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CENTRAL AFRICA

Central African Republic

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Central African Republic: Rights expert welcomes transfer of war crimes suspect to ICC (United Nations News)

January 27, 2021

CAR authorities surrendered Mahamat Said Abdel Kani, a commander of the Séléka rebel coalition, to the court on Sunday, on account of an arrest warrant issued under seal on 7 January.

Mr. Said is suspected of being responsible for war crimes and crimes against humanity, including torture, persecution and enforced disappearance, allegedly committed in the capital, Bangui, in 2013.

“The transfer of Mahamat Said Abdel Kani on 24 January sends a strong message. Justice is an essential pillar of the ongoing peace and reconciliation process and the construction of the rule of law”, said Yao Agbetse, UN Independent Expert on the situation of human rights in the CAR.

Mr. Said will make his first appearance before the ICC on Thursday.

The development is taking place against the backdrop of renewed unrest in the CAR surrounding elections in December.

Last week, the head of the UN mission in the country appealed to the Security Council for more peacekeepers amid escalating attacks by an alliance of armed groups known as the Coalition of Patriots for Change (CPC).

The CAR has had a history of political instability, but has been mired in violence since 2013 when the Séléka, a mainly Muslim coalition, seized power from former President, François Bozizé. Thousands were killed and displaced in fighting between the group and mainly Christian militias, known as Anti-Balaka.

Two members of Anti-Balaka are currently on trial at the ICC, which is based in The Hague, in The Netherlands.

Alfred Yekatom was surrendered to the court in November 2018, and Patrice-Edouard Ngaïssona was transferred there three months later. They were allegedly responsible for crimes that include murder, torture, attacks against civilians, and recruiting child soldiers.

The ICC has combined their cases “to enhance the fairness and expeditiousness of the proceedings”, including by avoiding duplication of evidence and excessive impact on witnesses and victims.

ICC Prosecutor Fatou Bensouda welcomed Mr. Said's arrest in a statement issued a day after his handover.

"As I have previously stated, my Office will relentlessly pursue justice for the victims of atrocity crimes in CAR," she said.

"During my term as Prosecutor, our purpose has been clear. Investigations are, by definition, quiet, confidential processes, but my Office has been hard at work all along, unflinching in its drive to do what it can, in a balanced and committed manner, to bring the perpetrators to justice, notwithstanding the challenges. Yesterday's announcement is another manifestation of that commitment."

Transferring Mr. Said to the ICC is part of the fight against impunity and the need for justice for victims of massive human rights violations in the CAR, according to Mr. Agbetse, the UN expert.

"I call on the Central African Republic authorities to create conditions that will put an end to impunity and bring justice to the victims", he said.

Mr. Agbetse encouraged further investigations of people and entities listed by the UN Security Council Sanctions Committee. He also supported ongoing investigations to arrest those allegedly responsible for violations, including the leaders of the CPC and their supporters.

As an Independent Expert, Mr. Agbetse was appointed by the UN Human Rights Council and is not a UN staff member, nor does he receive a salary from the Organization.

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Sudan & South Sudan

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Democratic Republic of the Congo

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Hosts offer vital refuge to families fleeing DRC violence (UNHCR) By Sanne Biesmans
January 13, 2021

The children and their parents fled attacks by armed groups on their village in the Minembwe Highlands, in the Democratic Republic of the Congo's South Kivu province.

"The journey was very traumatizing for them," says Justine, 40, who lives with her mother, five children and husband, in addition to the four children and their father.

She explains that the children's mother died from complications during childbirth while they were on the run. Their father is out all week in search of farming work.

In Eastern DRC, increased violence has forced up to a million women, men and children to flee their homes in the past year alone, seeking safety with other local Congolese families like Justine's.

Worldwide there are around 80 million people uprooted by conflict and persecution, of whom 45.7 million were people who had fled to other areas of their own countries.

In total, some 5.2 million people in DRC are currently uprooted within the country's borders due to violence and insecurity, making it the world's third-highest source of forced internal displacement after Colombia and Syria.

With armed groups continuously attacking civilians and looting villages, many have no choice but to flee with little more than the clothes they are wearing. Women and girls are often exposed to sexual violence and the journey to safer locations can take several days, forcing families to sleep in the open.

The hospitality shown by local communities whose own resources are often limited is providing a vital lifeline, prompting UNHCR, the UN Refugee Agency, to channel its support to both those forced to flee as well as the families hosting them. But severe funding shortages threaten to undermine these efforts, leaving vulnerable families exposed to dire living conditions.

"When I met this family, they were very sad and traumatized. They needed a place to call home more than anything else," says Justine. "I could not leave them on their own. My husband agreed we would take care of them, so they are now part of our family."

"Life is not easy for these children," she adds. "Not only did they have to flee violence, but they also lost their mother under very dramatic circumstances. They don't eat well, and they find it difficult to adapt to the new climate, which is warmer here."

Their father struggles to make ends meet, earning very little for long days spent working in the fields. In a nearby village called Kitoko, Mangasa and her husband are also sheltering an elderly couple and their two grandchildren. Asha, 80, has difficulty walking so reaching safety was a huge challenge.

"I had to walk for five days to reach the village. The journey was not easy as we had to climb down from the mountains to reach Kitoko. It took all my strength and perseverance, but I am very grateful to live with Mangasa's family," says Asha.

In neighbouring North Kivu, Zeferina, 56, has opened up her house to three forcibly displaced families. Her house is spacious and modern, compared to many of the neighbouring houses made out of mud.

"I can't see my people suffering when I have space in my home," she says.

Already taking care of eight children, she is hosting as many as ten other children and their mothers.

"They fled because of violence and when they arrived here, they were exhausted and scared. I can't let them suffer," adds the caring host.

Under UNHCR's shelter support programme, as well as providing materials to allow displaced families to construct their own dwellings, the agency also helps host families build extensions to their own homes, easing overcrowding and improving living conditions in hosting areas.

In Oicha, in eastern DRC's Beni region, Evan is finalizing his own shelter, thanks to UNHCR's support. Kahumba and her family of eight, who are living in a modest mud brick house, hosted him, his wife and four children for several months. As their house was very small, Evan's family would sleep on the living room floor.

"We are very thankful we could stay with our hosts when we had nowhere to go," says the 39-year-old. "Now we have our own space which allows us to live in dignity."

"They had nowhere to live, while I had a house available to welcome them. We faced difficulties to provide food for everyone, and the house was always very cramped. It's a really good thing they have their own shelter now," says Kahumba, who is

pleased to have more space in her house once again.

Ibrahima Diané, the head of UNHCR's field office in Beni, emphasizes the importance of host community support.

"We would never be able to assist the hundreds of thousands of displaced without the crucial role that host families play," he explains. "To ensure that they can continue to do so, we need to support the whole community."

In addition to shelter, UNHCR also provides assistance to communities affected by forced displacement by rehabilitating classrooms, installing water pumps to provide clean water and through projects that create work for the community.

"Through this community-based approach, we are boosting the resilience of the broader community who are the first responders to recurrent forced displacement towards their villages and homes, and helping reduce possible tensions," adds Diané.

October 2020 saw the total number of people who have fled their homes within DRC reach nearly 5.2 million, with nearly 3 million of them in North and South Kivu provinces alone. Most are hosted in households that are already crowded, and where social distancing is impossible.

This year, some 35,000 families comprised of 175,000 individuals in North and South Kivu have received shelter support from UNHCR. This includes emergency and communal shelters, transitional houses and rental subsidies. So far, 15,000 families have completed their shelters while 20,000 more are currently under construction.

But a severe lack of funding threatens to reduce UNHCR's ability to assist those in need next year.

The shelter budget for North and South Kivu will shrink by at least 85 per cent in 2021, leaving thousands of families without a roof over their heads. The community-based protection budget will also fall by 57 per cent, hampering UNHCR's ability to respond to local communities' needs and promote peaceful coexistence and women's empowerment.

More funding is urgently needed to enable UNHCR to continue contributing to durable solutions for those forced to flee in Eastern DRC during 2021, and supporting the solidarity shown to them by local Congolese communities.

Dozens killed, some decapitated, in suspected rebel attack in the Democratic Republic of Congo (CNN) By Gabrielle Nina Mitch and Eoin McSweeney
January 15, 2021

Forty-six people from the ethnic Pygmy group were killed -- some of them decapitated -- on Wednesday in a suspected militant attack in northeast Democratic Republic of Congo, according to an NGO official based in the central African country.

An armed group shot civilians and decapitated others with machetes in Ambedi, a village in Irumu territory in Ituri province, said Christophe Munyanderu, regional coordinator for the NGO Convention pour le respect de droit de l'homme, or Convention for the Respect of Human Rights.

A spokesman for the Armed Forces of the DRC in Ituri attributed the attack to the Allied Democratic Forces, a rebel group that operates in the region. Two of the assailants were arrested and are currently under interrogation, the spokesman said.

Most of the victims were women and children, said Rachel Taruwayo, the regional coordinator for the provincial government.

Munyanderu said that a Pygmy who was hunting during the attack determined the death toll. When he returned to the village, Munyanderu said, he found a female survivor with a gunshot wound and a two-year-old child whose hand had been chopped off.

On Thursday, they reached a police post about 20 kilometers (12 miles) from the scene of the attack and were taken to a hospital. The woman and child are now out of danger, said David Dedonga, a doctor at Bwanasura hospital.

The ADF has intensified its attacks against civilians in the eastern provinces of the DRC in recent years, the United Nations said in July. These attacks have left more than 1,000 dead between January 2019 and June 2020 and may amount to war crimes and crimes against humanity, according to the UN.

The group has battled governments in East Africa since the 1990s and has ties to several international jihadi groups.

Democratic Republic of the Congo is suffering one of the worst humanitarian crises on record – are we going to ignore it? (Independent) By Maureen Philippon, Benjamin Viénot, Malik Allaoua
January 15, 2021

When reports came out late last year about more than a hundred children in the Democratic Republic of the Congo's Ituri province killed or maimed in just a few months, the world briefly looked up – and then carried on.

Yet for people in Ituri, this violence continues and deeply impacts their lives.

"They killed women, men, and children. We were hiding inside when the door was locked and the house was set on fire. I am the only one who survived", a 17-year-old girl told us, while looking at what's left of the burned houses in her village in Ituri. The girl's story is a familiar one, there are hundreds of thousands of people in Ituri who have been uprooted from their daily lives, confronted with death and destruction, without enough to eat, and surviving on crucial aid.

Families are suffering one of the worst and most neglected crises in the world. The violence and fighting between armed groups forced at least 627,000 people from their homes in the first half of 2020 alone – hampering their access to health care, security and food.

Of those displaced by violence, 6.5 per cent of children under five are severely malnourished – one in 15 children under five is at very high risk of dying. Analysis from IPC Global Platform estimates that half of the Ituri population will face acute food insecurity in 2021, pushing a province the size of Ireland into a hunger crisis, with 2.4 million people in dire need of support.

At least 450 civilians have been killed in Ituri since March 2020. Many of those who survived have lost their education. Some 160 schools were damaged and looted, pushing 80,000 children out of school. In addition, at least 18 health facilities were destroyed last year, leaving children and their families without access to basic medical services.

Peace talks started in August, but Ituri is still far from safe. After a few weeks of relative calm, recent attacks have plunged the region back into violence.

The Democratic Republic of the Congo's national resources are attractive to the international community, and nations looking to benefit from what the country has to offer have a responsibility to encourage peace and help provide solutions to these deep-rooted grievances.

Meanwhile, international aid is more important than ever, we ask governments to up their contributions, and help the millions without clean water and health services, plus the families facing starvation if Ituri's situation does not improve.

We urge all parties in the conflict to end attacks on civilians and protected facilities, and provide aid workers unhindered access to people in need.

There is no time to wait, we need to act now.

DR Congo: Nearly 650 killed in northeast over 7 months (Anadolu Agency) By Rodrigue Forku
January 15, 2021

Growing rebel attacks in the northeast of the Democratic Republic of Congo (DRC) claimed nearly 650 lives between May and December 2020, according to a UN report released on Friday.

At least 647 people, including 120 women and 115 children, were killed in the gold-rich Ituri province in the eight-month period, said the report by the United Nations Joint Human Rights Office (UNJHRO) and United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

The UN bodies called for stronger efforts to end violence in the Djugu, Irumu, and Mahagi areas of Ituri province.

The Cooperative for the Development of the Congo (CODECO), an armed group blamed for a majority of the attacks, has been weakened due to military operations and leadership conflicts, the report said.

The conflict has worsened the humanitarian crisis in the area, with more than 1.6 million displaced people registered by the end of November 2020, it added.

Leila Zerrougui, special representative of the UN chief and head of MONUSCO, stressed the need for continued efforts to curb violence and ensure respect for human rights and international humanitarian law.

"In addition to the fight against impunity, which must intensify, the establishment of a credible program of demobilization, disarmament, community reintegration and stability, as well as the adoption of socio-economic policies for sustainable development, are essential for the province of Ituri to emerge from this cycle of violence," she said.

According to the UN, the illegal exploitation of natural resources continues to be a root cause of conflict in the east of the DRC, which has been battling rebel groups for decades.

At least 22 Civilians Killed In DRC Village Attack (The Organization for World Peace) By Stéphanie Deléan
January 18, 2021

At least 22 civilians were killed during a raid on the Mwenda village of the Beni territory in the Democratic Republic of Congo (DRC) on Monday, January 4th. According to local officials and UN peacekeepers, the attack was perpetrated by the Allied Democratic Forces (ADF), a Ugandan rebel group that has been targeting civilians of eastern DRC for decades. The militants attacked residents of the village using machetes and guns, kidnapping at least a dozen other villagers in the process. This attack comes only a week after another suspected ADF raid on a nearby village, which left an estimated 25 people dead.

Donat Kibwana, Beni territory's administrator, confirmed the death toll and the ADF's role in the raid. He told the Agence France Presse (AFP) that "ten other people have been injured, and others are unaccounted for. The army intervened after the crime was committed." He also told the AFP that nine more bodies had been found in another nearby village, in a separate attack that was likely carried out by the same militia group. "Now we live in total fear, with no certainty about the future," the village's civil society leader, Jeremi Mbweki, told Reuters by phone.

In a statement issued by his Spokesman, UN Secretary-General António Guterres strongly condemned the attack, calling "for the perpetrators of these atrocities to be swiftly brought to justice," and urging the DRC authorities "to take concrete steps to address the drivers of conflict in the east of the country." As a country that is rich in natural resources, the DRC has long been plagued by violence and insecurity as a result of the illicit exploitation of its natural resources. This has led to violent altercations between armed groups, with innocent civilians often paying the price.

The ADF, which was originally based in western Uganda, has been operating since the 1990s and has since expanded into the DRC's North Kivu province. It is one of the most lethal militia groups in the DRC's eastern borderlands, and has been responsible for the deaths of thousands of innocent civilians over the past few years. Despite repeated military offensives against the ADF by both the army and UN peacekeeping forces, it has continued to ravage through the DRC, killing more than 1,000 civilians since 2019. Monday's attack was the second mass killing perpetrated by the ADF in a week; more than 25 civilians were murdered in the village of Tingwe on New Year's Eve, also located in Beni territory, not far from the Mwenda village. "Our region is a powder keg, a cemetery. We live in a dying house while the authorities are disinterested," said Fulbert Kasairo, one of the local officials.

These repeated attacks have left civilians terrified, and caused massive displacements of those living in villages towards more secure areas in an attempt to protect themselves. As the ADF and other rebel groups continue to attack villages in the region, there must be a dramatic increase in security presence. By the time the army intervened in Monday's attack, it was too late — this can not be the case. Thousands have died at the hands of these rebel groups, and it is time for more rigorous preventative and offensive measures, or some sort of peace talks, to be put in place.

Youth Activists Acquitted in Congo (Human Rights Watch) By Thomas Fessy
January 21, 2021

On Wednesday, a military court in Beni territory, Democratic Republic of Congo, acquitted eight members of the citizens' movement Lutte pour le Changement (Struggle for Change, or Lucha). The youth activists had spent a month in detention. While news of their acquittal is a relief, they should never have been arrested in the first place.

Eze Kasereka, Clovis Mutsuva, Consolée Mukirania, Elie Mbusa, Patrick Nzila, Délivrance Mumbere, Aziz Muhindovegheni, and Lwanzo Kasereka faced 10 years in prison. Their crime? On December 19, 2020, they marched to call for peace and to criticize the United Nations peacekeeping mission in Congo. Armed groups and state security forces have killed at least 670 civilians during attacks in Beni territory in the past year alone.

The activists' trial sparked a public outcry in Congo. They had been brought before the military court on fabricated charges of "sabotage and violence against state security guards." Among other falsehoods, the group was accused of breaking a flagpole at a police station in Beni. Instead, Lucha activists told my colleagues police beat them while in custody and used teargas on some of them.

The government's request for 10-year prison sentences turned the proceedings into a grotesque parody of justice. Thankfully, the judges put an end to the farce and concluded the charges were baseless. But the arrests highlight the risks involved for those peacefully demonstrating in Congo.

The use of military courts to try civilians also violates international law, including the 1981 African Charter on Human and Peoples' Rights, which Congo ratified in 1987. The African Commission on Human and Peoples' Rights has stated that civilians should never face military trial.

People's rights have been increasingly threatened over the last year in Congo. When state agents or officials use their position to crack down on peaceful critics, impartial judges remain the ultimate hope for justice. Like those who acquitted the eight Lucha activists in Beni, Congolese judges should be uncompromising in their respect of human rights.

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Côte d'Ivoire (Ivory Coast)

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

Nigerian president replaces top military chiefs in overhaul (Business Recorder)

January 27, 2021

Nigerian President Muhammadu Buhari on Tuesday replaced the country's top military commanders after months of political pressure over his response to worsening security.

Buhari, a former army general first elected in 2015, came to power vowing to tackle Nigeria's long jihadist insurgency in the northeast, but his armed forces have struggled to defeat the militants.

"President Muhammadu Buhari has accepted the immediate resignation of the service chiefs," a presidency statement said, referring to the chief of defence staff and the chiefs of the army, navy and air force.

The statement did not give any reasons for the overhaul of the top ranked commanders, but the army has suffered some recent blows and opposition leaders and even some Buhari allies have been pushing for his government to revamp the military command.

For more than a decade, Nigeria's military has battled an insurgency by the Islamist group Boko Haram that has devastated the northeast, killing at least 36,000 people and displacing more than two million.

The Islamic State in West Africa (ISWAP), a rival jihadist group that split from Boko Haram in 2016 and is backed by the Islamic State, has in recent years stepped up deadly attacks on military bases.

The country is also struggling with a widening conflict over land and resources between mainly Christian farmers and nomadic mostly Muslim herders in which thousands have died over the past years.

"I think the change will have impact on the ground," said Idayat Hassan, director of the Abuja-based Centre for Democracy and Development think tank, of the overhaul.

"The new chief of defence staff has been a boot on the ground for years."

Late last year, northeast Borno State Governor Babagana Zulum, a Buhari ally, openly criticised the army's response to violence after an increase in highway abductions in his state, the birthplace of Boko Haram.

