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

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AFRICA

CENTRAL AFRICA

Central African Republic

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Sudan & South Sudan

**Official Website of the International Criminal Court
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Latest South Sudan peace deal attempt fails

LA Times

By AP

June 22, 2018

The latest attempt at ending South Sudan's five-year civil war failed Friday as

President Salva Kiir declined to work again with rival Riek Machar after their first face-to-face meeting in almost two years.

"This is simply because we have had enough of him," government spokesman Michael Makuei said.

The rivals met this week in neighboring Ethiopia on its prime minister's invitation, shaking hands and being coaxed into an awkward embrace as they held direct talks. They shook hands again as regional heads of state and government met to discuss the civil war in the world's youngest nation.

But it became clear that while South Sudan's government was open to having the opposition in the vice president's role, it would not accept Machar's return to that post. Machar fled the country after new fighting erupted in the capital, Juba, in July 2016, ending a brief attempt at peace in which he returned to his role as Kiir's deputy.

Opposition spokesman Lam Paul Gabriel told the Associated Press that "there was nothing agreed upon in the talks" but that the face-to-face meeting with South Sudan's president was useful "because we are able to see violence in Salva's eyes." Gabriel also accused the East African regional bloc of favoring South Sudan's government and putting its own interests ahead of "genuine peace," adding:

"This is completely disappointing."

The bloc, the Intergovernmental Authority on Development, has led several rounds of failed peace talks.

The two sides will meet again Monday in Sudan, that country's official news agency SUNA reported, and officials said they will then meet in Kenya.

Machar will attend the meeting in the Sudanese capital, Khartoum, Makuei told reporters.

"We believe that peace is going to come in the coming one month or so," South Sudan's Cabinet affairs minister, Martin Elia Lomoro, told reporters, even as observers expressed skepticism.

South Sudan's civil war, which broke out just two years after the country won independence from Sudan, has continued despite repeated attempts at peace deals. Tens of thousands of people have died and millions have fled to create Africa's largest refugee crisis since the 1994 Rwandan genocide. Millions of others still in the country are near famine, while the warring sides have been blamed for obstructing or slowing the delivery of desperately needed aid.

The latest attempt at a cease-fire in December was violated within hours. Both sides have been accused of widespread abuses such as gang rapes against civilians, including along ethnic lines. A number of South Sudan officials have been accused by human rights groups of profiting from the conflict and blocking the path to peace, and the United States — the largest donor of humanitarian aid — has threatened to withdraw it.

Early this month the U.N. Security Council adopted a United States-sponsored resolution that threatens an arms embargo on South Sudan and sanctions against six people, including the country's defense chief, if fighting doesn't stop and a political agreement isn't reached. The resolution asks U.N. Secretary-General Antonio Guterres to report to the council on that by June 30.

The Intergovernmental Authority on Development has threatened to submit "punitive measures" against violators of the latest failed cease-fire, though sanctions would need approval by leaders of the bloc's member nations.

In a statement on this week's meeting, South Sudan's government objected to sanctions, saying they were emboldening the opposition.

Machar, meanwhile, has been under house arrest in South Africa. It was not immediately clear where he would go now. According to the South Sudan government statement, the regional bloc wants Machar relocated "outside the region and not in any country near South Sudan."

Makuei, the government spokesman, said Machar was welcome to visit South Sudan and wait for elections but "we don't want to have another fight."

There was no sign of an end to the conflict. An opposition statement later Friday said that "in light of the regime's intransigence throughout the peace process" it reserves the right to self-defense.

Aid groups watched the failure of the landmark peace talks with concern.

"With almost two-thirds of the population of South Sudan in need of urgent humanitarian aid, we do not have the luxury of

being cynical about this peace process," said Janardhan Rao, South Sudan country director for Mercy Corps.

"We can meet urgent food needs, we can help displaced families start again, but our programs cannot continue to withstand war."

Warring Parties Sign Cease-Fire In South Sudan

NPR

June 28, 2018

The president of South Sudan and his former vice president, who now leads the country's largest rebel group, announced a permanent cease-fire Wednesday following talks in Sudan's capital.

In the latest of many unsuccessful attempts to stem more than four years of bloodshed in South Sudan's civil war, President Salva Kiir and rebel leader Riek Machar's signed agreement is set to take effect on Saturday. The two leaders met in person for the first time in two years beginning last week during talks in Ethiopia. The civil war, which broke out in late 2013, helped bring about one of the world's worst ongoing humanitarian crises. Tens of thousands of people have been killed while at least 4.2 million people, one in three South Sudanese, have been forced from their homes since the war started, according to the United Nations secretary-general of South Sudan.

