to stay in power," said Sigal Mandelker, Treasury's undersecretary for terrorism and financial intelligence.

The sanctions are hitting Maritime Assistance LLC and five ships owned by Transpetrochart Co. Ltd.

The Russian embassy in Washington, the Syrian mission to the United Nations and the blacklisted firms didn't respond to requests for comment.

The sanctions may bolster efforts by the U.S. and other countries seeking a cease-fire in a Syrian government offensive in the province of Idlib, where assaults by Assad forces backed by Russian aircraft have allegedly killed more than 1,000 civilians in recent months. The U.S. often uses sanctions as diplomatic leverage in building international support for foreign policy goals.

Western diplomats meeting on the sidelines of the U.N. leaders summit this week to discuss the proposed cease-fire are hoping to give a Syrian constitutional panel a chance to make headway.

The U.S. and Western allies have pushed in the past for the United Nations to censure Russia for Moscow's financial and

military backing of the Assad regime, saying Kremlin support makes it complicit in Mr. Assad's atrocities, including the chemical weapons attacks. But Russia has successfully wielded its veto power on the U.N. Security Council to block such efforts.

"Russia's support of the Assad regime enabled its continued bombing campaigns that destroyed numerous hospitals, schools, and public spaces, resulting in civilian deaths," the U.S. Treasury said in a statement.

Maritime Assistance was named in a federal indictment last year against five Russians and three Syrians as the company used by previously sanctioned Russian firm Joint Stock Company Sovfracht to hide its role in shipping fuel to Syria in violation of U.S. sanctions. The fuel, according to the federal prosecutors, was used by the Russia fighter jets and other military aircraft sent by the Kremlin to support Assad forces battling opposition groups.

Although the firms and individuals were operating outside the U.S, their use of the dollar exposed them to U.S. prosecution. The Treasury blacklisting not only bans transactions with U.S.-based companies and people, but also complicates their operations overseas.

Sovfracht and its parent company were also involved in providing logistical support to Russian forces involved in the occupation of Ukraine's Crimea region.

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Piracy

Iranian hostage freed by Somali pirates after four years (BBC)

September 21, 2019

An Iranian sailor has been released by Somali pirates after spending more than four years in captivity.

Mohammad Sharif Panahandeh was "seriously ill" and has been freed on humanitarian grounds, the Hostage Support Partnership (HSP), which helped negotiate his release, said.

Over the past decade, thousands of crew have been taken hostage off the coast of Somalia and released for a ransom.

Mr Sharif's freedom means pirates are holding just three people captive.

Pirate attacks in the region peaked in 2011 but have declined to negligible levels in recent years, the European Naval Force, which operates in the area, says.

The three remaining hostages are all Iranian nationals and were taken with Mr Sharif from a fishing boat in March 2015, John Steed from HSP told the BBC.

"[Mr Sharif is] severely malnourished. He lost a huge amount of weight [and has] severe stomach problems and internal bleeding," Mr Steed is quoted by the AFP news agency as saying.

The sailor was taken to the Ethiopian capital, Addis Ababa, for initial treatment and is set to be flown home.

Iran has thanked HSP, the UN, the authorities in Somalia's semi-autonomous Puntland region and Ethiopia for helping, Reuters reports, quoting Iran's official news agency.

Mr Sharif was released because of his health, but the pirates may still want a ransom for the remaining three, Mr Steed told AFP.

The decline in piracy off the Somali coast has been attributed to the use of armed guards on vessels sailing in the area, as well as the work of several navies, including from the European Union and Nato.

Where and Why Do Modern Pirate Attacks Happen? (The Globe Post) By Alex Graf

September 24, 2019

When you hear about pirates, the first thing that probably comes to mind is images of an era long past, with rebellious swashbucklers gallivanting across the seven seas in search of treasure. But piracy in the modern era takes a very different form, mostly in regions where “weak states” are easily corruptible and scarce economic opportunities in legal forms of work make piracy an appealing alternative.

While maritime piracy has seen a decline since its height in 2010, the International Maritime Bureau (IMB) still records hundreds of pirate attacks each year with just over 200 in 2018 alone. Pirate attacks largely occur in a few “hotspots” around the globe and are driven by a number of factors ranging from corruption and institutional weakness to fishing conditions and a lack of economic opportunities.

