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War Crimes Prosecution
Watch

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

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NORTH AFRICA

Libya

Libya: Haftar forces attack airport in Tripoli (Middle East Monitor)

November 4, 2019

Libya's Mitiga international airport in Tripoli was hit by an airstrike Sunday, Anadolu reports.

Mustafa el-Mecei, the spokesman for the Government of National Accord (GNA) Burkan al-Ghadab (Volcano of Rage) military operation, told Anadolu Agency warplanes that targeted the airport four times were flown by forces loyal to Gen. Khalifa Haftar.

El-Mecei did not provide information about damage at the airport due to the attack.

Haftar's forces launched a campaign in April to capture Tripoli from Libya's internationally recognized GNA.

Clashes have left more than 1,000 people dead and about 5,500 wounded, according to the World Health Organization (WHO).

The oil-rich country has remained beset by turmoil since 2011, when longtime ruler Muammar Gaddafi was ousted and killed in a NATO-backed uprising after four decades in power.

Libya has since seen the emergence of two rival seats of power: one in eastern Libya, with which Haftar is affiliated, and the Tripoli-based GNA, which enjoys UN recognition.

ICC Knows Where 3 Libyan Fugitives Are and Urges Arrests (The New York Times) By The Associated Press

November 6, 2019

The International Criminal Court's prosecutor called Wednesday for the immediate arrest of longtime Libyan dictator Moammar Gadhafi's son and two others accused of war crimes and crimes against humanity, saying their whereabouts are known.

Fatou Bensouda told the Security Council the ICC is also continuing to investigate other alleged perpetrators of grave international crimes, and is assessing "the viability of bringing cases before the ICC in relation to migrant-related crimes in Libya."

She said her office has reliable information that Seif al-Islam Gadhafi, the late dictator's son, is believed to be in the Libyan town of Zintan, that Mahmoud al-Werfalli, a commander in the self-styled Libyan National Army is in the Benghazi area in eastern Libya, and Al-Tuhamy Mohamed Khaled, former head of the Libyan Internal Security Agency, is in Cairo.

A civil war in Libya in 2011 toppled Moammar Gadhafi, who was later killed. In the chaos that followed, the country was divided, with a weak U.N.-supported administration in Tripoli overseeing the country's west and a rival government in the east aligned with the so-called Libyan National Army led by Gen. Khalifa Hifter.

Hifter launched a surprise military offensive April 4 aimed at capturing Tripoli despite commitments to attend a national conference weeks later aimed at forming a united government and moving toward elections in the oil-rich North African country.

An array of militias loosely allied with the U.N.-supported government has been fending off the push by Hifter's forces to take the capital.

Bensouda called on Libyan authorities to surrender Seif al-Islam Gadhafi, saying they are required to arrest and surrender him to the ICC despite his appeal of the admissibility of his case. A hearing on his appeal is scheduled on Nov. 11-12.

The ICC prosecutor also demanded that the Egyptian government surrender Khaled, and that Hifter hand over al-Werfalli, whom he recently promoted from major to lieutenant colonel in the Libyan National Army.

"The three ICC fugitives stand accused of grave international crimes," Bensouda said. "These crimes include the war crimes of murder, torture, cruel treatment and outrages upon personal dignity, and the crimes against humanity of persecution, imprisonment, torture and other inhumane acts."

While the power to arrest and surrender ICC suspects rests with governments, the prosecutor said her office "is working to increase opportunities for outstanding arrest warrants to be executed."

Bensouda said that in coordination with states, her office is developing "enhanced strategies and methodologies to track and arrest suspects." She did not elaborate.

Bensouda said she is "deeply alarmed" at the grave situation in Libya and reports indicating that since Hifter launched his offensive in early April more than 100 civilians have been killed, 300 injured and 120,000 displaced.

"My team continues to examine allegations against all parties to the conflict to assess whether they bear criminal responsibility under the Rome Statute" which established the ICC, she said.

Bensouda stressed that she "will not hesitate" to pursue arrest warrants against those most responsible for alleged crimes.

As for alleged crimes against migrants in Libya, the prosecutor said her team "continues to collect and analyze documentary, digital and testimonial evidence relating to alleged crimes committed in detention centers."

The ICC is assessing "the viability" of pursuing such cases "based on this evidence-driven process," Bensouda said.

Bensouda said her office is also actively assisting other countries that are investigating and prosecuting individuals who allegedly have committed crimes against migrants in Libya.

The prosecutor said she was pleased to inform the council that this cooperation "has borne fruit" and facilitated progress in a number of investigations and prosecutions relating to crimes against migrants.

'Violence, atrocities and impunity' reign throughout Libya, ICC prosecutor tells UN Security Council (UN News)

November 6, 2019

Libya remains entangled in a "cycle of violence, atrocities and impunity", International Criminal Court (ICC) Prosecutor Fatou Bensouda told the UN Security Council on Wednesday, nearly a decade since the Court began its work in the country.

"There has been an escalation of violence", she stated, citing reports indicating a "high number of civilian deaths, thousands of persons internally displaced, and a sharp increase in abductions, disappearances and arbitrary arrests across Libya".

The Prosecutor underscored that without the "unequivocal support" of the Council and international community to end the Libyan conflict, the country risks being "embroiled in persistent and protracted conflict and continued fratricide".

'Grave international crimes'

She informed the room that arrest warrants are still outstanding for "three ICC fugitives" accused of "grave international crimes", including war crimes and crimes against humanity, including "persecution, imprisonment, torture, and other inhumane acts".

"Perpetrators of serious international crimes are emboldened when they believe they will never face justice", Ms. Bensouda

continued, adding that this “cycle of impunity has provided a breeding ground for atrocities in Libya”.

She pointed out that with the fugitives at large, “justice still eludes the victims of their alleged crimes”.

Referencing “reliable information” the Prosecutor said that Saif Al-Islam Gaddafi, is believed to be in Zintan, Libya; Al-Tuhamy Mohamed Khaled is in the Benghazi area; while Mahmoud Mustafa Busayf Al-Werfalli is in Cairo, Egypt.

Impunity “serves both as an obstacle and a threat to stability and must be checked through the force of law”, she maintained.

She said Mr. Al-Werfalli appeared to have been “rewarded for his behaviour”, having been promoted twice by the leadership of the self-styled Libyan National Army (LNA) which is still laying siege to the capital Tripoli – first of all in 2017, after videos depicting the first four unlawful executions he allegedly perpetrated, had been posted online.

“The effective power to arrest and surrender ICC suspects rests solely with States”, she asserted, adding that her Office is however, “developing, in coordination with States, enhanced strategies and methodologies to track and arrest suspects”.

The Prosecutor underscored the need for “a concerted international effort to ensure accountability for atrocity crimes” to break the cycle.

“Through the arrest and surrender of the ICC fugitives, the international community can begin to bring justice to the victims in Libya and help prevent future crimes”, she said, calling on all States “to do everything in their power to ensure the surrender of all three ICC Libya fugitives to the Court”.

A grave situation

Ms. Bensouda was “deeply alarmed” by reports indicating that since April “more than 100 civilians have been killed, 300 injured and 120,000 displaced” during fighting, calling for all combatants to “pay heed to the rules of international humanitarian law”.

Condemning all unlawful violence in Libya, she spelled out, “Let me be clear: I will not hesitate to bring new applications for warrants of arrest against those most responsible for alleged crimes that fall under the jurisdiction of the ICC”.

Targeting migrants

Turning to crimes against migrants, she recalled that “the ICC is a court of last resort”, and only acts when States do not “investigate and prosecute serious international crimes”.

However, through collecting and analysing documentary, digital and testimonial evidence on alleged crimes in detention centres, her Office has facilitated progress in “a number of investigations and prosecutions relating to crimes against migrants in Libya”.

In closing she flagged that the country will continue to be a priority for her Office next year, saying, “the people of Libya deserve peace and stability”.

Libya migrant attack: UN investigators suspect foreign jet bombed centre (BBC News) By Manisha

Ganguly

November 6, 2019

A deadly missile strike on a migrant detention centre in Libya was carried out by a fighter plane from a foreign country, according to a confidential UN investigation seen by BBC Arabic.

No country is named but a source with knowledge of the inquiry said it was focused on the United Arab Emirates.

The UAE did not comment when approached by the BBC.

July's attack killed 53 migrants and injured 130, and was described as a potential war crime by a UN official.

Most of those killed at the Tajoura migrant detention centre, east of the capital, Tripoli, are believed to have been sub-Saharan Africans attempting to reach Europe from Libya.

It was the highest publicly reported death toll from an attack since the Libyan National Army (LNA) began a fresh offensive in April to topple the UN-backed Government of National Accord (GNA) in Tripoli.

"This attack may, depending on the precise circumstances, amount to a war crime," UN High Commissioner for Human Rights Michelle Bachelet said at the time.

The UN Special Mission in Libya told the BBC it had shared the co-ordinates of migrant centres with both sides in the conflict to prevent them from being hit.

The GNA said in July the attack had been carried out by a fighter plane from the UAE. The LNA, under Gen Khalifa Haftar, initially said it had bombed a legitimate target but later denied being involved.

A panel working for the UN Security Council has spent months trying to establish who was behind the attack.

BBC Arabic saw a confidential report which will be presented to the UN Security Council on Wednesday.

The report cites evidence from a confidential source saying "an unknown number of Mirage 2000-9" fighter jets were operating from two airbases inside Libya at the time of the strike.

The UAE and Egypt, which have both backed the LNA, have a large number of Mirage fighter jets.

A spokesman for the Egyptian Army said it did not want to comment on a report before it had been published.

The UN report says the Mirage jets were using two airbases: Jufra and al-Khadim.

In 2017, the UN said the UAE had built up the air base at al-Khadim and provided air support to Gen Haftar's forces.

The confidential report concludes it is "highly probable" the air strike was carried out using precision-guided missiles by a fighter jet "operated by a [UN] member state acting in direct support of HAF [Haftar Armed Forces]".

The report does not name the state as it says evidence is still being gathered.

The UAE and LNA did not respond to repeated BBC requests for comment.

"If there is concrete evidence of direct military intervention by outside countries, then that is totally unacceptable, and needs to be investigated at the most senior levels," said the former UK ambassador to Libya, Peter Millet.

There has been an arms embargo on Libya since 2011. In August 2019, the UAE signed a commitment to stick to the embargo along with the UK, US, France and Italy.

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CENTRAL AFRICA

Central African Republic

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

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Sudan & South Sudan

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Democratic Republic of the Congo

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

Congolese Warlord Sentenced to 30 Years for War Crimes (NY Times)

Nov. 7, 2019

A Congolese warlord known as "the Terminator" was sentenced on Thursday to 30 years in prison by an international court in The Hague for war crimes including murder, rape and sexual slavery.

The sentence was the highest ever handed down by the International Criminal Court.

The warlord, Bosco Ntaganda, 46, was found guilty beyond a reasonable doubt in July of 18 counts of war crimes and crimes against humanity for his role in atrocities in a bloody ethnic conflict in the mineral-rich Ituri region of Congo in 2002-03.

Ida Sawyer, the deputy director of Human Rights Watch's Africa division, welcomed the ruling.

"Bosco Ntaganda's 30-year sentence sends a strong message that even people considered untouchable may one day be held to account," Ms. Sawyer said. "While his victims' pain cannot be erased, they can take some comfort in seeing justice prevail."

Mr. Ntaganda, who has always said he was innocent, became a symbol for widespread impunity in Africa in the seven years between being indicted by the global court and finally surrendering in 2013 as his power base fell apart.

His career spanned almost 20 years of fighting, first in Rwanda and then in an array of rebel groups vying for control for the coveted region of eastern Congo. He served as a general in the Congolese Army and as the deputy chief of staff and commander of operations for the rebel group the Patriotic Forces for the Liberation of Congo.

According to the prosecution, Mr. Ntaganda was one of the most ruthless and cruel of Congo's rebel leaders.

His army had conscripted children and outfitted them with ill-fitting uniforms and AK-47s. Female fighters, some underage, were made sex slaves. He was also accused of personally shooting and killing a Catholic priest, and of being responsible for the massacre of a village, not sparing women or babies.

The court in The Hague first issued an arrest warrant for him in 2006 and another in 2012, but Mr. Ntaganda lived openly, seemingly untouchable. Then, he unexpectedly arrived at the United States Embassy in Kigali, Rwanda, in 2013 and asked surprised diplomats to turn him over to the international court.

One theory was that by entering the American Embassy, Mr. Ntaganda had hoped to save his life after feeling threatened by members of his own rebel group, known as M23. The group had splintered, and he and about 700 of his men had fled across the border into Rwanda.

He was also on a list of most-wanted men, and the United States government would have paid a hefty reward for his capture.

When he appeared before the court in 2013 for the first time and the judge asked him to state his profession, Mr. Ntaganda replied simply, "I was a soldier in the Congo." He also told the judge and a room full of black-gowned lawyers, "I was informed of these crimes, but I plead not guilty."

He testified for weeks in his own defense, saying he wanted to put the record straight about his reputation as a ruthless military leader, but was unable to convince the three-judge panel of his innocence.

The judges said he was guilty as a direct perpetrator or co-perpetrator of a string of crimes including murders, rapes of men

and women, a massacre in a banana field behind a building called the Paradiso and of enlisting and using child soldiers. Child soldiers were raped by his troops and forced into sexual slavery, leaving them with lasting physical and psychological scars. Mr. Ntaganda himself used child soldiers as bodyguards.

The verdict, against a man whose power once made him seem invulnerable, sent a strong warning to other abusive commanders, analysts said at the time.

“When warlords see these convictions, they know they can be prosecuted,” said Kathryn Sikkink, a professor of human rights policy at the Harvard Kennedy School.

The leader of the Patriotic Forces for the Liberation of Congo, Thomas Lubanga, was also convicted by the same court in 2012 of using child soldiers. He is serving a 14-year prison sentence. Mr. Ntaganda was given a harsher sentence because he was convicted of far more crimes.

On Thursday, Mr. Ntaganda showed no emotion as the presiding judge, Robert Fremr, handed down sentences ranging from eight to 30 years for individual crimes and an overarching sentence of 30 years. He could appeal the sentence, the court said.

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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**

Côte d'Ivoire petitions ICC to block Gbagbo acquittal (RFI) By William Niba
October 30, 2019

Côte d'Ivoire has filed an injunction at the International Criminal Court in The Hague, following the January acquittal of former president Laurent Gbagbo over charges of crimes against humanity during the 2010 post-election violence in which 3,000 people are reported to have been killed.

The sentence was the highest ever handed down by the International Criminal Court.

The warlord, Bosco Ntaganda, 46, was found guilty beyond a reasonable doubt in July of 18 counts of war crimes and crimes against humanity for his role in atrocities in a bloody ethnic conflict in the mineral-rich Ituri region of Congo in 2002-03.

Ida Sawyer, the deputy director of Human Rights Watch's Africa division, welcomed the ruling.

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The judges said he was guilty as a direct perpetrator or co-perpetrator of a string of crimes including murders, rapes of men and women, a massacre in a banana field behind a building called the Paradiso and of enlisting and using child soldiers. Child soldiers were raped by his troops and forced into sexual slavery, leaving them with lasting physical and psychological scars. Mr. Ntaganda himself used child soldiers as bodyguards.

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

Nigerian army investigates torture video (BBC)

November 4, 2019

The Nigerian army is investigating allegations that soldiers tied up and killed a suspected Islamist militant before burying him in a shallow grave.

A video showing men dressed in army fatigues torturing and killing the victim was widely circulated on messaging apps over the weekend.

It is not clear when the footage dates from.

But the army says it was probably filmed in the north-east, where jihadists have been fighting for years.

An army spokesman described the violence shown in the video as a "dastardly act" that was against the core values of the Nigerian army.

Correspondents say the Nigerian authorities usually dismiss allegations of human rights abuses in the conflict against the Islamist militant group Boko Haram.

But in this case the Nigerian army issued a strong statement of condemnation and promised the perpetrators would be tried and punished.

The military has also been under scrutiny for recent allegations that it detained thousands of children for suspected links to Boko Haram.

It has denied those reports, saying it treats children as "victims of war and not as suspects".

Nigeria's armed forces have been fighting Boko Haram in the north-east for the past decade.

The authorities have said the group is "technically" defeated but it continues to attack military and civilian targets on a regular basis.

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Mali

French forces in Mali kill extremist leader (DW)

November 6, 2019

French military forces in Mali have killed Ali Maychou, the head of a West African Islamic extremist group, France's defense ministry said on Tuesday.

French Defense Minister Florence Parly said via Twitter that Maychou, the No. 2 in command of the of Jama'at Nusrat al-Islam wal-Muslimin (JNIM) extremist group, was killed on October 9.

"Ali Maychou, a religious leader, recruiter and mastermind of several attacks, incited hate," Parly wrote.

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Liberia

Liberia: Rep. Fonati Koffa Supports War Crimes Court But Wants Infrastructure for Cases First (Front Page Africa) By Henry Karmo

October 30, 2019

Monrovia – Representative J. Fonati Koffa(District #2 Grand Kru County) says he supports the establishment of War crimes court in Liberia but wants the infrastructure that will handle war crimes cases to be put in place.

Speaking to FrontPageAfrica Tuesday, the Grand Kru County lawmaker clarified recent media reports suggesting that he was against the establishment of the court.

Rep. Koffa explained that his comments were taken out of context and wants to set the record straight that he does not oppose the establishment of war crimes court.

Said Rep. Koffa: "First of all I am for War Crimes Court and against impunity. "The father of my wife of 24 years was gruesomely murdered but here are the issues. Look at our past record, we cannot prosecute corruption, how will we be able to prosecute war crimes? We need to put in place the infrastructure."

Rep. Koffa said additional training of the Judiciary is needed as well as training of lawyers. "The most important thing is that we need a statute that will do that. The constitution says the Supreme Court is the highest appellant body of the country. "If you bring a War Crimes Court here and arrest someone and they file for it to be dismissed for some reasons it's going to our supreme court, and they will decide and normally it takes five years for them to make a decision."

Appearing on the State Radio ELBC, the Grand Kru representative recommended that model of justice system is necessary to ensure a proper and substantive prosecution and retribution on what has happened during the country's bitter past. "I will move for a model of the International criminal court. We cannot by-pass it or short cut it resulting into more harm than good."

Rep. Koffa continued: "What have we done about the victim, how are we rehabilitating them? What is the cost for this infrastructure? This is not about announcing War Crimes Court and going to arrest everybody, it is much bigger than that."

Speaking further Rep. Koffa said, if the issue of War Crimes is to become a success story, Liberia must have the ability to absorb what those decisions will lead to Liberia into. "I believe we cannot do that without the support of our International partners. They have to step in here they cannot just shy away. They have to get involve with the cost and Management because they were our partners when we got out of the civil war."

Rep. Koffa headed the Special Presidential Taskforce that investigated the Sable Mining bribery allegation that linked several former and current officials of government to allegation soliciting bribe from investors to pass a law.

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EAST AFRICA

Uganda

**Official Website of the International Criminal Court
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Kenya

**Official Website of the International Criminal Court
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Rwanda (International Criminal Tribunal for Rwanda)

Rwandan tried for 'unspeakable' crimes in first-ever genocide trial in Belgium (The Brussels Times) By By Gabriela Galindo

November 8, 2019

Fabien Neretse, a former top Rwandan official —who, at 71, is now grey-haired and walked into court assisted with a cane— stands accused of genocide, war crimes and of co-authoring 13 murders, including that of Belgian citizen Claire Beckers, her Rwandan-Tutsi husband, Isaïe Bucyana, and their 18-year-old daughter, Katia.

Neretse is also indicted with three attempted murders as well as with being responsible for an “incalculable” number of deaths for his alleged role in creating, training and financing a local branch of the Interahamwe armed militia who brutalised and massacred between 800,000 and a million Rwandans, mostly members of the Tutsi ethnic group, from 7 April to mid-July 1994.

“You will be confronted with the unspeakable, you will hear stories of horror,” said Michèle Hirsch, the attorney of Becker’s sister. “Genocide will be brought back into our present — the unspeakable will enter this room.”

More than 25 years after the facts, Belgium is the first country to succeed in bringing Neretse before a court of justice after he fled Rwanda, where he was sentenced to life in prison in absentia, to ultimately settle in France, where he changed his name and lived for years as a political refugee.

Federal prosecutor Arnaud d’Oultremont cited witness accounts recounting how Neretse, a member of the government-backed Hutu ethnic group, exerted his influence and standing as a prominent and respected figure in his hometown of Mataba to support and buttress the Interahamwe militia in their genocidal campaigns in the village.

“Neretse is said to have been actively involved in the genocidal logic that sought the destruction and massacre of the Tutsi ethnic group,” d’Oultremont said at the hearing, adding that the defendant in Mataba is said to have used a local school he founded to “actively contribute to the creation, organisation, training and armament of the young village recruits of the militia.”

“The accused ordered the killing of Tutsis in the region. One witness confirmed that the militia he created had the mission of hunting out [Tutsi] enemies during the day,” the federal prosecutor said, citing several witnesses as saying that the militias were effectively headquartered in the school. Eleven of the murders he is accused of are those of his former neighbours in the capital Kigali, who were killed in a shooting which saw three people —two of them teenagers at the time— survive by playing dead among the corpses. His other two alleged victims, Anastase Nzamwita and Joseph Mpendwazi, were killed in the vicinity of Mataba. Both are said to have been captured by local Interahamwe militia members led by Neretse, with the latter’s body never found. In his opening statements, d’Oultremont traced Neretse’s ascendance to political prominence, citing his engagement with the Mataba community as a source of respect among local residents, and describing how he amassed a personal fortune and entertained close-knit connections with key political and pro-Hutu figures, particularly in Mataba. Hearing marred with ‘diametrically opposed’ stories

The first day of trial, which marks the first time a Belgian court tries a defendant accused of genocide, was marred by contrasting and at times contradictory assertions from both sides, with the defence challenging the prosecution’s findings and accusations as “not credible.”

Readings of conflicting witness accounts highlighted the prosecution’s challenging task of proving not only Neretse’s culpability, but also that his actions were motivated by a conscious intention of eradicating the Tutsi people, in a genocide which both the defence and the prosecution said was the result of ethnic animosities actively fuelled by Belgium’s colonial occupation of the country.

Neretse and his house employee —a man named as Emmanuel, whose very existence is contested by the defence— are accused of denouncing the escape of his Tutsi neighbours in Kigali: the Beckers-Bucyana family and their neighbours, the Sissis and the Gakwayas.

