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Civilians And Military Leaders Sign Power-Sharing Deal In Sudan (NPR) By Shannon Van Sant
July 17, 2019

The leaders of Sudan's pro-democracy movement and the country's ruling military council signed a power-sharing agreement on Wednesday. The two sides held a signing ceremony in the capital, Khartoum, marking the end of three months of protests and negotiations. The document is a step toward civilian rule, but details of the agreement, including how power would be divided, still need to be worked out.

The deal establishes a joint civilian-military sovereign council to govern Sudan during a three-year transition period before elections. The council will be made up of five civilians, five people from the military, and an 11th person to be chosen by the council. A military leader will head the council for the first 21 months, and then a civilian leader will lead it for the following 18 months.

Further terms of the transitional period will be detailed in a constitutional declaration, but disagreements persist over how power would be shared among the sovereign council, the Cabinet and the legislative body, and some protesters have criticized the deal for not handing power over to civilians immediately.

There is also disagreement over an investigation into military leaders' role in the use of violence to crush protests, and whether they can have immunity from prosecution, according to The Associated Press.

On June 3, troops opened fire on demonstrators in Khartoum and killed at least 128 people.

On the day of the protest NPR spoke with the Central Committee of Sudan Doctors, which was helping to coordinate the demonstrations. The committee told NPR of violence inflicted on protesters by Sudanese troops: "The Transitional Military

Council forces are firing live ammunition inside East Nile Hospital and chasing peaceful protesters inside the hospital's campus. Royal Care Hospital in Buri area is under siege by the Transitional Military Council (TMC) forces at the moment. TMC's forces are preventing volunteers from reaching the hospital."

Wednesday in Khartoum, Lt. Gen. Mohamed Hamdan was a signatory for the military to the power-sharing deal. The New York Times reported on the signing, "Protest leaders are uncomfortable with the prominence of General Hamdan and his Rapid Support Forces, which have emerged as the dominant group in a byzantine security apparatus that under Mr. al-Bashir included military units, security agencies and semiofficial militias."

Former president Omar Hassan al-Bashir, a former military general, was ousted in April. He ruled Sudan for 30 years. Bashir is now wanted by international prosecutors for war crimes in Darfur.

U.S. Balked at Sanctions on Sudan (Foreign Policy) By Robbie Gramer
July 26, 2019

The United States halted plans to sanction Sudanese security forces over the massacre of protesters in order to pave the way for a power-sharing deal between military and civilian leaders, current and former U.S. officials told Foreign Policy.

In mid-June, the National Security Council convened a series of meetings to discuss the U.S. response to a violent crackdown on pro-democracy activists by security forces in the East African country, the officials said. Sudan's Rapid Support Forces (RSF) on June 3 launched attacks against protest sites and hospitals in Khartoum, killing more than 100 people. The violence dashed hopes of a bloodless transition to a civilian-led government after longtime Sudanese ruler Omar al-Bashir was ousted in a coup in April.

The State and Treasury departments were tasked with crafting a sanctions strategy on Sudan, aimed in part at targeting the RSF and its commander, Gen. Mohamed Hamdan Dagalo, known as Hemeti.

But those plans were tabled, according to officials familiar with internal deliberations, so as not to upset the fragile peace talks between civilian leaders and figures in Sudan's Transitional Military Council (TMC).

The internal deliberations illustrate the diplomatic tightrope the United States is walking as it tries to shepherd Sudan's transition to democracy after 30 years under authoritarian rule. U.S. officials and experts are torn on the policy options. Some believe Washington needs to sanction Sudanese military figures for the widespread violence—including allegations of murder, rape, and torture in the June 3 violence—to show such crimes won't go unpunished by the international community. Others fear the move could do more harm than good in the long run by potentially upsetting the tenuous power-sharing deal and plunging the country into further chaos.

Tibor Nagy, the assistant secretary of state for African affairs, has voiced concerns over Sudan's instability. "There are some possible scenarios which frankly would be very negative," he said in a press briefing last month. "We could end up with the type of chaos that exists in Libya or Somalia, and the last thing Egypt wants is another Libya on its southern border."

One current and one former official said the State Department's special envoy on Sudan, Donald Booth, was one of the leading advocates of stopping sanctions from moving forward, lest they derail the peace talks. But a State Department spokesperson called these allegations "false."

"The U.S. government continues to work to support the establishment of a civilian-led government that enjoys the broad support of the Sudanese people," the spokesperson said. "The situation in Sudan has been and remains fluid and fast-moving, and the U.S. government has been using, and will continue to use, its diplomatic tools to facilitate that transition in a peaceful and orderly manner." The spokesperson said the State Department does not comment on sanctions before they are enacted.

"Right now, given the sensitivity of negotiations, given the precariousness, [sanctions] feel premature," said Cameron Hudson, a former U.S. diplomat and National Security Council staffer who worked on Sudan issues.

Other experts and officials believe the United States needs to use sanctions more actively, or at least the threat of sanctions in public posturing, when dealing with senior military figures in Sudan to ensure they adhere to a transition to civilian-led rule.

"I don't think we're going to get an agreement the TMC will live up to unless we show them there will be consequences for violent crackdowns," said one U.S. official, who spoke on condition of anonymity. "Otherwise, we'll get the same results again if we play with the same players ... with the same tactics."

The United States has publicly backed an independent investigation into the June 3 violence against protesters.

“There’s been no incentive for the TMC or Hemeti or others to engage meaningfully or sincerely in negotiations in relinquishing power completely,” said Joshua White, a former Treasury official who is now director of policy and analysis at The Sentry, an investigative team with the nonprofit group Enough Project. “Using sanctions proactively in combination with diplomacy is probably the best chance the Sudanese people have” for a democratic transition, he said.

The Trump administration has also faced pressure from Congress to pursue sanctions. Last month, Rep. Eliot Engel, the chairman of the House Foreign Affairs Committee, called on Secretary of State Mike Pompeo and Treasury Secretary Steven Mnuchin to sanction Hemeti and the RSF for “gross human-rights violations” to “send a powerful message to the Sudanese people.”

Hemeti is a powerful and influential figure in the military council that assumed control of the country after Bashir was unseated. Hemeti and the RSF have been implicated in serious war crimes, including in Darfur. The International Criminal Court indicted Bashir, the deposed president, for genocide and war crimes over the ethnic cleansing campaign in Darfur. The RSF has also sent ground forces to fight on behalf of the Saudi-led coalition against Houthi rebels in Yemen’s civil war.

Egypt and wealthy Gulf states, including Saudi Arabia and the United Arab Emirates, view Sudan as a strategically important country in the region. They have ramped up their political and financial involvement in the country since the coup against Bashir.

Under the power-sharing deal negotiated this month between the TMC and an alliance of pro-democracy civilian groups called the Forces of Freedom and Change, an 11-member body will govern the country for just over three years. It will consist of five military members, five civilian ones, and an 11th civilian chosen by both sides. A military general will head the council for the first 21 months, and then it will transition to a civilian leader for 18 months. Negotiations on other aspects of the transition are still ongoing.

Some experts and Sudanese activists fear the political settlement gives the military time to cement its power and see it as only a minor victory for pro-democracy forces.

Hudson, the former diplomat, believes the United States should align itself more closely with the Forces of Freedom and Change as negotiations continue. “The fact of the matter is, one side is a brutal military ruling junta that has shown every willingness to put down peaceful protests with force, and the other side is a democratic uprising of civilians who want freedom after 30 years of dictatorship,” he said. “It feels like a no-brainer what side we should be on.”

Sprouting Weapons of War(OCCRP) By Sam Mednick
July 17, 2019

Seated on a plastic chair outside a school in South Sudan’s northern town of Aweil, Kristine Akodit shifts her 1-year-old daughter in her arms as she breastfeeds.

“Hunger is here,” says the young mother, whose three children sometimes go days without food. At the launch of a European Union funded school meal program, Akodit hangs her head. This year is worse than last, she says.

Akodit is among the almost seven million South Sudanese people facing hunger — sixty-one percent of the population — with 1.8 million on the brink of starvation. The crisis is largely a consequence of the civil war that broke out in South Sudan in 2013 shortly after it gained independence from the north.

In 2015, the South Sudanese government launched a multi-million dollar project meant to develop farms that would feed its people and even export the surplus.

But according to the U.S. government, the farming project was instead used to cover up the sale of approximately US\$150 million in weapons, including rifles, grenade launchers, and shoulder-fired rockets. In December, an Israeli security services firm contracted to run the project, as well as its owner, were blacklisted for allegedly fueling the conflict by supplying arms to both the government and the opposition. In its sanctions announcement, the U.S. Treasury Department mentioned — but didn’t name or blacklist — a “major multi-national oil firm” that was in “close collaboration.”

Newly leaked internal documents, emails, and other records obtained by OCCRP, as well as confirmation by two closely placed sources, show who that collaborator is likely to be: Trafigura Pte Ltd., an oil trading subsidiary of Trafigura Group Pte Ltd., one of the world’s largest commodity trading companies.

The materials show that Trafigura transferred at least \$140 million to South Sudan’s central bank, ostensibly as pre-payments for crude oil. They also show that the government then transferred nearly the same amount to Global CST, the sanctioned Israeli company. The transfers go far beyond the \$45 million allocated to the farming project, called Green Horizon.

The total amount transferred nearly matches the \$150 million worth of arms the Treasury Department said Global CST's owner sold to the government.

Trafigura did not respond to specific questions about whether its money may have been used as payments for arms.

The money paid to the Green Horizon farming project never showed up in the government's budget, a lack of transparency troubling to human rights watchdogs.

"When multimillion-dollar deals are kept off the books and oversight institutions are sidestepped, the money's either being used to line the pockets of politicians or support military operations," said J.R. Mailey, investigations director at The Sentry, a Washington-based advocacy group that investigates links between war crimes, corruption, and human rights violations.

The project shows how "multinational companies are benefiting from the violence of South Sudan," said Edmund Yakani, executive director for Community Empowerment for Progress Organization, a local advocacy organization.

Expanding Horizons

Global CST is the defense, consulting, and contracting wing of the Global Group, which is owned and operated by Israel Ziv, the former head of the Israeli Defense Forces' Operations Directorate. The company is also recognized under another name, Global N.T.M., which was also sanctioned by the U.S., as was Ziv individually.

According to the U.S. government, "While Ziv maintained the loyalty of senior Government of South Sudan officials through bribery and promises of security support, he has also reportedly planned to organize attacks by mercenaries on South Sudanese oil fields and infrastructure, in an effort to create a problem that only his company and affiliates could solve."

In an interview with OCCRP, Ziv called the allegations "absolutely, completely false."

The Israeli businessman said he first came to southern Sudan in 2008 to connect with the region's leadership.

"He came with a catalogue of questions, he did not come with answers," said Costello Garang, a former advisor to South Sudan's President Kiir, who explained that Ziv wanted to learn about the situation in southern Sudan. "Are we for unity; are we for separation? If we are for unity, what type of unity? If we are for separation, how are we going to defend it?"

Ziv told OCCRP he returned in 2015 to help the now independent country "recover from the war."

"[I told them] the country cannot grow and recover only based on oil," said Ziv. That's when he came up with the idea for the farms, he said, suggesting Israel's experience in agricultural development as a model. In December 2015, he said, the South Sudanese government awarded him a \$45 million contract to implement the five-year Green Horizon agricultural project — Ziv's sole such venture anywhere, according to the project's managing director.

Ziv said he didn't know where the money for the farms originated and that his relationship with Trafigura consisted of consulting the multinational oil trader on its work with South Sudan's government.

A U.N. Security Council investigation conducted after the U.S. sanctions were issued established that Trafigura retained Global CST's parent company to provide local assistance in managing its crude oil trades with the government. That agreement was "entirely separate" from Ziv's other activities or companies in South Sudan, the U.N. said.

"While the company was aware that a portion of [its] prepayment was to be allocated to the Green Horizon project and was supportive of the Government's allocation of crude oil payments to development spending, Trafigura was not a partner in the project," the U.N. concluded.

But the leaked documents obtained by OCCRP and interviews with closely placed sources indicate Trafigura collaborated with Ziv's Global CST on the Green Horizon project. The oil company's payments to the government were quickly redirected towards Ziv's company, and the actual total is much higher than the \$45 million he claims to have received. Email traffic between Global and Trafigura employees also attests to coordination of financial transfers and organization of joint meetings with government ministers.

There is no evidence that Trafigura knew about Ziv's alleged arms deals, which he denied in an interview with OCCRP. A Trafigura representative would not comment beyond saying that the company had "fully cooperated with the U.N. panel of experts."

Follow the Money

The money trail starts with Trafigura, which paid South Sudan millions of dollars in 2015 and 2016. The funds came in the

form of pre-payments for oil that would be delivered in the future, a practice criticized by the IMF as nontransparent.

Though the money went through South Sudan's central bank, it didn't stay there.

According to an internal U.N. document verified by two separate sources, Trafigura "dedicated" \$50 million out of an oil prepayment to the Green Horizon farming project in October 2015.

That same month, an internal Global email referred to a \$50 million transfer from Trafigura to the central bank that didn't go through, and directed employees to follow up to ensure the "safe receipt of the funds."

And three months later, a South Sudanese government document showed that the finance ministry ordered \$45 million from a Trafigura prepayment to be transferred from the central bank to Global's account. (The fate of the remaining \$5 million is unknown.)

This transfer appears to cover the announced funding of the Green Horizon project — but it was far from the only money that flowed from Trafigura to Global through South Sudan's central bank.

Wire transfer details included in a Global email show that Trafigura transferred another \$8.4 million to the central bank in May 2016. And a separate Trafigura email, which also included bank transfer details, shows that the company sent another \$81.7 million that June.

According to both a former Global employee and a source from the government, neither of whom can be identified to protect their safety, the central bank then sent similar amounts on to Global.

A Trafigura representative declined to comment on the company's relationship with Global or Ziv, but said "all pre-payments [for crude oil] were made into bank accounts of the Central Bank of South Sudan."

Ziv also denied any knowledge of Trafigura oil money being sent to the Green Horizon project. "It's not [like] Trafigura gave me the money as a triangle arrangement or contract," he told OCCRP.

When renewed fighting broke out in South Sudan in July 2016, Trafigura ensured Global's project had access to fuel for its generators and tractors, according to Erneo Balasio Peter Tombe, Green Horizon's government coordinator. Tombe told OCCRP he was present at a meeting at Global's office with Trafigura and the agriculture ministry both in attendance.

Blurred Lines

When OCCRP visited one of Green Horizon's four farms in 2017, Minister of Defense Kuol Manyang was there on what was described as a routine visit. The sign outside Global's office in Juba, South Sudan's capital, included the country's military seal — which was removed just days after receiving questions from a reporter about the affiliation.

"I don't know why [the] defense [ministry] is involved," said Deputy Minister of Agriculture Kornelio Kon Ngu.

Global said its collaboration with the defense ministry was limited to training former soldiers to cultivate crops during a short-term project on a small plot near Juba, and that the ministry provided security for the farms and Global's employees.

OCCRP visited the training site near Juba in late 2017 and saw about two dozen demobilized soldiers, some sitting in the fields, or perched on an idle tractor. Women, who were likely family members, rested on jerry cans in the grass by a series of thatched huts across the road.

Emails between Global employees in August 2015 also suggested that Trafigura's activities with the Israeli company involved the defense ministry. In one, a Global employee requested that a letter from Trafigura about contacts and negotiations with the Ministry of Petroleum and Mining be passed onto the defense minister for "his knowledge."

"If everything goes well we will come next week to sign the agreements and launch the Agriculture project," the Global employee wrote.

In a separate email, the employee mentioned a recent conversation with Trafigura and instructed a staffer to set up meetings with several ministers, including the minister of defense.

"We authorize you to facilitate it [in] the name of our companies," the employee wrote.

"Clear links" between the farming project and senior military figures in South Sudan, such as the minister of defense, "should automatically have raised question marks over these transactions," Klem Ryan, the former coordinator of the U.N. Security Council's expert panel on South Sudan, told OCCRP.

Tangled Government Finances

Weak institutions in the war-torn country make it difficult to account for the multimillion-dollar transactions.

South Sudan's oil revenues and public resources are particularly easy to exploit because their management is done with a "degree of informality," limiting "meaningful controls and oversight," the U.N. Security Council said in an April report. Oil is also "intrinsicly linked to the conflict, because control over the country's foremost source of income is a top prize in the struggle for political and economic power," concluded the U.N. Commission on Human Rights in South Sudan earlier this year.

Neither the money Trafigura earmarked for Global, nor the money Global received from the government, appears to be reflected in South Sudan's agriculture budget. The country's expenditure reports from 2015 to 2018 show that it spent less than \$10 million in total on agriculture and forestry during that period, most of it on government salaries. An official with the agriculture ministry said that's because Global's farming project bypassed parliament as "a special case."

Mathew Gordon Udo, who has been undersecretary at the Ministry of Agriculture and Forestry for close to a decade, said that \$35 million was allocated to the project and another \$10 million to the veteran training site, though Udo added he knew neither what happened to the second allocation nor how the \$35 million were spent. If added together, the two figures match the \$45 million Ziv said he received and that the finance ministry ordered transferred to Global for Green Horizon.

An internal Global email described how the company sought another \$44 million just four months into the project "for the second phase." However, Udo refused to sign, citing a "violation of financial procedure," according to the email.

"They told me to sign, I said 'No, I cannot sign because the first \$35 million I don't know how it has been used and who was using it,'" Udo told OCCRP. Then, he said, he was "sidelined" from the process.

"We in the ministry had the same concern," Udo said. "Why didn't the project follow the procedure? When a project comes to the country it goes to the authority concerned. [The] financial agreement needs to be passed, from there it goes to the council of ministers, and then to the parliament to be endorsed. They [Global] said 'no,' they have a special case."

Information Minister Michael Makuei also said he has no knowledge of the project, and queries directed to government offices provided no clarity. Officials at the justice and finance ministries didn't comment on the record, while officials at the agriculture ministry said they could not account for how the funds were spent.

Global has provided summary reports, some of them with minimal accounting of the money. Udo described at least one such report as "rudimentary." He made another request for financial documentation at a ministerial meeting with Global in March.

"They say 'yes, yes, yes we shall bring it, yes, yes, yes we shall bring it and up till now they have not brought it,'" Udo told OCCRP.

Little to Show

About a dozen local and South African employees were cultivating fruit and vegetable crops at a Green Horizon farm near Juba when OCCRP visited the site in 2017.

Current and former South Sudanese officials have expressed dissatisfaction with the project, which was meant to feed millions and produce surplus agricultural goods for export, according to Udo.

"We have no proof they're selling things, except some vegetables last season," he said.

According to Yoash Zohar, the managing director of the Green Horizon project, Global has produced at least 2 million kilograms of fruits and vegetables, including bananas, ground nuts, maize, rice, onions, and sorghum on 1,000 developed hectares.

In 2018, he said, the first year the project had any significant production, it sold just under \$500,000 in produce, all within South Sudan and mostly in Juba. However, the agriculture ministry has no detailed reports from the company that could confirm these figures.

Vladi Segal, another Global employee, said that the company employs hundreds of permanent local staff and thousands of daily workers, and has trained 300 tractor operators and 300 farmers.

Global's payroll records from January 2018 obtained by OCCRP listed 130 employees. A company email did include internal updates on tractor trainings and a driving test.

A second phase of the farming project was approved in June 2018, according to a parliamentary budget report — this time with an \$89.75 million price tag.

According to Zohar, the approval is dependent on the finance ministry finding an “out of the budget source” to finance the project.

Meanwhile, agriculture ministry officials said they gave no such approval.

“I haven’t seen a written request passed through my office for consideration under phase two of the Green Horizon Project, I also haven’t seen any document for \$89 million, this is the first time I’m hearing about the amount,” John Ogoto Kanisio, undersecretary for food security at the agriculture ministry, told OCCRP in an email.

Despite the irregularities associated with the project, and the U.S. allegations of arms sales, it’s “business as normal,” said Kanisio.

“So far there’s no signal to stop working with Global.”

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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

UN Criminal Court Upholds Reparations for Congo Victims (Courthouse News Services) By Molly Quell

July 18, 2019

The International Criminal Court on Thursday upheld an order granting \$10 million in reparations to hundreds of victims of a former warlord from the Democratic Republic of the Congo.

Former Congolese militia leader Thomas Lubanga Dyilo was the first person arrested by the ICC, a United Nations court based in The Hague. He was found guilty of war crimes in 2012 for using child soldiers and sentenced to 14 years in prison. Proceedings then began to determine victim compensation.

Before a mostly empty courtroom Thursday, Judge Piotr Hofmański sat on the bench alone to read the unanimous verdict, telling the handful of people present that “it is important for trial chambers to provide a clear indication to victims...as to the standard of proof that will apply to the assessment of their eligibility for reparations.”

Under the Rome Statute, which established the ICC in 2002, victims may apply for reparations, either as individuals or collectively. The signatories to the agreement contribute to a trust fund for victims, which can provide compensation when the perpetrator lacks the resources to do so.

The judges have previously acknowledged that Lubanga doesn’t have money to pay the reparations and they will have to come from the trust fund.

“The concept of reparative justice, the idea that a transfer of a valuable resource might be able to in some way make amends for an injury suffered, has a long history and in many cultures is often considered to be an essential component of justice,” said Kirsten Fisher, a researcher whose work at the University of Saskatchewan focuses on ethics and international law.

Lubanga’s is the first case before the ICC to make it to the reparations stage. In 2017, the court ordered \$10 million in compensation to his victims.

The ruling set off a flurry of procedural debates between the ICC and the trust fund. In the initial ruling for compensation, the court asked the trust fund to assess the eligibility of victims for reparations, which the fund felt was unnecessary. That set off a second dispute about whether the perpetrator would have a right to evaluate the assessments, which could compromise the victim’s privacy.

Thursday's ruling focused on the arguments made by Lubanga's defense, who claimed that the amount was too large for the scope of his crimes and that the initial reparations order wrongly included ineligible and unidentified victims.

But the ICC found "that the role of the trial chamber is to aim to impose an award that takes into account the circumstances of the case before it, not necessarily limited to the requests that have been brought before it."

Lubanga was born in what is now called the Democratic Republic of the Congo, where he founded the Union of Congolese Patriots, or UPC, a rebel group accused of a number of atrocities during the Second Congo War.

In 1998, fighting broke out only a year after the cessation of the First Congo War. Eastern parts of the country, which had long been unstable, fell into chaos following the Rwandan Genocide in 1994, which spilled over the border. The UPC was one of several militia groups in the mineral-rich region.

Though a peace treaty was signed in 2003, hostilities have continued.

DR Congo: Child soldiers and the conflict in the Kasai-Central (AIJazeera) By Emeric Fohlen
July 29, 2019

For the past three years, the Kasai-Central province has been the scene of deadly clashes between the Kamuina Nsapu and the Armed Forces of the Democratic Republic of the Congo (FARDC).

The conflict has caused the exodus of more than a million people who are displaced within DRC and more than 30,000 that fled to Angola. Almost four million people are in need of humanitarian assistance, including 2.3 million children.

The conflict started on August 12, 2016, after the death of former Kamuina Nsapu traditional leader Jean-Pierre Mpandi in an assault on his house by the government security forces.

His death triggered an insurrection of armed gangs against the state in a region that had been relatively peaceful for 60 years.

Very quickly, the Kamuina Nsapu armed group started recruiting children from the villages in the region. According to a UNICEF report published in May 2018, 60 percent of the armed group's members were children.

The army led bloody repression, accusing the civilians of supporting the uprising.

On the ground, there were reports of indiscriminate violence, mass destruction and the use of rape as a weapon of war by both sides.

This new crisis is pushing the province further into major population movements, a decline in agriculture and ever more isolation, and plunging the civilians into an even greater sense of abandonment and frustration.

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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**

Achieving Justice For Victims And Ending Impunity Across The Continent By Femi Falana (sahara reporters) By Femi Falana
July 31, 2019

The Rome Statute of the International Criminal Court (ICC) recognizes "that during this century millions of children, women and men have been victims of unimaginable atrocities that deeply shock the conscience of humanity" owing to armed conflicts.

These "grave crimes threaten the peace, security and well-being of the world". Africa has had its fair share of the problem. As such, various efforts to pursue, make and keep the peace have been intensified over the past half a century.

The pursuit of international criminal justice in Africa through the International Criminal Court (ICC) platform has not been without hitches. There is a growing rift between the African Union (AU), as a continental body, and the ICC owing to the AU's perception that the ICC is pursuing selective justice and the AU's misgivings about the ICC's indictment /trial of some sitting heads of states in Africa.

The claim of selective justice undermines the very essence of global justice. On the face of it, the ICC Statute could apply to any situation, because even if the state is not a party to the Rome Statute, the Security Council could refer a situation in a non-state party to the ICC and the ICC would exercise jurisdiction over such a matter. Legally and conceptually, no state is immune from the ICC's jurisdiction. However, experience over the years would seem to suggest that the ICC jurisdiction applies only to weaker states and not powerful states.

At the annual summit of the Heads of State and Governments of the AU held in Addis Ababa two years ago, the leaders and representatives of the member states voted to adopt a strategy to collectively withdraw from the ICC. However, Nigeria and Senegal did Africa proud by refusing to vote for the planned exit from the ICC. As the vote for impunity was defeated, South Africa, Burundi and The Gambia announced plans to withdraw from the ICC. Even though both Burundi and The Gambia withdrew from the ICC the latter has since returned to the ICC while South Africa has dropped the plan to quit the global criminal court.

The vote to quit the ICC by African leaders was based on the allegation that the ICC has exclusively focused attention on African leaders by only investigating and prosecuting cases of genocide, war crimes, and crimes against humanity allegedly committed by African leaders. To justify the decision of African States to quit the ICC, the AU announced that the mandate of the African Court on Human and Peoples Rights would be amended to include criminal jurisdiction. Nothing was however said by the AU on the urgent need by member States to strengthen their criminal justice system and accountability mechanisms.

In accusing the ICC of "selective justice" it has not been denied that there was the basis to have opened an investigation into the war crimes in Uganda, the Democratic Republic of the Congo, Kenya, Central Africa Republic, Sudan, Mali, Libya, Sierra Leone and Cote d'Ivoire. It is on record that while the Security Council referred the cases of Darfur and Libya to the ICC the transition government in Libya decided to try the suspects in Tripoli. Even though the cases of Kenya and Cote d'Ivoire were referred to the ICC by the Special Prosecutor in the exercise of his proprio motu powers the governments of both States accepted the jurisdiction of the court. However, the cases from Uganda, the Central Africa Republic, Cote D'Ivoire, the Democratic Republic of Congo and Mali were referred to the ICC by the governments themselves of those countries.

With respect to the convicted ex-President Hasne Habre of Chad it was the African Union which mandated Senegal to set up a special tribunal for his trial in Dakar while it was the Government of Sierra Leone which requested the Security Council of the United Nations to set up the Special Court for Sierra Leone which tried ex-Liberian President Charles Taylor. In combating impunity in other parts of Africa, the International Criminal Tribunal for Rwanda sat for 21 years; the Central Africa Republic plans to set up a Special Criminal Court while South Sudan has decided to establish a hybrid tribunal. The newly installed government in The Gambia set up a Truth and Reconciliation Commission which is currently taking evidence from the victims of gross human rights abuse which characterized the Yahya Jammeh regime.

From the foregoing, it is indisputably clear that even though the ICC has tried several political leaders in Africa, the majority of the cases were referred to the court by the African States. In other instances, it was either the United Nations Security Council or the African Union which ensured that brutal dictators were made to stand trial and account for the atrocities perpetrated by them while in office. In all the cases in which the ICC intervened it was confirmed that the States were either unable or unwilling to prosecute the suspects who were involved in genocide, war crimes and crimes against humanity.

To the extent that the ICC has failed to try the heads of governments of some powerful states responsible for the unprecedented crimes against humanity and genocide committed in Iraq, Afghanistan, Libya and Syria the allegation of selective prosecution of African leaders cannot be dismissed lightly. But the failure of the ICC to prosecute such well known highly placed criminal suspects should not be a justification for preventing the arrest and trial of other perpetrators of crimes against humanity and genocide. As far as Africa is concerned the ICC cannot be absolved of the allegations of selective prosecution. The case of former President Laurent Gbagbo has gone from selective prosecution to selective persecution. Whereas he was discharged and acquitted in February 2019 the ICC has ordered him to be incarcerated in Belgium pending when the Prosecutor would file a fresh charge against him. But since the ICC has no power to order a defendant that has been tried, discharged and acquitted it ought to quash the detention of Mr Gbagbo forthwith.

In as much as AU is opposed to the indictment and prosecution of African leaders not much has been done to promote

accountability and defend human rights. In fact, in order not to be held to account only nine States (Algeria, Benin, Burkina Faso, Cote d'Ivoire, Ghana, Mali and Tanzania and The Gambia) have made a Declaration to allow victims of human rights abuse to seek redress in the African Court on Human and Peoples Rights. However, the AU will be deceiving itself if it believes that the planned mass withdrawal of African states from the ICC will shield African leaders who engage in genocidal acts from prosecution and humiliation. As long as the governments in Africa continue to pay lip service to the fight against impunity, the victims of egregious human rights infringements will not hesitate to seek redress in available human rights mechanisms to bring perpetrators to book.

If the ICC wants to be relevant in Africa it cannot continue to pick and choose the cases to investigate and prosecute. For instance, the Prosecutor of the ICC issued warnings and threatened to prosecute politicians linked with political violence during the 2015 general election in Nigeria. But no such warning was ever issued when former President Yahya Jammeh annulled a credible presidential election held in The Gambia in 2016. Happily, the Economic Community of West African States intervened decisively and prevented the break out of a civil war in the country. As the ICC cannot continue to turn a blind eye to atrocities committed by the regime of former president Yahya Jammeh of the Gambia the Prosecutor should open an investigation into them under the Rome Statute without any further delay.

If the AU does not want Africans accused of violations of international law to be tried outside the continent and domestic jurisdictions, it has to show the strong political will to combat impunity and ensure justice for victims. Refusal to comply with court orders admitting criminal suspects to bail or ordering the release of detainees is an invitation to anarchy. The manipulation of constitutions for tenure elongation is also an invitation to political instability. The AU has to adopt measures to prevent the manipulation of national constitutions to legitimise tenure elongation by ruling parties, harassment of opposition figures and civil society activists, killing of political opponents, proscription of civil groups, closure of media houses and ban on freedom of expression and association.

The inevitable collision between the sovereignty of states over their criminal justice systems and supranational criminal adjudication is addressed by the Rome Statute of the ICC through recognition of the primacy of the domestic legal system. Under articles 1 and 17 of the Rome Statute, complementarity enables states to retain jurisdiction over crimes committed in their territories and by their nationals. The purpose of the Court is to complement national jurisdictions that are unable or unwilling to prosecute international crimes. By affirming the principle of complementarity, the parties to the Rome Statute demonstrate that they do not intend the ICC to actively step into the shoes of national criminal justice systems.

Indeed, the primary responsibility to protect African people and residents from violations of human rights rest squarely with individual AU member states, in recognition of the sovereign responsibilities and duties of states. Referring a handful of cases and situations to the ICC cannot and will not satisfactorily end the culture of impunity for human rights violations and abuses across the continent and will not give effective remedies, justice and reparations to African victims.

To best address accountability and combat impunity across the continent, African leaders should strengthen and improve domestic criminal justice systems and the regional and sub-regional human rights courts and mechanisms. In particular, the Summit of Heads of State or Government of the Southern African Development Community (SADC) should reaffirm its commitment to improve respect for human rights among its member states, consistent with the SADC treaty, which commits them to act in accordance with the principles of "human rights, democracy and the rule of law."

The Summit of Heads of State or Government should without further delay restore the SADC Tribunal's human rights mandate and comply fully with the orders of regional tribunals and municipal courts. It should be noted that SADC leaders in August 2014 stripped the tribunal of its mandate to receive human rights complaints from individuals and organizations, leaving it only to adjudicate disputes between member countries. This drastically limits the tribunal's human rights protection mandate.

The AU should immediately rescind its 2018 outrageous decision [Decision EX.CL/Dec.1015(XXIII)] to limit the autonomy and human rights mandate of the African Commission on Human and Peoples' Rights. This illegal decision is entirely inconsistent and incompatible with the human rights provisions of the AU Constitutive Act, and it is retrogressive, to say the least. It should be noted that the AU Executive Council in June 2018 stated in its decision that the African Commission only had "independence of a functional nature and not independence from the same organs that created the body." The AU Executive Council also decided to authorize the AU policy organs to revise the criteria for the commission to grant observer status to NGOs, taking into account overtly broad considerations of "African values and traditions."

The African Commission on Human and Peoples' Rights itself has to wake up and be counted on the side of human rights, be more assertive in the exercise of its human rights mandate and to robustly challenge any attack on its foundational instrument—the African Charter on Human and Peoples' Rights—by the AU or any other institutions for that matter. The African Commission has to restate its historical leading role across the continent in promoting and protecting human and peoples' rights, including in Nigeria when it delivered groundbreaking decisions during the period of the military dictatorship in the country.

The Malabo Protocol, that is, the Protocol 'on the African Court of Justice and Human Rights', [and the Statute of the African Court of Justice and Human Rights, Annex, Malabo Protocol], with jurisdiction on international crimes, corruption and "illicit exploitation of natural resources," contained in Article 28A, should be amended to remove Article 46A which provides immunity for sitting leaders, to the effect that: "No charges shall be commenced or continued against any serving African Union Head of State or Government, or anybody acting or entitled to act in such capacity, or other senior state officials based on their functions, during their tenure of office."

The AU should stop prioritizing 'political settlement' of egregious human rights abuses at the expense of accountability, access to justice and effective remedies for African victims of violations and abuses. Accountability and justice must never be sacrificed to promote the interests of those in power. African victims of human rights violations and abuses cannot have faith and confidence in domestic criminal justice systems and regional and sub-regional human rights courts if the AU continues to fail or refuse to address the challenges confronting these institutions of justice and to consistently obey and enforce court judgments.

The African human rights community should coordinate and organize victims of crimes against humanity and genocide to seek reliefs within the criminal justice system. Victims of human rights abuse should be encouraged and supported to seek redress in domestic courts and regional tribunals and institutions.

The human rights must realise that repression is imposed on African countries for the sole purpose of implementing the anti peoples' policies dictated by the International Monetary Fund and other imperialist institutions that have continued to control the economy of African countries. This Network must not rely on Western governments and funding agencies if it wants to achieve the objective of promoting accountability in Africa.

The AU and its member states and African leaders, in general, must sort out the procedural obstacles that continue to impede the effective enforcement of judgments of regional courts in domestic nation-states. The AU should stop engaging in confrontation with the ICC and instead show genuine commitment to prosecute those accused within member states' domestic courts, develop the capacity to prosecute crimes under international law within national courts, and improve access to justice for victims nationally and regionally.

The African Union should adequately fund the African Court on Human and Peoples' Rights and encourage its member states that have not yet done so to ratify the protocol to the African Charter on Human and Peoples' Rights establishing the African Court on Human and Peoples' Rights, and make declarations that would allow individuals and NGOs direct access to the court.

As noted, the AU should politically empower the court and ensure enforcement of all its rulings and judgments if it is ever going to effectively fulfil its human rights objectives, as contained in its Constitutive Act and ensure justice for victims of human rights violations and abuses across the continent.

The need for the prosecution at the ICC will remain as long as African leaders continue to fail or refuse to address entrenched impunity and gross injustices on the continent. The African solution to the problem of African impunity should mean accountability for perpetrators and justice and effective remedies for victims. Owing to the inability of the criminal justice system to bring the violators of human rights abuse in many countries the ICC is a very popular institution in Africa. Hence, it has continued to receive complaints alleging contraventions of the Rome Statute by many public figures in Africa. The office of the Special Prosecutor recently disclosed that it has so far received 131 petitions from Nigeria alone.

Apart from the ICC the victims of gross abuse of human rights in Africa will continue to seek redress in countries whose courts are clothed with universal jurisdiction in the area of human rights. Because of the refusal of some governments to prosecute public officers who sponsor electoral offence the United States government has imposed a visa ban on them.

In fighting impunity, the human rights community must stop relying on reports compiled by Amnesty International, Human Rights Watch and other foreign NGOs. The Network on International Criminal Justice should speak authoritatively in defence of human rights in Africa. As a matter of urgency, the human rights community should pressurise the AU to end the illegal occupation of the territory of Western Sahara by the Kingdom of Morocco in line with the provisions of articles 13 and 20 of the African Charter on Human and Peoples Rights.

Finally, it is pertinent to remind the representatives of the NGOs in this meeting that the people of Africa were united in the struggle against colonialism, apartheid and military dictatorship. The struggle succeeded because the people were organised. Once again, the people have to be mobilised and organised to end impunity in Africa. It cannot be done by NGOs alone but by the people who are the actual victims of political repression and economic exploitation. I, therefore, challenge the Network to link up with progressive political parties, trade unions, student unions and other youth bodies as well as women groups in the struggle against impunity in Africa.

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

Contact made with pirates holding 10 Turkish sailors off Nigeria (Daily Sabah)

July 23, 2019

After a week of efforts and nervous waiting, contact was reportedly established with the pirates who kidnapped 10 Turkish sailors off Nigeria, as four others remain in the hands of ransom-seeking criminals in the country.

On July 16, 10 Turkish sailors were abducted in the Gulf of Guinea when pirates attacked Turkish-flagged ship Paksoy-1 bound to Abidjan in Ivory Coast from Douala in Cameroon. Out of the ship's 18 crew members, eight were left on the ship, which was docked in the port of Tema in Ghana.

The first contact was established in the beginning of the week with the group of pirates through the efforts of the ship's operator Kadioğlu Maritime and Ankara's support, Turkish daily Habertürk reported Tuesday citing unnamed sources, who said that the pirates likely prolonged the contact process to keep the amount of ransom high and the bargaining margin wide.

The Turkish government is closely following the issue and is in frequent touch with the company, the report said, adding that the release of the sailors could happen soon since establishing contact was an important step.

Meanwhile, an armed gang which kidnapped four Turkish nationals in western Nigeria's Kwara state on Friday is demanding \$44,000 in ransom, a local landowner speaking to the Nigerian press outlets said.

The Nigerian police had earlier confirmed the kidnapping of Seyit Keklik (25), Yasin Çolak (33), Ergun Yurdakul (35), and Şener Apal (40), who are reportedly workers in a nearby quarry. They were reportedly kidnapped in Gbale village at the Edu Local Council where they had gone to buy drinks.

The gang established contact with their employers and demanded 4 million Nigerian nairas (\$11,000) in ransom for each of the workers, Lafiagi community leader and landowner Abdulrahman Manzuman said.

"I heard that the kidnapers have contacted the company, demanding for N4 million per head. I cannot say much on it because I am not in town currently," Manzuman was quoted as saying by Nigerian news website Vanguard. He also said that they were disturbed by the incident since it puts the local community in bad light.

Kwara is one of the safest states in Nigeria and Saturday's kidnapping was deemed a one-off event in the relatively peaceful state.

Ajayi Okasanmi, police spokesman in Kwara state, earlier told Turkey's official Anadolu Agency (AA) by phone that a rescue operation was underway. In an interview with the Vanguard, Okasanmi denied having any knowledge of ransom demands and advised families not to pay any money for a possible release.

Both Manzuman and Okasanmi were quoted as saying that the gang members were dressed as Fulani herdsmen, a major ethnic group living in western parts of Africa's Sahel region also encompassing central and northern Nigeria. Along with the country's largest ethnic group, the Hausa, they are commonly referred to as the Hausa-Fulani ethnic group predominant in northern Nigeria and making up some one-third of the population, with most adhering to Islam. Having both Muslim and Christian communities, the Yoruba people of the southwest make up one-fourth of the population while predominantly-Christian Igbo people of the southeast make up 15%.

Regional conflicts add up to Nigeria's existing internal divisions, economic woes

These groups have historically been vying for influence in the region, and since Nigeria became independent in 1960, there is constant struggle for power to control Africa's most populous country and biggest economy apparent in the North-South divide. The bloodiest chapter of this struggle was the Nigerian Civil War, also known as the Biafran War, in which millions were killed, displaced and suffered from famine between 1967 and 1970, when southeastern peoples led by Igbo declared a secessionist state encompassing the Niger River Delta called Biafra and tried to secede from Nigeria.

Despite Nigeria being Africa's largest oil producer with most fields and production sites located in the delta emptying into the Gulf of Guinea, the region still suffers from extreme poverty and occasional militant activity. The Gulf of Guinea was described by the International Maritime Bureau as the most dangerous area in the world for piracy where 73% of all sea kidnappings and 92% of hostage-takings have taken place.

Across the border in predominantly-French speaking Cameroon's English-speaking southwest region, also on the coast of the gulf, a conflict running between secessionists calling for an independent state of Ambazonia and the government reached a peak in the last two years, almost to a prelude to a civil war.

To the north, the Sahel region has been increasingly witnessing violent clashes between predominantly-Muslim herder and predominantly-Christian farmer communities over the last decade due to changes in land use pushed by environmental issues and desertification, fast population growth and limited resources. In Nigeria alone, nearly 4,000 people were killed in farmer-herder clashes in the last three years.

The conflict mainly affecting Mali, Niger, Burkina Faso, Benin, Chad and Cameroon also caused side conflicts such as proliferation of civilian communities, an overall increase in crime rates and the emergence of extremist terrorism through al-Qaida and Daesh affiliates such as Boko Haram, which mainly operates in the Borno state in the country's northeast corner. More than 17,000 people are estimated to have been killed by Boko Haram since it launched armed attacks in 2009.

The collapse of state authority and ongoing clashes in Libya since longtime dictator Muammar Gadhafi's toppling in 2011 is one of the most important reasons fueling the conflict in Sahel as it facilitates human trafficking and smuggling, two main sources of income for armed gangs and terrorist groups operating in the region, while giving them unhindered access to arms.

These ongoing conflicts also fostered a spike in violence and kidnappings in Nigeria. In the last week alone, 72 people were killed in various violent incidents while 32 people, including 14 Turkish nationals, were kidnapped, according to the data compiled by Ihlas News Agency (IHA). However, no ethnic, religious or political motive was voiced in either incident related to the Turkish nationals and the overall stance toward Turks in the country is regarded as positive and welcoming.

According to an AA report citing police data, kidnappings for ransom between 2008 and 2010 stood at 887. This number increased to over 2,000 for 2014-2017 period and included bureaucrats, politicians, businesspeople, clergymen and students. In the Niger Delta alone, 200 foreign workers were targeted and kidnapped between 2007 and 2017 by armed gangs or militant groups.

Usman Nagogo, the spokesperson for the police in northwestern Zamfara state, told reporters during a press conference Tuesday that more than 200 people kidnapped by armed gangs have been rescued in the last three weeks in joint operations conducted with the military.

Many gang members, firearms and ammunition were seized during the operations, Nagogo said, adding that the government is conducting talks with gangs and started having positive results to boost security.

As heard by the entire world in 2014 through the kidnapping of 270 female students held for months, Boko Haram mainly kidnaps youngsters and women either for recruitment or forced use for the terrorists.