According to Brandon Prins a professor of international relations at the University of Tennessee Knoxville, the major hotspots for piracy in Africa are the Gulf of Guinea and the Gulf of Aden. In Southeast Asia, those hotspots are the Sulu and Celebes seas as well as the Malacca Strait and Bangladesh.

Notable, however, is even in these hubs of pirate activity, the rate of pirate attacks has largely declined. During the period between 2009 and 2011, the IMB was recording more than 400 pirate attacks each year largely driven by Somali piracy. Since then, attacks have returned to levels comparable to those of the late 1990s before a slight uptick in the number of attacks last year.

“If you compare [the amount of attacks] to something like 2009, 2010, 2011, then it has decreased and decreased significantly...but the decrease is much larger as a result of this abnormal increase in Somali piracy,” Prins said. “If you look at piracy in 1998...you’re probably in the range of 200 to 250 incidents...Once the Somali piracy went away, you went back to the more average or common amount of piracy.”

Prins, who studies global piracy in partnership with the U.S. Department of Defense, told The Globe Post there are a variety of factors that correlate with the hotspots of pirate activity. One such factor is “weak states” or governments that lack the resources necessary to effectively combat piracy.

“Weak states,” according to Prins aren’t just associated with piracy, but also political violence, insurgencies, and terrorism like Boko Haram in Nigeria.

“There’s probably a connection between individuals that are part of some kind of non-state violent groups, kind of rebellious groups or insurgent groups like those in the Niger Delta, and so members of those groups that are fighting against the state are also engaged in piracy as well,” Prins said.

Such states have a hard time addressing problems with piracy because they are economically weak and lack the resources necessary to adequately challenge pirate attacks. Furthermore, large populations of people suffer from poverty and joblessness, which often makes piracy one of the few economically viable lines of work.

“Governments just don’t have the capability of going out and addressing this problem,” Prins said. “They don’t have enough personnel and they don’t have enough vessels, be it Coast Guard or naval vessels. These states tend to be corrupt as well ... That certainly applies to Nigeria, which is both a weak state, but also a corrupt state.”

Associate Professor at the University of Massachusetts Boston Darren Kew studies conflict and democracy in Nigeria and described how corruption influences the relationship between the Nigerian government and militant groups in the region including pirates.

“Many individuals within the Nigerian government in positions of responsibility for dealing with the security crisis are themselves, in fact, corrupt and are engaged in negotiation relationships with many of the militant bands, both pirates and on the onshore militancy groups,” Kew told The Globe Post.

According to Kew, these corrupt relationships take shape in the form of regulators “selling their oversight” for funding and security officers who sell weapons or look the other way during pirate attacks in exchange for kickbacks.

“It’s a fairly stable system in the sense that I think these bargaining relationships lead to deals being made,” Kew said. “Generally speaking, there is a tremendous amount of money, weaponry, oil in particular, and other goods that are moving through these offshore dark economies.”

Prins listed some other factors that contribute to maritime piracy including economic weakness, poverty, joblessness, political violence, large populations, and proximity to major trade lanes which creates the opportunity for piracy. One example of how this works in practice is the research of Sebastian Axbard who studied how fishing conditions correlated with the rate of pirate attacks in Indonesia.

“When you have good oceanographic conditions, you have more fish and higher incomes for the fishermen and as a consequence, you also have a lower number of piracy attacks,” Axbard told The Globe Post. “It really seems to be this income channel that’s important in this setting and because of environmental shocks, fishermen in my study are not able to reap the benefits from fishing, so they turn to this other potential income source which is engaging in piracy attacks.”

According to Axbard, not only does his research highlight a connection between income opportunities for fishermen and piracy, but could also have potentially important implications for how we interpret the consequences of climate change, which is projected to change global fishing conditions.

Is Climate Change Driving Pirate Attacks in Indonesia? (The Global Post) By Alex Graf

September 26, 2019

Piracy is an issue that affects several countries around the globe including Indonesia, Somalia, and Nigeria. Because many of the skills needed to work in the fishing industry are easily translatable to piracy, it’s not uncommon for fishermen to turn to piracy as an alternative source of income.

According to research by Sebastian Axbard, a lecturer of economics at the Queen Mary University of London, there is a correlation between poor local fishing conditions and increases in the rate of pirate attacks in Indonesia. Fishing conditions are influenced by oceanographic conditions like water temperature and levels of phytoplankton – a key source of food for fish.