As they attempted to escape their homes to reach a UN Blue Helmets base, the three families were stopped and summarily executed by the military and Interahamwe militias. “When the military opened fire, Claire Beckers was the first to crumble,” d’Oultremont said, citing a witness.

But, an hours-long address to jurors saw Neretse’s legal team slam the prosecution’s accusations as vague, insufficiently precise and even contradictory.

“An innocent man appears in front of you,” Neretse’s lawyer Jean Flamme said in his address to the jury, telling them: “Your task will be difficult and will require the courage of not letting yourselves be influenced by national and international public opinion.”

Flamme issued scathing criticism of the case brought forward by the prosecution—which he called “shocking” in its lack of objectivity— saying the accounts of their witnesses were “not credible” and further accusing the court of failing to take the necessary measures to bring forth a key witness for the defence — the son of the accused.

“[Neretse’s son] does not dare to come to the hearings, fearing reprisals in Kigali,” Flamme said, noting that “nothing had been offered in ways of protection for this witness — fact of extreme gravity in a trial of this magnitude.”

Neretse’s appearance before the court on Thursday is the result of one Belgian woman’s years-long quest for justice over the murder of her sister, her brother-in-law and her niece.

A complaint lodged in 1994 by Martine Beckers over the execution of her family in Kigali paved the way for Belgian prosecutors to lead a years-long investigation and build their case against Neretse, who denies all accusations made against him.

Via the principle of universal jurisdiction inscribed in Belgian law, several civil plaintiffs followed the prosecution’s indictments over the slew of crimes Neretse will be made to respond to throughout the trial.

“The [Rwandan] genocide carries on to this day. And if it lasts still, it’s in part because those responsible will not admit to it; almost none of them have asked for the forgiveness of the victims,” a plaintiff’s attorney said, adding: “The denial of genocide can be considered as a component of the crime.”

“Mr. Neretse’s victims have waited 25 years for this trial, it has taken years to find his trace through an assumed name in France,” he added.

The trial is expected to last between four to six weeks and to rely heavily on the oral testimonies of a host of witnesses, some of which will be flown in from Rwanda.

The jury is set to listen to the testimony of Neretse on Friday, with witness accounts expected to be heard in court from next week.

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Somalia

US strikes ISIS fighters in Somalia (Air Force Times) By Shawn Snow

October 25, 2019

U.S. forces conducted an airstrike Friday against ISIS fighters in the Golis Mountains of northern Somalia, according to US military officials.

Officials with U.S. Africa Command assess the airstrike killed three terrorists.

“The Golis Mountains are a known area for terrorist activity,” AFRICOM said in a news release. “Precision airstrikes such as these support Somali security forces efforts to protect the Somali people from terrorists and support long-term security in the region.”

Somalia remains a volatile place, and airstrikes in the country are up slightly in 2019. AFRICOM carried out 55 airstrikes in 2019 against against al-Shabab and ISIS-Somalia militants, compared to 47 such strikes in 2018, according to data provided by AFRICOM. Only eight of the strikes this year targeted ISIS fighters in Somalia.

Between Sept. 30 and Oct. 1, a couple of U.S. airstrikes hit the Islamic extremist group al-Shabab following a brazen attack on a U.S. outpost believed to house American special operators and a Somali commando force known as Danab — a Somali term for lightning.

Lt. Cmdr. Desiree Frame, a spokeswoman for AFRICOM, told Military Times in September that there were 650 to 800 Defense Department personnel in Somalia. Those figures include civilian and military personnel.

ISIS hasn't made huge waves in Somalia. Officials with AFRICOM assess the terror group only numbers between 100 and 300 fighters. Shabab makes up the core of the insurgency plaguing much of rural Somalia.

Shabab is estimated to have between 5,000 to 7,000 fighters and controls 20 percent of Somalia, Frame told Military Times. A recent UN report detailed that Shabab fighters are adapting to sustained airstrikes from U.S. forces by operating in urban areas.

AFRICOM said no civilians were injured or killed in Friday's strike.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

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

Verdict Convicting Bosnian Serb Ex-Soldier of Killings Challenged (Balkan Transitional Justice) By
Albina Sorguc
November 1, 2019

The Bosnian prosecution on Friday called on the appeals chamber of the state court to quash the verdict sentencing Boro Milojica to eight years in prison and acquitting another former Bosnian Serb soldier, Zelislav Rivic, and to order a new trial to be held.

The prosecution believes that the eight-year sentence was inadequate, and argued that if a retrial is not held, a higher sentence should be imposed on Milojica, who was convicted in June this year of crimes against humanity.

The first-instance verdict found Milojica, a former member of the 6th Ljubija Battalion of the Bosnian Serb Army, guilty on two counts of the murder of Bosniak civilians in the village of Hambarine in the Prijedor area in July 1992.

But Milojica and Rivic, a former member of the same battalion, were acquitted of the murders of Roma, Bosniak and Croat civilians in July 1992.

The prosecution argued that the verdict was invalid because it used both the Bosnian criminal code and the old Yugoslav criminal code.

"By applying two laws to the same judgement, the criminal code has been violated," said prosecutor Sedin Idrizovic.

It also argued that the facts of the case had not been correctly established.

Milojica's lawyer also appealed against the verdict, calling for a retrial or an acquittal.

Rivic's lawyer said the first-instance verdict was correct and should be allowed to stand.

The appeals chamber will make its ruling at a later stage.

Bosnia Retries Serb Ex-Policeman for Ordering Burning of Homes (Balkan Transitional Justice) By
Haris Rovcanin

November 1, 2019

The Bosnian state court's appeals chamber on Thursday began the retrial of Slavko Milovanovic, a former member of the reservist police force at the Public Security Station in the village of Skelani in the Srebrenica municipality, for alleged crimes against humanity.

Milovanovic was initially found not guilty in February this year of going to the village of Resagici on May 8, 1992, accompanied by a group of members of military, paramilitary and police formations, participating in an attack, and giving an order to burn houses which women and children were forced to leave.

The retrial concluded in a single hearing on Thursday.

The indictment was read out, and when Milovanovic was asked if he understood it, he responded that he understood the charges but "there is not the first letter of the truth [in them]".

The prosecution and the defence suggested the testimony of some witnesses could be repeated and other witnesses called who the court rejected during the first-instance proceedings.

But the appeals chamber rejected their calls for new witnesses to be heard.

"In relation to the proposed witnesses, the [judging] panel finds that is unnecessary to call them, as the circumstances are sufficiently clarified in other statements. They are irrelevant to this case and would delay the proceedings unnecessarily," said presiding judge Senadin Begtasevic.

After the defence and prosecution said they did not want to change the closing arguments they made at the original trial, the appeals chamber scheduled the verdict for November 15.

War Crimes Acquittals of Bosnian Ex-Policemen Challenged (Balkan Transitional Justice) By Emma Dizdarevic
November 5, 2019

The Bosnian prosecution on Tuesday appealed against the first-instance verdict acquitting former policemen Jadranko Saran, Samir Sabic and Zijad Kadic of unlawfully detaining civilians, as well as murder and inhumane treatment at several detention facilities in Bosanska Krupa between September 1995 and July 1996.

They were also cleared of unlawfully postponing detainees' release.

Prosecutor Ozrenka Neskovic called for the verdict to be quashed and a new trial held.

The defence meanwhile called for the appeal to be rejected and the acquittal verdict upheld.

The indictment alleges that the crimes were committed while Saran was the chief of the police's Public Security Station in Bosanska Krupa, Sabic was commander of the police department in Jasenica and Kadic was a policeman.

Kadic's lawyer Zlatan Nanic argued the first-instance chamber's decision was correct, adding that the majority of prosecution witnesses failed to mention his client.

"The prosecution of Bosnia and Herzegovina has not proved that my client committed the crime with which he is charged. I propose that the appeal be rejected and the first-instance verdict confirmed," Nanic said.

The court's appeals chamber will deliver its decision at a later stage.

Judgement overturned in the Case of Slavko Milanovic over Crimes against Humanity (Sarjevo Times)

November 5, 2019

On 8 October 2019, the Appellate Panel of the Court of Bosnia and Herzegovina issued a decision in the case of Slavko Milovanović, granting the Prosecutor's appeal, overturning the judgment delivered by the Court of BiH on 27 February 2019, and ordering a retrial before the Appellate Division Panel of the Court of BiH.

The trial judgment delivered by the Court of BiH on 27 February 2019 acquitted the accused Slavko Milovanović of the

charged that he committed the criminal offense of Crimes against Humanity under Article 172(1)h), as read with Subparagraph k) of the Criminal Code of Bosnia and Herzegovina, all as read with Article 180(1) of the Code.

Count II.8 of the Indictment charges the accused Slavko Milovanović with the criminal offense of Crimes against Humanity in the manner that he, as a member of the Reserve Unit of the Security Service Center Sarajevo, Public Security Station Skelani, MUP RS, committed persecution of the Bosniak and Romani population from the towns of Rešagići and Skelani on political, ethnic, cultural and religious grounds, by way of deportation or forced transfer of population from territory where they legally lived, as well as other inhumane acts of a similar nature committed with the intent to inflict great suffering or serious physical or mental injury or violation of health.

Counts of the Indictment: The Indictment charges Slavko Milovanović with the criminal offense of Crimes against Humanity in conjunction with Article 172(1) and Article 180(1) of the CC BiH.

Course of the proceedings: Deciding upon the Prosecution appeal against the rejection of the Indictment, on 20 December 2016, the 24(7) Panel of the Court of Bosnia and Herzegovina rendered a decision in the case No. S1 1 K 023868 16 Kro versus Blagomir Jovanović et al. confirming Count II 8. of the Indictment in relation to the Accused Slavko Milovanović and refusing the appeal in the remaining part.

At the plea hearing held on 23 January 2017 before Section I for War Crimes of the Court, in the Slavko Milovanović case, the accused Slavko Milovanović pleaded not guilty of the criminal offence of Crimes against Humanity.

The main trial was initiated on 15 February 2017.

Panel of Judges composed of: Samardžić Darko, Hadžiomerović Enida, Ćosić Dedović Jasmina On 27 February 2019 the Court of Bosnia and Herzegovina handed down the trial judgment in the Slavko Milovanović case, acquitting the accused Slavko Milovanović of the charges that he committed the criminal offense of Crimes against Humanity under Article 172(1)h) as read with Subparagraphs d) and k) of the Criminal Code of Bosnia and Herzegovina, all in conjunction with Article 180(1) of the Code. On 8 October 2019, the Appellate Panel of the Court of Bosnia and Herzegovina issued a decision in the case of Slavko Milovanović, granting the Prosecutor's appeal, overturning the judgment delivered by the Court of BiH on 27 February 2019, and ordering a retrial before the Appellate Division Panel of the Court of BiH.

Bosnian Serb Ex-Fighter's Murder, Rape Conviction Upheld (Balkan Transitional Justice) By Denis Dzidic
November 6, 2019

The appeals chamber of the Bosnian state court on Wednesday confirmed the verdict sentencing Sasa Cvetkovic to 12 years in prison for killing two elderly Roma women in May 1992 and raping two Bosniaks, one of them a minor, in June 1992.

Former Bosnian Serb fighter Cvetkovic was found guilty of the murder of Roma civilians Alaga and Mejra Halilovic in the village of Kolonija, near Srebrenica.

The judge at the original trial said both were disabled and one was bedridden when Cvetkovic shot them with an automatic rifle.

He was also convicted of the rape of a minor and a 20-year-old woman in Bratunac.

Lamija Tiro, legal adviser at the Trial International NGO, welcomed the court's decision, saying that it was "another indication that perpetrators of serious crimes, regardless of the length of time since the war, must still face justice".

The verdict cannot be appealed.

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Mechanism refused to consider a Request by the Defense of Radovan Karadzic (Sarajevo Times)

October 29, 2019

The International Residual Mechanism for Criminal Tribunals Council has refused to consider a request by the defense of former Republika Srpska President Radovan Karadzic, who has been sentenced to life imprisonment for genocide and other crimes in BiH, related to the annulment of earlier decisions due to the perceived bias of judges.

The decision, signed by Judge Burton Hall, states that the presiding panel does not have jurisdiction to deal with the disqualification of the former and current President of the Mechanism, Theodore Meron and Carmel Agius.

“Radovan Karadzic’s efforts to propagate allegations of bias in order to reach his desired decision must be rejected, and his lawyer should refrain from making such submissions before the Mechanism,” was stated in the decision.

It is not yet known in which state war criminal Radovan Karadzic will endure the life imprisonment on which he was sentenced on March 20th this year by a decision of the Appeals Chamber of the International Residual Mechanism for Criminal Tribunals, was confirmed for Avaz from The Hague.

It was stated earlier that Karadzic could serve sentence in the UN member states such as Norway, Sweden, Finland, Denmark, Estonia, Great Britain, Belgium, Germany, Poland, France, Austria, Italy, Spain and Portugal.

The President of the International Residual Mechanism for Criminal Tribunals Carmel Agius will decide where war criminal Radovan Karadzic will endure life imprisonment.

Radovan Karadzic will not have the right to appeal.

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

On 24 March 2016, Trial Chamber III of the International Criminal Tribunal for the former Yugoslavia (“ICTY”) convicted Karadžić of genocide in the area of Srebrenica in 1995 and of persecution, extermination, murder, deportation, inhumane acts (forcible transfer), terror, unlawful attacks on civilians, and hostage-taking. He was acquitted of the charge of genocide in other municipalities in BiH.

The Trial Chamber found that Karadžić committed these crimes through his participation in four joint criminal enterprises (“JCE”s): (i) the JCE to permanently remove Bosnian Muslims and Bosnian Croats from Bosnian Serb-claimed territory through the commission of crimes in municipalities throughout BiH; (ii) the JCE to spread terror among the civilian population of Sarajevo through a campaign of sniping and shelling; (iii) the JCE with the common purpose of taking UN personnel hostage in order to compel NATO to abstain from conducting air strikes against Bosnian Serb targets; and (iv) the JCE to eliminate the Bosnian Muslims from Srebrenica in July 1995. The Trial Chamber also found Karadžić responsible as a superior in relation to certain crimes committed by his subordinates in Srebrenica in 1995.

Following the rendering of the Trial Judgement, and in accordance with Article 2 of the Mechanism’s Transitional Arrangements, the Mechanism assumed jurisdiction for the appeals proceedings in the Prosecutor v. Radovan Karadžić case. Both Karadžić and the Prosecution appealed the Trial Judgement, filing their respective notices of appeal on 22 July 2016, their appeal briefs on 5 December 2016, their response briefs on 15 March 2017, and their reply briefs on 6 April 2017. The appeal hearing took place on 23 and 24 April 2018 at the Mechanism’s Hague branch.

The initial indictment against Karadžić was confirmed on 25 July 1995. He was arrested in Serbia on 21 July 2008, and transferred to the ICTY on 30 July 2008. The trial commenced on 26 October 2009 and 586 in-court testimonies were heard by the Trial Chamber.

The Trial Chamber sentenced Karadžić to life imprisonment.

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MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

Iraq was informed of IS leader Baghdadi's death: security sources (Reuters)

October 27, 2019

Iraq was informed by sources in Syria that Islamic State leader Abu Bakr al-Baghdadi has been killed, two Iraqi security sources told Reuters on Sunday.

“Our sources from inside Syria have confirmed to the Iraqi intelligence team tasked with pursuing Baghdadi that he has been killed alongside his personal bodyguard in Idlib after his hiding place was discovered when he tried to get his family out of Idlib towards the Turkish border,” said one of the sources.

Masked gunmen attack protesters in Iraq holy city; 18 killed (Associated Press)

October 29, 2019

Masked gunmen opened fire at Iraqi protesters in the Shiite holy city of Karbala on Tuesday, killing 18 people and wounding hundreds, security officials said, in one of the deadliest single attacks since anti-government demonstrations erupted earlier this month.

The overnight attack came as Iraqis took to the streets for a fifth straight day after a hiatus in the demonstrations that began earlier this month to protest government corruption, a lack of jobs and municipal services, and other grievances. The earlier protests also saw violence against protesters, and a total of 240 people have been killed since the unrest began.

But the bloodshed in Karbala could mark a turning point because of the high death toll and because the city is a major pilgrimage site where a revered Shiite figure was killed in a 7th century battle.

Similar anti-government protests are underway in Lebanon, where supporters of the Iran-backed militant group Hezbollah stormed the main protest camp and Prime Minister Saad Hariri said he would resign after hitting a “dead end” in trying to resolve the crisis. The protests in both countries are directed at governments and armed political factions that are close to Iran, raising fears of a violent backlash.

There were differing accounts and death tolls from Karbala, and details were still emerging from the scene.

Amid a clampdown by security forces, it was difficult to piece together what exactly prompted the attack. Eyewitnesses told

The Associated Press that masked gunmen opened fire on the camp.

Protesters said they did not know if the masked men were riot police, special forces or Iran-linked militias. The protesters said Iraqi soldiers had been stationed around the protest site but withdrew after the attackers began firing tear gas and live ammunition.

Provincial Gov. Nassif al-Khutabi denied that any protesters were killed but said there were some injuries among security forces.

He said videos posted online were fabricated and not from Karbala. The footage purported to show the aftermath of the attack, with fires and people running away to the sound of heavy gunfire. Al-Khutabi's description contradicted those from people who were at the scene.

An AP video showed a nighttime fire and young protesters, some of them taking video with their cellphones, as gunfire echoes. An ambulance can be seen trying to drive amid the chaos, with Iraqi security forces arriving.

The leaderless and largely spontaneous protests across Iraq have been met with bullets and tear gas by security forces from the start.

At least 73 people — not including the latest fatalities in Karbala — have been killed since anti-government demonstrations resumed Friday, while 149 were killed during the earlier wave of protests this month.

Tuesday's attack happened in Karbala's Education Square, where protesters had set up tents for their sit-in.

One of the demonstrators said they were chanting slogans when an army unit arrived and that they gave the soldiers flowers and had friendly interactions. Then tear gas canisters came spiraling into the square, fired from the streets and alleys behind the soldiers, who then withdrew.

"We saw masked men dressed all in black and they fired live bullets toward the square," the protester said. "People fell dead and wounded right next to me. We tried to escape but when we fled into the alleys we ran into moving checkpoints set up by these forces. They arrested people and searched their phones for video of what had happened."

Another witness said hundreds of protesters were in the encampment when someone opened fire from a passing car. Then, masked gunmen in black plainclothes started shooting at the protesters, and the tents caught fire.

Both witnesses spoke on condition of anonymity because they feared reprisal. The death toll was confirmed by Iraqi security officials, also speaking anonymously, because they were not authorized to talk to reporters.

Amnesty international blamed Iraqi security forces and quoted witnesses as saying the attackers ran down demonstrators with their vehicles. It said several demonstrators were detained and beaten.

"Iraqi forces opened live fire on peaceful protesters and resorted to excessive and often lethal force to disperse them in a reckless and utterly unlawful manner," said Lynn Maalouf, Amnesty's Middle East research director. "These scenes are all the more shocking as they come despite assurances from Iraqi authorities that there would be no repeat of the extreme violence used against demonstrators during protests earlier this month."

The anti-government protests in Karbala, Baghdad and cities across southern Iraq have often turned violent, with security forces opening fire and protesters torching government buildings and headquarters of Iran-backed militias.

The demonstrations have occurred in Shiite-majority areas and have been directed at the Shiite-dominated government and Shiite political parties and militias, many of which are supported by neighboring Iran.

In Tehran, the Foreign Ministry warned Iranians against traveling to Iraq and asked them to postpone their trips until further notice, according to the state-run IRNA news agency. Karbala is one of the holiest places in Shiite Islam, where Hussein, the grandson of the Prophet Muhammad, was killed in battle in the year 680, a formative event in the schism between Shiite and Sunni Muslims. Hundreds of thousands of Shiites flock to the city every year to commemorate his martyrdom.

The overwhelming majority of the residents in Karbala and the city's security forces are Shiite. The demonstrations are fueled by anger at corruption, economic stagnation and poor public services. Despite its vast oil wealth, Iraq suffers from high unemployment and crumbling infrastructure, with frequent power outages that force many to rely on private generators.

The protests have grown and demonstrators are now calling for sweeping changes, not just the government's resignation. Prime Minister Adel Abdul-Mahdi has promised a government reshuffle and reforms, which the demonstrators have already rejected.

Authorities on Monday imposed a midnight-to-6 a.m. curfew in Baghdad, as renewed protests raged there and across the south.

Students skipped classes at several universities and secondary schools in Baghdad and across southern Iraq to join the protests Monday, despite the government ordering the institutions to operate as normal. A senior security official estimated that 25,000 people protested in the capital that day.

Three people were killed, including a 22-year-old female medical student, the first woman to die since the protests began earlier this month. Seventeen students were among the wounded.

Security forces kill protester in Iraq, wound dozens (Stars and Stripes) By Qassim Abdul-Zahra
November 2, 2019

Iraqi security forces fired tear gas and live ammunition to disperse thousands of anti-government demonstrators Saturday, killing at least one and wounding more than 200 in the capital Baghdad and in the country's south, police officials and a semi-official human rights commission said.

The largest protest took place in Baghdad, where tens of thousands of people gathered in and near a central square in defiance of a government crackdown that killed dozens during the past month.

Tens of thousands of Iraqis have been protesting, mostly in Baghdad and southern regions, since last month, demanding sweeping change to the political system established after the 2003 U.S.-led invasion, which they blame for widespread corruption, high unemployment and poor public services.

Iraq's Foreign Ministry called on countries that issued statements urging Iraq's government to respect the will of Iraqis, saying those states "should respect Iraq's sovereignty and not interfere in Iraq's internal affairs."

In the southern town of Umm Qasr, clashes between security forces and protesters injured 120 people, according to Iraq's semi-official human rights commission.

The Iraqi High Commission For Human Rights said security forces fired tear gas and live bullets to disperse hundreds of protesters near the vital Umm Qasr port on the Persian Gulf on Saturday morning. The commission said many of the wounded were being treated in a hospital in the town.

In Baghdad, security forces fired tear gas at protesters who tried to cross to bridges over the Tigris River leading to the heavily fortified Green Zone, which is home to the Iraqi government and several other embassies, including the U.S. mission.

One protester was killed and at least 88 were wounded in Baghdad, according to police and medical officials who spoke on condition of anonymity because they were not authorized to speak to the media.