"If the army cannot protect people travelling within a distance of only 20 kilometres, then I cannot foresee the capacity of the army ending this insurgency any time soon," he told reporters.

Since the start of the year, militants have killed at least 19 troops in a suicide attack and a separate ambush on a military convoy in the northeast.

In their latest major attack this month, ISWAP jihadists briefly captured a military base in Borno state after overnight clashes with troops.

Machine-gun wielding fighters attacked the base in the town of Marte in the Lake Chad area before the army recaptured it hours later.

ISWAP maintains camps on islands in Lake Chad -- where Nigeria, Niger, Cameroon and Chad meet -- and the area is known to be the group's bastion.

A week earlier jihadists attacked the Marte base but were repelled, prompting them to mobilise more fighters for the overnight raid.

The raid was seen as a show of force after recent militant losses -- troops overran ISWAP's second largest camp in Talala village, military sources said at the time.

Nigeria seeks UK's support over Boko Haram, ISWAP (PM News)

January 24, 2021

The Multinational Joint Task Force, MNJTF, says it is exploring areas of support from the United Kingdom in the fight against terrorism.

Chief of Military Public Information, Col. Muhammad Dole, announced this in a statement on Saturday.

Member countries of MNJTF, formed in 2015, are Benin, Cameroon, Chad, Niger, and Nigeria.

Boko Haram and ISWAP have been operating in the Lake Chad region.

The spokesman said the First Secretary Political for Lake Chad Basin, Dr. Katharine Brooks, and the Deputy Defence Advisor at the British High Commission in Nigeria, Lt.-Col. Bobby GilBrooks met in Maiduguri.

Dole noted that the meeting was geared towards exploring areas of interventions and efforts at degrading the terrorists.

The MNJTF commander gave the diplomats an insight on the operational capabilities, successes and challenges of the Joint Force.

He listed Civil-Military Cooperation (CIMIC), Information Operations as well as Counter Improvised Explosive Device (IED) capabilities as areas the West African nations needed support.

"A follow-up meeting was held in N'Djamena on Friday between the commander and the Commander, Operation TURUS and British Military Assistance Training Team West Africa, Col. Nick Abram.

"The UK Government had supported the MNJTF in 2015 through the provision of vehicles, rough terrain motorcycles, power generating set of different capacities, dental equipment and communication equipment, among other items," Dole added.

AU condemns continued Boko Haram attacks and abuses against innocent civilians (News Ghana)

January 24, 2021

The African Union (AU) Commission has condemned the continued attacks and abuses perpetrated by the Boko Haram terrorist group against innocent civilians.

The statement was made by the Peace and Security Council of the 55-member pan-African bloc on Saturday, which followed

the Council's recent meeting that dwelt upon the Report of the AU Commission Chairperson on the Multinational Joint Task Force (MNJTF) against the Boko Haram.

"The Council strongly condemns the continued attacks and abuses perpetrated by the Boko Haram terrorist group against innocent civilians which have resulted in the destruction of infrastructure and widespread population displacement and exacerbated the serious humanitarian crisis in the region, and warns that the perpetrators of these attacks shall be brought to justice," an AU statement issued on Saturday read.

It also expressed "deep concern, once again, over the continued use of Unmanned Aerial Vehicles (UAVs) within the MNJTF Area of Operation by Boko Haram in its reconnaissance operations."

The Council also requested the AU Commission, in coordination with the member states of Lake Chad Basin Region Countries (LCBC) plus Benin, to engage with partners and other relevant stakeholders to explore urgently the possibility of more effectively responding to this threat, as well as curtailing any other form of political, military and financial support to the Boko Haram terrorist group.

It also stressed the need for "full implementation of the Regional Strategy for the Stabilization, Recovery and Resilience of the Boko Haram-affected Areas of the Lake Chad Basin Region, including, as applicable, through the AU Post Conflict Reconstruction and Development Centre, with a view to ensure that development projects are promoted and implemented to alleviate the living conditions of the people in the region.

The Council also encouraged the countries concerned to implement the strategy at the national level. It also expressed deep concern over the humanitarian crisis in the affected areas in the Lake Chad Basin region, which has been accentuated by the effects of climate change and the COVID-19 pandemic.

The Council also appealed "to all AU member states and the international community to step up humanitarian support to the affected communities; in the same context." It also called on the member states of the LCBC plus Benin to provide the necessary support to the returnees and Internally Displaced Persons (IDPs), including protection to those who have surrendered from the Boko Haram terrorist group.

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Mali

Peacekeepers under attack again in Mali, as one Egyptian blue helmet dies, another seriously injured (United Nations News)

January 14, 2021

An explosive device (IED) detonated under a truck that was part of a logistics convoy from the UN Stabilization Mission in the country, MINUSMA, at around 3pm in the vicinity of Tessalit, in the Kidal region, said the mission.

"The Secretary-General expresses his deepest condolences to the bereaved family, as well as to the people and Government of Egypt", said the UN Spokesperson's office. "He wishes a speedy and full recovery to the injured peacekeeper."

The Malian Government has been seeking to restore stability and rebuild following a series of setbacks since early 2012 that fractured the country, including a failed coup d'état, renewed fighting between Government forces and Tuareg rebels, and the short-lived seizure of its northern territory by radical extremists.

The weakening of central institutions, loss of confidence in political actors and the rise of religious leaders demanding change, were among the factors leading up to a military coup last August, and only this week, the Security Council met to consider the transition towards fresh elections, where Mr. Annadif told ambassadors that it was "never too late to reach a minimum consensus on the essentials of peace and stability, because the future of Mali is at stake."

It has been a deadly week for those serving in what is the world's most dangerous peacekeeping operation. On Wednesday, four blue helmets from Côte d'Ivoire were killed when their convoy was struck by an IED, in the vast Timbuktu region of the restive northwest African nation.

A robust response by the peacekeepers forced the unidentified attackers to flee, and the wounded personnel were evacuated by helicopter, MINUSMA said in a news release.

Mr. Guterres emphasized in his message released on Saturday following the latest attack by unknown perpetrators that attacks against peacekeepers “may constitute a war crime. The United Nations will spare no efforts in supporting the Malian authorities in identifying and promptly bringing to justice the perpetrators of this heinous attack.”

He reaffirmed the UN’s solidarity with the people and Government of Mali.

In a press release issued by MINUSMA on Saturday, mission head Mahamat Saleh Annadif said he had “learned with dismay of the explosive device attack”, reporting that the Egyptian peacekeeper had succumbed to his injuries during his medical evacuation. “The second is currently receiving appropriate care”, he said adding that while securing the site, “another explosive device was detected and then neutralized near the site of the explosion.

UN Special Representative Annadif said he condemned any militant operation aimed at “paralyzing MINUSMA operations on the ground and indiscriminately affecting the personnel of the United Nations, its partners, or innocent civilians.”

He paid tribute to the Egyptian peacekeeper, noting that he had “died for peace in Mali in the accomplishment of his mission” and offered condolences to Egypt, his family, and brothers in arms. He assured all serving in MINUSMA of his full support, “in this painful ordeal.”

He also wished the injured blue helmet a speedy and complete recovery.

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Liberia

Liberia: Trial of former RUF Commander Set to Begin before Finnish Court (Front Page Africa)
January 26, 2021

The trial of Sierra Leonean national and Tampere resident, Gibril Massaquoi, will begin on 1st February 2021 before the Pirkanmaa District Court in Finland, and is expected to last for several months. This follows today’s indictment of Massaquoi by the Office of the Prosecutor on charges of aggravated war crimes, aggravated crimes against humanity and murders – which he allegedly committed not in his home country, Sierra Leone, but in neighbouring Liberia.

Massaquoi’s indictment comes shortly after the Finnish National Bureau of Investigation (NBI) concluded its pre-trial investigation of crimes allegedly committed by Massaquoi between 1999 and 2003. During the course of the trial, a significant number of victims and witnesses of Massaquoi’s alleged crimes, as well as defense witnesses, are expected to testify. Concurrent to Massaquoi’s trial – for three weeks from 15th February – the trial of Alieu Kosiah will resume in Bellinzona, Switzerland, after it commenced in December 2020. Liberian alleged victims, as well as witnesses, are expected to testify in Switzerland.

With these two trials, the efforts to obtain justice for the hundreds of thousands of forgotten victims of the Liberian civil wars continue to gain strength in front of national courts all over the world, after the trials and convictions of Jungle Jabbah in 2017 and Thomas Woewiyu in 2018, both in Philadelphia, U.S.

Massaquoi has been under formal investigation by the NBI since autumn 2018, after Civitas Maxima and its sister organization in Monrovia, the GJRP, submitted information regarding his alleged involvement in mass atrocities in Liberia to the Finnish authorities. Massaquoi has been in pre-trial detention since his arrest in Tampere, Finland, on 10 March 2020. This case has involved extensive investigations in Liberia and Sierra Leone since early 2019, with the cooperation and support of the Liberian and Sierra Leonean authorities.

Civitas Maxima and the GJRP applaud the Liberian and Sierra Leonean authorities’ support of this case, and the Finnish authorities for their extensive but timely investigation on the ground.

Massaquoi held leading positions within the Revolutionary United Front (RUF) during the Sierra Leonian Civil War (1991-2002) – as Lieutenant-Colonel and spokesman of the rebel group. The civil war in Sierra Leone was closely connected to the two civil wars in Liberia, as Charles Taylor (former President of Liberia and founder of the National Patriotic Front of Liberia (NPFL) rebel group) supported and worked with the RUF throughout the conflicts. Taylor was convicted by the Special Court for Sierra Leone (SCSL) in 2012 for aiding, abetting, and planning the commission of war crimes and crimes against humanity in Sierra Leone by the RUF. Massaquoi was not prosecuted before the SCSL due to his collaboration as an insider witness.

Despite the Final Report of the Liberian Truth and Reconciliation Commission (TRC) issued in June 2009 – which recommended criminal prosecutions and the establishment of a Specialized Tribunal for war crimes committed in Liberia – nobody has ever been prosecuted or tried in Liberia for crimes committed during the wars. The two back-to-back conflicts (1989-1997 & 1999-2003) left more than 250,000 dead and hundreds of thousands of refugees.

We will publish on our website and social media channels daily monitoring of the trial, which will be undertaken in collaboration with a team of partners, including local monitors where the hearings will be conducted, and remote monitors in Europe and the U.S. This will allow people across the world to follow the trial beyond the courtroom walls.

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EAST AFRICA

Uganda

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

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Kenya

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

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

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Somalia

In Somalia, mothers fear sons were sent to Ethiopia conflict (Associated Press) By Hassan Barise
January 22, 2021

Pressure is growing on Somalia's government amid allegations that Somali soldiers have been sent to fight in neighboring Ethiopia's deadly Tigray conflict.

Mothers have held rare protests in Somalia's capital, Mogadishu, and elsewhere, demanding to know the fate of their children who originally were sent to Eritrea for military training. They fear their children have been deployed to the Tigray region, where Ethiopian forces have been fighting Tigray ones since November in a conflict that threatens to destabilize the Horn of Africa.

"I heard that our children who were sent to Eritrea for military training have been taken and their responsibility was turned over to (Ethiopian Prime Minister) Abiy Ahmed to fight for him," Fatuma Moallim Abdulle, the mother of 20-year-old soldier Ahmed Ibrahim Jumaleh, told The Associated Press.

"According to the information I gathered, our children were taken straight to Mekele city," the capital of the Tigray region, she said. "You may understand how I feel, I am a mother who carried her child for nine months in my belly, that's my blood and flesh."

Ethiopia this week denied reports of the presence of Somali soldiers in Tigray, and it continued to deny the presence of Eritrean ones.

Abiy made peace with neighboring Eritrea in 2018, for which he was awarded the Nobel Peace Prize. Now critics say Ethiopian and Eritrean forces have teamed up in the conflict against a common enemy in the now-fugitive Tigray leaders, who dominated Ethiopia's government for nearly three decades before Abiy took office and embarked on around of regional peacemaking that included Somalia.

Somalia President Abdullahi Mohamed Abdullahi has been asked by the head of the country's parliamentary committee on foreign affairs, Abdulqadir Ossoble Ali, to investigate allegations of participation in the Tigray conflict.

"We have the oversight right to check what our government is doing," Ali wrote in the letter distributed to media outlets.

And the former deputy director for Somalia's intelligence agency, Ismael Dahir Osman, has said "it is a question worth asking why these soldiers are not yet back home after more than a year when their training would have concluded long ago."

Somalia's information minister, Osman Abokor Dubbe, this week denied the "propaganda" that Somali soldiers who had been outside the country for training have been involved in the Tigray conflict.

"There are no Somali troops requested by the Ethiopian government to fight for them and fight in Tigray," he said.

The issue has emerged at a sensitive time in Somalia. The country is set to hold national elections in the coming weeks, but two federal states have refused to participate and the opposition accuses the president of trying to push ahead with a partial vote.

"The parents of those children keep calling us and they don't have any contact with their children, and some of them were told that their boys have died," one opposition presidential candidate, Abdurahman Abdishakur Warsame, told the AP. "According to the information we're receiving, those boys were taken to the war in northern Ethiopia. We're calling for an independent national commission to investigate the matter, and if it is proven to be true, it will amount to treason of national scale."

US airstrikes in Somalia continue at rapid pace even after force relocation (MilitaryTimes) By Harm Venhhuizen
January 27, 2021

Airstrikes targeting terrorists in Somalia have continued at a rapid pace since troops were relocated from the country earlier this month.

AFRICOM has conducted three airstrikes against al-Shabab compounds and key leaders in Somalia since Jan. 15, an estimated 700 troops withdrew from the country on orders from former President Donald Trump.

The command has conducted a total of six airstrikes since the new year began, according to an AFRICOM spokesman as of

Jan. 24.

“Al-Shabaab remains a threat to the U.S. and a dangerous enemy,” said Air Force Col. Chris Karns. “...While al-Shabaab is unable to attack the U.S. homeland today, their ambition to do so in the future remains.”

At current rates, 2021 is on course to surpass the number of airstrikes conducted in Somalia in previous years.

AFRICOM conducted 52 airstrikes in 2020, 63 in 2019, 47 in 2018, and 35 in 2017, according to Karns.

An airstrike destroyed an al-Shabab compound near Tiyeeglow, Somalia on Jan. 18, and two more strikes killed three al-Shabab operatives the following day near Jamaame and Deb Scinnele, according to AFRICOM press releases.

“These strikes targeted known al-Shabaab leaders involved in IED facilitation, fighter training, and attack planning,” Air Force Maj. Gen. Dagvin Anderson, Joint Task Force-Quartz commander, said of the Jan. 19 strikes. “Striking these leaders disrupts al-Shabaab’s ability to attack our partners and indiscriminately kill innocent civilians with improvised explosive devices.”

JTF-Quartz was created in December 2020 to oversee the relocation of U.S. troops in Somalia to other bases in East Africa and promised to maintain pressure on al-Shabab while doing so.

AFRICOM successfully completed the relocation just a few days prior to the Jan. 15 deadline set by President Trump, according to Karns.

When asked how relocations will affect future operations against al-Shabab, Karns stated that adjustments will occur to the way operations are conducted, but pressure on the terrorist organization’s network will not let up.

The more than 200 airstrikes conducted against al-Shabab to date have served to kill enemy fighters and key leaders, disrupt their ability to plan and carry out attacks, prevent movement and communications, and impacted their ability to create safe havens, Karns said.

U.S. airstrikes have also prevented the terrorist organization from conducting operations outside Somalia’s borders, he added.

Al-Shabab is an affiliate of al-Qaida and the group’s “largest and most kinetically active branch,” Karns told Military Times.

When conducting airstrikes, AFRICOM takes tremendous care to avoid collateral damage and civilian casualties, the spokesman said.

AFRICOM currently assesses that five civilians have been killed and eight injured due to U.S. airstrikes in Somalia since 2017.

Officials are reviewing three more reports of civilian casualties to assess their accuracy.

AFRICOM has publicly released quarterly reports on civilian casualties as a result of U.S. airstrikes in Somalia since April 2020, but the command’s first substantiated instance of civilian casualties dates back to April 2018.

“Our kinetic operations in Africa follow a strict, disciplined, and precise process. Nobody is more devoted to the preservation of innocent life than the U.S. military, and our actions and processes reflect that fact,” said Army Gen. Stephen Townsend, commander of AFRICOM, when the command released its first civilian casualty report.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosnian Muslim ex-commander jailed 10 years over war crimes by Islamist fighters (Reuters) By

Daria Sito-Sucic
January 22, 2021

Bosnia's war crimes court on Friday jailed Bosnian Muslim wartime commander Sakib Mahmuljin for 10 years for failing to prevent or punish atrocities against Serb prisoners by foreign Islamists who fought in the 1990s conflict.

Hundreds of Islamist fighters, or "mujahideen", came from North Africa and the Middle East to help the mainly Muslim Bosnian government forces fight separatist Orthodox Serbs and Catholic Croats during the war, in which 100,000 people died.

Mahmuljin, 68, was convicted in a five-year-long trial of failing to prevent or punish killings and inhumane treatment of Serb prisoners of war, some of whom were wounded or ill, and some Serb civilians, the Sarajevo court said.

In its verdict, the court said it determined that foreign Islamists murdered 53 Serb prisoners of war from July to October 1995, towards the end of the war. During this period, they tortured some prisoners and decapitated one of them, it said.

Mahmuljin, who commanded the Bosnian army's 3rd Corps, may appeal the verdict. The court was set up in 2005 to ease the burden of cases taken by the United Nations war crimes tribunal in The Hague.

The war erupted when Bosnian Serbs, rejecting the proclamation of independence of Bosnia from Serbian-led federal Yugoslavia, attacked cities and villages across the country in a bid to carve out territory for an exclusive Serb state.

The U.S.-sponsored Dayton peace agreement ended the conflict in December 1995 by splitting Bosnia into two largely autonomous regions along ethnic lines.

After the war ended, foreign Islamists were ordered to leave Bosnia under U.S. pressure and most did, including those who married local women but then had their citizenship revoked.

Bosnian Court Rejects Indictment of Bosnian Serb Army Officers (Balkan Transitional Justice) By

Emina Dizdarevic
January 20, 2021

The Bosnian state court has refused to confirm the prosecution's indictment charging Radomir Nedic, the wartime commander of the Bosnian Serb Army's First Majevisa Brigade, and Ratko Djurkovic, the commander of the First Battalion of the First Majevisa Brigade, with having command responsibility for crimes against humanity and war crimes.

Judge Lejla Konjic-Dragovic said in the decision rejecting the indictment, which the state court provided to BIRN, that the charges and the evidence do not meet "the required level of suspicion" to suggest that the suspects may have committed the crimes.

The prosecution alleged that during an attack on the village of Tursunovo Brdo in the Ugljevik municipality in July 1992, Bosnian Serb Army troops subordinate to the two men killed four Bosniak civilians, including two women aged over 60.

It alleged that Nedic and Djurkovic were present at the crime scene, managed the operation, were informed about the crime but failed to undertake measures to identify and punish the perpetrators.

It is further alleged that troops subordinate to Nedic and Djurkovic killed two prisoners of war.