Income inequality and extreme poverty also cause various problems in Nigeria, including lack of access to education as 10 million children out of a population of 190 million do not attend to school, making them vulnerable to recruitment or manipulation by criminal groups.

Insurgents in Nigeria Hold 6 Aid Workers (Human Rights Watch) By Anietie Ewang
July 25, 2019

A video has emerged online of six aid workers in Nigeria who were abducted by suspected Boko Haram insurgents on July 18. In the video, a woman who identifies herself as Grace, an employee of the humanitarian relief agency Action Against Hunger, pleads for the release of her and her colleagues, who can be seen sitting around her.

The six were abducted after an attack on their aid convoy while driving to Damasak, Borno State in northeastern Nigeria. Action Against Hunger confirmed Grace's identity as well as three health workers and two drivers who went missing following the July 18 attack. Another driver was killed during the attack.

The Islamist armed group Boko Haram is still a threat to security in the northeast, despite government proclamations of the group's defeat. Lethal attacks by at least two factions of the group continue, including abductions and suicide bombings.

This is not the first time suspected Boko Haram insurgents have targeted and attacked aid workers in Nigeria. In March 2018, Boko Haram insurgents kidnapped Saifura Ahmed and Hauwa Liman, both employees of the International Committee of the Red Cross. They were later executed in September and October 2018 respectively. In 2013, suspected Boko Haram gunmen killed about nine polio workers in Kano State. In 2011, Boko Haram attacked the United Nations main office in Nigeria's capital, Abuja, and killed 18 people.

About 7.1 million people are in need of humanitarian assistance in northeastern Nigeria as a result of the conflict between Boko Haram and the government, which is now entering its tenth year. Humanitarian groups cannot reach an estimated 823,000 people because of insecurity in the region.

Aid workers grapple with difficult conditions to provide lifesaving services to people in dire need. Attacking them is a war crime. The Nigerian authorities should take measures to improve the safety of aid workers and bring those responsible for attacks against them to justice.

Nigeria: Toll in suspected Boko Haram funeral attack rises to 65 (Al Jazeera) July 29, 2019

An attack this weekend by suspected Boko Haram fighters on a funeral in the northeastern state of Borno, Nigeria, has left at least 65 people dead, almost three times the initial toll, a local official said.

Dozens more bodies were discovered on Sunday following the assault a day before by gunmen on a village close to the regional capital, Maiduguri.

"It is 65 people dead and 10 injured," said Muhammed Bulama, chairman of the local government.

Bulama said he thought the attack was in retaliation for the killing two weeks ago of 11 Boko Haram fighters by residents when the fighters approached their village.

"The villagers resisted the [earlier] attack, killed 11 insurgents and recovered 10 AK-47 rifles in the encounter," he added.

"On Saturday at about 11:40am, the insurgents came on a reprisal mission, attacking mourners at a graveyard in the area."

The leader of a local anti-Boko Haram militia confirmed the death toll, giving a slightly different account of the attack.

Bunu Bukar Mustapha told AFP news agency that 23 people were killed as they returned from the funeral and "the remaining 42 were killed when they pursued the terrorists".

'Everybody in crosshairs'

Al Jazeera's Ahmed Idris said that while there has been no claim of responsibility, the attack bore the hallmark of Boko Haram.

"Everybody is in their crosshairs," he said.

The group has waged a decade-long armed struggle in northeast Nigeria that has killed around 27,000 people and displaced more than two million others.

In 2016, the group split into two main factions, one following longtime leader Abubakar Shekau and another following Abu Musab al-Barnawi.

Shekau's group tends to hit softer targets including civilians, while al-Barnawi's Islamic State West Africa Province (ISWAP) has ratcheted up its campaign against the military since last year.

"The one led by [Abubakar] Shekau does not discriminate between security forces and civilians. So if we stick to that modus operandi, which is well known, we would believe that it is the Shekau faction that launched this attack," Sadeeq Garba Shehu, a security analyst, told Al Jazeera from Nigeria's capital, Abuja.

He added that the suspected reprisal attack by the fighters was meant to "show other communities who might think of resorting to self defence to defend themselves".

Nigerian President Muhammadu Buhari on Sunday condemned the attack and directed the country's air force and army to begin air patrols and ground operations to hunt down the attackers, a statement released by the president's office said.

Commenting on the difficulties faced by Nigeria's military to defeat Boko Haram, Shehu said "the honest truth is lack of capacity."

"I'm not saying a lack of fighting capacity, but lack of capacity In terms of personnel, equipment, in terms of mobility access to react quickly," he added.

"The Nigerian army, air force and the navy are all evolved in this operation; they are thinly spread on the ground. We do not have enough boots on the ground to pull that area."

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Mali

Scientists want to make it a war crime to damage the environment in a conflict (Vox) By Sigal Samuel
July 26, 2019

When we think of war crimes, we typically think of actions like taking hostages, torturing prisoners, or enlisting child soldiers. Now a group of scientists wants to add another item to that list: harming the environment.

An open letter signed by 24 prominent scientists from around the world and published this week in the journal Nature calls for a new Geneva Convention that would hold governments responsible for the environmental damage their militaries inflict in war zones.

"We call on governments to incorporate explicit safeguards for biodiversity," the letter says. "And the military industry must be held more accountable for the impact of its activities."

Scientists are voicing these demands now for two reasons. First, the UN's International Law Commission is holding a weeks-long meeting — from July 8 to August 9 — to explore how it might expand on the 28 principles already in place to keep nature safe during war. This is the perfect time to publicly make the case for adopting a new Geneva Convention as part of that effort.

Second, it's become increasingly clear that our planet is facing an urgent biodiversity crisis. In May, a major UN report found that 1 million species are now at risk of extinction. It noted that all kinds of species, from plants to birds to mammals, are vanishing at a rate "tens to hundreds of times higher than the average over the last 10 million years." And that's because of human activities — including war.

Nations at war are often too busy thinking about the human costs of the conflict to spare much thought for the cost to the natural world. That may be understandable, but it's a mistake nonetheless, because war is absolutely devastating to the environment. And when nature suffers, we humans tend to suffer in turn.

The Iraq War offers a striking example. Years after the 2003 US military assault on Iraq, scientists began to investigate the resulting environmental pollution — including contamination from depleted uranium — as a possible contributor to the country's plummeting health conditions. "Increases in cancer, birth defects, and other conditions have been associated with war-related environmental damage and toxins" in Iraq, according to researchers with the Costs of War Project at Brown University.

The researchers add that the destruction of military base garbage in burn pits "exposed soldiers and civilians to dangerous levels of pollutants" and that the military's vehicles raised so much dust that "service members' exposures to inhaled toxins from that dust have correlated with respiratory disorders."

War takes a brutal toll on wildlife

In Africa, the number of large animals like elephants can decline by 90 percent during war, according to a wide-ranging study published last year in Nature. For example, one national park in Mozambique lost 90 percent of its wildlife when that country underwent a 15-year civil war.

Another study published last year focused on the Sahara-Sahel region of North Africa — home to Earth's largest desert — and found that "there is increasing evidence of an ongoing wildlife massacre resulting from growing instability." In Libya, more

gazelles were illegally killed after the 2011 civil war, and in Mali, the number of elephants killed increased after the country's 2012 conflict.

There are various reasons why animals die off at higher rates in war zones. In some cases, it's because more guns spread across a country in wartime, enabling more illegal hunting. Often, it's because resource-strapped governments don't have the wherewithal to make conservation a priority. Sometimes it's because extremists and traffickers rush into previously remote areas in an effort to control them, promoting a human presence in areas where animals used to enjoy free rein. More than one of these reasons can be at play in any given war zone.

Now, the signatories to the Nature letter want international law to protect wildlife, including on nature reserves, and to better control the spread of firearms used to hunt animals.

Calls for a new legal instrument that would hold governments criminally responsible for wartime environmental damage have actually been around for two decades. As the Guardian reports:

Work in this field began in the 1990s after the Iraqi military set fire to more than 600 oil wells during a scorched-earth retreat from Kuwait in 1991, but the idea dates back at least to the Vietnam war, when the US military used Agent Orange to clear millions of hectares of forest with dire consequences for human health and wildlife.

Yet, so far, the number of Geneva Conventions has remained static at four (they aim to protect wounded and sick armed forces in the field; wounded, sick, and shipwrecked armed forces at sea; prisoners of war; and civilians). Calls for the addition of a fifth Convention to protect the environment have gone unheeded.

Will that finally change once the International Law Commission meeting wraps up next month? It's possible, especially as the notion that nature deserves its own legal rights has been gaining ground in recent years. Sarah Durant from the Zoological Society of London, who signed onto the letter in Nature, sounded an optimistic note in an interview with the Guardian.

"We hope governments around the world will enshrine these protections into international law," she said. "This would not only help safeguard threatened species, but would also support rural communities, both during and post-conflict, whose livelihoods are long-term casualties of environmental destruction."

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Liberia

**Legislative Conference on War Crimes Court Begins Today (Liberian Daily Observer) By Robin Dopoe
July 18, 2019**

Civitas Maxima, an organization that represented victims of War Crimes and civil society organizations will begin a two-day major conference on accountability for war crimes with members of the 54th Legislature.

The conference will be held at a resort in Monrovia from July 18-19, 2019. It has invited selected members of the House of Representatives, the Liberia National Bar Association (LNBA), civil society organizations and two international experts.

According to Civitas Maxima, the conference is organized in collaboration with the administration of the University of Nottingham in the United Kingdom, the Secretariat for the Establishment of War Crimes Court in Liberia, and the Global Justice and Research Project. It was organized upon the request of the House Committees on Claims and Petitions, Judiciary, Good Governance and Government Reform and the Ways, Means and Finance.

The legislative conference on War Crimes comes nine months after the national Justice Conference, held in 2018, and since the US House of Representatives passed on November 13, 2018, the H. Res 1055–115th bill, which aims to affirm strong United States-Liberia ties and support for democratic principles, and call for full implementation of the Truth and Reconciliation Commission (TRC) recommendations, particularly the establishment of an extraordinary criminal tribunal for Liberia.

Despite report of the Liberian TRC issued on June 30, 2009, which recommended criminal prosecutions, and the

establishment of a specialized international tribunal, nobody was ever investigated, prosecuted or tried in Liberia for war crimes and crimes against humanity committed during the two violent civil wars (1989-1997, 1999-2003).

“The country is witnessing a real awakening when it comes to the call for accountability for war crimes. Many members of the Liberian Legislature recently mobilized to fulfill their obligations of implementing the TRC, which includes the establishment of a tribunal to judge crimes committed during the civil wars.

“A strong legislative group is currently working on a resolution to be submitted to members of both houses to rally support for this cause. Following the debate, they are planning to introduce a draft Bill. The Liberian Bar Association set up a committee to work on this bill and its executive council endorsed and adopted a draft Act to establish an extraordinary tribunal for war and economic crimes for Liberia this year,” Civitas Maxima said in a press statement.

During the Legislative conference, Professor Olympia Beko, head of the international criminal justice unit of the human rights law centre, University of Nottingham, and David Scheffer, first U.S. Ambassador at Large for War Crimes Issues (1997-2001), will provide expert advice to members of the Legislature and Liberian stakeholders working on the Draft Act to Establish an Extraordinary Tribunal for War and Economic Crimes for Liberia via video-conference.

The two individuals negotiated and coordinated U.S. support for the establishment and operation of international and hybrid criminal tribunals.

The Civitas Maxima release added that the two-day conference is intended to provide understanding among legislators on accountability issues for past crimes, and to explain the background of a Draft Resolution and the content of the Draft Act.

“The conference will also feature presentations on international criminal law, as well as lessons learned from other countries in Africa, where similar courts were established,” the release said.

It Is Now Time For Justice! (Liberian Daily Observer)
July 19, 2019

As calls mount for the establishment of a War and Economic Crimes Court for Liberia, this newspaper recalls that in 2004, well over a decade before he first unsuccessfully contested the Presidency in 2005 which he subsequently and successfully won in 2017, President George Weah way back then called for the establishment of a War and Economic Crimes court for Liberia. At a UNICEF sponsored event in 2004, he declared, in his own words: “Those who armed the children and committed heinous crimes against them must be brought to book”.

High and very fine sounding words indeed they were back then. His words were greeted with huge applause particularly when he said a War and Economic crimes court, when established, should identify, locate and prosecute the warlords who were responsible for committing crimes against humanity. No one at the time, especially those in the international community had ever fathomed that those high-sounding words were intended more as a play to the galley than a well-considered opinion which he had vouched publicly.

Well, fast forward to 2019, almost 15 years later, George Weah, now Liberia’s President George Weah, appears to have lost his footing on this all-important issue concerning the establishment of a war and economic crimes court for Liberia. At his swearing-in ceremonies in January 2018, he did hint at his support for accountability, However, some 10 months later in November, he noted “We all have different minds and views on this issue. Some are calling for a war crimes court; others are calling for reconciliation. What we need to do is to find out what we need as a people”.

It can be recalled that in July 2018, at a meeting of the UN Human Rights Committee at which Liberia was represented, the Committee expressed grave concern that none of the alleged perpetrators of war crimes and gross human rights abuse had been made to account for their actions. The Committee further observed that Liberia needs to ensure accountability for crimes committed during the 14-year civil war by initiating a process which would lead to the establishment of a war and economic crimes court, which should be included in its report to the Committee in 2020.

The issue was further highlighted by Uchenna Emelonye, Country Representative of the UN High Commission for Human Rights who told a National Justice Conference in held in Monrovia on November 9, 2018 that “a postwar society that does not promote justice and accountability does not properly heal without scars”. And he emphasized that it is “the position of the Office of the High Commissioner for Human Rights that all actors, led by the government, must ensure accountability for past crimes.”

Also, in November, the US House of Representatives passed H. Res. 1055 to reaffirm strong US-Liberia ties and called for full implementation of the commission’s recommendations, which includes the establishment of a War and Economic Crimes

court. But such calls have been buffeted by supporters of this government who, like their predecessors, have charged that the establishment of a War and Economic Crimes Court for Liberia will be akin to reopening old wounds which could lead the nation back to conflict. Some have even called for a referendum on the matter.

But a referendum is unnecessary because, under Article X of the TRC Act, “All recommendations shall be implemented. Where the implementation of any recommendation has not been complied with, the Legislature shall require the Head of State to show cause for such non-compliance.” Moreover, experience from several countries around the world (South Sudan, Libya, Central African Republic, Democratic Republic of Congo etc.) shows that in the absence of guarantees of non-repetition, the lack of justice could spur future abuses of human rights.

To the contrary, there is strong and compelling evidence that fair transparent and credible trials can enhance the building of the rule of law which tends to lead to lasting and sustainable peace. This was reechoed in a 2004 UN report on transitional justice and the rule of law which states the following:

“Experience in the past decade has demonstrated clearly that the consolidation of peace and the immediate post-conflict period, as well as the maintenance of peace in the long term, cannot be achieved unless the population is confident that redress for grievances can be obtained through legitimate structures for the peaceful settlement of disputes and the fair administration of justice.”

The report further noted that “prosecutions against people implicated in crimes in Liberia and arrests of leaders of warring parties linked to serious violations in the United States and Europe have not resulted in a recurrence of violence. When the Special Court for Sierra Leone convicted former president Charles Taylor, who led the NPFL, there was also no violence reported in Liberia”.

It is against this backdrop that the Daily Observer welcomes the initiative undertaken by the House of Representatives Committees on Claims and Petitions, Judiciary, Good Governance and Government Reform and Ways, Means and Finance and the National Bar Association which is drafting the legal document for the establishment of the Court.

According to a front page story carried in the July 18, 2019 edition of the Daily Observer, this conference is being convened nearly a year following the National Justice Conference held in Monrovia on November 9, 2018 and the passage of US House of Representatives Resolution 1055-115th on November 13, 2018 reaffirming US-Liberia ties and support for democracy and the full implementation of the TRC report.

According to Civitas Maxima, the conference is organized in collaboration with the administration of the University of Nottingham in the United Kingdom, the Secretariat for the Establishment of War Crimes Court in Liberia, and the Global Justice and Research Project and it has been organized at the behest of the House of Representatives Committee on Claims and Petitions, Judiciary, Good Governance and Government Reform and Ways, Means and Finance.

The Daily Observer extends a very warm welcome to Professor Olympia Beko, head of the international criminal justice unit of the human rights law centre, University of Nottingham, and her team.

It is now time for Justice!

9 Lawmakers Sign Resolution for War Crimes Court (Liberian Daily Observer) By Joaquin M. Sendolo July 23, 2019

Nine of the 73 representatives signed a resolution seeking the establishment of a war crimes court for Liberia at a conference for lawmakers held in Painesville last week, Representative Rustonlyn Suacoco Dennis of Montserrado District #4 has said.

Rep. Dennis, who chairs the House’s Committee on Claims and Petitions, did not name the signatories to the Resolution for the Establishment of War Crimes Court in Liberia (H. Res. 001). However, their signing of the resolution, drafted by the Liberia National Bar Association (LNBA) in April this year is the first ever move by members of the Legislature to support a future war crimes court in the country.

The resolution still needs at least 40 more votes to be passed by the House before it is sent to the Senate, according to the House’s rule requiring a two-thirds majority vote.

“Just within a day we were able to get nine signatures, while we are on break,” Rep. Dennis informed the conference delegates, noting, “Just imagine when we would have resumed session, we will get other representatives to sign,” Dennis added to the applause from conference delegates.

The TRC report listed a number of lawmakers to be prosecuted for crimes they allegedly committed, including Representative

George Boley of Grand Gedeh, Senator Prince Johnson of Nimba and Senator Dan Morias of Maryland County. Even House Speaker Bhofal Chambers has voiced opposition to the court.

Rep. Dennis said the executive branch of government has influenced the legislature not to be independent, but she remains optimistic that both the House and the Senate would pass the resolution.

"We consider this quest for the establishment of a war crimes court very cardinal for ending impunity in this country," she said, noting, "I am sure we will get the 49 signatures."

A number of Liberians have been tried, and indicted in connection to crimes committed during the country's war in Europe and the North America.

Ten years ago, Liberia's TRC recommended the court be set up, but that has not happened so far. President George Weah has shown no political will for the court like his predecessor Ellen Johnson Sirleaf, and previous legislatures have also shown no interest to establish the court.

The United Nations has given Liberia only up to July next year to address crimes committed during its civil war, one Africa's bloodiest conflicts, which lasted from 1989 to 2003. And if the resolution passes both houses of the Legislature, President Weah would be under pressure to sign it into law.

The Resolution calls on the President to support the establishment of the court, and urges him to seek the support of the international community and civil society organizations for the trials of accused individuals to be free and fair as well as held in accordance with international standard.

It also calls for a full implementation of the recommendations of the TRC, which recommended the erection of memorial for victims and reparations for survivors.

The conference was a collaboration of the Secretariat for the Establishment of a War Crimes Court in Liberia (SEWACCOL), Civitas Maxima, University of Nottingham and the Global Justice and Research Project (GJRP).

The House's Committees on Claims and Petitions, Judiciary, Good Governance and Government Reform, Ways Means and Finance Development, and Peace and Reconciliation requested for the conference, according to a news release by Civitas Maxima.

Other lawmakers present at the conference promised to sign the resolution.

"We will sign this resolution and we will take it from county to county on the floor to make our colleagues to express publicly how they feel about this burning national issue that needs to be dealt with to make us be represented among the comity of nations as a civilized country," remarked Representative Larry P. Younquoi (#8), who has been one of the court's staunchest supporters. He said and other lawmakers would push the resolution to a referendum if the Senate refuses to pass it.

Aaron Weah, a member of SEWACCOL and the country director of Search for Common Ground, made a presentation about wartime massacre across the country that moved lawmakers attending the conference.

He referenced the TRC report, which recorded 32 massacre sites in Lofa, 30 in River Cess, 24 in Grand Cape Mount County and 18 in Gbarpolu County. These four, according to Mr. Weah, are the highest among massacre sites in other counties across the country.

Representatives Beyan D. Howard Lofa County (#5), and Joseph N. Sonwarbi of Nimba (#3) upon Weah's presentation, requested that copies bearing the massacre sites be produced and distributed among members of the House of Representatives and Senate to help them make an informed decision on the court.

"Some of us are just getting to know this information, and I believe most of some of our colleagues under the influence of the Executive [who are] opposing this resolution do not know," Representative Howard charged. "When the information is distributed and they see what happened in their counties, they will see reason to agree with us," Rep. Howard said.

There were also calls for the media and civil society to get involved.

"Civil society organizations and the media should help in this process to provide awareness to the people of our districts so that the people will know and share their views on the horrible massacres that took place in their areas, because they are not aware of these things," said Representative Vincent Willie, II of Grand Bassa County (#4). "By that, they will fall in support of justice and will not oppose war crimes court establishment here," said Representative Willie."

Representative J. Fonati Kofa of Grand Kru (#2) also expressed support for the resolution, but said that it should be drafted in

line with the Constitution to protect both victims and perpetrators.

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EAST AFRICA

Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

UN Prosecutor IDs South Africa for Inaction Over Rwandan Genocide Suspect (South African News) By Ted Botha
July 18, 2019

The chief prosecutor for the tribunal pursuing suspects involved in the 1994 Rwandan genocide has told the United Nations Security Council that South Africa continues to do nothing in respect of a suspect inside its borders, despite a year-long series of urgent requests.

Serge Brammertz, prosecutor of the International Residual Mechanism for Criminal Tribunals, said at the UN yesterday that until Tuesday this week his office only received pro forma responses from South Africa. Yesterday, for the first time, it received a more formal note verbale saying that it was committed to working with his office.

“(W)hile many Member States have committed to providing cooperation, more can be done to ensure that their authorities deliver on this commitment,” he said.

“(It) appears that some countries do not prioritize cooperation with my Office in bringing genocide fugitives to justice. Since August of last year, my Office has been seeking urgent cooperation from South Africa in relation to the arrest of a fugitive located on its territory.

“We have continually renewed our requests, and have repeatedly sought to engage directly with South African authorities. Unfortunately, until yesterday we only received pro forma responses that our requests have been forwarded to the appropriate authorities and are being considered.

“South Africa confirmed yesterday by Note Verbale that it is fully committed to cooperating with my Office. I hope that this time it will deliver on this commitment immediately.”

The suspect was not named and no details about his stay in SA were given.

Who Are the Eight ICTR-Indicted Genocide Fugitives Still at Large? (New Times) By James Karuhanga
July 25, 2019

The Chief Prosecutor of the International Residual Mechanism for International Criminal Tribunals (IRMCT), Serge Brammertz, recently told the UN Security Council that his office had credible intelligence on the whereabouts of several of the eight Rwandan Genocide fugitives indicted by the UN court.

The mechanism took over from the International Criminal Tribunal for Rwanda (ICTR) established by the UN to try masterminds of the 1994 Genocide against the Tutsi.

Out of the eight, only three – the so-called Big Fish – remain under the jurisdiction of the Mechanism should they be arrested. They are Augustin Bizimana, Félicien Kabuga and Protais Mpiranya.

Five other cases; Fulgence Kayishema, Charles Sikubwabo, Aloys Ndimbati, Charles Ryandikayo and Phénéas Munyarugarama, were referred to Rwanda as the tribunal wound up its activities.

Another fugitive whose case was referred to Rwanda, Ladislav Ntaganzwa, was arrested in DR Congo in December 2015.

The New Timestakes a look at these eight fugitives.

Protais Mpirinya

He was most recently in the news after Brammertz last week complained to the UN Security Council about the lack of cooperation from some countries in arresting Genocide fugitives that remain at large.

Brammertz did not mention names but cited South Africa among these countries. It is believed that the tribunal's prosecution has information to the effect that Mpirinya is in South Africa.

Despite being a middle-ranking officer, a Major in the ex-Rwandan armed forces, Mpirinya is believed to have been a very influential figure during the Genocide against the Tutsi.

He commanded the Presidential Guard, an elite unit that took immediate charge after the death of former President Juvenal Habyarimana on the night of April 6, 1994, and is blamed for the slaughter of top politicians as the Genocide unfolded.

Among the politicians killed at the onset of the Genocide were then Prime Minister, Agathe Uwilingiyimana, and her security detail of 10 Belgian peacekeepers.

They were slaughtered a few hours after the downing of Habyarimana's plane blamed on extremist elements within his party and military.

The attack on the former Premier's home was, according to reports, led by Mpirinya himself.

Mpirinya is one of the subjects of the US Reward for Justice Programme, with a US\$5 million bounty on his head.

In September 2012, after years of denial, the Zimbabwean government admitted that Mpirinya could be hiding there and using various assumed names that include Theophase Mahuku and James Kakule to evade arrest.

It was then reported that the fugitive coordinated his business empire then said to also stretch to other countries in that region, from Harare.

At the time, previous reports indicated that Mpirinya was being protected by senior officials within Zimbabwe's ruling party, ZANU-FP. But Harare persistently distanced itself from such claims.

He was also said to be closely working with the FDLR for whom he was advisor

Mpirinya is accused of genocide, conspiracy to commit genocide, complicity in genocide, crimes against humanity and war crimes.

Felicien Kabuga

The other 'Big Fish' still on the run is former businessman Felicien Kabuga, the alleged financier of the Genocide.

About 10 years ago, Boubakar Jallow, the former ICTR Chief Prosecutor said that the information they had at the time was that Kabuga was in Kenya.

Despite Kenyan authorities denying his presence there, Jallow said they had failed to provide immigration details to show he had exited the country.

However, not much is talked about him being there no more.

Kabuga, known as the Financier of the Genocide, was a very wealthy businessman during the Genocide and a major shareholder of hate radio station RTLM.

Kabuga, who is now aged 84, has been on the run since August 18, 1994 when the Swiss security services let him slip from their grasp. As the genocide progressed, Kabuga was reportedly given a visa to enter Switzerland only to be later expelled.

Kabuga was expelled from Switzerland in 1994, and spent some time in the DR Congo –then Zaire – before seeking refuge in Kenya.

He is, in the past, said to have escaped arrest in Kenya several times. Among others, in 1998, an ICTR team raided a Nairobi rented house and found a note indicating that the fugitive, who escaped arrest, had been tipped off by the police.

He is accused of establishing the hate radio, RTLM, training and equipping the Interahamwe militia, among others. According

to financial documents found in Kigali after the Genocide, he used his companies to import vast quantities of machetes from China.

He is indicted on 11 counts including conspiracy to commit genocide, complicity in genocide and incitement to commit genocide.

Augustin Bizimana

The other 'Big Fish' is Augustin Bizimana, 65, the former Minister of Defence, who fled Rwanda in July 1994, heading to the DR Congo.

Bizimana was born in 1954 in Gituza commune, Byumba prefecture around the current Gatsibo District.

He was Minister of Defence in the Interim Government that executed the Genocide.

He had held a similar position in the third multi-party government formed on 18 July, 1993.

In all these capacities, besides exercising authority over the entire Armed Forces, he was responsible for controlling the possession of weapons and explosives by the civilian population.

Among others, he was directly involved in the training of and distribution of weapons to militiamen as well as the preparation of lists of people to be eliminated. He is also reported to have organized, ordered and participated in the massacres.

In November 2001, Bizimana was indicted on eleven counts including conspiracy to commit genocide, Genocide, complicity in Genocide, direct and public incitement to commit genocide, murder as a crime against humanity, and extermination as a crime against humanity.

Fulgence Kayishema

Born in Kivumu, in Kibuye – the current Karongi District - Kayishema, 59, was the inspector of the judicial police there at the time of the genocide.

Kayishema was indicted by the ICTR for genocide, complicity in genocide, conspiracy to commit genocide and extermination as a crime against humanity, committed in Kivumu commune, Kibuye préfecture between 6 and 20 April 1994, when he was police inspector.

According to the indictment, Kayishema is responsible for, or alternatively, was an accomplice to the killing or causing serious bodily or mental harm to members of the Tutsi population on or between the dates of 6 April 1994 and 20 April 1994 in Kivumu commune, with intent to destroy, in whole or in part, a racial or ethnic group.

In April 1994, Kayishema ordered or planned, abetted and encouraged the destruction of the Church of Nyange, in Kivumu with more than 2,000 Tutsi trapped inside, and killed.

His whereabouts remain unknown.

Pheneas Munyarugarama

Born in January 1948, Munyarugarama is another former military officer wanted for taking part in the Genocide between April and July 1994.

As a Lieutenant Colonel in the genocidal army, he played an essential role in directing the systematic plan aimed at exterminating the Tutsi and took direct part in carrying out the campaign.

Like hundreds others, when the genocidal regime fled into DR Congo soon after the genocide, Munyarugarama followed.

His indictment indicates that when carrying out the acts of direct and public incitement to commit genocide he had the intent to directly and publically incite others to commit genocide.

He was the highest ranking military officer and commander of Gako Military Camp in Bugesera District. His subordinates included soldiers in the camp, other soldiers deployed around Bugesera region, reservists and members of the national gendarmerie force in Nyamata brigade, the Interahamwe militia and other civilians he used in the genocide.

Among others, in April 1994, Munyarugarama led and supervised soldiers in his camp, other reservists and the Interahamwe militia in a large scale attack on thousands of refugees who had taken refuge in the Ntarama Catholic Church grounds.

His case was referred to Rwanda by the ICTR Prosecutor in 2012.

Aloys Ndimbati

Born in the early 1950s, the former Bourgmestre of Gisovu commune in Kibuye prefecture, Ndimbati, participated in the killings of Tutsi across Kibuye between April 9 and June 30, 1994.

He is responsible for massacres of the Tutsi who sought refuge in the hills in the Bisesero region in the Kibuye prefecture and includes the communes of Gishyita and Gosovu.

This region was under attack almost daily and massacres there resulted in tens of thousands of deaths.

Ndimbati was charged with genocide, complicity in genocide, direct and public incitement to commit genocide, as well as with murder, extermination, rape and persecution as crimes against humanity.

Charles Ryandikayo

Born around 1961 in Musenyi, in the Gishyita commune of Kibuye prefecture, Ryandikayo was manager of a restaurant in Mubuga in the Gishyita commune during the Genocide.

But he did more than attend to clients. He participated in the massacre of the Tutsi throughout the Kibuye prefecture.

He participated in the massacre of thousands of Tutsi congregated in the Catholic Parish of Mubuga, 20km from Kibuye town.

Charles Sikubwabo

Sikubwabo served as mayor of Gishyita commune, Kibuye prefecture, from 1993 till July 1994.

According to his indictment he too played an instrumental role in the murder of the Tutsi in the Kibuye region during the genocide, including personally participating in killings.

During this period, in contact with the likes of Ndimbati, he facilitated the massacres of the Tutsi who sought refuge in the Bisesero hills.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Kosovo Politicians Voice Sympathy After 'War Crimes Suspect' PM Resigns (Balkan Insight) By
Blerta Begisholli
July 19, 2019

Senior officials expressed sympathy for Prime Minister Ramush Haradinaj, who resigned after being summoned for questioning as a war crimes suspect by prosecutors in The Hague, insisting that the Kosovo Liberation Army's armed struggle was just.

The shock resignation of Ramush Haradinaj drew sympathetic comments from senior Kosovo officials and politicians on Friday after the prime minister was summoned for questioning by the Kosovo Specialist Prosecutor's Office in The Hague,

which is investigating crimes committed during and just after the Kosovo war, from 1998 to 2000.

President Hashim Thaci expressed regret that Haradinaj – a former Kosovo Liberation Army commander – and other former members of the wartime guerrilla force had been called for questioning in The Hague, but said he respected the premier's decision to quit.

"I believe in the purity of the war of Kosovo Liberation Army's war and I believe in the moral values of the warriors for peace," Thaci said.

Thaci also said that his own adviser, Bislim Zyrtari, had been called for questioning by the Hague prosecutors.

Kosovo's ambassador to Washington, Vlora Citaku, expressed outrage that Haradinaj would be questioned as a suspect.

"This is anything but justice!" Citaku wrote on Twitter.

"Twice acquitted from the Hague Tribunal, Haradinaj has been invited again by the special court as a suspect. This is persecution," she added.

Haradinaj was acquitted of wartime crimes by the International Criminal Tribunal for the Former Yugoslavia in The Hague in 2008 and in 2012.

He told his Alliance for the Future of Kosovo party on Friday evening that he would uphold his "personal honour" in the face of any accusations of wrongdoing.

"I will respond to these detractors with the honour of an Albanian warrior," Haradinaj said.

Fatmir Limaj, the head of the NISMA (Social Democratic Initiative) party, who was also acquitted of wartime crimes by the Hague Tribunal, said that the call for Haradinaj to give evidence as a suspect was unjust.

"Unfortunately this court was established by the Kosovo parliament, so the only alternative is confronting the slanders of the enemies of Kosovo with facts," said Limaj, whose party is part of the governing coalition.

Haradinaj's political opponents said meanwhile that they wanted him to step down, but not because of the rumoured war crimes allegations against him.

The leader of the opposition Democratic League of Kosovo, LDK, Isa Mustafa, said he regretted the Hague prosecutors' summons.

"The LDK has continually asked for the resignation of this government, but we feel sorry this is happening because of the invitation from the Specialist Chambers," Mustafa wrote on Facebook.

He said he believed that the KLA's war was just and that Haradinaj's innocence will be proven again.

Another political rival, Albin Kurti, the leader of the opposition Vetevendosje party, said that it was "the right resignation for the wrong reasons".

"Haradinaj... should have resigned a long time ago," Kurti said, accusing the outgoing premier of a series of political mistakes.

Serbian President Aleksandar Vucic is due to give his reaction on Saturday, but an MP from his Serbian Progressive Party, Milovan Drecun, who is also the head of the Serbian parliamentary commission for Kosovo, called Haradinaj's resignation "good news".

Drecun said it will "open the way to establishing justice for Serbian [war] victims and for the people responsible to be prosecuted", Tanjug news agency reported.

The Hague-based Kosovo Specialist Chambers are expected to try former Kosovo Liberation Army fighters indicted by the Specialist Prosecutor's Office for crimes including killings, abductions, illegal detentions and sexual violence. No indictments have been made public yet, however.

The Specialist Chambers and the Specialist Prosecutor's Office are part of Kosovo's legal system but are based in the Netherlands and staffed by internationals.

Specialist Prosecutor's Office spokesperson Christopher Bennet told Reuters news agency that he could not give any details about the questioning of Haradinaj because he has "an obligation to protect the privacy of every individual".

Bosnian Ministers Fail to Adopt National War Crimes Strategy (Balkan Insight) By Haris Rovcanon
July 24, 2019

Bosnia and Herzegovina's Council of Ministers was criticised for again failing to consider a revised national strategy for prosecuting war crimes to ensure that the country's huge backlog of cases is processed by 2023.

The Council of Ministers, the executive branch of Bosnia and Herzegovina's state-level government, has been criticised for again failing on Tuesday evening to consider a revised national strategy to clear up the country's large backlog of war crimes cases.

Denis Zvizdic, chairman of the Council of Ministers, said that the issue was so-called 'Category A' cases which were transferred, before the investigations were finished, by Hague Tribunal prosecutors to Bosnian prosecutors.

"We have no answer to the question on what happened to 850 Category A cases, because it is unclear how many cases have been ruled upon, how many defendants there are, in which cases investigations have been discontinued and how many have not been acted upon at all. Until these questions are answered, the presumptions for adoption of the strategy will not have been met," Zvizdic said.

But Milorad Kojic, director of the Centre for Research of War, War Crimes and the Search for Missing Persons of Republika Srpska, argued that this made no sense because all the data was already available to a working group that was set up by the Council of Ministers.

"Why did the Council of Ministers form the working group if they are now seeking the information?" Kojic asked.

Murat Tahirovic, president of the Association of Victims and Witnesses of Genocide, argued however that information about the 850 'category A' cases was crucial because these cases are the most important.

"We have no information about them. Why don't they say publicly how many of those cases have been processed, how many are in the investigation phase, how many charges have been brought against certain individuals. Nobody has the information," Tahirovic said.

In 2008, Bosnian authorities adopted a national strategy for processing war crimes cases which said that most complex cases would be processed at the state level within the seven years, while all other cases would be transferred to the entity level and completed in 15 years, by 2023.

As the seven-year deadline expired in late 2015 without the most complex war crime cases having been completed at the state level, a revised strategy was prepared, specifying that a larger number of cases would be transferred to the entity level.

The revised strategy, to which the country's judicial overseer, the High Judicial and Prosecutorial Council, gave its backing in February last year, says that all cases should be processed by 2023.

But this revised strategy has never made it onto the agenda of the Council of Ministers for approval.

Serbia Still Making Slow Progress on War Crimes: Report (Balkan Insight) By Milica Stojanovic
July 24, 2019

Serbia continues to make slow progress in implementing its strategy for processing war crimes, with no increase in indictments and the continued glorification of war criminals, said a report from the Humanitarian Law Centre NGO.

A new report by the Belgrade-based Humanitarian Law Centre, published on Wednesday, said there has been no progress this year so far in the implementation of Serbia's national strategy for the prosecution of war crimes.

The report, which covers the period from the start of December 2018 to the beginning of July this year, said there has not been an increased number of indictments compared to the number of investigations, that court cases continue to drag on for too long and that fewer missing persons have been found.

It also highlighted the lack of progress in Serbia to improve attitudes towards the issue of war crimes trials.

It noted the participation of released war criminal Vladimir Lazarevic in a ceremony marking the anniversary of Victory Day in May, and the Serbian Defence Ministry's involvement in publishing and promoting books written by another war criminal, Nebojsa Pavkovic.

Both Lazarevic and Pavkovic were convicted of responsibility for war crimes in Kosovo, and Pavkovic is still in jail.

The chief prosecutor at the UN court in The Hague, Serge Brammertz, criticised Serbia at the UN Security Council last week for glorifying people convicted of war crimes.

Serbian justice minister Nela Kuburovic responded by saying that people who have already served their sentence should be of no interest to the Hague prosecution.

But Humanitarian Law Centre director Ivana Zanic said because someone has served their sentence, “that that still does not mean that he has any moral authority in this society to transfer his knowledge to future generations, as was the case with Vladimir Lazarevic, who taught at the [Serbian national] Military Academy”.

The new report’s author, Visnja Sijacic, said that Serbia’s war crimes prosecution strategy should have helped the authorities resolve problems in processing cases, but did not.

“This strategy was meant to help the authorities approach the processing of war crimes in a strategic manner by identifying problems that had arisen over the past ten years and suggesting some recommendations about how to improve that,” Sijacic said.

“However, our conclusion is that practically it has not,” she added.

A report published by the Serbian War Crimes Prosecutor’s Office in December 2018 showed that over the previous two years, prosecutors mainly focused on smaller-scale crimes that were not committed by high-ranking officials, contrary to what the Belgrade authorities had promised the EU.

The Serbian government adopted its first National Strategy for the Prosecution of War Crimes in 2016, and it remains in force until 2020.

Serbia Wants Kosovo Ex-Guerrilla’s Extradition on War Crime Charges (Balkan Insight) By Milica Stojanovic
July 25, 2019

Serbia accuses former Kosovo Liberation Army member Tomor Morina, who was detained in North Macedonia on a warrant issued by Belgrade, of war crimes against civilians including killings and torture.

The Serbian War Crimes Prosecutor’s Office told BIRN on Thursday that it suspects detained former Kosovo Liberation Army member Tomor Morina of involvement in war crimes against civilians in the Djakovica/Gjakova area of Kosovo from January to June 1999.

Morina was arrested in North Macedonia on Wednesday on a Serbian warrant.

“Tomor Morina is charged, together with ten members of the so-called ‘Kosovo Liberation Army’ military police’s so-called ‘Cipat’ group, with carrying out killings of civilians and inflicting serious bodily injuries, as well as torture, inhumane treatment, unlawful confinement and theft of civilian property in the period from January 30 until the middle of June 1999 in the Djakovica municipality,” the War Crimes Prosecutor’s Office said.

The Serbian Justice Ministry told BIRN that it has been “officially notified about the arrest of Tomor Morina by the North Macedonia authorities” and that it will send a request for extradition.

The Macedonian authorities have made no statement about the case so far.

Kosovo’s Foreign Minister Behgjet Pacolli criticised the arrest and said that he expects that North Macedonia will release Morina soon.

“Serbia’s political arrest warrants against KLA freedom fighters do not make sense, nor do they have a legal basis,” Pacolli wrote on Facebook on Wednesday.

“We believe his release and return to his family will happen soon. Kosovo and North Macedonia are have a close friendship and partnership and we will resolve this matter as partners,” he added.

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

Official Website of the ICTY

Karadzic appeals the Mechanism's Ban on Video Calls from Detention Unit (Sarajevo Times) July 30, 2019

Radovan Karadzic appealed against a decision by the Mechanism for International Criminal Tribunals (IRMct) to end a pilot project that allowed Hague detainees to use online video-telephone technology.

Karadzic's lawyer Peter Robinson explained that the decision not to allow inmates at the United Nations Detention Unit in the Netherlands was wrong because it prevented his client, a long-term detainee, from communicating with his family.

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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Grotian Moment: The International War Crimes Trial Blog

After Defeat of ISIS, Iraq's Christians and Yazidis Adjust to Uneasy Peace (Daily Signal) By Nolan Peterson
July 28, 2019

Some 20 miles from Mosul in northern Iraq's Nineveh Plains, this Christian monastery has stood high on the slopes of Mount Alfaf since the year 363. Once home to about 7,000 monks in the ninth century, it's among the oldest Christian monasteries in the world.

Over the centuries, St. Matthew's Monastery has survived attacks by Kurds, Muslim tribes, and the Mongol emperor Tamerlane. Yet perhaps the direst threat of all came in 2014 when the Islamic State's terrorist army rampaged across Syria and northern Iraq to take control of Mosul.

Bolstered by a U.S.-led bombing campaign, a force of Kurdish peshmerga fighters—who are Sunni Muslims—stopped the advancing Islamic State militants just 2.5 miles from the beige stone citadel of St. Matthew's.

Today, Christians from Mosul and the surrounding villages make the trek up to the historic Syriac Orthodox monastery every Sunday to celebrate mass.

"It's safe for us to pray here," says Besman Naif, 42, a Christian man from the nearby village of Merghey at the foot of Mount Alfaf. "We aren't safe anywhere else."

A coalition of Kurdish and Iraqi forces liberated Mosul from the Islamic State (also known as ISIS) in 2017. Yet Naif, who is originally from Mosul, says he won't return to the city anytime soon.

"The Daesh mentality is still there, many well-known terrorists just blended back into the community," Naif says, using a pejorative Arabic nickname for ISIS. "There are still Daesh cells operating in the city. It's very dangerous."

The U.S. declared victory over the Islamic State in March after the Kurdish-led Syrian Democratic Forces overran the terrorist group's final stronghold in the Syrian village of Baghuz.

As a territorial power, the caliphate is no more. Yet, the underground ISIS network of sleeper cells and sympathizers remains a lethal threat to Iraq's religious minorities.

Across the country, Christians and Yazidis continue to live on edge, wary about publicly demonstrating their faiths for fear of violent reprisals. And for those who sought refuge from the Islamic State's wrath by fleeing to safety in Iraqi Kurdistan, returning home to places such as Mosul or Sinjar remains a prohibitively frightening proposition.