The secretary-general also reported earlier this month that about 7.1 million people "could become severely food insecure in the coming months." A previous cease-fire in December only held up for less than one day, according to The Associated Press. Other efforts at peace have unraveled as well. "The parties will continue talks in Khartoum to discuss the arrangements for implementing the cease-fire, and after it comes into place the issue of power-sharing will be discussed," Sudan's foreign minister, Al-Dirdiri Mohamed Ahmed, told Reuters.

The agreement calls for the opening of passages for humanitarian aid to flow, the releasing of prisoners and disengagement of armed forces. The agreement also stipulates the formation of a unity government after four months, Reuters reported. The parties also agreed to prepare for national elections in the three years that follow and to work — if needed, with Sudan — to rehabilitate oil infrastructure. Oil production, which has been central to the South's economy, has fallen from about 350,000 barrels per day in 2011, according to Bloomberg, to between 120,000-130,000 per day in early 2018, according to the U.N.

Machar spokesperson Mabior Garang told Reuters that Machar's side would sign the "framework" agreement but would make "amendments." "We are cautiously optimistic," he told the AP. President Kiir said he would "commit respectfully" to the agreement, Reuters reported. Elysia Buchanan of the aid group Oxfam told The New York Times she was skeptical of any new agreement until it "translates to real changes on the ground ... when we hear from South Sudanese civilians that they feel safe from attacks and rape, free from rising hunger — which is being driven by ongoing conflict — and they can once again pursue their livelihoods and education without fear."

Another advocate, Brian Adeba of the Enough Project, told the Times that the war has splintered into several factions and any agreement must be made between more people than only Kiir and Machar. "It has evolved significantly. There are other actors involved in it who have grievances, both armed and unarmed," he said.

South Sudan Cease-fire Violated Within Hours

NY Times

By AP

June 30, 2018

South Sudan government troops violated the country's latest cease-fire just hours after it began at midnight, the armed opposition claimed Saturday, while a government spokesman accused the rebels of attacking instead.

The competing claims indicated a shaky start to the latest attempt at ending the five-year civil war that has killed tens of thousands and created Africa's largest refugee crisis since the 1994 Rwandan genocide. Millions are near famine and aid delivery is often blocked in one of the world's most dangerous countries for humanitarian workers.

President Salva Kiir and rival Riek Machar, Mr. Kiir's former deputy, had agreed on a "permanent" cease-fire earlier this week in neighboring Sudan after their first face-to-face talks in nearly two years.

Opposition spokesman Lam Paul Gabriel said government forces and Sudanese rebel militias launched a "heavy joint attack" in Mboro, Wau County, in the northwest around 7 a.m. Saturday, arriving in armored personnel carriers, trucks and Land Cruisers.

"The fight is still ongoing as I write," Mr. Gabriel said, calling on the United Nations peacekeeping mission and cease-fire monitors to investigate. The opposition reserved the right to self-defense, he added.

"This is disappointing that even when their president and commander-in-chief Salva Kiir declares a cease-fire, the regime's forces still violate it," Mr. Gabriel told The Associated Press. "There is the possibility Salva Kiir is not in control of his forces or he doesn't want peace to come."

South Sudan government spokesman Ateny Wek Ateny told the AP that the opposition attacked instead.

"They have a loose leadership; They're not being controlled by anyone," Mr. Ateny said.

A previous cease-fire in December was also violated within hours, prompting a new push by the international community to threaten sanctions against those blocking the path to peace.

This time, Mr. Kiir and Mr. Machar had faced a possible United Nations arms embargo and sanctions if fighting didn't end and a political deal wasn't reached by Saturday.

The rapid cease-fire violations are "a tradition, not because the two principals are not willing to put their words into reality but because they mostly are not in direct control of their forces," South Sudanese activist and analyst Jon Pen de Ngong told the AP.

Both sides have been splintering, with the opposition breaking into multiple armed groups and high-level officials leaving the government in frustration amid accusations by watchdog groups that some decision makers choose to profit from the war instead of pushing for peace.

Only financial and legal pressure on such leaders "could possibly alter current calculations that favor war, instability and chaos over peace, democracy, and the rule of law," John Prendergast, founding director of the Enough Project, which focuses on the corruption behind Africa's conflicts, told the AP.

Wary observers inside and outside South Sudan, including the warring sides, had approached the latest cease-fire with cautious optimism at best. A joint statement by the United States, Britain and Norway warned that effects of the halt in fighting must be seen on the ground: "It must lead to ... an end to the horrendous abuses endured by civilians at the hands of security forces." Both sides have been accused of human rights abuses.

The rivals have yet to agree on a power-sharing deal, as the government has rejected the idea of Mr. Machar again becoming Mr. Kiir's deputy. The civil war broke out between supporters of Mr. Kiir and his then-vice president Mr. Machar in late 2013, just two years after South Sudan won independence from Sudan.