But the state court said on the basis of the evidence, it could not be established whether members of either brigade committed the crimes in Tursunovo Brdo.

"Also, on the basis of the evidence provided, it cannot be determined that suspects Nedic and Djurkovic were superior to all the units which were listed that participated in the attack on Tursunovo Brdo," it added, bringing into question whether they could be proven to have had command responsibility over the troops.

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International Criminal Tribunal for the Former Yugoslavia (ICTY)

Official Website of the ICTY

Domestic Prosecutions In The Former Yugoslavia

Croatia Charges 73-Year-Old Ex-Fighter with War Crime (Balkan Transitional Justice) By Anja Vladisavljevic
January 20, 2021

Croatian police said on Tuesday that they have filed a criminal charge accusing an unnamed 73-year-old Croatian citizen of committing a war crime by killing a civilian in the village of Darda in eastern Croatia in March 1992.

“A criminal investigation established that in March 1992, a 73-year-old man, as a member of the Territorial Defence [force] of Darda, took advantage of the circumstances of the war and the temporary occupation of Darda, and shot and killed a civilian, a Croatian citizen who was 53, in the street in Darda,” police reported.

During the 1991-95 war in Croatia, Darda was incorporated into a self-proclaimed Serb-run rebel statelet called the Republic of Serbian Krajina. The area was handed over to United Nations control after the conflict ended and finally reintegrated into Croatia in January 1998.

According to the police, the suspect is currently unavailable to the Croatian authorities, suggesting that he lives outside the country.

Croatia Charges Ex-Prison Guards with Abusing Wartime Detainees (Balkan Transitional Justice) By Anja Vladisavljevic
January 27, 2021

Croatian police said on Wednesday that they have charged four unnamed Croatian citizens with committing war crimes against civilians and prisoners of war in Dalj, a village in eastern Croatia, some 20 kilometres from the wartime flashpoint town of Vukovar.

The four men, aged 52, 61, 65 and 70, are suspected of contravening the Geneva Conventions on the protection of civilians and the treatment of prisoners in time of war.

Police said that “as prison guards in the period from October 1991 to June 1992, they held six Croatian civilians and illegally detained eight Croatian soldiers in Dalj”.

“During this time, they severely physically and mentally abused the detainees, causing them intense suffering and pain,” a police statement said.

On August 1, 1991, Yugoslav People’s Army, together with paramilitary volunteers from Serbia, attacked and took control over Dalj, which was then an ethnically-mixed village.

After the nearby town of Vukovar fell in November 1991, the non-Serb population was expelled, and a number of prisoners of war and civilians were deported to jails and detention camps in Serbia, while more than 200 people were executed at the nearby Ovcara Farm and in other places like Dalj.

Vukovar and surrounding villages, including Dalj, were incorporated into a self-proclaimed Serb-run rebel statelet called the Republic of Serbian Krajina. The area was finally reintegrated into Croatia in January 1998.

During the war, some buildings in Dalj were used as detention facilities, mostly for non-Serb prisoners.

Of the four suspects charged by the police, one suspect is currently unavailable to the Croatian authorities.

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Turkey

Three years after Turkey's attack on Afrin, Syrian Kurds call for UN investigation (Kurdistan 24) By Wladimir van Wilgenburg
January 20, 2021

Three years after Turkey's cross-border attack on the northwestern Syrian city of Afrin, the Kurdish-led Syrian Democratic Council (SDC) has called on the United Nations and the UN Security Council to ramp up its ongoing investigation into human rights violations and war crimes in the majority-Kurdish area.

"We call on the United Nations and the Security Council to form specialized committees to investigate facts and the crimes that were committed by Turkey and its mercenaries in Afrin, and also to bring them to justice and hold them accountable," the SDC said in a statement to mark the third anniversary of the Turkish operation.

Three years have passed since Turkey and Turkish-backed groups launched the "Operation Olive Branch" on Jan. 21, 2018, resulting in Ankara's control of the region amid widespread accusations of war crimes, including intentional ethnic cleansing, kidnapping for ransom, and gender-based violence (GBV).

In a report published in March, the UN Commission of Inquiry on Syria found that there are reasonable grounds to believe that Turkish-backed groups "perpetrated the war crime of murder and repeatedly committed the war crime of pillaging, further seriously contravening the right to enjoyment of possessions and property."

The UN body concluded that "if any armed group members were shown to be acting under the effective command and control of Turkish forces, these violations may entail criminal responsibility for such [Turkish] commanders who knew."

After Turkey occupied Afrin, it settled thousands of Syrian Arabs there who had been displaced from other areas in the country by offensives conducted by the regime of Bashar al-Assad. This significantly altered the demography of Afrin.

According to a report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) published in June 2018, permitting ethnic Arabs to occupy houses of Kurds may be an intentional attempt to change the ethnic composition of the area permanently.

Meanwhile, thousands of Kurds from the city remain displaced from their homes against their will, living in dire conditions in camps in northern Aleppo during the winter with a lack of humanitarian support. Hundreds of them marched on Wednesday in the cold to protest the Turkish attack.

"It is the third anniversary that the people of Afrin are still looking forward to go back to their homes in Afrin," Sinam Mohamed, representative of the Syrian Democratic Council (SDC) in Washington and Afrin native, told Kurdistan 24 on Wednesday.

"I would like to ask the international community to work on ending the crisis in Syria in general and Afrin in particular so that our people will be able to live in dignity and freedom. I call on the new US Administration to end the Turkish occupation of Afrin and to end the human rights violations that are still committed by the groups affiliated by Turkey," she added.

The SDC in their statement also held the Syrian regime and Russia "responsible for Turkey's occupation of Afrin."

Russia allowed Turkey's invasion of the Afrin region of Syrian Kurdistan (Rojava) after local Kurdish officials and forces refused to hand it over to Damascus.

European Parliament condemns war crimes against Armenians, says those should not go unpunished – MFA (Public Radio of Armenia) By Siranush Ghazanchyan
January 22, 2021

The European Parliament not only condemns war crimes against Armenians, but also stresses that these crimes should not go unpunished, Spokesperson for the Armenian Ministry of Foreign Affairs Anna Naghdalyan says.

The comments come in the wake of adoption by the European Parliament of the annual report-resolutions on the “Common Foreign and Security Policy (CFSP)” and the “Common Security and Defense Policy (CSDP)”, which also include provisions on the Nagorno-Karabakh conflict and Turkey’s role. “There are a number of important provisions enshrined in the report-resolutions adopted by the European Parliament, which are related to the Azerbaijani aggression against Artsakh and Turkey’s involvement in it, the committed war crimes, as well as the steps to be undertaken to eliminate the consequences of the aggression, especially to address humanitarian issues,” Naghdalyan said in comments to Armenpress. She particularly emphasized that the European Parliament not only condemned the war crimes, including the targeting of civilian population and infrastructure, places of worship, but also stressed that these crimes should not remain unpunished. “We agree with the European Parliament’s call for Turkey to refrain from any intervention in the Nagorno-Karabakh conflict, including offering military support to Azerbaijan, and to desist from its destabilizing actions. In this context, it is especially important that the European Parliament has also condemned the fact that Turkey transferred foreign terrorist fighters from Syria and elsewhere to the Nagorno-Karabakh conflict zone,” the Spokesperson added. She emphasized the position of the European Parliament on humanitarian issues, particularly regarding the immediate repatriation of prisoners of war. “It should be noted that the issues of security of the people of Artsakh, protection of historical-cultural and religious heritage were properly highlighted in the resolution. It is crucial that the European Parliament expressed its position of providing unhindered humanitarian assistance to Artsakh,” Naghdalyan noted. “We emphasize the importance of the efforts of international community, in the form of such resolutions, to contribute to the elimination of the causes and consequences of the war, which in accordance to the resolution, supposes the lasting settlement of the Nagorno-Karabakh conflict within the framework of the OSCE Minsk Group Co-Chairs and the determination of the future legal status of Artsakh on the basis of the Basic Principles proposed by the Co-Chairs. As it was once again emphasized by this respective international body, right of the people of Artsakh to self-determination and security is at the basis of the Nagorno-Karabakh conflict,” the Spokesperson said.

NGO report accuses Turkey, Azerbaijan of genocidal intent in Nagorno-Karabakh offensive (Christian Post) By Jackson Elliott

January 24, 2021

A new report by International Christian Concern accuses Muslim-majority Turkey and Azerbaijan of having an intent to commit “genocide” when they launched a weeks-long military offensive in an ethnic Armenian territory last year.

The report asserts that the conflict over Nagorno-Karabakh (known as the Republic of Artsakh in Armenia), which lasted from September until November 2020, had strong religious freedom concerns that should alarm human rights advocates and governments worldwide.

According to ICC, Turkey and Azerbaijan destroyed churches and other religious sites, abused prisoners of war and hired known extremists, including members of the Islamic State, as mercenaries to help regain control of Nagorno-Karabakh.

The disputed territory is internationally recognized as part of Azerbaijan but has been controlled by ethnic Armenians for decades.

“Chatter on the Syrian side showed that they were being recruited using jihad terminology against Christians,” the ICC reports of the mercenaries.

“For example, AsiaNews quoted a source from Syria who explained that they were going to fight alongside Azerbaijan ‘because it is part of the Jihad; it is a holy war of Muslims against Christians.’ Syrian mercenaries reported that they were offered monetary bonuses based on different actions, such as beheading Christians.”

According to the report, one of the more pressing humanitarian issues that have emerged from the offensive is Azerbaijan’s treatment of Armenian Christian prisoners of war, “both military and civilian.”

“Rationalization and justification tactics have been displayed throughout this entire process concerning the POWs,” ICC notes.

Videos have emerged showing how captors have dismantled prisoners’ “sense of identity and choice.”

“They are not simply taunted or beaten. Their captors use their power for control and coercion in a manner which reinforces the narrative used to justify the war,” the report reads, adding that ICC viewed one video showing the treatment of three Armenian men dressed as civilians.

“One lies on the ground, presumably deceased. While the other looks on, the captors beat one demanding that he affirms their belief that Karabakh is Azerbaijani,” ICC reports. “He eventually does for the camera. Given the nature of Pan-Turkism, what he is being asked is more than a question of nationality. He is being asked to ignore every aspect of his identity, including his faith.”

Videos widely shared on social messaging platforms show Azerbaijani soldiers beheading two Armenian civilians who were reported to be non-combatants. Those videos were among several others that have emerged depicting shocking atrocities committed by Azerbaijani soldiers against civilians and prisoners.

These crimes implicate Turkey because the Turks trained these soldiers, International Christian Concern contends.

“Indeed, many of the footage of war crimes committed during the conflict show troops wearing the dual patches of Azerbaijan and Turkey, making it hard to distinguish the actual nationality of the perpetrator,” the report explains.

“As an impression management tactic, this makes accountability challenging by redefining the concept of state while also making clear that whatever this redefined concept of state means, that is who is responsible for initiating the war. Blurring the definition so profoundly reduces the ability for accountability.”

In places the Turks and Azerbaijanis invaded, they destroyed churches and ancient Christian crosses called “khachkars,” the report said. Video evidence shows the destruction was intended. ICC accused the two governments of holding “Karabakh’s Christian cultural sites hostage.”

“Khachkars are often centuries old, are individually and uniquely crafted, and tell the story of Christianity in that specific location,” ICC stressed. “Destroying a church prevents corporate worship. Destroying a khachkar erases Christian history.”

For many ethnic Turks in Azerbaijan and Turkey, being Turkish means being Islamic, according to the report.

As they attempted to destroy evidence of Christian history, Turks and Azerbaijanis emphasized their own history, the report added. Both Turks and Azerbaijanis trace their heritage back to the Ottoman Empire, and Turkey’s Prime Minister Recep Tayyip Erdogan refers to the countries as “one nation, two states.”

Azerbaijan and Turkey were both parts of the Ottoman Empire, which committed the 1915 Armenian genocide. Both nations still argue the murder of 1.5 million Armenians by the Ottoman government wasn’t genocide.

Erdogan triumphantly invoked the names of leaders involved in the Armenian genocide in a speech delivered after military victories against Armenia.

“Today, may the souls of Nuri Pasha, Enver Pasha, and the brave soldiers of the Caucasus Islam Army be happy,” he stated, according to the Armenian Mirror-Spectator.

Enver Pasha was the Ottoman Minister of War during the genocide, and Nuri Pasha led troops in the Caucasus that were responsible for carrying out the genocide against the Armenians.

“Our iron fist embodies both our unity and strength. That iron fist broke the enemy’s spine and crushed the enemy’s head. If Armenian fascism ever raises its head again, the result will be the same. Again, Azerbaijan’s iron fist will break their back,” said Azerbaijani President Ilham Aliyev at the same event, according to The Mirror-Spectator.

To hide violence against Armenians, Turkish and Azerbaijani national media distorted the truth, ICC’s report alleges.

Media outlets claimed that there was no historical Christian presence in the Nagorno-Karabakh region and that the region originally belonged to non-Armenian people. The Turkish and Azerbaijani state used these claims to justify their offensive.

“The first narrative denies the historic presence of Christianity in Karabakh. The second narrative redefines it, not as Armenian, but as originally belonging to either the ethnic Udi or Albanian communities,” the ICC report summarizes.

“In regards to the second, it is noteworthy that at these Christian sites, it is the Armenian language which is written and often engraved onto the stone. Both narratives share in common that they are meant to dismantle and discredit attempts at framing this war within religious freedom terminology. It also sends the subtler message that they will tolerate Christianity only on very specific terms.”

ICC concludes that the world should take note that the “strategic planning by Turkey and Azerbaijan show an intent of mass extermination, thereby genocide, of Karabakh’s Armenian residents because of their combined faith and ethnic identity.”

“Azerbaijan has made it clear that though they want territorial ownership over Artsakh, they do not want a caretaker role over the residents who live there unless those people validate a particular identity,” the report concluded.

“Both Azerbaijan and Turkey have made it clear these actions are taken because of a Pan-Turkic ideology that prefers conformity to Islam, with some exception for very specific versions of Christianity. These two countries have pursued their actions in a way which elevates and echoes the 1915 genocide of ethnic Christians.”

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Kosovo Specialist Chambers

Kosovo MP Candidate Summoned by Hague Prosecutors (Balkan Insight) By Egzon Dahsyla
January 20, 2021

Nezir Cocaj, an MP who is running for re-election in next month's parliamentary polls, was called for questioning by the Specialist Prosecutor's Office in The Hague, which is probing wartime and post-war crimes.

The Kosovo Liberation Army War Veterans' Organisation branch in the town of Has said on Tuesday evening that former guerrilla Nezir Cocaj, who is running for re-election as an MP next month, has been called for questioning by the Specialist Prosecutor's Office in The Hague.

It said in a statement that Cocaj, a candidate representing the Democratic Party of Kosovo at the parliamentary elections on February 14, will go to be interviewed in the coming days. It is still unknown whether he was summoned as a witness or as a suspect.

“The KLA War Veterans Organisation's branch in Has strongly supports Cocaj, his contribution to the establishment of the KLA and the discipline that Cocaj showed during the liberation of Kosovo,” it added.

The Specialist Prosecutor's Office is investigating former KLA guerrillas for crimes allegedly committed during and just after the Kosovo war from 1998 to 2000.

Those who are charged will face trial at the Kosovo Specialist Chambers in The Hague.

The so-called 'special court' is part of Kosovo's justice system but is widely resented by Kosovo Albanians who see it as an insult to the KLA's war for liberation from Serbian rule. It was set up under pressure from Kosovo's Western allies.

Suspects currently awaiting trial for wartime crimes include Kosovo's former President Hashim Thaci and former Democratic Party of Kosovo leader Kadri Veseli, alongside two other guerrillas turned politicians, Jakup Krasniqi and Rexhep Selimi. They have all pleaded not guilty.

Kosovo Ambassador to Skopje Contacted by The Hague (Exit News) By Die Morina van Uijtrecht
January 23, 2021

The Ambassador of Kosovo to Skopje, Gjergj Dedaj has been contacted by The Hague- based Specialist Prosecutor's Office on Friday evening.

“On Friday, January 22, 2021, in the late hours, I was contacted by the prosecutor of the Special Court in The Hague, by phone! The purpose of this call, according to them, was to notify me with the appointment of the prosecutor of the case, as they told me, without specifying what the case is about,” Dedaj wrote on Facebook.

Dedaj said that among others, he was asked by the prosecutor if he had received any threats or concerns.

“I informed them that our biggest concern, for 22 years now, is the failure to uncover Serbian crime against dozens of members of my family, as well as the failure to uncover the massacre of Meja of Gjakova, where Serbian forces on April 27, 1999, brutally killed over 380 innocent Albanian civilians, although no one was arrested by Serbs, for this massacre against humanity!” Dedaj wrote.

Dedaj said he is ready, “despite the will” to answer the Specialist Chambers and testify “the just, epic liberation war” of the Kosovo Liberation Army (KLA).

In July 2020, Dedaj told Kosovo's public broadcaster that he had already testified about a former disagreement he had with the KLA.

"I have been questioned as a witness [already]," Dedaj told then Kosovo's public broadcaster, RTK, adding, "I told them I am always ready because both Kosovo and the KLA are clean".

SPO is investigating war crimes allegedly committed by KLA members during wartime, 1998- 2000.

KLA senior officials have been indicted so far. Among others, former President Hashim Thaci, former parliament speakers Jakup Krasniqi and Kadri Veseli and former Vetevendojë MP Rexhep Selimi are facing war crimes charges while being held in detention facilities in The Hague.

The Kosovo war crimes court, composed of the Specialist Chambers and the Specialist Prosecutor's Office in The Hague, was established by the Kosovo parliament at the insistence of the international community in August 2015.

It followed a 2011 Council of Europe report in which Swiss Senator Dick Marty addresses the alleged crimes of "members of the Kosovo Liberation Army against ethnic minorities and political rivals" from January 1998 until December 2000.

Kosovo Court in The Hague Denies Former KLA Official's Interim Release (Exit News) January 24, 2021

The Kosovo Specialist Chambers (KSC) in The Hague have denied former Kosovo Liberation Army (KLA) official Kadri Veseli's request for interim release.

In his ruling of Friday, Pre-Trial Judge Nicolas Guillou concluded that there is a risk that Veseli will flee justice if released, obstruct the progress of judicial proceedings against him or commit crimes against witnesses.

The judge recognized but found defense's arguments not enough for Veseli's release: he has been cooperative with the KSC, supported its establishment, offered to surrender, called for cooperation with the court, and called against interference with witnesses.

The judge recalled in his decision that charges against Veseli show the prospect of a lengthy, potentially life-long sentence, hence the rejection of his request for interim release.

Hague Judge Extends Detention for Kosovo Ex-Commander (Balkan Insight) By Kastriot Berisha
January 26, 2021

Salih Mustafa, a former Kosovo Liberation Army commander accused of committing war crimes, must remain in detention after a judge said he could interfere with witnesses or escape.

A judge at the Hague-based Kosovo Specialist Chambers, which was set up to try former Kosovo Liberation Army, KLA guerrillas for wartime and post-war crimes, ruled on Monday that Salih Mustafa must remain in custody in the Netherlands.