"Down with the government, down with the regime and down with corrupt parties," some of the protesters chanted in Baghdad.

On nearby Abu Nawas Street on the Tigris, protesters prevented authorities from closing it with a blast wall by confiscating the crane that was to be used to place the giant concrete blocks. Authorities had closed nearby Saadoun Street with blocks last month as it is a main road leading to Tahrir Square that has been the main protesting point in the capital since last month. The weekslong protests in Iraq and similar demonstrations in Lebanon have been fueled by local grievances and have been directed mainly at the political elite, but they also pose a challenge to Iran, which closely backs both governments. An increasingly violent crackdown in Iraq has raised fears of a backlash by Iran and its heavily armed local allies.

'Defeated' ISIS has found safe haven in an ungoverned part of Iraq (NBC News) By Courtney Kube
November 4, 2019

Just months after the Islamic State militant group lost the last of its territory in Syria, and days after its leader, Abu Bakr al-Baghdadi, was killed in a U.S.-led raid, the group has found safe haven in a remote, ungoverned space in Iraq, as foreign fighters move across the border from Syria, military officials tell NBC news.

"The fight against ISIS is continuous," said U.S. Marine Corps Brig. Gen. William Seely, commander of Task Force-Iraq. "We're seeing ISIS fighters move from Syria across hundreds of miles of desert."

Their goal, Seely says, is to re-establish their physical caliphate in the region.

In 2014, ISIS controlled vast areas of land across Syria and Iraq, with more than 34,000 square miles and 10 million people living under its control, in what the group referred to as its caliphate. U.S.-backed fighters in Syria declared victory over ISIS in March, and amid Turkey's invasion into northeast Syria last month, President Donald Trump tweeted that the U.S. had defeated "100% of the ISIS Caliphate."

But in its most recent quarterly annual report on U.S. operations in Syria, released in August, the Defense Department's inspector general said that "ISIS remains a threat in Iraq and Syria." Former Defense Secretary James Mattis has also warned that the president's decision to pull troops from Syria's border in advance of a Turkish incursion could lead to ISIS's resurgence.

Now, military officials on the ground say it's already happening. ISIS has moved into a valley in a remote mountainous region in Northern Iraq. The valley is controlled by the Kurdish peshmerga on one side and the Iraqi army on the other. But along the dividing line between the two, there are areas — some as wide as five miles — where neither side patrols, giving the militants space to move.

And they do, coming out mainly at night.

"They have some tunnels, they have some caves," said Gen. Sirwan Barzani, the commander of the Kurdish peshmerga forces, at a remote outpost atop a mountain in Makhmour that overlooks the valley. "And they are moving — especially at night."

Barzani said he and his troops can see them moving, riding motorcycles, driving pickup trucks — even on foot. And while the sparse local population may not welcome the ISIS fighters, they aren't given a choice.

"They'll come out of that area at night, let's say, and go down to a city or a farm or village and shake down the whole population and extract resources," said Maj. Gen. Alexis Grynkewich, deputy commander of Combined Joint Task Force Operation Inherent Resolve, a U.S.-led military operation dedicated to defeating ISIS in Iraq and Syria.

"I think it's the place where they have the designs to re-establish the physical caliphate and if they could, I think they would do it here. Syria in my mind is more of a support zone for them," he added.

Right now, the number of ISIS fighters in the region is not large — estimated to only number a couple hundred, according to Kurdish officials. But that is how ISIS and its caliphate began: small groups of determined fighters taking over land and imposing their rule.

Barzani, the Kurdish commander, sees history repeating itself. "You can say they are [in] exactly the same situation of ISIS in 2012 in Iraq," he said. "It's the same situation there now. They are starting to reorganize themselves."

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Syria

Syria conflict: The 'war crimes' caught in brutal phone footage (BBC) By Jiyar Gol
November 3, 2019

Turkish-backed forces fighting Kurdish militias in north-east Syria have been accused of committing war crimes, with acts of brutality surfacing on mobile phone footage.

The UN has warned that Turkey could be held responsible for the actions of its allies, while Turkey has promised to investigate.

Bearded men shout "Allahu Akbar [God is the Greatest]". One captures the scene on his smartphone and says: "We are mujahedeen [holy warriors] from Faylaq Al-Majd [Glory Corps] battalion." In the background are the corpses of Kurdish fighters.

Further away, a group of men plant their feet on a woman's bloodied body. One says she is a "whore".

The gruesome footage is much like that produced by the ultra-violent Islamic State (IS) group.

Yet the men in this video are not IS militants, but rather fighters for a rebel alliance known as the Syrian National Army, trained, equipped and paid for by a Nato member, Turkey. They are under the command of the Turkish army.

The video was filmed on 21 October in northern Syria. The woman beneath the fighters' feet is Amara Renas, a member of an all-woman unit of Kurdish fighters, the YPJ, a force that played a significant role in defeating IS in Syria.

Amara was killed in the recent Turkish assaults against Kurdish forces in Syria. On 9 October the Turkish army and pro-Turkish Syrian rebels attacked the Kurdish-led Syrian Democratic Forces (SDF), shortly after Donald Trump announced the US would pull troops out of Syria.

SDF fighters had been a highly effective and trusted ally of the US-led coalition and led the defeat of IS on the ground. The group says it also provided intelligence that led to the killing last week of IS leader Abu Bakr al-Baghdadi.

Days after Turkey's attacks, numerous videos alleged to have been filmed by pro-Turkey rebels emerged on social media. In one, an unidentified fighter shouts in Arabic: "We have come to behead you infidels and apostates!"

In another video, a masked rebel clad in black carries a terrified woman surrounded by other rebels - one films her, one shouts "pig", another says: "Take her to be beheaded."

The captured woman is Cicek Kobane, another YPJ fighter.

The widely-circulated video provoked outrage on social media. A few days after it was published, Turkish state TV showed Cicek Kobane being treated in a hospital in Turkey.

US officials have said that some of the actions in these videos probably constitute war crimes.

"Many people fled because they're very concerned about these Turkish-supported Syrian opposition forces," James Jeffrey, US special envoy for Syria, told Congress.

"We'd say that Turkey-supported Syrian opposition forces who were under general Turkish command, at least in one instance did carry out war crimes."

Turkey has long been accused of taking little action against jihadists in Syria.

"I ran the ISIS [Islamic State group] campaign - 40,000 foreign fighters, jihadists from 110 countries around the world, all came into Syria to fight in that war and they all came through Turkey," Brett McGurk, former US President Special Envoy in the coalition against IS, told CNN last month.

He said he tried to persuade Turkey to seal its border against IS. "They said they couldn't do it," he said, "but the minute the Kurds took parts of the border, it's totally sealed with a wall." US officials say they have demanded an explanation from Turkey for alleged war crimes by the rebels.

Ibrahim Kalin, the Turkish president's spokesman, said Turkey will investigate any suspected war crimes.

But many Kurdish activists have no faith in the Turkish government or army.

"There is strong evidence that over the past four decades, Turkish military and security forces have systematically committed war crimes and violated human rights in their conflict with the PKK (The Kurdistan Workers' Party, which has fought for Kurdish autonomy in Turkey for decades)," says Kamran Matin, Senior Lecturer in International Relations at Sussex University.

In the past decade, numerous disturbing images and videos allegedly filmed by the Turkish army and security forces document the killing of captured Kurdish dissidents in Turkey.

In one video published a few years ago, suspected Turkish soldiers behead dead PKK militants. In another video, two female PKK fighters with their hands tied behind their backs are seated on a mountain cliff, when what are apparently Turkish soldiers with automatic machine guns shoot them at close range and kick them over the edge. In October 2015, a widely-shared video showed Turkish security forces dragging the body of 24-year-old actor Haci Lokman Birlik through the streets in Sirnak, a Kurdish town in south-east Turkey, with a rope around his neck. Part of the video appeared to have been filmed from inside the police vehicle. Turkish officials claimed his corpse might have been booby-trapped.

Kurdish human rights activists have accused the US and the EU of failing to condemn Turkey or take any effective punitive

action.

"The EU turned a blind eye to Turkey's human rights violations, because of Turkey's Nato membership, economic ties and the fear of a backlash among millions of Turks living in European countries, Germany in particular," says Kamran Matin.

After the Syrian civil war began, a new factor "constrained European countries' reaction to Turkey's gross violation of human rights," he says - "Syrian refugees. [Turkish] President Erdogan repeatedly threatened flooding Europe with them."

This, it seems, is something European countries want to avoid, whatever the cost.

Germany Moves to Hold Syria to Account (Bloomberg) By Bobby Ghosh
October 31, 2019

Drowned out by all the dramatic developments in Syria, German prosecutors have charged two officials in the Bashar al-Assad regime with crimes against humanity, including torture, murder and rape. The men, members of Syria's infamous General Intelligence Directorate, were arrested in Germany in February; a third official was nabbed in France. The trial will begin in Koblenz early in 2020.

The prosecution of these men is important for all the obvious reasons: accountability and punishment for crimes, justice for victims. But the timing serves another useful purpose. It reminds us that for all the news about the death of Abu Bakr al-Baghdadi, the withdrawal of U.S. troops, Turkey's military invasion, a Kurdish humanitarian crisis and Russian patrols, the Assad regime has perpetrated the overwhelming majority of the horrors visited upon Syria.

Human-rights agencies reckon that more than 500,000 people have been killed, millions wounded, and 12 million displaced since 2011. Al-Baghdadi's Islamic State, even at the 2015 peak of its brutal campaign of murder and mayhem, accounted for only a fraction of the carnage wrought by the regime in Damascus.

Assad's war crimes are being documented in Europe, allowing his victims hope for justice. Cases have been filed against the dictator at the International Criminal Court in the Hague, but how far they will go is unclear: Syria is not a signatory to the Rome Statute, the treaty that established the ICC. Russia and China have vetoed efforts to broaden the ICC's mandate and allow it to set up a special tribunal for Syria.

The German prosecutors may get more traction: They are citing universal jurisdiction, which allows suspects — especially in instances of war crimes, genocide and other crimes against humanity — to be tried there, regardless of where the alleged crimes took place.

This move might smack of hypocrisy to those seeking justice for victims of Islamic State, and specifically the prosecution of German nationals who traveled to Syria to fight for al-Baghdadi's terrorist group. Like other European countries whose citizens joined Islamic State and have since been captured and are being held in Kurdish prison camps, Germany has been loath to bring them back home, despite pressure from U.S. President Donald Trump. How, their victims might reasonably ask, can Germany invoke universal jurisdiction in the cases against Assad's officials, while conveniently leaving the German fighters to be brought to justice somewhere else?

That complaint is legitimate, and one that Germany and its neighbors will have to answer. But it does not detract from the utility and importance of the case in Koblenz. One of the two Syrians, named Anwar R., is thought to have headed a GID unit in Damascus in 2011-12. It had a jail where more than 4,000 prisoners — most of them members of opposition groups — were brutally interrogated. Anwar R. is accused of murder in 58 cases, as well as rape and aggravated sexual assault.

Prosecutors say the second defendant, named Eyad A., aided in two killings and the torture of at least 30 people, all in 2011.

Evidence against the men was gathered after a 2015 United Nations exhibition featuring gruesome images of corpses of torture victims, taken by "Caesar," a member of the Syrian military police who fled the country. The photographs were also displayed in the U.S. Congress.

But Anwar R. and Eyad A. represent only a few drops in Assad's sea of blood: The charges against them cover only the early months of the regime's crackdown against the pro-democracy movement. The depredations committed by what State Department officials have described as a "machinery of death" became much more savage.

German officials are investigating dozens of other Syrian officials. Last year, they issued an international arrest warrant for Jamil Hassan, head of intelligence in the Syrian Air Force, accusing him of overseeing the torture, rape and murder of "at least hundreds of people between 2011 and 2013." The U.S. supported Germany's request for extradition of Hassan from Lebanon, and has imposed sanctions on him. But he returned to Damascus, where even if he is vulnerable to the vagaries of Syrian

politics, he remains safe from international law — for now, at least.

Trump's Baffling Plan to Pillage Syria's Oil (The New Yorker) By Robin Wright

October 30, 2019

President Trump dropped a stunner during his rambling press conference, on Sunday, after announcing the death of Abu Bakr al-Baghdadi, the Islamic State leader, in a U.S. raid. In a major policy flip-flop, the President said that he is not only keeping American forces in Syria to "secure" its oil fields, he is willing to go to war over them. "We may have to fight for the oil. It's O.K.," he said. "Maybe somebody else wants the oil, in which case they have a hell of a fight. But there's massive amounts of oil." The United States, he added, should be able to take some of Syria's oil. "What I intend to do, perhaps, is make a deal with an ExxonMobil or one of our great companies to go in there and do it properly," he said. The goal would be to "spread out the wealth."

The President was wrong on so many counts. Seizing the oil, after twice ordering all U.S. troops out of Syria, violates a basic international treaty on war. It may amount to pillaging—even piracy, according to legal experts and former senior military commanders. "Bring in US oil companies to modernize the field. WHAT ARE WE BECOMING.... PIRATES?" General Barry McCaffrey (Ret.), who commanded a mechanized Army division in Iraq during the Gulf War, tweeted.

Trump's new policy may also violate the military authorization from Congress which allowed the United States to enter Syria. It certainly violates Syrian sovereignty. "If ISIS is defeated we lack Congressional authority to stay," McCaffrey tweeted. "The oil belongs to Syria." Trump's suggestion that the U.S. could expropriate a portion of Syria's oil "sounds like the international crime of pillage," Ryan Goodman, a former special legal counsel at the Department of Defense who is now at the New York University School of Law, said. Any such move is prohibited by the Geneva Conventions and by the precedents set by the United Nations war-crimes tribunals that the U.S. helped establish in Yugoslavia, Rwanda, and Sierra Leone. "U.S. military commanders who engaged in pillaging Syria's oil would risk criminal liability under the U.S. War Crimes Act," Goodman said. The international rules of war, he added, were designed "to deter nations from engaging in predatory wars to seize other countries' natural resources."

Most of all, the new policy—which may keep some five hundred American troops in Syria—wasn't well thought out, U.S. officials and Middle East experts told me. "It was seat-of-the-pants type shit," a U.S. official said. Another told me, "To say the oil stuff isn't thought through is an understatement.

The N.S.C. is scrambling to build policy around the President's tweets." Joshua Landis, a Syria expert at the University of Oklahoma, described it as "cockamamie."

What's particularly baffling is that Syria now produces a piddling amount of oil—about as much as Utah. "Syrian oil was not significant at all to the world market. It was very small," Daniel Yergin, an energy expert and vice-chairman of IHS Markit, told me. At its peak, Syria produced less than four hundred thousand barrels a day, which generated about a quarter of government revenues. But, as a result of the eight-year civil war and U.S. air strikes on oil installations seized by ISIS, production is down ninety per cent, to only about forty-thousand barrels per day, Yergin said. That's a negligible amount on global markets—inadequate even for Syria's domestic needs.

After ISIS seized a third of Syrian territory, in 2014, oil became the financial lifeblood for the ISIS caliphate. "Syrian oil took on global interest when it became a machine for generating revenue for ISIS," Yergin said. As the caliphate collapsed, the Kurdish-led Syrian Democratic Forces took over running the fields. Oil revenues supported its military and civilian programs.

As justification for redeploying U.S. forces, Trump cited the need to prevent ISIS from returning to the resource-rich area. "We're securing it for a couple of reasons," he said. "No. 1, it stops ISIS, because ISIS got tremendous wealth from that oil. We have taken it. It's secured." The other reason is that it helps America's Kurdish allies. "They were able to live with that oil," he added. In March, I travelled throughout the northeastern third of Syria, where the bulk of Syria's oil fields are located. The al-Omar oil field, in the province of Deir Ezzor, near the border with Iraq, had been destroyed by U.S. air strikes. It was the largest oil field seized by ISIS; its rigs and storage facilities were rusted, burned-out ruins. U.S. Special Forces and the S.D.F. used the housing compound next to the fields as a forward operating base. I stayed there during the final offensive against ISIS at Baghouz. Rigs in smaller oil fields farther north were still pumping. The S.D.F. had converted an abandoned compound for an oil field in Dashisha into a makeshift prison for captured ISIS fighters. From the rooftop of the prison, I could see vintage pumps pulling up oil. On a highway near Al Hasakah, near the Rumeilan fields, I counted forty-four oil tankers in a single convoy—for security—going in one direction, and thirty-seven tankers going the other way. Through intermediaries, both ISIS and the S.D.F. sold oil to Damascus, U.S. officials told me.

Senator Lindsey Graham, the South Carolina Republican and staunch Trump supporter, was the chief advocate for the President's proposal to secure and control Syria's oil. As with many other Republicans on the Hill, Graham condemned Trump's abrupt announcement, on October 13th, of the plan to withdraw a thousand U.S. Special Forces soldiers from Syria, on the grounds that the U.S. would be abandoning its S.D.F. partners who had defeated Isis. He has lobbied hard for the White House to rethink its position, and touted access to Syrian oil as an incentive. "By continuing to maintain control of the oil fields in Syria, we will deny Assad and Iran a monetary windfall," Graham said last week. "We can also use some of the revenues from future oil sales to pay for our military commitment in Syria."

It fits with Trump's longstanding position that the United States should seize the oil of other countries to pay for its military campaigns. "In the old days, you when you had a war, to the victors belong the spoils. You go in. You win the war and you take it," Trump said, in 2011. "You're not stealing anything. You're taking—we're reimbursing ourselves—at least, at a minimum."

The United States, however, cannot legally seize Syria's oil or benefit from it, a State Department official told me. Any military action to protect the oil fields of another country—without its consent—is dubious. "The United States is on even weaker legal ground since President Trump has said that there is no reason for the U.S. to be fighting Isis to protect the U.S. homeland," Goodman told me. "So the basis for a claim that this military operation is in self-defense against a terrorist group posing a threat to the United States has gotten a whole lot weaker."

Legally, the United States has pushed the envelope since 2001 by relying on the Authorization for Use of Military Force originally passed by Congress, in 2001, to justify military action against Al Qaeda in Afghanistan after the 9/11 attacks. Critics have long argued that both the Obama and Trump Administrations needed a new A.U.M.F. for campaigns in Iraq and Syria. Yet another legal quagmire is the issue of U.S. sanctions on any dealings in Syria oil. Repairing Syria's damaged oil fields or improving their extraction capacity would require billions of dollars and a decades-long investment. But any American or foreign company that offers to engage in Syria could face sanctions, unless the U.S. lifts restrictions on Syria. "Who's going to lay billions to rehab the S.D.F. oil industry?" a U.S. official asked. A further complication is that other international oil companies, including Shell and the Chinese National Petroleum Company, held rights to the fields before the civil war—and could challenge any U.S. claim to the fields. The Administration may have unspoken ancillary goals in its decision to keep some U.S. troops in Syria. Having physical control over the oil fields could give the U.S.—and its allies—leverage down the road with the Syrian regime and its allies Russia and Iran, Landis said. "It would keep Russia weak and Iran weak in the Middle East, as their client state wouldn't be able to rebuild—and therefore they would not be able to 'win.'" On Saturday, Russia's Defense Ministry charged that "what Washington is doing now, the seizure and control of oil fields in eastern Syria under its armed control, is, quite simply, international state banditry." Trump's original decision to withdraw U.S. troops had weakened its leverage and forced the S.D.F. to turn to Damascus for help. With Graham's nudge, Trump may be trying to regain the U.S. position—as much over Russia and Iran as over Syria.

The President was correct in identifying the ongoing threat from Isis. The terrorist group still has thousands of fighters waging a deadly insurgency—of assassinations and suicide bombings—in both Syria and Iraq. But the jihadist movement is not strong enough to retake and run Syria's oil fields, U.S. officials and Middle East experts told me. It would first need to reestablish its pseudo-caliphate over a vast swathe of Syria. Trump's sudden interest in Syria's measly oil seems odd on multiple levels. After repeatedly pledging to withdraw American troops from "endless wars" in the Middle East, the President is now pledging a new fight, if necessary, over Syria's meagre oil. His words will resonate across a region where America's commitment has long seemed tied more to energy than political values.

Russia Is the Only Winner in Syria (Foreign Policy) By Reese Erlich

October 30, 2019

The current Syria crisis has a number of losers and one big winner: Russia. While President Donald Trump came under fire at home and abroad for abruptly pulling U.S. troops out of Syria, Turkey invaded, resulting in the deaths of at least 250 Kurds and displacing 300,000. Russia, on the other hand, has leveraged its influence with Ankara and Damascus to emerge as kingmaker.

On Oct. 22, Turkish President Recep Tayyip Erdogan and Russian President Vladimir Putin reached an agreement to expel the mostly Kurdish Syrian Democratic Forces (SDF) from northern Syria. Russian and Turkish troops will jointly patrol a strip of Syria near the border. Under a previous agreement, the Kurds will also join the Syrian army's 5th Corps, which includes foreign volunteers and is controlled by Russia.

Then, in a reversal of policy, the Trump administration announced it would send some 500 U.S. troops to protect Syria's oil fields from future Islamic State attacks. In reality, Trump seeks to use control of the oil as leverage against the Syrian government. Damascus and Moscow denounced the move as a violation of international law since the oil fields are in Syrian territory.

“What Washington is doing now—the seizure and control of oil fields in eastern Syria under its armed control—is, quite simply, international state banditry,” said Russian Foreign Ministry spokesman Maj. Gen. Igor Konashenkov.

On the other hand, the Turkish government is pleased with the redeployment of U.S. troops because, if carried out, it will quickly remove the SDF from northern Syria, the stated goal of Erdogan’s invasion. But what if the SDF refuses to cooperate? “Russia will be the guarantor,” said Mustafa Kibaroglu, a professor of international relations at Istanbul’s MEF University. “Russia’s role is crucial.”

Russia also issued a threat. If the Kurds don’t move, Russian troops will pull back, and Turkish forces will “maul” the Kurds, Kremlin spokesman Dmitry Peskov warned.

Turkey has long clashed with the United States on a number of foreign-policy issues, including the Iraq War, Iran, Israel, and the Kurds. But after the Arab Spring uprising in Syria, Ankara and Washington shared a common goal: backing armed rebels determined to overthrow Syrian President Bashar al-Assad.

The rebels failed to gain popular support and went into decline, particularly after the 2015 Russian military intervention in support of Assad. When it became clear that Assad would remain in power, Erdogan shifted course and participated in the Russian-sponsored peace talks in Kazakhstan.