A 2015 peace agreement brought back Mr. Machar as vice president, but the deal collapsed in July 2016 when fresh fighting erupted in the capital, Juba, with Mr. Machar fleeing the country on foot through the bush into Congo.

South Sudan opposition rejects plans to extend Kiir's tenure

AlJazeera

July 3, 2018

South Sudan's opposition has described as illegal plans to extend the tenure of President Salva Kiir by three years.

Opposition spokesman Lam Paul Gabriel called the proposal "definitely illegal" and "anti-peace" as the warring sides pursue a peace agreement.

Gabriel told journalists in the capital, Juba, on Tuesday that the plot to keep Kiir in office until 2021 undermines peace talks with opposition forces.

The South Sudanese presidency on Monday proposed a bill to parliament to amend the constitution and extend the tenure of President Salva Kiir, his deputies and governors, Paul Yoane Bonju, a member of parliament said.

Parliament intends to vote it into law this month, Bonju said.

Another legislator, Atem Garang, said the planned extension of Kiir's term is almost guaranteed as the ruling party holds a majority of seats in parliament.

"If they don't extend it there will be anarchy and war. You'll have a country without a government," Garang told The Associated Press.

South Sudan's President Salva Kiir and his opponent Riek Machar agreed, at talks in the Sudanese capital Khartoum last Wednesday, to a "permanent" ceasefire to take effect within 72 hours, raising hopes of an end to a devastating civil war.

The latest ceasefire was violated hours after it began with the government and armed opposition trading blame.

The previous ceasefire in December was violated within hours as well, prompting a new push by the international community to threaten UN and regional sanctions against those blocking the path to peace.

South Sudan's civil war has killed tens of thousands and created Africa's largest refugee crisis since the 1994 Rwandan genocide.

Both sides have been accused of abuses, including gang-rapes, some along ethnic lines.

Millions are near famine and aid delivery is often blocked in one of the world's most dangerous countries for humanitarian workers.

The conflict erupted in 2013, around two years after South Sudan won independence from Sudan, when Kiir accused his then-deputy Machar of plotting a coup.

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Democratic Republic of the Congo

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

DRC says Bemba can get diplomatic passport after acquittal

News24

June 25, 2018

The Democratic of Republic of Congo on Monday said former DRC vice president and warlord Jean-Pierre Bemba can apply for a diplomatic passport to return home after he was acquitted of war crimes in The Hague.

Bemba's acquittal has added a further ingredient to the DRC's volatile political mix, stoking speculation that he will contest the December 23 presidential elections.

But questions have remained as to whether he intends to return home and if the authorities would allow it.

Foreign Minister Leonard She Okitundu, in a letter, said "the honourable senator" could "send his protocol agent to our embassy in Brussels to obtain a form to apply for a diplomatic passport."

The letter was sent to the president of the senate, Leon Kengo Wa Dondo, who had made the request regarding a diplomatic passport for Bemba.

The DRC is in the grip of a crisis over the future of President Joseph Kabila, who has ruled the country since 2001 and has remained in office, despite a two-term constitutional limit that expired in December 2016.

He has remained in power under a constitutional clause that enables a president to stay in office until his or her successor is elected.

Bemba's party is to hold a congress in Kinshasa on July 12 and 13 which will decide on whether it will put forward a candidate for the December 23 elections.

On June 8, judges at the International Criminal Court (ICC), overturned a 2016 conviction against Bemba for five counts of war crimes committed by his militia in the Central African Republic in 2002-2003.

They said he could not be held criminally liable for atrocities they committed, which included murder, rape and looting, as he

was unable to influence their conduct.

He had been given an 18-year term, the longest ever to be handed down by the court.

Bemba is currently in Belgium after gaining an interim release from the court.

The ICC is to issue a ruling on July 4 in a separate case in which he was sentenced to a one-year jail sentence and fined \$350 000 in 2017 for bribing witnesses during his main war crimes trial.

However, he has already spent a decade behind bars, and legal experts expect him to be released definitively if his time is taken into account.

On June 17, Okitundu had said Bemba "can return" home if he wanted to.

It remains unclear whether he faces any threat of prosecution if he sets foot on DRC soil, after authorities issued a warrant in 2007 against him over the violence and for alleged arson at the Supreme Court.

UN Accuses Congolese Soldiers, Militias of War Crimes

Bloomberg

By William Clowes

June 26, 2018

Security forces and militia fighters in the Democratic Republic of Congo carried out war crimes and crimes against humanity in a conflict in the country's Kasai region, the United Nations said.