"The threat from remaining ISIS members and followers remains. It is a big mistake to think that ISIS is completely defeated," says Pari Ibrahim, founder and executive director of the Free Yazidi Foundation, a nonprofit that provides assistance to displaced Yazidis. (Yezidi is an alternate spelling for Yazidi.)

“There are many thousands of ISIS members and huge numbers of ISIS sympathizers and supporters throughout areas in Iraq and Syria,” Ibrahim tells The Daily Signal. “Even if the attacks become insurgent operations, we should remember that there are many towns and areas that believe in what ISIS said. That is an existential threat to Yezidis, especially, and to all civilians, and it will remain so.”

The bedrock, ideological catalysts that spawned the Islamic State—and drew many fighters from Iraq to join the terrorist army’s ranks—still exist within the region’s shadows, posing a perpetual, existential threat to Iraq’s religious minorities. The region, therefore, remains a fertile breeding ground for the Islamic State’s brand of militant Islamist extremism.

“The Islamic State was excessively brutal, but it did not come from a vacuum,” says Elizabeth Monier, a fellow in the Department of Middle Eastern Studies at the University of Cambridge.

“There is certainly lingering distrust. This is clear from the slow return of Christians to their homes in northern Iraq,” Monier says, adding:

“The cause is not just fears that ISIS might return ... ISIS is not an isolated threat. There is mistrust toward Muslim neighbors, some of whom were complicit in the violence and looting, and a lack of confidence in the commitment and ability of the central government to guarantee security of minorities.”

On a blazing hot day in late May, I stand on a rooftop terrace at St. Matthew’s Monastery and admire the view overlooking northern Iraq.

This is ancient Mesopotamia. The cradle of civilization. The epicenter of history. An embattled land in which war is as perennial as the seasons. Not far from here is the Gaugamela battlefield, where Alexander the Great’s army defeated the Persian army of Darius III in 331 B.C.

From this height, perched on a rocky escarpment, I easily can see the Kurdish peshmerga’s former front line against the Islamic State. The limit of the terrorist army’s advance seems close enough to touch, compared with the seemingly boundless and ancient expanse before my eyes.

The sun is scorching. Still, a chill spreads across my skin.

I think back to the Islamic State’s genocide of the Yazidis in Sinjar, and its destruction of the ancient city of Palmyra in Syria. It’s not hard to imagine what the Islamist militants would have done to this ancient and holy site had they reached it.

I also consider the grim fate that would have surely befallen the Christian inhabitants of the nearby villages. To say they narrowly escaped disaster is a gross understatement.

I descend again to the monastery’s inner courtyard where I find Naif resting on a bench in the shade. He’s got the right idea, I think, so I join him. An effusively polite man who can’t shake the smile on his face, Naif sits forward with his hands clasped as we make introductions and quickly get to talking. I learn that, together with his wife of 11 years, Naif moved from Mosul to the nearby Christian enclave of Merghey in 2005.

“It wasn’t safe for Christians in Mosul, even before Daesh arrived,” Naif replies. “The fall of Saddam created chaos. Three members of my family were killed because they were Christian.”

A tile setter by trade, Naif landed a job at the monastery restoring some of the tile work. Still, he is frustrated, he tells me, because there’s not nearly as much work to be found in Merghey as there was in Mosul.

I ask Naif if he would ever consider moving back to Mosul, now that it’s been liberated. His reply is tellingly resolute.

“I can’t go back to Mosul,” he replies. “I don’t feel safe there.”

About 100,000 Christians lived in Mosul prior to the U.S. invasion in 2003. Roughly 5,000 remained in the city by the time of the Islamic State’s 2014 takeover. Of that number, nearly all left in the course of one night after ISIS issued an ultimatum, giving the city’s Christians 24 hours to either convert to Islam or be executed.

Like a gathering snowball, Christians from the surrounding towns and villages joined in with those fleeing Mosul as they trekked toward safety in Iraqi Kurdistan.

At that time, the monks at St. Matthew’s Monastery began to evacuate relics, including a priceless collection of centuries-old Syriac Christian manuscripts, as well as the supposed bones of St. Matthew, the monastery’s namesake.

With an attack on the monastery looking imminent, Naif and his wife fled their home in Mergay in the summer of 2014. At first, they headed for the Iraqi city of Duhok, within Kurdish controlled territory. They later shifted to a refugee camp, where they lived for two years.

“Daesh was very close. They were firing missiles and rockets at our village,” Naif says of ISIS. “We had no other choice. We wanted to live, so we left.”

St. Matthew’s shows signs that life is carrying on after the war. As it has for centuries, the monastery remains a place of worship and a refuge for Christians of all denominations. All the relics, including the bones, are back in their proper places.

The monastery maintains a furnished dormitory available for Christians from anywhere in the world to come and stay free of charge. On this day in May 2019, a few Christian pilgrims from Mosul mill about in the inner courtyard, performing their daily chores. Around midday, they retire to the chapel for prayers.

“The peshmerga are our heroes; they sacrificed their lives to save us,” Naif says. “Daesh has no mercy. They would have killed us all.”

Persecuted

The ongoing threat of violence has spurred a mass exodus among Iraq’s religious minorities, spurring what the Iraqi Human Rights Society has called a “slow genocide” among groups such as Christians and Yazidis. Now, these religious communities, which have existed inside Iraq for thousands of years, are at risk of disappearing altogether.

“It was reasonable to accuse ISIS of genocide a few years ago, as the U.S. and others in the international community did,” says Peter Mandaville, senior research fellow at Georgetown University’s Berkley Center for Religion, Peace, and World Affairs.

“The security environment in Iraq today is precarious and it is not difficult to imagine a new version of ISIS rearing its head within the next few years,” Mandaville says. “But most of the decline in Iraq’s Christian population cannot actually be tied directly to ISIS or any other militant group, but rather to broader political and security-related problems.”

Iraq’s Yazidi population has decreased by about 18%, according to a 2018 report by the Iraqi Human Rights Society. And Iraq’s Christians are at risk of extinction.

In 2003, between 1.5 and 2 million Christians lived in Iraq, representing roughly 6% of the country’s overall population at that time of about 25 million. Today, the number of Christians is down to around 225,000—about 0.006% of Iraq’s current overall population of more than 39 million.

The U.S., along with the United Nations and other international bodies, ultimately called the Islamic State’s crimes against religious minorities a genocide. Yet, many experts say the threat against Iraq’s religious minorities predates ISIS, underscoring a more complicated problem than the brutality of a single terrorist group and its acolytes.

“It is neglect of minorities by the state and widespread prejudice in society that helped create the conditions in which ISIS could undertake such atrocities, so the threat is broader and deeper than ISIS alone,” Cambridge University’s Monier says.

In March 2018, three Christians were stabbed to death in their home in Baghdad during an alleged robbery. The attack, which came shortly after a Christian was shot and killed outside his home in Baghdad, sparked fears among Iraq’s Christians that they were under attack once again.

This year, Islamic State sleeper cells have ratcheted up pressure on civilians across northern Iraq, threatening to burn farmers’ crops unless they agree to pay a blackmail tribute to the terrorist group. This resurgent threat spurred the Iraqi military to announce in March that it was arming the residents of 50 villages around Mosul to defend themselves against underground ISIS networks.

The Islamic State’s crop-burning extortion racket poses a particularly acute threat for many Yazidi communities in northern Iraq, which rely on subsistence farming to survive.

No Safe Quarter

After the 2003 U.S. invasion to topple dictator Saddam Hussein, years of sectarian violence left Iraq’s religious minorities in the crosshairs of Islamist extremists. Killings, kidnappings, torture, and acts of vandalism on religious sites spiked. In one particularly savage bombing in 2007, al-Qaeda militants killed 796 Yazidis and injured another 1,500.

“The largest exodus of Christians from Iraq occurred in the years immediately following the 2003 U.S.-led war in Iraq. This points to some of the deeper factors at work here, namely fundamental changes to Iraq’s political environment,” says

Mandaville, the Georgetown University fellow.

Things got even worse after the Islamic State arrived on the scene in 2014. The Islamist terrorists singled out religious minorities for summary execution, torture, and rape.

“The removal of Saddam Hussein unleashed numerous localized rivalries and conflicts between groups that had been held in stasis due to the nature of his regime,” Mandaville explains, adding:

Christians no longer felt safe and did not believe there was a future for them in Iraq. This situation was exacerbated even further with the rise of ISIS. While the group certainly killed more Muslims than Christians or Yazidis, their targeting of Iraq’s small religious minorities was systematic and deliberate. In 2014, the Islamic State invaded the Yazidi enclave of Sinjar in northern Iraq. The Islamist militants summarily killed thousands of Yazidis and kidnapped 7,000 women as sex slaves.

Seeking refuge from the onslaught, tens of thousands Yazidis fled to nearby Sinjar Mountain; many died there from exposure while waiting for help.

The Yazidis’ plight on Sinjar Mountain caught the world’s attention and ultimately spurred the U.S. to launch the coalition bombing campaign against ISIS called Operation Inherent Resolve.

With the help of those airstrikes, the Kurds fought through and opened up an escape corridor for the trapped Yazidis. By that time, however, about half a million Yazidis already had fled their homes to seek safety in Iraqi Kurdistan—with the overwhelming majority coming from Sinjar.

“Yazidis speak about 75 major attacks on their community throughout their history, and massacres and genocides are also prominent in the communal memory of Iraqi Christians,” Monier says. “However, the violence and the huge displacement that ISIS triggered is particularly horrifying, especially as it happened before the eyes of the international community.”

After two days of intense fighting, Kurdish and Yazidi forces backed by U.S. airstrikes liberated Sinjar in November 2015. The town, however, was reduced to a wasteland. The physical destruction was nearly total. And amid the ruins, the liberating Kurds unearthed close to 100 mass burial sites.

Even with the Islamic State’s demise, few Yazidis are willing to go home. A 2019 U.N. report found that only 3% of Yazidis displaced from Sinjar planned to return in the next year. According to the study, they don’t believe the threat is gone for good.

“Yazidis are reluctant to return home,” the Free Yazidi Foundation’s Ibrahim says, speaking of those displaced from Sinjar.

“Surrounding villages, en masse, joined ISIS,” Ibrahim says, adding:

ISIS members remain throughout different areas. The whole of Sinjar remains largely in rubble. But even if they reconstruct it, there are a handful of different militias with power in different areas. They don’t like each other, and Yazidi civilians have to struggle to find who to trust. It is not like a normal country.

The Peacock Angel

An ethnic Kurdish minority indigenous to Iraq, Syria, and Turkey, the Yazidis number between 500,000 and 1.5 million worldwide.

Like Iraq’s Christians, over the centuries the Yazidis have clustered into tight-knit communities for protection. Their culture is insular—marrying outside the religion or caste system is forbidden under penalty of excommunication.

The Yazidis’ monotheistic faith originated in Mesopotamia more than 4,000 years ago. Rooted in Zoroastrianism, it incorporates elements of Christianity, Islam, and Judaism. Elements of Hinduism also are evident in their traditions and myths.

The Yazidis worship the “peacock angel,” which, according to some scholars, corresponds to Satan in the Abrahamic religions. The Islamic State singled out Yazidis as devil worshippers and treated them with a singular degree of brutality.

The Yazidis’ holiest site is the mountainous town of Lalish, about 30 miles from Mosul in Iraqi Kurdistan. Each year in Lalish, the Yazidis celebrate the Feast of the Assembly, a seven-day pilgrimage in late September to the tomb of Sheikh Adi Ibn Musafir, the 12th-century founder of Yazidism. All Yazidis aspire to attend the festival at least once in their lives.

On this day in late May, Lalish brims with activity. Old men share a bench, speaking with emphatic hand gestures. Children play while their parents lounge in the shade of giant olive trees.

A few young men work the counter at a snack stand. On the wall behind them is a mural of Noah's Ark. I notice the image of a black snake painted on the hull. Curious, I ask about the snake.

According to Yazidi tradition, I learn, a black snake plugged itself into a hole in the ark's hull, ensuring the future of all living beings. For that reason, the Yazidis treat black snakes with holy reverence.

Shoes are forbidden in Lalish, even when outdoors, to preserve the sanctuary's purity. My feet, softened by easy living, suffer at first but soon get used to the smooth stone walkways.

I gingerly make my way to the mausoleum of Sheikh Adi Ibn Musafir. Supposedly built thousands of years ago, the temple was converted to a mausoleum in 1162. Today, it is the world's holiest place for Yazidis. The entry portal is made from marble quarried from Mosul; a relief depicting a black snake is beside the door.

I am careful not to step on the raised threshold of the doorway as I enter the temple. Yazidi pilgrims stoop and kiss thresholds, but never step on them. I forego the kiss, but watch where I place my bare feet.

I remark that in Ukraine, according to tradition, some people never shake hands or exchange goods across thresholds. They either go all the way out the doorway or come all the way in.

According to old superstitions, evil spirits living under the threshold can steal your financial success, or even your soul. I wonder—could these cultural quirks have some common, ancient provenance?

Inside the Yazidi temple it's dim and quiet, although the voices of pilgrims echo in the stone space.

Colored cloths are wrapped around some of the pillars. The cloths are of six colors—one for each of the seven colors of the rainbow except for blue, symbolizing the seven holy angels of the Yazidi faith. (For reasons unknown to me, Yazidis refrain from wearing the color blue.)

These colorful cloths are tied in many knots. Each knot represents a wish. To make your own wish, you must first untie a knot, allowing someone else's wish to come true. Then, you make a wish and tie your own knot three times.

I go through the motions, leaving a knot and its attendant wish behind for someone else to untie someday.

Deeper into the temple, I enter a shadowy room and come across a group of young men who intermittently take turns tossing a silken handkerchief toward a small stone shelf. They do this with their eyes closed. If the handkerchief stays on the shelf, according to tradition, the thrower will get married soon.

One of the young men closes his eyes, exhales at length, and lets the silk cloth fly. It sticks! The others around him cheer in delight and offer an impassioned round of back slaps and handshakes. As I make my way through the temple, another young man follows me. He stays a few paces behind, walking with his hands clasped behind his back. He never intrudes or interferes, but he's definitely keeping an eye on me.

To be polite, I stop and introduce myself. The young man returns the greeting and introduces himself as Barzan Shamdin. He is 18 and from Sinjar, he says, and lives with his family in a camp for internally displaced persons near Lalish.

Shamdin tells me he is grateful for the Kurdish peshmerga fighters and the U.S. pilots who saved his people from destruction.

"We are a minority and we cannot protect ourselves," Shamdin says. "We will love forever everyone who fought to save us."

I ask Shamdin why he hasn't gone home yet. If the Islamic State is defeated, why is he still living in a camp?

"My whole family, like all Yazidis, wants to go home," Shamdin tells me. He pauses for a beat, then adds: "We know that Daesh is gone. But we don't feel safe enough to go back."

From Lalish, the road I follow cuts south and then west across the Nineveh Plains to arrive at the ancient Christian town of Alqosh. The two-lane highway into town passes through a Kurdish checkpoint and under a metal arch topped by a Christian cross.

Originally a Jewish settlement, Alqosh became a Christian enclave as early as the first century, some scholars believe. Today, the town has a population of about 15,000, most of whom are Christian.

Evidence of Alqosh's antiquity is clear. The town is a tangled mess of ancient buildings interwoven with narrow alleyways conceived long before automobiles were ever part of the picture. New construction simply melds into the crumbling remains of the old.

There also is no mistaking the town's Christian heritage. Murals depicting images of Jesus Christ, or of the cross, are prolific.

During my wanderings, I curiously venture through a nondescript entranceway of cut stone. It leads through a narrow passageway and into the inner courtyard of the fifth-century Mar Mikha Church. The surrounding walls are cracked and crumbling in places. The graves of monks and priests are beneath the weathered stone floor.

I take a moment to appreciate the sanctity of this historic, holy site. Then, as I'm about to leave, a man exits the church's office and invites me in for a glass of water. Naturally, I agree.

The man, whose name is Basaam Shasadda, is a 39-year-old Christian who used to live in Mosul. He's a little surprised to discover an American journalist wandering through his church, but he's eager to chat.

I ask about the lingering threat posed to Alqosh's Christians by remnants of the Islamic State. He replies: "The Daesh threat isn't just to Christians; all of Iraq is unstable. But when there's an attack, it's usually on the religious minorities."

When ISIS invaded to within a few miles of Alqosh in 2014, most of the town's population evacuated. Only a few hundred people stayed behind, Shasadda says:

"Everyone was frightened when Daesh was advancing. But I stayed. I stayed because this is my home. We didn't leave for Saddam, and we weren't going to leave for Daesh."

For Shasadda, the lingering threat of ISIS sleeper cells is too high for him to consider returning to Mosul. Plus, he says that within Iraqi Kurdistan, Christians live in peace alongside the Kurds. There's no point, in his mind, to abandon the relative safety he enjoys in Kurdish-controlled territory.

"We are treated equally in Kurdistan. We are treated the same as anyone else," Shasadda says. "We are all able to live together peacefully—all the different religions." Yet, Shasadda laments the mass exodus of Christians from Iraq. And he worries that although Alqosh dodged a bullet in 2014, the roots of Islamist rage that spurred the formation of the Islamic State have not yet been erased.

Thus, the survival of Iraq's Christian population is not a foregone conclusion, Shasadda says. Striking a defiant note, however, he says he believes the war unified Alqosh's Christian community, increasing its resilience to deal with another crisis.

"It's difficult to have hope that things will get better, and I don't know what the future holds," he says. "But the church keeps us together as one. Religion unites us."

Leaving Alqosh, the road climbs north toward the nearby mountains. I enter a narrow defile and observe the Rabban Hormizd Monastery built into the steep, rocky slopes above. It's an impressive sight to behold.

Founded in 640, this Chaldean Catholic Church monastery has been abandoned and rebuilt multiple times over the centuries. Today, the fortress-like structure is no longer an active monastery, but remains a popular place of worship for the Christians of Alqosh.

During the war, people would also visit the monastery to witness the mushroom clouds of coalition airstrikes ascend above Islamic State-controlled territory to the south.

On this evening, the sun already has dipped behind the mountains, casting the monastery in shadow. Looking south, the rolling plains in the direction of Mosul are still bathed in sunlight. There's no evidence of war.

Rather, a group of Christians has gathered on the monastery's terrace to enjoy the evening and freely exercise their faith. The adults sing songs and chat. The children play and laugh. Observing this joyful scene, I think back to what Shasadda told me as we parted ways a short while earlier:

"We survived."

ISIS Caliphate Is Gone, But Threat Remains, Dunford Says (Department of Defense) By Jim Garamone
July 26, 2019

There can be no doubt that the strategy to drive ISIS from its so-called caliphate in Syria and Iraq has succeeded, but that doesn't mean the struggle against the ideology is over, the chairman of the Joint Chiefs of Staff said in Baghdad.

Marine Corps Gen. Joe Dunford met with U.S. and coalition leaders in Iraq's capital to discuss the next steps in the strategy to stop the terror group from ever coming back. He met with U.S. Ambassador to Iraq Matthew H. Tueller and Army Lt. Gen.

Paul LaCamera, the commander of Operation Inherent Resolve.

The bottom line is the ISIS threat has not gone away, the chairman said.

When Dunford made his first visit to Baghdad as chairman in 2015, Iraqi security forces tanks were positioned at various crossroads in the city in case ISIS fighters attacked. The terror group seemed to come out of nowhere to take eastern Syria and vast stretches of northern and western Iraq. Iraqi forces ran from ISIS and surrendered Mosul, Iraq's second-largest city. The group declared Raqqa, Syria, as the capital of its caliphate and began the effort to turn back the calendar to the seventh century. The group continued to drive into Iraqi Kurdistan and held Ramadi – a city many consider a gateway to Baghdad.

But some units in Iraq stuck together, and U.S. forces and allies came into the country to help those forces become more effective in combat. At the time, many critics said the only way to defeat the terror group was via vast numbers of Western troops – by Western, they meant American. Some believed the United States had to launch another military surge into Iraq.

American political and military leaders believed there was a better strategy. The "train, advise and enable" model was christened, with a small number of American and partner-nation forces instructing Iraqi and Syrian security forces, advising them in combat and providing enabling capabilities to ensure ISIS defeat. The strategy has proven successful, and in March, the physical caliphate was eliminated.

"We can all certainly be proud of the progress that has taken place since 2015 ... in terms of clearing ISIS from Mosul, from Raqqa, from Fallujah and so forth," Dunford said in an interview with reporters traveling with him. "But we also know there is still a fairly vibrant insurgency that has reverted to guerilla tactics, and so there is still a threat."

The Iraqi government asked for the assistance in 2015, and it continues to need the aid. Leaders in the country do not want a repeat of the brutal terror group, and they want U.S. and international partners to remain. But this doesn't mean the system will remain static. U.S. officials already have made adjustments to the military presence in Iraq and Syria. American forces have brought in new capabilities to Iraq and Syria and made adjustments to other capabilities that were already in the region.

The physical caliphate is defeated, but ISIS has not disappeared. ISIS has reverted to a guerilla group, with individuals banding together to launch small attacks. Combating this threat requires different skills, and the coalition has changed to mirror the new reality.

In Iraq, the effort requires a long-term partnership, Dunford said. The U.S. footprint at any time is going to reflect what the commander believes is necessary to do the train, advise, enable mission. In addition, the United States will continue to address its own counterterrorism objectives in the region, he added.

"There won't be any big change on any given day," the chairman said. "I think the mission will continue to evolve over time. Officials will assess the situation on the ground and adjust the capabilities as needed. What you can expect to see are constant refinements, but no big change." Training is a constant for any military formation or organization. In the past in Iraq, the coalition training focused on the institutional base. Now it is the operational force that will receive training after redeploying from combat. "This allows us to get ahead of ISIS," LaCamera said.

Dunford noted that previous efforts to train Iraqi forces were focused on getting capabilities in the field quickly. Officials would marry up tanks and personnel, for example, and they would train for four or five weeks and get sent to a division.

Now, it is a more persistent training effort with operational units, the chairman said: Iraqi security forces need to know how to combat a guerilla group, how to deal with displaced persons, and how to provide services to areas ravaged by conflict.

What needs to happen on the military side is development of an adaptive mind set, LaCamera said. "The mission doesn't change, but we have to be adaptive," he added.

Local forces have proven adaptive, as Iraqi and Syrian forces cleared ISIS from the ground it held. "I believe that what has happened in both Syria and Iraq is a model for training, advising and enabling local forces," Dunford said.

The coalition provided crucial enabling capabilities, "but the heavy lifting — as shown by the casualties — was done by the Iraqi security forces and the Syrian Democratic Forces," the chairman said.

But the enemy has changed as a result of the defeat-ISIS coalition's successes. Dunford said he doesn't believe the fight is over.

"I think we have significantly changed the character of the threat. I think we have disrupted them. We have cleared them. ... But we need to realize that this is a long-term campaign, and until the conditions that fed ISIS in the first place are addressed, there is still violence across the Middle East," he said. "And as we know, ISIS is not only just a threat here, but it is a transregional threat."

Iraq Unearths Mass Graves Believed to Contain Kurds Slain in 1987-88 (Voice of America) By Rikar Hussein and Dilshad Anwar
July 24, 2019

Four mass graves with dozens of bodies believed to be Kurds killed by the former Iraqi leader Saddam Hussein's forces were found in the desert of al-Muthanna province in southern Iraq.

Early exhumation of the mass graves about 80 kilometers southwest of al-Samawah city has found bodies of 70 people, said Jabar Omar, the chief of Kurdistan Region's Office of Martyrs and Anfal Affairs in Garmyan, who also oversees the unearthing process.

The people, consisting mostly of women and children, are believed to have been killed between 1987-1988, during the Iraqi former regime's "Anfal campaign" against the Kurds.

"The victims are buried on the top of each other and they are mostly women and children," Omar said. "Separating the bodies is difficult because many of them are infants, between 1 and 2 years of age, buried between their mothers' arms."

The Anfal campaign was unleashed against the Kurds in the late 1980s by Hussein's forces and led by his cousin Ali Hassan al-Majid. The campaign reportedly left 180,000 Kurds dead or missing, and about 4,500 villages were destroyed.

Kurdish officials say the whereabouts of thousands who went missing in the campaign remain unclear, with their families still trying to find out if they are alive or buried in Iraq's southern deserts.

The team tasked with identifying the bodies found in al-Muthanna is still uncovering one mass grave, Omar said, adding the number of bodies is expected to rise in the following days as the excavation of three other graves begins.

Once the remains are collected, a team of legal and forensics officials will transport the bodies to Baghdad for further testing, he said.

"Decaying clothing recovered from the mass grave show the victims are most likely from Garmyan district," he added.

Since the overthrow of Hussein's regime in 2003, Iraqi authorities have discovered several mass graves containing bodies of executed Kurds.

Last April, Iraq President Barham Salih attended the unearthing of another Kurdish mass grave in the western desert of al-Samawah.

"The new Iraq must never forget these crimes that were committed against Iraqi people from all groups," he said at the time, during a press conference at the gravesite.

Rights organizations, including Human Rights Watch, say the Anfal campaign was a systematic ethnic cleansing program amounting to genocide. Norway, Sweden, the United Kingdom and South Korea officially recognize the campaign as genocide.

An Iraqi court in 2007 convicted and sentenced al-Majid to death for his leading role in the campaign.

Iraq exhumes bodies thought to be Kurds killed by Saddam (Yahoo News)
July 23, 2019

Iraq on Tuesday began exhuming the remains of dozens of victims, including children, likely killed during ex-dictator Saddam Hussein's campaign against the country's Kurds, a forensics official told AFP.

The mass grave was uncovered in Tal al-Sheikhiya, about 300 kilometres (200 miles) south of Baghdad, said Zaid al-Youssef, the head of Baghdad's Medico-Legal Directorate which is tasked with identifying the remains.

"More than 70 bodies including women and children, ranging from newborns to 10 years old" have so far been exhumed, Youssef said.

Those remains were recovered from the surface layer of the site, he said, but "there could be a second deeper layer" with additional bodies.

"The evidence collected indicates they were summarily executed in 1988," said Youssef, which coincides with Saddam's brutal "Anfal" campaign against Iraq's Kurds.

The operation took place between 1987 and 1988 and saw nearly 180,000 Kurds killed and more than 3,000 villages destroyed.

"The female victims were blindfolded and killed by gunshots to the head, but also have traces on various parts of their bodies of bullets that were fired randomly," Youssef said.

The grave lies in the southern province of Mutahanna, also home to the notorious Nigrat Salman prison camp.

Many Kurds and political opponents of the previous regime were held there, and survivors shared tales of humiliation, rape and detention of minors as part of Saddam's 2006 trial.

Iraq has been hit by wave after wave of conflict in recent decades, culminating in the fight against the Islamic State group which ended in late 2017.

Those years of conflict left grave sites all across the country where the remains of thousands of victims from Iraq's diverse ethnic and religious communities have been uncovered.

IS alone left behind an estimated 200 mass graves that could hold up to 12,000 bodies, the United Nations has said.

Authorities are testing remains from the most recent conflict as well as wars dating back three decades in an effort to identify the fates of missing Iraqis.

According to Iraqi authorities, Saddam's regime forcefully disappeared more than one million people in the 1980s and 1990s, and many of their families are still trying to find out what happened to them.

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Syria

Russia and Syria step up airstrikes against civilians in Idlib (The Guardian) By Martin Chulov
July 22, 2019

At least 33 people were killed and more than 100 wounded by an airstrike on a marketplace in northern Syria on Monday, as a Syrian and Russian bombing campaign against civilian sites in the rebel-held province intensified.

Witnesses and monitoring groups reported widespread destruction across two residential blocks in the centre of Maarat al-Numan, with many people reportedly still buried under an apartment building as night fell.

Rescue efforts were frequently stopped as jets circled the town in the south of Idlib province, the last corner of the country to remain in opposition hands after eight years of war. The past four months have taken an especially brutal toll across much of the province with the Russian-led bombing decimating civilian infrastructure.

Hospitals, market places, schools and centres for the displaced have been systematically targeted in towns and cities that remain in opposition hands. UN agencies and NGOs say at least two dozen hospitals and medical clinics have been destroyed by airstrikes, some hit multiple times until treating patients became impossible.

More than 3 million people are now crammed into Idlib province, many of them having fled fighting elsewhere in the country. Among them are extremist fighters and jihadists who have subverted the anti-Assad insurgency and lorded over civilian populations. The presence of jihadists has been used as a pretext by Russian and Syrian forces for the scale of the bombing in Idlib.

An air campaign, launched on 29 April, was supposed to have been in support of a ground war in southern Idlib, led by the Syrian Army. However, since the offensive began, regime forces have made little progress, even with total air superiority.

The stagnant battle lines have reportedly led to frustration in Moscow, whose support for the Syrian leader, Bashar al-Assad, has remained resolute for the past five years, but has been tested as regime loyalists have failed to seize ground.

The fate of Idlib is central to the outcome of the war, which had killed more than 500,000 people when monitoring groups stopped counting three years ago. Since then, a fight that started as a push to oust Assad has morphed into multiple conflicts, led to the displacement of more than half the country's population, who now have nowhere left to run, and drawn in neighbouring and regional states, who all want to shape the war's aftermath in their interests.

Turkey, a significant backer of opposition groups in Idlib since the outbreak of anti-government clashes in mid-2011, has proposed a summit with Assad's two main backers, Russia and Iran, in another attempt to douse the violence. Numerous multilateral peace initiatives have failed over recent years as one of modern history's most intractable conflicts continued to ravage Syria and destabilise the region and beyond.

Ankara's interests have increasingly been defined by its fears of Kurdish groups in northern Syria, which are allied to Kurds fighting an insurgency in south-eastern Turkey. A Turkish military operation in the town of Afrin early last year pushed Kurdish groups away from the border and Ankara now eyes the town of Tel Rifaat, where a significant Kurdish presence is seen as an obstacle to its ambitions of safeguarding several hundred miles of its border with Syria.

Splintered throughout much of the war and abandoned more recently by regional patrons, including Qatar, the UAE and Saudi Arabia, opposition groups can no longer win the war. Assad, though nominally in a winning position, owes his ascendancy to Moscow and Tehran, both of whom have been staking out their claims on postwar Syria as the war has slowly wound down.

Iran, which provided proxy ground forces that were instrumental in the recapture of Aleppo in late 2016, has not committed substantial forces to the Idlib front, and is increasingly at odds with Moscow over how to deal with the province.

Turkey, while acquiescing to a limited Russian-led operation in the south of Idlib province, has insisted it would not shoulder the burden of a massive inflow of refugees in the event of a coordinated ground push. Its calls for a fresh summit add weight to assessments in the region and Europe that the battlefield has reached a stalemate.

"We say to Assad and his friends that their obvious attempts to obliterate civilian life have failed this far and will fail again," said a senior Turkish official. "They have lost in Idlib, and will continue to lose. They cannot bomb their way into victory. Only infamy."

Airstrikes Hit Market in Rebel-Held Syrian Town, Killing 27, Activists Say (New York Times)
July 22, 2019

Multiple airstrikes hit a busy market in a rebel-controlled town in northwestern Syria on Monday, killing at least 27 people and turning several buildings into piles of rubble, according to opposition activists and a war monitor.

Shortly after the strikes, state media said rebels shelled a government-held village, killing seven.

The high death toll marked a sharp increase in the escalation of violence between the two sides. Government troops, backed by Russian air cover, have been trying since April to push their way into the enclave in the northwestern corner of Syria, near the Turkish border.

Dominated by Al Qaeda-linked militants and other jihadi groups, Idlib province and northern parts of the nearby Hama region are the last major rebel strongholds in the country not controlled by Syria's president, Bashar al-Assad.

Despite the heavy bombardment, Mr. Assad's forces have been unable to make significant advances. Militant groups have hit back hard, killing an average of more than a dozen soldiers and allied militiamen a day in recent weeks.

The fighting has killed more than 2,000 people and displaced hundreds of thousands.

The Syrian military's struggling campaign underscores the limits of Syria's and Russia's air power and inability to achieve a definitive victory in the country's long-running civil war, now in its ninth year.

Monday's airstrikes took place in the town of Maaret al-Numan and left more than 30 injured, according to the reports from the region, which has witnessed intensive airstrikes and bombardment almost every day for the last three months. The strikes came in several rounds and caused widespread destruction, burying several people under the rubble.

The Britain-based Syrian Observatory for Human Rights, a war monitor, called it the largest single death toll since a Russian-Turkish truce collapsed in late April.

SANA, the Syrian state news agency, said insurgents shelled the village of Jourin in the northern part of Hama province, killing seven civilians when a shell hit a moving car. State TV also reported that insurgents shelled the government-held town of Suqailabiyah, injuring four people, including a child.

Syrian opposition activists said Russian warplanes carried out Monday's airstrikes, but Russia's Defense Ministry dismissed the reports as a "hoax," adding that the Russian air force didn't "carry out any missions in that area in Syria." There was no immediate comment from the Syrian government.

The Observatory, which monitors the fighting on the ground in Syria through a network of activists, said 37 people were killed, including two children and three women, in the strike on Maaret al-Numan. The Thiqa news agency, an activist collective in northern Syria, reported that the strike killed 27 people.

Syria war: 'World shrugs' as 103 civilians killed in 10 days (BBC)
July 26, 2019

More than 100 people, including 26 children, have died in air strikes on hospitals, schools, markets and bakeries in north-west Syria in the past 10 days, a top UN official says.

Human rights chief Michelle Bachelet blamed the attacks in rebel-held areas on the government and its allies.

But the attacks were met with "apparent international indifference", she said.

Syria and its ally Russia have both denied targeting civilians in air strikes in the Idlib region.

Speaking to reporters, Ms Bachelet criticised the "failure of leadership by the world's most powerful nations".

The rising death toll in Idlib had been met with a "collective shrug" and the conflict had fallen off the international radar, while the UN Security Council was paralysed, she said.

She said the civilian targets were unlikely to have been accidental and warned that those carrying out the attacks could be charged with war crimes.

"Intentional attacks against civilians are war crimes, and those who have ordered them or carried them out are criminally responsible for their actions," Ms Bachelet said.

Idlib province, along with the north of Hama province and western Aleppo province, is one of the last opposition strongholds in Syria after eight years of civil war.

It is supposedly covered by a truce brokered in September by Russia and opposition-backer Turkey that spared the 2.7 million civilians living there from a major government offensive.

Last week, the UN said more than 350 civilians had been killed and 330,000 forced to flee their homes since fighting escalated on 29 April.

But that figure has now been revised, adding 103 extra deaths in the past 10 days alone. The estimate for the number displaced stands at more than 400,000.

The government - which is backed by the Russian air force - said the increase in attacks was due to repeated truce violations by jihadists linked to al-Qaeda who dominate the opposition stronghold.

Russia has denied reports earlier this week that it carried out airstrikes on a market and residential areas which left at least 31 civilians dead.

Even before the conflict began, many Syrians were complaining about high unemployment, corruption and a lack of political freedom under President Bashar al-Assad, who succeeded his father, Hafez, after he died in 2000.

In March 2011, pro-democracy demonstrations erupted in the southern city of Deraa, inspired by the "Arab Spring" in neighbouring countries.

When the government used deadly force to crush the dissent, protests demanding the president's resignation erupted nationwide.

The unrest spread and the crackdown intensified. Opposition supporters took up arms, first to defend themselves and later to rid their areas of security forces. Mr Assad vowed to crush what he called "foreign-backed terrorism".

The violence rapidly escalated and the country descended into civil war.

Kurdish cities in Syria witness bloody week (Al Monitor) By Shivan Ibrahim
July 29, 2019

A series of successive explosions took place in Hasakah city in northeastern Syria, leaving about 14 civilians and military personnel wounded and causing extensive material damage. Two explosive devices detonated on the night of July 10, one in al-Ghazal neighborhood and the other on the highway between a fire station and Sinalco beverage company, opposite the Adnan al-Maliki School in Tell Hajar neighborhood.

Also on July 10, a motorcycle was detonated in the town of Markada, injuring three adults and a child. On the morning of July 11, three motorcycles exploded, two in al-Salhiya neighborhood near al-Mashmah roundabout, only 100 meters (328 feet) and about 20 minutes apart. Fifteen minutes later, the third motorcycle was detonated in al-Kalasa district near a police checkpoint. A member of the security forces was wounded in one of the three explosions and extensive material damage was caused.

Citizens in the targeted areas fear that further attacks will take place, forcing them to leave their homes.

Lazkin, from al-Salhiya neighborhood, told Al-Monitor on condition his last name was not used, "It seems we are far from getting rid of such conditions; every now and then some security incident occurs. Our children might have escaped death this time, but if the Islamic State [IS] ideology is not completely eliminated and proper, developed alternatives to the defected security structures are found, we could die in an explosion at any moment."

Meanwhile, IS claimed responsibility for the rigged van, truck and motorcycles that targeted Hasakah and Qamishli.

The media office of the Kurdish security organization Asayish issued a statement July 11, saying, "We assure all those who seek to undermine the security of our cities and the safety of our people that we will do anything to ensure maximum security and public safety. We will stand beside all the coexisting components on this land."

On July 11, a van exploded in Qamishli, targeting Assyrian worshippers during prayers at the Syriac Orthodox Church of the Virgin Mary. Eleven people were injured and nearby shops were severely damaged.

Leader of the Kurdistan Democratic Party Massoud Barzani condemned the bloody attacks on the Kurdish areas in Syria on July 11, saying, "We strongly condemn these terrorist operations, and we extend our condolences to the families of the victims of these unfortunate incidents and wish a speedy recovery for the wounded."

Bashir Saadi, member of the executive office of the Assyrian Democratic Organization in Syria, told Al-Monitor that bombings in the past in the Christian-majority neighborhoods in al-Jazira during the Syrian war resulted in a "sense of instability among Christians, including Assyrians, who believe this poses a real threat to their existence."

Saadi believes that the security authorities of both the regime and the Kurdish self-administration "could not prevent the bombings or catch perpetrators and bring them to justice." He noted that in order to maintain their survival, Christians have no choice but to leave al-Jazira because of the bombings as well as the consequences of the ongoing Syrian crisis.

He added that the church bombing sends a clear message "of targeting Christians, including Assyrians, telling them that they are not welcome here and should leave."

The security forces of the self-administration set up checkpoints and deployed patrols on the main roads, at the entrance of popular neighborhoods, near churches and in Christian-dominated areas in Qamishli.

Asayish condemned the bombings carried out by "terrorist groups," and emphasized that the explosion near the church aims to "target security and civil peace in our regions. We call on citizens to be vigilant and immediately report any suspicious vehicle or activity to the nearest Asayish station in order to completely eliminate terrorism and its supporting cells."

On July 17, three people were injured when a rigged car exploded at an Asayish checkpoint in al-Ghuayran neighborhood in Hasakah.

Yara Fedwan, a resident from Hasakah, told Al-Monitor, "It seems we will never enjoy peace and quiet. We have had five bombings in two days. It is not about the number of victims, but it seems [the perpetrators] want to send us messages so we leave."

Fedwan is following up on the aftermath of the bombings on Facebook and believes the IS threat is yet to be eliminated. "Staying in the safety of our homes all the time is not the solution, but it is dangerous to go outside. I believe the terrorists are

just waiting for the right opportunity to kill us," she noted.

As a precaution, Asayish did not allow motorcycles on the streets for a whole week starting July 11. The decision banned civilians and military personnel from riding motorcycles, and only those with an official license plate from the self-administration were allowed out.

Saadi does not see any similarities between the bombings in Hasakah and those that occurred on the same day in Qamishli. "Motorcycles were used in the bombings in Hasakah and hit military targets, while the Qamishli attack targeted an important religious symbol for Christians," he said. "Hundreds of worshippers, women, children and the elderly could have died had the bombing occurred only a few minutes later."

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Yemen

UN again blacklists Saudi-led forces for Yemen child killings (Al Jazeera)

July 28, 2019

A Saudi-UAE-led military coalition fighting Yemen's Houthi rebels has been blacklisted for a third year by the United Nations over the killing and wounding of hundreds of children, according to a report seen by Al Jazeera.

UN Secretary-General Antonio Guterres said in the annual report submitted to the Security Council on Friday that the coalition killed and wounded 729 Yemeni children in 2018.

The figure accounts for nearly half of the total child casualties in the war-torn and impoverished country.

The UN said it verified 1,689 child casualties in Yemen last year, including the killing of 576 and the maiming of 1,113.

The toll was "often a result of attacks in densely populated areas and against civilian objects, including schools and hospitals", Guterres said.

The report also blacklisted the Houthis, saying the rebels killed and wounded 398 children, as well as Yemeni government forces who were responsible for 58 child casualties.

The Children in Armed Conflict report also blamed Israel for the death of 56 Palestinian children and the wounding of 2,674 last year, the highest number in four years. Israel was not blacklisted, however.

Last year, "verified cases of the killing and maiming of children reached record levels globally" since monitoring began in 2005, said Guterres. A total of 24,000 "grave violations" against children was documented in 20 countries, with Afghanistan and Syria topping the list of countries with the most child casualties in armed conflict.

"In Afghanistan, the number of child casualties remained the highest such number in the present report (3,062) and children accounted for 28 percent of all civilian casualties," the report said.

"In the Syrian Arab Republic, air strikes, barrel bombs and cluster munitions resulted in 1,854 child casualties."

The report does not subject those listed to action but rather shames parties to conflicts in the hope of pushing them to implement measures to protect children. The report has long been controversial, with diplomats saying Saudi Arabia and Israel both exerted pressure in recent years in a bid to stay off the list.

In 2017, Guterres sought to reduce the controversy by splitting the blacklist into two categories. One lists parties that have put in place measures to protect children and the other includes parties that have not.

In relation to Yemen, the report named the Saudi-UAE-led military coalition and Yemeni government forces on the first list. The Houthis, pro-Yemen government militia, the Security Belt Forces, and al-Qaeda in the Arabian Peninsula on the second list.

The Saudi-UAE-led coalition intervened in Yemen in 2015 to restore the internationally recognised government of President Abd-Rabbu Hadi Mansour, who was swept from power by the Houthi rebels the previous year.

"We're quite disappointed by the inclusion of the Saudi-led coalition in what is known as the 'not so bad part' of the list of shame," Louis Charbonneau, UN director at Human Rights Watch, told Al Jazeera.

There was "simply no evidence" that the Saudi coalition has made any improvement when it comes to protecting the rights of children, he said from New York.

"They have been committing appalling atrocities against children for years now since 2015. To include them year after year as a coalition that is improving makes a mockery of it. Because if they're improving, why aren't they getting off the list?"

Saudi UN Ambassador Abdallah al-Mouallimi told Reuters news agency that the report acknowledged steps taken by the coalition to safeguard children, noting that "every child's life is precious". But he also questioned the sourcing and accuracy of the report, describing the numbers as "exaggerated".

There was no immediate comment by the Israeli UN mission.

Al Jazeera's diplomatic editor James Bays said the report was seen as a "political hot potato" from countries not wanting to be included on the list.

He added that it was "pretty clear ... from reading this report that there's been political pressure again".