Relations frayed further when many Turks became convinced of U.S. complicity in a 2016 attempted coup against Erdogan. The Turkish government accuses Fethullah Gulen, a Turkish religious leader living in exile in the United States, of planning the coup. Add to the mix that the United States has lost every recent war in the region: Afghanistan, Iraq, Syria, and Libya. Erdogan calculated that while U.S. power was weakening, Russia could offer a counterweight.

Russia’s resurgence in the region comes as Turkey, long a NATO member and Western ally, is realigning—and appears to be tilting toward Russia. Turkey purchased and recently took delivery of the Russian-made S-400 missile defense system, which caused outrage in Washington. The first part of a new Russia-Turkey natural gas pipeline is complete, and Russia plans to build four nuclear power plants in Turkey. Russia, like the United States, pursues its own economic and military interests in the Middle East. Both powers promote highly profitable sales by their respective arms manufacturers. Both seek to control oil prices, with Russia selling to countries such as Turkey and Israel, while the United States is buying from Gulf countries. And both are apparently willing to throw Kurds under the bus when necessary to ally with the powerful and geostrategically important government in Ankara.

Russia’s most recent role as a key power broker began with an Oct. 6 phone call between Trump and Erdogan. When informed of Turkey’s plan to invade, instead of expressing angry indignation, Trump agreed to pull 50 U.S. troops back from the Turkish-Syrian border. That effectively provided a green light for the invasion.

On Oct. 9, Turkish and Syrian mercenary troops stormed across the border and besieged several predominantly Kurdish cities. Erdogan had publicly announced plans to move 2 million Syrian Arab refugees living in Turkey to a “safe zone” carved out of northern Syria. Turkish-trained extremist militias may have already committed war crimes, beating and killing captured prisoners, according to Amnesty International and other observers.

“There will be ethnic cleansing of the Kurdish people from Syria,” Mazloun Abdi, the military leader of the SDF, told the New York Times. Then, in a surprise move, the SDF made a quick deal with Moscow and Damascus. Syria’s army and Russian troops quickly deployed north.

The SDF calculated that their presence would deter further Turkish incursion. The SDF hopes that Damascus will negotiate a political settlement allowing for Kurdish autonomy within the Syrian state, although historically Assad has refused such demands.

The Russian army boasted of its critical role. “When the Russian flag appears, combat stops—neither Turks nor Kurds want to harm us, so fighting stops thanks to our work,” a Russian officer told the Tass news agency. That was a role once played by the United States. But U.S. power has slowly dwindled in the region.

On Oct. 28, U.S. special operations forces attacked a compound in northwestern Syria, resulting in the death of Islamic State leader Abu Bakr al-Baghdadi. While it represents a tactical victory, his death is unlikely to change power dynamics in the region. Trump has managed to destroy U.S. credibility, anger allies, and embolden enemies—all without actually bringing U.S. soldiers home as promised in his 2016 presidential campaign.

Russia, on the other hand, has played its cards well. Today Russia provides a significant portion of Turkey’s energy needs and sends 6-7 million tourists a year to Turkey. In addition to the sale of advanced missiles, Turkey is considering purchase of the Russian-made Sukhoi Su-57 and Su-35 fighter jets.

Washington strongly objects to Turkey's purchase of Russian weapons. NATO's munitions systems are highly coordinated among member nations and subject to strict secrecy. The Trump administration argues that Russian military advisors stationed in Turkey to operate the S-400 system could gather intelligence about NATO equipment. Of course, U.S. spies would have access to the S-400, too.

Germany charges two Syrians with crimes against humanity (The Guardian) By Philip Oltermann and Emma Graham-Harrison
October 29, 2019

Germany has charged two alleged former Syrian secret service officers with crimes against humanity, federal prosecutors have announced, a key step in a patchwork of international efforts to seek justice for atrocities committed during the country's long civil war.

Anwar Raslan and Eyad al-Gharib were arrested in February, in a coordinated operation by German and French police.

Raslan allegedly led an investigative unit with its own prison, known as Branch 251, near the Syrian capital, Damascus. Prosecutors claimed at least 4,000 people were tortured by his subordinates during interrogation there between April 2011 and 2012, with guards using bars, cables and whips to beat prisoners during interviews.

Some prisoners were subjected to electric shocks, while others were "hung from the ceiling by their wrists, with only their toes touching the ground", according to a statement by the German prosecutor.

Many died as a result, and Raslan has been charged with 59 counts of murder, as well as rape and aggravated sexual assault.

"As head of the investigation unit, the accused Anwar R determined and oversaw the prison's operational procedures, including the systematic and brutal use of torture," prosecutors said in a statement. "He was aware of the fact that prisoners were dying as a result of the massive application of violent force."

Gharib allegedly reported to Raslan, arresting protesters and delivering them to the Branch 251 jail. He is charged with a role in the abduction and torture of at least 30 people in the autumn of 2011.

Raslan and Gharib left Syria in 2013 and entered Germany as asylum seekers in July 2014 and August 2018 respectively.

Anwar Raslan came on to the radar of German investigators after a number of his alleged victims spotted him in Berlin and reported the sighting to authorities.

After years of civilian deaths and suffering at the hands of multiple parties during the Syrian conflict, the first slow efforts to bring perpetrators to justice and dispel a sense of impunity are moving through national courts in several countries.

Many have been driven by Syrian survivors, relatives, activists and lawyers, who have been collecting evidence and submitting criminal complaints across countries including Germany, Austria and Sweden.

Documented crimes include the use of chemical weapons and torture, mass execution, Islamic State's abduction and sexual enslavement of Yazidi women, and the targeted bombing of hospitals and other civilian installations.

There has been no concerted international effort because Syria is not a party to the treaty that established the international criminal court, and Russia and China have vetoed efforts to mandate the ICC to set up a special tribunal for Syria.

The German prosecutions were welcomed by human rights groups. "We are starting to see the fruits of a determined push by victims and others to achieve justice," said Balkees Jarrah, senior counsel at Human Rights Watch.

"Criminal cases in Germany and elsewhere in Europe are an important first step in puncturing the climate of impunity that has plagued Syria for far too long. Perpetrators should take note that an unprecedented volume of information is being gathered to help ensure they face justice, no matter how much time passes."

The Berlin-based European Center for Constitutional and Human Rights, which helps victims of abuse in Syria and elsewhere, said seven Syrians would be co-plaintiffs in the case, as allowed under German law.

"These charges send an important message to survivors of Assad's system of torture," said Wolfgang Kaleck of the ECCHR. "We will continue working to ensure that the main perpetrators of state torture under Assad are brought to justice – in Germany or elsewhere."

The trial, set to start in 2020, will be the first prosecution for state-sponsored torture in Syria. The group described it as “an important step in the fight against impunity”, and quoted an unnamed survivor of the Branch 251 saying the judicial process was a cause for hope.

“This process in Germany gives hope, even if everything takes a long time and nothing happens tomorrow, or even the day after tomorrow. The fact that it continues at all gives us, as survivors, hope for justice. I am ready to testify,” the survivor said.

German authorities have approached the cases under the legal principle of universal jurisdiction, which allows the prosecution of crimes in one country even if they happened elsewhere.

U.S. Spies Say Turkish-Backed Militias Are Killing Civilians as They Clear Kurdish Areas in Syria (Time) By John Walcott and W.J. Hennigan

October 28, 2019

Three weeks after President Donald Trump ordered U.S. forces to pull out of northern Syria, American spy agencies are seeing disturbing intelligence. Turkish-backed militias, armed by Ankara, have killed civilians in areas abandoned by the U.S., four U.S. military and intelligence officials tell TIME. The officials say they fear that the militias committing those potential war crimes may be using weapons that the U.S. sold to Turkey.

These officials say they are concerned that worse could lie ahead. Turkey and its allies are deploying larger forces and bringing more significant weapons to the field than would be necessary to complete their publicly-stated mission. They have said that they plan only to maintain a security zone along a 18-mile wide ribbon of land south of Turkey’s border with Syria. “They’re far more than the Turks need to conduct the operations they’re supposed to be conducting,” one of the U.S. officials told TIME.

Fighting between Turkish and Syrian forces continued on Monday in the security zone as members of the Kurdish forces built defensive positions along the zone’s border inside Syria, one U.S. official told TIME. Two officials confirmed that those trenches and observation posts appear to be preparations for any Turkish-led advance into Kurdish-held territory after the ceasefire expires on Tuesday.

This intelligence has led some U.S. analysts to conclude that Turkey and its allies may be preparing to clear civilian populations from the area, which has largely been controlled by the Kurds, Ankara’s long-time enemies in the region. Turkish President Recep Erdogan told the United Nations on Sept. 24 that he planned to establish a safe zone across the border in Syria, and to resettle some of the 3.6 million Syrian refugees currently sheltered in Turkey. On Oct. 26, Erdogan said Turkey planned to “clear terrorists” from the so-called safe zone if Kurdish forces aren’t gone by 3 p.m. Greenwich Mean Time on Oct. 29.

U.S. officials are worried that a full collapse of the ceasefire on Tuesday, combined with a broad Turkish campaign to remove Kurds from the security zone, will result in wide scale war crimes. They are also worried that a humanitarian crisis, combined with renewed fighting, could accelerate the return of ISIS, which thrives on disorder.

U.S. intelligence agencies retain some sources in Syria, thanks to networks developed during America’s five-year deployment there, and the U.S. military is flying regular drone reconnaissance missions over the area. The scope of U.S. intelligence activity in the region has drawn renewed interest in recent days, in the wake of a U.S. raid on Saturday that killed ISIS Leader Abu Bakr al-Baghdadi. The CIA, as well as Iraqi and Kurdish intelligence officers, tracked the ISIS chief by interviewing the wife of an al-Baghdadi aide and one of his couriers, and by recruiting local spies along the Syrian-Iraqi border.

The intelligence on a potential Turkish offensive in Northern Syria has come from a combination of human and technical sources, the officials tell TIME, and some of it has been shared with U.S. agencies by allied countries. The intelligence on the use of U.S. arms in the attacks on civilians remains inconclusive. The officials, who spoke on condition of anonymity because they were not authorized to publicly discuss the fighting in Syria, declined to provide more details.

This intelligence is emerging as the U.S. struggles to manage the fallout from its precipitous retreat from Syria, which was announced Oct. 13, after Erdogan told Trump that Turkey was about to attack territory in northern Syria where U.S. troops were deployed. Trump gave the Pentagon and State Department no warning of his decision to pull the U.S. out of the area, and no time to plan an organized retreat or to negotiate a handover of territory. That has left U.S. military officials and diplomats scrambling to deal with the situation.

Among the principle challenges: managing the unpredictable Commander-in-Chief, two of the officials say. On Oct. 25, Trump reversed part of his Oct. 13 order to withdraw almost all of the 1,000 American forces from Syria. At the NATO headquarters in Brussels, U.S. Defense Secretary Mark Esper announced that Washington is sending a limited number of armored forces into eastern Syria. He described the redeployment as an effort to prevent the country’s oil fields from falling back into ISIS’s

hands.

The announcement was perplexing. Protecting Syria's oil fields in the Deir al-Zour province, where the troops are deploying, makes little strategic sense, two of the officials involved in the redeployment tell TIME. "The oil fields are small, we blasted them after Daesh [ISIS] seized them, and they will take years to rebuild," said one official. So why leave forces there to protect them? "Talking about oil was the only way we could talk the President into keeping any U.S. military force in the area," the official says. On Friday, after the plan to protect the oilfields was unveiled, Trump tweeted, "Oil is secured."

On Oct. 27, Esper added that the new deployment of troops would not just be guarding oil fields; they would also engage in counterterrorism operations. "Despite Baghdadi's death, the security situation in Syria remains complex," Esper said at the briefing Monday. He said that the U.S. forces deployed in Syria "will continue to execute counter terrorism operations while staying in close contact with the Syrian Democratic Forces that have fought along side of us."

But a residual force does not put the U.S. in a position to respond quickly in the region. If the ceasefire in the north collapses, the U.S. has no plan to intervene. U.S. Central Command had hoped to keep the rest of the 1,000 forces withdrawn from Syria just across the border in western Iraq, where it could continue to target ISIS and deter widespread instability. But the U.S.-backed government in Baghdad vetoed that idea and gave the troops a four-week deadline to leave.

U.S. officials are worried that a humanitarian crisis and renewed fighting in the region will invite a resurgence of ISIS, which operates best in chaotic situations. Many captured ISIS fighters remain in Kurdish custody in northern Syria. Trump appeared to dismiss the danger of a renewed terrorist threat Friday, when he tweeted, "ISIS SECURED". Esper told reporters at NATO that the U.S. mission remains preventing a resurgence of ISIS.

There is no clear intelligence on how many suspected ISIS fighters have already escaped from prisons guarded by the Kurds in northern Syria, nor how many of the refugees held in camps in the area might have been radicalized during their stay in hardship conditions, the officials tell TIME. The minimum estimate of escapees is more than 100 already, said one of the officials, who added, "That's a lowball, I'm afraid."

The officials said their most immediate fear now is that Turkey may use its military incursion into the so-called safe zone as cover for a larger attack against the Kurdish population. "Even if the Kurds continue to withdraw peacefully that doesn't mean the Turks won't find a reason to act," the same official said.

U.S. intelligence officials aren't the only ones seeing evidence of war crimes. The human rights group Amnesty International reported on Friday that Turkish-backed Syrian forces have committed war crimes, including executions of Kurdish civilians. Some of the acts were photographed on mobile phones. Amnesty International said it had collected evidence from 17 witnesses. It cited reports by Kurdish-led health authorities in the region that more than 200 civilians had been killed by Turkish forces and their allies during the recent fighting and Turkey claimed that 18 of its civilians were killed in a cross border mortar attack.

James Jeffrey, the U.S. special envoy for Syria, told a House of Representatives hearing on Wednesday that the administration has asked the Erdogan government to answer questions about possible war crimes committed by Turkish forces and their allies. "We have several incidents we consider war crimes," Jeffrey said. Both the Kurdish Red Crescent and the U.K.-based Syrian Observatory for Human Rights have reported apparent human rights abuses during the Turkish offensive.

Congress is pushing for more details on the situation in Northern Syria. On Oct. 25, four U.S. senators sent Secretary of State Mike Pompeo a letter seeking information by Nov. 1 on reports that Turkish-backed forces used white phosphorus, a chemical weapon, against the border town of Ras al-Ain, as first reported by Foreign Policy on Oct. 17. In their letter, the four—Maryland Democrat Chris Van Hollen, Vermont Democrat Pat Leahy, Connecticut Democrat Richard Blumenthal, and Tennessee Republican Marsha Blackburn—said the report has "been substantiated by additional outlets, and the Organization for the Prohibition of Chemical Weapons has stated that it is aware of the situation and is collecting information with regard to the possible use of chemical weapons."

The Senators also asked Pompeo if any weaponry supplied to Turkey by the U.S. has been used "in connection with the Turkish offensive in Syria, including in connection with the use of chemical weapons."

For now, the best news for those hoping that international forces might quell the violence in Northern Syria has come from an unlikely source: Moscow. The Russian Defense Ministry said on Oct. 25 that Moscow has sent an additional 300 military police to the region and airlifted 20 armored vehicles to equip them. "The bad news is that they came from Chechnya," said one of the officials. Russia brutally suppressed a series of Islamic uprisings in the predominantly Muslim Chechen Republic after it declared independence from Russia in 1991.

U.S. officials are left hoping those Russian forces are better than nothing. "They're all that stands between the Turks and the Kurds now that we're out," one official says.

Syria: videos of Turkey-backed militias show 'potential war crimes' (The Guardian) By Martin Chulov
October 26, 2019

Calls for war crimes investigations into the conduct of militias used by Turkey in Syria are mounting after a spate of new videos depicting Ankara-linked fighters torturing captives and mutilating dead bodies.

Footage of atrocities allegedly committed by Arab forces in northern Syria is circulating widely across Kurdish regions of the country, sparking fears of renewed fighting and a deepening ethnic divide in the region, even as a tenuous ceasefire begins to settle.

A video purportedly posted earlier this week by one Turkish-supported group shows a captured Kurdish fighter being dragged by the neck as his captors threaten him with beheading. Another shows dead Kurdish fighters being cut with a knife as Arab combatants jeer.

Kurdish officials, along with the US special envoy for Syria, James Jeffrey, have condemned the videos, with the latter describing them as “potential war crimes” while the Kurds insist they represent ethnic cleansing.

Up to 170,000 Kurds have fled a battle zone along the Turkish border after a weeklong operation to push Kurds further into Syria.

Ankara has openly stated that it aims to send up to a million Syrians, who are currently living in exile in Turkey, into the area it has since dubbed a safe zone. Where the newly displaced – most of whom are Kurds – will settle remains uncertain, as does whether the recent spate of ethnic violence can be contained.

“One of our main challenges is to contain the emotional reaction,” said a senior Kurdish official, Arshan Mizgen Ahmad. “Those who killed here are not from this part of Syria. We are trying as an administration to calm them down.

“It is not a blood dispute in the usual sense of the term. This has been a cultural move that has been prevailing for centuries. We are trying another approach. We have made great efforts not to see it as a blood dispute, but as a political manoeuvre,” she said.

Ankara’s proxies are comprised of Syrians who fought against the Assad regime, and other groups who have since been recruited as hired hands. They also include several extremist units, who were responsible for the execution of the Kurdish female politician, Hevrin Khalaf, who was hauled from her car two weeks ago and shot dead by a roadside along with her bodyguards.

Elizabeth Tsurkov, a fellow at the Foreign Policy Research Institute who has studied the Turkish proxies, said: “The factions fighting on Turkey’s behalf are largely made up of young men displaced from their towns and villages from across Syria and particularly eastern Syria.

“In 2016, it was clear to many Syrians that Turkey has altered its position regarding the Assad regime and will no longer attempt to topple it, and hence, those who joined this force after 2016 were often individuals willing to fight, in exchange for money, to advance Turkey’s interests.”

Ankara has denied sanctioning any atrocities in Syria amid reports it has used white phosphorus. Turkish military officials say they are investigating reports of executions.

“Turkey retains control over all strategic decision-making,” said Tsurkov. “It decides when and where to start and end offensives. Turkey pays the salaries of these fighters, trains them in Turkey and in northern Aleppo, provides them free medical care when they are injured, and oversees all operations. Turkey is ultimately responsible for the conduct of these factions.”

Meanwhile, Kurdish officials were struggling to make sense of Donald Trump’s announcement that he was sending US tanks to secure oil fields in Deir Azzour, in far eastern Syria. The surprise move came after his widely condemned decision to withdraw all US forces who were working alongside the Kurds on Turkey’s border, ahead of the operation in early October.

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Yemen

Yemen: No true accountability in bombing of MSF-supported hospital (Doctors Without Borders)

October 30, 2019

The Saudi and Emirati-led Coalition has belatedly acknowledged its responsibility for a deadly 2016 strike on a hospital supported by Doctors Without Borders/Médecins Sans Frontières (MSF) in northern Yemen, blaming it on a "projectile malfunction" while continuing to avoid true accountability for this and other violations of international humanitarian law in Yemen.

The coalition announced its findings in a press conference in Riyadh on October 23, but has not provided a written report.

"The coalition's belated admission of responsibility for this strike, while making only a vague pledge to provide 'voluntary assistance' to victims, follows a pattern of avoiding meaningful accountability for its violations of the laws of war, including strikes on hospitals and other civilian targets," said Ahmed Fadel, MSF operations manager.

The coalition struck the MSF-supported Shiara Hospital in Razeh, northern Yemen, with a projectile on January 10, 2016, killing six people and injuring eight. MSF's own investigation into the incident concluded that there was no justifiable or legitimate reason for the attack, as the hospital remained protected according to international humanitarian law, including in cases of error and negligence.

Since March 2015, coalition airstrikes have hit four other health facilities run or supported by MSF and one ambulance from an MSF-supported hospital. Such attacks, which are a violation of international humanitarian law, threaten medical services that are crucial for the civilian population, as only about half of the health facilities in Yemen are fully functional, more than 11 million people are in acute need of aid, and outbreaks of cholera and other easily preventable diseases occur regularly across the country.

However, the coalition's recent findings continue its practice of minimizing its culpability for strikes on medical facilities, attributing them to equipment malfunctions or blaming the victims themselves. The coalition has announced its findings through its Joint Incidents Assessment Team (JIAT), an investigative body that is supported by the United States and the United Kingdom.

In another press conference held in January 2019, the JIAT attempted to shift responsibility for a June 2018 strike onto MSF, falsely accusing the organization of failing to take the appropriate steps to avoid being targeted. The strike resulted in the near-total destruction of a newly established cholera treatment center in Abs, which would have served an area with more than 1 million people.

Despite repeated calls by humanitarian actors for credible investigations into such events, the JIAT has consistently failed to report promptly and transparently on its findings, leaving both humanitarian agencies and individual victims of coalition attacks with no recourse to justice or accountability. Its October 23 recommendation of "voluntary assistance for casualties and material damage" related to the Shiara Hospital strike is a vague, inadequate pledge that comes three years too late.

Attacks that violate international humanitarian law—such as those that target protected medical facilities and civilian sites (for example, a school bus in 2018 and a prison earlier this year)—are routinely perpetrated with impunity by all parties to the conflict in Yemen, and result in injury, death and displacement for the civilian population. Attacks also prevent critical humanitarian aid from reaching people in need.

MSF reiterates the urgent need for truly independent investigations, conducted in a transparent and timely manner and resulting in shared, written reports that enable real accountability for violations of international humanitarian law in Yemen. MSF calls on all parties to the conflict to urgently take the necessary steps to respect the neutrality and protected nature of medical humanitarian work and avoid damaging and destroying medical facilities and other civilian targets.

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Israel and Palestine

Gantz: Israel must not sell arms to genocidal regimes or back racist leaders (The Times of Israel) By Toi Staff
November 5, 2019

Israel must not support racist regimes or sell weapons to nations involved in genocidal actions, Blue and White leader Benny Gantz declared Tuesday.

Speaking at the Anti-Defamation League's third annual Israel Social Cohesion Summit at the Airport City industrial zone near Ben Gurion Airport, Gantz, who is currently attempting to form a coalition government [sic.], said Israel "must ensure that we are not legitimizing racist regimes."

It was not clear who specifically Gantz was referring to, but Prime Minister Benjamin Netanyahu has been accused of cozying up to leaders with questionable human rights records, such as Brazil's President Jair Bolsonaro, Hungarian Prime Minister Viktor Orban and Philippine President Rodrigo Duterte.