Congolese soldiers and two armed groups — Kamwina Nsapu and Bana Mura — committed "multiple atrocities, including numerous cases of sexual violence and abuses against children, which can be described as crimes against humanity or war crimes," the UN's High Commissioner for Human Rights said in a report published on Tuesday.

"A very serious problem of impunity exists," it said. Congo Human Rights Minister Marie-Ange Mushobekwa didn't immediately respond to calls from Bloomberg requesting comment.

Protracted violence broke out in Kasai, which comprises five provinces in southern and central Congo, in August 2016 after state forces killed a traditional chief, triggering fighting with a militia of his followers known as Kamwina Nsapu. An armed group, Bana Mura, emerged last year and received support from the security forces as it massacred people from the ethnic groups from which Kamwina Nsapu recruits, according to UN investigators.

The violence has abated since August 2017, while sporadic attacks by all sides continue, the UN said. About 1.4 million people were forced to flee their homes during the conflict, according to the UN.

The investigators were "shocked by the scale of the violence which caused thousands of deaths as well as the disastrous human-rights situation which has endured in the Kasai region since 2016," according to the report, which was based on more than 500 interviews with victims, witnesses and perpetrators.

Congo's Katumbi open to opposition coalition that could include Bemba

Channel NewsAsia

By Bate Felix

June 26, 2018

Congolese opposition leader Moise Katumbi said on Monday he was in favour of a coalition that could include another opposition figure, Jean-Pierre Bemba, who is expected back in the country soon after his war crimes convictions were quashed on appeal.

Katumbi, Bemba, and Felix Tshisekedi, leader of Democratic Republic of Congo's largest opposition party, are the main likely opposition contenders in a December presidential vote to choose a successor to President Joseph Kabila.

Bemba, a popular former rebel leader and vice president, left Congo in 2007 and has spent the last 10 years in prison in The Hague. But he is expected back in Congo in July and could participate in the vote.

Katumbi said he had visited Bemba several times during his 10-year detention to show support.

"I am in favour of a union of all opposition parties, including with Bemba, who is a major actor. Unity is strength," Katumbi

said, during a question-and-answer session on Twitter.

Katumbi added that he was also on good terms with Tshisekedi and they all had the same objective, ending Kabila's rule.

It remains unclear whether the three opposition figures can agree on a single candidate for the presidency.

Kabila has not yet ruled out trying to circumvent term limits to stand again, keeping the country in suspense ahead of what could be its first democratic transition of power.

If he decides not to seek another mandate, Kabila could anoint a ruling party successor who could benefit from the party's machinery and deep coffers.

Katumbi, who is currently in Europe, said he planned to return to Kinshasa between July 24 and Aug. 8 to register for the vote.

The millionaire businessman and former governor of Congo's copper-producing Katanga province, said a decision by authorities to cancel his Congolese passport, and questions over his nationality, were government manoeuvres aimed at stopping him from participating in the vote.

"Rest assured, I'm Congolese and I'll be a candidate. I'll campaign in the country, it is my right. Fear nothing," Katumbi said, responding to questions on Twitter.

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Burundi

**Official Website of the International Criminal Court
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Opponents of constitutional change in Burundi face torture and execution

CNBC AFRICA

By APO

June 28, 2018

Reporting to the Human Rights Council, the Commission of Inquiry on Burundi delivered its findings based on more than 380 interviews, in addition to 500 testimonies collected last year. The dossier compiled by the three-member panel encompasses events surrounding the national referendum last month on constitutional reform which could extend President Pierre Nkurunziza's term in office well beyond 2020. Noting a presidential declaration made in support of his successor after the referendum, the report reiterates the view of some observers that Mr. Nkurunziza's comments were "by no means a clear and firm commitment not to run" in future elections himself. It also notes "difficulties" faced by international media outlets in covering events in the country amid the suspension of broadcasters including the BBC and Voice of America, following reports that were deemed "biased" by Burundian authorities. On the alleged rights violations committed in the country, the report highlights "numerous arrests" of people who called for a "no" vote in the referendum, including members of opposition parties who were then allegedly executed or abducted. It states that "unidentified bodies" have continued to be found "in various parts of the country" after their arrest by "individuals in police uniform" or National Intelligence Service (SNR) agents. Victims were also targeted by the Imbonerakure — the youth wing aligned to the ruling CNDD-FDD party — whose influence is said to have risen "in the repressive machinery which has developed since 2015". Describing how the Imbonerakure "cover the country", the Commission of Inquiry's findings detail how their members inform the authorities about "real or perceived opponents in each locality", all the while "harassing, controlling or intimidating the population", with the approval of

State officials. This collaboration extends to putting pressure on people to collect contributions for elections in 2020, the report states, before detailing how civil servants are required to pay the equivalent of 10 per cent "or more" of their salary to an election fund. This levy extends to households and others above voting age on an "ad hoc basis at the local level", the report continues, citing eyewitness reports of "roadblocks set up throughout the country" by the Imbonerakure to check whether people had receipts for the tax. Such developments have contributed to the "continuing deterioration" of the Burundian economy that has left the country's people among the very poorest in the world, according to per capita earnings, the report continues. Referencing the UN Office for the Coordination of Humanitarian Affairs (OCHA), it states that 3.6 million people are in need of humanitarian assistance in Burundi today. The deteriorating economic situation will be included in the Commission of Inquiry's final report to the Human Rights Council in September.