Yemen's government blames rebels for deadly market strike (The Washington Post)

July 30, 2019

The Saudi-led coalition and Yemen's internationally-recognized government said Tuesday the Houthi rebels were behind a strike on a market that killed at least 14 civilians, contradicting earlier claims by the rebels who said the coalition was to blame for the attack.

The statement, sent to reporters by Yemen's Embassy in Washington, alleged the Houthis launched Katyusha rockets at the al-Thabet market and then attempted to deflect blame by accusing the Saudi-led coalition for Monday's early morning attack.

The statement did not explain why the Houthis would target an area under their control. The rebels control much of northern Yemen, including the capital, Sanaa, which they overran in late 2014.

Coalition spokesman Col. Turki al-Maliki told The Associated Press in a statement that the Houthis, who are supported by Iran, carried out the attack in "an act of vengeance and pure spite," allegedly because of the Yemeni "people's loyalty and heroic stances" against the rebels.

However, other Yemeni officials and the rebels' health ministry have said a Saudi-led coalition airstrike was behind the attack in Saada province, a stronghold of the Iran-aligned Houthis. Children were among those killed in the attack, which also wounded 27 people. The officials spoke on condition of anonymity because they weren't authorized to brief the media.

The Saudi-led coalition has been at war against the Houthis since 2015 in a war that has killed tens of thousands of people. The coalition faces widespread international criticism for airstrikes that have killed civilians.

The stalemated conflict has claimed tens of thousands of lives, thrust millions to the brink of famine and spawned the world's most devastating humanitarian crisis.

Remote Weapons System not used in the Yemen war, Australian defence company EOS says (Australian Broadcasting Company Investigations)

By Dylan Welch
July 30, 2019

The Australian defence company behind hundreds of millions of dollars' worth of sales of a next-generation weapons system to two Arab nations has told the Australian Stock Exchange its weapons are not being used in the increasingly controversial Yemen war.

The statement was in response to an article by the ABC last week revealing photographic evidence of weapon systems parts about to be exported to the United Arab Emirates military, which faces allegations of war crimes in the Yemen war.

Australian company EOS designed and manufactures the Remote Weapons System (RWS), a collection of sensors and a

swivelling mount set around a small cannon, heavy machine gun or missile launcher.

The system is then affixed to a military vehicle or a naval vessel and fired remotely.

EOS has repeatedly said the weapons system has not been sent to Yemen, and yesterday chief executive Ben Greene told the Guardian that "nothing has been delivered to the UAE".

That does not accord with cargo records based on the air waybill number provided for RWS parts pictured at Sydney airport a month ago.

The UAE airline Etihad's cargo tracking website shows the RWS parts arrived at Sydney Airport on July 9.

They were flown to the UAE capital Abu Dhabi the next day, arriving just before midnight local time.

Dr Greene also told the Guardian the UAE shipment related to a "demonstration unit" which had "no lethality whatsoever".

In December, the ABC broke the news that EOS was selling the weapons system to the United Arab Emirates, and two months later revealed the company was also involved in a complicated Saudi deal with US arms manufacturer Orbital ATK.

Both EOS and the Australian Defence Department, which issues export certificates for the weapons system, have declined to name the end-user of the RWS, citing national security and "commercial-in-confidence concerns".

They also do not discuss what guarantees, if any, EOS or the Australian Government have received from the UAE and Saudi Arabia about how or where the weapons systems will be used.

That lack of information alarmed human rights groups, who are concerned that the weapon may end up being used in Yemen.

"I think it's deeply troubling that remote weapons systems are being sold to the UAE when we know that the UAE has been a very prominent member of the coalition in Yemen," Elaine Pearson, Australian director of international advocacy group Human Rights Watch (HRW), told the ABC last week.

The Yemen war began in 2015 when a Saudi-led military coalition intervened to support the internationally-recognised Government against Houthi rebels.

The Saudi and UAE armed forces are the two major players in that coalition, though the UAE recently announced they withdrawing troops from the military quagmire.

The war has turned one of the poorest nations in the Arab world into what the United Nations secretary-general Antonio Guterres has described as the world's worst humanitarian crisis, with 80 per cent of the population — about 24 million people — in need of help.

The debate around weapons sales has gained traction in the West recently, with the UK Court of Appeal last month declaring British arms sales to Saudi Arabia to be unlawful.

Germany, Denmark, Finland and Norway have suspended arms sales to Saudi Arabia as a result of the ongoing allegations of war crimes in Yemen and the murder by Saudi operatives of journalist Jamal Khashoggi in October last year.

Last month, the US Senate also voted to block sales of billions of dollars in munitions to the UAE and Saudi Arabia.

A group of Australian aid agencies including HRW, Save The Children, Amnesty International and Oxfam have formed the Australian Arms Control Coalition following the ABC's stories and are lobbying the Government to suspend the sale of defence materiel to Saudi Arabia until the Arab nation can prove such weapons will not be used to commit war crimes.

EOS declined to respond to questions and referred the ABC to the ASX statement released on Friday.

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Special Tribunal for Lebanon

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Israel and Palestine

The Protest Dispersed. Then an Israeli Sniper Shot a 9-year-old Palestinian Boy in the Head (Haaretz) By

Gideon Levy and Alex Levac

July 21, 2019

From 100 meters away, an IDF soldier shot a boy in the head in the West Bank village of Kafr Qaddum. The bullet exploded into dozens of fragments in the child's brain and he's now in an induced coma

In the freezer of their home in Kafr Qaddum in the West Bank, the family is preserving the last memories they have of their youngest child: a chocolate-banana popsicle and a piece of watermelon on a toothpick. Abd el-Rahman Shatawi had bought them about half an hour before an Israel Defense Forces sniper knelt on the slope of the rocky hill overlooking the village, and from a distance of 100 meters fired one live round into the 9-year-old's head. The bullet exploded into dozens of pieces of shrapnel in his brain.

Shatawi is now in the intensive care ward of Safra Children's Hospital, at Sheba Medical Center, Tel Hashomer. He is in an induced coma and is hooked up to a medical ventilator. His father and a cousin don't leave his bedside for more than a few minutes, hoping for a miracle. But it's unlikely that this boy will ever be able to enjoy the treats he bought.

Footage from the security camera of the grocery store where he made his purchases last Friday captured the disturbing moments before the shooting: Abd el-Rahman is wandering between the shelves of candy and the ice-cream freezer, trying to decide what to buy. A little boy in flip-flops, a T-shirt and sweatpants. That's also how he looked to the IDF shooter, peering through his sophisticated optic sights, before squeezing the trigger.

After depositing the frozen treats in the freezer at home, Abd el-Rahman had gone to stand at the entrance to his friend's house at the edge of town. Although the focal point of the weekly demonstration in town was not nearby – the soldier took aim, fired and hit the child in the head. skip - Abd el-Rahman, shopping for treats in a grocery store half an hour before being shot.

At 1:15 P.M., the demonstrators set out from the center of Kafr Qaddum; according to the organizers, there were 300 to 400 people. This month, the stubborn protests entered their ninth year: Every Friday and Saturday, residents march toward the road leading into their village, which has long been blocked off by the IDF to accommodate the neighboring settlement of Kedumim. Their goal is to protest the takeover of their lands by Kedumim, and the closing of the road.

Last Friday they had proceeded for about 10 minutes, when a few dozen soldiers emerged, spreading out in a wide swath, from among the olive trees nearby. It's a weekly ritual. But this time, according to the demonstrators, the troops fired with greater intensity than usual, using rubber-coated metal bullets and stun grenades. The shooting began at 1:25 and continued for about 20 minutes, while young people from the village set tires ablaze and threw stones at the soldiers from a distance.

The dramatic turning point, although the IDF has denied it, occurred at 1:30 P.M., when the soldiers switched to live fire. Why they did so isn't clear – none of them was in mortal danger, certainly not the sniper lurking high on the hill. The villagers saw the bullets fly and lodge in the walls of houses and water tanks, puncturing the latter so their contents streamed out, and they were seized by fear. The soldiers used automatic fire, dozens of bullets at least, they say.

Murad Shatawi, coordinator of the demonstrations and one of the village's leaders, shouted to the young people at the head of the protest to back off. The demonstrators call their protest nonviolent; their strategy is to sustain minimum losses. The fact is that no one has been killed here in the last eight years, apart from an elderly man who suffocated from tear gas in 2014.

The protest leaders were certain that as soon as the soldiers saw that the villagers had retreated, they would stop shooting. But

the troops kept up their fire. At about 2 P.M., Murad heard shouts: "A boy has been killed!" He ran toward the site, which was an offshoot of the main demonstration, involving a few dozen youngsters.

Riad Shatawi, 45, was sitting in the shade of an olive tree near the road and the protest with his 11-year-old twins, Halfi and Mohammed. Abd el-Rahman stood behind them, near the house of his friend, Ezz. Riad, a Palestinian Authority police officer, recalls seeing four soldiers on the slope of the hill across the way – three standing and one in a sniper's crouch. About 100 meters separated the troops and Riad and his sons, on the street below. He grabbed the boys and fled with them as fast as they could. Abd el-Rahman was left alone, standing just a few meters behind them. He certainly could not have posed a mortal danger to anyone, says Riad.

Riad didn't manage to warn Abd el-Rahman about the sniper, and a split second later he heard the sound of a shot from the direction of the hill. Turning around in horror, he saw the boy fall on his side, blood streaming from his head. He rushed over and, together with another villager, Nisfat Shatawi, picked him up and screamed hysterically for help from a Palestinian ambulance parked nearby, as at every demonstration.

This week we saw bloodstains smeared at the site where the 9-year-old had been shot, along a concrete path and dozens of meters of road, where he had been carried to the ambulance. Nisfat now climbs high up on the rocky slope, to show us where the soldiers were – far off, well up the hill.

The shooting continued even after the boy was hit, we were told. The bullets struck the tin fences and the walls of houses. We saw the holes they made.

Abd el-Rahman was "like a sack," Riad says now – unconscious, not responding. The head of the local council, Samir el-Kadumi, a nurse by profession, accompanied the boy in the ambulance that sped toward Rafadiya Hospital in Nablus. The chief surgeon, Dr. Othman Othman, rushed the boy into the operating room to try to stanch the serious intracranial bleeding revealed by the CT scan.

Yasser, Abd el-Rahman's father, was summoned urgently from his job in Tira to the hospital, where he and the villagers who'd gathered there were told that dozens of bullet fragments, between 70 and 100, were now dispersed in the boy's brain. In Kafr Qaddum they're convinced that this is a new and particularly nasty kind of ammunition.

The IDF Spokesperson's Unit this week issued the following statement to Haaretz: "Last Friday a disturbance developed in Kafr Qaddum with the participation of about 60 Palestinians, during which tires were burned and stones were thrown at IDF forces present at the site. The IDF troops responded with crowd-dispersal means that included stun grenades and the firing of rubber [bullets]. In the course of the event, a Palestinian minor was wounded. The incident is being investigated by the commander. At the conclusion of the investigation, the findings will be transmitted to the military advocate general's office for further examination."

Says Murad Shatawi angrily: "If you think that this type of soldier can defend you, you are mistaken. Soldiers without ethics cannot defend you. The sniper assumes his position. There are burning tires, there is stone throwing. But what is the meaning of the fact that the soldier chooses to shoot a little boy – that is the question. Why a child? The soldier can't claim that he missed his target. The IDF also cannot claim that the sniper did not see the boy or that he did not know he was shooting at him. If he had the minimum amount of morality, he would at least have shot him in the legs. But in his head? They want to harm our children. They have already shot them with Rugers [0.22 mm bullets]. But this is the first time they have fired live ammunition at a child's head. They have fired tear gas into houses, knowing that babies and old people were inside. But shooting a child in the head with live ammunition is something we haven't seen here.

"I know what the IDF's message is," continues Shatawi. "It wants to stop the demonstrations by shooting our children. But they have not understood our message. Thousands of Palestinian martyrs have fallen, and nothing has changed. We will continue our struggle, because the occupation must end today. Not tomorrow. We are human beings, we love life. We don't want to breathe gas and we don't want to die. We have educated and raised our children; their place is not on the battlefield. We love them. We love knowing that they will grow up and become teachers, doctors, engineers. A child is a child, here and in Israel. Your children plan their weekends – whether they will go to the beach or on a hike. We only plan how to protect our children. You might ask: Why do you allow your children to take part in demonstrations? And our answer will be: Help us to end the occupation."

Yasser, 54, and his wife Aida, 50, have three sons and three daughters; Abd el-Rahman is the youngest. Yasser works in a bakery in Tira. Aida has had her share of suffering: She was in a serious accident a few years ago and underwent open-heart surgery about two weeks ago. Since her son was shot she has closeted herself at home, weeping constantly, unable to be at his side in the Israeli hospital. Her husband looks totally shattered as he sits by the boy's bed, day and night, with the child's adult cousin, Umar.

Abd el-Rahman is in room 9 in the new part of the Safra ICU. The sights here are unbearable, but the design is very impressive. The director of the ward, Prof. Gideon Paret, smiling and exceptionally welcoming, says that there is hope for the boy. This week he moved his legs. A resident physician from Hebron is treating him.

Meanwhile, the child's head is swollen and a seemingly endless number of tubes are stuck into his young body, which rises and falls in rhythm with the mechanical ventilator.

Israel Demolishes 70 Homes in Palestinian-controlled East Jerusalem Neighborhood (Haaretz) By Amira Hass and Jack Khoury
July 22, 2019

Forces deploy at dawn days after top court approves order to evict Wadi Hummus residents, in a move activists are concerned sets a precedent to affect thousands

Israeli forces began Monday demolishing buildings in an East Jerusalem neighborhood under the control of the Palestinian Authority, following a legal challenge to the Defense Ministry-issued order to evacuate apartments deemed too close to the West Bank separation barrier, which runs through the city.

Israeli and international activists said Israeli forces deployed in the neighborhood at dawn, evacuating one family from one of the buildings, as well as activists who protested the move.

Two hours prior to the demolition, activists say they saw Israel Defense Forces' soldiers placing explosives in an eight-stories building set for demolition. Later, the forces removed furniture and vehicles that were parked next to the buildings.

Aviv Tatarsky, a researcher for the left-wing Ir Amim organization, blasted the move, saying: "In the name of the demographic war waged against East Jerusalem residents, the State of Israel is withholding approval of construction plans allowing those residents to legally build within the city. "Residents who didn't want to build without a permit, sought a creative solution and were granted construction permits from the Palestinian Authority to build in areas A and B where Israel doesn't have any authority concerning construction plans. The Israeli insistence to prevent this solution is a very cruel act," Tatarsky added.

"I built this house stone by stone. It was my dream to live in this house. Now I am losing everything," said Fadi al-Wahash, 37, his voice breaking as a bulldozer destroyed his unfinished three-floor house.

"I had a permit to build from the Palestinian Authority. I thought I was doing the right thing," he said.

Israeli Public Security Minister Gilad Erdan said 700 police and 200 soldiers were involved. "Despite an order from the military commander, the residents there are making their own law, building. There are hundreds of illegal structures," he told Israel's Army Radio.

"To my regret there is no sufficient governance there. But it is not just that there are hundreds of structures there -- several dozens of them sit almost on the route of the separation fence, endangering the security forces that operate there."

Palestinian Prime Minister Mohammad Shtayyeh said the Palestinians would complain to the International Criminal Court about the demolitions in Sur Baher.

"The cabinet condemns this grave aggression. This is a continuation of the forced displacement of the people of Jerusalem from their homes and lands -- a war crime and a crime against humanity," Shtayyeh said.

The United Nations and France also issued condemnations of the demolition. In June, Israel's High Court of Justice has ruled in favor of the demolition of 13 large buildings in the Wadi Hummus neighborhood, located on the outskirts of Jerusalem.

It is on the edge of the Palestinian village of Sur Baher, in southeast Jerusalem. Unlike the rest of the village, this neighborhood lies beyond the city's municipal boundaries, in the West Bank. Most of the area it occupies is designated as part of Area A -- i.e., under the control of the Palestinian Authority.

Sur Baher residents say Wadi Hummus is the only area that remains for future expansion of the village, which is surrounded by the fence and Jewish neighborhoods.

The Defense Ministry instructed to demolish some 70 apartments, citing concerns over their proximity to the separation fence, which it said made them a security threat. Two out of the 13 buildings set for demolition are populated with some 17 residents.

Jamie McGoldrick, the United Nations humanitarian coordinator, and other UN officials called on the Israeli authorities last week to halt the demolition plans. The European Union issued a statement saying: "The continuation of this policy undermines the viability of the two-state solution and the prospect for a lasting peace."

On Sunday, the court rejected a petition to postpone the demolition, which Palestinian activists are concerned sets a precedent that will enable the demolition of thousands of buildings across the West Bank, effectively annulling the legal protection residents of other PA-controlled areas have.

"Some families put everything they have to put a roof over their heads, and it's all being ruined in front of their eyes in this despicable crime committed by Israel," community organizer Hamada Hamada told Haaretz.

"Large forces entered after 2 A.M. to the neighborhood, preventing any access to the homes and forcefully removing the residents as well as dozens of activists who were present at the scene, evacuating them while women and children were heard screaming in the background," Hamada added.

Palestinian officials say some of the threatened structures lie within areas that they should control. The Palestine Liberation Organization issued a statement accusing the Israeli court of aiming "to set a precedent to enable the Israeli occupying forces to demolish numerous Palestinian buildings located in close proximity" to the barrier. The office of Palestinian President Mahmoud Abbas released a statement saying that "Israel bears the full responsibility for the dangerous escalation in Sur Baher, which is part of the implementation of the "deal of the century" whose goal is to bury the Palestinian issue." According to the statement, Abbas has approached international and Arab officials in order to halt the demolitions.

Senior Palestinian official Saeb Erekat said "We will not renounce our lands, and everything that was demolished will be rebuilt."

"The demolition is an implementation of the Bahrain conference and we have thousands of documents and petitions filed to the International Court of Justice in The Hague against Israel," he said in reference to the economic peace conference in Bahrain sponsored by the United States that took place in June.

Hamas spokesman Sami Abu Zuhri said "The demolition of buildings in Sur Baher by the authorities of the occupation is a despicable crime, which is a direct result of the Bahrain Conference and the warm relationship between Israel and some Arab nations."

The Israeli military had no immediate comment on Monday, but a statement last week by Israel's military-run civil administration in the West Bank said enforcement would be pursuant to "operational considerations" and "state policy."

The International Court of Justice in The Hague issued an advisory opinion in 2004 that building the barrier on occupied territory was "contrary to international law."

Israel dismissed the non-binding decision as politically motivated and says the barrier played a key role in drastically reducing the number of attacks, which peaked in 2002 and 2003 during the Second Palestinian uprising known as the Al-Aqsa Intifada.

The West Bank separation barrier, which was being built since 2003, was intended to pass through Sur Baher, but its route was changed due to residents' campaign. Thus Wadi Hummus ended up on the Israeli side of the barrier, although legally it part of the West Bank and under the PA's authority.

Many buildings were erected in the neighborhood over the last decade or so, most occupied by young couples and families from the village. The buildings set for demolition have some 100 apartments, 20 of which are tenanted and the rest are under construction.

Building permits for the construction were issued by the PA's planning ministry. However, seven years ago, the Israel Defense Forces Central Command issued an injunction banning construction of buildings within 250 meters of the separation barrier.

Locals say the order was not publicized and they had no knowledge of it, and that in any case, it is the PA that has planning authorization in the area.

Ex-Israel PM Ehud Olmert cancels Switzerland trip over war crimes arrest threat (Middle East Monitor)

July 25, 2019

Former Israeli prime minister Ehud Olmert cancelled a planned trip to Switzerland after being told he could be arrested over war crimes charges, Israeli media reported yesterday.

As first reported by Israel's Channel 12, Olmert was due to visit the country on a business trip, ahead of which, Israeli authorities liaised with their Swiss counterparts to coordinate security arrangements.

However, during discussions Switzerland informed the Israeli Ministry of Justice that if Olmert landed in Zurich, he would be

summoned for questioning and faced the potential of arrest for war crimes committed during the "Operation Cast Lead" assault on the Gaza Strip in 2008-2009.

Thus, "following a series of consultations with the Israeli Foreign and Justice Ministries, Olmert was reportedly forbidden from flying abroad", i24News reported.

Olmert was prime minister in the period 2006-2009, after which he subsequently spent 16 months in prison for accepting bribes and obstruction of justice during his tenure as mayor of Jerusalem and trade minister.

During "Operation Cast Lead", a three-week long offensive by the Israeli military on the occupied and blockaded Gaza Strip, more than 1,300 Palestinians were killed by Israeli forces, including more than 300 children.

International human rights experts and organisations documented numerous examples of grave violations of international humanitarian law, including war crimes.

Israeli army kills Palestinian in weekly Gaza protest (Al Jazeera)

July 27, 2019

Ahmed al-Qarra was shot in the stomach by Israeli soldiers and succumbed to his wounds, Gaza's health ministry says.

A Palestinian man has been killed by Israeli army fire during a weekly protest in the Gaza Strip, according to the health ministry in the besieged enclave.

The ministry said on Saturday that Ahmed al-Qarra, 23, died "as a result of wounds sustained (from) the Israeli occupation forces' fire" the previous day.

He had been shot in the stomach during demonstrations along Israel's fence east of Khan Younis in southern Gaza.

Al-Qarra, who succumbed to his wounds in hospital shortly before midnight on Friday, was the first fatality since June related to the weekly demonstrations that have been taking place for the past 16 months.

Another 38 Palestinians were hit and wounded with live ammunition, the health ministry said in a separate statement.

Israeli forces also reportedly targeted an ambulance.

The Israeli army said troops resorted to live fire against protesters after first using "riot dispersal means".

"Approximately 5,500 rioters and demonstrators gathered at the Gaza Strip security fence," a spokeswoman told AFP, saying that some threw explosive devices and grenades and tried to approach the fence.

"Troops responded with riot dispersal means and (live) fire in accordance with standard operating procedures."

She was unable to confirm if any Palestinians were hit but said no soldiers were injured.

Demonstrators in Gaza began holding the weekly Great March of Return protests in March 2018, demanding the right of Palestinian refugees to return to their homes in historical Palestine from which they were ethnically cleansed in 1948 to make way for the new state of Israel.

They also demand an end to Israel's 12-year blockade of the Gaza Strip, which has shattered the coastal enclave's economy and deprived its two million inhabitants of many basic amenities.

Israeli forces often fire on the demonstrators, saying they are seeking to prevent the border being infiltrated.

At least 296 Palestinians have been killed in Gaza by Israeli fire since then, the majority during the demonstrations.

Seven Israelis have been killed.

Hamas, which has ruled the Gaza Strip since 2007, has scaled back the marches in recent months as an Egyptian-brokered unofficial ceasefire was taking shape. But Hamas says Israel is slowing the deal and has not taken enough measures to ease the crippling economic conditions in the coastal enclave.

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Gulf Region

Trump Vetoes Bills Intended To Block Arms Sales To Saudi Arabia (NPR) By Merrit Kennedy
July 25, 2019

President Trump has vetoed a series of measures approved by bipartisan lawmakers that were aimed at blocking the sale of weapons to Saudi Arabia.

Trump said the three resolutions would "weaken America's global competitiveness and damage the important relationship we share with our allies and partners."

Lawmakers in support of the bills have criticized the Saudis' actions in the Yemen conflict where thousands of civilians have died, and the death of journalist Jamal Khashoggi in the Saudi consulate in Istanbul.

The two measures vetoed by Trump aimed specifically at arms sales to Saudi Arabia were approved by the Senate last month with the support of seven Republicans, including Sen. Lindsey Graham of South Carolina and Sen. Susan Collins of Maine. Trump also vetoed a bill that would have limited the sale of weapons to the United Arab Emirates, which has been an important coalition partner to Saudi Arabia in its ongoing military campaign in Yemen.

The legislation emerged after frustration on Capitol Hill after the Trump administration decided to go forward with a multibillion-dollar weapons and equipment sale to the Gulf countries in May without the approval of Congress. As The Associated Press reported, Secretary of State Mike Pompeo said threats from Iran were the reason the sale was approved without lawmakers formally weighing in. Iran and Saudi Arabia are regional rivals.

Sen. Bob Menendez, a Democrat from New Jersey, sponsored the bills that his office described as intended "to block the Trump Administration's unprecedented attempt at approving over \$8 billion in arms sales to Saudi and UAE based on a false emergency and without Congressional consent."

On Thursday, the Senate Foreign Relations Committee backed a separate bill in a 13-9 vote that Menendez described as "a comprehensive effort to hold Saudi Arabia accountable for the murder of U.S. resident and journalist Jamal Khashoggi, and the Saudi-led coalition for its role in the devastating conflict in Yemen."

"President Trump's veto to continue helping cover for Saudi Arabia's transgressions, including the murder of Jamal Khashoggi, was as expected as it was avoidable," Menendez told NPR on Thursday. "There is clearly no level to which this Administration will not stoop to curry favor with the brutal Saudi leadership."

He called for "Congressional Democrats and Republicans to speak truth to power and stand up for our institutional prerogatives by overriding the President's veto."

Last month, a special U.N. investigator looking into Khashoggi's death said there was "credible evidence" that senior Saudi officials had planned what she called a "deliberate, premeditated execution."

Human rights groups have repeatedly criticized Saudi Arabia and its coalition partners for the high number of civilian casualties since they started their offensive four years ago against Shiite Houthi rebels in Yemen. The U.S. military assists the Saudi-led coalition with refueling jets and targeting training.

The airstrikes have repeatedly hit sites with large numbers of civilians such as markets and weddings. In a widely condemned example last year, an airstrike hit a bus carrying children. Last November, the U.N. said it documented 6,872 civilians killed and 10,768 injured since the start of the Saudi campaign in March 2015, and the majority of the casualties were caused by Saudi-led coalition airstrikes.

"The United States is very concerned about the conflict's toll on innocent civilians and is working to bring the conflict in Yemen to an end," Trump said in his veto message. "But we cannot end it through ill-conceived and time-consuming resolutions that fail to address its root causes."

He said that limiting the arms sales would "likely prolong the conflict in Yemen and deepen the suffering it causes." The U.S. has said it is working with Saudi Arabia to reduce civilian casualties.

These three new vetoes from Trump bring his total up to five over the course of his presidency. The first – and the only one not involving the conflict in Yemen – was in March, where he vetoed a resolution that would end his declaration of a national emergency on the southern border.

In April, Trump issued his second veto when he blocked a bipartisan resolution to end U.S. involvement in Yemen hostilities, calling it an "unnecessary, dangerous attempt to weaken my constitutional authorities."

Australian weapons shipped to Saudi and UAE as war rages in Yemen (The Guardian) By Helen Davidson and Christopher Knaus
July 25, 2019

In the same week UK courts declared British arms exports to Saudi Arabia to be unlawful, a large shipment of Australian-built remote weapons systems left Sydney airport.

Secret photographs, obtained by Guardian Australia, confirm the identity of the buyers – the Saudi Arabia and United Arab Emirates governments, whose forces are currently waging a devastating war in Yemen. Also marked are the suppliers of the equipment, which the manufacturer boasts is "significantly enhancing lethality" in combat.

Labelling on pallets destined in June for Saudi Arabia's ministry of interior, specifically the general department of arms and explosives, identify the seller as ATK Alliance Techsystems Operations (Orbital ATK), a US-based company which sells the equipment manufactured by an Australian firm, Electro Optics Systems (EOS).

The weapons systems shipped to the UAE armed forces' joint logistics command from Sydney's international airport were supplied by EOS.

The R400s remote weapons station allows small cannons, guns or missile launchers to be mounted on military and light vehicles and operated remotely.

There has been long-running concern over arms exports to the Saudi-led coalition of countries waging war in Yemen.

The war, which began in 2015, has displaced more than 3million people, brought widespread famine and disease, and is considered the world's worst humanitarian crisis.

Saudi Arabia and its allies have been accused of potential war crimes and multiple atrocities including indiscriminate bombing campaigns.

In June new figures estimated around 100,000 people had been killed in the conflict – including around 11,700 killed in 4,500 events which directly targeted civilians.

In an interview with the Defence Technology Review in 2018, EOS chief executive, Ben Greene, said the RWS was a "game changer" which "meets and overmatches current threats".

"This innovative technology for the first time allows 30mm cannon systems to be deployed with unprecedented accuracy on light vehicles, significantly enhancing lethality and protection without compromising mobility, and at low cost."

EOS was revealed by the ABC last year to have struck a lucrative deal to ship weapons overseas. The company would not confirm the identity of its buyer, but said none of its products had been deployed in Yemen.

In the wake of EOS's links to the Yemen conflict becoming public, Australia's superannuation peak body divested from the company, beginning its sell-off in early March and concluding last month.

In a letter to NSW Greens MP David Shoebridge, the chair of IFM Investors & Industry Super Australia, Greg Combet, said the organisation wouldn't comment on individual companies but noted the "ceasing" of investment.

"IFM invests across a range of asset classes and industry sectors and recognise that our investments are potentially exposed to a range of environmental, social and governance risks factors," Combet said in the letter.

"To ensure these issues are considered prior to investing, IFM Investors has a robust approach to integrating ESG into our investment decision making process."

Combet said the defence industry in Australia and the US was "extremely stringent", and the industry was an important part of Australia's economy.

Last month the UK court of appeal found the British government failed to properly assess the risk of misuse, making no assessment of any past pattern of violations by the Saudi-led coalition, when approving exports.

Australia defends its exports in a similar fashion, claiming every licence application is assessed to check for risk of the end use breaching human rights and other international obligations.

For several months earlier this year the US Congress had been blocking sales of military weapons to Saudi Arabia and the UAE, specifically over concerns about the the civilian casualties in Yemen. In May president Donald Trump defied the block to restart sales.

Australian Greens leader, Richard di Natale, said while other countries were banning arms sales to Saudi Arabia “Australia is continuing to profit off both nations’ warmongering, while remaining tight-lipped or wilfully ignorant about where our weapons are ending up”.

“It’s time to end our arms trade with human rights abusers, and rip up the government’s obscene plans to make Australia a global arms dealer.”

In February Tom Hamilton, then acting deputy secretary of the defence department’s strategic policy and intelligence group, repeatedly told a Senate estimates hearing that an export licence would not be approved if the weapons were going to be used in Yemen.

“If we assess that they would [to commit human rights abuses], we would not approve the permit,” he said.

However the Australian government has admitted that it does not run any checks once the product has left the country.

Arms exports from Australia are administered by the Defence Exports Controls Branch of the defence department.

Australian defence officials have delegated authority to approve exports by Australian companies, but only the minister can deny them.

A spokeswoman for defence said exports were subjected to a rigorous risk assessment process that examines Australia’s international obligations, foreign policy, human rights, national security, and regional security. Defence said it consulted widely on arms exports and carefully considered whether there was a risk of “diversion”.

“As part of this process, defence assesses export applications to identify whether the export would prejudice the security, defence or international relations of Australia,” she said.

“This assessment includes consideration of whether there is an overriding risk that the exported items could be used to commit or facilitate a serious violation of international humanitarian law.

“As part of these considerations, defence can require that commitments are made by the end user to not transfer or use the goods and/or technology for other than the original stated purpose without defence’s consent.”

Defence said it can revoke permits or approach the foreign government if arms are diverted from their intended purpose.

Freedom of information documents released last year were extensively redacted but revealed lengthy internal discussions of a company’s request to export remote weapons systems. Defence recommended approval as it was “unlikely to be used in contravention of human rights law or international humanitarian law”.

Applications are assessed against five criteria: international obligations, human rights, national security, regional security, and foreign policy.

The language of the criteria is not explicit. Three of the criteria call for the assessors to consider just whether the weapon “might” be used in a way that breaches obligations.

Only the human rights and foreign policy criteria call for explicitly identifiable risks.

The newly-formed Australian Arms Control Coalition, a collection of civil society groups, said the images raised a “whole range of questions” about what was being done with Australian arms, and what checks and balances were in place to prevent them being used in human rights abuses. Kellie Tranter, a lawyer with the coalition, said the lack of guarantees that arms wouldn’t be used in humanitarian law violations was “unacceptable”.

“Australians should know who their government is sending arms to and how those arms are being used, and they should have concrete guarantees that those arms won’t be used to commit or facilitate violations of international humanitarian law (IHL)

or international human rights law,” Tranter said.

She said the UK court’s decision to halt arms exports to Saudi Arabia also raised “the possibility” that Australia was also failing to conduct proper due diligence on where its arms were ending up.

The Arms Control Coalition’s chair and Save the Children campaigner, Joe Rafalowicz, said Australia could no longer turn a blind eye to the role foreign weapons were playing in the war in Yemen.

“It is unthinkable that Australian made defence exports could be helping fuel abuses in the war in Yemen, which has left more than 22 million people in need of life-saving humanitarian assistance, while some 85,000 children have died from the effects of war including starvation,” he said.

EOS and the Australian defence minister have been contacted for comment.

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ASIA

Afghanistan

Official New Zealand Inquiry into Afghan War Crimes Further Exposed as a Whitewash (World Socialist Web Site) Official New Zealand Inquiry into Afghan War Crimes Further Exposed as a Whitewash (World Socialist Web Site)
July 26, 2019

Recent developments around the Labour-led government’s inquiry into killings of civilians in Afghanistan have confirmed that it is a whitewash. Far from laying bare the truth about Operation Burnham in which NZ Special Air Services (SAS) raided two villages in 2010, the inquiry is seeking to clean up the SAS’s reputation and protect the officers responsible.

Successive governments and NZ Defence Force (NZDF) commanders have covered up the raid. No one has been held responsible, despite an eventual admission by the military that six civilians were killed, including a three-year-old child, and 15 injured.

Jacinda Ardern’s Labour-NZ First-Green Party government is supporting the Trump administration’s militarism and asserting New Zealand’s own imperialist interests across the Pacific. The inquiry is vital to these efforts, as it seeks to whitewash the image of the SAS in the face of widespread public opposition to war.

SAS members are trained killers, receiving a rare unit citation from President George Bush in 2004. The SAS was first sent to Afghanistan in 2001 by the then Labour government, supported by its “left” coalition partner the Alliance. A 2017 Fairfax Media investigation revealed the SAS routinely used a “bait and hook” tactic in which Afghan villagers were terrorised in order to provoke clashes.

The Labour government established the inquiry in 2018 in response to a 2017 book *Hit and Run*, by investigative journalists Nicky Hager and Jon Stephenson. The book detailed the midnight raids conducted by the SAS in the villages of Naik and Khak Khuday Dad, in the Tirgiran Valley, on October 22, 2010, in co-ordination with Afghan troops and US aircraft.

Headed by former Supreme Court judge Terence Arnold and ex-Labour Prime Minister Geoffrey Palmer, the inquiry has been conducted almost entirely in secret. Attorney-General David Parker declared that “classified” parts of the findings may never be made public.

Last month, Afghan witnesses and victims from the two villages withdrew from the inquiry. Their lawyer Deborah Manning

said they were “disillusioned” and “worn down” by the lack of progress and transparency. The inquiry refused to allow the villagers or their lawyers to be present during the hearing of evidence. The death of the three-year-old girl has never been acknowledged, Manning added.

The legal team earlier sought a High Court review to challenge the inquiry’s level of secrecy. Manning said the inquiry was “skewed” from the start. Rather than the villagers and their rights, the inquiry had made central the NZDF’s “need to be able to defend themselves and their public reputation.” According to Hit and Run, the raids were organised in response to the death of NZ Lieutenant Tim O’Donnell, who was killed by a roadside bomb in August 2010. SAS personnel reportedly thought that Taliban members suspected of planting the bomb were present in the area. Many civilian houses were badly damaged also, due to bombardment from US Apache helicopters. SAS commanders did not call off these attacks, nor did they attempt to provide assistance to the civilians.

The NZDF initially sought to tarnish the reputations of Hager and Stephenson by claiming that no raids ever occurred. Even after the military was forced to admit that they had taken place, it maintained that no civilian casualties had resulted.

However, Hager recently presented evidence that the US undertook its own inquiry in 2010, which conceded the existence of casualties. He released videos from the raid taken from an American aircraft, obtained after a request to American authorities, through a lawyer in Washington. The videos show helicopters firing on people at Khak Khuday Dad village, only two of whom appeared to be carrying weapons.

The videos were among a trove of US documents not publicly available until retrieved by Hager. He said they flatly contradicted what the NZDF had claimed they showed. He had previously criticised the military for obfuscating when responding to Official Information Act requests, while seeking to bolster its own narrative.

It was revealed last month that the Security Intelligence Service and Government Communications Security Bureau had failed to hand over 115,000 emails to a separate investigation relevant to their role in the operation.

The ongoing cover-up is in line with the global crackdown on the media, spearheaded by the persecution of WikiLeaks founder Julian Assange. In June, just after Assange’s arrest, the Australian Federal Police raided the Australian Broadcasting Corporation, investigating journalists for reporting on atrocities committed by Australian Special Forces soldiers in Afghanistan.

The NZSAS raids in Naik and Khak Khuday Dad were no aberration. Such criminality flows necessarily from the filthy and devastating character of the predatory US-led invasion of Afghanistan.

For all the media depiction of the Ardern government as a force for “kindness” and “compassion” in global geopolitics, it is lockstep with the US march to war, saying it would participate in US actions against North Korea, and naming China and Russia as the “threats” to the international order.

New Zealand’s current deployment of 100 soldiers to Iraq is set to be extended for another 12 months, and a dozen troops will remain in Afghanistan for at least another 18 months. While \$NZ20 billion has been earmarked for upgrading the NZDF, the Operation Burnham inquiry has refused to interview the villagers in Afghanistan, citing costs as a prohibitive factor.

Afghan Government and Nato Killing More Civilians than the Taliban (The Guardian) By Emma Graham-Harrison

July 30, 2019

Afghan forces and their international allies killed more civilians in the first half of 2019 than the Taliban and other militant groups, UN figures show, extending a trend that began in the first quarter of the year.

This year is the first time since civilian casualty records started over a decade ago that pro-government forces have caused more deaths than insurgents, raising serious questions about the western mission there.

For years, despite civilian deaths and injuries caused by both sides, the government in Kabul and its allies had been able to point to UN statistics showing that insurgents were the biggest killer of Afghan civilians.

That is no longer the case. Overall the report found 403 civilians were killed by Afghan troops and 314 by their international allies in the first six months of 2019, a total of 717. The Taliban, Islamic State and other militant groups killed 531 civilians.

Afghanistan is facing a critical few weeks, as peace talks with the Taliban enter what many hope will be their final stages, ahead of a presidential election set for the end of September. There have been concerns that both sides have ramped up violence as the peace process got under way, to strengthen their position at the negotiating table.

Civilian deaths and injuries in Afghanistan from 2009-19. Photograph: UN mission in Afghanistan

“Gaining leverage in peace talks should not come at the cost of such carnage on either side,” said Patti Gossman, an associate Asia director at Human Rights Watch.

A deal might not end violence in Afghanistan entirely, however; the UN found that more than 10% of civilian casualties are caused by the regional Isis affiliate, which is not party to the talks. Overall casualties were down by nearly a quarter from record levels a year earlier, but civilians were still being killed and maimed at a “shocking and unacceptable” rate, the UN said in its regular report on the protection of civilians.

Airstrikes were particularly deadly, and one of the few types of casualty to increase significantly compared with the same period of 2018. Two-fifths of the deaths and injuries from airstrikes were attributed to international forces, the UN said – in effect US airstrikes.

Although the US officially ended its combat mission in Afghanistan in 2014, it still has special forces on the ground and provides air support to Afghan troops.

The government has repeatedly said the high toll from air attacks is a result of militants hiding among civilians, but international humanitarian law bars the use of disproportionate force.

“The claim that the Taliban use civilians as shields is not an excuse for disproportionate attacks,” Gossman said. “In fact, neither the US nor the Afghan government adequately investigates airstrike deaths, or holds its forces accountable for targeting that causes civilian deaths.”

The Taliban have rejected calls for a ceasefire while peace talks are under way, and have been carrying out near daily operations, mainly targeting security forces.

But militants have also attacked civilians in violation of international law. More than 300 people were killed in violence targeting civilians, including tribal elders, aid workers, religious scholars, mullahs and government officials.

“Parties to the conflict may give differing explanations for recent trends, each designed to justify their own military tactics,” said Richard Bennett, the human rights chief of the UN assistance mission in Afghanistan, which released the report.

There has been no claim of responsibility for an attack on Sunday night that apparently targeted the office of the Afghan president’s running mate and former chief of the intelligence service. The vice-presidential candidate, Amrullah Saleh, was safely evacuated from the scene of the attack, which left at least 20 people dead and about 50 wounded. Saleh is known for his fierce anti-Taliban stance.

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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

Jewish Law Experts Help Cambodian Genocide Victims Find Justice at Tribunal (The Times of Israel) By

Julie Masis

July 28, 2019

One of the regulars at the Friday night dinners hosted by the Chabad House in Cambodia’s capital is Phil Weiner — a friendly, easy-going American attorney with a strong Boston accent.

Before he came to Cambodia, Weiner, who is 64, was a law professor and an attorney, working mainly as a prosecutor on cases involving drugs and organized crime. He had been to Asia only once, as a tourist. Then the phone calls began. Seemingly out of

the blue, he was being sought to work on behalf of a Cambodian government war crimes tribunal.

“They called me every day for a week with something new. The third time they called, they said there is a synagogue there, and it’s a Chabad,” Weiner recalls. “I thought, ‘If they’re looking for synagogues for me, it’s really serious, they really want me.’”

So he packed his bags and flew 30 hours around the world to Phnom Penh. For the last five years, Weiner has served as the chief of staff at the Investigative Judges Office of the Khmer Rouge Tribunal.

The tribunal, the investigative portion of which wraps up at the end of July, is a UN court tasked with bringing to justice the leaders of the Khmer Rouge, a genocidal regime which between 1975 and 1979 was responsible for the death of almost a third of the country’s population.

In November, the tribunal sentenced two of the regime’s leaders, Nuon Chea and Khieu Samphan, to life imprisonment for crimes against humanity and the genocide of Cham Muslims and Vietnamese, Cambodia’s ethnic minorities. The defendants are currently appealing the conviction.

Until recently, Weiner’s job at the court was to interview witnesses. Speaking through a translator, he recorded the testimonies of former soldiers, survivors, and victims of sexual assault. Sometimes these interviews took a few hours; sometimes they took days.

“It’s almost unbelievable, the information that we received [from survivors],” Weiner said. “In Cambodia, you had mass killings of children, concentration camps, medical experimentation on human beings – similar to what the Nazis had done.”

“I was involved in the case of genocide against the Vietnamese. There is a statement from a witness that ‘No Vietnamese could be spared, not even a baby in a cradle,’” he said.

Weiner is not the only Jewish legal professional who has worked in the Khmer Rouge Tribunal. A number of Jewish attorneys and interns participated in the trials as well – and Weiner invited them all to come to synagogue with him. Jews often get involved in war crimes tribunals because of the connection between the Holocaust and genocides elsewhere in the world, Weiner said.