Turning down a defence request for Mustafa's release, judge Nicolas Guillou said there was still a risk that he might abscond.

The judge said that the recent disclosure of prosecution evidence to the defence "increases the incentive for Mr Mustafa to flee as it elucidates the seriousness of the charges and makes more concrete the possibility of conviction and the possible imposition of a lengthy sentence".

He also cited Mustafa's "links to the Kosovo intelligence apparatus with resultant access to information and resources, and ability to travel freely to countries not requiring a visa" as reasons why he could abscond.

Guillou expressed concern that Mustafa could interfere with witnesses, given his knowledge of the evidence.

He explained that "the limited temporal and geographical scope of the case would facilitate the process of identifying and interfering with the victims and witnesses, especially for an experienced intelligence officer such as Mr Mustafa".

He said there is also a risk that Mustafa might commit further crimes, because in June 1999 he publicly boasted at a press conference about the execution of Serbs.

Mustafa, known during the war as Commander Cali, was arrested in Kosovo in September 2020 and has been held in

custody since then.

He is accused of murder, torture and inhumane treatment.

According to the indictment, Mustafa, together with other members of the KLA, known by the nicknames 'Tabuti', 'Ilmi Vela', 'Bimi', 'Dardani' and 'Afrimi', illegally detained at least six people at a compound in the village of Zllash/Zlas in April 1999 during the Kosovo war.

The prisoners were locked in a stable and subjected to cruel treatment and torture in order to obtain information or statements, the indictment claims.

It also charges Mustafa with involvement in the murder of one of the detainees, claiming he was at the compound in Zllash/Zlas when members of the KLA beat and killed the prisoner.

Mustafa pleaded not guilty at his first court appearance in October.

The Specialist Chambers were set up to try crimes allegedly committed during and just after the Kosovo war from 1998 to 2000. They are part of Kosovo's judicial system but located in the Netherlands and staffed by internationals.

They were set up under pressure from Kosovo's Western allies, who feared that Kosovo's justice system was not robust enough to try KLA cases and protect witnesses from interference.

But the so-called 'special court' is widely resented by Kosovo Albanians who see it as an insult to the KLA's war for liberation from Serbian rule.

Azerbaijan

Armenian FM's letter to UN chief on Azerbaijani war crimes circulated as official UN document (Public Radio of Armenia) By Siranush Ghazanchyan

January 21, 2021

The letter of Armenia's Foreign Minister Ara Aivazian regarding Azerbaijan's violations of international humanitarian law in the aftermath of the large-scale military offensive against Artsakh is circulated as document of UN General Assembly and Security Council, Spokesperson for the Ministry of Foreign Affairs Anna Naghdalyan informs.

In a letter to UN Secretary General Antonio Guterres, the Foreign Minister comprehensively presented the situation over the Nagorno-Karabakh conflict following the large-scale military aggression launched by Azerbaijan on September 27, 2020.

The Minister noted that amid the unprecedented global health crisis, the violation of the decades-long ceasefire in the region has led to numerous casualties, large-scale ethnic cleansing of the indigenous people of Artsakh, deliberate destruction, desecration and vandalism of the Armenian religious and cultural monuments.

In the letter, the Foreign Minister of Armenia touched upon the cases of violations of the November 9 trilateral statement's provisions by Azerbaijan, noting that more than a month after the ceasefire was established, Azerbaijan carried out military operations in Hin Tagher and Khtsaberd villages in Hadrut region of Artsakh. It was noted that during the military attack, the Azerbaijani armed forces captured 64 Armenian servicemen, violating Azerbaijan's commitments to maintain the ceasefire established by the trilateral statement.

The Foreign Minister emphasized the incomplete implementation of the Article 8 of the trilateral statement, which mandates the "exchange of prisoners of war, hostages, and other detained persons and bodies of the dead." He stressed that Azerbaijan, in fact, refuses to implement its commitment which is a blatant violation of international humanitarian law.

Minister Aivazian drew the attention of the UN Secretary General to the reluctance of Azerbaijan regarding the cooperation with international organizations in cultural heritage protection. "Lasting and sustainable peace in the region could be achieved only through the comprehensive resolution of the conflict that will include the status of Nagorno-Karabakh based on the realization of the right of self-determination of the people of Artsakh", - concluded the Foreign

Yerevan, Stepanakert Welcome European Parliament's Condemnation of Azerbaijan (Asbarez)

January 22, 2021

The foreign ministries of Armenia and Artsakh on Friday separately welcomed the European Parliament's condemnation of Azerbaijan for war crimes and Turkey for its role in aiding Baku in its aggression against Artsakh by, among other things, deploying Islamic jihadists to the war zone.

The two offices also welcomed the European Parliaments commitment to address the humanitarian crisis that has developed because of the war, including its insistence that POWs be returned to Armenia.

“There are a number of important provisions enshrined in the report-resolutions adopted by the European Parliament, which are related to the Azerbaijani aggression against Artsakh and Turkey's involvement in it, the committed war crimes, as well as the steps to be undertaken to eliminate the consequences of the aggression, especially to address humanitarian issues,” said Anna Naghdalyan, the spokesperson of Armenia's Foreign Ministry on Friday in response to a reporter's question.

“We particularly emphasize that the European Parliament not only condemned the war crimes, including the targeting of civilian population and infrastructure, places of worship, but also stressed that these crimes should not remain unpunished. We agree with the European Parliament's call for Turkey to refrain from any intervention in the Nagorno-Karabakh conflict, including offering military support to Azerbaijan, and to desist from its destabilizing actions. In this context, it is especially important that the European Parliament has also condemned the fact that Turkey transferred foreign terrorist fighters from Syria and elsewhere to the Nagorno-Karabakh conflict zone,” added Naghdalyan.

The spokesperson hailed the European Parliament's efforts to advance humanitarian assistance, emphasize the need to return POWs and protect Armenian cultural sites from destruction.

“We would like to stress the importance of the efforts of international community, in the form of such resolutions, to contribute to the elimination of the causes and consequences of the war, which in accordance to the resolution, supposes the lasting settlement of the Nagorno-Karabakh conflict within the framework of the OSCE Minsk Group Co-Chairs and the determination of the future legal status of Artsakh on the basis of the Basic Principles proposed by the Co-Chairs. As it was once again emphasized by this respective international body, right of the people of Artsakh to self-determination and security lies at the basis of the Nagorno-Karabakh conflict,” added Naghdalyan.

The Artsakh Foreign Ministry issued a statement, in which it highlighted the European Parliament's commitment to ensuring the security of the people of Artsakh and providing due condemnation of Azerbaijan's war crimes, including the use of cluster bombs against civilian targets and deploying poisonous gas in its attacks.

“We share the assessments of the European Parliament related to the events caused by the use of military force by Azerbaijan, as well as the ways out of this situation. In particular, we consider it important to stress the viewpoint of the European Parliament on the need to ensure the security of the Armenian population in Nagorno Karabakh, to preserve the Armenian cultural heritage, to ensure the safe return of internally displaced persons and refugees to their former places of residence, and to exchange the prisoners of war and the bodies of the deceased without delay,” said the Artsakh Foreign Ministry.

“We acknowledge the importance of duly investigating all the alleged war crimes and bringing those responsible to justice. It is noteworthy that the European Parliament also specifically called for an international investigation into the alleged presence of foreign fighters, terrorists and the use of cluster munitions and phosphorus bombs,” said the foreign ministry announcement. “We welcome the European Parliament's support for the efforts of the OSCE Minsk Group Co-Chairmen for a comprehensive settlement of the conflict founded on the Basic Principles proposed by the international mediators.”

“We join the European Parliament's condemnation of the destabilizing role of Turkey, which seeks to undermine the efforts of the OSCE Minsk Group for the sake of its ambitions of playing a more decisive role in the conflict settlement process,” added Stepanakert.

“We share the view of the European Parliament that a lasting settlement has not been found yet We are convinced that a comprehensive and just settlement of the Azerbaijan-Karabakh conflict can be achieved on the basis of the recognition of the right to self-determination realized by the people of Artsakh and the de-occupation of the territories of the Republic of Artsakh,” said the Artsakh Foreign Ministry.

MIDDLE-EAST

Iraq

Grotian Moment: The International War Crimes Trial Blog

Call for investigations after mass grave discovered in Iraq's Salahaddin province (RUDAW) By Sura Ali
January 16, 2021

Iraqi parliament's human rights committee on Friday called for an urgent investigation into a newly discovered mass grave in Salahaddin province, in which tens of bodies were reportedly found, some belonging to children.

Locals on Wednesday uncovered a mass grave in the town of Ishaqi, which according to the commission contains "hundreds" of bodies.

The Salahaddin Clan Council issued a statement the same day confirming the site's discovery.

The council's spokesman Tami al-Majmei told Rudaw English on Saturday that the mass grave "contained the remains of more than 50 people from Salahaddin, including women, and children between 8 and 12 years old."

He says the presence of women and children is evidence "that militias committed a mass execution of families," referring to units of the Popular Mobilization Forces (PMF, known as Hashd al-Shaabi in Arabic) that he says control security in the area.

Rudaw English reached out to the PMF commission for comment on the accusation of their units' involvement, but was told no one would speak on the matter.

"Between 2016 and 2017, Badr militia, a unit of PMF took control of the Ishaqi area, followed by Saraya al-Salam, the Shiite leader Muqtada al-Sadr's unit in the PMF, who still control Ishaqi town to this day," Majmei added, claiming the latter has prevented the families of victims from accessing the site since its discovery.

Rudaw English was able to reach Saraya al-Salam spokesman Safaa al-Tamimi, who says the unit has never held any control of Ishaqi district, denying the unit's involvement in the matter. He called on the government authorities to investigate the mass grave and take the necessary legal measures against those who perpetrated the crimes.

The PMF was created in 2014 when Sistani issued a fatwa (a religious call to action) urging young Iraqis to take up arms against the Islamic State (ISIS) group. Iraq declared the defeat of ISIS in December 2017, months after the group's last major urban stronghold Mosul was liberated by Iraqi forces with US-led coalition air support.

The council spokesman reports that local authorities have alerted the Martyrs Foundation in Baghdad to the presence of the grave, but not received a response.

On October 17, about 25 armed men wearing official uniforms with the slogans of Asaib Ahl al-Haq, another PMF unit, raided Salahaddin province's village of al-Farhathiya, arresting a dozen men. Eight were found shot dead the following day, according to Human Rights Watch (HRW).

Iraq: UN chief condemns 'horrific' double suicide bombing at Baghdad market (UN News)
January 21, 2021

At least 32 people died, and more than 100 were injured, in the blasts, which

were carried out that morning by two suicide bombers who detonated their vests at the market in Tayaran Square in the capital, Baghdad.

The last time that the Iraqi capital was hit in a deadly suicide attack, was two years ago, when 35 people were killed, in the same square. No group has yet claimed Thursday's attack.

The incident comes just a few days after the Iraqi Government announced that it was postponing the general election from 6 June until 10 October, to give authorities more time to register voters and new political parties, according to news reports.

Early elections have been a key demand of anti-government protesters who staged months of mass demonstrations beginning in October 2019.

Reject attempts to 'spread fear'

The UN chief has expressed his deep condolences to the families of the victims, and to the Government and people of Iraq, his spokesperson said in a statement.

"The Secretary-General appeals to the people of Iraq to reject any attempts to spread fear and violence aimed at undermining peace, stability and unity. He calls on the Government to ensure that those behind these horrific crimes are swiftly identified and brought to justice", it said.

The Secretary-General underscored UN support to Iraqi authorities, and to the country's people, in their efforts to consolidate peace

Iraq authorises mass execution of militants and criminals after ISIS bombings (The National News) By Sinan Mahmoud

January 26, 2021

Iraqi President Barham Salih has ratified hundreds of death sentences linked to terrorism and criminal charges, amid public calls for revenge after Thursday's bombing in Baghdad, which was claimed by ISIS.

A presidential statement, published by the state-run Iraqi News Agency late on Saturday, put the total number of convicted at 340.

It did not specify how many of them were militants or how many were criminals sentenced on other charges.

Since the 2003 US-led invasion that toppled Saddam Hussein, Iraq has one of the highest numbers of government-sanctioned executions.

Human rights organisations have voiced concern over whether defendants receive fair trials or confess under torture, or whether cases are based on false witness statements.

The Iraqi government says trials and proceedings comply with international law.

After years of calm in Baghdad, two ISIS suicide bombers blew themselves up in a bustling outdoor market in central Baghdad, killing at least 32 and wounding 100 others, according to Iraqi officials.

To inflict the maximum number of casualties, the first bomber pretended to be ill and detonated his explosives as people gathered to help him.

Minutes later, the second bomber blew himself up as people rushed to the scene to help the wounded.

ISIS claimed responsibility for the attack, saying it was aiming to kill Shiites.

The last similar bombing in Baghdad was in January 2018, a month after Iraq declared ISIS had been defeated.

Thursday's attack caused outrage, particularly among the Shiite community, and prompted calls to execute ISIS militants in Iraqi prisons.

"There are hundreds of terrorists in Al Hout prison," Shiite politician Adnan Al Asadi said.

"They feel comfortable, eat and drink well as if they are living in a five-star hotel."

Suleiman Al Fahad said in a tweet: “Now more than ever is the perfect time to execute those convicted at Al Hout prison. “And those nations who call for the criminals’ rights can go to hell.”

Capital punishment in Iraq was suspended in 2003 by the occupying Coalition Provisional Authority, but was reinstated in 2004 by the first Iraqi transitional government.

Since then, policymakers have often found themselves under public pressure to execute militants, and have shrugged off calls by UN and human rights organisations to reconsider the death penalty.

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Syria

Terror attack kills 1, wounds 6 others in Syria's Azaz (Daily Sabah)

January 17, 2021

A bomb-laden vehicle exploded in the northwestern Azaz city of Syria on Sunday, killing at least one civilian and wounding six others.

The explosion took place in a popular market hall in Sicco village near the Turkish border.

Local authorities cordoned off the area, and the wounded were shifted to nearby health facilities.

No group has yet taken responsibility for the blast; however, the PKK terror group and its Syrian affiliate YPG are known to be active in the region.

Sicco village is home to camps of civilians who fled from violence by the Bashar al-Assad regime, and terror groups.

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

The YPG is the PKK's Syrian offshoot.

YPG's bomb attacks have plagued northern Syria, as the terror group regularly targets moderate opposition-held areas.

Two weeks ago, another car bomb killed at least five people near a vegetable market in northeastern Syria's opposition-held border town of Ras al-Ain.

A woman and a child were among those killed, the Britain-based Syrian Observatory for Human Rights said.

At least three of the victims killed were civilians, but the identity of the other two was not immediately clear. Four others were wounded, it said.

On Dec. 10, a car bomb killed 16 people including two civilians and three Turkish personnel at a checkpoint in the town.

In July, a blast from an explosives-rigged motorbike ripped through a vegetable market, killing at least eight people, including six civilians.

Syrian state media: Israeli warplanes strike Syria, kill 4 (AP) By Albert Aji and Bassem Mroue

January 21, 2021

Syrian state media said Israeli warplanes fired several missiles toward central Syria early on Friday, killing a family of four – including two children – and wounding four other people. There was no immediate comment from Israel on the claim.

Separately, the Israeli military said it downed a drone that had crossed into Israel from Lebanon. It did not say how the aircraft was brought down. There was no immediate word from the Lebanese side but the militant Hezbollah group has

sent drones into Israel's airspace in the past.

Syria's state-news agency SANA quoted an unnamed military official as saying the missile attack took place shortly before dawn when Israeli warplanes flew over neighboring Lebanon.

Israeli Prime Minister Benjamin Netanyahu's office declined to comment on the reports Friday. Israel has launched hundreds of strikes against Iran-linked military targets in Syria over the years. But it rarely acknowledges or discusses such operations.

The Syrian military official said the attack was aimed at several targets in and near the central province of Hama. It added that Syrian air defense units shot down most of the missiles.

The official said the strike killed a family of four, including the parents and two children. The strike also wounded four others, including two children, and destroyed three homes on the western edge of the provincial capital of Hama, SANA quoted the official as saying.

State TV said the family that was killed had been displaced by Syria's nearly 10-year conflict.

The Britain-based Syrian Observatory for Human Rights, an opposition war monitoring group that tracks Syria's civil war, said the strikes targeted five posts for Iran-backed fighters based within Syrian army positions.

It said the posts were destroyed, adding that parts of one of the air defense missiles fell on a residential area, causing the casualties among civilians.

It was Israel's first strike on Syria since President Joe Biden took office.

Tension has been high in the Middle East in recent weeks around the anniversary of the U.S. killing of Iran's Revolutionary Guard commander Qassem Soleimani in Baghdad last January.

Last week, Israeli warplanes carried out intense airstrikes in eastern Syria, apparently targeting positions and arms depots of Iran-backed forces. At least 57 fighters were killed and dozens were wounded, according to monitors.

The Observatory said it recorded 39 Israeli strikes inside Syria in 2020 that hit 135 targets, including military posts, warehouses and vehicles.

Israel views Iranian entrenchment on its northern frontier as a red line, and has repeatedly struck Iran-linked facilities and weapons convoys destined for Hezbollah. The latest strikes also come amid intensifying low-altitude Israeli warplane missions in Lebanese skies that have caused jitters among residents.

Reports of 12 Murdered at Kurdish-Run Displacement Camp in Syria: U.N. (Reuters)

January 22, 2021

The United Nations says it has received reports of 12 Syrian and Iraqi nationals being murdered in the first half of January at the Kurdish-run al-Hol camp in northeast Syria, which holds internal refugees and families of Islamic State fighters.

"We are calling on those authorities who control the security in the camp to ensure the safety of residents but also the humanitarian workers," Jens Laerke, spokesman for the U.N. Office for the Coordination of Humanitarian Affairs, said on Friday. "All of that delivery is being thrown into jeopardy when the level of security rises to what we see now," Laerke told a U.N. briefing in Geneva. The camp, controlled by Syrian Kurdish forces, holds 62,000 people from many countries, he said.

Turkish drone strike injures civilian near north Syrian town of Kobani (Kurdistan 24) By Wladimir van Wilgenburg January 23, 2021

A Turkish drone on Friday afternoon targeted a civilian in the countryside of Kobani injuring one civilian, according to the Syria-based Rojava Information Center (RIC).

It was the first Turkish cross-border attack into northeastern Syria in 2021.

One civilian has been wounded in a Turkish drone strike targeting a civil house in Memitê village, south of Kobane, in

what appears to be an attempted assassination.

“This is the 9th cross-border attack on NE (Northeast) Syria since June 23, when 3 women activists were killed in Kobane.”

The UK-based Syrian Observatory for Human Rights (SOHR) in a report said that there haven't been any other recent drone attacks in the area.

After Turkey attacked northeastern Syria in October 2019, Russia and the US reached separate ceasefire deals with Ankara, both of which allowed Turkish troops to control the area between Tal Abyad and Ras al-Ain (Serikaniye).