UN Accuses Burundi's Ruling Party of Mass Human Rights Violations

Voice of America

By Lisa Schlein

June 27, 2018

A United Nations probe into the human rights situation in Burundi finds government opponents are subject to mass violations including summary executions, disappearances, arbitrary arrests and torture.

Burundian President Pierre Nkurunziza's recent declaration that he will support the future President of the Republic when his mandate ends in 2020 has been welcomed by several countries. But, in its latest report, the U.N. Commission of Inquiry on Burundi casts doubt on the credibility of Nkurunziza's declaration noting it lacks a clear and firm commitment by the sitting leader not to run for president in the upcoming elections.

Commission member Françoise Hampson says the situation in Burundi remains very disturbing. Since the beginning of the year, she says the commission has documented human rights violations targeting those opposed to the proposed amendment of the constitution.

"In particular, the commission has received reports of numerous arrests of people who called for a "no" vote in the referendum, who sought to meet to discuss the draft amendment of the Constitution, or who refused to join the CNDD-FDD," she said. "The detentions that followed these arrests resulted in cases of torture and ill-treatment."

The CNDD-FDD, short for the National Council of the Defense of Democracy-Forces for the Defense of Democracy, is Burundi's ruling party.

Despite widespread opposition, Burundi, last month voted for a constitutional change potentially allowing the president to remain in power until 2034. The Commission says it has received information on people who were executed or abducted because they were members of opposition parties or refused to join the ruling party.

The investigators blame the Imbonerakure, the youth wing of the ruling party, for being behind most human rights violations during the referendum campaign and of harassing, controlling, and intimidating the population, forcing many to flee the country.

Burundi Ambassador Renovat Tabu accuses the Commission of lacking objectivity. He says its report is politically biased and is based on a campaign of disinformation. He says his country reserves the right to bring to justice those who defame the government.

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WEST AFRICA

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

10 soldiers killed, 4 missing in Boko Haram attack in Niger

The Herald

July 03, 2018

Ten soldiers were killed and four were missing Sunday after an attack blamed on the jihadist group Boko Haram on a military position in southeast Niger, near the border with Nigeria, the defence ministry said.

"We have a provisional toll of 10 dead, four missing and three wounded," defence ministry spokesperson Abdoul-Aziz Toure told AFP, nearly a month after the last attacks attributed to the group killed six, shattering several months of calm in the troubled region.

The attack by "Boko Haram" had targeted Niger's "army positions in Bla Brin, a village not far from the Lake Chad area, 40km from the town of N'Guigmi", he added.

The last attacks attributed to Boko Haram took place in early June.

Three suicide bombers killed at least six people in separate attacks in the southeastern Niger city of Diffa.

In late April, Niamey announced a military operation against Boko Haram in the region of Lake Chad, which links Niger, Chad, Nigeria and Cameroon.

The group, which is seeking an Islamic state based on Sharia law, has caused the deaths of at least 20,000 people since it took up arms in 2009 in Nigeria.

Some 2.4 million people have been displaced in northern Nigeria, Cameroon, Chad and Niger, according to the UN refugee agency UNHCR.

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Mali

Executions by Malian government troops highlight human-rights challenges for Canadian peacekeepers

The Globe and Mail

By Geoffrey York

June 21, 2018

As Canada prepares to send hundreds of troops to Mali on a peacekeeping mission, a fresh discovery of mass graves and alleged military atrocities has highlighted the human-rights challenges that the Canadians could face.

The defence minister of the West African country admitted this week that Malian soldiers were implicated in "gross violations" after the bodies of 25 civilians were found in mass graves in central Mali.

Canada plans to deploy up to 250 troops and six helicopters to northern Mali in August for a one-year mission as part of the United Nations peacekeeping force, known as MINUSMA, which co-operates with the Malian military on the ground. The Malian forces have been battling Islamists and other rebel groups.

Some experts say Canadian troops should look for opportunities to train and advise Mali's soldiers on human rights — a subject where previous training by the European Union seems to have been ineffective.

Kisal, an organization that helps pastoral communities in Mali, said the 25 dead civilians in the mass graves were mostly herders from the Fulani ethnic group who had been detained by the Malian military last week.