Gantz also said Israeli weapons must not be sold "to nations carrying out genocides. We are a moral people, a moral nation, and we must act that way both inside toward each other and in our foreign relations."

Israel has been accused of selling weapons and military services to human rights violators around the world for decades, including to apartheid South Africa, Rwanda during the 1994 genocide, and in recent years to South Sudan and Myanmar. The Defense Ministry does not acknowledge arms sales as a matter of policy.

The Blue and White leader also lamented the ongoing political gridlock following the September election, the year's second national vote, and the dimming prospects of a unity government being formed, painting Netanyahu's insistence on negotiating only as part of a bloc of right-wing parties as a major stumbling block to forming a joint government.

"Unity is not a bloc in which everyone thinks as one and labors for one man," he said of the 55 MKs who have declared they will only support Netanyahu as prime minister.

"Unity exists when all sides set aside their personal interests and act together for the future of the nation, for all our futures."

He went on: "In the last election most Israelis chose unity, while there are those who are occupied with their personal and legal interests. I'm doing everything, both above and below the surface, to make that choice a reality and to prevent another election that will serve disunity."

Gantz asserted that "80 percent of us Israelis agree on 80% of issues, and the rest can be argued," but he warned that "Israel mustn't be dragged to another election" in which billions of shekels would be "tossed into the trash."

Blue and White, along with Avigdor Liberman's Yisrael Beytenu party, has sought to form a secularist unity government that is not dependent on ultra-Orthodox parties. The ultra-Orthodox monopoly on religious institutions has increasingly upset secular Israelis in recent years, while also causing a growing rift with Diaspora Jewry.

Gantz noted that world Jews "have felt in recent years that Israel is moving away from them, particularly from the younger generation," and said such trends must be turned around.

He also warned that the ongoing political instability and internal rivalries behind it were weakening Israel in the face of security challenges.

President Reuven Rivlin last month tasked Gantz with attempting to form a coalition after Netanyahu failed in the wake of the

September elections, but Gantz's chances of succeeding where Netanyahu failed are seen as just as slim.

In recent days speculation has focused on the three-person New Right faction possibly breaking with Netanyahu's bloc of 55. New Right party leader Naftali Bennett on Sunday warned that the right-wing bloc would suffer a "historic collapse" if a third election is called.

Blue and White leaders have claimed the premier's bloc is preventing them from forming a government. Netanyahu has insisted on negotiating on behalf of all 55 MKs; Blue and White has said the stance is a transparent ruse to ensure Gantz cannot form a government, dooming Israel to yet another election.

Negotiations between Likud and Gantz's party have also snagged over Blue and White's insistence it cannot support a Netanyahu premiership so long as he is suspected in three criminal cases — and may be charged in them soon.

Meanwhile Liberman on Tuesday denied media reports he may consider abandoning his vows not to join a narrow right-wing government in order to avoid a third election.

On Monday, Channel 12 news reported that Liberman was preparing to begin several days of consultations with senior party officials ahead of making what the station described as a "final decision" regarding the ongoing political deadlock.

"This morning I heard and read a load of nonsense from journalists in various media outlets concerning actions Yisrael Beytenu is allegedly planning: compromises on matters of religion and state, joining one bloc or another etc," Liberman tweeted. "These reports are baseless and generated solely by the writers and pundits."

A survey released Sunday showed a majority of Israelis would endorse the party they voted for in the last election joining a coalition led by Blue and White.

According to the poll by the Israel Democracy Institute, 62% of Israelis favor the party that they voted for joining a coalition under Gantz. Among them, nearly half of right-wing voters support such a move.

The survey found that 48% of Likud voters approve and so do 49% of the erstwhile Yamina party, which has split into several factions following the vote.

What Does Conviction of IDF Soldier Mean for ICC War Crimes Battle? (The Jerusalem Post) By Yonah Jeremy Bob
November 5, 2019

Twenty months into the Gaza border conflict, the IDF courts issued their first conviction of a soldier for shooting one of the approximately 350 Palestinians who have been killed.

At the same time, the sentence was a mere one month of community service since the conviction was not for a more serious charge, like manslaughter, but essentially for the low-grade offense of violating the rules of engagement for opening fire.

Why was this the result, and what does all of this mean for the broader big battle before the International Criminal Court (ICC) over whether Israel's legal system complies with international law or whether it has committed war crimes?

Official and unofficial statements from the IDF were short on details, leaving some critics to speculate about potential improper intentions.

Essentially, they said that the unnamed IDF soldier had violated open fire regulations in shooting toward the 15-year-old Palestinian Othman Helles as he was climbing the Gaza security fence, but that IDF investigators could not establish for sure one way or another whether that soldier's bullet was the one that killed him.

What does this mean? How can the IDF know the soldier fired illegally toward Helles without knowing whether his bullet was the "kill-shot"?

The Jerusalem Post has learned that the primary issue has to do with the fact that no autopsy was conducted on the Palestinian. Moreover, even the limited medical report from Gaza from an external initial exam of Helles's body did not cover standard medical issues that the Israeli medical system and courts expect to be addressed.

The question of autopsies is a recurring problem between Israel and the Palestinians in such cases.

Palestinians often object to autopsies both on religious grounds and over suspicions that Israel will twist the autopsy and its results to its advantage.

Even in the infamous Hebron shooter case, it took a petition to the High Court of Justice to secure the right to perform an autopsy, initially against the objections of the killed Palestinian's family.

But from the IDF perspective, it has experience with defense lawyers picking apart a case where there is no autopsy or where an Israeli doctor was not involved in the autopsy.

These circumstances help defense lawyers create suspicions that Palestinian doctors will twist their results to help frame Israeli soldiers, the same way that Palestinians are suspicious of Israelis.

So the autopsy questions is really at the core of this particular case.

It may be that the sides should have already found a compromise mechanism with both sides and a third neutral party carrying out autopsies in such cases, but it is too late for this case.

Once the absence of an autopsy led the IDF prosecution to drop more serious charges like manslaughter, the more lenient sentence was almost inevitable.

Due to the autopsy question, it is also unclear how much Helles's act of climbing the security fence – not as bad as firing a gun, but also far from passive nonviolence – played a part in the decision.

How will the ICC view the outcome and lenient sentence?

Israel can say that it prosecuted, convicted and sentenced a soldier, showing its system's readiness to self-prosecute. If the ICC asks why this specific soldier was not prosecuted for manslaughter, the autopsy obstacle is a fairly straightforward.

It could be interesting if the ICC presses the sides to work out a compromise in the future. However, all of this means that the ICC will not likely regard this case as a major credit for the IDF due to the conviction of a soldier, nor will it regard it as a blemish due to the lenient sentence.

Rather, the ICC will want to assess the results of the five criminal investigations into the deaths of 11 Palestinians, which the IDF announced as of March.

The ICC will also assess whether these probes were sufficient relative to the number of Palestinians killed.

Ironically, the Helles probe started in July 2018 and is now resolved, whereas some of the probes initiated in March 2018 are still unresolved. Further, the Post did not receive updated information from the IDF when it requested to know the other probes' statuses.

It is unfortunate that the ICC will be making a series of major announcements related to Israel in the next month without the IDF having issued more decisions on these 2018 probes.

Undoubtedly, more decisions would show the ICC that the IDF is not stalling on these cases.

From this perspective, it was wise of the IDF to issue the Helles decision before the upcoming ICC decisions, but it would have been wiser to already give a fuller picture.

Benny Gantz: Renew Assassination Policy in Response to Rocket Fire (The Jerusalem Post) By Jeremy Sharon
November 2, 2019

Blue and White leader Benny Gantz hit out strongly at the interim government for what he described as its inaction over repeated incidents of rocket fire from Gaza against southern Israel after a barrage of rockets was fired from Gaza by a terror group Friday night.

Gantz also implied that he would renew Israel's former policy of assassinations against the senior terrorist leaders should he become prime minister.

"A government which I head will not tolerate a threat against southern residents, and will not accept any injury to Israeli sovereignty," Gantz said in a tweet Saturday night.

"We will restore deterrence at any price, even if we need to harm those personally who are leading the escalation," said Gantz in seeming reference to the heads of the various Gazan terrorist groups.

"At this time, we will support and back any policy of determined and responsible response [to the rocket attacks] in order to

bring long-term quiet to southern residents. This is our obligation and our commitment to them,” the Blue and White leader said.

Yisrael Beytenu leader and former Defense Minister Avigdor Liberman denounced what he described as “a policy of surrender by the government to the terrorist organizations in Gaza,” which he said resulted in incidents like Friday night’s rocket barrage.

“Riots on the [Gaza border] fence have turned into something routine on Friday afternoon... Someone who tolerates riots and disorder on Friday afternoon will get rockets on Friday night. But don’t worry. The prime minister’s response is on the way. Next week already dozens of millions of dollars will be transferred to the heads of Hamas,” Liberman railed, in reference to the cash payments from Qatar to Gaza, facilitated by Israel.

New Right co-founder MK Naftali Bennett said that Israel was in a “national crisis” following the rocket fire and that a wide-scale military operation in Gaza would soon be needed.

“It won’t be possible for long the root-treatment needed in Gaza, at the same time as curbing the encirclement of Iran’s missiles around Israel,” said Bennett.

“Israel cannot have a third round of election which will silence us and prevent urgent security and civilian actions. Everyone, Netanyahu and Gantz as one, must compromise and establish a government immediately,” he continued in reference to the current stalemate in the establishment of a coalition government following September’s election.

Israeli soldier sentenced over killing of Gaza teen (Al Jazeera)

October 31, 2019

An Israeli military court sentenced a soldier to one month of the military's equivalent of community service over the killing of a Palestinian teenager after he opened fire without authorisation.

The unnamed soldier was convicted on Monday for "acting without authorisation in a manner endangering to life and wellbeing", it said in a statement.

Othman Rami Halles, 15, was shot dead during protests by the Israel fence east of the Gaza Strip on July 13, 2018, the Palestinian health ministry said at the time.

A video shared by the Defense for Children rights organisation showed Halles standing by the separation fence near several women and children holding up Palestinian flags. Halles is then seen attempting to climb the fence before he was shot in the torso, falling down.

The army said a probe had found "the soldier fired at a Palestinian rioter who was climbing on the security fence between Israel and the Gaza Strip".

The soldier, identified in Israeli media as a sniper, had opened fire "not in accordance with the rules of engagement and not in accordance with the instructions he had received", it said.

This is the first time an Israeli soldier has been convicted over the killing of a Palestinian involved in the weekly Gaza demonstrations, a spokesman for Jerusalem-based human rights organisation B'Tselem told dpa news agency on Wednesday.

After a plea bargain, the court sentenced the soldier to 30 days in prison with military labour and a suspended term of another 60 days, and he was demoted to the rank of private.

The investigation had found no evidence of a "causal link between the soldier's fire" and the teenager's death, the army said.

At least 311 Palestinians have been killed by Israeli fire in Gaza since protests were launched along the areas east of the blockaded enclave near the Israeli fence in March 2018, the majority during the weekly demonstrations.

Eight Israelis have been killed in Gaza-related violence over the same period.

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Gulf Region

Libya migrant attack: UN investigators suspect foreign jet bombed centre (BBC) By Manisha Ganguly
November 6, 2019

A deadly missile strike on a migrant detention centre in Libya was carried out by a fighter plane from a foreign country, according to a confidential UN investigation seen by BBC Arabic.

No country is named but a source with knowledge of the inquiry said it was focused on the United Arab Emirates.

The UAE did not comment when approached by the BBC.

July's attack killed 53 migrants and injured 130, and was described as a potential war crime by a UN official.

Most of those killed at the Tajoura migrant detention centre, east of the capital, Tripoli, are believed to have been sub-Saharan Africans attempting to reach Europe from Libya.

It was the highest publicly reported death toll from an attack since the Libyan National Army (LNA) began a fresh offensive in April to topple the UN-backed Government of National Accord (GNA) in Tripoli.

"This attack may, depending on the precise circumstances, amount to a war crime," UN High Commissioner for Human Rights Michelle Bachelet said at the time.

The UN Special Mission in Libya told the BBC it had shared the co-ordinates of migrant centres with both sides in the conflict to prevent them from being hit.

The GNA said in July the attack had been carried out by a fighter plane from the UAE. The LNA, under Gen Khalifa Haftar, initially said it had bombed a legitimate target but later denied being involved.

A panel working for the UN Security Council has spent months trying to establish who was behind the attack.

BBC Arabic saw a confidential report which will be presented to the UN Security Council on Wednesday.

The report cites evidence from a confidential source saying "an unknown number of Mirage 2000-9" fighter jets were operating from two airbases inside Libya at the time of the strike.

The UAE and Egypt, which have both backed the LNA, have a large number of Mirage fighter jets.

A spokesman for the Egyptian Army said it did not want to comment on a report before it had been published.

The UN report says the Mirage jets were using two airbases: Jufra and al-Khadim.

In 2017, the UN said the UAE had built up the air base at al-Khadim and provided air support to Gen Haftar's forces.

The confidential report concludes it is "highly probable" the air strike was carried out using precision-guided missiles by a fighter jet "operated by a [UN] member state acting in direct support of HAF [Haftar Armed Forces]".

The report does not name the state as it says evidence is still being gathered.

The UAE and LNA did not respond to repeated BBC requests for comment.

"If there is concrete evidence of direct military intervention by outside countries, then that is totally unacceptable, and needs to be investigated at the most senior levels," said the former UK ambassador to Libya, Peter Millet.

There has been an arms embargo on Libya since 2011. In August 2019, the UAE signed a commitment to stick to the embargo along with the UK, US, France and Italy.

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ASIA

Afghanistan

Afghanistan: CIA-Backed Forces Commit Atrocities (Human RightsWatch)

October 31, 2019

United States Central Intelligence Agency (CIA)-backed Afghan forces have committed summary executions and other grave abuses without accountability, Human Rights Watch said in a report released today. These strike forces have unlawfully killed civilians during night raids, forcibly disappeared detainees, and attacked healthcare facilities for allegedly treating insurgent fighters. Civilian casualties from these raids and air operations have dramatically increased in the last two years.

The 53-page report, “‘They’ve Shot Many Like This’: Abusive Night Raids by CIA-Backed Afghan Strike Forces,” documents 14 cases from late 2017 to mid-2019 in which CIA-backed Afghan strike forces committed serious abuses, some amounting to war crimes. The US should work with the Afghan government to immediately disband and disarm all paramilitary forces that operate outside the ordinary military chain of command and cooperate with independent investigations of all allegations of war crimes and other human rights abuses.

“In ramping up operations against the Taliban, the CIA has enabled abusive Afghan forces to commit atrocities including extrajudicial executions and disappearances,” said Patricia Gossman, associate Asia director and author of the report. “In case after case, these forces have simply shot people in their custody and consigned entire communities to the terror of abusive night raids and indiscriminate airstrikes.”

Since 2001, the CIA has maintained a counterterrorism operation in Afghanistan parallel to but distinct from the US military operation. It has continued to recruit, equip, train, and deploy Afghan paramilitary forces in pursuit of Al-Qaeda and Taliban forces, and, since 2014, militants affiliated with the Islamic State (also known as ISIS).

Night raids by these strike forces aimed at killing or capturing insurgents largely occur in rural areas that are under Taliban control or contested. The forces breach the walls of residential compounds, search the homes, and question the inhabitants. Some men have been detained without their families knowing their whereabouts. Others have been summarily shot.

In many of the night raids Human Rights Watch investigated, strike forces attacked civilians because of mistaken identity, poor intelligence, or political rivalries in the locality. These units have also sometimes targeted houses based on intelligence that family members had provided food to Taliban or ISIS insurgents, even if under duress.

A resident in Wardak province told Human Rights Watch that the strike force “destroyed the gate to our compound with an explosive device. They killed one of my sons at the back of our home and took the other with them.... The forces accused us, ‘Why are you feeding the Taliban?’ But the Taliban come asking for food. If you don’t feed them, then they harass you.” In Paktia province in August 2019, a paramilitary unit killed eight men who were visiting their families for the Eid holidays and three others in the same village. Witnesses said none offered any resistance before being shot. The forces fatally shot a 60-year-old tribal elder in the eye and his nephew, a student in his 20s, in the mouth.

Afghan community elders, health workers, and others described abusive raids as having become a daily fact of life for many communities – with devastating consequences. One diplomat familiar with strike force operations referred to them as “death squads.”

Night raids have often been accompanied by airstrikes that have indiscriminately or disproportionately killed Afghan civilians. The dramatic increase in civilian casualties from US air operations over the past year may reflect changes to tactical directives eliminating measures that had formerly reduced civilian harm, including limitations on striking residential buildings. The US and Afghan governments have not adequately investigated alleged unlawful airstrikes in Afghanistan. In one case Human

Rights Watch investigated, an airstrike called in by strike forces in Nangarhar killed at least 13 civilian members of two families, including several children. “The US and Afghan governments should cooperate with independent investigations into these allegations,” Gossman said. “These are not isolated cases but illustrative of a larger pattern of serious laws-of-war violations – and even war crimes – by these paramilitary forces.”

During night raids on medical facilities, strike forces have assaulted and sometimes killed medical staff and civilian caregivers and damaged facilities. In July, a strike force unit raided a medical clinic in Wardak province, accused clinic staff of treating Taliban fighters, and killed two caregivers, a guard, and a clinic lab worker.

The laws of war protect patients, including wounded fighters, and all medical personnel from attack. While medical facilities can be searched to ensure they are genuinely providing medical services, it is unlawful to disrupt facility operations or confiscate medical equipment. Taliban forces have frequently committed laws-of-war violations and human rights abuses, including indiscriminate attacks that have killed and injured numerous civilians. However, Taliban atrocities never justify Afghan or US government violations.

The Afghan government should impartially investigate all allegations of abuse by Afghan security forces, prosecute those responsible for war crimes and serious abuses, and disband and disarm paramilitary forces operating outside normal chains of command. The US government should investigate any US personnel involved in these abuses, prosecute those responsible for war crimes, and cease supporting Afghan forces that have been responsible for serious violations.

“CIA-backed Afghan forces in case after case have disregarded protections to which civilians and detainees are entitled, and have committed war crimes,” Gossman said. “The US and Afghan governments should end this pathology and disband all irregular forces.”

Civilian Casualties Are Skyrocketing in Afghanistan. The CIA Is Partly to Blame (MotherJones) By Dan Spinelli
November 1, 2019

This week brought more grim news from the US war in Afghanistan, which is now in its 19th year.

The United Nations reported a 42 percent increase in civilian deaths in July-September compared to the same period in 2018. The NATO-led military coalition, which generally underestimates civilian harm relative to the UN, found a nearly-identical 39-percent increase for June-September. This stretch, documented in a filing published Wednesday by the special inspector general for Afghanistan reconstruction, covers key events such as the Afghan presidential election and the breakdown of peace negotiations between the Taliban and the United States. During that time, several horrific attacks linked to the Taliban and ISIS' Afghan offshoot took place at weddings, mosques, and other public venues.

The United States and its allies are hardly free from responsibility for the carnage. In July, a UN report said American-led forces and Afghan security officials were responsible for a majority of the civilian deaths in the country during the first six months of the year. On Thursday, Human Rights Watch unveiled evidence of atrocities by fighters aligned with the CIA, which has been training Afghan paramilitary units to fight terrorists for nearly two decades. The report identified 14 cases over the past two years in which “CIA-backed Afghan strike forces committed serious abuses, some amounting to war crimes.”

The intelligence community does not reveal the location or result of most of its raids, but reporting by HRW and news outlets like the Intercept have shed light on the gross overreach of CIA-backed operations. At a national security forum in October 2017, then-CIA director Mike Pompeo said that with President Donald Trump's support, he and the agency's leaders “were taking several steps to make CIA faster and more aggressive.” It quickly became clear what he meant. A New York Times story later that month reported that the CIA was “expanding its covert operations in Afghanistan” by sending agency personnel and contractors to help Afghan forces “hunt and kill Taliban militants across the country.”

A CIA spokesman told Reuters that the agency conducts its operations “in accordance with law and under a robust system of oversight.” But for months, the UN has flagged dangerous excesses by these CIA-backed groups. In its 2018 annual report, the UN Assistance Mission in Afghanistan warned of there being “no legal basis for the existence of the Khost Protection Force,” one such unit, adding that “Afghan authorities have not taken the necessary action to hold members of this group accountable with respect to allegations of excessive use of force, intentional killings, and other abuses that severely impact the human rights and the lives of Afghans.”

More troubling news arrived on Tuesday with the publication of a memoir by Guy Snodgrass, former aide to ex-Defense Secretary James Mattis. During an overseas trip with Mattis to the Middle East, Snodgrass writes, he was ordered to redo the Trump administration's Afghanistan strategy “in one day” after a first draft from the Pentagon's policy shop proved unsatisfactory. Despite not having participated in “any rollout or strategy planning meetings,” Snodgrass states that he

completed the task. Given the time constraints, he says he was forced to bypass the policy office, which was responsible for crafting the strategy in the first place.

None of this happens in a vacuum. As Snodgrass told me in an interview earlier this week, a “chaotic administration” produces an “incredibly dangerous” environment for national security policymaking.

“It’s not like there’s a well-thought-out strategy that’s simply being enacted as we go along,” he said.

How reassuring.

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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

KR Tribunal to Hear Muth Appeals (Phnompenhpost) By Mech Dara

October 27, 2019

The KRT will hear appeals against the dismissal and closing order delivered by the International Co-Investigating last year for Case 003 involving Meas Muth. Heng Chivoan.

The Pre-Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) will in late November hear appeals from the National Co-Prosecutor and Co-Lawyers, as well as from the International Co-Prosecutor in Case 003 against Meas Muth, a former Khmer Rouge naval commander.

The National Co-Prosecutor and Co-Lawyers are appealing against the closing order delivered by the International Co-Investigating Judge on November 18 last year.

The International Co-Prosecutor is appealing the order dismissing the case against Muth delivered by the National Co-Investigating Judge, also on November 18.

Both appeals were lodged on April 8 this year.

The ECCC, also known as the Khmer Rouge tribunal (KRT), said on Thursday that the chamber would hear arguments from the parties in Case 003 before it issued its decision on the appeals. The hearing would take place on November 27-29.

“The National Co-Prosecutor, the International Co-Prosecutor and the National and International Co-Lawyers for the charged person will be given the floor to present their arguments.