Despite the agreements, Turkish-backed groups and the Turkish army continue to occasionally target areas held by the Kurdish-led Syrian Democratic Forces (SDF). Other Turkish drone attacks have also killed multiple civilians since October 2019.

In late June, an alleged Turkish drone strike killed three Kurdish women's rights activists in Kobani, a city once besieged by the Islamic State terrorist organization.

Over the past few months, Turkish-backed groups have also staged attacks in the Ain Issa region, most recently on Friday night.

The General Command of the Internal Security Forces in North and East Syria, also known as Asayish, in a statement on Friday called on the US-led Coalition to “uphold its responsibilities towards the recurred Turkish aggression.”

The Asayish said the aim of Turkey is to undermine “the gains of the Autonomous Administration in North and East Syria (AANES)” and to destabilize the region.

Local officials and Kurdish civilians still fear that Kobani could be a target for a possible Turkish attack in the future because the city was a global symbol in the fight against the Islamic State.

On Tuesday, Kurds in northern Syria will celebrate the anniversary of the liberation of Kobani from the Islamic State.

On Jan. 26, 2015, the Kurdish YPG, along with FSA and Peshmerga support and continued US-led airstrikes, liberated the city.

“Turkey is seeking to use attrition against the SDF defenders of Ain Issa to force the SDF to withdraw. The Turks want to use air and artillery superiority to make defending the town prohibitively expensive for the SDF,” Nicholas Heras, of Washington's Institute for the Study of War, told Kurdistan 24

Moreover, he added that Turkey is “trying to hunt and kill senior Kurdish leaders,” in and around Kobani.

“Turkey has different objectives in Kobani versus in Ain Issa.”

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Yemen

America Is Complicit in Yemen Atrocities. Biden Says That Ends Now. (NY Magazine) By Jonah Shepp
January 22, 2021

During his Senate confirmation hearing on Tuesday, Secretary of State-designate Anthony Blinken said President Joe Biden's administration would end U.S. support for Saudi Arabia's military intervention in Yemen, which in Blinken's words had “contributed to ... the worst humanitarian situation anywhere in the world.”

As part of this shift in posture, Blinken said the administration would immediately review an order issued by former secretary of State Mike Pompeo last week designating Yemen's Houthi rebels a terrorist organization. Pompeo's order,

which went into effect Tuesday, was emblematic of the Trump administration's spiteful and chaotic exit, being one of several parting booby traps set by the outgoing secretary in an apparent attempt to undermine Biden's foreign-policy plans.

At best, Pompeo's last-minute order will be quickly forgotten as a pointless, spiteful gesture toward the new administration. Unlike most petty pranks, however, this one has potentially devastating consequences: The U.N. warned that it could cause Yemen to experience "a large-scale famine on a scale that we have not seen for nearly 40 years" by making it impossible for aid agencies and NGOs to deliver assistance to areas controlled by the rebels (even with an exemption carved out for those groups). Biden's incoming foreign-policy and national security teams tend to agree, hence their commitment to quickly review and most likely reverse this designation.

Beyond revisiting the terrorist label for the Houthis, the Biden administration intends to cease helping Saudi Arabia prosecute the Yemen war with logistical support and arms sales. Weapons sales to the Saudis and other countries were among the actions former president Donald Trump considered to be foreign-policy achievements. In late December, the Trump administration notified Congress that it was pushing ahead with another sale of \$500 million worth of precision-guided bombs to Saudi Arabia. Lawmakers had until Thursday to pass a resolution of disapproval.

Writing in the Washington Post on Wednesday, Yemeni human-rights activist and Nobel Peace Prize laureate Tawakkol Karman urged Biden to halt the sale before it is completed; it is not clear whether the administration has taken any action yet. On the campaign trail, however, Biden made clear his intent to change our posture toward Saudi Arabia and its catastrophic misadventure in Yemen. In an October statement marking the anniversary of the murder of Saudi Arabian dissident journalist Jamal Khashoggi, Biden pledged: "Under a Biden-Harris administration, we will reassess our relationship with the kingdom, end U.S. support for Saudi Arabia's war in Yemen, and make sure America does not check its values at the door to sell arms or buy oil."

The humanitarian crisis in Yemen is indeed staggering; Blinken was not exaggerating when he described it as the worst in the world. Over 200,000 people have died in the ongoing war, which has gone on for nearly six years. Millions more have been injured, displaced, or otherwise traumatized. Of the country's 30 million people, some 24 million (80 percent) are dependent on outside assistance. Schools, hospitals, water, and sanitation infrastructure have been destroyed. Extreme poverty, hunger, and childhood malnutrition are rampant. The country was already running out of water due to climate change and population growth; now, much of that water is polluted, poisoned, or inaccessible.

The Yemeni civil war began in late 2014, when the Houthis took over the capital city Sana'a and drove out the government of President Abdrabbuh Mansur Hadi. Saudi Arabia launched a coalition intervention on behalf of the ousted government in March 2015, and the war quickly spiraled into an intractable proxy conflict between Saudi Arabia and Iran, which backs the Houthis. Biden, as vice-president, supported the Obama administration's decision to back the Saudi intervention at the time with diplomatic support and weapons sales. The Trump administration maintained and expanded that support, ignoring or overriding congressional objections after Saudi Arabia was accused of committing war crimes in Yemen.

Biden's challenge as president will be to extricate the U.S. from its current position of making this crisis worse and find a path toward mitigating or resolving it instead. This is not a matter of picking between good guys and bad guys, because there are no good guys to pick. The Houthis, too, have committed atrocities and violated human rights, and their Iranian patrons are no less brutal theocrats than the Saudis. However, in the complex calculus of the Middle East, they have also been valuable allies against international terrorist organizations like Al-Qaeda and the Islamic State. The Saudi-led coalition, by comparison, got caught paying off members of Al-Qaeda in the Arabian Peninsula to abandon their strongholds or join up with coalition forces. Very bad people on both sides.

Yemen is a massive crisis on its own, but it is also a microcosm of a larger regional puzzle. Realigning the U.S. position in the Middle East away from "Saudi Arabia, right or wrong," as Biden wants to do, will be challenging, especially given the risk of overcorrecting and becoming too solicitous of Iran. What Biden can do to differentiate his policy from Trump's is put the interests of the U.S. ahead of those of Saudi Arabia and define those interests more broadly than profits from arms sales.

Of course, the Saudis are aware that Biden is not their biggest fan. Saudi Arabia's de facto ruler, Crown Prince Mohammed bin Salman, was personally friendly with Trump and his son-in-law Jared Kushner, and enjoyed blanket support from the Trump administration as he worked over the past few years to consolidate power and crack down on dissent within the kingdom. The Trump White House blocked attempts by other elements of the U.S. government to hold Saudi Arabia responsible for its actions in Yemen and for Khashoggi's brutal murder, which Prince Mohammed is widely believed to have ordered.

If the Saudis are to expect any support from the Biden administration, they will have to earn it. The crown prince has spearheaded a reform initiative that has expanded social freedoms in the kingdom, such as allowing women to drive,

which has earned him much more praise than he deserves in American media and political circles. Saudi officials have been touting the progress they have made on human rights in the past year, including a dramatic decline in executions. It won't be surprising to see the Saudis advertising those changes even more aggressively in the coming months to curry favor with the Biden administration.

At the same time, however, Prince Mohammed has behaved like a typical paranoid dictator, jailing and likely murdering his critics, persecuting activists, and stifling any perceived threats to his power. The Saudi Arabia emerging under his rule is perhaps less repressive, less theocratic, and more economically dynamic, but still decidedly totalitarian, with destructive ambitions of regional hegemony and little regard for the lives it destroys. It cannot, and should not, impress Biden with relatively small-bore social reforms while it continues to violate human rights at home and abroad.

If Riyadh can no longer buy America's acquiescence along with its tanks, planes, and bombs, that is a positive change in U.S. foreign policy by any standard. Approaching the Middle East with an emphasis on diplomacy and moral leadership is much better than making bellicose threats and seeding a regional arms race. If Biden can find a way to resolve the conflict in Yemen, then unlike his predecessors, he might actually deserve a Nobel Peace Prize. Stopping the bloodshed, or at very least ending our complicity in it, is a good first step.

Yemen, on brink of collapse, may suffer further after Trump decision on Ansar Allah (ABC News)

By Guy Davies, Angus Hines, and Ian Pannell

January 24, 2021

At 4 months old, all Hussain Al-Kholani has ever known is war and want -- he weighs just 4 1/2 pounds, less than a third of the average American baby at that age.

"Hussain's suffered from malnutrition since he was born," Ali Hussein Al-Kholani, the boy's father, told ABC News. "They tell me to take him to the malnutrition clinic in [Yemen's capital of] Sanaa, but I don't have any way to get him there."

Ali Hussein can't work and is forced to feed his family -- his son, daughter, wife and four brothers -- by relying on food handouts from aid agencies. They live in a small hut at the edge of Al-Dahi, a sprawling refugee camp for internally displaced people in the northern province of Hajah. He can't afford to buy his youngest child diapers, let alone travel across the poverty-stricken country to get him treatment.

The story of the Al-Kholani family isn't unique: Some 2 million children require treatment for severe malnutrition, with at least 360,000 at risk of dying, according to the World Food Program. For almost six years of conflict, aid workers have desperately struggled to deliver supplies and medical support to the now 24.3 million Yemenis -- a staggering 80% of the total population -- in need of humanitarian aid.

Added now to the protracted crisis is a new risk of rapid deterioration: One of President Donald Trump's final acts in office -- designating the Houthi militant group Ansar Allah as a "Foreign Terrorist Organization" -- may prevent aid agencies from working in much of the country, and, in the words of one U.S. senator, constitutes a "death sentence for millions."

'Catastrophe'

The situation in Yemen already has been categorized by the World Health Organization as the "world's worst humanitarian crisis." The origins of the conflict are complicated, emerging from the instability of the Arab Spring, but the war has raged since 2015, with both sides suspected of committing war crimes. The Saudis in particular have received international criticism, with the U.S. and U.K. continuing to export arms to the Kingdom, despite accusations that the weapons repeatedly have been used to target hospitals and civilian sites.

Fighting between the Iran-backed Houthi militia and the Saudi-backed government has reached a broad stalemate. The Houthi militia now controls large swaths of the country, while the Saudi-backed government is based in Aden and recognized by the international community.

The most recent incident of violence saw 25 people killed and 110 wounded in a missile attack at an airport in Aden, a city in the south, which Yemen's internationally recognized government blamed on the Houthis -- a reminder that both sides are far from anything resembling a diplomatic settlement. The Houthis denied responsibility for the blast, The Guardian reported.

The country is at a breaking point. In the first six months of 2021, about 16.2 million people, half the total population, are forecast to face "acute levels of food insecurity," according to the WFP, which needs at least \$1.9 billion to provide a minimum level of food assistance to avert famine. The UN group is now saying conditions this year are likely to be worse than in 2018, the last time Yemen experienced famine-like conditions.

"How are they going to get food?" David Beasley, the group's executive director, asked the United Nations Security Council last week. "How are they going to get fuel? How are they going to get medicine? It is going to be a catastrophe ... we're going to have a catastrophe on our hands."

Last month, UNICEF warned that Yemen is "teetering on the edge of collapse" and "is perhaps the most dangerous place on Earth to be a child."

"One child dies every 10 minutes from a preventable disease," Executive Director Henrietta Fore said. "Two million are out of school. And thousands have been killed, maimed or recruited since 2015."

For Hussain, and 12 million other children, daily life is a "waking nightmare" – with conflicts seen taking place across 49 different front lines, the group said. As of last year, according to the WFP, 1 million pregnant or breastfeeding women require treatment.

At a malnutrition clinic in Bani Hassan hospital in Hajjah province, Dr. Ali Hajer told ABC News that the food inventory at the center was "zero," as aid supplies had been disrupted over the past few months.

"The war of Yemen destroyed everything, such as economics, health and the living situation in Yemen," he told ABC News. "This assistance is very important. If this humanitarian aid stops for the Yemeni people and the Yemeni children, there will be a huge catastrophe."

COVID-19 is making the situation even more difficult for health workers and humanitarian agencies. As of Jan. 19, there have been 2,119 confirmed cases and 615 deaths, but the WHO is bracing for a second wave at a time when only half of the health facilities in the country are fully or partially functioning. Over the past few years, Yemen has experienced what the WHO called the worst cholera outbreak of modern times, as well as further outbreaks of diphtheria, dengue fever, measles and malaria.

'Outrage'

The situation is at risk of deteriorating further. On Jan 12, the United States officially designated Ansar Allah as an FTO, in response to its alleged "terrorist acts, including cross-border attacks threatening civilian populations, infrastructure, and commercial shipping," former Secretary of State Mike Pompeo said in a statement ahead of the designation, adding that the move was "intended to advance efforts to achieve a peaceful, sovereign, and united Yemen that is both free from Iranian interference and at peace with its neighbors."

But the FTO designation now means it's illegal for individuals or groups to provide "material or resources" to Ansar Allah, meaning that without official exemptions, no outside agencies can provide aid to large swathes of the country under their rule.

Aid organizations have said that, in effect, the ruling could make their work impossible to carry out, with supply lines and access already at constant risk of constant disruption. Additionally, they said, the FTO designation won't quell terrorism.

Amanda Cantanzano, senior director for International Programs Policy and Advocacy at the International Rescue Committee, told ABC News that the IRC was "outraged by the decision."

"We see it as something that will create barriers such that it will be nearly impossible for us to effectively and efficiently deliver aid to those in need. And that would be a crisis anywhere. But in Yemen, it is a catastrophe," she told ABC News.

Kirsten Fontenrose, a former NSC senior director for Gulf Affairs, told ABC News that the designation was considered but not pursued in the early years of the Trump administration due to a number of factors. The UN advised that the designation would "make it impossible" to pursue a political settlement in Yemen, but eventually the administration found that Ansar Allah was both "taking advantage of the room to operate to conduct additional terrorist organizations" and "exploiting this vulnerability in the aid community," members of which would oppose the designation.

"Ansar Allah will make sure this designation makes aid work harder," Fontenrose told ABC News. "They want to amplify the voices opposed to the designation, so they need to make the impact look as dire as they can."

Connecticut Sen. Chris Murphy, however, said political sabotage was a more likely motive.

"I think the Trump administration has made a whole series of moves in the last 30 days just tending to try to create chaos for the incoming Biden administration, to try to tie their hands in as many ways as possible," Murphy told ABC News. "You've seen a number of these decisions, including this one in Yemen, the withdrawal of forces from Afghanistan -- there are a number of moves they've made. I think the only reason they're doing it is to just try to make life as miserable as they

can."

UN Security Council members have warned there can be "no military solution to the conflict." Martin Griffiths, the UN special envoy for Yemen, said the FTO designation may have a "chilling effect" on bringing the parties together for dialogue.

"What's hard is that the language of the FTO legislation is not meant to apply to a quasi-governmental organization," Jon Alternam, director of the Middle East Program at the Center for Strategic and International Studies, told ABC News. "So it's very sweeping about how you can't have anything to do with these kind of people. ... The Houthis control well over half the population of Yemen. This isn't like dealing with Al Qaeda."

"This isn't to say that the Houthis don't do outrageous things, this isn't to say the Houthis don't endanger civilians all the time -- they do," he said. "But how do you get to a settlement if you criminalize ordinary contact with them?"

Antony Blinken, Biden's nominee for secretary of state, has said that the new administration will "immediately review" the designation. But that may include a fairly complex legal process, and it could take some time to sort out, according to Alternam. Murphy told ABC News that this period could be crucial as Yemenis continue to suffer.

"This is a death sentence for millions of Yemenis because they are, over the course of the next several weeks, going to run out of food and are going to starve to death," Murphy said. "It's that simple. And the fact that the Trump administration went forward with this designation, knowing that that would be the consequence, is absolutely devastating. It's heartbreaking. It's mind-blowing."

For the likes of Hussain and his family, there is no end in sight -- and everyday decisions just get harder and harder.

"[We have] only one food basket from World Food Program," Hussain's father said. "We either sell it to treat the boy. Or take it home so we can eat."

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Special Tribunal for Lebanon

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

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Israel and Palestine

Israel to punitively demolish home of Palestinian prisoner near Jenin (WAFA)

January 14, 2021

Israeli occupation forces today notified the family of Mr. Mohammad Mraweh Kabaha, a prisoner in Israeli detention, about their intention to demolish their house in the village of Tura, located southwest of Jenin city in the occupied West Bank, according to Kabaha's family.

Mo'ayyad, Kabaha's brother, said that Israeli occupation army informed them of a court ruling which orders the punitive demolition of their house next week, in retaliation for his brother's alleged killing of a colonial Israeli settler last month.

The house has an area of 180 square meters, and is a shelter for a family of five, including four children.

Israeli occupation authorities have long used to punitively demolish the family homes of Palestinians accused of carrying out attacks on Israelis, a policy that Israel does not apply to Israeli settlers who are involved in fatal attacks against Palestinians.

The policy has been widely condemned by human rights groups as a collective punishment and a war crime.

Worker Dies After Soldiers Fired Gas Bombs, And Chased Palestinians Near Tulkarem (International Middle East Media Center)

January 24, 2021p>

A Palestinian worker died, on Sunday morning, near the illegal Annexation Wall, in Far'un village, south of the northern West Bank city of Tulkarem, after the soldiers chased many Palestinians and fired gas bombs at them.

Palestinian medical sources said Fuad Sabti Jouda, 48, from Iraq at-Tayeh village, east of the northern West Bank city of Nablus, suffered a heart attack after suffocating due to the severe effects of teargas inhalation.

They added that Jouda was among several Palestinian day laborers who were trying to cross into Israel through a breach in the illegal annexation when, when the soldiers fired many gas bombs at them, and chased them.

The man suffered a fatal heart attack due to the severe effects of teargas inhalation, and extreme exhaustion, while the soldiers did not even attempt to provide him with the urgently needed first aid.

Jabr Jouda, the deceased man's brother, said Fuad is a married father of four children and worked in hauling furniture between the two sides of the illegal wall, and added that he had a permit for entry and work in Israel; however, his permit expired a few days ago.

He also said the Palestinian medics moved the brother's corpse to Rafidia hospital, in Nablus.

Many workers said that the soldiers fired a barrage of gas bombs at the workers, causing dozens to suffer the effects of teargas inhalation.

It is worth mentioning that dozens of Palestinians have been shot and injured, in addition to suffering the effects of teargas inhalation, over the last few months during similar Israeli violations targeting Palestinian workers near the gates of the Annexation Wall in several parts of the West Bank.

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Gulf Region

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ASIA

Afghanistan

Australia admits to committing war crimes in Afghanistan (The Press Stories) By Cory Weinberg
January 17, 2021

The 465-page official inquiry, released on Thursday, November 19, provides details of the killings of Australian Army Special Forces soldiers on Afghan civilians and prisoners between 2009 and 2013. Conflicts.

The head of the Australian Army, General Angus Campbell, acknowledged this “Some patrols broke the law. The rules were broken, stories were made, lies were told, prisoners were killed.” Then he delivered “Honest and unreserved apology” For the Afghan people, these revelations were suppressed and released many years later.