Mali's defence minister, Tiena Coulibaly, confirmed the existence of the mass graves and ordered an investigation. He said "some armed-forces personnel" were implicated in "gross violations" that caused the deaths.

Mali's authorities are "firmly resolved to fight impunity and get soldiers to strictly observe international rights and humanitarian conventions," Mr. Coulibaly said.

The evidence of mass graves was just the latest in a long series of documented cases of extrajudicial killings and arbitrary arrests by Mali's military.

Corinne Dufka, a West Africa researcher at Human Rights Watch who travels frequently to Mali, said she has documented more than 60 alleged summary executions by Mali's security forces since 2017, with the remains of the victims found in at least seven mass graves. This does not include the latest case of the 25 bodies reported this week.

"Since early 2017, scores of witnesses have described severe mistreatment, arbitrary arrest, disappearances and summary executions," she said. "I am aware of no single soldier held to account for any of these. ... As long as soldiers continue to enjoy impunity, the abuses will continue."

Human Rights Watch had earlier warned in April that it had received many reports of torture and mass arrest by the Malian army. The army seemed to be "running amok" in central Mali, it said.

In a report in late March, covering a three-month period, the UN said Mali's defence and security forces were involved in a quarter of the 133 cases of human-rights abuses that UN peacekeepers had documented.

It said, for example, that Malian armed forces had arbitrarily arrested 10 civilians in a counterterrorism operation on Feb. 21 and had summarily executed seven of them, while the others are still missing.

In another report in June, the UN cited allegations of 56 summary executions by Mali's armed forces.

Because of the continuing problem of human-rights abuses, the Canadian troops in Mali should prioritize the protection of civilians and should try to advise and mentor Malian soldiers to ensure better respect for human rights, Ms. Dufka said.

"We have found that the presence of MINUSMA and French forces in conflict zones in Mali serve as a strong deterrent to abuses by armed groups," she told The Globe and Mail.

The UN peacekeeping mission co-operates with Mali's military in a number of areas, including intelligence-sharing and some ground patrols, although the Canadian troops would primarily be supporting the UN in helicopter operations.

The UN mission has "conducted regular patrols" with Mali's defence and security personnel and provided medical evacuations for the military, according to the UN report in late March.

The Canadian government has disclosed few details of how Canada's peacekeepers will operate in Mali. Opposition MPs in Ottawa have complained about a lack of information on the planned mission.

It seems likely, however, that the Canadian troops will be based at an airfield in the town of Gao in northern Mali, and they will primarily be there to support the Canadian helicopters.

Bruno Charbonneau, a peacekeeping expert and associate professor of political science at Laurentian University, said he is doubtful that the Canadian peacekeepers will have much contact with Malian forces.

He noted, however, that the Canadian forces could potentially be asked to support the activities of the French military or a new West African military force known as G5 Sahel, both of which are fighting Islamist jihadists in Mali. The G5 group includes Malian troops.

The UN peacekeeping force is not officially authorized to conduct counterterrorism operations, he said. "But in practice it is difficult if not impossible to differentiate between peacekeeping and counterterrorist operations," he said.

Walter Dorn, a peacekeeping expert at the Canadian Forces College in Toronto, said the Canadian military should support the UN peacekeeping force in providing human-rights training and mentoring for Malian soldiers.

UN chief voices concern over intercommunal violence in central Mali

XinhuaNet

June 26, 2018

UNITED NATIONS, June 26 (Xinhua) — UN Secretary-General Antonio Guterres on Tuesday voiced concern over the intercommunal clashes and human rights violations in central Mali, said his spokesman Stephane Dujarric.

The secretary-general is following with concern the rising toll of the clashes in central Mali, including the killing of 22 people in the village of Koumaga in Mopti region on Saturday, the spokesman said in a statement.

Guterres called for calm and restraint and urged all parties to seek a peaceful resolution of differences and reconciliation through dialogue, said the statement.

The secretary-general is concerned about reports of human rights violations committed against the population by government forces, including in the village of Nantaka in Mopti on June 13, it said.

He underlined the need to hold perpetrators of all crimes accountable and to bring them to justice. In that regard, he welcomed the investigations announced by the Malian authorities and the disciplinary measures taken, said the statement.

Guterres further underscored the urgent need to address the ongoing instability in central Mali, including through the government's integrated security plan, with a view to creating conditions conducive to the holding of peaceful presidential elections in July.

Mali is plagued by a civil war and the rise of Islamist militants.

Mali facing 'alarming' rise in rights violations, warns UN expert

UN News

July 4, 2018

Alioune Tine's comments follow two deadly attacks in recent days on international forces in Mali, including one suicide bombing in Gao, that left at least two civilians dead and more than 15 injured.