While working in Phnom Penh, Weiner became friends with Martin Karopkin, a 72-year-old Jewish judge from New York who helped to set up the guidelines for the Khmer Rouge Tribunal between 2006 and 2008. The Cambodian tribunal was uniquely structured, and gave victims the right to provide personal testimony at the trial.

“In the American legal system, the victim is represented by an attorney. [But in Cambodia,] we gave victims a much broader role. We felt that many victims deserved a voice of their own at the trial,” Karopkin said.

In 2014, Karopkin returned to Cambodia to serve as a reserve judge at the trials. He says that as a Jew, it was important for him to be involved in bringing to justice the leaders of the Cambodian genocide.

“Frankly, it’s a sort of court that was carrying out the same kind of work as was done at Nuremberg,” Karopkin said of his decision to come to Cambodia. “My parents’ cousins were killed in the Holocaust... The Holocaust and the Nuremberg Tribunal are the guiding light to set the precedent for this kind of trial.”

Both Weiner and Karopkin also worked on the war crimes tribunals in the former Yugoslavia. Karopkin said the current Khmer Rouge Tribunal eclipses that one in scope.

“The size [of the trial] in Cambodia was gigantic by comparison to what I did in Kosovo. It’s one-third of the population, or 1.5 million people, who died from various causes during the Khmer Rouge period,” Karopkin said. “And it happened 40 years ago, which makes it hard to piece all the evidence together.”

And unlike the Nuremberg trials, in Cambodia only three of the regime’s senior leaders have been brought to justice.

While in Cambodia, Weiner and Karopkin also volunteered to train Cambodian police and legal professionals.

The pair taught courses on criminal causation to Cambodian police detectives – a subject that they had never had any training on before, said Weiner, who is also a law professor in the United States.

“For example, if two people are fighting, one breaks the other’s leg, they put him into an ambulance, but on the way to the hospital the ambulance gets into a car accident and the patient dies. Is the person who broke his leg responsible for his death?” Weiner explained. “These are tough issues.”

Because Cambodian judges and police had never been trained on criminal causation, criminal responsibility in Cambodia has

been decided arbitrarily, Weiner said.

Weiner and Karopkin also taught courses on judicial integrity, judicial independence, and conspiracy to Cambodian judges, detectives, law students, and police. And they've brought in dozens of books and textbooks on legal subjects — white-collar crime, basic criminal law, civil litigation. They helped build a small library for a law professor at the Pannasastra University of Cambodia.

"I took so many books back on my last trip, I thought they would charge me \$150 because my luggage was overloaded. I had no luggage, just books. It was heavy but they didn't say anything," Weiner laughed. "I try to help as much as I can, because once we leave, I don't know what help they're going to get."

This summer, Wiener and Karopkin are preparing a training on how to interview sexual assault victims.

"I would like to bring in experts on these areas from the US or Canada, to teach them about interviewing rape victims," Weiner said. "They've never had any training on interviewing rape victims."

While working in Cambodia has been interesting, Weiner admitted that living in a developing country also presents its unique challenges.

"We had staff [at the Khmer Rouge Tribunal] with typhoid, dengue, and food poisoning constantly; we had people hit by cars. One of the judge's wives was sick for a year. We've had everything," he said. "In the other courts I've worked before, these types of incidents were rare." Living far from home, both Weiner and Karopkin found themselves at synagogue each weekend — more often than in the United States.

"A lot of it is also for community," Weiner said. "We look forward to seeing each other Friday and Saturday, getting together for dinner, getting together outside of the synagogue. We are all so far away from home, most of us are away from our families — so the synagogue became our second home."

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Bangladesh International Crimes Tribunal

ICC Delegation in Bangladesh 'Preparing Way' for Probe into Atrocities against Rohingya (Radio Free Asia)
July 18, 2019

International Criminal Court prosecutors are in Bangladesh to lay the groundwork for an investigation into alleged crimes of humanity against Myanmar's Rohingya minority so they can begin a probe quickly if the ICC gives them the green light, the delegation's chief said Thursday.

The team is not visiting Bangladesh "to investigate or collect evidence" for such a case, James Stewart, leader of the four-member delegation from the Hague-based court, told reporters in Dhaka, emphasizing that the international prosecutors were awaiting authorization for a probe.

The international prosecutors are here to explain the legal process to government officials and affected people on how the ICC might investigate reported atrocities, which forced more than 740,000 stateless Rohingya to cross into Bangladesh as they fled a 2017 crackdown in Rakhine state by Myanmar's army, he said.

"We are here to engage with the government and other relevant stakeholders including in affected areas, to explain and answer questions on the ICC process, and where we are currently in the judicial proceedings," Stewart said as he read out a statement at the start of a news conference.

On July 4, the ICC's top prosecutor announced that she had made an official request for a pre-trial chamber to authorize an investigation "into alleged crimes against humanity, namely deportation, other inhumane acts and persecution committed against the Rohingya people from Myanmar."

Stewart, deputy prosecutor of the court, said he expected that the pre-trial chamber to receive submissions from the Rohingya victims of crimes against humanity by the end of October.

“If the pre-trial chamber grants us the authorization to open an investigation, we hope we [can be] ready very quickly to engage in an investigation,” he told reporters.

“So we are, in essence, preparing the way for an investigation, if we are successful with our application.”

The team arrived in Bangladesh on Tuesday and will visit Rohingya refugee camps in southeastern Cox’s Bazar district on Friday and Saturday, before leaving the country early next week.

The ICC prosecutes individuals suspected of committing crimes against humanity. Last year, the court determined that it could prosecute alleged crimes against Rohingya who had fled from their homes and villages in Rakhine state, amid the military offensive that started in August 2017.

In March, a team from the ICC visited Rohingya camps in Cox’s Bazar as part of a preliminary examination into a potential case.

Because Myanmar is not a state party to the Rome Statute that established the ICC, the court has no jurisdiction there, Stewart said.

But it might be able to launch an investigation into crimes of humanity that were committed against the Rohingya in part on Bangladeshi territory, he noted.

The ICC cannot investigate atrocities committed against the Rohingya in Myanmar, he said, but it is possible for the court to probe crimes against humanity through their expulsion by Myanmar that forced them to cross the border between the two countries.

“The deportation occurred into Bangladesh. Bangladesh is a state party to the Rome Statute. So the crime was completed, if I can put it that way, in Bangladesh. That changes the picture completely. That’s what gives us the ability to look into this case,” he said in response to a question from a reporter from BenarNews, an RFA-affiliated online news service.

“At this stage, although we have approached the government of Myanmar, so far they have not wanted to engage with us. But we remain available to discuss issues with them,” he added.

Attorney Khandker Mahbub Hossain, who defended alleged war criminals prosecuted over Bangladesh’s war of independence from Pakistan in 1971, said the ICC had a transparent trial process.

“Though Myanmar is not a state party, the pre-trial court has ruled that the ICC has jurisdiction over the Rohingya atrocities. Even the ICC tried the perpetrators, Myanmar would not execute the judgement of the ICC,” he told BenarNews.

“But if the ICC convicts the Myanmar generals for crimes against humanity, it would carry a value at the international level,” he said.

Last year, a U.N. fact-finding team recommended that the six Myanmar generals, including Commander-in-Chief Min Aung Hlaing be referred to the ICC for prosecution for genocide against the Rohingya people.

On Tuesday, U.S. Secretary of State Mike Pompeo announced that the United States was imposing a travel ban on Min Aung Hlaing and three of the other generals who had been named by the U.N. team, in the first sanctions launched by any foreign country against members of Myanmar’s military brass in the wake of the brutal 2017 crackdown in Rakhine state.

But at a press conference in Kuala Lumpur on Thursday, Yanghee Lee, the special rapporteur on human rights in Myanmar who has been barred by its government from visiting the country, described the new U.S. sanctions against the four generals as not being tough enough.

“It is naive and farfetched, but I think we should freeze their assets and the assets of their families, too,” she told reporters, adding that the families should also be subjected to a travel ban.

Such sanctions, she said, should be applied not only to the four generals named in the U.S. travel ban but all six Myanmar generals who were identified by the U.N. fact-finding team last year for prosecution before the International Criminal Court.

Pakistani ISI hired British journalist against Bangladesh (Afternoon Voice) By Muzaffar Ahmad Noori Bajwa
July 29, 2019

A controversial British journalist has gone all low in continuing senseless propaganda against the Bangladesh government and the country's apex intelligence agency – the Directorate General of Forces Intelligence (DGFI) by falsely accusing it of having hands behind forced disappearance and trial of the war criminals.

David Bergman first travelled from Birmingham, England, to Bhopal in March 1986 by bicycle as a charity to raise £5,000 for the victims of the disaster. While there, he became entangled in a legal dispute over the government's role in relief that The Guardian later dubbed "The Bergman Affair" (October 31, 1986).

In September 1986, when Bergman was 21 years old, he was held in custody in violation of India's Foreigners Act and National Security Act and was accused of working for Union Carbide.

It may be mentioned here that, on December 3, 1984, following methyl isocyanate (MIC) gas released from the plant of Union Carbide in Bhopal [which also is known as Bhopal Disaster], over 500,000 people were affected. The government of Madhya Pradesh confirmed a total of 3,787 deaths related to the gas release. It left an estimated 40,000 individuals permanently disabled, maimed, or suffering from a serious illness, making it one of the world's worst industrial disasters.

David Bergman has been writing for terror-network Al Jazeera for many years and has been on monthly payroll of the terror patron Qatari regime. Born in 1965, he is the son of Alan Bergman, a dentist from Hadley Wood I north London. Bergman holds degrees in both politics and law and his law degree is from the University of Birmingham.

As a journalist, the only career David Bergman has outside Bangladesh is with Twenty-Twenty, which is a British television production company. In September 2007, following Twenty-Twenty's merger with Shed Media Group (now Warner Bros Television Productions UK), David Bergman was sacked from the Twenty-Twenty on various allegations, which included coverage against bribes, womanizing and addicted to drugs.

David Bergman is the son-in-law of Dr. Kamal Hossain, a lawyer-cum-failed politician, who has lately formed an alliance with pro-Islamist Bangladesh Nationalist Party (BNP) and terror-patron Jameet e Islami.

Bergman's mother-in-law is Hameeda Akhund alias Hameeda Hossain, daughter of a Pakistani jurist named Abdullah Shafi Mohammad Akhund. Hameeda was born in 1936 in Hyderabad, Sindh, Pakistan. Her father Abdullah Shafi was a diehard anti-Indian. Dr. Kamal had developed romantic relations with Hameeda, a divorcee and later married her. Throughout her life, Hameeda has always been inclined towards Pakistan.

After many years, when we are witnessing the rise of radical Islam in Britain and an unknown number of sleeper cells of Islamic State in the Western nations, no one can say with certainty as to how a so-called British journalist named David Bergman became the blue-eyed boy of the criminals and jihadists. It is not unlikely that an immoral individual like Bergman has also been working for the enemies of the West. And In-fact David Bergman is enjoying patronizing of Qatari regime, Pakistani ISI and most possibly even the notorious terrorist named Dawood Ibrahim.

In journalism, there is a word called ethics. But it seems that a so-called British journalist named David Bergman, who runs a blog on the blogspot.com has been enthusiastically busy in publishing one-after-another propaganda materials in favor of an ISIS funder as well as terrorists and war criminals. Through these write-ups, David Bergman clearly is making frantic bids of character assassination of few individuals as well as take revenge on the Bangladesh government for its ongoing relentless efforts of combating militancy as well trying the war criminals who have committed a crime against humanity during Bangladesh's war of independence in 1971.

Within the span of ten days, David Bergman has written several bogs defending an ISIS funder named Md Shahid Uddin Khan. He also has defended the war criminals and made a foul attempt of putting false accusation of forced disappearance on Directorate of Forces Intelligence (DGFI). It may be mentioned here that, DGFI has been playing an extremely praiseworthy role in combating militancy and terrorism in Bangladesh.

In 2009, a man named Md. Shahid Uddin Khan, along with his wife Farjana Anjum and daughters Shehtaz Munasi Khan, Parisa Pinaz Khan and Zumana Fiza Khan had entered the United Kingdom with tons of dirty money and had even managed immigrant status under Visa Tier 1, vide VAF No. 511702.

On January 17, 2019, Dhaka residence of Md. Shahid Uddin Khan was raided by the members of the Counter-Terrorism and Transnational Crime (CTTC) unit of Bangladesh Police.

CTTC, based on secret information, raided House No. 184, Road No. 2, Baridhara DOHS in Dhaka, Bangladesh on January 17, 2019. This house is owned by Md. Shahid Uddin Khan and was allegedly used as a warehouse for arms, explosives and propaganda materials of Islamic State (ISIS). During the raid, a large volume of weapons, detonator, counterfeit Bangladesh currency notes and jihadist materials of ISIS were recovered by the CTTC unit.

Following this recovery, three separate cases against ISIS-funder Md. Shahid Uddin Khan, his wife Farjana Anjum, daughters and other accomplices were lodged. The cases are Cantonment PS, Case no 10, Section-6(2)/7/11/12 of Anti-Terrorism Act 2009 (amendment 2013); Cantonment PS, Case no 11, Section-25-A, Special Power Act 1974; and Cantonment PS, Case no 12, Section-19-A of Arms Act 1878.

For years, the United Kingdom has become the epicenter of anti-Semitism and dirty money. It is already proved; Britain wholeheartedly welcomes dirty money and laundered money from around the world and does not bother if it is narco-money, corruption-money, or even jihadist fund.

Md Shahid Uddin Khan, his wife Farjana Anjum, daughter Shehtaz Munasi Khan and Parisa Pinaz Khan are most wanted fugitives. Recently, Interpol issued Red Notice on them.

Sitting in London, ISIS funder Shahid Uddin Khan had formed an organization named 'Astha' (faith), which aims at establishing Sharia rule by ousting the democratically elected government in Bangladesh. Meanwhile, David Bergman, who also is under monthly payroll of Pakistani ISIS and the Qatari regime has helped Khan in getting coverage in terror-network Al Jazeera, where this notorious broadcast network had accorded full cooperation in publishing a so-called interview-based article mostly filled with lies and false information.

Later, David Bergman made frantic bids in getting his anti-Bangladesh and pro-militancy articles published in the British media. Being rejected by the British media, David Bergman began his notorious propaganda against Bangladesh through his BlogSpot account. Both Al Jazeera and Bergman are making false allegations of forced disappearance of DGFI centering three of Shahid Uddin Khan's staffs, knowing full well that those people had gone into hiding as per directives of this ISIS funder and notorious criminal, who faces series of criminal cases and convictions in Bangladesh.

It may be mentioned here that, in Bangladesh, Md Shahid Uddin Khan and members of his family are known as notorious criminals and frauds.

Md Shahid Uddin Khan and members of his family had smuggled-out millions of dollars from Bangladesh during the period of 2009-2018. David Bergman is fully aware of this matter, while he also knows, Shahid Uddin Khan has been funding various militancy groups, including the Islamic States for many years. As the criminal activities of Shahid Uddin Khan have already been exposed by Bangladesh and international media, David Bergman sensed, British authorities may now deport Khan members of his family.

On July 5, 2019, David Bergman wrote a blog post on BlogSpot as well as medium titled 'The Sunday Times has a lot of explaining to do about its article on Bangladesh'. In this post, Bergman had made a notorious attempt of tarnishing the image of this prestigious newspaper as well as eminent journalist Tom Harper for their "crime" of exposing the criminal activities such as terror financing and money laundering committed by Md. Shahid Uddin Khan and his family.

In response to this notorious propaganda prestigious British newspaper The Sunday Times journalist, Tom Harper wrote, "... The Sunday Times simply reported that Mr. Khan had been charged, which is interesting given that he is a Tory donor. We made clear these are allegations. We await the outcome of the court case and, of course, remain neutral. I'm not sure I could say the same about you [David Bergman]".

This response by the journalist of The Sunday Times would have shaken any sensible journalist, as it exposed a bias, Bergman. But for a person like David Bergman, such responses would have no impact as he is hired by the Pakistani spy agency ISI to cause damage to the Bangladesh government and its intelligence agencies.

While British authorities already are investigating the case of money laundering which had been committed by Md. Shahid Uddin Khan and his family members, it is essential for the British intelligence agencies now to also bring activities of dubious David Bergman under the radar.

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War Crimes Investigation in Myanmar

Myanmar military units linked to Rohingya atrocities accused of committing new abuses (Japan Times) By Poppy Mcpherson and Thu Thu Aung
July 19, 2019

When 35-year-old Ah Hla went to a police station in western Myanmar in late April hoping to see her husband among the prisoners, she didn't know if he was still alive.

Several dozen men, including her fisherman husband, had been detained weeks earlier when the military raided their village in central Rakhine state's Mrauk-U township and accused them of belonging to a rebel army, residents told Reuters.

"I went there with the hope that I am going to see my husband, but he was not there," said Ah Hla, who had walked to the police station with a group of relatives of the detained men. When she arrived, police told her that her husband of 15 years had hanged himself in his cell and that his body had already been disposed of.

"I passed out on the floor of the police station," she said, cradling her 6-month-old son and choking back tears.

An army spokesman told Reuters that three of the detainees had died in custody, saying one, a 24-year-old man, had a heart attack, while another died from drug withdrawal and a third, 40-year-old Thein Tun Sein — Ah Hla's husband — killed himself.

In Rakhine state, where security forces expelled more than 700,000 ethnic Rohingya Muslims in a 2017 campaign the United Nations says was carried out with "genocidal intent," Myanmar's military is waging a new war.

This time, the target is the Arakan Army, an armed group that recruits from among state's mostly Buddhist ethnic Rakhines and has been fighting for greater autonomy for the region that was an independent kingdom for centuries.

In its calls for an armed "revolution," the Arakan Army draws on deep-seated historical resentment felt by some Rakhines toward the ethnic Bamar majority that dominates the central government, and their sense that Myanmar's faltering transition to democracy has not brought the western state greater prosperity or self-determination.

The authorities imposed an unprecedented internet shutdown across the region in late June, citing the need to avert unrest. Yanghee Lee, the U.N. expert on human rights in Myanmar, said recently that both sides may be committing "war crimes" under the cover of the blackout, citing reports of deaths during army interrogations.

During a rare trip by Reuters to the conflict zone, much of which is off-limits to journalists and humanitarian agencies, 10 residents gave accounts of soldiers firing weapons indiscriminately, killing and wounding civilians, and torturing detainees.

Reuters was unable to independently verify the accounts, which were similar — though on a smaller scale — to those of Rohingya who fled the violence in 2017.

According to three lawmakers in the region and Amnesty International, the military has deployed up to five light infantry divisions (LIDs) — shock troops famed for brutal counterinsurgency campaigns against the nation's myriad ethnic armed groups.

In 2017, two LIDs were accused of leading a scorched-earth campaign against the Rohingya, burning hundreds of villages to the ground and raping and killing women and children.

"What's astonishing is that some of the same military units responsible for atrocities against the Rohingya are now committing new abuses in Rakhine," said Laura Haigh, Amnesty's Myanmar researcher.

Contacted by phone, Zaw Min Tun, a military spokesman, said such abuse of detainees "might happen or might not happen," adding that allegations would be investigated.

Three hours by boat from the state capital of Sittwe up the languid Kaladan River, Mrauk-U was for more than 300 years the capital of an independent Rakhine kingdom, until it was annexed by the Burmese in 1784.

Despite rich oil reserves and a strategic location on the Bay of Bengal, the state is one of Myanmar's poorest.

Before the recent fighting, the town was popular with tourists who came to see the ancient temples that dot the landscape.

Now, displaced villagers camp in tents in the shadows of the monuments. In the town, families sleep in bunkers loaded with sandbags to escape shelling and gunfire.

In Lekkar, the village where Ah Hla lived with her husband, half a dozen residents said troops from the 22nd and 55th LIDs

fired indiscriminately into the village, driving inhabitants into a monastery where they were detained, separated by gender, questioned, and forced to squat for hours under the hot sun.

Soldiers then took 27 men and held them for several weeks in an interrogation center where, according to three of the detainees and six family members of the arrested men, they were kept in darkness, deprived of food and water, and subjected to beatings and electrocution. One man told his wife a fellow detainee was forced to stand on the tips of his toes with a noose tied around his neck.

Ah Hla said police officers gave her a photo, seen by Reuters, showing her husband's bone-thin dead body, so she could explain to her children what had happened to him. "I don't know even know what they did with his body or if they did a funeral for him," she said.

National police spokesman Col. Myo Thu Soe did not answer calls seeking comment. A police officer in the state capital, Sittwe, hung up the phone.

Outside a courtroom in Sittwe this month, the detained men taken in the same raid said they were innocent and urged journalists to "tell the truth" about what had happened to them. They have been charged with breaking the Terrorism Act, punishable with up to 10 years in prison, and are on remand awaiting trial.

"They tortured us in many ways," one of the men shouted. "We were beaten in so many ways."

Khin Shwe Than, the mother of one of the detainees, a 16-year-old boy, said he told her he was kept in a dark cell, deprived of food and water and beaten.

The central government, led by Nobel laureate Aung San Suu Kyi, has little support in an area where her National League for Democracy party lost to the Arakan National Party in the 2015 election that brought her to power.

Suu Kyi called for the armed forces to "crush" the rebels during a meeting with the military chief in January, her spokesman said.

On June 21, the Ministry of Transport and Telecommunications directed all telecom companies to "temporarily" disable internet services in nine townships across Rakhine and neighboring Chin state, citing "disturbances of peace and use of internet activities to coordinate illegal activities."

Human Rights Watch says as many as 1 million people have been affected.

Myo Swe, a spokesman for the Ministry of Communications and Information Technology, said the shutdown was in the "public interest" and connectivity would be restored when "rule of law and security" could be ensured.

Khine Thu Ka, a spokesman for the Arakan Army, said the military had sent in reinforcements. "We can say fighting and clashes are happening frequently since the internet shutdown," he said.

The group has been accused of abuses including the abduction of dozens of civilians. Khine Thu Ka said it had eight people in its custody but was planning to release them.

Since internet access was cut off, activists say news about the escalating conflict has been slower to trickle out.

The U.N says more than 35,000 people have been forced to flee their homes since January because of the fighting.

Aung Than Tun, who runs a volunteer ambulance service in the town, said he has driven dozens of wounded people to hospitals after clashes in villages since the conflict began in January, most with mortar and gunshot injuries.

Some residents said they were resorting to traveling hours by road to the state capital, risking land mines and gunfire, to get access to the internet.

Oo Twan Hla, a lawyer, said he took the road regularly to check court dates and communicate with a growing number of clients — including many arrested over alleged ties to the Arakan Army. "It's like we are in the dark, behind a locked door," he said.

Myanmar's Top Officials Banned from Entering the U.S.A. (The Organization for World Peace) By Sadbh O'Reilly
July 21, 2019

The U.S. have banned Myanmar's top general, several senior officers and their

families from entering the States, in response to accusations of gross violations of human rights against Rohingya Muslims. Secretary of State Mike Pompeo has stated there was credible evidence to suggest that the Burmese officials were complicit in the atrocities levelled against the minority population. According to the BBC, the move was allegedly prompted by Commander-in-Chief Min Aung Hlaing's decision to release soldiers convicted of extra judicial killings at the village of Inn Din in 2017. This prompted outrage as they had spent less time than two Reuters journalists investigating the massacre, Wa Lone and Kyaw Soe Oo, who had been sentenced to 16 months in prison for obtaining state secrets.

Mr. Pompeo stated that, "we remain concerned that the Burmese government has taken no actions to hold accountable those responsible for human rights violations and abuses, and there are continued reports of the Burmese military." In a statement, he said that the U.S. was "the first government to publicly take action with respect to the most senior leadership of the Burmese military." On the other hand, BBC Myanmar correspondent, Nick Beake has suggested that the ban is largely symbolic and the U.S. government could have taken further measures such as imposing financial sanctions on military-owned assets.

In agreement with Mr. Pompeo, granting the implicated generals entry into the U.S. would indirectly protect the perpetrators of what has been called a "textbook example of ethnic cleansing" by the UN. As the first country to do so, it will set an example for other like-minded countries to follow suit, particularly as these generals await trial for their actions.

In 2017, almost 700,000 Rohingya fled Myanmar into neighbouring countries to escape the military-led crackdown targeting the Muslim minority population. The BBC reports that Myanmar government claimed that it was acting in retaliation to attacks by Rohingya militants. Altogether, there are approximately one million Rohingyas in Bangladesh, most of which have been housed in the world's largest and most densely populated refugee camp, Kutupalong. To date, no Rohingyas have been repatriated back to Myanmar, despite an agreement between the governments of Myanmar and Bangladesh. This remains unlikely in the near future until the political situation in Myanmar improves dramatically, and housing and infrastructure is restored to an acceptable level, according to the Economist. Until then, the governments of Bangladesh and Myanmar continue to debate the legal status of the Rohingya Muslims, the world's largest 'stateless' people.

To conclude, the public condemnation of several Burmese top generals is a step in the right direction towards achieving justice for those in charge of the world's large-scale ethnic cleansing in recent times. Despite this, more needs to be done to bring these generals to trial and bring them to justice. Furthermore, significant actions need to be taken to begin the healing process, including improving relations between Rohingya Muslims and the military, repatriating the Rohingyas back to Myanmar and alleviating the strain of the refugee influx in Bangladesh.

Burma Army restrictions on access to conflict-affected areas have made it nearly impossible to provide relief. (BNI Multimedia Group) July 22, 2019

Local villagers across a wide area of northern Rakhine and southern Chin states have been forced to flee their homes as Burma Army forces intensify their offensive against the Arakan Army (AA) with combat helicopters and heavy artillery.

In northern Rakhine State's Buthitaung Township, there have been reports of intense fighting since Wednesday, according to local sources. "All villagers in southern Buthitaung Township are fleeing from the clashes," said Aung Thauung Shwe, the MP for Buthitaung Township, adding that it has been impossible to provide relief due to Burma Army restrictions on access to the area.

"Even the ICRC can't go there. The army doesn't allow it. All relief organizations are prohibited from going there," he told NMG.

According to Aung Thauung Shwe, some people have been unable to escape and remain trapped in their homes.

"Three people are still stuck in Shitshar Taung, a village in Sankoe Taung village-tract in Buthitaung Township. One is a 90-year-old grandmother who is there with her disabled son and a mentally ill woman. They are trapped in the village. Everyone else has fled," he said.

The AA confirmed reports of clashes between Burma Army and AA forces in Buthitaung, Ponnagyun, and Mrauk-U townships in Rakhine State on July 17 and in Paletwa Township in southern Chin State on July 18.

"There were many clashes in Ponnagyun, Buthitaung and Mrauk-U townships. The fighting has been intensifying. The Burma Army's combat helicopters attacked our forces in Buthitaung Township twice. They also fired on our forces with heavy artillery the whole night. There were also two clashes near Pyi Taung village in Paletwa Township in Chin state on Thursday," AA

spokesperson Khaine Thukha told NMG.

The fighting on Wednesday took place near the villages of Khamee Kyein Chaung and Nang Tin in Ponnagyun Township, the village of Kanpyin in Buthitaung, and at Oakhpo Kan, a village in Mrauk-U Township.

NMG contacted the Burma Army's True News Information team for comment but didn't receive a response.

According to statistics compiled by the Rakhine Ethnic Nationals Association, nearly 50,000 people have so far been displaced by the conflict between the Burma Army and the AA. Human rights groups also say that civilians in the conflict-affected area are facing severe human rights abuses.

The Burma Army has declared unilateral ceasefires in five regional military commands across the country, enabling it to concentrate on its offensive against the AA.

MP urges MNHRC to conduct field inspections (BNI Multimedia Group) July 22, 2019

A legislator urges the Myanmar National Human Rights Commission (MNHRC) to conduct field inspections regarding Arakanese villagers that were killed in custody during detention under suspicion of involvement with the Arakan Army.

Pyitthu Hluttaw representative U Tun Win in June asked the MNHRC for assistance in line with human rights standards to investigate the death of villagers who were detained. Three men from Lekka village in Mrauk-U Township and one man from Kyauktaw Township were killed during interrogations by the Tatmadaw. An appeal was presented to the ministry of Defence to take proper action on the matter, the MNHRC on 12 July sent an official letter to the ministry with the request to respond to the commission after the ministry has taken action regarding these cases.

U Tun Win, however, said that the commission needed to meet the bereaved of the deceased villagers at their homes in order to remain impartial about the case.

"I think the commission, as a top-level organization in Myanmar, should go to the homes of the deceased and meet with their families to get statements and their side of the story so the case can be presented in its entirety," the lawmaker said.

He added that he asked for help from the President and the Pyithu Hluttaw Complaints and Appeals Committee to seek justice for the death of villagers in custody.

The total of 15 villagers died in custody in Arakan State. The Tatmadaw announced that an investigation tribunal is going to be set up as of 12 July in order to find out the truth about the deaths of detained villagers.

ASEAN can no longer turn a blind eye to Myanmar's atrocities (Aljazeera) By Eric Paulsen July 22, 2019

After fighters attacked security targets in Myanmar's northern Rakhine state on August 25, 2017, the Myanmar military responded by killing and maiming thousands of Rohingya civilians, raping hundreds of women and girls, and burning entire villages to the ground. Almost two years after the military-led "clearance operation" that forced more than 745,000 Rohingya men, women and children to flee and seek refuge in Bangladesh, this humanitarian crisis seems more intractable than ever.

Systematic state discrimination against the Rohingya, making them stateless and without rights, and recurring state-sanctioned violence has spurred various influxes of refugees into Bangladesh in the 1970s and 1990s.

Together with more than 300,000 Rohingya who had already taken shelter during these previous waves of violence, Bangladesh now hosts over one million Rohingya refugees - most of whom reside in Cox's Bazar, now the world's largest refugee camp. It is a testament to Bangladesh's historic generosity that it did not turn away any recent arrivals despite already hosting large numbers of refugees.

Yet, neither Bangladesh's patience nor its coffers are infinite, and the strain of caring for the refugees is starting to show. Merely a few weeks ago, Prime Minister Sheikh Hasina said in parliament that the country's resources are nearing their limits and there is growing tension as Bangladesh grapples with how best to deal with the situation.

To any who have visited the refugee camps in Cox's Bazar as I recently did with national human rights commissioners from Malaysia, Indonesia and the Philippines, one thing is clear: Conditions in the camps remain abysmal and unsustainable for a long-term stay. The overcrowding and lack of planning in many of these camps could lead to the spread of communicable diseases and create fire hazards, while deforestation has made the area prone to landslides and floods during the monsoon

rains.

The basic needs for shelter, healthcare, water and sanitation are barely met. The refugees live in sweltering makeshift bamboo structures lined with plastic sheets; they have limited access to formal work and education and are completely reliant on aid handouts to survive. There are virtually no opportunities to advance their lives in the camps. Therefore, it is becoming necessary to urgently work towards the repatriation of these refugees back to their homes in Myanmar.

Against the backdrop of this growing predicament, a recent report on the Preliminary Needs Assessment for Repatriation prepared by the Coordinating Centre for Humanitarian Assistance on Disaster Management of Association of Southeast Asian Nations (ASEAN) was leaked.

Activists and experts have not received particularly well the report and have criticised it for mainly outlining the repatriation procedures and infrastructural preparedness of the Myanmar authorities for receiving refugees in reception and transit centres while ignoring or glossing over legitimate concerns.

It is here that the division between the Myanmar government and the Rohingya refugees is the starkest. The refugees have repeatedly stated they wish to return home, but to do so, they need guarantees of citizenship, freedom of movement, access to basic services, freedom to undertake economic activity and access to markets and, most importantly, trust in the security and protection arrangements for returnees.

Yet, what is discussed in the report does not reflect these basic expectations. There is no mention of citizenship and any of its constituent rights. It further supports the involuntary relocation of returning refugees, suggesting they will not be allowed to return to their original homes and will have little say in where they finally end up. There is equally no mention of restitution, nor is any reference made to the fates of some 128,000 internally displaced Rohingya still living in camps in Rakhine state since violence erupted earlier in 2012.

The report also fails to address the reality of the lack of trust and confidence between the Rohingya population and the Myanmar authorities. No outreach efforts have been made to include refugees in Cox's Bazar in this process, and in the absence of goodwill between the two sides, any hope for them to voluntarily return is dim. The botched repatriation attempt of November 2018 is yet another proof of that.

But in the face of Myanmar's refusal to concede any ground in the matter, what can the world do? Attempts to censure Myanmar at the UN Security Council have proven futile due to the lack of support from China and Russia. There are various sanctions imposed, including asset freezes and travel bans by the US, EU and Canada against individuals in the military regime but by and large, these efforts have not put enough pressure on the authorities in Naypyidaw.

However, accountability efforts are ongoing at the international level. International Criminal Court prosecutor Fatou Bensouda has requested the court to open an investigation into possible crimes against humanity committed against the Rohingya, and the Organisation of Islamic Cooperation has also agreed to take Myanmar to the International Court of Justice for violations under the Genocide Convention.

The UN Independent International Fact-Finding Mission on Myanmar is continuing its investigations after concluding last August that Myanmar's top military leaders should be prosecuted for genocide, crimes against humanity and war crimes for their role in the crackdown against the Rohingya. The UN Human Rights Council has further established the Independent Mechanism on Myanmar tasked with collecting evidence of the most serious crimes that may be used for eventual prosecution.

While Malaysia has come out strongly in support of the Rohingya, ASEAN has had minimal public discussion. Most recently, ASEAN leaders at the 34th ASEAN Summit in Bangkok reaffirmed their commitment to a more visible and enhanced role to support Myanmar in providing humanitarian assistance, facilitating the repatriation process and finding a comprehensive and durable solution to address the root causes of the conflict.

While such a consultative approach has allowed ASEAN to continue engaging with Myanmar, the disconnect between the report and what is required for repatriation is extremely worrying. For repatriation to work, ASEAN must do more to convince Myanmar to truly collaborate with Bangladesh and UN agencies.

Myanmar must also be encouraged to engage with the refugees in Cox's Bazar, and not just in a perfunctory manner. It is only if they see demonstrably improving conditions in Rakhine state that refugees would consider returning home. It may well be that only a unified and resolute front demanding that Myanmar makes some vital concessions could tip the scales towards a viable repatriation plan.

ASEAN now stands at a crossroads with its credibility at stake. Can it truly afford to continue turning a blind eye to Myanmar's atrocities, with more than a million refugees stranded in Bangladesh and many more around the world, including 150,000 refugees in Malaysia?

Ultimately, how ASEAN responds to the report and whether it demands to see more substantive action taken to ensure the safe repatriation of the Rohingya will indicate what role it expects to play in the months and years ahead.

Today, more Rohingya are living as refugees than in their homes in Rakhine state. After so many failings spanning decades, the world has an historic duty to do better this time.

ICC Delegation Head Wraps up Visit to Bangladesh, Rohingya Camps (Radio Free Asia) July 22, 2019

An International Criminal Court prosecutor on Monday wrapped up a six-day trip to Bangladesh and Rohingya refugee camps in the southeast as part of preparations for a potential ICC investigation into alleged crimes of humanity against Rohingya by Myanmar's military.

Deputy ICC Prosecutor James Stewart left the country after leading a delegation from the court based in The Hague, according to officials with Bangladesh's Ministry of Foreign Affairs. The ICC team met with refugees at Rohingya camps over the weekend.

"The ICC team did not hold any formal meeting with us. They wanted to know from us why the Rohingya crossed into Bangladesh in large numbers," said Dil Mohammad, a leader of the refugees living at camps in the so-called "no-man's land" near the Konarpara border crossing point along Bangladesh's frontier with Myanmar.

"They asked me why we left Myanmar and took refuge in Bangladesh. I told them that the torture, killings and persecution forced us to cross the border and enter Bangladesh," Mohammad told BenarNews, an RFA-affiliated online news service.

The ICC team's visit occurred a month after its top prosecutor, Fatou Bensouda, said in a statement that she would ask judges for permission to investigate crimes against humanity committed against the stateless Rohingya.

The ICC team arrived in Bangladesh on July 16 to lay the groundwork for an investigation if the Netherlands-based tribunal gave them the green light, Stewart told reporters in Dhaka last week.

In March, another team from the ICC visited Rohingya camps in Cox's Bazar district as part of a preliminary examination into a potential case.

The war-crimes court issued a statement last month that it had assigned a three-judge panel to hear Bensouda's request.

The ICC ruled in September that although Myanmar was not a member of the court, the "crime against humanity of deportation" allegedly committed against the Rohingya was under its jurisdiction.

"The reason is that an element of this crime – the crossing of a border – took place on the territory of a State party," the ruling said, referring to Bangladesh, which is a member of ICC.

Myanmar, which does not recognize the Rohingya among its official ethnic groups, rejected the ruling, saying ICC had no jurisdiction since it was not among the international court's 122-member nations.

Stewart's visit amplified pressure against Myanmar's military leaders: on the day his team landed in Bangladesh, the United States issued travel bans on Commander-in-Chief Min Aung Hlaing and three other generals for their alleged role in a brutal 2017 crackdown on Rohingya in their home state of Rakhine.

The United States and the United Nations had described the crackdown as "ethnic cleansing," which, according to a U.N. fact-finding mission in August, included mass killings and gang rapes of Rohingya involving the Myanmar military.

The ICC team met Rohingya men and women on Saturday at refugee camps in southeastern Cox's Bazar and the no-man's land in Bandarban, along the Bangladesh-Myanmar border. They also held talks with Bangladeshi refugee-repatriation authorities, the local police chief and other officials said.

Mohammad Shamsuzzoha, additional commissioner for refugee repatriation and relief, told BenarNews that the ICC team visited different camps in Lambarshia in Ukhia, a sub-district of Cox's Bazar.

"I think, they came here to see the overall situation at the camps," Shamsuzzoha told BenarNews, adding that Stewart left Bangladesh on Monday.

However, it was not clear when the other three ICC delegates who accompanied Stewart to Bangladesh were to leave as well.

Before departing for Cox's Bazar, Stewart told reporters in Dhaka that the ICC was not visiting Bangladesh "to investigate or

collect evidence.”

The international prosecutors made the visit to explain the legal process to officials and affected people on how the ICC might investigate reported atrocities, Stewart said.

Shahid Ullah, a Rohingya camp leader, confirmed to BenarNews that the ICC team did not hold formal meetings with the refugees.

“But we appealed to them for justice. We told them that we wanted justice. The military killed us, raped our women and even murdered newborn babies,” he said, referring to Myanmar security forces.

UNICEF Myanmar Humanitarian Situation Report #6 (January-June 2019) (ReliefWeb) July 19, 2019

Highlights

Mid-way through 2019, UNICEF has provided hygiene kits or hygiene items to nearly 306,000 people and provided sustained access to safe water to over 105,000 people, and education support to over 24,000 children between 3-17 years.

- As of the end of June, UNICEF has provided treatment for severe acute malnutrition to nearly 2,000 children between 6-59 months, helped to vaccinate nearly 5,000 children 9-18 months against measles, and provided psychosocial support to nearly 32,500 people.
- While access to several areas of Rakhine state is gradually improving, it is still not being granted to the full state. Despite this, UNICEF, UNHCR, UNFPA, and Malteser International, have successfully carried out needs identification missions to 19 new displacement sites in Buthidaung and Rathedaung Townships and delivered humanitarian assistance in 17 sites reaching nearly 5,000 people.
- Despite the generous contribution of donors thus far, mid-way through the year UNICEF Myanmar remains with a funding gap of 66 percent (US\$38.9 million), impacting the ability to fully reach children in need of life-saving and life-sustaining humanitarian assistance.

SITUATION IN NUMBERS

19 July 2019

460,788 # of children in need of humanitarian assistance (HNO 2019)

Kachin: 71,150

Kayin: 4,475

Rakhine: 364,767

Shan: 20,396

941,351 # of people in need (HNO 2019)

UNICEF Appeal 2019

US\$ 59 million

Situation Overview & Humanitarian Needs

The humanitarian landscape in the northeast region remains characterized by the consequences of conflict, landmines and explosive remnants of war (ERWs); This year there have been 63 total documented landmine incidents and 99 total associated casualties across the country. One out of every four casualties of landmine incidents in Myanmar is a child. A total of 21 incidents have occurred in northern Shan State thus far in 2019, injuring 31 people of which 13 were children, and killing 12 people of whom six were children. Mine incidents across Shan State accounted for 32 percent of total incidents and 43 percent of total casualties in the country. Kachin State accounts for 24 percent of landmine-associated injuries and deaths and 24 percent of incidents countrywide in 2019.

Concomitant with the ceasefire, there has been no reported displacement in Kachin State since November 2018. Instead, humanitarian agencies continue to receive requests from the Government to support small scale returns of existing IDPs.

A 2019 survey of Kachin State IDPs, organized by the Office of the United Nations High Commissioner for Refugees (UNHCR)

and its partners, has found that most IDPs have strong preferences to return home, with 65 percent of respondents reporting intent to return home if and when they leave the camps. The total number of displaced in the state has fluctuated but remains over 97,000 with people sheltering at 136 camps or camp-like settings; of these nearly 40,000 (41 percent) are in non-government-controlled areas.

UNICEF and other humanitarian actors continue to have difficulty accessing different population groups for assessment and response activities in Kachin State. OCHA estimates that during the first half of June, 36 percent of the affected people were not reached with services or reached with difficulties, especially in areas not under government control. Overall, humanitarian access appears to have deteriorated in the months coinciding with the ceasefire when compared to the last 24 months.

Reportedly, in June, 50 households moved to Nan Sa Yang village in Kachin State. The total number of returnees remains small and movements are generally uncoordinated and often to places that are still considered unsafe due to landmine contamination or proximity to military establishments. Humanitarian agencies struggle to respond to such cases because they have not been involved in the returnee process and are unable to verify the principles guiding the returns. In December of 2018, the Myanmar Army or Tatmadaw declared a unilateral ceasefire with ethnic armed organizations (EAOs) lasting in five military operation areas including northern Shan and Kachin States. The ceasefire has been extended twice and is now effective until 31 August.

Though incidence of fighting has dropped significantly, particularly in Kachin State, there has been fighting between the EAOs, and in some cases with the military in the first six months of the year.

Atrocity Alert No. 164: Myanmar (Burma), Afghanistan and Syria (ReliefWeb) July 24, 2019

Internet shutdown in Myanmar will not shield military from scrutiny and sanctions

As the internet shutdown in parts of Myanmar's Rakhine and Chin states entered its fifth week, hundreds of thousands of civilians are at risk due to a lack of information about devastating flooding in the region as well as ongoing fighting between the security forces and the ethnic armed group, the Arakan Army (AA). Myanmar's government ordered the shutdown on 21 June, citing the need to curtail "illegal activities." On 24 June the UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee, expressed fear for civilians "cut off and without the necessary means to communicate with people inside and outside the area."

The AA, who are seeking greater autonomy for the ethnic Rakhine Buddhist population, have been fighting with the security forces since November 2018, displacing an estimated 35,000 people. Many of the military units fighting the AA have been implicated in past atrocities, including crimes against humanity and genocide perpetrated against the Rohingya minority during so-called "clearance operations" in Rakhine State during late 2017.