“The charged person, if present, shall be given the opportunity to make a personal statement at the end of the hearing. Once the hearing is concluded, the pre-trial chamber will adjourn to deliberate on its decision,” the tribunal said.

The Pre-Trial Chamber of the ECCC comprises three national and two international judges. As the appellate chamber, it can hear motions and appeals against orders and decisions issued by the co-investigating judges.

The hearing will be held in public for the introduction, the report on the case by the bench and the questions by the judges to the parties, the ECCC said. The rest of the hearing will be filmed.

“The Pre-Trial chamber of the ECCC is [to hear] the appeals lodged by the National Co-Prosecutor and the Co-Lawyers for Meas Muth on April 5 and April 8, respectively, against the closing order delivered by the International Co-Investigating Judge on November 28, 2018 in Case 003, and the appeal lodged by the International Co-Prosecutor on April 8 against the order dismissing the case against Meas Muth delivered by the National Co-Investigating Judge on November 28, 2018, in Case

003,” the ECCC said.

Youk Chhang, the director of the Documentation Centre of Cambodia, said the disagreements between the national and international judges stemmed from the interpretation of the law and the determining of evidence.

“If it looked at the legality and procedural evidence, it would not be difficult for the pre-trial chamber to make a judgement.

“We need to rely on evidence when making a decision. The provision of justice must be done absolutely based on legal and procedural principles,” Youk said.

Muth was charged with murder, crimes against humanity and war crimes and placed under judicial supervision in absentia on March 3, 2015.

The developments in Case 003 came two weeks after the KRT sentenced Nuon Chea and Khieu Samphan, former senior leaders of the Khmer Rouge, to life imprisonment for genocide and crimes against humanity in Case 002.

“The Co-Investigating Judges issued two separate closing orders . . . due to a disagreement about whether Meas Muth is subject to the ECCC’s personal jurisdiction as a senior leader or one of the persons most responsible for crimes committed during the period of Democratic Kampuchea.

“The National Co-Investigating Judge is of the view that Meas Muth does not fall under the ECCC’s personal jurisdiction under either category and dismisses the case against Meas Muth for that reason,” the tribunal said on November 28.

The National Co-Investigating Judge said that “based on available evidence, it is doubtful that Meas Muth was a deputy in the General Staff”.

“If this was true, he held such position only for a month before the fall of the Democratic Kampuchea regime in January 1979. He was not a member of the Central Committee, but merely an assistant member without the right to vote on important decisions.”

However, the summary of the International Co-Investigating Judge, stated: “The International Co-Investigating Judge found that the ECCC has personal jurisdiction over Meas Muth as one of the persons most responsible for the crimes committed during the regime of Democratic Kampuchea.”

It said Muth was “responsible for a number of crimes against humanity, war crimes, and domestic crimes . . . and organised and held oversight for worksites and security centres in Kampong Som [now Preah Sihanouk province]”.

Muth’s son Meas Pheak on Sunday said his father, who was living in Battambang province’s Samlot district, was experiencing bouts of ill-health due to his age.

“I don’t know [about the Khmer Rouge tribunal] because I live far away from him,” he said. “He is at home in Samlot district. He is old. Some days he is in good health; other days he is sick,” Pheak said.

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Bangladesh International Crimes Tribunal

Bangladesh Upholds Death Sentence To Top Jamaat Leader For War Crimes (NDTV)

October 31, 2019

The Supreme Court in Bangladesh on Thursday upheld the death sentence to top Jamaat-e-Islami leader ATM Azharul Islam for committing war crimes during the 1971 Liberation War by siding with Pakistani troops.

A four-member bench of the Appellate Division rejected Islam's appeal against the capital punishment handed down by a high powered tribunal.

"Rejected," pronounced Chief Justice Syed Mahmud Hossain as he read out the verdict summary of the top court bench.

On January 28, 2015, Islam filed his appeal challenging the International Crimes Tribunal (ICT) verdict that sentenced him to death for war crimes.

Earlier on June 18, the Appellate Division started hearing arguments on the appeal from both the state and the defence. The bench completed the hearing and deferred the matter as a Case Awaiting Verdict (CAV) on July 10.

Islam's case was the eighth one to reach the final verdict as Bangladesh's Awami League government of Prime Minister Sheikh Hasina initiated the process to expose to justice the suspected war criminals of 1971.

Six of the convicts were by now executed with five being leaders of Jamaat, which was opposed to Bangladesh's 1971 independence. The sixth was a leader of BNP of ex-prime minister Khaleda Zia, who is now serving a 10-year imprisonment on graft charges.

A former Jamaat assistant secretary-general, Islam was a top leader of notorious Al Badr militia force, manned mainly by the extreme right-wing party's youth and student wing siding with the Pakistani troops in 1971.

He was accused of presiding over the killing of over 1,400 people, rape of many women, abduction and torture.

The Tribunal sentenced him to death on December 30, 2014 for committing crimes against humanity while he subsequently challenged the verdict before the top court.

According to the legal provisions, Islam could now seek a review of the judgment by the Appellate Division itself, and if rejected, could beg presidential clemency.

President Abdul Hamid has binned such appeals in previous such cases involving the war crimes.

Islam was arrested from his Moghbazar home in Dhaka in 2012 on the war crimes charges and now languishes at the high-security Kashimpur Jail on the outskirts of the capital.

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War Crimes Investigation in Myanmar

New Amnesty Report Says Myanmar Military, EAOs Committing War Crimes in Shan (The Irrawaddy) By Skylar Lind
October 29, 2019

A new report by Amnesty International published Thursday alleges that the Myanmar military and ethnic armed groups are both committing what amount to war crimes amid the active conflict in northern Shan State.

The report gathers evidence of what Amnesty says are cases of arbitrary detention, torture, forced labor and targeting of civilian areas by the Myanmar military. It also includes evidence of similar abuses by ethnic armed groups, including "taxation" and extortion.

In the report, Amnesty calls for the UN Security Council to refer the conflict in Myanmar to the International Criminal Court in order to hold perpetrators in the Myanmar military accountable for past crimes and to prevent ongoing human rights violations from continuing.

"Those responsible for war crimes should face justice, all the way up to Senior General Min Aung Hlaing, the Myanmar military's Commander-in-Chief," said Amnesty International Director for East and Southeast Asia Nicholas Bequelin. "Fighters and commanders in ethnic armed groups should also be investigated and held accountable for war crimes."

One 35-year-old ethnic Kachin fisherman told researchers about an incident in March when Myanmar military soldiers

accused him of being a member of the Kachin Independence Army (KIA) and forced him to squat semi-naked while holding a grenade in his mouth. The soldiers asked if he was with the KIA and when he said no, “They started punching and kicking me. They forced me to take off my clothes [and] held a knife to my neck... They put a grenade in my mouth. I was afraid if I moved it would explode.”

A previous report from Amnesty in 2018 documented incriminating evidence of crimes against humanity that implicated 13 individuals in the Myanmar military, including senior leadership and generals.

The report is based on research trips to the area in March and August, including 88 interviews, and documents crimes against civilians from ethnic groups including Kachin Lisu, Shan and Ta’ang civilians.

Military spokesperson Brigadier General Zaw Min Tun refused to comment on the specific allegations of rights abuses.

“They are always accusing us. We have no comment in particular about this,” Brig-Gen Zaw Min Tun told The Irrawaddy. “We comply with rules of engagement in conducting operations.”

The brigadier general also said the report failed to acknowledge the military’s efforts to address human rights issues.

“We are educating military units on a large scale to comply with the laws of armed conflict and avoid human rights violations,” said Brig-Gen Zaw Min Tun. “We don’t forgive human rights violations. We take action and announce what actions are taken. They released [this report] one-sidedly, neglecting these facts. They are not impartial.”

Most of the alleged war crimes documented in the Amnesty report occurred while the military’s unilateral ceasefire, declared in December 2018, was still in place.

According to the report, “while there may have been a reduction of the number of clashes involving the military, Myanmar soldiers have continued to commit serious violations against ethnic minority civilians.”

The evidence in the report implicates the military’s Light Infantry Battalion 99 in war crimes, the same group that Amnesty and other groups have said is responsible for human rights violations in Shan, Kachin and Rakhine states. The UN Fact-Finding Mission and others have collected evidence implicating the battalion in crimes against the Rohingya.

In response to the new report, Brigadier General Tar Phone Kyaw of the Ta’ang National Liberation Army (TNLA), one of the ethnic armed groups implicated in the report, told the Irrawaddy that the Myanmar army has committed many human rights abuses in the Ta’ang area, including civilian killings, torture and forced portering.

“The Myanmar army has targeted civilians when they fire artillery. Their actions are war crimes,” he told The Irrawaddy. The brigadier general expressed support for the organization’s work to document rights abuses.

“Amnesty International should collect data on rights abuses in more detail in our area so they could have a complete report. There were a lot of human rights abuses in our region,” he said. “They also should talk to Arakanese people too to know about how the Myanmar army has violated human right in the Arakan region.”

The report also claims to document arbitrary detentions and torture committed by the Kachin Independence Army (KIA), the Shan State Army-North (SSA-N), the Shan State Army-South (SSA-S) and the TNLA.

Local residents told Amnesty researchers that ethnic armed groups extorted food and money from them and threatened them.

“From our side, some of our ground troops may have violated some human rights as during periods of fighting they have been worried for their security,” Brig-Gen Tar Phone Kyaw told The Irrawaddy. “We tried as best we could and told our ground forces not to violate human rights. We have a military code of conduct and all our soldiers have to respect it. We even told our soldiers not to ask for food from local people as we provide them with food.”

Amnesty reportedly reached out to the Myanmar government, the military and four ethnic armed groups for comment but none responded.

Myanmar Needs ‘Justice And Accountability’ For Abuses in Rakhine And Other Conflict Zones (Radio Free Asia) By Moe Myint
November 1, 2019

The United States supports accountability for human rights abuses committed by the Myanmar military against Rohingya Muslims and other minority groups during conflicts with ethnic armies, the U.S. ambassador to the Southeast Asian country told RFA on Thursday.

A military-led crackdown targeting the Rohingya in northern Rakhine state that began in 2017 left thousands dead and forced more than 740,000 others to flee to safety in Bangladesh. Armed conflicts in other far-flung regions of the country meanwhile have left scores of civilians dead and driven tens of thousands from their homes and into displacement camps.

Myanmar has largely denied responsibility for the campaign of violence in northern Rakhine, which included indiscriminate killings, mass rape, torture, and village burnings, and defended the actions of its military as a necessary counterinsurgency against Rohingya militants who attacked police outposts in the region.

“We support justice and accountability not only in Myanmar, but everywhere around the world,” U.S. Ambassador Scot Marciel told RFA’s Myanmar Service in an exclusive interview at the U.S. Embassy in Yangon. “And there has not been accountability and justice here for those human rights abuses.”

“There needs to be accountability, and there needs to be justice,” he said. “Soldiers or ethnic armed groups or anyone who commits human rights abuses, they have to face accountability. That’s really important, and ideally that comes from Myanmar. We’d really like to see accountability that is from Myanmar.”

An investigation by an independent fact-finding mission (FFM) appointed by the U.N. Human Rights Council found signs of genocidal intent in the 2017 military campaign, and the international body has pushed for top army brass to be prosecuted at the international Criminal Court for their roles in the atrocities, well-documented by the FFM and human rights groups.

The FFM has also urged the international community to cut off financial aid to Myanmar’s military.

In addition, the FFM has declared that hundreds of thousands of Rohingya still inside Myanmar continue to face systematic persecution and live under the threat of genocide.

Only a handful of soldiers have been prosecuted in Myanmar for their roles in the massacre, including 10 soldiers who were court-martialed for brutally killing Rohingya men and boys in Rakhine’s Inn Din village, though they were freed in November 2018 after serving less than one year of their 10-year prison terms.

Marciel stressed the need for accountability in bringing other war crime perpetrators to justice, but added that he’d like to see Myanmar in charge of the process.

“What we care about are the results, so that there is accountability, and there are different ways of bringing that about,” said Marciel, a veteran diplomat who has served as ambassador to Myanmar since 2016. “What we would prefer to see is a Myanmar domestic process that people who commit human rights [abuses] are held accountable.”

“So far, not only with Rakhine but elsewhere, people in the military who have carried out human rights abuses have not been held accountable,” he said. “That’s a problem for Myanmar. So, our hope will be that civilian authorities and the military would make a commitment to try to promote serious accountability — again, not to satisfy us, but to satisfy the people of this country.”

Marciel did not dismiss the option of using international accountability mechanisms, which he said would be the only alternative if there is no domestic accountability.

The U.S. has enacted sanctions against Myanmar military commanders, including armed forces chief Senior General Min Aung Hlaing, freezing their U.S. assets and prohibiting them from traveling to the country.

Marciel also noted significant economic reforms and continued growth in Myanmar in recent years, but lamented the country’s teetering peace process, saying it would take time.

The current civilian-led government under State Counselor Aung San Suu Kyi is trying to end decades of internal armed conflict by facilitating periodic talks among government negotiators, the military, and ethnic armies, but the process has stalled amid ongoing hostilities in Rakhine, Kachin, and northern Shan states.

Marciel also said that more work is needed to boost Myanmar’s transition to democracy.

“I got here a week before this current government took office, and it was good to see a democratically elected government,” Marciel said. “But there’s certainly more work to do to build a stronger democracy — full democracy in which all members of parliament are elected and in which the military is answerable to the civilian authorities.”

Aung San Suu Kyi’s ruling National League for Democracy (NLD) party, which won the country’s 2015 elections by a landslide after decades of army-backed rule, promised prior to the vote to amend the constitution in part to limit the political power of the military, which holds an automatic quarter of seats in the national and regional legislatures.

The government believes that reform of the existing constitution, drafted more than a decade ago by a former military junta that ruled the country, is necessary so that Myanmar can move closer to forming a federal democratic union.

Once in power, however, the NLD backed off from pursuing the issue so as not to damage its delicate power-sharing arrangement with the military.

The NLD took another shot at constitutional reform earlier this year when one of its lawmakers called for the formation of a parliamentary joint committee to propose democratic changes to the charter by abolishing or amending articles enshrining the power of the country's military in politics.

The committee, which includes lawmakers from all parties and the military, is still debating proposed amendments.

Marciel's comments came two days after Aung San Suu Kyi met with U.S. Assistant Secretary of State David Stilwell in Naypyidaw to discuss continued support for the country's democratic and economic transition as well as the plight of Rohingya Muslim refugees, the U.S. Embassy in Yangon said in a statement on social media.

The two also talked about working together to resolve the Rakhine crisis and addressing underlying grievances in conflict areas, as well as the benefits of responsible investment, the statement said.

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AMERICAS

North & Central America

'We're keeping the oil' in Syria, Trump says, but it's considered a war crime (MyCentralOregon.com)

October 28, 2019

After President Donald Trump said on Monday the U.S. will be "keeping the oil" in northeastern Syria, his administration is looking into the "specifics," according to a senior State Department official — but it's prompted renewed cries that doing so is a war crime.

Trump has a long history of calling for the U.S. to "take the oil" in the Middle East, in Iraq and Syria in particular. But any oil in both countries belongs to their governments, and according to U.S. law and treaties it has ratified, seizing it would be pillaging, a technical term for theft during wartime that is illegal under U.S. and international law.

"We're keeping the oil," Trump said Monday to a conference of police chiefs in Chicago. "I've always said that — keep the oil. We want to keep the oil, \$45 million a month. Keep the oil. We've secured the oil."

On Sunday, when detailing the U.S. special forces raid against ISIS leader Abu Bakr al-Baghdadi, Trump said U.S. troops would remain in Syria to secure "massive" oil reserves and even put up "a hell of a fight" against any force that tried to take them.

"We should be able to take some also, and what I intend to do, perhaps, is make a deal with an ExxonMobil or one of our great companies to go in there and do it properly," he added.

Defense Secretary Mark Esper confirmed Monday that U.S. troops will remain in the eastern Syrian province of Deir ez-Zor "to secure the oil fields" against ISIS. But the senior State Department official said the administration was "just beginning to look at the specifics of this," and downplayed a U.S. role in seizing any oil.

Instead, the official implied that the Syrian Democratic Forces, the majority-Kurdish forces that fought with the U.S. against

ISIS, would continue to extract and profit off the oil produced in the area.

“The SDF has been operating these oil fields for some time and has their own arrangements with various actors on who it gets sold to and such, and we haven’t been too involved in that,” the official said.

Most of that oil is sold to the regime of Bashar al-Assad, the strongman who has waged a war against his own people and is opposed by the U.S.

If U.S. troops or companies were to take any oil without Assad’s government’s permission, it would be considered pillaging, according to legal experts, because the land and its resources belong to Assad, who despite the eight-year civil war remains the country’s head of state.

Pillaging is illegal under international law, explicitly prohibited by the Fourth Geneva Convention, which the U.S. ratified as a treaty in 1955. The U.S. War Crimes Act of 1996 also made it punishable under U.S. law to commit a “grave breach” of any of the Geneva conventions “whether inside or outside the United States.”

These codifications were built on many previous legal prohibitions and military practices, from the charter of the Nuremberg trials that prosecuted the Nazis after World War II, to the Hague Convention of 1907 which was first proposed by President Theodore Roosevelt, all the way back to the 1863 Lieber Code. Commissioned and signed by President Abraham Lincoln, it governed the conduct of the Union Army in the field during the American Civil War and prohibited “all pillage or sacking, even after taking a place by main force,” punishable by death.

Although the U.S. is not a signatory to the Rome Statute that established the International Criminal Court in 1998, 122 other countries are and could extradite American officials if required to by the court — something the Trump administration has vociferously battled in a possible ICC investigation into war crimes by the U.S., the Taliban and other forces in Afghanistan.

Still, the senior State Department official said securing oil fields is simply part of U.S. forces’ fight against ISIS, not any U.S. effort to extract oil.

“It’s very important to keep that out of the hands of ISIS, given ISIS’s history of fueling and funding its caliphate with those oil fields,” they told reporters Monday, adding, “The revenues generated by that allow the SDF to operate as a security and governance entity in the northeast, which thus contributes to our platform of D(efeating) ISIS there.”

The administration has said those U.S. forces in northeastern Syria are there to combat the terror group ISIS — arguing that means their deployment is within the authorization for the use of military force, or AUMF, that Congress passed in 2001. That’s debatable, according to many Republicans and Democrats in Congress, as that law was passed specifically to counter al-Qaeda and those that aided it with the Sept. 11 attacks, but saying U.S. forces are now there to secure oil fields has raised greater alarm among lawmakers about the legality of their deployment.

In particular, Trump threatened to use military force to defend U.S. control of the oil fields, saying, “Either we’ll negotiate a deal with whoever is claiming it, if we think it’s fair, or we will militarily stop them very quickly.”

The Pentagon confirmed that U.S. forces would “respond with overwhelming military force against any group who threatens the safety of our forces there,” according to Esper, even if it were Assad or his backers Russia and Iran. But that kind of fight over oil fields would not be permitted under the AUMF, setting up at the very least a legal battle with Congress.

“Congress never authorized the troops in Syria in the first place, let alone troops to protect oil fields. This is unconstitutional,” tweeted Rep. Ro Khanna, D-Calif.

Beyond the legality, many critics have also said Trump’s initial decision to withdraw U.S. forces and abandon the SDF that lost 11,000 fighters as the de facto U.S. foot soldiers against ISIS, but now keep some hundreds of troops to guard oil further undermines America’s standing.

“We’ll betray an ally, but we’ll go back in to protect the oil? That sickens me, frankly, and I think as you can see from so many of the troops that have had to pull out and abandon their allies, they’re sickened by the president’s decision as well,” Rep. Adam Schiff, D-Calif., told ABC’s “This Week” on Sunday.

CIA-backed Afghan troops 'committed war crimes': report (BBC)

October 31, 2019

Afghan strike forces backed by the US Central Intelligence Agency (CIA) have committed abuses "amounting to war crimes", according to a new report.

Human Rights Watch (HRW) alleges the troops "committed summary executions and other grave abuses without

accountability".

These include extrajudicial killings, forced disappearances and attacks on healthcare facilities.

Afghanistan's government told the BBC the current situation was unacceptable.

Disputing the report, the CIA said its covert operations were carried out in "accordance with law and under a robust system of oversight".

Both the UN and the New York Times have previously highlighted allegations of abuses by Afghan strike teams.

This latest report comes after peace talks between the US and the Taliban collapsed in September.

'I found my house was rubble'

Two Afghan men from Maidan Wardak province spoke to the BBC about alleged US-backed raids on their home.

One man named Masihurahman said he lost 12 members of his family, including his wife, four daughters and three sons, when a "huge bomb" was dropped on his village.

"They martyred them all," he said. "When I returned, I found my house in rubble."

Another man, Wahidullah, said troops broke into his home and dragged him and his family out. He said they took them to the top of a mountain, where Americans "gave them the order" to carry out killings.

What does the HRW report say?

HRW's report is based on interviews with dozens of local residents and witnesses to raids throughout Afghanistan, as well as local human rights groups. In full, it is titled: "They've shot many like this: Abusive night raids by CIA-backed Afghan strike forces".

Seen by the BBC before its release on Thursday, the report documents 14 individual cases between late 2017 and mid-2019 in which CIA-backed Afghan strike forces allegedly committed abuses.

Forces conducted night raids, in which they dragged people out of their homes without prior warning. Among the allegations are claims they targeted medical staff who treated militants in contested or Taliban-controlled areas, and summarily executed or "forcibly disappeared" people in custody.

Moreover, the troops "seem to have unlawfully targeted civilians because of mistaken identity, poor intelligence, or political rivalries in the locality". Civilian casualties from these raids have dramatically increased in the past two years, the report says.

"They are illustrative of a larger pattern of serious laws-of-war violations - some amounting to war crimes - that extends to all provinces in Afghanistan where these paramilitary forces operate with impunity," it adds.

According to the report, the CIA has run counter-terrorism operations separate from the US military since 2001. It continues to recruit, arm, train and deploy paramilitary groups to tackle militants across the country, which one diplomat in the report referred to as "death squads".

Since 2017, the US authorised these groups to call in air strikes even without US forces present, which HRW says has led to more strikes on residential buildings.

HRW has called on the Afghan government to immediately disband all pro-government armed groups and strike forces, fully investigate the allegations, end attacks on medical facilities and provide compensation to civilian victims.

What response has there been?

A spokesman for the Afghan president, Ashraf Ghani, told the BBC the government was taking the allegations in the report seriously.