According to the Australian military chief, There will be new ones “They were forced to shoot a prisoner for committing their first murder.” A procedure called “Bleeding”. According to the report, which includes more than 400 witnesses, the young soldiers may have staged a confrontation to cover up the incident.

“Some soldiers of the International Coalition have committed inhumane acts. There is no shortage of stories of people urinating on corpses or taking pictures with corpses.” Kareem underlines Pakshath, associated with Iris.

Statement exposing inhumane acts

General Angus Campbell insisted that those involved “Allegedly killed 39” Leave one “Work” In their regiment, on the armed forces, they must be sent back “Special Investigator’s Office” Responsible for war crimes. Cancellation of certain medals awarded to Special Forces Afghanistan Requested from 2007 to 2013.

AL analysis. In Afghanistan, the Taliban are increasing pressure

In the aftermath of the September 11, 2001 attacks, more than 26,000 Australian troops were sent to Afghanistan to fight alongside US and allied forces against the Taliban, al-Qaeda and other Islamist groups. Since their departure, the Australian media has reported on a number of serious allegations against these forces. Kareem Bakshat especially recalled “The story of an Afghan who was shot to get a place in a helicopter was published at the time.”

Compulsory confession

The affair erupted in 2017. The broadcaster ABC has aired a series of investigations into allegations that unarmed men and children were killed by Australian forces in Afghanistan.

The government initially tried to close the accounts of whistleblowers reporting these allegations, while police attacked journalists. “The Afghan government was aware of such acts. Kareem Bakshat confirms.

“These revelations, officially made by the government, are a blessing in disguise for Islamic terrorists, According to this expert in the region. This is how they are able to fill their ranks.”

Pentagon to probe possible war crimes committed by troops downrange (Task & Purpose) By Jeff Schogol
January 26, 2021

The Defense Department’s Inspector General’s Office wants to know what steps U.S. Central Command and U.S. Special Operations Command are taking to “reduce potential law of war violations when conducting operations.”

In a Jan. 25 memo, the inspector general’s office announced that it had launched an “evaluation” into how well CENTCOM and SOCOM are abiding by the Pentagon’s “law of war program,” which is meant to ensure that troops and civilian contractors comply with the U.S. military’s interpretation of the laws governing armed conflicts.

“We will also determine whether potential USCENTCOM and USSOCOM law of war violations were reported and reviewed in accordance with DoD policy,” the memo says.

The memo, which did not indicate what prompted this review, was sent to the chairman of the Joint Chiefs of Staff, undersecretary of defense for policy, heads of CENTCOM and SOCOM, the Defense Department’s general counsel, and the assistant secretary of defense for special operations and low-intensity conflict.

While the evaluation covers the entire CENTCOM theater of operations, it appears to be focused on Afghanistan. The

memo says the inspector general's office will conduct its review with U.S. Forces–Afghanistan and Combined Joint Task Force–Operation Inherent Resolve.

In September, former Secretary of State Mike Pompeo announced sanctions against International Criminal Court officials, who were investigating whether U.S. service members had committed war crimes in Afghanistan.

“According to the Prosecution, there is a reasonable basis to believe that, since May 2003, members of the US armed forces and the CIA have committed the war crimes of torture and cruel treatment, outrages upon personal dignity, and rape and other forms of sexual violence pursuant to a policy approved by the US authorities,” International Criminal Court documents say. “The Prosecution mainly relies on the findings of the US Senate Select Committee on Intelligence, the US Senate Armed Services Committee and the US Department of Defense.”

Defense officials had little to say about the evaluation when contacted by Task & Purpose on Tuesday.

“The DoD OIG is conducting planned oversight work consistent with its normal protocols – there is no additional information to offer regarding the project and we do not have a timeline for completion,” the inspector general's office said in a statement.

A spokesman for SOCOM declined to comment and a CENTCOM spokeswoman referred questions about the evaluation to the Pentagon. It's unclear whether the inspector general's office review is connected to prominent cases of troops in Iraq and Afghanistan being accused of war crimes. In July 2019, Navy SEAL Chief Eddie Gallagher was found not guilty of killing a wounded ISIS fighter. Gallagher was convicted of a lesser charge of posing with an enemy corpse, but former President Donald Trump restored his rank after the Navy tried to demote him.

Trump also ordered the dismissal of a murder charge against Army Maj. Matthew Golsteyn with a full pardon. Golsteyn had admitted to killing an unarmed Afghan man in 2010 because he believed the man was a Taliban bomb maker responsible for the deaths of two Marines.

And Trump pardoned former Army 1st Lt. Clint Lorance, who had served six years of a 19-year prison sentence after being convicted of ordering his troops to open fire on three unarmed Afghan men in 2012, two of whom were killed.

A former senior defense official told Task & Purpose that the inspector general's office review should not be construed as confirmation that U.S. troops have committed war crimes. The U.S. military makes more of an effort to abide by the law of armed conflict than any other force, said the senior defense official, who spoke on condition of anonymity due to the sensitivity of the issue.

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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

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Bangladesh International Crimes Tribunal

Bangladesh: Journalist's killers sentenced to life in prison (IFEX)

January 22, 2021

Five men have been sentenced to life imprisonment for the murder of journalist Humayun Kabir Balu, sixteen years after he was killed in a targeted explosion in Khulna in 2004. The International Federation of Journalists (IFJ) welcomes the conviction of the killers and calls for stronger action against rampant impunity for crimes against journalists in Bangladesh.

Balu was with his children before he was murdered in 2004.

He was killed when his attackers threw two bombs in front of his house in Khulna City on June 27, 2004, as he was returning home with his three children. He suffered serious injuries to his stomach and leg as a result of the bomb explosions and later died in hospital. His son, a journalism student, was also seriously injured.

The editor of Dainik Janmabhumi and a former president of the Khulna Press Club, Balu was an outspoken activist and freedom fighter. The five convicted – Syed Iqbal Hossain, Nazrul Islam, Masum, Romon and Zahid Hossain – were members of the East Bengal Communist Party. Special Tribunal Judge Md Saifuzzaman Hero passed the verdict on January 18, and each were given a Tk 10,000 fine (USD \$118).

The investigation into Balu's murder encountered delays and obstacles over many years. After the 2004 attack, a charge sheet was submitted accusing eight operatives of the Maoist Purba Bangla Biplobi Communist Party of the killing. The regional head of the organization claimed responsibility in a call to the Khulna Press Club, labelling Balu a "class enemy". Balu reportedly received several death threats in the weeks before his murder. But on February 13, 2008, Judge Mohammad Abdus Salam Sikder acquitted all the accused in the murder case. In 2009, lawyer Enamul Haque applied to the court for further investigation. After a further delay of six years, a supplementary charge sheet was submitted by police on December 31, 2015, leading to the eventual prosecution of the attackers.

Balu's murder in 2004 came less than six months after the murder of a BBC World Service local correspondent in Khulna, and he was one of five journalists killed in Bangladesh that year. Violence against journalists in the country remains a critical issue with the most recent killing recorded in Dhaka in October 2020, when Elias Mia, a reporter for Dainik Bijoy, was repeatedly stabbed as he was on his way home.

The Bangladesh Manobadhikar Sangbadik Forum (BMSF) said: "We were concerned over the protracted delay in the justice-delivery in the murder of journalist Humayun Kabir Balu. The BMSF would like to see the court verdict be implemented as soon as possible."

The IFJ said: "The conviction of five individuals in the murder of Humayun Kabir Balu is a long awaited step in achieving justice after an extended period of impunity. IFJ calls for stronger measures to investigate these attacks and bring journalists' killers to justice."

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War Crimes Investigation in Myanmar

Refugees in Myanmar's Rakhine State Call on Government Forces to Withdraw From Villages, Stop Thefts (Radio Free Asia) By Ni Min Tun

January 19, 2021

More than 100 ethnic Rakhine refugees in Myanmar's Rakhine state called on Myanmar's military in a protest on Tuesday to withdraw from villages abandoned amid heavy fighting over the last two years between government forces and the rebel Arakan Army.

The protesters, residents of camps in Rakhine's Kyauktaw township, also called for an end to thefts by Myanmar soldiers

of villagers' property and for landmines to be cleared from areas near their former homes, sources said.

Many have now lived in the Kyauktaw camps for the last 10 months, one displaced villager told RFA's Myanmar Service in an interview on Tuesday.

"We are facing hardships in securing the food and shelter we need, and these conditions are not good for our health," the villager named Saw Shwe Thein said. "And this is why we want to return to our homes to retrieve some of our belongings."

"But we can't go back, because military troops are still stationed there," he said.

Myanmar troops now quartered in the villages are meanwhile stealing rice, livestock, farm machinery, and other equipment, displaced villagers say, with one source calling the thefts a loss of villagers' lifetime savings.

"We left all our property—paddies, rice supplies, and livestock—behind when we escaped from our homes," Than Hlaing a former resident of Rakhine's Marlar village told RFA, adding, "If we don't do anything now to stop these thefts, nothing will be left."

"These things represent our life-long savings and this will be a massive loss for us. And this is why we are protesting to call for government help," he said.

Among other things recently stolen were 700 baskets of paddy seeds taken by government soldiers on Jan. 7 while villagers were away, Than Hlaing said.

'It is an ugly thing'

Zaw Win, a leader of Tuesday's protest, demanded that military chiefs take prompt action against soldiers who commit offenses against civilians, adding, "It is an ugly thing that members of the country's military should seize civilians' property by force."

Efforts to contact Rakhine state municipal minister and spokesperson Win Myint for comment on Tuesday were unsuccessful. But military spokesperson Major Gen. Zaw Min Tun denied that government troops were responsible for thefts.

"Our military forces are risking their lives to serve the country, and there is no reason for them to remove civilians' property. They don't need the extra burden," he said.

"Soldiers all have their own guns, ammunition, and food to carry, and they don't need anything else to bring along," Zaw Min Tun said.

"Also, we are not bringing any reinforcements into these areas, and we haven't built any more outposts. We have no reason to do this. We are only working to strengthen the peace process and to safeguard elections."

"I would say that these allegations [against the army] were deliberately manufactured by outside groups, and not by the villagers themselves," he said, adding that landmines can be cleared from village areas only after fighting ends between government forces and the Arakan Army.

But Saw Shwe Thein said there are witnesses who have seen Myanmar troops seize civilian property in spite of official denials.

"The owners of one rice mill said that around 700 baskets of paddy seeds had been stolen by soldiers and sold to a Muslim businessman from Gaung Toke village. And then a commanding officer of their unit showed up at Marlar village on Jan. 17 and told the villagers to say that nothing had been stolen," he said.

Hundreds killed, thousands displaced

More than 500 people in over 125 households once lived in Kyauktaw township's Marlar village, but fled their homes beginning in March 2020 amid armed clashes in the area and are now sheltering in camps for internally displaced persons in Kyauktaw town.

The two sides in the Rakhine war have maintained a cease-fire since Nov. 8 elections and held a series of behind-the-scenes contacts.

Two years of fighting between Myanmar government forces and the ethnic Arakan Army in several northern Rakhine townships have left about 300 civilians dead, injured hundreds of others, and left about 226,000 displaced.

Many clashes have occurred close to civilian areas, with heavy shelling directed at villages and landmines planted near civilian communities and villagers' farmlands, sources say.

Karen People Cut Off From Help in Myanmar After Fighting Drives Them From Their Homes (Radio Free Asia) By Saw Nyunt Thaung

January 22, 2021

Around 1,000 ethnic Karen villagers have been cut off from help in Myanmar's Kayin state by renewed fighting between government troops and rebel forces, with relief groups now unable to reach them with badly needed food, blankets, and medical supplies, sources say.

Fighting between the Myanmar military and the Karen National Union (KNU), the country's oldest ethnic rebel army, resumed in southern Kayin state in early December despite a nationwide cease-fire agreement (NCA) the ethnic army signed in 2015.

Clashes in the Kyauk Gyi township in the Nyaung Lay Bin district of the state's Bago region have now driven nearly 1,000 residents from six villages in KNU-controlled areas into remote areas where they wait to return home, one local villager told RFA.

"Because the leaders of the two forces have not met for talks, the IDPs [internally displaced persons], are afraid to go home. It's not safe for civilians to return," RFA's source said, speaking on condition of anonymity.

"So far, there are anywhere from 850 to 1,000 IDPs coming from six villages who are taking shelter in the KNU No. 3 Division's territory," the source said.

Coming from Kyauk Gyi township's Ktookhar, Khopu, Sawmilu, Khae Kawkhu, and Khaedu villages, the residents fled their homes beginning Jan. 5 and are now sheltering at a location 30 miles east of Kyauk Gyi town, where they are in desperate need of food, medicine, and other necessities, sources say.

Karen civil society groups wanting to deliver aid have meanwhile been blocked from travel by unsafe conditions in the area, members of relief groups say.

"We can't go there until the leaders of the opposing forces meet for talks," Saw SipI Tel from the Karen Social Group said, adding that Myanmar's government would then be able to control their troops, and the other side could do the same.

Saw Kyaw Lin Oo from the Karen Youth Network said that at latest count nearly 1,000 displaced villagers are sheltering in the area now cut off from help. "They need food, medical supplies, and other essential items such as blankets and warm clothes for the winter. They also need tarpaulins and rain tarps for making tents," he said.

Supplies on hand, but undeliverable

On Jan. 20, Naw Pwe Say—Karen ethnic affairs minister for the Bago region government—provided aid to the Karen Social Group at the KNU liaison office in Kyauk Gyi for delivery to the IDPs, but a KNU spokesman said that both forces must withdraw from the area of fighting before supplies can be safely delivered.

"Though we now have many commodities, it will take people to deliver them, so I think it's best that both forces pull back. No troops should remain in the area," said Saw Sae Wah, secretary of the KNU's Kyauk Gyi township branch.

"There has been armed conflict here for many years, so they should now use politics to solve these problems," he said. "Top leaders from both sides signed the NCA earlier, agreeing that they would resolve problems through negotiations. So they should meet for talks."

"I can't think of any other way to resolve this," he said.

Efforts to contact Myanmar military spokesmen and Bago's Karen ethnic affairs minister for comment on Friday were unsuccessful.

Over 170 social and civil society groups on Jan. 20 sent letters to Myanmar's President Win Myint and the country's state counselor and de facto national leader Aung San Suu Kyi appealing for help to end the armed conflict in Kayin state.

Investigators in Myanmar Probe Disappearance of 18 Rakhine Villagers (Radio Free Asia) By Min Thein Aung

January 25, 2021

Police and local authorities in Rakhine state's Kyauktaw township on Monday took statements from family members of villagers believed to have been abducted last year by Myanmar military forces, with a military spokesman promising explanations if the army is shown to have been involved, Myanmar sources said.

The 18 men were taken away in two batches in mid-March, 2020 when soldiers from a Myanmar military infantry unit entered their community in Kyauktaw township amid fighting with the rebel Arakan Army (AA), later burning down dozens of homes in the 500-home ethnic Rakhine village tract.

Eight of the 18 Kyauktaw villagers were taken from Tin Ma Thit village on March 13, while the other 10 from Tin May Gyi village were arrested by troops on March 16, all on suspicion of having ties to the AA. The body of one of them was discovered a day later in a river, riddled with bullet holes.

The incident was one of numerous disappearances in the now two-year-old war in Rakhine that has killed at least 300 civilians and displaced roughly 230,000 others. The AA is battling for more autonomy for the ethnic Rakhines, descendants of an ancient kingdom along the eastern shore of the Bay of Bengal.

Maung Kyaw Win, the father of disappeared 28-year-old villager Nay Lin Oo, told RFA on Monday that he and other villagers summoned by investigators have now been questioned twice, with a first interrogation taking place on Dec. 29 at the Mrauk-U District Police commander's office.

"They compared our testimonies today with the ones we gave in Mrauk-U," he said.

"I appealed to them to have the detained villagers released if they are still alive," he said, adding, "And if they are not, they should confirm this frankly."

Military patches seen

Ma Aye Hla, the wife of 34-year-old missing villager Maun Than Soe, said that investigators asked her if she could identify the military unit that she said had abducted her husband.

"I told them I didn't know the unit's exact designation, but that I had seen the number 55 written on the soldiers' insignia," she said.

Family members of the missing men said they had sent letters on Dec. 1 to Myanmar's president, state counselor and de facto national leader Aung San Suu Kyi, and Myanmar's Ministry of Defense, asking them to urgently investigate the now almost-year-old case.

Community leader and investigation team member Tun Thein said that all testimony collected in the case will be forwarded on to relevant government and military authorities.

"We will send the testimony to the president's office and the state counselor's office, and also to the Defense Ministry and to [Myanmar's] Human Rights Commission," he said, adding that team members must first meet, however, to decide when to send the documents on.

"I don't know when we will have that meeting, though," he said.

Explanations promised

Myanmar's military has consistently denied any role in the villagers' disappearance, but military spokesman Major Gen. Zaw Min Tun said on Monday that the army will provide explanations for any evidence they were involved.

"There was armed combat near Tin Ma village at the time [the men disappeared], and some of the villagers may have been fleeing from their homes," he said. "Other information may emerge when the township investigators question the villagers," he added.

"And if anything comes up related to the military, we will explain that," he said.

At least 22 missing persons are believed to have been abducted last year by Myanmar military units in Kyauktaw township, according to local lawmakers.

Myanmar's military, which controls the country's police force, has a fearsome reputation among the multiethnic country's

ethnic minorities.

An August 2018 report by the U.N. Independent International Fact-Finding Mission on Myanmar mentions enforced disappearances among the many “gross human rights violations and abuses committed in Kachin, Rakhine, and Shan states.”

The report said that crimes against humanity in those conflict zones “include murder; imprisonment; enforced disappearance; torture; rape, sexual slavery and other forms of sexual violence; persecution and enslavement.”

Myanmar’s Military Refuses to Rule Out Coup Over Election Fraud Claims (Radio Free Asia) By Thet Su Aung, Thiha Tun, Phyu Phyu Khaing, Soe San Aung, Kyaw Lwin Oo, and Thet Su Aung
January 26, 2021

Myanmar’s powerful military on Tuesday declined to rule out staging a coup over its claim that the country’s 2020 elections were tainted by voter fraud, as experts warned the dispute is leading to a political crisis in the nascent democracy that emerged from harsh army junta rule only a decade ago.

The November 8 elections were won by Aung San Suu Kyi’s National League for Democracy (NLD) in a landslide, but the military-affiliated Union Solidarity and Development Party (USDP) contend that there was widespread voter fraud and have been ramping up pressure on electoral authorities to investigate.

The military, whose soldiers are guaranteed 25 percent of seats in parliament under the constitution, and the USDP, made up of former military officers, claim to have found 8.6 million irregularities in voter lists in 314 townships that could have let voters cast multiple ballots or commit other “voting malpractice.”

But the military and its proxy the USDP, which fared poorly in the November vote, have not presented any evidence of actual voter fraud on the day of the election. Army and USDP backers have staged protests in several cities in central Myanmar this year.

Major General Zaw Min Tun, the military spokesman, asked at a weekly news conference whether an army takeover could be ruled out, said: “No. As I said already, the military is going to follow the laws, including the constitution and existing laws. In order to strengthen the democratic system, we are going to follow and reflect those laws.”