While it’s difficult to draw a direct link between climate change and piracy, Axbard says that the findings of his research could have important implications for the future, as climate change is projected to cause an increasing deterioration of fishing conditions going forward. The Globe Post had the opportunity to interview Axbard about his research, and the following is a transcript which has been lightly edited for length and clarity.

The Globe Post: To start, you were able to find a correlation between climate change and piracy in Indonesia. Could you explain your methodology and how you were able to figure that out?

Axbard: Sure. So we should be a little bit careful here about to what extent this is related to climate change. More specifically, what I’m looking at is environmental shocks in a specific type of oceanographic conditions in the water that determine the amount of fish in a local area at a certain point in time.

To do this I exploit an insight from the biological literature, which has shown that the temperature of the water, as well as chlorophyll-a concentration in the water, are important determinants for the amount of fish. There are complex environmental processes that determine these conditions at a certain point in time. What I’m able to do in this study is that I rely on the marine biological literature and use satellite data to measure these conditions in the water at a high frequency. I looked at changes in these conditions and see how they affect the income opportunities for fishermen and the number of pirate attacks.

TGP: What did you find out about changing conditions in the water? How did it affect the rate of pirate attacks?

Axbard: When you have good oceanographic conditions, you have more fish and higher incomes for the fishermen. As a consequence, you also have a lower number of piracy attacks. This finding relates to a broader literature that has studied different types of short term environmental shocks and how they affect the probability of conflict, violent behavior, and crime. In that literature, there has been kind of a puzzle of what’s really driving those results. Is it the fact that because of these environmental shocks that it’s just harder to engage in these types of criminal activities? Or is it that it’s harder for the government to combat these criminal activities under certain environmental conditions? Or is it because environmental shocks affect the legal income opportunities of individuals, therefore essentially pushing them into illegal activities? What I can show is that it really seems to be this income channel that’s important in this setting. Because of environmental shocks, fishermen in my study are not able to reap the benefits from fishing, so they turn to this other potential income source which is engaging in piracy attacks. Understanding the drivers of these effects is important because it helps us think about what type of policy interventions that might be successful to reduce piracy.

TGP: So when you say environmental shocks, could you explain what you mean by that?

Axbard: So if you look at the conflict and crime literature broadly, there has been a number of different conditions that have been looked at like the overall daily temperature or the amount of rainfall. But in my specific setting, it’s looking at these oceanographic conditions in the water. So both the sea surface temperature and the chlorophyll-a concentration, which is essentially determining the amount of phytoplankton in the water. That, in turn, determines the amount of food available for fish.

TGP: You've also said we have to be careful about the extent to which we say climate change is the cause of this. Could climate change be a factor? If climate change isn't the only factor, what else would be?

Axbard: So we know that there are natural variations in environmental conditions that can be causing these shocks to fishing conditions. At the same time, prior research has shown that there is a link between climate change and more volatile environmental conditions. So, in that sense this work speaks toward the potential implications of climate change on piracy. The reason that we have to be careful is that climate change is a more long-term process and with newer methods of adaptation and so on to these shocks, responses might look different. So it's hard to project into the future what is going to happen as a consequence of climate change.

TGP: How common is it for fishermen to turn to piracy? What about pirates turning back to fishing? Is that something that happens as well?

Axbard: We don't have any reliable information about the number of fishermen that engage in piracy, but from the aggregate number of attacks and the size of the fishing population, we know that it is likely a relatively small share of fishermen. The involvement of fishermen is also something that might vary quite a lot between different contexts.

Sometimes it could be that fishermen are recruited, for example, by criminal gangs that engage in piracy because of the particular skills that they have. They know how to navigate the waters and so on. Sometimes it can be the fishermen engaging in it themselves. But that really depends on what type of piracy activity that there is.

In the Indonesian waters during this time period, a lot of the attacks can be viewed as robbery at sea – entering international cargo vessels and stealing whatever valuables were on board and then getting out of there relatively quickly. So it's very different from the hijacking that has been seen in some other areas.

TGP: How did the skills of fishing translate to piracy and vice versa? Are they pretty translatable?

Axbard: They're translatable in a sense that knowledge of the waters is important and being able to navigate on the sea. These are key skills that are important both for the fishermen and for engaging in the piracy attacks. Of course, you might need additional weaponry and so on to engage in piracy.

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