Separately, Afghanistan's Office of the National Security Council said the HRW report "reflected some realities", but stressed there was "some information that requires clarification".

"We are undertaking further reform initiatives to enable us to deal with these issues," the office said.

In a statement, the CIA rejected the HRW report, suggesting many of the allegations were "likely false or exaggerated".

"We neither condone nor would knowingly participate in illegal activities, and we continually work with our foreign partners to promote adherence to the law," the CIA said.

What other allegations are there?

The New York Times published a report on the alleged abuses of these strike forces in December 2018.

According to the article, these CIA-backed forces have worked "unconstrained by battlefield rules designed to protect civilians", which has undercut US attempts to strengthen Afghanistan's government and institutions.

One official quoted in the New York Times also "bluntly" accused the groups of war crimes.

In April 2019, the UN published a report showing for the first time civilian deaths by pro-government forces outstripping those by militants in the first quarter of the year.

Their report also highlights strike forces backed by "international military forces", reiterating its concern that these groups "appear to act with impunity, outside of the governmental chain of command".

What's the latest with peace talks?

Hundreds of thousands have died in Afghanistan since US-led forces toppled the Taliban government in 2001, including tens of thousands of civilians.

US President Donald Trump seemed close to a deal with the Taliban in September. But the president abruptly called off peace talks after the militants admitted killing a US soldier.

The Taliban told the BBC their "doors are open" should he wish to resume negotiations. The group has refused to hold talks with Afghanistan's government until a US deal is agreed, as they do not recognise its legitimacy.

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South America

Bolivia: 2 people killed in clashes in election dispute (SF Gate) By Carlos Valdez
October 31, 2019

At least two people were killed in clashes between supporters and opponents of Bolivian President Evo Morales over the disputed presidential election, authorities said Thursday.

Violence has escalated since Morales was declared the winner of the Oct. 20 vote amid delays in the vote count. The opposition alleges the outcome was rigged to give Morales enough of a majority to avoid a runoff election; the president denies any irregularities.

Protests erupted as the dispute intensified, injuring dozens of people and blocking some roads.

Health officials in Santa Cruz province said two people were fatally shot at around midnight Wednesday in the town of Montero, near the eastern city of Santa Cruz, an opposition stronghold. The government of Morales blamed the opposition led by former president Carlos Mesa.

"We've been saying that they wanted dead people," said Bolivian Interior Minister Carlos Romero. "Now, they've got their dead."

Late Thursday, young protesters clashed with police near the government palace in La Paz. Police tried to disperse the protesters with tear gas.

Suspicion of electoral fraud rose when officials abruptly stopped releasing results from the quick count of votes hours after polls closed. At that point, Morales was topping the eight other candidates, but also falling short of the percentage needed to avoid the first runoff in his nearly 14 years in power.

Morales says he won outright and has accused opponents of trying to overthrow Bolivia's rightful government.

The Organization of American States sent a team to Bolivia to begin an election audit Thursday, and results are expected in 10-12 days. Mesa, however, rejects the audit, saying it is a deal between the OAS and Morales that excludes the opposition.

Morales was elected in 2006 as Bolivia's first indigenous president. In previous elections, he coasted to victory, following a decade of a commodities-fed economic boom. But he has faced growing dissatisfaction, especially over his refusal to accept the results of a 2016 referendum to keep limits on presidential terms.

Colombia Acknowledges Eight Children Died in Military Attack (The Wall Street Journal) By Juan Forero
November 6, 2019

Eight children between 12 and 17 years of age were killed in August in a military aerial bombardment of a jungle camp operated by a drug trafficking group, Colombian officials confirmed on Wednesday.

Details emerged during a heated congressional hearing Tuesday during which Sen. Roy Barreras revealed the medical examiner's office's determination that children were among more than 15 people killed in the Aug. 29 bombing in southern Colombia. A forensics team had identified 15 of the dead. Two other bodies had not been identified.

Congressional opponents of President Iván Duque's government and its security policies harshly criticized Defense Minister Guillermo Botero for not having made public the deaths of children, even though their identities had been known since September. The opposition had called the hearing to secure enough votes to oust Mr. Botero from the ministry, citing rising violence in Colombia's countryside, including allegations of human-rights abuses by soldiers. A final vote comes next week.

"Minister, you hid this from Colombia," Sen. Barreras told Mr. Botero.

The minister has said that he did not know about the presence of children in the camp at the time of the attack but defended the strategy that was undertaken.

"Military operations are always developed in accordance with international standards," he said.

In Puerto Rico, a town not far from where the bombing took place, it was well known that the armed groups were recruiting minors. Herner Carreño, a town auditor, had written several letters since May to the army warning about the problem.

"It's their way of growing their numbers," he said by phone, describing the drug group's tactics. "The easiest way to do that is to recruit children, who are growing up in poverty. The only option the children have is to join the group."

The bombing took place just hours after two former Marxist rebel commanders, breaking with their comrades over a peace pact, called on their followers to take up arms against the state.

"The fight continues," one of the former commanders, Luciano Marin, who goes by Ivan Marquez, announced in a video. Authorities believed he and other so-called "dissident rebels" operated in the region where the camp was located.

Mr. Duque on Aug. 30 said he had authorized the attack on former guerrillas of the Revolutionary Armed Forces of Colombia, or FARC, who had continued their fight. He called the attack "strategic, meticulous, impeccable" and said that it had killed the leader of a group of "dissidents," Rogelio Bolívar Córdoba, better known by the nom de guerre Gildardo Cucho.

"That criminal was dedicated to narco-trafficking, kidnapping, intimidating social leaders," the president said.

Weeks later, in September, authorities determined that children had been in the camp, but the information wasn't publicly released. Guerrilla groups in Colombia have long been accused of forcibly recruiting children, as Mr. Botero's most influential defender, Sen. Álvaro Uribe, said in the Tuesday hearing.

"If there are children in a terrorists' camp, what are you supposed to think?" Mr. Uribe, a former president, said. "Did they get there, looking to play football, or were they recruited by the terrorists?"

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Venezuela

Human Rights Groups, Opposition Politicians Appalled as Venezuela Joins UN Human Rights Council (The Epoch Times) By Luke Taylor

October 20, 2019

International human rights watchdogs and members of Venezuela's political opposition are expressing indignation that Venezuela, widely denounced for committing grave human rights abuses, won a seat on the United Nations Human Rights Council last week.

Venezuela took one of two Latin American seats in the 47-member council, alongside Brazil, on Oct. 17.

As Venezuela has fallen into economic and political turmoil under Nicolas Maduro, human rights abuses have soared, according to international NGOs.

More than 4 million have fled the country because of widespread shortages of food and medicine, rolling blackouts, and indiscriminate violence.

To maintain order and crush political dissent as Maduro continues a drawn-out political battle with Juan Guaidó, the head of congress who is recognized by more than 50 countries as the nation's legitimate leader, Maduro's regime is accused of the most brutal of human rights abuses, including extrajudicial killings.

A report released in June by the United Nations' chief human rights official, Michelle Bachelet, concluded that the state was responsible for a "pattern of torture," as well as disappearances and sexual violence.

Police and security forces have killed almost 18,000 people in Venezuela in instances of alleged "resistance to authority" since 2016, according to Human Rights Watch (HRW). The advocacy group says special security forces are violently repressing political opposition in poor neighborhoods.

José Miguel Vivanco, director of HRW's Americas division, said that appointing Venezuela rather than Costa Rica is an "an insult to a body whose members are supposed to uphold the highest human rights standards."

HRW was among many human rights groups that were left shocked and enraged by Venezuela winning the seat.

"We are astonished. It is appalling that a state violating human rights, whose systematic exclusion policy has generated a complex humanitarian emergency, is elected to the U.N.'s Human Rights Council," said Rodolfo Montes de Oca, a lawyer at PROVEA, a leading Venezuelan rights group.

Some members of Guaidó's opposition weren't taken aback by the news, however, because of a number of past controversial appointments to the council.

"We are not surprised. This is not the first time that this has happened," said Manuela Bolivar, a member of Venezuela's congress. "But this is a serious warning: the U.N. needs a selection protocol."

Previous controversial appointments to the council include China, Cuba, Russia, and Saudi Arabia.

Venezuela begins a three-year term in January, along with 13 other newly appointed members of the 47-member body.

The appointment is a blow to the legitimacy of the international body, but also to the ongoing attempts by Juan Guaidó's opposition to remove Maduro from power, said Sergio Guzmán, director of Colombia Risk Analysis.

"Venezuela's victory suggests that the diplomatic efforts intent on cutting off Maduro are not having their intended effects," Guzmán said. "The U.N. Human Rights Council is largely symbolic, so this doesn't move the needle, but it gives Maduro greater gravitas at a time he desperately needs international recognition."

Guaidó invoked the constitution to declare himself interim president on Jan. 23, in place of Maduro, who is widely deemed to have won his presidential term fraudulently. Amid a wave of international support for the fresh-faced lawmaker—including

from the United States—Maduro clings to power.

Venezuela's infiltration of the UN Human Rights Council (The Hill) By Philippe Bolopion

October 26, 2019

It would be easy to give up on the United Nations Human Rights Council, as the Trump administration has done. Based in Geneva, the council is supposed to be a beacon for the world, a place where victims of human rights violations can look for abusive governments to be held to account. And yet, periodically, news breaks that a country with a particularly atrocious human rights record gained a seat on the UN body.

That happened earlier in October when Venezuela narrowly defeated Costa Rica for a seat on the council. This result would rightly horrify any casual observer. Venezuela is arguably facing the most dramatic human rights and humanitarian crisis in the Americas. Nicolás Maduro's government is responsible for a vicious crackdown on dissent, with torture and murder being used to silence opponents and critics. A largely self-inflicted humanitarian emergency has sent more than 4.5 million Venezuelans fleeing over the borders.

In a just world, Costa Rica, a country with a solid track record on human rights compliance, would have easily defeated Venezuela. But in the hallways of the UN General Assembly, where 193 governments, most of whom are not rights-respecting democracies, are used to playing politics and securing votes through backroom deals, Venezuela, which presides over the Non-Aligned Movement, still holds some sway.

Despite Costa Rica's 14-day lightning campaign for a council seat, Venezuela obtained 105 votes, the least of any of the new council members but just barely enough to secure a seat for three years. When the results were announced, timid applause broke out in a corner of the General Assembly — an obscene display of enthusiasm for anyone who believes in human rights and a slap in the face for the Maduro government's victims.

It was not supposed to be like this. The UN Human Rights Council was created 13 years ago to replace the discredited Human Rights Commission. Standards were required of new members. The improved Human Rights Council has done pretty well, deploying commissions of inquiry to Syria, Myanmar, North Korea, South Sudan and Yemen, and forcing the world to open its eyes to some of the worst human rights crises.

Just last month, the council voted to open an investigation into killings and disappearances in Venezuela. Venezuela's election will not change that.

In part because of the body's effectiveness, countries with dubious rights records have sought seats on the council, often benefitting from an unwillingness of regional blocs to encourage/permit competition for available seats. Among its current members are China, which has detained over a million Uighurs and other Turkic Muslims in reeducation camps; Saudi Arabia, which carries out arbitrary detentions at home and commits war crimes in Yemen; Cuba, which represses and punishes dissent and criticism; and the Philippines, whose president has led a murderous "war on drugs."

The presence of serial rights abusers on the council was cited by the Trump administration to justify its decision to withdraw its membership last year. In truth, the U.S. had done little to prevent problematic allies, such as Saudi Arabia, from being elected to the council.

But regardless of political agendas, critics are right to point out that the election of serious rights abusers undermines the council's credibility. Countries such as Venezuela, China or Saudi Arabia want a seat at the table mostly to prevent criticism of their own records, or that of their allies.

Does it mean that the baby should be thrown out with the bathwater? Has the Human Rights Council undermined its ability to promote human rights around the world? Far from it. In a world beset by human rights violations, with authoritarian populist movements on the rise and armed conflicts raging around the world, the Human Rights Council is one of the few remaining places where independent investigations can be mandated and where victims of rights abuses can be heard. And unlike the UN Security Council in New York, where Russia or the U.S. can block resolutions on Syria or Israel, no one has a veto.

It would be naïve, and even counterproductive, to insist that all Human Rights Council members should have glittering human rights records. A club of well-meaning democracies speaking only to one another would have little impact on the rest of the world. Countries that face serious human rights challenges but are willing to cooperate with UN treaty bodies and rights experts belong in Geneva.

Unlike most UN bodies, the Human Rights Council has recommended membership criteria, including to "uphold the highest standards in the promotion and protection of human rights." Those responsible for widespread or systematic abuses and those

that repeatedly refuse to cooperate with UN mechanisms and seek access only to block scrutiny and criticism should not have council membership. UN General Assembly members committed to human rights need to cooperate to block the worst offenders, to ensure one of the few institutions able to advance global rights can maintain, and even extend, its credibility. The world cannot afford otherwise.

U.S. Considers Targeting Spain in Latest Push Against Maduro Regime (Bloomberg) By Ben Bartenstein
October 31, 2019

Officials in the Trump administration are pushing for financial sanctions against Spain for what they say is its financial support of Nicolas Maduro's regime in Venezuela, according to people familiar with the matter.

The U.S. Treasury Department is considering sanctions against Spain's central bank and measures against other entities where Venezuelan money is parked, the people said, without offering details. They said no action is expected before Spain's Nov. 10 general election.

Spain, where several thousand U.S. troops are based, has been a partner to Washington in the war on terror and other global endeavors. The prospect of targeting a historic ally rankles some in the U.S. administration who oppose the move and cast doubt on its likelihood. The people said that Spanish officials have been warned about the potential action.

That may be the point of the talk: to send a message and spur a shift in Spanish policy at a time when Caracas has to rely mostly on China and Russia to skirt U.S. sanctions. Or the deliberations may show how far the Trump administration is willing to go to topple Maduro. Spain's central bank has remained an intermediary for Caracas as the sanctions led many financial institutions to shun deals with the socialist government.

Freeze Assets

Spanish officials said that during a recent hour-long meeting in Madrid with Elliott Abrams, the U.S. special representative for Venezuela, there was no mention of sanctions. Abrams did say that the government needs to do more about Venezuelan money coming into Spain and pushed Madrid to freeze Venezuelan assets. The Spaniards replied that private banks and the central bank are monitoring for money laundering but aren't going to freeze assets without evidence.

Earlier, Abrams accused Spain of allowing members of the Maduro regime to shelter funds and family members.

Spain hasn't received notification of any action by the U.S. government and doesn't believe it would be justified, a spokesman for the foreign ministry in Madrid said. The Bank of Spain declined to comment; a U.S. Treasury spokesman declined to comment. The people who spoke anonymously did so because the discussions are confidential and ongoing.

One senior U.S. official pushing for the action said Madrid deserves as much blame for aiding and abetting the Maduro regime as Russia and China. Those in favor of the move argue that acting Prime Minister Pedro Sanchez's government is preventing the European Union from taking more punitive measures against Maduro. There's also frustration over Madrid's rejection of U.S. requests to extradite former Venezuelan spy Hugo Carvajal to stand trial on drug-trafficking charges as well as Spain's place as a destination for Venezuelans who got wealthy by looting the nation's state-run companies.

Oil Revenue

Vast amounts of oil revenue are estimated to have been siphoned off from Petroleos de Venezuela and parked abroad, including in Spain. Last year, Spanish prosecutors arrested a former Venezuelan minister and seized more than 100 properties from a suspected money-laundering ring, according to El Pais newspaper.

But other U.S. officials argue that Spain followed their lead in recognizing National Assembly President Juan Guaido as the nation's rightful leader and demonstrated goodwill by granting refuge to opposition leader Leopoldo Lopez at its ambassador's residence in Caracas after a failed April 30 revolt.

Meanwhile, in Caracas, Venezuelan central bank officials have been telling contractors that going through the Bank of Spain is an option to make and receive payments outside the country, while warning the funds may take additional time to clear due to increased scrutiny. When one British financier who's been pitching Venezuela's central bank on long-shot ways to raise funds asked how he would get paid, the officials suggested sending the money through Spain's central bank, according to people familiar with the matter.

The Spanish central bank has said in the past that the amount of money in Venezuela's account is small and that there hasn't been a significant change in activity in recent years. The transactions are limited mainly to transfers by multilateral organizations to get funds to their representatives in Venezuela, the Bank of Spain said.

Tensions With Washington

Tensions between Madrid and Washington rose in February when Spanish Foreign Minister Josep Borrell said Maduro looked even stronger just weeks after Spain joined the U.S. in recognizing Guaido. Borrell also bristled at President Donald Trump's unilateral decision to withdraw American troops from Syria. To the frustration of some U.S. officials, the Spanish government still maintains normal relations with Maduro and his allies.

The Bank of Spain's continued relationship with Venezuela comes at a critical juncture for Maduro as financial institutions including Turkey's state-run Ziraat Bank have stopped offering their services to move money. Some Venezuelan accounts in Asia have been frozen or discontinued as well.

Spain has its own political uncertainty. Polls suggest Sanchez will win the nation's fourth election in as many years on Nov. 10 yet again come nowhere near earning an outright majority. Even if he can find a partner to back him in a confidence vote, he could be forced into another ballot as soon as legislative politics get choppy.

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TOPICS

Truth and Reconciliation Commission

Trudeau says he wants to ensure 'reconciliation isn't just a word' (Canada's National Observer) By Carl Meyer
October 24, 2019

When Perry Bellegarde stood with Justin Trudeau in 2015 in the early days of the Liberals' first term, he described reconciliation as "a new word that everybody's talking about."

On Wednesday, speaking to reporters for the first time since being re-elected, the prime minister mentioned he had spoken once again with the Assembly of First Nations leader — and then gave a faint echo of those words from four years ago.

"We will continue to engage with Indigenous leadership across the country, Indigenous communities, strong voices to ensure that reconciliation isn't just a word that we use," Trudeau said at his press conference in Ottawa.

The subtle reframing of reconciliation from "a new word" to not "just a word" illustrates the challenge facing Trudeau when it comes to Inuit, Métis and First Nations rights, as he prepares to welcome a new cabinet on Nov. 20 and begins the difficult task of governing with a minority Parliament.

The Liberals point to their record of ending long-term boil water advisories, major investments in Indigenous youth, bills protecting Indigenous languages and child welfare, an Inuit apology and Chief Poundmaker exoneration, and the implementation of some Truth and Reconciliation Commission (TRC) recommendations, among other accomplishments.

Bellegarde himself said this week that the government had accomplished more for Indigenous rights than any other in its first term. "I think there's going to be more pressure on Prime Minister Trudeau to make Canada work, so it works for everybody, including First Nations people," he told the Globe and Mail.

Still, the disillusionment felt by many was thrown into stark relief during the election campaign when it was announced that the government would challenge a human rights ruling to compensate First Nations children who were horrifically taken from their homes as part of the on-reserve child welfare system.

While Trudeau has said he agrees with the ruling and is committed to finding a solution, the decision rang similar to the Liberals' stalled progress on an Indigenous rights framework, or Canada's failure to fulfill its legal duty to properly consult

First Nations over the Trans Mountain oil pipeline.

Indigenous women and girls also continue to be murdered and disappeared at astonishingly high rates, despite the finding by a national inquiry that violence against them and two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual people “amounts to a race-based genocide.”

"I've heard the critiques that we need to be doing more, and I agree with them," Trudeau said when National Observer asked what it meant to him that reconciliation shouldn't be just a word.

"I am impatient as well about closing the gaps, about moving forward on economic opportunities, on better support and Indigenous-led systems of support for their communities," he added.

“We have moved forward in a meaningful way on a broad range of issues and local successes across the country on reconciliation, but there is much more to do...that is going to be my focus on Indigenous relations because no relationship is more important to me than the one with Canada's Indigenous peoples.”

Throughout his remarks, the prime minister sought to emphasize two priorities: “the fight against climate change and affordability.” He repeated those two elements several times in his answers to various questions.

Trudeau also discussed how he would address the fact that the Liberals were shut out of Alberta and Saskatchewan this election.

He said it was “extremely important that the government works for all Canadians” and he would be reaching out “specifically to Westerners to hear from them.”

Alberta Premier Jason Kenney and Saskatchewan Premier Scott Moe both released open letters to Trudeau following his election. The letters contained various demands: Kenney wants to see an energy corridor built across the country; while Moe called for a “new deal” including scrapping the carbon pollution pricing regime that Trudeau put in place.

“I spoke with both premiers of Alberta and Saskatchewan yesterday, but I'm also speaking with people like (Calgary) Mayor Naheed Nenshi and others to talk about how we can make sure that the concerns, the very real concerns of Albertans are being addressed and reflected by, by this government,” Trudeau said.

“This is something that I take very seriously as a responsibility to ensure that we are moving forward in ways that benefit all Canadians, and I will be listening and working with a broad range of people to ensure that that happens.”

Trudeau also recommitted to building the Trans Mountain pipeline expansion. The pipeline system is now owned and operated by the government. “Getting our resources to markets other than the United States and getting that done as quickly as possible remains a priority for us,” he said.

And he ruled out either a “formal” or “informal” coalition with other political parties to pass legislation in Parliament, saying instead he would sit down with party leaders and talk about “priorities.”

Ex-beauty queen accuses former Gambia president of rape (Yahoo News) October 31, 2019 <https://news.yahoo.com/ex-beauty-queen-accuses-former-gambia-president-rape-221651248.html>

A Gambian former beauty queen on Thursday accused former President Yahya Jammeh of raping her to punish her for rejecting his marriage proposal, in evidence to the country's truth and reconciliation commission.

"What he wanted to do was to teach me a lesson, what he wanted to do is manifest his ego," Fatou Jallow said.

"There were words like 'who do you think you are?', that he is the president and that he gets any woman that he wants," Jallow told Gambia's Truth, Reconciliation and Reparations Commission (TRRC).

Jammeh fled the country in January 2017 after losing presidential elections and initially refusing to step down.

He had come to power in a bloodless coup in July 1994 and was repeatedly re-elected in disputed circumstances until being defeated in December 2016 by the relatively unknown Adama Barrow.

After other West African states intervened, he fled into exile in the central African state of Equatorial Guinea.

The TRRC was set up to review abuses under Jammeh.

Former President Michel expected to speak to Seychelles' truth and reconciliation commission(Seychelles

News Agency) By Patsy Athanase
November 4, 2019

A former President of Seychelles, James Michel, has indicated that he will testify before the Truth, Reconciliation and National Unity Commission, via video link on Tuesday this week, the chairperson of the Commission said.