Asked to clarify, he said: “What I want to say is that we do not say the military will seize state power nor do we say we will not seize power. We will follow the laws in accordance with the constitution.”

Myanmar’s constitution, enacted in 2008 under military rule, contains a provision that allows the military’s commander-in-chief to wield sovereign power during a state of emergency that could lead to a disintegration of the country.

Some critics have said this makes a military coup technically legal, though the state of emergency would have to be declared by Myanmar’s president, a civilian.

Zaw Min Tun reiterated the military’s demand that the ruling government, the Union Election Commission and the Union parliament resolve the election disputes, claiming all three are manipulating the law to avoid addressing the army’s contentions

“Whether or not they are manipulating the law, you can clearly see if you read our previous statements,” he said.

“We have clarified this issue from a legal point of view, and we have requested a special parliamentary meeting on the matter. They have refused. We have already released statements on which of their actions are not legal... There are other issues as well. I would like to say that you should all read them again,” Zaw Min Tun said.

Legal experts and the NLD’s members of parliament said that the dispute over potential voter fraud should be settled in the courts.

“If they are unsatisfied with the ongoing disputes about the election results, there are options to file complaints under the election law,” Aung Thein, an NLD member of parliament told RFA’s Myanmar Service.

“I think they need to take that route. There is no legal mandate that the UEC must respond and answer to each separate question. If what they are doing is not in line with the law, the military has to act according to the law... If the government authorities have to come forward and give an explanation whenever the military makes an allegation at a press conference, there will be no end to it,” Aung Thein said.

But disputing the election's results after the fact is not helping the country come together according to Zin Mar Oo from the Myanmar Network for Free and Fair Elections.

"It won't be so complicated if we stick to the mandate that the UEC's decision is final no matter what," Zin Mar Oo told RFA.

"They didn't say anything when the authorities initially compiled the voters list. But now that the election is over, they are playing the blame game. It does not make any sense," he added.

NLD-military friction

Aung San Suu Kyi's NLD, which swept the Nov. 8 elections by securing more than 82 percent of all 1,117 contested seats in the Union, state, and regional legislatures, will form a government and launch Aung San Suu Kyi's second five-year term around the end of March.

The USDP has refused to accept the results of the vote in which it won only 71 seats, or 6.4 percent, nationwide.

In response to the allegations, the UEC has been mostly silent, contributing to the risk of a political crisis in the form of tensions between the ruling party and the powerful military. The analysts said that the military is growing more assertive as its claims are ignored by both the ruling party and the UEC.

"There are growing disagreements between the military and the ruling government. In fact, when the military initially released the alleged voting fraud lists for ten or eleven townships, the ruling government should have reacted by releasing its own lists for these townships to refute their claim," Ye Htut, a political observer and former minister of information, told RFA.

"This problem should have been resolved much earlier, but now the issue has snowballed over time," Ye Htut said.

He called on State Counsellor Aung San Suu Kyi, the military leaders and the UEC to resolve the issue at the negotiating table, saying he was concerned that the dispute could grow to the point where it causes political instability or has negative effects on the economy.

The NLD rejected the notion that the UEC's lack of response was causing any friction with the military.

"The UEC made a decision within its authority. I don't think its inaction is pushing the NLD and the military into crisis. It really depends on the perspective of the observers," NLD spokesperson Myo Nyunt told RFA.

"I don't think the UEC's actions have any effect on the national reconciliation work between the NLD and the military," he said.

Zaw Min Tun, however, hinted during Tuesday's press conference that the UEC's silence was making a strained relationship worse.

"You could judge by the example of the relationship between two people. If you treat me fairly but I ignore your demands for your rights and opportunities, will you and I have a good relationship?" he asked.

"Just think about it. This is the basis. I don't want to say anything else," Zaw Min Tun said.

Aung Moe Zaw, chairman of the Democratic Party for New Society (DPNS), one of the country's minor political parties, said he didn't think the voter fraud dispute would affect the country's most urgent issues.

"I only think the UEC needs to come forward and resolve this problem," he told RFA.

RFA attempted to reach the UEC and presidential office spokesperson Zaw Htay for comment, but they did not respond.

The dispute is drawing attention away from more urgent issues Myanmar faces, according to Sai Nyunt Lwin, the vice chairman of the Shan Nationalities League for Democracy (SNLD), a political party that advocates for Myanmar's largest ethnic minority.

"In a time like this, the only and most critical issue should be national reconciliation," Sai Nyunt Lwin told RFA, referring to ongoing fighting between the military and ethnic insurgent groups in the country's western areas.

"I think it is best if they meet and calmly discuss this issue. They should have face-to-face meetings for better communication," he said.

Intervention by the military is troubling to many in Myanmar, which endured brutal, corrupt military rule from 1962 to 2011. In 1990, the military nullified the results of an election in which the NLD won 81 percent of the seats in parliament, holding Aung San Suu Kyi under house arrest for 15 years between 1989 and 2010.

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AMERICAS

North & Central America

Why the US is wrong to designate the Houthis as ‘terrorists’ (Aljazeera) By Sarah Leah Whitson
January 24, 2021

On January 10, then US Secretary of State Pompeo announced that the Trump administration was designating Ansar Allah, the de facto Houthi-led government in North Yemen, as a terrorist entity, “to hold [it] accountable for its terrorist acts”. As most commentators pointed out, this designation would dramatically worsen the already dire humanitarian situation in Yemen, making it extremely difficult to provide much-needed aid to the country and undermine the prospects for a peaceful resolution of the war.

As damaging, but rarely noted, is the unprincipled politicisation of America’s “terrorism” designation and its selective use as a tool of warfare against political opponents. It undermines any credibility that the US might retain in a facts-based, even-handed designation of terrorist actors around the world. It also further exposes the US as a belligerent actor that has knowingly harmed the people of Yemen for the past six years.

There is no doubt that since the start of the Saudi-UAE-led war on Yemen in March 2015, all parties to the conflict – and there are now many – have carried out heinous attacks on civilians in violations of the laws of war. The facts of Ansar Allah’s abuses are well documented, including indiscriminate attacks on civilian areas, obstruction of food and medical aid, and the use of child soldiers.

Even more catastrophic, in terms of scale, severity and frequency, have been war crimes by the Saudi-Emirati-led coalition. These have included deliberate and indiscriminate attacks that have terrorised Yemeni civilians, including repeated attacks on children, resulting in over 112,000 casualties.

As of 2016, coalition airstrikes were responsible for two-thirds of the civilian deaths. The coalition has carried out widespread and systematic attacks on Yemeni hospitals, medical clinics, schools, universities, factories, weddings, funerals, and residential areas using US-supplied bombs.

The coalition’s harm to Yemen has been dramatically compounded by its unprecedented land, air, and sea blockade on the country, making it extremely difficult, if not often impossible, to import food, medicine and fuel into the country and contributing to record-breaking starvation, malnutrition, and disease. The recklessness and cruelty of Saudi and Emirati conduct in this war have led to countless denunciations by the United Nations and governments around the world, notwithstanding endless bullying, threats and bribery from Riyadh and Abu Dhabi.

The US’s participation in this war – as a party to the conflict, providing intelligence, targeting support, and refuelling, in addition to billions of dollars worth of arms to Saudi Arabia and the UAE and its contribution to the needless devastation in Yemen – has faced serious domestic challenges and even worries about war crimes liability.

In 2018, over two dozen Obama administration officials signed a letter urging an end to US involvement in the Yemen war – an unprecedented public mea culpa for green-lighting and then supporting the war effort. The US Congress also weighed

in, passing a number of resolutions demanding an end to the US role in this war and to ongoing arms sales to Saudi Arabia, which were saved by former President Donald Trump's vetoes.

It remains to be seen if President Joe Biden – whose staff is filled with many of the signatories of the Yemen letter, including Antony Blinken, Wendy Sherman, and Jake Sullivan – will keep his own promise to end arms sales to Saudi Arabia and US participation in the Yemen war.

Frustrated by their inability to defeat Ansar Allah, despite billions spent on bombarding Yemen, Saudi Arabia and the UAE have persistently lobbied the US Department of State to designate the group as “terrorist”, in order to trigger severe sanctions on the country. Like the economic sanctions and terrorist designations applied to Iran, Venezuela, and Cuba and entities within them, the State Department's designation of Ansar Allah has nothing to do with an impartial assessment of the facts on the ground or merits of such a policy.

Instead, it has been deployed as an economic tool of warfare against international nemeses in the hopes that they will say uncle to US demands and give up power. Every one of these targeted governments remains in power, while the sanctions against them have only harmed ordinary people who have little to no say in what their governments do or do not do.

To argue against the terrorist designation of Ansar Allah purely on humanitarian grounds or for their negative impact on future peace negotiations, as some progressive groups have done, is overly narrow and avoids addressing a different but equally nefarious consequence. When the US chooses to designate as “terrorist” one side of an armed conflict, in this case, Ansar Allah, while not only ignoring but supporting the even more egregious terrorist attacks of the other, our government undermines any credibility the designation may have and diminishes its own international standing.

The Ansar Allah terrorism designation and related sanctions deserve condemnation not only because of the harm and suffering they will cause the Yemeni people, but because they manipulate and distort the original purpose and intent of such labelling. To argue only about the extent of the suffering these designations cause is a distraction that opens a tangential debate about whether or not the suffering is as bad as claimed, or who is actually to blame for the consequent suffering – the sanctions or the government.

Arguments against any terrorism designation should centre on Washington's extensive misuse of sanctions and terrorism designations as an undeclared tool of warfare. Failure to confront the policies and laws that allow the US to sanction, starve, and harm peoples around the world – as it is doing in 39 countries around the world – leaves us endlessly arguing the particular merits of sanctions in one place, then another, then another.

President Biden has a responsibility to dramatically reform legislation that empowers one administration after another to deploy economic harm to peoples around the world. Ending America's endless wars should mean not only withdrawing troops but also putting an end to the misuse of terrorist designations and the accompanying destructive economic sanctions.

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South America

Far-right Duque supporters say ‘we will finish’ one of Colombia's worst massacres (Colombia Reports)

By Adriaan Alsema
January 21, 2020

Colombia's far-right group “Aguilas Negras” claim “we will finish” the massacre in the village of El Salado that left more than 60 locals dead in 2000.

According to the town's leaders, they have been receiving death threats from the “Aguilas Negras” since Friday last week and were cut off the power grid on Sunday.

“We were left without electricity and we could hardly sleep for fear and then Monday morning we woke up with leaflets all over the town.” Yirley Velasco

The far-right group told the locals and their victims representatives specifically to abandon their town or die, first on Friday, then Monday and again on Wednesday.

Government wakes up

President Ivan Duque's human rights chief, Patricia Gutierrez, told W Radio on Wednesday that paramilitary group AGC has been active in the Montes de Maria region and promised to send in security forces, who have been linked to the Aguilas Negras.

"These threats definitely alter the peace and quality of life that have to be combined in joint actions with the Military Forces," according to Gutierrez.

The Bolivar Police Department said it would send a special forces unit to the village.

The Prosecutor General's Office promised to investigate the death threats after the ombudsman urged action after five days of doing nothing.

Same victim leaders threatened again

Among the leaders who have been threatened are victim representatives Luis Torres and Yirley Velasco, who has suffered multiple threats since she was raped during the massacre when she was only 14.

Both have been active in trying to rebuild their town, but have possibly received more death threats than responses from the government to help them get over the violence.

"We are tired of all this insecurity and the repeated threats from the Aguilas Negras are terrifying. The community is afraid because of the pamphlets, you can feel the fear in the streets and they are empty." Yirley Velasco

While waiting for the latest government promise to be fulfilled, the leaders' latest death threats told them that "people believing that a paramilitary group would never come to massacre you all again are wrong."

"We're going to end the plague of rats that live in this community," according to the people identifying themselves as the Aguilas Negras who have expressed their support for Duque.

The fun of terrorism

According to the victims of the massacre, the paramilitaries who terrorized them had a lot of fun cutting their neighbors into pieces and raping their children.

"To them, it was like a big party," one of a dozen survivors told the New York Times three months after the massacre. "They drank and danced and cheered as they butchered us like hogs."

Colombia's media preferred to interview the fun-loving paramilitaries than gloomy victims. Dario Arizmendi gave paramilitary leader Carlos Castaño a 90-minute advertorial a few days after the massacre.

"It was perfectly easy to identify who were guerrillas, who were not, only when situations like these arose. But above all, I think it weakened a major evil. I believe that the tortures are horror stories, disinformation on the part of the witnesses in the area. No, to be tortured by the self-defense groups, that is a lie." AUC founder Carlos Castaño

Arizmendi has yet to interview Velasco about her horror stories about being raped by four men as a 14-year-old.

Well, during that massacre they raped me. Four guys grabbed me, they beat me and they raped me. They told me to get on my knees and beg for my life, but I wouldn't kneel. I told them I only knelt for God. They struck my knees, but weren't able to take me down. The only thing I have left is the dignity of not kneeling for them, that the only way they could make me kneel was when I was already unconscious. Yirley Velasco

Apparently, "the novel impact of the paramilitary leader's very presence allowed for public attention and the staging of a speech legitimizing the counter-insurgency war and its practices, as well as making the horrors committed by them invisible," according to the National Center for Historical Memory.

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Piracy

Pirate attacks remain high in Singapore Strait amid pandemic (Kyodo News)

January 15, 2021

Sea piracy and armed robbery in Asian waters jumped 17 percent last year compared with a year earlier, with a particularly high occurrence in the Singapore Strait, a Japan-led international center to combat the scourge said on Friday.

A total of 97 such incidents were reported last year, of which the largest -- 34 -- took place in the Singapore Strait, the ReCAAP Information Sharing Center said in its annual report.

Masafumi Kuroki, its executive director, partly attributed the rise in incidents in the region to the impact of the COVID-19 pandemic, citing economic hardships impacting many coastal communities and also the fatigue of shipping crew stranded for long periods at sea amid border controls.

"The negative impact of COVID-19 can be one of the causes," Kuroki said.

The Singapore Strait, one of the world's busiest, remained a high-risk area last year, continuing the trend in 2019 when there were 31 incidents.

The second highest was in Indonesia with 22 cases, followed by the Philippines with 13, India with nine and Vietnam with six.

However, the severity level of the incidents remained moderate, it said.

The center, established in Singapore in 2006 under the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, issued five alerts for the shipping community on the risk of the piracy in the Singapore Strait last year.

The Singapore Strait is difficult for ships to navigate because it is quite narrow with high traffic, Kuroki said, adding that this causes ships to decrease speed, giving pirates the opportunity to board.

"I don't think the coastal states reduced their vigilance," he added.

Kidnaping in Gulf of Guinea highest in history (The Guardian) By Sulaimon Salau and Adaku Onyenucheya
January 20, 2021

The latest report by the International Chamber of Commerce's International Maritime Bureau (IMB) has shown that piracy in the Gulf of Guinea recorded the highest number of crew kidnapped in 2020. The report indicated that the Gulf of Guinea accounted for over 95 per cent of 135 crew members kidnapped globally during the period.

Meanwhile, experts across several countries have called on the Nigerian Government to deploy a more effective military response to contain the surging pirate attacks and kidnappings off the West African coast.

The situation has not abated this year with a fresh case of assault on a container ship, MAERSK CARDIFF, reportedly attacked in Port Harcourt last Wednesday, which showed that Nigerian waters are still porous despite the Federal Government's efforts to combat piracy.

The IMB report indicated that in 2020, IMB's Piracy Reporting Centre (PRC) received 195 incidents of piracy and armed robbery against ships worldwide against 162 recorded in 2019.

The incidents included three hijacked vessels, 11 vessels fired upon, 20 attempted attacks and 161 vessels boarded. The rise was attributed to an increase in piracy and armed robbery reported in the Gulf of Guinea coupled with increased armed robbery activities in the Singapore straits.

It stated: "Globally, 135 crews were kidnapped from their vessels in 2020, with the Gulf of Guinea accounting for over 95 per cent of crew numbers kidnapped. A record 130 crew members were kidnapped in 22 separate incidents. Since 2019, the Gulf of Guinea has experienced an unprecedented rise in the number of multiple crew kidnappings. In the last quarter of 2019 alone, the Gulf of Guinea recorded 39 kidnappings in two separate incidents.

"Incidents in the Gulf of Guinea are particularly dangerous, as over 80 per cent of attackers were armed with guns," according to the latest IMB figures. All three vessel hijackings and nine of the 11 vessels fired upon in 2020 related to this region. Crew kidnappings were reported in 25 per cent of vessel attacks in the Gulf of Guinea – more than any other region in the world."

The rise in kidnapping incidents demonstrates the increasing capabilities of pirates in the Gulf of Guinea. Given the development, IMB advises vessels in the region to remain at least 250 NM from the coast at all times, or until the vessel can transit to commence cargo operations at a berth or safe anchorage.

Director of the ICC International Maritime Bureau. Michael Howlett, said: "The latest statistics confirms the increased capabilities of pirates in the Gulf of Guinea with more and more attacks taking place further from the coast. This is a worrying trend that can only be resolved through increased information exchange and coordination between vessels, reporting and response agencies in the Gulf of Guinea Region.

"Despite prompt action by navies in the region, there remains an urgent need to address this crime, which continues to have a direct impact on the safety and security of innocent seafarers," he said.

Shipping giants, AP Moller-Maersk, which transports about 15 per cent of global seaborne freights, said the attacks have pushed up insurance and other costs for shippers operating off West Africa, with some resorting to hiring escort vessels manned by armed navy personnel.

Recall that 25 African governments, including all those bordering on the gulf, signed the Yaoundé Code of Conduct in 2013 to tackle piracy, which was aimed at facilitating information sharing and established five maritime zones to be jointly patrolled. The pact has been partially implemented while most navies remain focused on safeguarding their territorial

waters.

Head of Marine Standards at Copenhagen-based Maersk, Aslak Ross, said the risk has reached a level where effective military capacity needs to be deployed, adding that it is unacceptable in this age that seafarers cannot perform their jobs of ensuring a vital supply chain for the region without having to worry about the risk of piracy.

The Executive Director of the Accra-based Centre for Maritime Law and Security Africa and a former Ghanaian naval officer, Kamal-Deen Ali, stated that while the West African attacks were initially concentrated offshore Nigeria, they have since spread to waters off Benin, Equatorial Guinea, Gabon, Ghana, Togo and Cameroon.

Also commenting on the issue, a Senior Analyst at Denmark-based Risk Intelligence, Dirk Siebels, noted that the number of violent attacks in the Gulf of Guinea has remained fairly consistent in the past decade, as abduction of more than 10 people has become increasingly common.

A partner at London-based maritime security firm, Dryad Global, Munro Anderson, lamented that the perpetrators of such incidents are aware there is almost no risk of being caught, adding that this is precisely the kind of incident an international naval coalition could mitigate.

A professor of Criminal Risk Management at France's EDHEC Business School, Bertrand Monnet, who had studied piracy in the Niger Delta region for 15 years, estimated that a maximum of 15 bands operate offshore West Africa, each comprising 20-50 members.