Last week, on 16 July, the United States government became the first country to sanction Myanmar's Commander-in-Chief Min Aung Hlaing and three other senior military officials for "gross human rights violations" perpetrated against the Rohingya. The sanctioned officials and their families are now banned from entering the United States. Last August the US also sanctioned four military and police commanders and two military units for their involvement in atrocities perpetrated in Rakhine, Kachin and Shan states. While announcing the new sanctions, Secretary of State Mike Pompeo also condemned the early release of seven soldiers convicted for a 2017 massacre of Rohingya civilians in Inn Din village.

Other states should similarly sanction Commander-in-Chief Min Aung Hlaing and other senior commanders whom the UN Fact Finding Mission found were responsible for widespread atrocities committed in Rakhine State in late 2017. The UN Security Council should immediately refer the situation in Myanmar to the International Criminal Court. Myanmar should also be taken to the International Court of Justice for breaching its obligations under the Genocide Convention.

(The remaining sections of this report have been left out)

TNLA Reports 'Frequent' Clashes despite Burma Army Ceasefire (BNI Multimedia Group) July 29, 2019

The group says it has clashed with government forces 60 times since the ceasefire was first declared at the end of last year.

An ethnic armed organization (EAO) based in northern Shan State says that the Burma Army's military activities, including clashes with EAOs, continue as usual despite the extension of its unilateral ceasefire in the region last month.

"The situation on the ground has not changed. They are still active and there have been military movements in the area even after they extended their unilateral ceasefire," Maj. Mai Aik Kyaw, the spokesperson for the Palaung State Liberation Front/Ta'ang National Liberation Army (PSLF/TNLA), told NMG.

“They have built more camps and they are frequently patrolling the area. They often enter our territory,” he added.

According to the PSLF/TNLA, the group has clashed with the Burma Army more than 60 times since the ceasefire was first declared late last year. The ceasefire has been extended twice since then, most recently on June 30. It is now in force until the end of next month.

“There have been more than 60 clashes between the Burma Army and our forces [since the ceasefire started]. Most occurred in June and July. In June, their forces tried to chase our forces inside our territory. Whenever they got information about our positions, they came after us. That’s why there were many clashes in June,” said Maj. Mai Aik Kyaw.

The two sides have clashed in Kyaukme, Namhsan, Mangton, Namtu, Hsipaw, Lashio, Kutkai, Muse and Namkham townships in northern Shan State. The most recent exchanges of fire have been concentrated around Namhsan, Kyaukme, Mangton and Kutkai townships.

The Burma Army’s True News Information Team said at a recent press conference that the highest number of clashes during the unilateral ceasefire period have occurred in the Northeast Regional Military Command (northern Shan State).

“Among the five Regional Military Commands [included in the ceasefire], the highest number of clashes and lapses of discipline have occurred in the Northeast Regional Military Command,” said the chairman of the True News Information Team, Maj. Gen. Soe Naing Oo.

“There were 25 clashes with the TNLA in seven months. TNLA forces crossed over the control area 207 times. TNLA forces collected illegal taxes seven times. TNLA forces engaged in new recruitment 16 times in those seven months,” he said.

“We are a non-NCA group. Our organization has not yet signed the Nationwide Ceasefire Agreement. We don’t have any mutual agreement with them, so their accusations are meaningless,” Maj. Mai Aik Kyaw said in response.

The PSLF/TNLA said that it would continue to seek a political solution to the conflict through negotiations, even though the clashes have damaged mutual trust.

The PSLF/TNLA is a member of the Northern Alliance, a coalition of non-ceasefire EAOs based in northern Burma. Its member met with representatives of the government’s National Reconciliation and Peace Centre in Muse on April 30, but the two sides have yet to agree on a date for another meeting.

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AMERICAS

North & Central America

Libyan Families Sue Haftar in U.S. for War Crimes (Inside Arabia) By Inside Arabia

07/17/2019

Khalifa Haftar took part in the coup that brought Muammar Gaddafi to power in 1969, but he was captured in 1987 during a Libyan war against Chad and later released in 1990 in a deal with the U.S. government. Haftar lived in exile for 20 years in Virginia and attained U.S. citizenship.

The Libyan families of slain men filed a multimillion-dollar lawsuit in U.S. District Court in Alexandria, Virginia, against U.S. citizen Khalifa Haftar for carrying out an indiscriminate bombing campaign in the outskirts of Tripoli that has claimed the lives of their relatives.

Abdulahkim Tunalli, brother of Msaddek Tunalli, who was killed outside Tripoli by Haftar's forces spoke to Inside Arabia.

"My brother along with his comrades were helping people to evacuate the area in Ain Zarah, a southern Tripoli neighborhood because it was inhabited mainly by women, children, and the elderly. After making sure no one was left behind they were fleeing the targeted area when Haftar's forces bombed them, and my brother was killed."

Legal Basis for the Lawsuit Tunalli said the U.S. law allows the Libyan families to file a lawsuit against a U.S. citizen if he committed atrocities and killed citizens abroad.

The court filings state that, "The terrorist activities committed by Defendant Haftar constitute a violation of the laws of nations prohibiting torture, mass murder, indiscriminate destruction of civilian property and genocide."

Faisal Gill, the attorney representing the Libyan families told Inside Arabia that Haftar is a war criminal and that being an American citizen provides a strong legal basis for the lawsuit.

"Under the U.S. Alien Tort Claims Act and Torture Victim Protection Act, there is a legal basis to sue people who commit such acts of atrocities that general Haftar has been committing. The lawsuit against Haftar is for war crimes, crimes against humanity, and gross violations of human rights," Gill said. "The fact that he is a U.S. citizen makes his legal situation even worse."

Next Step The families are seeking \$100 million in punitive damages and financial compensation and \$25 million for pain and suffering caused by Haftar's forces' attacks on their relatives, killing and injuring many of them.

Gill told Inside Arabia that the next step will be to serve the warlord Haftar a court summons.

"There are several ways; either to use the official court mechanism to serve him a notice overseas or to serve him the court summons if he comes to the U.S., and as soon as he receives the notice, the lawsuit will be activated. If he does not fight it, or does not respond, we can swiftly get a so-called a default judgement and win the case," Gill said.

Gill added that he is confident of winning the case. Because Haftar's family is still living in the U.S. and he has property and assets in America, the Libyan families filing the lawsuit can take general Haftar's U.S. assets if they prevail in their lawsuit.

Gill stresses that the lawsuit is not symbolic, but a real case and controversy. He hopes that the civil lawsuit will become a criminal case in which general Haftar could be tried criminally by the U.S. Department of Justice for these alleged war crimes.

Congressional Pressure Five House Democrats and two Republicans have called on the Trump administration to launch an investigation into Haftar's conduct, which they perceive as a violation of the law of war. Tom Malinowski, a Democrat from New Jersey is one of the House Representatives demanding such an investigation.

"I will follow through on this and other measures to ensure that the international community does not forget Libya's conflict and that the U.S. government remains committed to prosecuting war crimes and grave injustices," Malinowski said.

Abdulahkim Tunalli is hoping that congressional pressure will help the lawsuit.

"I believe that a congressman like Malinowski, who was an Assistant Secretary of State for Human Rights, is the right person to proceed because he has frequently stated that he will follow up with the Justice Department to open an investigation into the war crimes that U.S. citizen Khalifa Haftar has committed," Tunalli told Inside Arabia.

Essam Omeish, President of the Libyan-American Alliance has called on the Trump administration to expedite the investigation into Haftar's war crimes.

"The Libyan people have suffered enough under the heinous transgressions of this war criminal, and the U.S. government and its legal system must intervene to put a stop to his unspeakable crimes."

Omeish told Inside Arabia that "Warlord Haftar has been the biggest impediment to the peace and prosperity of Libya: his actions have derailed the democratic process in Libya and his war crimes have inflicted much suffering upon all Libyans who yearn for peace, stability and democratic transition in Libya."

The Missing State Department Memo on US Officials' Possible Aiding and Abetting Saudi War Crimes (Just Security) By Oona Hathaway

07/24/2019

Today the Senate Foreign Relations Committee is set to consider dueling bills on Saudi Arabia. A bill sponsored by Senator Robert Menendez (D-N.J.), would block

arms sales to the Kingdom and in-flight refueling of Saudi aircraft. This largely mirrors a series of measures passed in the House on July 17 to block the sale of billions of dollars of arms to Saudi Arabia and the United Arab Emirates. But in an unusual move, Committee Chairman Jim Risch (R-Idaho) broke comity to put forward his own separate bill focused more narrowly on the killing of journalist Jamal Khashoggi that would merely deny visas to a few Saudi government officials and require that the secretary of state conduct a review of the United States' relationship with the country. In all likelihood, this is the bill that will advance, allowing the U.S. sales of arms to Saudi Arabia to continue.

This approach may leave U.S. officials exposed to charges of aiding and abetting war crimes for continuing U.S. support of the Saudi-led coalition in Yemen in the face of evidence of repeated serious international humanitarian law violations.

Congressman Ted Lieu has repeatedly raised this concern, most recently on June 12, 2019, at a House Foreign Affairs Committee hearing on the ongoing arms sales from the United States to Saudi Arabia. In the hearing, Rep. Ted Lieu pressed R. Clarke Cooper, Assistant Secretary at the Bureau of Political-Military Affairs in the U.S. Department of State, on whether the arms sales might leave the United States vulnerable to charges of war crimes, pointing to a undisclosed 2016 legal analysis by the State Department that reportedly concluded there was substantial legal risk to Americans assisting the effort. Secretary Cooper dodged the questions. This was not the first time Congressman Lieu raised the issue. He had done so earlier in a 2018 letter – where he asked about an overdue report on military action of Saudi Arabia and its coalition partners in Yemen as well as about the 2016 legal memo. The U.S. Department of State said very little in response, and it refused to provide the memo Lieu requested.

The State Department is probably circumspect because that memo almost certainly exists and, if it tracks international law, it almost certainly says that there is a real danger that U.S. personnel are in danger of aiding and abetting war crimes by participating in the program of U.S. support to the Saudi-led coalition in Yemen. What's more, if there was a danger that they might have been guilty of war crimes in 2016, that is all the more true in 2019, after three years of ineffectual assurances by the Saudis that they would take greater precautions to avoid civilian deaths. Indeed, other states are beginning to raise related concerns: Last month, a UK court of appeals halted British arms sales to Saudi Arabia on the grounds that the government did not properly consider whether the weapons would be used to commit "serious violations of international humanitarian law."

Aiding and Abetting War Crimes

The 2016 State Department Memo referred to by Rep. Lieu most likely addresses aiding and abetting war crimes by U.S. officials under international criminal law. Reuters reported in October 2016 that State Department lawyers had considered whether continuing arms sales to the Saudi coalition could expose U.S. officials to charges of aiding and abetting war crimes. As described at length in this forthcoming article, the international law on aiding and abetting remains in flux. The key differences across international courts is that some require "substantial effect" on the perpetration of the crime to establish the actus reus, while others require only the provision of practical or material assistance. And there are several different mens rea standards. The most common mens rea requirement for aiding and abetting a war crime is "knowledge" that one's conduct assists the commission of the principal crime, but the International Criminal Court and the Special Tribunal for Lebanon have applied heightened tests.

There is a serious danger that the conduct of some U.S. officials meets at least the more relaxed tests for aiding and abetting under international law and perhaps even the more stringent ones. (As with Ryan Goodman's earlier article on this topic, I do not address possible immunities. I also focus here exclusively on international law. My coauthors and I considered the domestic war crimes statute in two earlier Just Security articles.)

Beginning with the required action (actus reus) for criminal liability: The U.S. provision of assistance has repeatedly been characterized as important to the Saudi coalition's war effort. The in-air refueling of warplanes participating in the operations (currently halted) would almost certainly meet the "substantial effect" test, and provision of weapons coupled with intelligence may as well. Moreover, forms of aid and assistance that are not inherently criminal can lead to liability, and the substantial effect test may be met even if the assistance provided is not essential to the causal chain leading to the crime. And while "substantial effect" remains a fairly stringent actus reus bar, providing weaponry that would otherwise not be available to combatants might be enough to satisfy that test if the recipients repeatedly commit war crimes using those weapons (presumably that is all the more true if the use of those weapons is coupled with instruction and intelligence from the provider). (The U.S. government relied on the Taylor decision in its supplemental filing before the Military Commissions in setting forth the prosecutor's claim that Khalid Shaikh Mohammad was subject to aiding and abetting liability under customary international law.)

Next is the mental element (mens rea) for criminal liability: The most appropriate standard here for mens rea is the knowledge standard. Under this standard, the aider and abettor need not share the principal perpetrator's intent unless the

crime is a specific intent crime. (For example, the ICTY appeals judgment in *Prosecutor v. Krnojelac* concluded that in order for a perpetrator to be held liable for aiding and abetting the crime of persecution, the individual must “be aware not only of the crime whose perpetration he is facilitating but also of the discriminatory intent of the [principal] perpetrators.”) Generally speaking, the aider and abettor need only know that his or her conduct assists the commission of a crime. Today, many years into the war in Yemen and after repeated public reports of war crimes by the Saudi-led coalition even after assurances to the U.S. that Riyadh would take better precautions, U.S. officials playing a decisive role in the program to support the Saudi-led coalition would be hard pressed to dispute that they knew that providing support to the coalition was likely to enable and assist the commission of future war crimes.

Common Article 1 and State Responsibility

In addition to the possibility that U.S. officials might be said to be guilty of aiding and abetting war crimes as a matter of international law, there are other two legal grounds under which the United States—or those working for the U.S. government—would potentially be legally responsible for violations of international humanitarian law committed by the Saudi-led coalition in Yemen.

First, the United States has a duty not only to not to commit war crimes itself, but also not to enable or support war crimes by other states. As explained by me and my coauthors in the Just Security Yemen Crisis Forum in April 2018, Common Article 1 of the Geneva Conventions (“Common” because the article is repeated in all four Conventions) obligates states to “undertake to respect and to ensure respect” for the Geneva Conventions in all circumstances. We concluded in April 2018 that whether the United States had violated its positive obligation under Common Article 1 turned on the adequacy of U.S. mitigation measures. Now, more than a year later, we can conclude with some confidence that those mitigation measures have proven inadequate. Time and again coalition forces have struck civilians and civilian infrastructure—including a direct attack on an MSF Cholera treatment center. While the U.S. has paused aerial refueling, it has continued many other forms of support including arms sales, maintenance of weapons systems, and intelligence sharing.

Participating in the violation of Common Article 1 can amount to a war crime. As my co-authors and I explained in a separate Just Security article, a war crime consists of two key elements: (1) a breach of international humanitarian law (IHL) that is (2) “serious.” A breach of Common Article 1 is a breach of a state’s own IHL obligations, so the first element is clearly met where there is a violation of that article. The only question, then, is whether it is “serious.” Seriousness, in turn, is generally understood to turn on the severity of the consequences. For instance, the International Criminal Tribunal for the Former Yugoslavia found violations serious when “they took the form of serious injury or death caused to civilians.”

A second possible source of legal responsibility is state responsibility doctrine, which we detailed in another article in the 2018 Yemen Crisis Forum. Under Article 16 of the Articles of States Responsibility, a state may be held responsible for aiding or assisting another State in the commission of an internationally wrongful act if: (a) that State does so with knowledge of the circumstances of the internationally wrongful act; and (b) the act would be internationally wrongful if committed by that State. (What constitutes “knowledge” is a matter of some debate. Harriet Moynihan argues that knowledge “means actual or near certain knowledge of specific illegality on the part of the recipient state.” Ryan Goodman and Miles Jackson, on the other hand, note that most states (though not the United States) support the view that mere knowledge of the circumstances is sufficient.) Again, when we first wrote in April 2018, the United States had sought and received assurances that Saudi Arabia would take greater precautions to adhere to humanitarian law. What we concluded then is all the more true today:

“A continuing pattern of IHL violations after the issuance of assurances makes it more likely that the United States has ‘actual or near certain knowledge’ that there will be future IHL violations by the Saudi-led coalition despite assurances to the contrary—and thus that the United States is responsible for aiding and assisting an internationally wrongful act under Article 16.”

Congressman Lieu is right to keep pressing the administration on this issue, and his colleagues in the Senate should do the same. At a minimum, the Administration should be required to produce a detailed, unclassified legal memo, containing a classified annex if necessary, explaining its position on the legality of the continuing arms sales and other logistical and intelligence support to the Saudi-led coalition under international law. There is no legitimate reason for keeping the legal analysis hidden from Congress and from the American public, especially as legislators decide whether and how to maintain any U.S. support for the Saudi’s war effort. That the Administration may be unable to justify its actions is no excuse

US Leaders Can Now Be Prosecuted for Illegal War (Truthout) By C.J. Polychroniou
07/29/2019

War is gathering around the world, and autocratic leaders are undermining the legal checks on their discretion to launch attacks abroad. With the rule of law under threat, the International Criminal Court recently defined and activated for prosecution a new crime called the “crime of aggression.” The crime of aggression — leadership responsibility for planning, preparing, initiating or waging illegal war —

has begun to permeate international, regional and national legal systems around the world. But in an age of drones, cyberattacks, insurgents and autocrats, is it too little, too late?

Noah Weisbord — an associate professor of law at Queen’s University and the author of *The Crime of Aggression: The Quest for Justice in an Age of Drones, Cyberattacks, Insurgents, and Autocrats* — served on the International Criminal Court’s working group that drafted the crime of aggression.

In the exclusive Truthout interview that follows, Weisbord discusses the legacy of the Nuremberg trials and the ways in which Donald Trump may have already violated international law by engaging in crimes of aggression.

C.J. Polychroniou: The Nuremberg trials, held between 1945 and 1949, represent a milestone in the development of international law. Yet, while many serious war crimes have been committed since the end of World War II, we have not seen war crimes tribunals taking place under similar ideal circumstances as those held in the Bavarian city of Nuremberg. In that context, what has been the legacy of the Nuremberg trials?

Noah Weisbord: The Nuremberg legacy is really about subjecting individual leaders to the rule of law in international affairs. Individual criminal responsibility is a grave threat to authoritarian leaders, which is why they do all they can to weaken and delegitimize the International Criminal Court [ICC].

Nuremberg prosecutor Robert Jackson was handpicked from the United States Supreme Court to work with English, French and Soviet counterparts to design the Nuremberg Tribunal and serve as its lead prosecutor. Jackson intended Nuremberg to serve as a model for a permanent international criminal court with worldwide jurisdiction, including over U.S. leaders. But the Cold War set in. The U.S. and the Soviet Union couldn’t agree on the design of an international criminal court, nor a prosecutable definition of Nuremberg’s “supreme crime,” the crime against peace — i.e., planning, preparing, initiating or waging a war of aggression — which is called the crime of aggression today.

The superpowers vied to design international laws that would serve as weapons against each other, stymying each other’s military advantages. During the Cold War, Nuremberg prosecutor Ben Ferencz, a key character in my new book, kept the dream alive. Ferencz advocated for an international criminal court and a prosecutable crime of aggression. Ferencz was wrongly overlooked as naïve and idealistic during this period.

But the end of the Cold War saw the rebirth of the Nuremberg idea, which began to spread worldwide: in the Yugoslav Tribunal; Rwanda Tribunal; Special Court for Sierra Leone; Extraordinary Chambers in the Courts of Cambodia; Special Tribunal for Lebanon; Special Panels of the Dili District Court; War Crimes Chamber of the Court of Bosnia and Herzegovina; Special Jurisdiction for Peace in Colombia; the Canadian, German, Belgian and French criminal courts; and grassroots “gacaca” justice in Rwanda.

In 1998, Jackson’s dream was realized when states convened a multilateral conference in Rome and created an international criminal court with worldwide jurisdiction. The U.S. tried to insulate its military and political leaders from prosecution and was only partially successful, leaving avenues open for the prosecution of U.S. leaders who commit genocide, crimes against humanity or war crimes on the territory of ICC states.

International criminal justice is not located in one institution in The Hague that can be toppled like the League of Nations. The Nuremberg precedent has permeated international, regional and domestic institutions and is buttressed by civil society groups. Specialized private organizations such as the Commission for International Justice and Accountability, founded by Canadian soldier and war crimes investigator Bill Wiley, have been successfully smuggling evidence of atrocities out of Syria, and leakers and hackers around the world have sophisticated tools to gather evidence of aggressive plans by warmongers in the U.S., Iran, and elsewhere.

Nuremberg’s larger legacy is an international “justice cascade,” as human rights scholar Kathryn Sikkink, calls it. International justice is better conceived of as a social movement than a courthouse like the one in Nuremberg where the top Nazis were tried after World War II. Why have international legal systems since Nuremberg been disproportionately used to indict leaders outside of the U.S. and Europe, and what problems does this raise for creating a truly just global legal system?

The argument that international justice is another imperialist institution is self-defeating. Certainly, it has proven to be frustratingly difficult to prosecute leaders of powerful North American and European states suspected of international crimes, such as U.S. leaders implicated in the deliberate, systematic torture of detainees in Afghanistan....

The answer is not to attack the law as illegitimate — this further undermines existing checks and balances on the powerful — but to strengthen international and domestic law so that powerful people are held to account. International justice is not a courthouse in The Hague, it’s a social movement dedicated to strengthening the law and holding powerful leaders to account for crimes against the most vulnerable.

I think it's likely that the first aggression cases of powerful Western leaders will be self-referrals, like the first ICC cases for war crimes and crimes against humanity were. The government of the Democratic Republic of Congo and Uganda referred their own territories to the ICC to investigate crimes by all sides in an effort to forestall endless cycles of violence and reprisals. Imagine President Cory Booker, Kamala Harris, Bernie Sanders or Elizabeth Warren referring crimes by the Trump administration to the ICC. Perhaps even better, imagine Congress incorporating these crimes into domestic U.S. law and U.S. courts prosecuting U.S. leaders for violations.

In your book, *The Crime of Aggression*, you argue that recent US presidents, from George H. W. Bush to Donald Trump, had to take into account, although in their own way, the post-World War II international legal order in deploying force abroad. But there is evidence that all of the abovementioned U.S. leaders and their armed forces have committed international crimes as defined by the Charter of the International Military Tribunal at Nuremberg in 1945. Doesn't this challenge the relevance of international law?

All world leaders, including these, acknowledge the post-World War II legal basis for waging war. They direct their lawyers to justify military action by its terms. What differs among leaders are their strategies in contending with the law, which is as distinct and demanding a battlefield as are desert, jungle or urban terrains.

Leaders, powerful or not, must negotiate the legal terrain in order to wage war, including persuading the population of the justice of the war, persuading allies, persuading domestic and international courts, purchasing weapons, negotiating leases on foreign bases. Law is not simply an effective formal constraint on power. It can slow leaders or assist their military goals.

Presidents Bush, Obama and Trump have each deployed military force abroad, killing men, women and children. The military operations they ordered have maimed and crippled innocent people and destroyed entire communities abroad; then they have been celebrated at home for their patriotism. They have authorized torture in a vast network of secret interrogation prisons, OK'd the bombing of weddings by remote control drone from air-conditioned offices in the U.S., and armed foreign despots subjugating their own people.

It is easy to forget that international law is deeply conservative, based on the agreements national leaders strike to restrict their own uses of military force at home and abroad. A number of the killings committed by Presidents Bush, Obama and Trump do not amount to violations of international law, since they would qualify under the laws of war as "military necessity" and the victims as "collateral damage." A great deal of abhorrent wartime violence is permissible under international law. In a global system where world leaders were not regulating themselves and each other, much of this violence would surely be defined as criminal.

There is publicly available evidence that Bush administration leaders, especially, were implicated in international crimes, including in an important report by the U.S. Senate. President Obama's drone war outside existing battlefields was legally dubious. We have yet to learn about the excesses of the Trump administration, but there is evidence that Trump is undermining important checks and balances on drone strikes put in place by Obama in his second term. It is wrong to draw a false equivalency among these leaders. If all the evidence were unearthed, I suspect we would see important differences when it comes to the commission of international crimes.

Can you specify in what ways Donald Trump has already violated international law by engaging in crimes of aggression?

Trump almost brought the U.S. to war against Iran last month when he ordered U.S. jets to bomb sites in Iran in response to Iran's Revolutionary Guard Corps shooting down an unmanned U.S. surveillance drone. Trump called off the strike 10 minutes before impact because he decided last minute that an estimated 150 deaths were not proportional to the downing of an unmanned drone. He failed to mention the carnage that Iranian Supreme Leader Ali Khamenei and President Hassan Rouhani, along with Hezbollah, Hamas and other proxies would unleash on U.S. forces, allies and perceived enemies worldwide had he bombed Iran.

In April 2017, in response to a brutal chemical attack against civilians in Syria, Trump ordered the launch of a barrage of 59 Tomahawk cruise missiles from warships at Syria's al-Shayrat airfield, the apparent origin of the attack. This was a hasty unilateral decision without proper interagency process, or congressional approval, or consultation with allies, or Security Council authorization, or any legal rationale. Trump opted not only to ignore international law, but to ignore Congress as well and rely solely on presidential power.

Republican critics praised him. Democratic adversaries backed his actions. The United Kingdom, Canada, Israel, Turkey and Jordan were on [its] side. Trump's attacks on international law caused blowback, but Trump learned that when he advanced their agendas, allies and enemies alike applauded his onslaught on the rule of law and praised his accumulation of authoritarian power.

To make a successful aggression case, the ICC prosecutor must prove a number of things. He or she needs to prove that there

was an armed attack by one state against another — for example, bombardment, blockade, attacking the armed forces of another state, sending proxies to attack another state. The attack must amount to a “manifest” violation of the U.N. Charter. For the violation to be “manifest,” its character, gravity and scale must surpass legal thresholds — a single shot over a border would not qualify, but the 2003 U.S.-led invasion of Iraq would. Next, the defendant must be a leader — a person with effective control over the military or political action of a state. U.N. Security Council-authorized military operations, such as U.S. action in Afghanistan after 9/11, don’t qualify as aggression. Nor do defensive operations in response to an armed attack that are necessary and proportional.

Trump’s Tomahawk barrage in Syria was neither authorized nor defensive; it was a reprisal, and therefore illegal under international law.

In general, are you optimistic about the quest of justice in an age of drones and political authoritarianism?

As always, cynics continue to deride the attempts of “dreamers” to make international law more just and effective, confidently declaring these naïve efforts will accomplish nothing or make matters worse. As Rebecca Solnit, anthropologist of cynicism, observes, cynics take pride “in not being fooled and not being foolish,” but their dismissive attitude that it’s all corrupt “pretends to excoriate what it ultimately excuses.”

My hope is that the post-Cold War modifications to the international order that refocus international law on leaders instead of entire states and strengthen judicial oversight of executive power will help make the law more just and effective. My worry is that these changes to the status quo are too little, too late and that autocratic leaders will successfully turn frightened populations against judicial checks and balances.

The recently activated crime of aggression, for example, has the potential to promote peace and the rule of law, protect human rights and prevent suffering, protect soldiers from being killed or maimed in illegal wars, provide protection against aggression by another state, signal a renewed commitment to peaceful resolution of disputes, complete the ICC Statute and make the ICC Statute fully compatible with the UN Charter.

The major problem is enforcement, but the end of the Cold War has led to new potential for arrests. Specifically, the proliferation of overlapping spheres of local, national, regional, international and transnational police authority. New purveyors of nonstate military force such as private contractors have created new enforcement possibilities. States can arrest perpetrators on their territory, peacekeepers can arrest, and private contractors have made spectacular arrests of war criminals abroad. I have an exciting chapter on the successful arrest of leaders for international crimes in my new book.

The crime of aggression will not put an end to war. It is something more modest: a sensible step in the right direction, a memorial to the victims of a violent century and a reminder of humanity’s higher aspiration that only our reason can save us from ourselves.

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South America

Colombia creates 'elite unit' of labor inspectors to combat human trafficking (Reuters) By Anastasia Moloney
July 31, 2019

Colombia is training dozens of inspectors to hunt down cases of labor trafficking and exploitation, a response to the needs of migrants from Venezuela who are at high risk of being victimized, officials said on Wednesday.

About 1.3 million Venezuelans have crossed into neighboring Colombia, fleeing political and economic turmoil, and their dire straits make them vulnerable to forced labor and exploitation, they said.

Addressing the designated labor inspectors on their first training day, the country’s deputy labor minister, Andres Felipe Uribe, said the team was on the frontline of efforts to eradicate “the scourge” of human trafficking.

“This is an elite unit,” Uribe said. “We’re fighting a crime, fighting against a social drama in the context of ... a migration flow that we’re receiving.”

About a third of all human trafficking cases in Colombia involve victims of forced labor and exploitation.

Few cases of labor trafficking in Colombia are chased down, with only 21 cases of suspected forced labor and begging reported by Colombian authorities last year, according to the U.S. State Department’s 2019 Trafficking in Persons report.

Colombia convicted just 19 people for human trafficking, down from 21 in 2017, according to the report.

Its labor ministry has “made insufficient efforts to identify or investigate cases of forced labor,” the report said, recommending labor inspectors get training on trafficking.

The training is aimed to teach them to find concrete evidence that can be used to prosecute cases successfully.

They will learn how to question employers and workers effectively and to detect signs of coercion in their behavior, according to a handbook they will use.

They will look for signs that workers are forced to live where they work, such as mattresses, soap and towels, and signs of forced labor such as padlocked windows and doors and posters showing times when workers are allowed to eat, sleep and wash, it said.

“We have to get prepared so that these reports of cases are received properly,” said Mario Gomez, a top state prosecutor.

Victims of forced labor, including children, are found in mining, agriculture and as crop pickers in fields of coca, the raw ingredient of cocaine, Gomez said.

Child labor is driven by poverty and local cultural attitudes that consider it “normal,” said labor inspector Juan Carlos Ballesteros at the training session.

In Colombia’s northern desert region of La Guajira, which borders Venezuela, young children from both countries pick through rubbish dumps, work as street vendors and in salt mines, sell contraband petrol and beg on the streets.

Former sex slave leads Uruguay's first march against human trafficking (Reuters) By Anastasia Moloney
July 30, 2019

Sold as a teenager into the sex trade which she endured for nearly four decades, Uruguayan Sandra Ferrini will see her onetime dream of exposing the hell she suffered become reality on Tuesday at the country’s first anti-human trafficking march.

Ferrini, who said she was ensnared in forced street prostitution after her mother “sold” her, will join hundreds of campaigners in the streets of Montevideo, capital of this nation of 3.5 million where the most common human trafficking involves women and girls forced into sex work.

The U.S. State Department’s 2019 Trafficking in Persons report put Uruguay in its Tier 2 Watch List - the second-lowest ranking - for not meeting minimum standards in efforts to eliminate human trafficking.

“It’s a march that I thought about when I was held captive,” Ferrini told the Thomson Reuters Foundation.

“Human trafficking happens every day, but people don’t want to see it. We are seen as numbers, said Ferrini, 58.

“We want to be seen as people. We will march as people.”

Ferrini says she was sexually exploited for 37 years on the city streets of Chile, Paraguay and Argentina and in Europe, forced to have sex with up to 30 men a day.

“I naturalized this as a child - for me it was something that I thought I had to live,” said Ferrini, who heads “Yes to Life, No to Trafficking,” a survivors support group.

In recent years, women from the Dominican Republic, Cuba and Venezuela are increasingly being trafficked to Uruguay where they are sexually exploited in bars and brothels, Ferrini said.

Often from poor families, the women are preyed upon by traffickers who pay for their flights and offer false promises of a

better life and well-paid jobs in Uruguay.

“There’s a lot of work to do in education, training and prevention,” Ferrini said.

Trafficking survivors need help rebuilding their broken self-esteem so they can move on and not get stuck in the past, she explained.

Uruguay’s National Institute for Women helped 172 women trafficking victims in 2017, up from 131 in 2016, of which more than half were foreign, the U.S. State Department said.

Last year Uruguay updated its anti-human trafficking law and action plan, and formed a new national committee this year as part of its anti-trafficking efforts.

The shocking things Colombia’s war crimes tribunal found in Medellin (Colombia Reports) By Brenden Paulsen

July 24, 2019

Medellin’s authorities have purposely tried to conceal war crimes while ignoring the city’s victims, according to Colombia’s war crimes tribunal.

In a press release, the Special Jurisdiction for Peace (JEP) released its findings from the hearings on the mass forced disappearance of Medellin residents in Comuna 13 during and after “Operation Orion,” a controversial 2002 military operation in the city’s most western district.

The conclusions were shocking. Medellin’s authorities have impeded attempts to clarify how many of its residents were disappeared, they “lost” remains of victims found in mass graves, hid information about the location of mass graves and buried some mass graves under apartment buildings.

According to magistrate Gustavo Salazar, “as the truth emerges, this will have a snowball effect” that could finally provide justice for victims. It could also severely discredit the local politicians who appear to have gone at lengths to violate victims’ rights while keeping the city in the dark about the crimes committed in the city.

Medellin “lost” victim remains found in mass graves

One of the most shocking findings in just three days of hearings was that the city’s prosecution “lost” the remains of victims of forced disappearance that had been found in mass graves.

Consequently, the family members of these victims were never allowed to bury their loved ones and never may be able to.

The JEP magistrates said the court did not have the authority to investigate who is responsible for losing the remains, but did order the prosecution to locate the missing remains.

Medellin kept report on mass graves secret

Another thing the court found out was Medellin Mayor Federico Gutierrez’ administration has been hiding a report with alleged information on the location of 174 victims who were disappeared after Operation Orion.

The court ordered the administration of Gutierrez to surrender the report within 72 hours.

The mayor’s former security secretary is in prison for ties to crime syndicate Oficina de Envigado, whose extradited former leader “Don Berna” took part in Operation Orion.

Governor’s office granted mining titles on location of mass graves

Another surprising finding was that the Antioquia Governor’s Office allegedly issued mining rights in an area where some of the disappeared had been found without taking into account that hundreds of victims may be buried there still, according to victims organizations.

The JEP ordered Governor Luis Perez, who was mayor at the time of Operation Orion, to present a report on granted and pending mining titles in the areas where mass graves could be located within 30 days.

A city built on mass graves

The court also learned that former mayor and current governor candidate Anibal Gaviria constructed apartment buildings on

a site where locals and paramilitary commanders had said mass graves were located.

Special prosecutor Nancy Posada told the court that when one of Berna's lieutenants showed her the place where he had buried multiple victims, both were surprised to find that the former mayor was burying the alleged mass graves under huge apartment buildings.

The JEP announced it was studying measures that would prevent Medellin authorities from further trying to obstruct justice, particularly construction and mining bans on suspected locations of mass graves.

Colombians take to streets to protest activist slayings (Associated Press) July 26, 2019

Thousands of Colombians took to the streets Friday night to call for an end to an alarming wave of killings of leftist activists in the wake of the nation's peace deal.

In major cities and small towns, demonstrators dressed in white and held signs that read: "Without leaders there can be no peace" and "No more bloodshed."

The slayings have left a dark stain on Colombia's efforts to put a half century of bloody armed conflict behind it.

At least 462 activists have been killed since the government's signing in 2016 of a peace deal with the Revolutionary Armed Forces of Colombia, the nation's largest rebel group, according to Colombia's ombudsman's office. Hundreds more have received death threats, and in a nation long beset by impunity only a small fraction of the perpetrators have been identified or apprehended.

The vast majority of victims hail from traditionally neglected rural areas where drug traffickers, wildcat miners and illegal armed groups — including dissident vestiges of the FARC and rebels from the National Liberation Army — run rampant with little interference from the state.

President Iván Duque decided at the last minute to support the demonstrations against the wishes of some in his conservative Democratic Center Party, which opposed the peace deal.

"We all are the echoes of a single voice because we all reject violence against social leaders," Duque said in a speech from the coastal city of Cartagena.

According to the United Nations, at least 51 activists were killed in the first four months of 2019, putting the country on track to surpass the 115 assassinations registered last year.

Secretary-General António Guterres said in a recent report that he regrets the "polarization and division" in Colombia over elements of the peace deal. The U.N. chief also expressed "deep concern" that the U.N. mission in Colombia has verified 123 killings of former combatants since the peace deal's signing.

Killing of radio journalist highlights dangers for local reporters in Colombia's border region (Committee to Protect Journalists) By John Otis

July 22, 2019

The killing, carried out by two gunmen on a motorcycle, has gone largely unnoticed in the rest of Colombia. But the crime has traumatized Samaniego, a mountainous town of 25,000 people in Nariño department, which borders Ecuador.

Hundreds of people attended the funeral of Montenegro, who had been a constant and reassuring voice on the airwaves for the past two decades. The motive for the killing remains murky, leaving local journalists skittish about doing their jobs and fearing that they too could become targets.

"We all wonder who is going to be next," said Jairo Melo López, a journalist and member of the board of directors of the local TV station SATEL.

In CPJ's 2018 Global Impunity Index, Colombia ranked among the countries with the worst records for prosecuting the killers of journalists. In early July, CPJ joined a delegation that included the Bogotá-based Foundation for Press Freedom (FLIP) and two U.N. human rights officials for a two-day trip to Samaniego to learn more about Montenegro's case and any possible links between his work and his killing.

Samaniego's mayor, the chief of police, and the public prosecutor either refused to speak to the delegation or did not show up for interviews. Several town officials who agreed to talk dismissed the killing as a "crime of passion" and questioned whether Montenegro was really a journalist.

One police officer, who requested anonymity because he was not authorized to give declarations, said he was "95 percent sure" that Montenegro's killing had nothing to do with his work as a journalist.

However, local human rights activists, journalists, and others who were close to Montenegro say that overlooking his role as a journalist and an influential community spokesman would be a mistake. They believe his killing may be linked to Montenegro's recent coverage and radio commentary about drug-fueled violence in Samaniego.

Leobar Ibarra, a Samaniego journalist, said he thinks drug gangs ordered the killing "to send a message to the townsfolk to keep quiet" about their business.

Montenegro, 42, was a radio lifer. His grandfather was one of the founders of the Samaniego Stereo, an independent station that broadcasts news, interviews, and music. Montenegro began volunteering in the studio as a child and later became one of the station's main reporters, anchors, and narrators for ads and public service announcements.

Among the programs he hosted was "El Despertador" ("The Wakeup"), which aired weekdays from 6-10 a.m. For extra money, he worked as a camera operator for SATEL. At the time of his death, he was partnering with local business owners to open another radio station.

"That was his dream," said Wilson Montenegro, Libardo's older brother. "He wanted to run his own station."

He described Montenegro as easy-going both as a person and as a journalist. While Montenegro cared deeply about his community, watchdog journalism was not his forte even though there was plenty to investigate--from local government corruption to drug trafficking.

Nariño department has long been one of the top cocaine-producing regions in Colombia, and authorities say that a variety of armed groups are fighting for control over drug production facilities and smuggling routes. The mountains surrounding Samaniego are speckled with fields of coca, the raw material for cocaine, as well as laboratorios where coca leaves are turned into powder cocaine.

Authorities say that among those involved in smuggling cocaine are dissident members of the Revolutionary Armed Forces of Colombia (FARC), the Marxist guerrilla group that disarmed under a 2016 peace treaty.

During the delegation's visit to Samaniego, a FARC dissident group called the Oliver Sinisterra Front announced a campaign of "social cleansing" in Samaniego that would target everyone from petty thieves to government spies. This same group was responsible for the kidnapping and killing last year of two Ecuadoran reporters and their driver in Nariño.

Another guerrilla group, the National Liberation Army (ELN), operates in and around Samaniego. A red-and-black ELN flag was clearly visible in the mountains overlooking the town.

So far this year there have been 16 homicides in Samaniego, making it the second-most violent town in Nariño department, according to Paulo Ruiz, chief of staff at Samaniego town hall. Among the victims was Paula Ordoñez, the government human rights ombudswoman in Samaniego, who was killed by gunmen on May 20, another high-profile case that has yet to be solved.

In Nariño, "we have all the problems that you could ever ask for," said Francisco Zarama, the government's inspector general for the region who is based in the departmental capital of Pasto.

Montenegro often spoke out on the air against violence and drug use by local youths, and was a vocal supporter of the peace process that led to the disarmament of most of the FARC guerrillas. Shortly before his death, he got involved in a local human rights committee that was planning a march to protest recent murders in Samaniego.

Ibarra, who is also a committee member, told the delegation that he urged Montenegro to publicize the group's activities. Montenegro recorded a spot promoting the march that ran on Samaniego Stereo during the six days preceding his death.

On the day he was killed, Montenegro broadcast a live interview with Ibarra on his morning program. During the interview, Ibarra energetically denounced drug-related violence in the town. One human rights activist in Samaniego, who requested anonymity over fear of being targeted, called it a "very strong interview" that may have angered drug trafficking gangs.

Ibarra told the delegation that he thinks traffickers ordered the killing of Montenegro "to send a message to the townsfolk to refrain from denouncing their activities."

Adriana Romo, Montenegro's girlfriend, agreed. "That could have been the reason," she told CPJ in a telephone interview.

Romo, Ibarra, and others close to Montenegro said he had not mentioned receiving any threats. However, personnel at

Samaniego Stereo told the delegation that on the day he was killed he was extremely nervous and proclaimed: "I am going to die."

That evening, Romo took Montenegro, who was still feeling ill, to the hospital where he underwent an electrocardiogram and received muscle relaxants. After returning home that evening, Romo entered their apartment as Montenegro parked their car. Suddenly, shots rang out. Romo saw Montenegro lying in a gutter as two men on a motorcycle, who wore hoodies and facemasks, drove away.

"I tried to help him but it was too late," Romo told CPJ.

Efforts by the delegation to speak with the public prosecutor's office in Pasto, which is overseeing the case, were unsuccessful. But several sources in Samaniego said that the investigation is focused on Montenegro's personal life rather than his work as a journalist.

Over the past six months, Montenegro had started living with Romo. She told CPJ that her former boyfriend was jealous of her relationship with Montenegro and that the two men had recently exchanged harsh words. But she refused to speculate on whether this could have been a factor in Montenegro's death.

With the crime unsolved, self-censorship now grips Samaniego. López, the TV journalist, says he tones down his reporting "as a matter of survival." Samaniego Stereo played religious music after Montenegro was killed and did not carry out its own investigation.

"We are not really sure how to handle the news right now," said one of the station's reporters, who requested anonymity. He added: "I'm scared to go out on the street because we don't know why this happened."

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Venezuela

What the UN Report Gets Right-and Wrong-About the Crisis in Venezuela (The Nation) By Gabriel Hetland
July 24, 2019

Earlier this month, the United Nations Office of the High Commissioner for Human Rights (OHCHR), headed by former Chilean president Michelle Bachelet, issued a much-anticipated report on human rights in Venezuela. The document is notable for two main reasons. First, it paints a devastating picture of the country's economic, social, and political situation: 7 million Venezuelans, a quarter of the population, are in need of humanitarian assistance; more than 4 million have recently fled the country; between January 2014 and May 2019, more than 15,000 people were detained for political reasons; between January and May 2019, there were 66 documented deaths of political demonstrators; and, according to the government's own numbers, 5,287 people were killed in 2018 while "resisting authority" in poor neighborhoods. Second, the report cannot easily be dismissed. The Venezuelan government welcomed Bachelet into the country after she'd come under fire last year for failing to label Nicolás Maduro a dictator.