In Menaka, to the east, more than 120 people were also allegedly murdered in a three-week period in April and May, he said in a statement, noting that that violent extremists had taken advantage of the lack of basic services "to exploit communities and pit them against each other".

Some attacks have been attributed to armed groups including the Azawad Salvation Movement (MSA) and the Touareg IMGHAD Self-Defense Group and Allies (GATIA), the UN expert noted.

Amid ongoing insecurity, which has been characterized by kidnappings and targeted killings, according to the Senegalese expert, communities have been displaced and more than 650 schools have been forced to close in central and northern regions, affecting nearly 200,000 children.

There have also been an increasing number of allegations of "serious human rights violations" against the Malian armed forces, Mr. Tine said, echoing concerns about anti-terrorist operations "that do not respect international human rights standards".

In an appeal to the Government of Mali to bring the perpetrators of rights abuses to justice, Mr. Tine underlined the "very limited State presence", adding that in some central areas there is "none at all".

The Independent Expert — who visited the country at the end of June — also commended the country's Prime Minister for reaffirming that the Government will not tolerate any wrongdoing against civilians.

Turning to the humanitarian emergency in the central region and warning that it "is getting worse", the UN expert said that 4.1 million people need food aid.

The number of people suffering from severe acute malnutrition in 2018 is also set to increase from 163,000 to well over a quarter of a million — including more than 11,000 children under five — he added.

Moderate acute malnutrition is a massive and chronic problem too, with numbers expected to increase from 470,000 to 582,000, including more than 45,000 pregnant and breastfeeding women.

"This is an emergency to which we cannot close our eyes," Mr. Tine said, before appealing to armed groups to respect humanitarian workers as they carry out their work.

Ahead of Presidential elections at the end of this month, he urged all those engaged in it "to ban hate speech and calls to violence" during campaigning which begins in three days.

The rights expert also stressed the need to respect freedom of assembly and association, and freedom of access to the media, and appealed for the forthcoming presidential election to be "truly free, transparent and peaceful", and to meet international

standards.

Mr. Tine — who took office as Independent Expert on the situation of human rights in Mali on 1 May — will present his report to the Human Rights Council in March next year.

Among its findings, it's expected to include an appraisal of a UN Security Council resolution agreed last year which established a targeted sanctions regime on the country. Mali's impunity problem and growing security crisis

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EAST AFRICA

Uganda

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

What Does Museveni's war on the demons he created teach us? (Daily Nation)

By Mutuma Mathiu

June 22, 2018

Susan Magara, 28, was kidnapped at her gate in Kampala on February 7.

She was in captivity for 21 days, during which her kidnappers sent her family her severed fingers to press their demand for \$1 million ransom. In the end, they killed her anyway and dumped her body on the Entebbe highway like so much rubbish.

But she was far from rubbish: She was a beautiful girl, the very flower of Ugandan womanhood, down to earth and reportedly spiritual.

One of her childhood teachers described her as a calm child "who loved prayer" — a description I hadn't heard of anyone before.

And she was from a wealthy, well-connected family both back in Bunyoro, where her father was a prominent dairy farmer and rice miller, and in Kampala, where her grandparent was a senior adviser to President Yoweri Museveni.

Her story dramatized an unfamiliar, but now very serious, problem for Uganda: Crime. Kenyans loved Uganda, because, unlike home, it was safe. You could wear your jewellery to town without any risk of having your ears lobbed off.

Not anymore. Petty crime and serious gun crime are, unfortunately, now common in Uganda.

HUMILIATED

President Museveni was recently humiliated when an MP was gunned down during the visit of the new Ethiopian prime minister.

I have just been reading stories of a murder suspect being strangled and strung up in police custody.

The Ugandan crime situation is probably as bad and dramatic as the Kenyan one can be, what with stories of spaces in downtown Kampala, where thugs have chairs for their victims to sit on as their expensive weaves are removed from their heads.

The day before yesterday, President Museveni appeared before Parliament to give a presidential speech on what he was doing to restore public safety.

He began his narration in 900AD, including copious quotations from Henry Morton Stanley, the British explorer and coloniser. He lost me around 1992.

I have not seen a sleepier assemblage in this life. MPs were not just bored with the history lecture; they looked like they would pass out for the sheer tedium of the occasion.

Ugandans have been struggling to understand this spike in criminality.

I read one article about how poverty has pushed many people into petty crime. But, of course, it does not explain kidnap and the gangland-style execution of MPs.

NEVER FAR FROM POWER

In dealing with this relatively new phenomenon — just like we are with the old phenomenon of corruption — Ugandans will probably come to my conclusion that crime, just like corruption, is never far from power.

Dictatorship, even when the dictator is benign and generally useful, breeds both as a matter of course.