According to Monnet, hostages are usually held for ransom in Nigeria, the regional powerhouse that has taken the lead in preventing attacks, adding that its government plans to commission nearly \$200 million of new equipment in 2021, including helicopters, drones and high-speed boats, to boost the navy's capabilities.

The Liberian Shipowners' Council, Secretary-General, Kierstin Del Valle Lachtman, however, urged the Nigerian authorities to disrupt the pirates' onshore criminal activities, adding that improving employment prospects for impoverished coastal communities would reduce the threat of piracy in the longer term, but would not address the immediate problem.

Also speaking, Head of maritime security at the Baltic and International Maritime Council, a Copenhagen-based shipowners' group, Jakob Larsen, proposed that if national governments focus on their territorial waters, that is, the 12 nautical miles from their shores, major naval powers could reduce piracy further afield in the gulf by deploying two or three frigates equipped with helicopters.

He, however, considers such support unlikely because the sea routes are not as strategically important as those off Africa's east coast, noting, "There is little international appetite for getting involved in Nigeria's security problems."

Meanwhile, Commander of the Nigerian Navy's western fleet, Rear-Admiral Oladele Daji, said Nigeria is committed to "ensuring that this menace of piracy is eliminated from our waters so that those with legitimate business in shipping, fishing, as well as oil and gas can go about their business without fear."

Pirates kill 1, kidnap 15 crew on Turkish ship off West Africa (Aljazeera)

January 24, 2021

Pirates attacked a Turkish cargo ship off the West African coast, kidnapping 15 sailors and killing one, and Turkey's military was planning a rescue operation on Sunday.

Turkey's Maritime Directorate said the crew initially locked themselves in a safe area but the pirates forced entry after six hours. During the struggle, one crew member on board the M/V Mozart died.

Turkish media identified the victim as engineer Farman Ismayilov of Azerbaijan, the only non-Turkish crew member.

After taking most of the crew on Saturday, the pirates left the ship in the Gulf of Guinea with three sailors on board, state-run Anadolu news agency said. The vessel is currently heading to Gabon's Port-Gentil.

Turkish President Recep Tayyip Erdogan spoke twice to the senior officer remaining on the ship, Furkan Yaren, the Turkish presidency said in a tweet. It added Erdogan issued orders for the recovery of the kidnapped crew.

Yaren was cited as saying the pirates beat crew members, and left him with an injured leg while another still aboard the ship had shrapnel wounds.

“The owners and operators of the M/V Mozart, which was hijacked at gunpoint in the Gulf of Guinea, have regretfully confirmed that one of its crew has been killed and others abducted,” Istanbul-based Boden Maritime said in a statement.

Most dangerous sea

The Liberian-flagged Mozart was sailing from Lagos, Nigeria, to Cape Town in South Africa when it was attacked 100 nautical miles (185km) northwest of the island nation of Sao Tome and Principe on Saturday morning.

Turkish Minister of Foreign Affairs Mevlut Cavusoglu spoke to his Azerbaijani counterpart to offer condolences and said the body of the crew member would be transferred when the Mozart reaches port.

According to reports, the pirates disabled most of the ship’s systems, leaving only the navigation system for the remaining crew to find their way to port. The Gulf of Guinea – off the coasts of Nigeria, Guinea, Togo, Benin and Cameroon – is the most dangerous sea in the world because of piracy, according to the International Maritime Bureau.

In July 2019, 10 Turkish seamen were kidnapped off the coast of Nigeria. They were released less than a month later.

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Gender-Based Violence

Rare conviction of South Sudan soldiers for rape raises hope (Associated Press) By Sam Mednick

January 15, 2021

First, the soldiers stole their belongings. Then they took their food. On their third and final visit, the woman said, the soldiers raped her and her daughter-in-law until they were unable to walk.

What sets these assaults in South Sudan apart from many other rapes by soldiers in the troubled country is this: The women brought the men to court and won.

Ten years after South Sudan gained its independence and two years after its own deadly civil war ended, large-scale fighting has subsided but clashes continue between communities and between the government and groups that did not sign the peace deal — and the use of rape as a weapon remains rampant. Justice is exceedingly rare, but the September conviction has raised hopes that such crimes will increasingly be prosecuted.

“I was traumatized,” the older of the two women, a 48-year-old mother of eight, told The Associated Press in Yei, a town in the southern state of Central Equatoria where she now lives. The AP does not typically identify people who say they have been sexually assaulted unless they grant permission, and the woman said she continues to fear for her safety and is too afraid, for instance, to return to her home village of Adio.

She said she has found some solace in seeing her two attackers convicted and sent to prison after she reported the rape in May to South Sudan’s army chief when he visited her village. A new army chief of staff, responding to growing frustration with such crimes, sent military judges from the capital, Juba, to oversee the case and those of 10 other women and girls who also came forward.

In the end, 26 soldiers were convicted, some for rape but others for offenses including looting. It was the first time soldiers had been convicted of rape since the 2016 rampage at the Terrain Hotel, where five international aid workers were gang-raped and a local journalist was killed.

The army hopes the trial will be a warning to its troops.

“We apologize, we won’t let it happen again, and we’ll arrest people who do it,” said Michael Machar Malual, head of civilian-military relations for the army in Central Equatoria state. A government spokesman did not respond to a request for comment.

The woman hopes the verdict will encourage more survivors to speak up in a country where sexual assault is a scourge.

Some 65% of women and girls in South Sudan have experienced sexual or other physical violence, the United Nations

children's agency said in 2019.

Between July and September, the U.N. reported an 88% increase in conflict-related sexual violence from the previous quarter even as overall violence dropped. It said there were more than 260 "violent incidents" in total during the period, but it did not specify how many involved sexual violence.

The villages around Yei have been hit hard as fighting continues between government forces and the National Salvation Front, which did not sign the peace deal.

Civilians say they are caught in the middle, with women often accused by soldiers of supporting the rebels — and assaulted — especially if their husbands aren't around.

In February, three women and a 14-year-old girl were raped by soldiers about 40 kilometers (25 miles) from Yei, according to a report by the independent body charged with overseeing the implementation of the peace deal. One woman was gang-raped while held at gunpoint, the report said.

When the AP visited Yei in December, civilians and soldiers said the situation was improving and there had been fewer reports of sexual violence since the truce. The once-bustling town and nearby villages are slowly returning to life after the war.

Yet some residents said they feel as unsafe as ever. A group of women walking home from the market said they hide their food in the bushes, worried that hungry soldiers will steal it from their homes. An economic crisis in South Sudan fueled by a drop in oil prices and the fallout from the COVID-19 pandemic means soldiers haven't been paid in months — and experts are warning of famine.

Rights groups have hailed the recent case as important — but only a first step — and are pushing the government for more accountability.

"This should be a lesson for those with power, especially those with guns, to know that they are not above the law," said Riya William Yuyada, executive director of Crown the Woman South Sudan, an advocacy group that has pressed the government for accountability.

A hybrid court is meant to be established as part of the peace deal to try people accused of committing wartime atrocities, but implementation is slow. Nyagoah Tut Pur, a researcher with Human Rights Watch, noted that those convicted of such crimes are often lower-level officers, and senior leaders should be held responsible. She added that accountability must also include compensation and services for survivors.

Some women brutalized by soldiers have taken matters into their own hands.

In 2017, Mary Poni said she watched soldiers decapitate her father and gang-rape three of her sisters until they died, before she was assaulted herself. She has written a book about her experience in the hope that it will be a small step toward reconciliation in her country.

"I want the civilian population to be confident in the army, and the army to be able to protect our women and girls," Poni said. "Women are living in silent fear, not able to open up about things they went through."

'Choose - I kill you or rape you': abuse accusations surge in Ethiopia's war (Reuters) By Michael Georgy
January 25, 2021

The young coffee seller said she was split from family and friends by an Ethiopian soldier at the Tekeze river, taken down a path, and given a harrowing choice.

"He said: 'Choose, either I kill you or rape you,'" the 25-year-old told Reuters at the Hamdayet refugee camp in Sudan where she had fled from conflict in Ethiopia's Tigray region.

The doctor who treated her when she arrived at the camp in December, Tewadrous Tefera Limeuh, confirmed to Reuters that he provided pills to stop pregnancy and sexually-transmitted diseases, and guided her to a psychotherapist.

"The soldier ... forced a gun on her and raped her," Limeuh, who was volunteering with the Sudanese Red Crescent, said the woman told him. "She asked him if he had a condom and he said 'why would I need a condom?'"

Five aid workers for international and Ethiopian aid groups said they had received multiple similar reports of abuse in Tigray. The United Nations appealed this week for an end to sexual assaults in the region.

Among a “high number” of allegations, particularly disturbing reports have emerged of people being forced to rape relatives or have sex in exchange for basic supplies, the U.N. Office of the Special Representative on Sexual Violence in Conflict, Pramila Patten, said in a statement on Thursday.

Prime Minister Abiy Ahmed’s government and the military did not immediately respond to questions from Reuters about the reports of rape. On Saturday, Ethiopia’s ambassador to the United Nations, Taye Atske Selassie, told Patten that Ethiopia has a zero tolerance policy on sexual violence, according to state-affiliated broadcaster Fana TV.

Ethiopian authorities have previously denied rights abuses, pointing the finger instead at the Tigray People’s Liberation Front (TPLF), the region’s former ruling party whose forces they accuse of insurrection.

“I call on all parties involved in the hostilities in the Tigray region to commit to a zero-tolerance policy for crimes of sexual violence,” U.N. special representative Patten said in the statement.

Women and girls in refugee camps within Ethiopia appear to have been particularly targeted, and medical centres are under pressure for emergency contraception and tests for sexually-transmitted infections, the statement said.

Reuters could not independently verify the accounts of rape. Media have been largely banned from Tigray, aid agencies have struggled for access, and communications were down for weeks.

ABUSERS IN UNIFORM

The 25-year-old woman who spoke with Reuters said her abuser wore an Ethiopian federal army uniform.

The five aid workers said other women described their alleged assailants as being militia fighters from Ethiopia’s Amhara region or Eritrean soldiers, both allied with Abiy’s troops. Reuters was unable to determine the identity of the woman’s assailant.

Abiy’s spokeswoman, Tigray’s interim governor, the mayor of the regional capital Mekelle, Eritrea’s foreign minister and Ethiopia’s army spokesman did not immediately reply to requests for comment on rape allegations. Reuters could not reach TPLF representatives.

“I don’t have any information about that,” Amhara regional spokesman Gizachew Muluneh told Reuters by phone.

Ethiopia and Eritrea have both denied that Eritrean troops are in Ethiopia, contradicting dozens of eyewitness interviews, diplomats and an Ethiopian general.

‘WHY IS A WOMAN RAPED?’

At a meeting of security officials in Mekelle broadcast on Ethiopian state TV earlier this month, one soldier spoke of abuses even after the city had been captured by federal forces.

“I was angry yesterday. Why does a woman get raped in Mekelle city? It wouldn’t be shocking if it happened during the war ... But women were raped yesterday and today when the local police and federal police are around,” said the soldier, who was not identified.

Local authorities did not immediately respond to efforts to seek comment on whether any soldiers might be investigated or brought to justice.

Tewadrous, the refugee camp doctor, described two other rape cases he had handled. One woman, who said she had escaped from Rawyan town in Tigray, told of three soldiers she identified as Amhara special forces knocking at her door, the doctor said. When she refused them entry, they broke in and assaulted her.

An aid worker in the town of Wukro told Reuters victims had recounted how a husband was forced to kneel and watch while his wife was raped by soldiers they identified as Eritrean.

A medical worker in Adigrat said he treated six women who had been raped by a group of soldiers and told not to seek help afterwards. They found courage to come forward days later, but there were no medicines to treat them, the medic said.

In Mekelle, one man was beaten up after begging soldiers to stop raping a 19-year-old, according to a medical worker who treated both victims. Mekelle charity Elshadai said it has prepared 50 beds for rape victims.

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Commentary and Perspectives

Do Aging War Criminals Deserve Humane Treatment? By Emily Riley

January 26, 2021

The human rights of elderly defendants must be respected even when they are convicted of human rights crimes, according to a forthcoming paper in the Virginia Journal of International Law.

“Elderly persons must be treated in a manner consistent with their human rights, even when accused or convicted of heinous crimes,” writes Caroline Davidson, a professor at the Willamette University College of Law.

“These rights include adequate medical treatment, nondiscrimination, access to justice, fair trials, respect for dignity, and humane treatment.”

The treatment of the elderly in the criminal justice sphere is especially relevant when discussing International Criminal Law (ICL) and subsequently, the International Crime Court, which investigates and prosecutes atrocity crimes.

Atrocity crimes, considered the “most serious crimes against mankind,” include war crimes, acts of genocide or crimes against humanity, according to a 2014 report by the United Nations.

The elderly have a unique presence in atrocity crimes, which Davidson refers to as the “Silver Wave,” a play on the phrase “Silver Tsunami,” which is used to describe the increasing population of incarcerated elderly people in the United States.

Instead of a tsunami, the phenomena in terms of atrocity crimes is seen more as a wave, “since the total number of defendants is lower, but there are a lot of silver waves in the ICL ocean,” said Davidson.

“Elderly defendants make up a significant proportion of the defendants at international tribunals, hybrid courts, and even domestic courts addressing atrocity crimes.”

The task of fairly prosecuting and sentencing the elderly for atrocity crimes is a complex one. For example, the UN Minimum Prison standards does not include age as a factor of discrimination, although Davidson clarifies that nondiscrimination “does not mean undifferentiated treatment.”

Davidson argues that from a human rights perspective, denying an elderly person adequate health care or differential sentencing based on the fact that they committed a heinous crime contradicts basic principles.

The Inter-American Convention on Protecting the Human Rights of Older Persons, cited in the article, declares that “older persons have the right to physical and mental health without discrimination of any kind,” and that “States Parties shall design and implement comprehensive-care oriented intersectoral public health policies that include health promotion, prevention and care of disease at all stages, and rehabilitation and palliative care for older persons, in order to promote enjoyment of the highest level of physical, mental and social well-being.”

While Davidson noted that the above convention was not directly aimed at the incarcerated population, those who are elderly and incarcerated shouldn’t be excluded from it simply because they are incarcerated.

In addition to receiving adequate health care, the elderly also deserve “access to justice and the right to a fair trial,” said Davidson.

According to the report the median sentence was 15 years for the International Criminal Tribunal for the former Yugoslavia (ICTY), and even reached 33.5 years for the International Criminal Tribunal for Rwanda (ICTR), respectively.

The data from that 2011 study illuminates the increased time than what’s typically adjudicated for a standard criminal trial. With the seriousness of the crime comes a more intense, thorough investigation, as well as needed time for a nation to recover from the effects caused by an atrocity crime.

With elderly defendants, this raises the problem of the defendant’s “race against the clock.”

As a defendant waits for a trial, time is not on the nation’s side.

Defendants can use delay tactics such as exaggerated ailments common to an elderly person to “evade conviction or punishment,” conceded Davidson, citing many instances of defendants delaying their trials due to health issues at the ICTY.

“The combination of a focus on senior leaders and those most responsible for crimes and the time that has elapsed since the crimes, some 40 years, means that trials of the elderly, with all of the attendant physical and mental health issues of old age, are almost inevitable,” said Davidson.

While “physical and mental health problems, isolation, and dementia are unlikely to discriminate between ordinary criminals and international criminals,” the longer period of time and potential harsher sentences allows for more opportunities of health concerns with defendants, said Davidson.

Factoring in all of those components, in addition to the seriousness of the crime, makes a judge’s job complex, even “messy,” said Davidson.

“International human rights law requires non-discrimination against the elderly, but also the accommodation of their special needs, access to justice and a fair trial, that elderly persons be treated with dignity as defendants and, if convicted and incarcerated, as prisoners, and that they be treated humanely,” said Davidson.

“Humane treatment means the provision of medical care and discontinuing proceedings, trial, or confinement if they preclude meeting the detainee’s medical needs or if the defendant is unfit to stand trial.”

Amidst the need for consistent human rights across the world, Davidson acknowledges there is no simple solution.

Because atrocity crimes are so serious, there are many different factors to take into consideration, including the gravity of the crimes, the “calculus” of deterrence, and “the potential for alternative transitional or restorative justice mechanisms,” said Davidson.

Rehabilitation, which is commonly thought of the most central goal of corrections from the human rights viewpoint is not the central goal of punishing perpetrators of atrocity crimes.

People are “not necessarily striving for peace and stability of the defendant (or their reintegration into society)” as they would for a person who committed a lesser crime, said Davidson.

Instead, the focus is placed on retribution and deterrence, ways of getting justice for the victims of the crime, and deterring the perpetrator and possible future perpetrators from committing a similar crime in the future.

This disconnect between human rights advocacy and the correctional goals of International Criminal Law affects the way trials occur internationally and international criminals are punished.

Although a country might want to be harsh on a defendant “it is also important to send the message that trials and potential sanctions comport with human rights,” said Davidson.

“It is also the right thing to do.”

She added: “Trying or punishing perpetrators in a manner inconsistent with human rights undermines the human rights-affirming nature of trials and the message that respect for human rights is essential.”

This could even mean a reduced or modified sentence for those who need specialized health care, said Davidson.

Davidson also acknowledged, however, that a less harsh sentence or a less restrictive form of imprisonment for a human rights criminal could arouse public protest and undermine the legitimacy of a country’s judicial system.

But she noted that choosing to detain a human rights criminal in a regular prison instead of a specialized separate prison “sends the strongest message of condemnation,” said Davidson.

“They are not special political prisoners owed special privileges. They are criminals.”

This is of course subject to change if the convicted is elderly and at higher risk, bringing the discussion back to the central point of overall treatment of elderly people who are incarcerated.

Should special housing be given to elderly people convicted of atrocity crimes, “it should benefit all elderly criminals, not just those convicted of human rights crimes,” said Davidson.

“Although there are strong arguments for prosecuting and punishing atrocity criminals, even old ones, we must be mindful that any efforts to excuse mistreatment, including incarceration incompatible with the safety of prisoners or their medical needs, will make it easier to justify ignoring the human rights of ordinary prisoners and may stymie important reforms in that area,” said Davidson.

“Where, however, even the proceedings cannot be conducted humanely, in particular based on an elderly defendant’s serious physical or mental incapacity, such prosecutions run afoul of international human rights norms, and risk undermining the most important expressive function of atrocity trials: promoting respect for human rights.”

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WORTH READING

Accident and Design: Recognising Victims of Aggression in International Law (International and Comparative Law Quarterly)

Shane Darcy

January 17, 2021

International law has not traditionally recognised individuals as victims of the crime of aggression. Recent developments may precipitate a departure from this approach. The activation of the jurisdiction of the International Criminal Court over the crime of aggression opens the way for the future application of the Court’s regime of victim participation and reparation in the context of prosecutions for this crime. The determination by the United Nations Human Rights Committee in General Comment No. 36 that any deprivation of life resulting from an act of aggression violates Article 6 of the International Covenant on Civil and Political Rights serves to recognise a previously overlooked class of victims. This article explores these recent developments, by discussing their background, meaning and implications for international law and the rights of victims.

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