Still, despite its undeniable importance, the report has flaws. While it acknowledges that US sanctions are having an impact, it downplays their tremendous role in Venezuelans' current suffering. The report also fails to mention the psychological and other damage caused by illegal US threats of war against Venezuela. Third, the report lets the Venezuelan opposition off the hook, making virtually no mention of opposition violence in 2014, 2017, and 2019, which, in addition to causing deaths and suffering, has compounded the challenge of getting both sides to the negotiating table. (To be sure, the government also bears blame on this front.)

Mainstream-media coverage of the report also deserves criticism. On July 4, The New York Times ran a story headlined, "Venezuela Forces Killed Thousands, Then Covered It Up, U.N. Says." The story opens as follows, "Venezuelan special forces

have carried out thousands of extrajudicial killings in the past 18 months and then manipulated crime scenes to make it look as if the victims had been resisting arrest, the United Nations said on Thursday in a report detailing wide-ranging government abuses targeting political opponents.” This statement is both technically accurate and misleading. The OHCHR says the government’s Special Action Forces (FAES) killed nearly 7,000 Venezuelans in 2018 and the first half of 2019. Yet the Times story makes it appear as though these deaths were primarily or entirely of political opponents, when the OHCHR documents just six such cases. Even a single instance of state murder for political activity is unacceptable, but six is a far cry from thousands.

The report does note that “OHCHR is concerned the authorities may be using FAES and other security forces as an instrument to instill fear in the population and to maintain social control.” No further details are provided. This is an important concern about what the government “may be” doing, but it remains an open question, at least per the evidence presented in the report. To be sure, the deaths of thousands of civilians at the hands of state security forces is appalling, regardless of whether or not many of these killings were political assassinations.

WHAT THE REPORT SAYS

OHCHR researchers based the report on nine trips to Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Peru, and Spain to interview Venezuelan migrants and refugees; one visit to Venezuela in March of 2019; and Bachelet’s three-day tour of Venezuela in June. During these visits, OHCHR talked to dozens of state officials, members of the opposition, victims and witnesses of human-rights violations, lawyers, and actors from business, the Catholic Church, nongovernmental organizations, security forces, trade unions, and more.

The report begins with economic and social rights. For regular observers of Venezuela, the findings are at once shocking and unsurprising. As of April 2019, Venezuela’s minimum wage was around \$7 a month. The report notes that, “Notwithstanding some general government subsidies, people interviewed by OHCHR consistently stressed that their monthly family income was insufficient to meet their basic needs, covering approximately four days of food per month.” According to the UN Food and Agriculture Organization, 3.7 million Venezuelans suffer from malnourishment, with the NGO Caritas finding “particularly high levels of malnutrition among children and pregnant women.” All this is despite the fact that, according to the government, 75 percent of the state’s budget is allocated to social expenditures.

The findings on health care are equally unsettling: There are “severe shortages in basic medical equipment, supplies and medicines. Families of patients have to provide all necessities, including water, gloves, and syringes.” Measles, diphtheria, and other previously controlled and eliminated diseases have reemerged. Contraception is scarce, according to the report, “with several cities facing a 100 percent shortage.” This has resulted in increased risk of contracting HIV, a 65 percent increase in the number of adolescent pregnancies since 2015, and increased maternal deaths, 20 percent of which are “linked to unsafe abortions.” One of the most horrific statistics is that, according to the National Health Survey, “between November 2018 and February 2019, 1,557 people died due to lack of supplies in hospitals.” An additional 40 patients are reported to have died during the March 2019 power outages.

The report discusses Venezuelans’ increasing reliance on government economic and social programs through the Bolivarian “missions.” It cites the government’s claim that Local Food Supply and Production Committees (CLAPs) provide 6 million households with food boxes. But OHCHR says it heard accounts of people who didn’t receive their CLAP boxes because they refused to support the Maduro government.

Throughout, the report draws attention to the disproportionate harm facing women, many of whom spend an average of 10 hours a day in line waiting for food, and face harassment and reprisals for protesting the lack of necessities and participating in opposition political activity. The report also draws attention to the harm government practices have wrought on indigenous communities in Venezuela.

The report places the blame for all of this squarely on the government: “Misallocation of resources, corruption, lack of maintenance of public infrastructure, and severe underinvestment has resulted in violations to the right to an adequate standard of living related to the collapse of public services such as public transportation, access to electricity, water, and natural gas.”

OHCHR mentions US sanctions, claiming they amplified but did not cause the situation: “The economy of Venezuela, particularly its oil industry and food production systems, were already in crisis before any sectoral sanctions were imposed.... Nevertheless, the latest economic sanctions are exacerbating further the effects of the economic crisis, and thus the humanitarian situation, given that most of the foreign exchange earnings derive from oil exports, many of which are linked to the U.S. market.”

Next, the report moves on to violations of civil and political rights, and points to a decline of independent media. Over the last year, dozens of print outlets closed, the government shut down radio stations and TV channels, and journalists have been

detained and expelled from the country.

The OHCHR also highlights the government's clampdown on political activity and work-related protest. "Successive laws and reforms have facilitated the criminalization of the opposition and of anyone critical of the Government," the report says. Trade union leaders and workers have also been "fired or detained after protesting for decent salaries and working conditions." In addition, the report notes the government's violent crackdown on opposition politicians, and the detention, deaths, and treatment of protesters in 2018 and 2019.

Arguably the most alarming finding of the report is that thousands of mostly poor citizens have been killed during Special Action Forces (FAES) operations. The report says that state security forces separate men from their families before shooting them, and then routinely manipulate crime scenes to retroactively justify their actions. The skyrocketing number of these extrajudicial killings is deeply frightening. It is important to note that Venezuela is not the only country to suffer from this kind of abuse. Human Rights Watch issued a report in December 2018 titled, "Brazil: Police Killings at Record High in Rio." The report says that 1,444 people were killed in Rio de Janeiro between January and November 2018. This does not, of course, justify the appalling situation in Venezuela. It does, however, show that the problem of extrajudicial killing of mostly poor black and brown men is not limited to Venezuela.

WHAT THE REPORT LEAVES OUT

While the report acknowledges that US sanctions are harming Venezuela, it fails to capture the full scope of suffering that the United States has caused. The report wrongly suggests that US actions have hurt Venezuela's economy only since August 2017. Non-sectoral US sanctions on Venezuela date to 2014. While these sanctions did not produce Venezuela's crisis by themselves, they undoubtedly contributed to Venezuela's pariah status on international credit markets. In May 2017, Goldman Sachs faced severe criticism for buying Venezuelan bonds, which points to the pressure financial institutions faced to avoid business with Venezuela before the August 2017 sanctions. And the report fails to mention the damage wrought by the appalling and repeated illegal US threats of war on Venezuela. This threat is, among other things, connected to what the economist Francisco Rodriguez has called the "toxification of Venezuelan debt," or the reality that international finance has been even less likely to loan money to Venezuela because the United States is targeting it.

The report also largely ignores the role that the opposition played in causing and exacerbating Venezuela's crisis. Juan Guaidó's ill-fated April 30, 2019, coup attempt is mentioned only in passing. And the report contains nothing on past or current opposition violence. For a document that aims to be comprehensive and accurate, not only in terms of what is happening but why, this omission is glaring.

So far the government's response has not been helpful. Instead of accepting Bachelet's findings and outlining steps to address the problems, the government has condemned the report and sought to present Bachelet as a US puppet. The opposition, on the other hand, has done a 180. During Bachelet's June visit to Venezuela, Guaidó suggested the OHCHR would do little to resolve the crisis. But after the report's release, opposition websites have publicized its findings.

In comments to the UN presenting the report, Bachelet called for negotiations to end Venezuela's crisis. This remains an urgent need. And there is room for some optimism, with the government and opposition set to continue talks in Barbados.

It is also critical to end the needless suffering caused by US sanctions. Trump's former State Department undersecretary of political affairs, Thomas Shannon Jr., recently recognized this point, telling Financial Times, "Keeping these sanctions in place, with no mediating action, will have a profoundly negative impact on the Venezuela people." He added that the sanctions highlight the US "willingness to cause great damage to Venezuela to drive Maduro from power. Kind of like the fire bombing of Dresden or Tokyo." It is rare to find myself agreeing more with a former Trump official than with a center-left politician such as Bachelet, but on this point, Shannon is absolutely right.

Venezuela is prepared to wage 'absolute war' against US: Maduro ally (Al-Masdar News) July 30, 2019

Venezuela is prepared to wage "absolute war" with the US if Washington makes a decision to attack it, Diosdado Cabello, president of the Constituent Assembly and vice president of the ruling United Socialist Party of Venezuela, has warned.

"We are few, a small country, we are very humble, and here it is likely that the US marines enter. It is likely that they enter," Cabello said, speaking at a forum in Sao Paulo on Saturday. "Their problem will be getting out of Venezuela [alive]," he added.

"We are prepared [for war] today, and can say this without any hubris," the politician stressed, adding that if the US wanted, they would get an "absolute war" which would unite "all our people in defence of our homeland."

Tensions between Venezuela and the US have been escalating amid reports of increased US military activity in and around Venezuelan airspace and sea territory in the Caribbean. On Saturday, Venezuela's defence ministry reported that US "spy

planes” had “once again” violated Venezuelan airspace, following a similar incident a week earlier in which Venezuelan Su-30 fighters were scrambled to intercept a US EP-3 reconnaissance aircraft in the Caribbean.

On Friday, Admiral Craig Faller, commander of the US Southern Command, said that the USNS Comfort hospital ship would transit near Venezuela’s northeast coast while heading to Trinidad and Tobago after a stopover in Panama.

The vessel is not known to have any armaments onboard, but is capable of carrying military helicopters, and can accommodate up to 1,000 patients alongside its 1,300+ staff and crew.

The ship previously deployed in the Persian Gulf War in 1990-1991, and the Iraq War in 2003, and in late 2018, was sent to Latin America with the official mission of assisting countries affected by Venezuelan refugees. Under the Geneva Conventions, firing on the USNS Comfort would be classified a war crime.

Last week, Venezuela’s Supreme Court struck down the semi-defunct opposition-run legislature’s move to invite foreign military forces into the country, calling the proposal unconstitutional.

Venezuela has been mired in a years’ long political and economic crisis exacerbated by opposition lawmaker Juan Guaidó’s attempt to take power in January. Guaidó has received support from the US and its European and Latin American allies, with Washington introducing crushing sanctions on the country, freezing tens of billions of dollars of Venezuelan assets abroad, and reportedly redirecting some of these funds to Guaidó and his associates.

Venezuelan President Nicolás Maduro has called Guaidó a US ‘puppet,’ and accused Washington of trying to orchestrate a coup in his country. Russia, China, and dozens of other countries world have refused to recognise Guaidó, or demanded that outside powers refrain from meddling in Venezuela’s affairs.

Identifying and Responding to Criminal Threats from Venezuela (CSIS) July 22, 2019

Venezuela’s humanitarian, economic, and political crisis has forced millions of citizens to flee, created a lawless environment where crime rates are astronomically high, and has given rise to the presence of various state and nonstate actors within the country. Venezuela is increasingly vulnerable to drug and human trafficking. There are few, if any, legitimate institutions in place to combat these criminal networks and gangs, which run rampant throughout the country.

In attempts to retain power, Nicolás Maduro has arrested opposition leaders, oppressed free media, packed institutions with loyalists, and hosted a presidential election that was globally recognized as unfree and unfair. Military support is an asset Maduro has left in his arsenal, and this support is crucial if he wants to remain in power. Although there are some ideological divisions within the military, most remain loyal to Maduro due to the stability and power his regime provides. FAST FACTS • Venezuela’s homicide rate is the highest in the region at 81.4 per 100,000, according to Insight Crime. • Kidnapping rates remain precariously high with over 80 percent of kidnappings going unreported, as declared by the U.S. Department of State. • Venezuela ranks 168 out of 180 countries in Transparency International’s 2018 Corruption Perceptions Index.

CORRUPTION AND MONEY LAUNDERING

Corruption in Venezuela is systemic, infiltrating many, if not all, public and private institutions in the country. Transparency International’s Corruption Perceptions Index recently gave Venezuela a score of 17 out of 100, with 0 being very corrupt and 100 being very clean. Venezuela ranked 168 out of 180 countries, showcasing its extremely high levels of corruption not only compared to other countries in the region, but also to the rest of the world. The state-owned oil company, Petróleos de Venezuela, S.A. (PDVSA) and corruption go hand in hand, as both Chavez and Maduro have long used PDVSA as a political tool. In 2017, Maduro named National Guard major general Manuel Quevedo to both lead PDVSA and to be the oil minister of Venezuela despite Quevedo having no energy experience. This move highlighted the increasing influence of the military in the public sector as well as Maduro’s growing attempts to blur any sort of line between various government institutions and Venezuelan companies. Corruption through organized crime has also risen as Venezuelan territory has become a hub for narco trafficking and other criminal groups. According to a IBI Consultants report by Douglas Farah and Caitlyn Yates, Maduro now depends more and more on criminal networks to help keep his administration running due to the worsening economic crisis and the drop in oil prices, which in turn furthers the crisis for the people of Venezuela.² THE BOLIVARIAN JOINT CRIMINAL ENTERPRISE

With the consolidation of Hugo Chávez’s as a regional leader in the 2000s came the creation of the Bolivarian Joint Criminal Enterprise, a “trust-based multi-nation social and criminal network” that spans all across the region and is aided by governments, including from Cuba, Nicaragua, Bolivia, Ecuador, Suriname, El Salvador, in addition to the Revolutionary Armed Forces of Colombia (FARC) rebels (discussed below).³ Russia also plays a role in this criminal enterprise by supporting Venezuela both militarily and economically as well as serving as a strong anti-U.S. presence in the region.

According to the aforementioned IBI Consultants report, the authors identified at least \$10 billion that has been moved by this criminal enterprise and up to \$43 billion that has been stolen or laundered over the past decade.⁴ Although Maduro's regime has become the epicenter of this endeavor, it thrives on the cooperation of the other Bolivarian countries and actors. Due to this interregional coordination, the ousting of Maduro as Venezuela's leader will not halt the criminal activity; rather, it will create a situation where any post-Maduro president could easily fall into the enterprise which has held up the Venezuelan presidency and elite for years. If the entire Bolivarian system were to be dismantled, fighting corruption in the region and in Venezuela itself would become a more feasible task, as corrupt leaders and institutions would not be able to count on the support of inter and intraregional actors to help prop up their individual regimes. During a CSIS Americas' event that took place on May 23, 2019, experts discussed the Venezuela-Bolivarian money laundering structures and how they are connected, the amounts of money they move, the geographic and criminal diversity of the network, adding context to help explain why regimes like those of Maduro do not fall quickly despite stiff U.S. sanctions.

Venezuela's deteriorating economy and increasingly corrupt political structure have also left a void in the country, and narcotraffickers have taken advantage and turned Venezuela into a hub for drug-related crimes. The execution of these illegal activities has been complemented by the support of the Bolivarian Joint Criminal Enterprise, which has profited from these activities and has even abetted its coordination and implementation. **ILLEGAL MINING** The country's conditions are similar to those of a failed state, with the Maduro regime having less and less control over the country's territory. Criminal groups, including gangs, Colombian guerrilla groups, and colectivos are creating new threats across southern Venezuela as they compete for control of the region's valuable mineral resources, including bauxite, diamonds, gold, and oil. In many cases, these rogue actors work in partnership with the government, which has passed a number of policies to allow these activities in Southern Venezuela. These actions are also key in extending Maduro's reign, as part of his regime's funding also comes from illegal mining. This mining is taking place in the country's Orinoco region, a Heritage Protected Area that covers about half of Venezuelan territory.

The illegal mining is causing lasting damage to the Amazon, particularly in the region south of the Orinoco River, encompassing the states of Bolivar and Amazonas, which will take centuries to reverse. SOS Orinoco has been raising awareness of the ongoing significant deforestation and erosion of the environment that is occurring in the Amazonia and Orinoco regions of Venezuela, and how both the erosion and the presence of these rogue actors affect the miners, the rural communities and most importantly, the indigenous peoples in the area. The U.S. Treasury Department wisely imposed sanctions against Venezuela's state gold mining company and its president for propping up illegitimate Maduro regime. However, illegal mining activities continue as they provide lucrative sources to both irregular groups and the Maduro regime.

ARE SANCTIONS WORKING IN VENEZUELA? The Maduro regime has proven to be resilient and adaptable despite stiff sanctions. Sanctions and widespread diplomatic pressure, both tools to pressure Maduro to step down from office, have not been as effective as they could have been, in part due to the presence of criminal networks. These networks provide the Maduro regime with the funds and resources it would otherwise have gotten from other areas, allowing it to resist, at least temporarily, the effects of steep sanctions. **THE PRESENCE OF FOREIGN COUNTRIES** Another security problem facing Venezuela is the presence of foreign governments in the country. These actors serve to delegitimize the will of the Venezuelan people by helping prop up the Maduro regime, whether it be through supplying the military with arms or engaging economically with Venezuela. Of particular concern is the presence of Cuba, Russia, and China. **CUBA** Cuban influence has helped prop up the Maduro regime and facilitated Maduro's crackdown on dissent throughout the country. Although this observation is correct, the level of Cuban presence and influence is disputed, particularly within the U.S. government. National security adviser John Bolton claims that Cuba has sent between 20,000 to 25,000 security forces to the Bolivarian country, a declaration fiercely contested by the Cuban government itself. Cuba's director general of U.S. affairs Carlos Fernández de Cossío responded to Bolton's statement by saying that "There are no troops," and that "Cuba does not participate in military operations nor in security operations in Venezuela." Although former Venezuelan military officials have reported the presence of Cubans within their ranks, particularly within the intelligence forces, there has been no concrete evidence or reporting to suggest the number of Cubans in the military. Whatever presence the Cubans may hold in the Venezuelan military, it is well-known that they are key consultants and advisers to the Maduro government.

However, even if the two governments are not militarily linked, evidence demonstrates close economic and ideological ties between the two, dating back to the administrations of Hugo Chávez and Fidel Castro. Venezuela has sent highly subsidized oil to Cuba in return for temporary Cuban workers such as doctors and nurses, creating an economic incentive for Cuba to continue its support of the Maduro administration. Venezuela is also Cuba's closest ideological ally in the region as a leftist government amidst a trend of increasingly right-wing politics across Latin America. **RUSSIA** Russia is another country whose presence in Venezuela has worried the international community. In an eerie reiteration of the Cold War, it appears that Russia is attempting to expand its influence in Latin America to serve as a counterbalance to the strong presence the United States has enjoyed in the region throughout the past few decades— and arguably since the enactment of the Monroe Doctrine. Contrary to the vast majority of the free world, Russia still recognizes Maduro as Venezuela's legitimate leader, and in accordance with that stance, it recently sent two military planes with about 100 Russian personnel to Caracas to join Russian forces that had already been stationed in Venezuela as part of an enduring military partnership between the two countries.

Although it later pulled these planes out of Venezuela, the act demonstrated Russia's continued support of the Maduro regime. This is in addition to the two Russian factories currently under construction in Venezuela, whose purpose will be to make Kalashnikov assault rifles and ammunition. The new planes and personnel were ostensibly sent to Caracas to help update Venezuelan military equipment and advise the military, though many in the United States and elsewhere believe that the true objective was to help keep Maduro in power by increasing his military capabilities in case of a large public uprising.

A similar scenario is being played out in Syria where the United States is at odds with Russia over its support of dictator Bashar al-Assad. The presence of both countries in the Middle Eastern country is extending the length of the conflict as their ideas for how to resolve the conflict in Syria are at odds. However, it appears as though Russia is more reluctant to get involved on the ground in Venezuela than it is in Syria, suggesting that it is merely using its support of Maduro as an excuse to provoke the United States. Venezuela provides Russia with the opportunity of undermining U.S. power in the region at a low cost and using few resources.

Russia has an interest in its economic ties with Venezuela as it owns two gas fields in the country, and it has also sold \$11.4 billion of military equipment to Caracas. Venezuela actually owes Russia more than \$17 billion, indicating another potential reason for Russia's continued involvement in the country; Russia may still hold out hope that its outstanding debts will be repaid, either by the Maduro government or the administration that follows. Whatever the cause of its involvement, Russia has the tools to help ameliorate the conflict and will certainly be a key player in Venezuela's "Day After" scenario. CHINA China's continued support of Maduro is widely recognized as one of the main reasons that Maduro has been able to remain in power. More than \$615 million in weapons were sold by China to Venezuela over the past 10 years, supplying the military and the colectivos with arms to help deter criticism from the general population. The China Development Bank had provided Venezuela with over \$30 billion in loans by 2014, fueling the money supply that has kept the Maduro regime afloat. However, most of the Chinese loans were tied to Venezuela's oil production, which has declined significantly. For this reason, China is probably the most malleable actor in terms of changing its allegiance to interim president Juan Guaidó; it has already opened up channels of communication with the opposition and has received confirmation from Guaidó that the National Assembly will honor all lawful agreements it had previously approved, hence affirming that the post-Maduro government would repay its loans to China. Such a proposal was not offered to Russia.

In another unprecedented move, China delivered over 65 tons of medical supplies to Caracas in an effort to provide relief to the Venezuelan citizens suffering from a humanitarian crisis. The opposition had tried to attain the deliverance of humanitarian aid in February 2019 and had been blocked by Maduro. The delivery of aid from China marks both the growing weakness of the Maduro regime as well as China moving closer to the opposition. It is too early to tell whether or not China will switch its allegiance from Maduro to Guaidó, but if it does, it is unlikely that the Maduro regime would remain in power for much longer. THE PRESENCE OF NONSTATE ACTORS Other countries are not the only groups to have an influential presence in Venezuela; over the past decade, many nonstate actors have either grown out of the conflict in the country or have brought their operations to Venezuela. How these actors respond to the "Day After" events in Venezuela will have a direct and significant impact on the future of the country. These groups consist primarily of colectivos, the National Liberation Army (ELN) and FARC, and Hezbollah, although there are many more fringe groups freely operating within the country. COLECTIVOS Amnesty International has classified colectivos as "groups of armed pro-government supporters who are tolerated or supported by the authorities." Although colectivos got their beginnings as social organizations aiding the Chavista government in implementing aid programs across Venezuelan communities, many became paramilitary groups and used their power to leverage control over the neighborhoods they were supposed to be helping. Today, colectivos work side by side with Maduro's security forces and keep public dissent to a minimum. Classified sources number colectivo members at over 100,000, though armed colectivos are numbered at about 7,500. Colectivos tend to operate mostly in cities, though their directive of distributing government food to local communities has strengthened their control over poorer and more rural areas as these communities depend on the colectivos for food. One of the main problems for Juan Guaidó is how to lessen the influence of the colectivos, who are also known for helping the Maduro regime dispel protestors and squash dissent. As long as the colectivos remain on the side of the government—which they do strictly for power, not for ideological reasons—it will be incredibly difficult for Guaidó to secure the necessary public uprising that will help put an end to the Maduro regime. ELN AND FARC The ELN and FARC, both Colombian guerrilla groups, have had a presence in Venezuela for years but have increased their activity during the regimes of both Chávez and Maduro. They operate mostly in border regions between Venezuela and Colombia because it is easier for them to run operations and evade Colombian authorities from Venezuela. Although FARC officially ceased to be an armed group in June of 2017 after signing a peace deal with the Colombian government, many dissidents who still subscribe to the FARC ideology have taken refuge in Venezuela and have used the Bolivarian country to continue running certain FARC operations out of reach of the Colombian security forces. Both ELN and FARC dissidents are engaged in drug trafficking and smuggling activities as well as illegal mining in Venezuela, therefore solidifying the existence of organized crime in the country. The FARC's presence in Venezuela can be documented in at least 7 of Venezuela's 24 states, and the ELN exists in 12 of those 24 states. HEZBOLLAH Hezbollah, the Iranian-backed Shi'ite Lebanese militant group classified as a terrorist organization by the United States and other countries, is another nonstate actor with a foothold in Venezuela. Hezbollah has operated in South America for over two decades, mainly partaking in drug trafficking, money laundering, and illegal financing to raise money around the region for its terrorist activities. According to

Insight Crime, it is also possible that some colectivos received training from Hezbollah officials, particularly on Margarita Island, a notion which would explain the rise in violent tactics being used by colectivos. Hezbollah has been known to conduct much of its business from Margarita Island, a small island in the Caribbean Sea just north of the Venezuelan mainland. The terrorist group is allegedly receiving a significant portion of funding from the Maduro regime, a claim currently being investigated by U.S., Israeli, and Colombian authorities.

While ties between the Venezuelan government and Hezbollah have been difficult to prove, information has come to light in recent years highlighting connections between the two. Tareck El Aissami, a former vice president and now Maduro's industry minister, was indicted in March after having been sanctioned two years ago by the U.S. Treasury Department, accused of working alongside drug lords. Even more alarming, however, was the discovery of intelligence documents that illustrate the former senior intelligence officer's efforts to sneak Hezbollah militants into the country, mainly by providing them with false passports and visas. A study conducted by the Center for a Secure Free Society (SFS) found that 173 Middle Eastern citizens carried Venezuelan passports and even more carried other forms of Venezuelan identification. El Aissami's father was involved in a plan to train Hezbollah members in Venezuela in an effort to expand intelligence networks and drug trafficking networks throughout the region. Despite the lack of data and trustworthy information, the existence of Hezbollah's networks will still pose a significant roadblock for the government that comes to power after Maduro. **THREATENING U.S. INTERESTS** It is imperative that the United States maintains its strong position against the reign of Maduro and actively help the Venezuelan people restore their democracy. Venezuela should be a central priority for the United States, especially when taking into account U.S. interests. Venezuela is geographically close to the United States—only about 1,300 miles from Florida—and therefore any crisis in Venezuela is bound to spill over into U.S. interests. Should the situation in Venezuela continue to spiral downwards, the economic, security, financial, and political risks for the United States would only be exacerbated. Additionally, Colombia, the United States' closest ally in the region, is in a crucial period of fragile peace, attempting a coordinated peace process between the government and FARC rebels. Venezuela's circumstances could further destabilize the region, which would cause irreparable damage to Colombia's fragile peace as well as hurt other countries such as Guatemala and Bolivia in their attempts to solidify their democratic institutions and significantly harm U.S. interests in the region.

The further the situation in Venezuela erodes, the larger the criminal enterprises of narcotrafficking and human trafficking will grow. Cocaine exports have increased exponentially from South America over the past five years, and as the United States is the number one consumer of cocaine in the world, it should have serious concerns over its national security and health of its own citizens. The Venezuelan territories which serve as hubs for criminal organizations also encourage the rise of nonstate actors to function within the country, enabling these groups to carry out terrorist operations with ever-growing proximity to the United States. In addition, allowing Russia and China to wield influence in the region, particularly within a country such as Venezuela which has not taken any precautions against the presence of foreign actors within its borders, will allow both Russia and China to exert more power and influence and aim to end the profound influence the United States has enjoyed in the region. As the crisis in Venezuela deteriorates in the United States' own backyard, it is of extreme importance that the United States pay attention to the developments and assess the implications for the region as a whole.

POLICY RECOMMENDATIONS The United States has various options to help curtail the criminal activities of the Maduro regime and to increase security in Venezuela. Several of these possibilities were discussed during roundtable discussions, expert interviews, and desk research at CSIS. One option would be to create a special task force to consolidate all ongoing investigations of Maduro's illegal activities. Senator Marco Rubio recently proposed the creation of this task force to Attorney General William Barr. This would ideally occur through a multilateral institution such as the Organization of American States (OAS), although different organizations would require different approaches to ensuring the success of a special task force. As Maduro is the face of the criminal enterprise and the cause of human suffering in Venezuela, it would send a strong message to both Maduro and the rest of the world if he were investigated—and possibly tried—for his crimes.

Indictments against members of Maduro's network would similarly help restrict the regime's criminal actions by targeting those elites who help finance the illegitimate regime and who keep Maduro in power. In fact, the United States Department of Treasury recently indicted ex-Venezuelan Vice President Tareck El Aissami with sanctions violations and Nicolás Maduro's son for serving in Venezuela's illegitimate government, a move which highlights the permeability of Maduro's network. This initiative would also be significantly more successful if done in coordination with other countries and with indictments targeted towards strategic members of the regime. Cooperation with the Lima Group and other South American countries, in addition to the European Union, would be key.

Collaboration with other ally countries in the region and in the world to find and prosecute corrupt officials and assets would be an important complement to the previous policies. United States government officials recognize the need for international cooperation in combatting these illicit finance networks whose operations uphold the continuity of the Maduro regime. If network members saw their colleagues be persecuted, they would be less likely to continue supporting the corrupt institutions as their own safety would likely be compromised.

Another policy option would include supporting Venezuelan technical experts and non-profits both on the ground and abroad

who are shedding light on the criminal networks present in Venezuela. Experts from Plan País, an initiative of the Venezuelan National Assembly and the Guaidó administration, and other NGOs have laid out specific policy recommendations for how to improve the security structure in the country, and they depend on support from outside countries to continue promoting and implementing their approach.

The United States, Canada, and other countries have prevented the travel of members of Maduro's criminal enterprise, causing these individuals to lose a substantial portion of freedom and ability to move around the world. The National Assembly should consider banning Venezuelan passports of those involved in the illicit activities of the Maduro regime. The international community should consider removing or not granting visas to those same individuals. With the loss of the ability to travel, it is plausible that offenders will cease their support of Maduro and his criminal enterprise in exchange for the ability to move freely and more lenient sanctions.

As discussed during a public panel at CSIS, the United States could increase the capacity of its Department of Treasury to focus on finding Venezuelan stolen assets. Finding and seizing assets as soon as possible would slow the looting and money laundering that the Bolivarian joint criminal enterprise relies on and prevent the Maduro regime from accessing its illegally-gained resources. Additionally, recovering these assets and returning them to Venezuela once democracy is restored could help revive Venezuela's economy and help grow its infrastructure.

Lastly, the interim government led by Juan Guaidó and the National Assembly should work with its allies such as the United States and the Lima Group in both raising awareness and building consensus within the international community on the uses of transnational organized crime led by the Maduro regime in Venezuela and beyond, and how these crimes hinder the return of democracy to the Bolivarian country.

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TOPICS

Truth and Reconciliation Commission

Restructuring of selection panel demanded (The Himalayan Times)

July 17, 2019

Amid the recommendation committee's failure to appoint members for two transitional justice commissions, victims of decade-long Maoist armed conflict have demanded restructuring of the committee.

The committee, which was formed in the last week of March, has been postponing its scheduled meetings time and again. Knowledgeable sources say it is doing nothing but awaiting political consensus on appointment of members and chairpersons of the Truth and Reconciliation Commission and the Commission on Investigation of Enforced Disappeared Persons. The posts have remained vacant since April 14.

Political parties have failed to reach a consensus on the appointments, with dialogue between the ruling Nepal Communist Party (NCP) and the main opposition Nepali Congress coming to a grinding halt. "There have been no dialogues for the past three weeks," said NC leader Minendra Rijal, who is among leaders actively involved in the talks. "We are always ready to sit for dialogue, but the ruling party seems least bothered."

On this backdrop, the victims have concluded that the committee has failed to work independently, and that it should be restructured.

The Conflict Victims Common Platform is planning to submit a memorandum to the Minister of Law Justice and Parliamentary Affairs Bhanu Bhakta Dhakal on Thursday to exert pressure on the government.

They will also submit the document to Chairperson of the Parliamentary Law, Justice and Human Rights Committee Krishna Bhakta Pokharel, NCP leaders Subas Chandra Nembang and Barhsa Man Pun, NC leader Ramesh Lekhak, the National Human Rights Commission Chairperson Anup Raj Sharma, Attorney General Agni Kharel and the selection committee's Chairperson Om Prakash Mishra. Nembang, Pun and Lekhak, besides Rijal, are also actively involved in the NC-NCP negotiations regarding appointment of members in the TJ bodies.

In the memorandum yet to be submitted, the CVCP has demanded that the process of appointment of TRC, CIEDP members be immediately halted. They have demanded that the appointment process be resumed only after the amendment of the Transitional Justice Act, in line with the Supreme Court verdicts.

They have also demanded that the selection committee be restructured following the act amendment, to form another selection committee that can work independently and transparently to appoint competent members in the commissions.

"The committee's failure to take a decision for more than three months after its formation is enough to infer that it is incompetent and is working at the direction of political parties," said former CVCP chairperson Suman Adhikari.

In the memorandum, the CVCP has also recommended a procedure for the appointment of members for the commissions. "What we want is a fair selection process, and competent commission members," said Adhikari. "We are recommending them the correct procedure to select competent persons." The committee's Spokesperson Sharmila Karki said they were delaying appointment of members to the TJ bodies to ensure that competent members were appointed.

Legislative Conference on War Crimes Court Begins Today (Liberian Daily Observer) By Robin Dopoe
July 18, 2019

Civitas Maxima, an organization that represented victims of War Crimes and civil society organizations will begin a two-day major conference on accountability for war crimes with members of the 54th Legislature.

The conference will be held at a resort in Monrovia from July 18-19, 2019. It has invited selected members of the House of Representatives, the Liberia National Bar Association (LNBA), civil society organizations and two international experts.

According to Civitas Maxima, the conference is organized in collaboration with the administration of the University of Nottingham in the United Kingdom, the Secretariat for the Establishment of War Crimes Court in Liberia, and the Global Justice and Research Project. It was organized upon the request of the House Committees on Claims and Petitions, Judiciary, Good Governance and Government Reform and the Ways, Means and Finance.

The legislative conference on War Crimes comes nine months after the national Justice Conference, held in 2018, and since the US House of Representatives passed on November 13, 2018, the H. Res 1055–115th bill, which aims to affirm strong United States-Liberia ties and support for democratic principles, and call for full implementation of the Truth and Reconciliation Commission (TRC) recommendations, particularly the establishment of an extraordinary criminal tribunal for Liberia.

Despite report of the Liberian TRC issued on June 30, 2009, which recommended criminal prosecutions, and the establishment of a specialized international tribunal, nobody was ever investigated, prosecuted or tried in Liberia for war crimes and crimes against humanity committed during the two violent civil wars (1989-1997, 1999-2003).

"The country is witnessing a real awakening when it comes to the call for accountability for war crimes. Many members of the Liberian Legislature recently mobilized to fulfill their obligations of implementing the TRC, which includes the establishment of a tribunal to judge crimes committed during the civil wars.

"A strong legislative group is currently working on a resolution to be submitted to members of both houses to rally support for this cause. Following the debate, they are planning to introduce a draft Bill. The Liberian Bar Association set up a committee to work on this bill and its executive council endorsed and adopted a draft Act to establish an extraordinary tribunal for war and economic crimes for Liberia this year," Civitas Maxima said in a press statement.

During the Legislative conference, Professor Olympia Beko, head of the international criminal justice unit of the human rights law centre, University of Nottingham, and David Scheffer, first U.S. Ambassador at Large for War Crimes Issues (1997-2001), will provide expert advice to members of the Legislature and Liberian stakeholders working on the Draft Act to Establish an Extraordinary Tribunal for War and Economic Crimes for Liberia via video-conference.

The two individuals negotiated and coordinated U.S. support for the establishment and operation of international and hybrid criminal tribunals.

The Civitas Maxima release added that the two-day conference is intended to provide understanding among legislators on accountability issues for past crimes, and to explain the background of a Draft Resolution and the content of the Draft Act.

“The conference will also feature presentations on international criminal law, as well as lessons learned from other countries in Africa, where similar courts were established,” the release said.

TRC, CIEDP nominations next month (The Himalayan Times) July 21, 2019

The committee to recommend office bearers of the Truth and Reconciliation Commission and the Commission of Investigation of Enforced Disappeared Persons is likely to nominate office bearers by August 15.

Member of the committee Prakash Osti said the committee was taking time to nominate office bearers because it wanted to address the nine reasons behind the failure of the erstwhile office bearers. “We don’t want to repeat mistakes of the previous recommendation committee,” Osti said and added that although the committee had found probable names among 57 candidates suitable as members of the two bodies — the TRC and CIEDP — the committee had not found anybody who could shoulder the responsibility of chairpersons of the two transitional justice mechanisms.

“We want persons acceptable to all sides — Nepali Army, Nepal Police, former rebels, conflict victims and the international community — to lead the two bodies.” Osti added that if such persons were not named TRC and CIEDP chairs, the new office bearers would again fail.

Osti said the recommendation committee wanted to select members who could take decisions independently without being influenced by party leaders.

“In the past, office bearers of the two bodies would consult political leaders before endorsing or rejecting any decision. We want to avoid this,” Osti added.

He said transitional justice mechanisms were led by high-profile credible persons in South Africa, East Timor and in most conflict-hit countries.

Nepal should also follow similar practice.

Osti said the recommendation committee had finalised the nomination manual incorporating some key concerns of Conflict Victims’ Common Platform.

The manual should help in picking the right candidate, he argued.

Founding Chair of CVCP Suman Adhikari said victims had been reminding the government to nominate transitional justice mechanism office bearers only after amending the TRC Act as per the verdicts of the Supreme Court, yet the government was in no mood to amend the Act. “One reason behind failure of the TRC and CIEDP was lack of amendment in the TRC Act. If the government moves ahead without amending the law, the new office bearers will again fail to deliver justice,” he argued.

The SC had ordered the government to amend the TRC Act to ensure there was no amnesty in serious human rights violation cases.

Adhikari said the recommendation committee was delaying the nomination mainly because they were looking for people who could secure acquittal of some leaders who could be found guilty of conflict era crimes. “We want people acceptable to all sides to be office bearers of the two bodies,” he said.

The recommendation committee will have to recommend five office bearers in TRC, including one chairperson and equal number of office bearers in the CIEDP.

Knowledgeable sources said the committee was taking time to nominate office bearers because it was awaiting political consensus on their appointments.

Liberia: Lawmakers Leading Advocacy for Implementation of TRC Recommendations in House of Representatives (Liberian Daily Observer) By Alpha Daffae Senkpeni

July 22, 2019

The future of a war crimes court lies in the hands of lawmakers. In this two-part series, Alpha Daffae Senkpeni looks at the key supporters and their reasons for backing of a war crimes court.

Monrovia – Thomas Goshua vividly remembers the day of April 7, 1996. It was the second day of clashes between forces loyal to Charles Taylor and Roosevelt Johnson and Monrovia would face one of its worst civil-war battles. A bloody month would pass before a truce would be brokered.

Goshua, now a representative for District 5 in Grand Bassa County, was 18 years old when the clashes occurred. He, his siblings and father were recovering from the first phase of the war and Goshua had resumed high school at the College of West Africa. But everything would soon fall into disarray again.

Goshua remembers this day as one of the worst he experienced during the conflict. He and his family had fled their home in Jallah Town, which had turned into a battleground.

They sought refuge at Graystone, a compound owned by the US Embassy in the diplomatic enclave of Mamba Point, where many Liberians sought refuge during the war.

Goshua and his family maneuvered into the compound. Soon after Goshua witnessed a brutal killing.

“There was a lady on the line who had her baby on her back. She was trying to squeeze through the crowd to enter the compound too, and we started to push our way in,” he explains.

“Right within that instance, the lady had her foot in [the compound] and while the security guard was hauling her in, we saw General Butt Naked who held the baby from her back and dragged the baby away. She entered the yard but the baby stayed outside with him,” he recounts.

“And Butt Naked said, ‘this is an NPFL Baby!’ and he used his cutlass and butchered that child.”

Goshua refutes the notion that ‘Butt Naked’ now known as the famous evangelist, Joshua Blayee, is a man-of-God.

Joshua Blayee was not listed among the Truth and Reconciliation Commission’s (TRC) list of “most notorious perpetrators” who were recommended for prosecution, because the commission claimed he spoke truthfully about the crimes he committed and expressed remorse. Blayee told the commission he killed at least 20,000 people and made human sacrifices from as early as the 1980s.

It has been over 22 years since Goshua witnessed the gruesome killing of the baby. Now a 41-year-old representative, he has also emerged on Capitol Hill in Monrovia as a staunch advocate for the establishment of war and economic crimes court in Liberia, as recommended by the TRC’s final report released in 2009.

“We still have people going around with the pains and hurts and deformity, and people must be held accountable,” says Goshua.

Back in his district, which is very remote and lacks basic social services, including roads and health care, his constituents are still scarred by the war.

They often confront him about the war crimes court, he says.

“I don’t feel good when I get in my district and I hear people who still have elements from explosives in their bodies. There are people with stray bullets that are still in their bodies – and there has been no form of punishment,” says Goshua.

Grand Bassa County suffered from some of the most brutal abuses and killings during the first phase of the war. Rebels belonging to the different factions including National Patriotic Front of Liberia (NPFL) and the Liberian Peace Council (LPC) battled for control of the county. As they fought, thousands of people were displaced and hundreds more suffered grave atrocities.

“People were put in their homes and burned to death and pregnant women stomach were opened and babies were taken out,” explains Peter Porkpah, 41, who lived briefly in Grand Bassa County during the conflict.

He fled the county due to the rising number of atrocities carried out by rebels of NPFL and LPC.

“Sometimes when they [LPC rebels] don’t want to kill you, they would tie you up and set fire to a five-gallon container and burn the entire gallon on your body,” Porkpah says.

The TRC documented 6,227 victims and 1,0739 violations were recorded from Grand Bassa County, out of the total 16,3615 recorded from across the country.

The TRC Act was passed by the Legislature in 2005. It came from the back foot of the Accra Comprehensive Peace Accord

signed in 2003 as a landmark peace deal to end the second phase of the two decades of hostilities.

The Legislature mandated the TRC to "promote national peace, security, unity and reconciliation" by recording and reporting gross human rights abuses, crimes against humanity and war crimes between 1979 and 2003.

The TRC collected 22,000 testimonies, held more than 800 hearings and made more than a hundred recommendations when its report was released on July 30, 2009.

The previous generation of legislators has been apathetic about the implementation of the TRC report.

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Terrorism

Syria war: 'World shrugs' as 103 civilians killed in 10 days (BBC News) July 26, 2019

More than 100 people, including 26 children, have died in air strikes on hospitals, schools, markets and bakeries in north-west Syria in the past 10 days, a top UN official says.

Human rights chief Michelle Bachelet blamed the attacks in rebel-held areas on the government and its allies.

But the attacks were met with "apparent international indifference", she said.

Syria and its ally Russia have both denied targeting civilians in air strikes in the Idlib region.

Speaking to reporters, Ms Bachelet criticised the "failure of leadership by the world's most powerful nations".

The rising death toll in Idlib had been met with a "collective shrug" and the conflict had fallen off the international radar, while the UN Security Council was paralysed, she said.

She said the civilian targets were unlikely to have been accidental and warned that those carrying out the attacks could be charged with war crimes.

"Intentional attacks against civilians are war crimes, and those who have ordered them or carried them out are criminally responsible for their actions," Ms Bachelet said.

Idlib province, along with the north of Hama province and western Aleppo province, is one of the last opposition strongholds in Syria after eight years of civil war.

It is supposedly covered by a truce brokered in September by Russia and opposition-backer Turkey that spared the 2.7 million civilians living there from a major government offensive.