Gabrielle McIntyre told SNA through email that Michel's office had informed the Commission that arrangements were being made for the former president to appear before the commission via video link. Michel is presently in Abu Dhabi for personal reasons.

"The commission was delighted that Mr. Michel has agreed to participate in the truth and reconciliation process and he should be encouraged and supported to do so," said McIntyre.

The Truth, Reconciliation and National Unity Commission, which is investigating violations of human rights and other abuses leading up to the 1977 coup d'état in Seychelles, had invited Michel to testify last month.

McIntyre had previously confirmed that a first letter was sent on August 12 inviting Michel to come forward and tell his side on the events of the coup, specifically in the death of Davidson Chang Him, who was shot dead at the police headquarters in Victoria on June 5, 1977.

The Commission had said that Michel declined the invitation on the basis that he was not an eyewitness to the shooting of Davidson Chang Him.

Two subsequent letters were sent to Michel to give evidence about circumstances that led to the shooting and the coup d'état in general. The Commission said both letters went unanswered.

However, Michel's lawyer, Basil Hoareau, denied ever receiving these two letters.

McIntyre maintained that the letters were delivered to Michel's headquarters at Espace Building in Victoria.

"The additional two letters were delivered by hand to the James Michel Foundation and signed for," she told SNA.

Michel's office confirmed that he travels between Seychelles and Abu Dhabi for personal reasons.

McIntyre told SNA that "Michel did not report to the Commission while in Seychelles."

The Truth, Reconciliation and National Unity Commission will hold its third sessions if hearings from November 4 for 10 days.

The commission will be filing complaints for six months, a process that started in August. To date over 100 cases have been lodged to the commissioners.

The truth and reconciliation process will be carried out in Seychelles, a group of 115 islands in the western Indian Ocean, for three years.

Former president tells Seychelles' truth and reconciliation commission that 1977 coup was necessary for social justice (Seychelles News Agency) By Patsy Athanase

November 5, 2019

Former president James Michel said the coup d'état of June 5, 1977 was necessary to bring about a radical change in Seychelles and social justice for all.

Michel made the statement before the Truth, Reconciliation and National Unity Commission on Tuesday morning in a testimony via video link from Abu Dhabi.

He had been invited to shed light on events leading up to the coup, what happened on that day itself and its aftermath.

In a statement read prior to answering questions from the commissioners, Michel said he decided to come forward on his own free will, has not been coerced to appear before the commission and had no hidden agenda. He said he was overseas for personal commitments but since he did not wish to delay the commission's proceedings, had opted for the teleconference.

"I am not afraid of the truth and I have nothing to hide despite the lies and rumours to the contrary on social media," said Michel.

On the outset he invited anyone who wanted to know his account of the coup d'état to read his book, 'Distant Horizons', where he has documented his experiences concerning the coup.

Michel confirmed that his main role on June 5 was to relay information from former President Albert Rene - who was the commander in charge - to the two groups involved in operations.

"I was in charge of communications and I had only a walkie-talkie to do this. I didn't have any guns. The gun seen in my possession in some photos taken on that day was from the police armoury," said Michel.

He told the Commission that only a handful of people had knowledge of the coup and some found out about the coup on the day itself.

"Rene was an expert strategist and powerful leader who ensured that each member of the team knew only what they needed to know and at the appropriate time as well. When the time arrived for the coup, we were all brought together for the execution of the plan," he said.

Michel also informed the Commission than only a handful of men were trained for the operation.

"I believe there were a few, maybe four people, were trained. In my case, I was shown how to assemble and disassemble a gun during a trip to Tanzania. I also explained in my book that exercises were done on Ile Du Souette where the targets were rabbits. One was even offered to President James Mancham when he enquired about the shooting," said Michel.

The former president was also asked to authenticate a speech allegedly delivered by Rene on the eve of the coup where he informed the men about the coup and the first plan to seize the armoury at the police stations.

An excerpt of the speech was played before the commission and Michel confirmed that the content of the tape was what was said by Rene on the eve of June 5.

Michel was also asked about the deaths of several individuals who were killed prior and during the coup, and during the one-party system that ensued from June 5, 1977 and for the next 16 years.

He told the Commission he had no knowledge about how the men died and he was not involved with the enquiries into their deaths as at the time he was not the minister for internal affairs or in charge of the police.

With regard to the death of Democratic Party activist Davidson Chang Him, who was shot dead at the Central Police station in the afternoon of June 5, Michel said he did not witness the incident.

"In the afternoon I was given a gun and was asked to secure the port and airport, as well as to patrol the south region of the main island Mahe. So I was not at the police station when he was shot," said Michel.

He described Chang Him's death and two other deaths on the day – that of Berard Jeannie and Francis Rachel - as "tragic and regrettable".

"I knew Jeannie personally as his family lived next to mine at Anse Boileau, and in the army, I was the political education officer so I was the one who personally recruited Francis Rachel. So their deaths were tragic and regrettable," he added.

Michel also maintains that the coup d'état was justifiable as it was needed to bring about a radical change in the country following independence where the status quo remained.

"It is as a result of the coup that today we have equality in opportunities for all, a person can have his or her own home and property, access to education and health for all. It is because of the coup that a class system was banned. So I believe this radical change was necessary," said Michel.

The Truth, Reconciliation and National Unity Commission says it plans to invite Michel at a later date to answer questions about security and intelligence in the country after the coup following many complaints of abuse by the military.

The Commission is listening to complaints and grievances related to the coup d'état and has a three-year mandate.

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Terrorism

The 40th Anniversary Of The Greensboro Massacre (WUNC) By Amanda Magnus and Frank Stasio
November 5, 2019

On Nov. 3, 1979, a caravan of Ku Klux Klansmen and American Nazi Party members pulled out weapons and killed five people protesting at an anti-Klan march in Greensboro. Ten people were injured, and the police were nowhere to be found. The Greensboro Massacre was quickly buried in the national news cycle after the Iran hostage crisis began the next day — but it remains a painful moment in the city's history.

The Greensboro Pulpit Forum, one of the city's oldest ministerial alliances, is asking elected officials to revisit what happened and provide an apology "of substance." Two years ago the Greensboro City Council issued a broad apology for the city's role in the tragedy, but many feel that local government has not done enough.

More than a decade earlier, citizens and activists — without the support of the Greensboro mayor or the city council — organized the Greensboro Truth and Reconciliation Commission to try to reveal what really happened. Independent commissioners heard testimony from about 200 people involved in the attack and released a report in 2006.

Host Frank Stasio talks to several guests about the massacre and how they want it to be remembered. Rev. Nelson Johnson is a massacre survivor and one of those who helped to coordinate the Greensboro Truth and Reconciliation Commission. He is the executive director of the Beloved Community Center in Greensboro and a member of the Greensboro Pulpit Forum. He shares why the ministerial organization wants the city to re-open conversations about the tragedy.

Spoma Jovanovic is a professor of communications at the University of North Carolina at Greensboro; a 2019-2020 Fellow at the National Center for Free Speech and Civic Engagement; and the author of "Democracy, Dialogue, And Community Action: Truth and Reconciliation in Greensboro" (University of Arkansas Press/2012). She joins Stasio to talk about the historic Greensboro Truth and Reconciliation Commission.

And Valerie Ann Johnson is the Mott Distinguished Professor of Women's Studies and Director of Africana Women's Studies at Bennett College. She talks about how the issues laid bare 40 years ago are still very timely today — and about how this anniversary can be an opportunity to start addressing them.

Reverend Johnson on how the fighting began:

I saw the Confederate license plate and recognized it ... And there was a young person that I later learned was named Buck, who was sitting on the passenger's side. He fired a pistol in the air out of the window. All of this nonsense about who fired the first shot is just nonsense. I saw who fired the first shot. And people ran away from it. And people jumped out of their vehicles, and a tussle started.

Spoma Jovanovic on what was revealed as part of the truth and reconciliation process:

Stories were able to be told sometimes for the first time. There's certainly the survivors whose stories had been picked apart and chopped and used in ways that didn't have the full context. But also there were people in Morningside Homes that had suffered and had never been able to tell their stories out of fear, out of retaliation, out of, also, people not even asking them. So I think all of those came out and started to paint a much larger portrait of what had happened, at least for most people in terms of their understanding.

Valerie Ann Johnson on why it seems some people don't want to hear the full story of the Greensboro Massacre:

[It could] be the financial concerns that many times municipalities have when they don't take responsibility for something. Will we be sued? What's going to happen financially because we've said and admitted something ... There are people invested in a particular vision of what Greensboro is and was. And the reluctance to go forward is the reluctance to admit: No, it wasn't all that we promote in our various ways. And that resistant component is really difficult to crack.

Terrorism Financing Charge Upheld Against French Company Lafarge (New York Times) By Liz Alderman
November 7, 2019

A French court on Thursday upheld preliminary criminal charges against one of France's biggest companies over allegations that it financed the Islamic State and other armed groups in Syria, while putting the lives of its employees there in danger.

In its ruling, the Court of Appeal in Paris also said the company, the multinational cement maker Lafarge, had violated international embargoes as it sought to maintain business in Syria despite a civil war.

But the court rejected a separate, more serious charge that the company was complicit in crimes against humanity after former employees accused Lafarge of abetting terrorist groups operating in the region by funneling financing to them.

The ruling paves the way for a possible future trial over the other charges, which are part of an investigation by the French authorities and were brought last year against Lafarge as well as six former executives, including its former chief executive Bruno Lafont.

The case is the first in France to have led to a criminal inquiry into a company's liability for its activities abroad.

The Lafarge plant, on Syria's northern border with Turkey, was shut down after the Islamic State, known as ISIS, attacked it in 2014 as employees fled the factory. It was subsequently converted into a strategic base for the United States military until President Trump withdrew American forces from Syria last month.

"It's an example to multinationals that might feel encouraged not to act legally responsible for the human rights of its employees in other countries," said Marie-Laure Guislain, the head of litigation at Sherpa, a French organization that pursues human rights abuses by corporations. Sherpa filed a lawsuit in 2016 on behalf of the former Lafarge employees in Syria.

Ms. Guislain added that the group would appeal the decision to drop the war crimes charge.

Lafarge, which merged with the Swiss cement giant Holcim in 2015, has acknowledged "unacceptable errors committed in Syria" and that supervisors at its headquarters in Paris and in Syria failed to identify breaches of company rules at the Syrian subsidiary. But it has insisted that the company as a whole is not liable.

"The court has come to the same conclusion as us, that there are no elements to charge Lafarge" for crimes against humanity, Christophe Ingrain and Remi Lorrain, lawyers for Lafarge, said in a statement. Lafarge "must be exonerated for other offenses alleged against it," they added.

The case could take months or even years to go to trial. All of the former Lafarge executives have denied the charges against them. If prosecuted, the executives could face penalties of up to 10 years in jail as well as fines.

It has riveted attention in France, where Lafarge has long been considered a corporate icon with international clout. Mr. Lafont's successor as chief executive, Eric Olsen, resigned in 2017 after an internal inquiry, although Lafarge concluded that he was not responsible for, or aware of, the activity.

In the lawsuit, nearly a dozen former Syrian employees claimed that the company had ignored the risks they faced and pressured them to keep working while war bore down. They alleged that the company had put them in danger in part by making them pass through checkpoints held by ISIS and a rotating cast of other armed militants from 2011 to 2014, and by asking them to keep the plant running even as ISIS increased its deadly presence in the region.

According to French court documents reviewed by The New York Times as well as interviews with former employees, Lafarge is accused of funneling money to intermediaries who conducted negotiations with the Islamic State, as well as Al Qaeda's affiliate in Syria and other armed factions, in order to move supplies and employees through dangerous areas and to secure raw materials.

All told, Lafarge agents paid more than \$5 million to armed groups, according to the documents, which included statements to investigators by former Lafarge officials, testimony and witness accounts of former employees, company correspondence, and a confidential internal review of Lafarge's Syria operations by the global law firm Baker McKenzie.

The investigation underscores the costs and complexity of doing business in war-torn regions, especially by companies in the energy and industrial sectors.

It is rare for international companies to face charges for crimes against humanity. Of a handful of cases brought in the past, most have been abandoned. Among them was a 2008 lawsuit brought by Burmese refugees against the French oil giant Total, which accused the company of providing support and financing to the Burmese junta that was accused of engaging in forced labor, executions and torture. The case, brought in a Belgian court, was dismissed.

Genocide Network meeting held at Eurojust (Eurojust)

November 7, 2019

Suspects of terrorist activities, such as returning foreign terrorist fighters (FTFs), can receive higher sentences if charges of terrorism are combined with acts of war

crimes, crimes against humanity, genocide or other offences. To prosecute for all acts committed and achieve an accumulation of charges at national level, better cooperation and coordination between prosecutors with different competences is desirable. Currently, the prosecution of war criminals and terrorists in EU Member States can fall under the responsibility of various prosecutors. The accumulation of charges in this area was for the first time discussed by prosecutors during the 27th meeting of the Network for investigation and prosecution of genocide, crimes against humanity and war crimes (EU Genocide Network), held at Eurojust in The Hague on 6 and 7 November.

Eurojust's President, Mr Ladislav Hamran, said: 'The fight against terrorism is one of the main priorities for Eurojust. If a suspect is not only indicted for terrorist offences, but also tried for active involvement in war crimes or trafficking in human beings, the sentence can be higher, leading to more justice for victims and their loved ones. If we want justice done, we need optimal national coordination among prosecutors competent for different crime areas. Prosecutors need access to all sources of evidence, including evidence collected by UN bodies, military forces in the battlefield, non-governmental organisations and other partners.'

Finnish State Prosecutor, Mr Tom Laitinen, Chair of today's meeting, said: 'Many countries are struggling to find a way to bring to justice the perpetrators of horrendous crimes committed across the globe. In this struggle, it is important to think "outside the box". We have to be inventive and find new ways to ensure that justice is done, not forgetting the rule of law. The discussions during today's meeting show that much is already being accomplished, and that there is a common ambition and will to hold the perpetrators of these crimes responsible for their actions. This is a good basis for all the work that lies ahead.'

The meeting of the Genocide Network focused on existing jurisprudence in various EU countries and different judicial practices to see how cooperation and exchange of information could ensure criminal responsibility of perpetrators by an effective accumulation of charges. Terrorist groups can also commit war crimes and other crimes during an armed conflict. Suspects charged with terrorism are often also involved in other criminal offences, such as money laundering, trafficking in human beings, slavery or rape. Interaction between different sets of law is required to lead to a more effective charging of suspects. To avoid prosecuting just one angle, different public prosecution offices need to coordinate to reach cumulative prosecution for war crimes, other crimes and terrorism offences.

With an increase in the number of FTFs who might return to EU countries, we need to use this approach and prosecute for all criminal acts committed to ensure their criminal responsibility, thus bringing justice to victims and reach a higher level of sentencing.

A high-level delegation from the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD), UN IIIM, ICC, as well as representatives from Member States, Europol, the academic world, civil society and non-governmental organisations (NGOs) and prosecutors participated in the meeting.

The Genocide Network provides a forum for practitioners to exchange information on ongoing cases and share expertise and best practice for the investigation and prosecution of perpetrators of core international crimes. The Genocide Network is also dedicated to raising awareness of the crimes of genocide, crimes against humanity and war crimes, thus demonstrating the EU's commitment to fighting impunity of suspected war criminals.

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Piracy

Coast guard base in Sibutu to help deter piracy, terrorism (Inquirer.net) By Frances Mangosing
October 25, 2019

A coast guard station that will soon rise in Sibutu, Tawi-Tawi will boost the government's campaign against terrorism and piracy in southern Philippines.

Western Mindanao Command chief Lt. Gen. Cirilito Sobejana visited the ongoing construction of a Philippine Coast Guard (PCG) substation in Sibutu last Wednesday as he checked the security situation in Tawi-Tawi.

"The proposed PCG Substation in the coastal area of Sibutu will help us deter local terrorists and pirates from creating fear

among the local fisherfolk," Sobejana said.

The substation is seen to boost the maritime domain awareness and ensure freedom of navigation. The vast waters around Mindanao have been a hotspot for piracy and kidnappings. A security and economic dialogue was also held with local government officials of Sintangkai town during Sobejana's visit.

Pirates kidnap nine crew members from cargo ship off coast of Benin (CNN) By Mitchell McCluskey and Ralph Ellis

November 3, 2019

Pirates boarded a shipping vessel and kidnapped nine crew members off the coast of Benin in West Africa early Saturday morning, according to J.J. Ugland, the Norwegian shipping company which owns the vessel.

The ship, named the MV Bonita, was anchored and awaiting berth at the Cotonou port to discharge a shipment of gypsum when the pirates boarded, J.J. Ugland said in a statement Sunday.

The remaining crew members contacted local authorities. The MV Bonita docked at the port later that day.

An emergency response team from J.J. Ugland is working with authorities on the case. A report released in July from the International Maritime Bureau (IMB), a nonprofit devoted to fighting maritime crime, has called the Gulf of Guinea a "world piracy hotspot," saying that the "seas around West Africa remain the world's most dangerous for piracy."

The report said 73% of all kidnappings at sea and 92% of hostage-takings took place in the Gulf of Guinea -- off the coasts of Nigeria, Guinea, Togo, Benin and Cameroon -- from January to June this year.

Pirates kidnap crew of two European-flagged ships in Gulf of Guinea By Rachael Kennedy

November 4, 2019

Pirates operating in the Gulf of Guinea have kidnapped a total of 13 people on two European-flagged ships in the last three days.

Four crew members on a Greek oil tanker were kidnapped after pirates boarded the boat off the coast of Togo on Monday morning, while eight people were kidnapped from a Norwegian cargo boat during a similar incident off the coast of neighbouring Benin on Saturday.

The four kidnapped crew on the Greek ship consist of two Philippine nationals, one Greek and one Georgian, the Togolese navy said.

A security guard was also injured after being shot during the attack.

The vessel's manager, European Product Carriers Ltd, confirmed in a statement that the vessel and remaining crew were safe.

"The safety and security of our people is of paramount importance to us and we are doing everything we can to ensure their prompt and safe release."

On Saturday, nine crew members, including the ship's captain, were taken off the MV Bonita vessel while docked near Lome, as it prepared to unload gypsum.

The owners of the Norwegian ship, JJ Ugland, confirmed the entire crew is Filipino and said their families and been contacted and "will be kept informed".

Their condition has been described as "good, taking into account what they have been through". It is not clear how many crew members avoided being kidnapped.

Øystein Beisland, JJ Ugland's President, has reiterated that bringing the nine crewmembers back to safety is their "highest priority".

"The Ugland Emergency Response Team are handling this situation as per contingency plans, and they are in contact with relevant authorities."

"In light of the ongoing incident, we are reconsidering whether our ships should sail in this area". Pirates operating in the Gulf of Guinea have kidnapped a total of 13 people on two European-flagged ships in the last three days.

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"In light of the ongoing incident, we are reconsidering whether our ships should sail in this area". In a Facebook post, the port of Cotonou in Togo said that "surveillance has been further strengthened" following Saturday's incident.

"The Autonomous Port of Cotonou presents its deepest sympathy to the hostages, their families and the other members of the Bonita crew."

According to the International Maritime Bureau (IMB), the Gulf of Guinea remains a "high risk area for piracy and armed robbery" in 2019.

This region, it added, makes up 86% of hostage-taking of crew members and 82% of crew kidnappings.

Cyrus Mody, Assistant Director at IMB, told Euronews the Gulf of Guinea is the "kidnap capital of the world right now".

Despite this, the number of crew taken hostage across the world from January to October has declined from 2018 (112 to 49).

"Although incidents are down, the Gulf of Guinea continues to be a concern for piracy and armed robbery-related activities with kidnappings of crew members increasing in both scale and frequency," IMB director Pottengal Mukundan said in a statement last month.

Other countries in the Gulf of Guinea which have seen instances of attacks on vessels include Cameroon, Equatorial Guinea and Ghana.

Nigeria has seen 29 separate 'attacks' from January to September this year, the most of any country in the world, while the only four hijackings of ships across the globe before October took place in the Gulf of Guinea.

Two categories of modus operandi

Mody told Euronews that the perpetrators of attacks on ships in the Gulf of Guinea are "skilled and well-armed".

"They more commonly attack a vessel to kidnap the crew, which is a lucrative business for pirates."

The IMB also reports that kidnapping crew can act as an insurance policy before the pirates can return to their 'safe haven'.

"A second motive is to attack a ship to steal cargo or the property of the ship and crew," said Mody.

The IMB is awaiting further information on the details behind the two latest incidents in Benin and Togo.

Shippers have reported several abductions in the region in recent months, including eight crew members taken from a German-owned vessel off Cameroon in August, and 10 Turkish sailors off the coast of Nigeria in July.

Pottengal Mukundan said: "it is important that shipmasters and owners continue to report all actual, attempted, and suspected incidents to ensure that an accurate picture of these attacks emerges and action is taken against these criminals before the incidents further escalate."

"We are encouraging ships and crews travelling in that region to understand the risks and employ sufficient safety recommendations," Mody added.

"But often these attacks are committed when there are other ships about or in the hours of darkness, which makes it extremely difficult for crew to identify a small vessel."

"By the time they realise they have been boarded, it is often too late."

Why are there so many pirates in West Africa? (How We Made it in Africa)

November 5, 2019

Four crew members of a Greek-flagged oil tanker were taken hostage by pirates off the coast of Togo on Monday. The attack comes two days after nine crew members were kidnapped off the coast of Benin from a cargo ship belonging to Norwegian shipping company J. J. Ugland.

The incidents have put the spotlight on the Gulf of Guinea in West Africa, which has the unfortunate distinction of being the world's leading hotspot for piracy.

According to the International Maritime Bureau the region – stretching from the coast of Liberia to Angola – accounted for 86% of hostages taken and 82% of crew kidnappings globally in the first six months of 2019, with many incidents going unreported.

Much of this is concentrated in the waters off Nigeria, Africa's biggest economy. The country's main port in the commercial capital Lagos has seen at least 11 attacks this year, the most globally. Weak security and legislation to deal with piracy, part of a generally slow response from authorities, have fanned the problem in recent years.

The good news is that Nigeria recently enacted new anti-piracy laws, and has deployed more patrol boats to police the region, helping to cut reported incidents to 21 in the first six months of 2019, down from 31 the previous year.

With some luck the tide is turning.

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