Last week, the UN said more than 350 civilians had been killed and 330,000 forced to flee their homes since fighting escalated on 29 April.

But that figure has now been revised, adding 103 extra deaths in the past 10 days alone. The estimate for the number displaced stands at more than 400,000.

The government - which is backed by the Russian air force - said the increase in attacks was due to repeated truce violations by jihadists linked to al-Qaeda who dominate the opposition stronghold.

Russia has denied reports earlier this week that it carried out airstrikes on a market and residential areas which left at least 31 civilians dead.

Even before the conflict began, many Syrians were complaining about high unemployment, corruption and a lack of political freedom under President Bashar al-Assad, who succeeded his father, Hafez, after he died in 2000.

In March 2011, pro-democracy demonstrations erupted in the southern city of Deraa, inspired by the "Arab Spring" in neighbouring countries.

When the government used deadly force to crush the dissent, protests demanding the president's resignation erupted nationwide.

The unrest spread and the crackdown intensified. Opposition supporters took up arms, first to defend themselves and later to rid their areas of security forces. Mr Assad vowed to crush what he called "foreign-backed terrorism".

The violence rapidly escalated and the country descended into civil war.

Russia Accuses U.S. of Stealing Syria's Oil, Using Money to Fund Militant Groups(Newsweek) By Tom O'Connor

July 29, 2019

Colonel-General Sergei Rudskoi, chief of the Main Operations Directorate of the Russian military's general staff, told reporters Monday that the U.S. has mobilized about 2,700 "militants" in a 34-mile, self-styled deconfliction zone near the southeastern border crossing of Al-Tanf. He said these insurgents, including those from Maghawir al-Thawra and the Army of Free Tribes, were being transferred from Al-Tanf via U.S. Air Force helicopters in order to conduct "sabotage, the destruction of oil and gas infrastructure and commit terrorist attacks against government forces" in areas such as Al-Sweida, Palmyra and Al-Bukamal.

"Aside from training militants, the U.S. structures in Syria are involved in plundering oil facilities and deposits in the area across the Euphrates that belongs to the legitimate Syrian government. Lately, U.S. private military companies have been observed to actively beef up their personnel. Today, the mercenaries of the private military companies in Syria exceed 3,500 people," Rudskoi claimed.

He argued that these companies had "organized the production and sale of Syrian oil from the Conaco, Al-Omar and Tanak oilfields located east of the Euphrates River" as part of "a criminal scheme" to "loot the national wealth of Syria." Much of these proceeds were said to be "spent on maintaining illegal armed groups, bribing the sheiks of Arab tribal unions and fomenting anti-government sentiments."

The U.S. has long been accused of intervening abroad in support of oil interests, especially since the 2003 invasion of Iraq that toppled President Saddam Hussein on charges that later proved to be false. Despite the U.S.' increasingly energy independence, such accusations have also surrounded the country's role in the NATO intervention that ousted longtime Libyan leader Muammar el-Qaddafi in 2011 as well as President Donald Trump's ongoing efforts to depose Venezuelan President Nicolás Maduro and isolate Iran through sanctions.

Amid Syria's civil war, the U.S. and Russia both staged interventions and, though they both targeted the Islamist State militant group (ISIS), they did so as part of rival coalitions support conflicting goals. Washington, which was a major sponsor of opposition groups seeking to overthrow Syrian President Bashar al-Assad since 2011, officially aligned itself with a mostly Kurdish group known as the Syrian Democratic Forces in 2015, around the same time that Moscow joined the fight to support Assad against the various rebels and jihadis looking to oust him.

In the years since, both sides have managed to largely defeat ISIS, but have accused one another of making the situation in Syria worse by perpetrating human rights abuses. Russia has also charged the U.S. with actively supporting some militant groups in order to prevent the Syrian government restoring stability to parts of the country and to maintain control of natural resources once held by ISIS.

Rudskoi claimed Monday that the alleged U.S. private military company operations in Syria were being "carried out under the guise of aviation of the international antiterrorist coalition" and "represents a smuggling business taken by the Americans from ISIS." He said "the continued supply of arms and military equipment by the United States to the eastern bank of the Euphrates also causes considerable concern" as, "in exchange for assistance in oil smuggling, the United States is 'beefing' up both Kurdish and Arab formations with arms, and they subsequently use them against each other."

Rudskoi warned that this was "only exacerbating the situation in the war-torn region" where some tensions have built up between the U.S.-backed, predominantly Kurdish administration and majority-Arab population. Washington officials have repeatedly stated that they wished to respect Syria's territorial integrity, but Assad — whose own oil industry was sanctioned by the U.S. and its allies over alleged war crimes — has warned that he would retake Syrian Democratic Forces-held areas by force if they were not handed over through dialogue.

Though the Syrian Democratic Forces declared victory against ISIS in March, Secretary of State Mike Pompeo told Fox News Channel last week that there was still "a handful" of the jihadis left in Syria, and some "moving around in Iraq" as well. The

Syrian government declared victory against ISIS in November and its Iraqi counterpart did so the following month, though sporadic attacks have continued in both countries.

The Pentagon also continued to conduct airstrikes in Syria and Iraq, though the U.S. has grown increasingly concerned about the influence of Iran, which supported both countries' governments in their fight against ISIS. Tehran backed both Damascus and Baghdad largely through regional Shiite Muslim militias that Washington looked to as proxies of the Islamic Republic.

As a fellow supporter of Assad, Russia has backed Iran's presence in Syria, though it has said all foreign forces should eventually leave the country. Some clashes have occurred between the U.S.-led coalition and pro-Syrian government groups associated with Iran and Russia including a battle last February near oil and gas fields by the Euphrates river that saw up to what Pompeo later claimed was up to "a couple hundred" casualties among Russians believed to be working for the Wagner private military company.

Haftar's Rebranded Coups (Carnegie Center for International Peace) By Anas El Gomati
July 30, 2019

Haftar's ability to frame coups as "wars on terror" ensures his international support, but masks a destructive manipulation of tribal dynamics.

A few months after his April 4 surprise assault on Tripoli to unseat the UN backed Government of National Accord (GNA), Khalifa Haftar, leader of the self-styled Libyan National Army (LNA), lost control of Gharyan on June 26. The LNA has since been steadily losing ground in heavy fighting in Tripoli's suburbs against a variety of GNA backed armed groups. Yet, on July 1, after "exhausting all traditional means" to capture Tripoli, Haftar rebranded the assault as a new counterterrorism effort, Operation "End of Treachery."

Haftar has a history of repackaging failed military coups as "wars on terror" to justify excessive use of force whilst gaining international legitimacy and political support in the process. As the campaign stalled in its first week, Haftar spoke to the U.S. President by phone. The call was initially viewed as controversial due to the breaking of diplomatic norms, as Haftar holds no official state post. Though it should be viewed in terms of how Haftar reframed his failed power grab. Haftar and Trump have discussed the "ongoing counterterrorism efforts and building democratic stability" within Libya. The U.S. has since threatened to veto calls for a ceasefire at the U.N. Security Council, hinting an endorsement of Haftar's counterterrorism narrative. Likewise, France, a supporter of Haftar largely because of his anti-terrorism narrative, blocked a European Union statement opposing Haftar's offensive. France did so citing the need for its own reassurances regarding the alleged "involvement of terrorist groups" fighting Haftar in Tripoli.

Central to the international support is the belief that Haftar seeks to "save" Libya from terrorism and return it to long-term stability and security. However, recent history shows that Haftar's counterterrorism narratives are not only poorly disguised authoritarian power grabs, but mask a precarious game of tribal divide-and-conquer. Far from fighting terrorism and delivering security, this approach exacerbates conflict and engenders long-term instability.

An often-repeated myth in Libya is that Haftar first emerged after Libya's second elections, to fight against and save the country from Islamists who sought to "cancel the June 25th 2014 elections". However, Haftar's first coup took place well before Libya's second elections—to which his rise is widely linked—on February 14, 2014. Haftar announced the establishment of his own self-styled Libyan army, in the hopes that Libya's plethora of militias would join him and remove Libya's first democratically elected parliament from power. The coup was so badly orchestrated that Haftar's only success that day was to become the first person in history to launch a coup via YouTube. Yet, he captured the attention of the UAE government which had supported a military coup months earlier in Egypt. On May 14 2014, Haftar reemerged with Emirati support in the form of airstrikes, and a rebranding of his coup as a war on terror in Operation Dignity.

Operation Dignity began with air strikes against Ansar Al Sharia, a self-identifying Jihadist group in Benghazi, eastern Libya. However, Haftar simultaneously struck revolutionary armed groups loyal to the elected government. Supporters of Haftar's move believed all these targeted groups were behind two years of assassinations against activists and former military personnel in Benghazi. Critics point to the fact that these groups had previously fought Ansar Al Sharia, and tried to rescue the U.S. ambassador the night he was killed in Benghazi in 2012. The debate was short lived as 48 hours later Operation Dignity allied groups stormed Libya's parliament in Tripoli, confirming suspicions of a power grab. Haftar declared these disparate political targets and military opponents to all be the same terrorist group.

Haftar's counterterrorism narrative not only masks his intention to seize power by force, but his role in exacerbating the complex ethno-tribal power struggles between armed groups that emerged after the revolution. Qaddafi held a tight grip on Libya's regions and cities through a complex authoritarian tribal-patronage system—integrating a select number of tribes into the regime security apparatus and army, leaving neighboring tribal competitors out. This tribal monopoly on power was the backbone of Qaddafi's regime maintenance strategy but created rifts, and fell apart as protestors took up arms, forming new

revolutionary armed groups that challenged the traditional power structures.

Behind Haftar's military operations and counterterrorism narrative is an attempt to create his own authoritarian tribal-patronage system. Haftar co-opts loyalist tribes and their armed groups into the LNA making them the army whilst labeling their local tribal competitors terrorists. The LNA operations in Benghazi and Darnah are examples of this. Benghazi was largely divided between two feuding ethno-tribal camps, Bedouin tribes who lost patronage to the Qaddafi regime during the revolution, and civic tribes that had formed new revolutionary armed groups.

Haftar launched Operation Dignity in Benghazi by co-opting predominantly Bedouin armed groups into the LNA, and launching simultaneous attacks against revolutionary armed groups (from predominantly civic tribes) and Ansar Al Sharia. Ideological nuance between Haftar's targets was lost as they formed a military coalition – The Benghazi Revolutionary Shura Council (BRSC) – to defend themselves. Critics of Haftar claimed these groups only shared the same military frontline and opposition to Haftar, not necessarily the same Salafi Jihadist worldview as Ansar Al Sharia or Islamic State. Islamic State referred to the BRSC as apostates for their belief and participation in democracy. Nevertheless Haftar insisted to international media they were all Islamic State, terrorist groups and foreign fighters, whilst masking a dangerous local narrative. LNA leadership often described it in Arabic as a war to ethnically cleanse Libya from Turkish and Jewish tribes, a slur used by Bedouin tribes at the perceived lineage of Benghazi's civic tribes. Haftar's forces face investigations for war crimes for refusing safe passage for women and children in BRSC territory. Haftar's spokesman pledged to “kill anyone (including non-combatants) above the age of 14 or extradite them to Erdoğan (Turkey's president)”. The UN estimates Benghazi's displaced to be at least 100,000 civilians, who the LNA have brushed off as families of terrorists.

In Darnah, Haftar's second operation, the approach was almost identical. Darnah's local population are predominantly civic tribes, with Bedouin tribes living in nearby towns. A military coalition formed by Islamist groups and Libyan army officers successfully defeated the Islamic State in 2015. Yet, pro-LNA sources labeled them Al Qaeda to legitimize the war despite their complex make up, their defeat of the Islamic State, and securing Darnah's first democratic elections in 2012. Haftar repeated the Benghazi playbook, co-opting Bedouin tribes from the neighboring town of Ain Mara into the LNA to lead a “counterterrorism” operation and humanitarian siege Haftar claimed would “choke” Darnah. By the end of the campaign, a quarter of Darnah's population were believed dead, injured, or displaced. Upon leaving Darnah, Haftar's army defaced road signs leading to the city, replacing Darnah with the name ‘New Ain Mara’.

Strong parallels are apparent in Haftar's current campaign in Tripoli. The LNA has described GNA forces in Tripoli as terrorists, despite the presence of armed groups who fought the Islamic State in a U.S. backed operation in 2016. Since Haftar's loss of Gharyan, the last LNA stronghold in the Tripoli offensive is the neighboring town of Tarhuna. Tribal dynamics between Tarhuna and Tripoli are complex. An estimated third of Tripoli's population are from Tarhuna. Forces in Tarhuna aligned to Haftar include external forces who fought in Tripoli last September, but also armed groups displaced from Tripoli in a power struggle in 2016, eager to return for “revenge”.

Haftar will continue to exacerbate these tribal rifts and support one group over another in these complex power struggles. The danger in Tripoli is not only that the international community increasing believes Haftar's counterterrorism narrative but concludes it will be a short war that will result in long-term stability. If the assault on Tripoli ends in the same way Benghazi and Darnah did, the resulting scars of war, appetite for revenge, tribal hatred and social polarization would make enduring peace unrealistic and stability almost unimaginable.

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opposing Haftar's offensive. France did so citing the need for its own reassurances regarding the alleged "involvement of terrorist groups" fighting Haftar in Tripoli.

Central to the international support is the belief that Haftar seeks to "save" Libya from terrorism and return it to long-term stability and security. However, recent history shows that Haftar's counterterrorism narratives are not only poorly disguised authoritarian power grabs, but mask a precarious game of tribal divide-and-conquer. Far from fighting terrorism and delivering security, this approach exacerbates conflict and engenders long-term instability.

An often-repeated myth in Libya is that Haftar first emerged after Libya's second elections, to fight against and save the country from Islamists who sought to "cancel the June 25th 2014 elections". However, Haftar's first coup took place well before Libya's second elections—to which his rise is widely linked—on February 14, 2014. Haftar announced the establishment of his own self-styled Libyan army, in the hopes that Libya's plethora of militias would join him and remove Libya's first democratically elected parliament from power. The coup was so badly orchestrated that Haftar's only success that day was to become the first person in history to launch a coup via YouTube. Yet, he captured the attention of the UAE government which had supported a military coup months earlier in Egypt. On May 14 2014, Haftar reemerged with Emirati support in the form of airstrikes, and a rebranding of his coup as a war on terror in Operation Dignity.

Operation Dignity began with air strikes against Ansar Al Sharia, a self-identifying Jihadist group in Benghazi, eastern Libya. However, Haftar simultaneously struck revolutionary armed groups loyal to the elected government. Supporters of Haftar's move believed all these targeted groups were behind two years of assassinations against activists and former military personnel in Benghazi. Critics point to the fact that these groups had previously fought Ansar Al Sharia, and tried to rescue the U.S. ambassador the night he was killed in Benghazi in 2012. The debate was short lived as 48 hours later Operation Dignity allied groups stormed Libya's parliament in Tripoli, confirming suspicions of a power grab. Haftar declared these disparate political targets and military opponents to all be the same terrorist group.

Haftar's counterterrorism narrative not only masks his intention to seize power by force, but his role in exacerbating the complex ethno-tribal power struggles between armed groups that emerged after the revolution. Qaddafi held a tight grip on Libya's regions and cities through a complex authoritarian tribal-patronage system—integrating a select number of tribes into the regime security apparatus and army, leaving neighboring tribal competitors out. This tribal monopoly on power was the backbone of Qaddafi's regime maintenance strategy but created rifts, and fell apart as protestors took up arms, forming new revolutionary armed groups that challenged the traditional power structures.

Behind Haftar's military operations and counterterrorism narrative is an attempt to create his own authoritarian tribal-patronage system. Haftar co-opts loyalist tribes and their armed groups into the LNA making them the army whilst labeling their local tribal competitors terrorists. The LNA operations in Benghazi and Darnah are examples of this. Benghazi was largely divided between two feuding ethno-tribal camps, Bedouin tribes who lost patronage to the Qaddafi regime during the revolution, and civic tribes that had formed new revolutionary armed groups.

Haftar launched Operation Dignity in Benghazi by co-opting predominantly Bedouin armed groups into the LNA, and launching simultaneous attacks against revolutionary armed groups (from predominantly civic tribes) and Ansar Al Sharia. Ideological nuance between Haftar's targets was lost as they formed a military coalition – The Benghazi Revolutionary Shura Council (BRSC) – to defend themselves. Critics of Haftar claimed these groups only shared the same military frontline and opposition to Haftar, not necessarily the same Salafi Jihadist worldview as Ansar Al Sharia or Islamic State. Islamic State referred to the BRSC as apostates for their belief and participation in democracy. Nevertheless Haftar insisted to international media they were all Islamic State, terrorist groups and foreign fighters, whilst masking a dangerous local narrative. LNA leadership often described it in Arabic as a war to ethnically cleanse Libya from Turkish and Jewish tribes, a slur used by Bedouin tribes at the perceived lineage of Benghazi's civic tribes. Haftar's forces face investigations for war crimes for refusing safe passage for women and children in BRSC territory. Haftar's spokesman pledged to "kill anyone (including non-combatants) above the age of 14 or extradite them to Erdoğan (Turkey's president)". The UN estimates Benghazi's displaced to be at least 100,000 civilians, who the LNA have brushed off as families of terrorists.

In Darnah, Haftar's second operation, the approach was almost identical. Darnah's local population are predominantly civic tribes, with Bedouin tribes living in nearby towns. A military coalition formed by Islamist groups and Libyan army officers successfully defeated the Islamic State in 2015. Yet, pro-LNA sources labeled them Al Qaeda to legitimize the war despite their complex make up, their defeat of the Islamic State, and securing Darnah's first democratic elections in 2012. Haftar repeated the Benghazi playbook, co-opting Bedouin tribes from the neighboring town of Ain Mara into the LNA to lead a "counterterrorism" operation and humanitarian siege Haftar claimed would "choke" Darnah. By the end of the campaign, a quarter of Darnah's population were believed dead, injured, or displaced. Upon leaving Darnah, Haftar's army defaced road signs leading to the city, replacing Darnah with the name 'New Ain Mara'.

Strong parallels are apparent in Haftar's current campaign in Tripoli. The LNA has described GNA forces in Tripoli as terrorists, despite the presence of armed groups who fought the Islamic State in a U.S. backed operation in 2016. Since

Haftar's loss of Gharyan, the last LNA stronghold in the Tripoli offensive is the neighboring town of Tarhuna. Tribal dynamics between Tarhuna and Tripoli are complex. An estimated third of Tripoli's population are from Tarhuna. Forces in Tarhuna aligned to Haftar include external forces who fought in Tripoli last September, but also armed groups displaced from Tripoli in a power struggle in 2016, eager to return for "revenge".

Haftar will continue to exacerbate these tribal rifts and support one group over another in these complex power struggles. The danger in Tripoli is not only that the international community increasingly believes Haftar's counterterrorism narrative but concludes it will be a short war that will result in long-term stability. If the assault on Tripoli ends in the same way Benghazi and Darnah did, the resulting scars of war, appetite for revenge, tribal hatred and social polarization would make enduring peace unrealistic and stability almost unimaginable.

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Piracy

Maritime Piracy (Hellenic Shipping News) July 31, 2019

In an interlinked world with global commercial sea routes the problem of maritime piracy has long been the subject of international criticism and concern. South East Asia and East Africa are two specific areas where maritime piracy over the last decade has grown up to such an extent that these areas are considered amongst the most dangerous places in the world. More specifically, East Africa in 2009 was one of the "most affected areas by piracy", with 222 incidents. In 2010, pirate attacks numbered 219 in the Horn of Africa according to International Maritime Bureau and 119 in South East Asia. The economic instability, coupled with the absence of adequate security seem to be the two main reasons behind the increasing trend in piracy incidents. Thus, solutions should be focused on both funding programmes for the prosperity of the local populations, along with an international security cooperation that will assist local authorities with protecting the coastal interests in both local and international level.

i. Economic Instability

One of the main causes of maritime piracy shared by the South East Asian and East African coasts is the long lasting economic crisis. As regards South East Asia, the 1998 financial crisis and the 2008 global recession, led to an increase of piracy. The poverty and unemployment are considered as the main drivers to "a life of maritime crime" for many local fishermen. For example, Indonesia witnessed a dramatic increase in piracy, mainly due to unemployment. Similar to South East Asia, in East Africa, it is identified that the same factors of an unstable economic environment and the decrease of the fishermen's income are the key motives for many Somalians to venture into a life of maritime piracy. As a result, the International Maritime Organisation reports 1,676 pirate incidents between 2000 and 2003 in South East Asia and in Somalia, an increase of 470.37% was observed between 2003 and 2009, accounting for the majority of pirate incidents off the coast of East Africa, as per the International Maritime Bureau.

ii. Funding Programmes

Thus, one possible solution to help tackle the problem of maritime piracy in these areas could be funding programmes. If these programmes strengthen the countries' economies and the elimination of poverty through the creation of sustainable work opportunities for the local coastal populations, one problem would be resolved. It is well known that historically nothing has worked better than economic growth in enabling societies to improve the life chances of their members, including those at the very bottom. Hence, if funding programmes focus on the economic growth of the local communities and the individuals who, were recognised suffer from poverty, they would consequently forge an appealing and thriving economic environment that would encourage new investment and development. Also, a prosperous economic environment will offer opportunities and potential vocational training for young people like the fishermen who were identified as a vulnerable social group which increasingly possess no alternative. A successful example of such implemented programme is the European Union Programme to Promote Regional Maritime Security (MASE). The aforementioned programme achieved to combat the maritime piracy in Eastern and Southern Africa, focusing inter alia, to "boost" their "economy and trade". According to the European Commission (2013), due to its efforts, help and support, the piracy in East and South Africa decreased by 62.87% in only one

year. Therefore, considering the effectiveness of this implementation in East and South Africa, the solution of funding programmes appears to be also feasible in South East Asia, where the problems of poverty and unemployment facing the local populations are the same.

iii. Absence of adequate security

Another main cause of maritime piracy in these areas is the absence of adequate security. This phenomenon has left many miles of sea routes without any form of state control or protection for the passing vessels. This reason is linked to the local governments since the underfunding of naval and army services either due to governmental strategic decision making or due to the unfavourable economic environment has led to very limited naval patrolling equipment. Regarding South East Asia, Philippines, Thailand and Indonesia are the three states with the major problem of inefficient security. A decline of 65% on the army services was observed in Indonesia the last decade, weakening the patrolling in the area, turning at the same time the interest of the military force to "armed robbery and piracy", in order to strengthen the military equipment. As regards East Africa, a similar situation of highly depleted patrolling capacity in Somalia, has left countries such as Kenya and Tanzania unable to control and secure their coastlines broadening the piracy on their territories. As a direct consequence, pirates have found themselves in an increasingly uneven arena which allows them to act uninterrupted and without any fear of being confronted or prosecuted by the local navy or authorities.

iv. International and regional security cooperation

Therefore, on the aspect of security, a potential solution to addressing this could be the international and regional cooperation among these countries. This cooperation could also be widened to include those non-regional countries which have high economic and commercial interests on the affected sea paths, since safer commercial routes would allow for increased sea trade relations. Furthermore, a solid cooperation with both regional and international ties, would allow for a significantly intensified security in these unguarded coasts which were detected as the areas with the greatest problem.

This solution seems to be feasible and successful in South East Asia. The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), formed in 2006, managed to have a positive impact by reducing dramatically the piracy in South East Asia. According to the 2016 reports by ReCAAP, maritime piracy decreased by 64% in the first semester of 2016. Compared with the first six months of 2016, the number of piracy attacks in 2015, was 73 more. More specifically, due to this cooperation, a substantial drop in maritime incidents was observed in the Strait of Malacca and Singapore, noting only one maritime attack in 2016, by comparison with 55 attacks which took place in the first half of 2015. The two main causal factors of this success are the geographical situation of the South East Asia and the regional naval sources. First, the Strait of Malacca, one of the busiest waterways in the world, is a slender canal among Malaysia, Singapore and Indonesia and as a consequence there was no difficulty to be patrolled efficiently. Second, the naval sources of Singapore and Malaysia played an essential role and contributed to this success, by patrolling effectively the area.

On the contrary, as far as East Africa, this cooperation seems to be impracticable, although the problem of the coastal security is the same with South East Asia. A similar attempt which occurred in 2009 by eight African states, created the Djibouti Code of Conduct (DCoC) as a regional cooperation agreement. However, it was not as resonant and effective as the ReCAAP in South East Asia, for two main reasons. The first reason is the geographical range of the area. East Africa, due to its large extent over Indian Ocean, coupled with the extensive length of the coasts of Somalia, which appear to have a near complete absence of any form of patrolling, maintained the unprotected status of the local sea ways. The second reason is the high expense of patrolling. This reason is inextricably bonded with the size of East Africa, which has been identified as the first cause of the DCoC's failure. The high cost of patrolling was a discouraging factor. For example, one warship's operation to the Gulf of Aden, in the Horn of Africa for a half year, might cost the salaries of 100,000 police officers during the same time. For these reasons, the East Africa's regional cooperation failed to solve the problem of patrolling and by extension to counter the maritime piracy on East African coast. Nevertheless, elements such as the geographical range of the area and the financial possibility should probably be taken into consideration in order to succeed an analogous potential cooperation scheme in East Africa.

v. Conclusion

In conclusion, maritime piracy is an issue with both regional and international aspects which needs an equally regional and international approach in order to be tackled effectively. Although measures need to be taken at the level of local political agendas by the governments of South East Asia and East Africa; it is necessary that the international community also plays its role by offering the appropriate funds and support to those countries. This will not come without benefits for the international community as well. Moreover, these funding programmes need to be tailored to both the local community structure and the wider international context of the affected coastal regions in order to create a viable and sustainable solution for the local populations that are being lured to piracy as a way out of poverty. In that respect, these programmes need to focus on the benefits to the individual if they are to affect and change the social behaviour of these citizens and deter the younger generations from seeing any criminal activity and thus piracy. A collaborative regional and international approach to the local socioeconomic context of the affected communities remains the key factor that will offer a possible solution against maritime

piracy.

Piracy, mental health among issues for sailors, Canadian chaplain finds (Catholic Philly) By Agnieszka Ruck
July 31, 2019

On the mainland, most references to pirates are made in jest, but a chaplain to sailors in the ports of Delta and Vancouver said piracy is still a serious threat to those to whom he ministers.

“Piracy is a terrifying experience for seafarers,” said Deacon Dileep Athaide, a Catholic chaplain with the Apostleship of the Sea.

International Maritime Bureau statistics show that 57 ships were boarded, three were hijacked and nine were fired upon by armed pirates between January and June this year. In five separate incidents, 21 crew members were kidnapped.

Most of the attacks took place in the Gulf of Guinea, but while that may seem a world away to people living and working in British Columbia, it's not so for those working on ships in international waters.

“Piracy and the threat of piracy can have a lasting effect on seafarers’ well-being and mental health,” Deacon Athaide told The B.C. Catholic, newspaper of the Archdiocese of Vancouver. “Our experience of caring for seafarers shows that swift intervention is essential to minimize the impact of a pirate attack, so crews can return to work with confidence.”

The deacon boards ships docked at local ports just about every day to ask sailors how they are doing, deliver fresh pastries and blessed rosaries, and offer a listening ear or prayer for any of their concerns.

Pope Francis also drew attention to the plight of seafarers on Sea Sunday, July 14. The pope tweeted: “Today we celebrate Sea Sunday, dedicated to seafarers and fishermen. I pray for them and their families, and I encourage every effort to protect and safeguard their human rights.”

Cardinal Peter Turkson, prefect of the Dicastery for Promoting Integral Human Development, also issued a statement urging people to pray for and authorities to stand up for those who “crisscross the oceans and the seas, transporting almost 90 percent of goods from one nation to another.”

In addition to piracy, Cardinal Turkson said sailors can face isolation, delayed salaries, difficult working conditions and even terrorist attacks.

“Isolation and depression, combined with a lack of a supportive environment, affects the mental health of seafarers, sometimes with tragic and heartbreaking consequences for their families, crewmembers, and ship owners.”

For his part, Deacon Athaide strives to make every sailor he meets in Delta or Vancouver feel welcome, listened to and valued. His ministry included blessing a fleet of fishing boats June 15 and celebrating International Day of the Seafarer with prayer and barbecues in downtown Vancouver locales June 25.

Apostleship of the Sea (also called Stella Maris) is an international Catholic organization. It was founded in Glasgow, Scotland, and is preparing to celebrate 100 years of serving the pastoral and welfare needs of seafarers next fall.

Gulf of Guinea must look east to solve its pirate problem (Daily Maverick) By Peter Fabricius
August 1, 2019

A few years ago piracy off the east coast of Africa, focusing on Somalia, was a major crisis, attracting extensive international attention. Now it has plummeted. Meanwhile across the continent in the Gulf of Guinea, the piracy problem, which never attracted quite the same attention, has persisted at much the same high levels.

The reasons are numerous, though the greater prioritisation of Western Indian Ocean sea routes to the international community is probably near the heart of it. Another reason seems to be the relatively greater capacity of individual West African states to fight piracy.

Pirate attacks off Somalia’s coast have dropped dramatically over the past eight years – from 237 incidents in 2011 to nine in 2017 and just three attempted attacks in 2018, Denys Reva reported in a June ISS Today article.

So much so that the Contact Group on Piracy off the Coast of Somalia has started discussing broadening the group’s mandate to include combating other maritime security problems like trafficking. This complements similar changes occurring in other

prominent maritime security initiatives such as the Djibouti Code of Conduct.

By contrast, on 8 July this year the International Maritime Bureau Piracy Reporting Centre (IMB-PRC) said the seas around West Africa remained “the world’s most dangerous for piracy”. Of the 75 seafarers taken hostage on board or kidnapped for ransom worldwide so far this year, 62 were captured in the Gulf of Guinea – off the coasts of Nigeria, Guinea, Togo, Benin and Cameroon.

The bureau said 73% of all kidnappings at sea, and 92% of hostage takings, happened in the Gulf of Guinea. It nonetheless notes “a welcome and marked decrease” in attacks in the gulf for the second quarter of 2019, commending the Nigerian navy in particular for actively responding to reported incidents by dispatching patrol boats. While recognising that many attacks go unreported, the maritime bureau recorded 21 incidents around Nigeria so far in 2019, down from 31 in the same period of 2018.

Timothy Walker, Senior Researcher and specialist in maritime issues at the Institute for Security Studies, says however that despite the improvement recorded by the IMB-PRC, the general incidence of piracy in the Gulf of Guinea seems to have remained fairly constant over the past decade.

He suggests this is because the high seas off Somalia generally carry shipping heading to and from the Suez Canal and linking the huge markets of Europe, India and East Asia. They are also of greater global interest as they carry ships of almost every flag state and generally of greater size. While there is also a huge volume of international shipping in the Gulf of Guinea, most attacks are happening in territorial waters, against localised shipping to and from West Africa. Because of this geographic difference, a larger international operation was mobilised to counter Somali-based piracy, pulling in powerful navies from the United States, China, Russia, India and France, among others, and notably the European Union’s Operation Atalanta.

These nations have coordinated their efforts through the Contact Group on Piracy off the Coast of Somalia and the Shared Awareness and De-confliction (SHADE) Conference. Their success seems to have been enhanced by natural competition among themselves for the greatest competence in combating piracy and projecting national maritime power. It was precisely the absence of a functioning national authority in relatively ungoverned Somalia that brought these international navies into the fight against piracy.

Walker notes that the many West African nations with shores on the Gulf of Guinea could better fight piracy through pooling their capacity and strengthening their law enforcement institutions. Such cooperation between and within the economic communities of West African States and Central African States is improving maritime security to a degree.

There is also an Interregional Coordination Centre in Yaoundé steering many of these efforts, complementing national and regional actions. But such efforts struggle with capacity shortages and the low political priority many governments still attach to maritime security.

One manifestation of the need for coordination is that while private security guards on ships have been an effective, albeit controversial, means to combat pirates off Somalia, this hasn’t worked in the Gulf of Guinea. Countries such as Nigeria insist on shipping companies manning their vessels with Nigerian naval teams in their national waters.

Another downside of the many different national jurisdictions fighting piracy in the west is that pirates can shift to different national maritime jurisdictions when one country steps up the pressure against them. This displacement of piracy could be a major factor in maintaining high overall piracy rates, Walker suggests.

He also notes that those fighting Somali piracy have been able to institutionalise their efforts more effectively than their Gulf of Guinea counterparts. However the institutions in the west are working as well as their member states empower them to, he says.

Reva notes that companies sailing off Somalia have together developed effective safety guidelines for ships travelling through a well-defined High Risk Area. For example, ships navigating through the region are urged to increase their speed and install protective systems on board. They are also asked to follow the protected Maritime Security Transit Corridor, making it harder for pirates to attack. These guidelines were key to bringing down piracy off Somalia’s coast, Reva said.

Another difference is the east’s legal approach. Walker says at the height of piracy in the Western Indian Ocean many were caught off Somalia and brought to court in countries such as Kenya and the Seychelles. They were then incarcerated in Somalia itself or its semi-autonomous Puntland region to be prosecuted, convicted and imprisoned. This has been a strong deterrent to piracy in the east.

By contrast there is little record of incarceration, prosecution or conviction of pirates in the Gulf of Guinea, he says. Through this ‘lack of legal finish’, as Walker puts it, the west is missing an opportunity to visibly deter piracy.

Overall, the problem in the east has now become how to avoid complacency in the face of success. In the west, the problem remains the need to reduce the incidence of piracy. It would seem that greater regional coordination – if necessary with international assistance, including guidance from those who have succeeded on the other side of the continent – is called for.

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Gender-Based Violence

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Commentary and Perspectives

The Missing State Department Memo on US Officials' Possible Aiding and Abetting Saudi War Crimes (Just Security) By Oona Hathaway
July 24, 2019

Today the Senate Foreign Relations Committee is set to consider dueling bills on Saudi Arabia. A bill sponsored by Senator Robert Menendez (D-N.J.), would block arms sales to the Kingdom and in-flight refueling of Saudi aircraft. This largely mirrors a series of measures passed in the House on July 17 to block the sale of billions of dollars of arms to Saudi Arabia and the United Arab Emirates. But in an unusual move, Committee Chairman Jim Risch (R-Idaho) broke comity to put forward his own separate bill focused more narrowly on the killing of journalist Jamal Khashoggi that would merely deny visas to a few Saudi government officials and require that the secretary of state conduct a review of the United States' relationship with the country. In all likelihood, this is the bill that will advance, allowing the U.S. sales of arms to Saudi Arabia to continue.

This approach may leave U.S. officials exposed to charges of aiding and abetting war crimes for continuing U.S. support of the Saudi-led coalition in Yemen in the face of evidence of repeated serious international humanitarian law violations.

Congressman Ted Lieu has repeatedly raised this concern, most recently on June 12, 2019, at a House Foreign Affairs Committee hearing on the ongoing arms sales from the United States to Saudi Arabia. In the hearing, Rep. Ted Lieu pressed R. Clarke Cooper, Assistant Secretary at the Bureau of Political-Military Affairs in the U.S. Department of State, on whether the arms sales might leave the United States vulnerable to charges of war crimes, pointing to a undisclosed 2016 legal analysis by the State Department that reportedly concluded there was substantial legal risk to Americans assisting the effort. Secretary Cooper dodged the questions. This was not the first time Congressman Lieu raised the issue. He had done so earlier in a 2018 letter – where he asked about an overdue report on military action of Saudi Arabia and its coalition partners in Yemen as well as about the 2016 legal memo. The U.S. Department of State said very little in response, and it refused to provide the memo Lieu requested.

The State Department is probably circumspect because that memo almost certainly exists and, if it tracks international law, it almost certainly says that there is a real danger that U.S. personnel are in danger of aiding and abetting war crimes by participating in the program of U.S. support to the Saudi-led coalition in Yemen. What's more, if there was a danger that they might have been guilty of war crimes in 2016, that is all the more true in 2019, after three years of ineffectual assurances by the Saudis that they would take greater precautions to avoid civilian deaths. Indeed, other states are beginning to raise related concerns: Last month, a UK court of appeals halted British arms sales to Saudi Arabia on the grounds that the government did not properly consider whether the weapons would be used to commit "serious violations of international humanitarian law."

The 2016 State Department Memo referred to by Rep. Lieu most likely addresses aiding and abetting war crimes by U.S. officials under international criminal law. Reuters reported in October 2016 that State Department lawyers had considered whether continuing arms sales to the Saudi coalition could expose U.S. officials to charges of aiding and abetting war crimes. As described at length in this forthcoming article, the international law on aiding and abetting remains in flux. The key

differences across international courts is that some require “substantial effect” on the perpetration of the crime to establish the actus reus, while others require only the provision of practical or material assistance. And there are several different mens rea standards. The most common mens rea requirement for aiding and abetting a war crime is “knowledge” that one’s conduct assists the commission of the principal crime, but the International Criminal Court and the Special Tribunal for Lebanon have applied heightened tests.

There is a serious danger that the conduct of some U.S. officials meets at least the more relaxed tests for aiding and abetting under international law and perhaps even the more stringent ones. (As with Ryan Goodman’s earlier article on this topic, I do not address possible immunities. I also focus here exclusively on international law. My coauthors and I considered the domestic war crimes statute in two earlier Just Security articles.)

Beginning with the required action (actus reus) for criminal liability: The U.S. provision of assistance has repeatedly been characterized as important to the Saudi coalition’s war effort. The in-air refueling of warplanes participating in the operations (currently halted) would almost certainly meet the “substantial effect” test, and provision of weapons coupled with intelligence may as well. Moreover, forms of aid and assistance that are not inherently criminal can lead to liability, and the substantial effect test may be met even if the assistance provided is not essential to the causal chain leading to the crime. And while “substantial effect” remains a fairly stringent actus reus bar, providing weaponry that would otherwise not be available to combatants might be enough to satisfy that test if the recipients repeatedly commit war crimes using those weapons (presumably that is all the more true if the use of those weapons is coupled with instruction and intelligence from the provider). (The U.S. government relied on the Taylor decision in its supplemental filing before the Military Commissions in setting forth the prosecutor’s claim that Khalid Shaikh Mohammad was subject to aiding and abetting liability under customary international law.)

Next is the mental element (mens rea) for criminal liability: The most appropriate standard here for mens rea is the knowledge standard. Under this standard, the aider and abettor need not share the principal perpetrator’s intent unless the crime is a specific intent crime. (For example, the ICTY appeals judgment in *Prosecutor v. Krnojelac* concluded that in order for a perpetrator to be held liable for aiding and abetting the crime of persecution, the individual must “be aware not only of the crime whose perpetration he is facilitating but also of the discriminatory intent of the [principal] perpetrators.”) Generally speaking, the aider and abettor need only know that his or her conduct assists the commission of a crime. Today, many years into the war in Yemen and after repeated public reports of war crimes by the Saudi-led coalition even after assurances to the U.S. that Riyadh would take better precautions, U.S. officials playing a decisive role in the program to support the Saudi-led coalition would be hard pressed to dispute that they knew that providing support to the coalition was likely to enable and assist the commission of future war crimes.

In addition to the possibility that U.S. officials might be said to be guilty of aiding and abetting war crimes as a matter of international law, there are other two legal grounds under which the United States—or those working for the U.S. government—would potentially be legally responsible for violations of international humanitarian law committed by the Saudi-led coalition in Yemen.

First, the United States has a duty not only to not to commit war crimes itself, but also not to enable or support war crimes by other states. As explained by me and my coauthors in the Just Security Yemen Crisis Forum in April 2018, Common Article 1 of the Geneva Conventions (“Common” because the article is repeated in all four Conventions) obligates states to “undertake to respect and to ensure respect” for the Geneva Conventions in all circumstances. We concluded in April 2018 that whether the United States had violated its positive obligation under Common Article 1 turned on the adequacy of U.S. mitigation measures. Now, more than a year later, we can conclude with some confidence that those mitigation measures have proven inadequate. Time and again coalition forces have struck civilians and civilian infrastructure—including a direct attack on an MSF Cholera treatment center. While the U.S. has paused aerial refueling, it has continued many other forms of support including arms sales, maintenance of weapons systems, and intelligence sharing.

Participating in the violation of Common Article 1 can amount to a war crime. As my co-authors and I explained in a separate Just Security article, a war crime consists of two key elements: (1) a breach of international humanitarian law (IHL) that is (2) “serious.” A breach of Common Article 1 is a breach of a state’s own IHL obligations, so the first element is clearly met where there is a violation of that article. The only question, then, is whether it is “serious.” Seriousness, in turn, is generally understood to turn on the severity of the consequences. For instance, the International Criminal Tribunal for the Former Yugoslavia found violations serious when “they took the form of serious injury or death caused to civilians.”

A second possible source of legal responsibility is state responsibility doctrine, which we detailed in another article in the 2018 Yemen Crisis Forum. Under Article 16 of the Articles of States Responsibility, a state may be held responsible for aiding or assisting another State in the commission of an internationally wrongful act if: (a) that State does so with knowledge of the circumstances of the internationally wrongful act; and (b) the act would be internationally wrongful if committed by that State. (What constitutes “knowledge” is a matter of some debate. Harriet Moynihan argues that knowledge “means actual or near certain knowledge of specific illegality on the part of the recipient state.” Ryan Goodman and Miles Jackson, on the other

hand, note that most states (though not the United States) support the view that mere knowledge of the circumstances is sufficient.) Again, when we first wrote in April 2018, the United States had sought and received assurances that Saudi Arabia would take greater precautions to adhere to humanitarian law. What we concluded then is all the more true today:

“A continuing pattern of IHL violations after the issuance of assurances makes it more likely that the United States has ‘actual or near certain knowledge’ that there will be future IHL violations by the Saudi-led coalition despite assurances to the contrary—and thus that the United States is responsible for aiding and assisting an internationally wrongful act under Article 16.”

Congressman Lieu is right to keep pressing the administration on this issue, and his colleagues in the Senate should do the same. At a minimum, the Administration should be required to produce a detailed, unclassified legal memo, containing a classified annex if necessary, explaining its position on the legality of the continuing arms sales and other logistical and intelligence support to the Saudi-led coalition under international law. There is no legitimate reason for keeping the legal analysis hidden from Congress and from the American public, especially as legislators decide whether and how to maintain any U.S. support for the Saudi’s war effort. That the Administration may be unable to justify its actions is no excuse.

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WORTH READING

The Judiciary of International Criminal Law: Double Decline and Practical Turn
Mikkel Jarle Christensen
iCourts Working Paper Series No. 166: Journal of International Criminal Justice
July 25, 2019

The article investigates the judiciary of international criminal law and its developments over time. Inspired by the sociological tools of Pierre Bourdieu and building on an original dataset, the article analyses the judiciary of three international criminal courts (ICTY, ICC, ECCC). The focus of the analysis is how the composition of expertise in this judiciary reflects the wider power structure in the field of international criminal law as well as temporal developments in this structure. Responding to and reflecting these transformations, the international criminal law judiciary has been affected by a double decline of positions and prestige, and a turn towards practice as the core expertise of the field. However, despite this turn to practice, the accumulation of especially political expertise still structures access to elite positions in the international criminal law judiciary.

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