Neglect, corruption, incompetent allocation of resources and management of public affairs and impunity are the natural fathers of crime.

When he swung into action, President Museveni, who even in old age is a reasonably resolute guy, sacked his police boss, General Kale Kayihura, a man he previously approved of because, as the Monitor reported, he succeeded in turning the police into a militia of the National Resistance Movement.

Before he became the Inspector-General of Police, Gen Kayihura was Chief Political Commissar of the Uganda People's Defence Forces (UPDF).

The position, with its vaguely Soviet connotations, is possibly an alien being to us, but I suppose the easiest way to understand his role is as some kind of propagandist who sells and enforces the party ideology to soldiers.

President Museveni is big on ideology. He believes that a soldier must fight and stand for some ideology. Our own generals would choke on their hibiscus tea at the mere thought.

32 YEARS IN POWER

But President Museveni has survived in power for 32 years, written and mutilated a constitution, won wars and vanquished many enemies by politicising stuff. So, don't knock ideology.

What is far from clear is whether his politicisation of the Ugandan police, in the end, did not unleash a monster on the people.

From the Monitor's reporting, Gen Kayihura led the police generally the same way that President Museveni rules Uganda: Relying on his charisma and judgment rather than being rule-bound and detached.

Gen Kayihura surrounded himself with officers that he promoted not because they were suited or qualified for their positions, but loyal and useful.

They could unleash terror on opposition leaders and followers and suppress the people on behalf of the regime.

He took it a step further: He recruited a private army of criminals, including the Boda Boda 2010 Association, a grouping of motorcycle riders which he used to gather criminal intelligence and brutalise demonstrators. But criminals are difficult to control: They will work for you but they indulge in a sport of freelance enterprise, too.

President Museveni has called out the army to clean up after Gen Kayihura, who was arrested with all the drama befitting the circumstances, including military roadblocks and helicopters. He will be court-martialled next week.

Does it work, this blend of the military and politics in place of institutions? The answer is important for Kenyans because we are also experimenting with the securitisation of our society.

Appreciation of citizens in the war against crime (Daily Monitor)

By Prof George W. Kanyeihamba

July 1, 2018

The Uganda Police Force and other security agencies must learn that without the corroboration and vigour of ordinary citizens who risk their lives and reputation to assist authorities in investigation, prosecution and punishment of culprits and suspects in the fight against crime, we can never win the war.

It is common knowledge that on almost every crime committed such as murder, robbery or rape, invariably witnesses and informers are available.

They enthusiastically volunteer and give evidence touching on the crime and suspects. In many incidents, incriminating evidence is given.

In our experience and knowledge, witnesses who voluntarily report to authorities are by nature anxious that suspects they have accused should be arrested and detained as soon as possible, in the interest and protection of those informers and other witnesses.

It is at this juncture that the police and other security agencies let down those informers and the country simply because those officials fail to communicate again with those witnesses by way of briefing them about the latest developments in the case, including additional evidence if any.

As a result, it is estimated that more than 50 per cent of the culprits survive and continue with their criminal activities uninterrupted. In a few cases, the authorities do more than place obstacles in the way. There is also the matter of facilitation, competence and corroboration with suspects.

From the fore going, it can be concluded that police and some security officers hardly ever pursue or revisit the credible sources which had aided them to record and publish the complaints in the first place.

Many citizens are compelled by patriotism and obedience to the Constitution and laws of Uganda and their consciences to report crimes and suspects.

Often, police and other authorities initially notified their informers and acknowledge receipt of the complaints. But the story ends there without the public, let alone the informers, being informed as to the fate of their efforts.

Those of us who read reports from the press or know what is reported in the media generally, eagerly wait to get feedback, but sadly nothing happens. In many cases, complaints are received by government authorities but nothing happens thereafter.

The week ending June 17 was a shocker for the ears and eyes of many Ugandans. Former senior police officers were arrested after allegedly being caught with their pants down having criminally assaulted the integrity and sanctity of the Pearl of Africa with all the blood still fresh flowing into street garters.

This is a shame to Uganda, its people and government. President Museveni is very right to mourn and cry out as a wounded lion.

It may be true that investigations may exonerate some, or all of them. But until then every reasonable person must conclude that there is no smoke without fire.

In this context we must also criticise some voices from Kisoro District where former Inspector General of Police's family has always been as an indigenous community for condemning Gen Kayihura before they know whether he has been charged of those heinous offences, tried or convicted.

I refer to their premature appeal to the President to pardon him even if they did not know that their prayer was further evidence to show they knew he is guilty.

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Kenya

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

Police accused of demanding bribes in sugar crackdown (Daily Nation)

By Kalume Kazungu

June 28, 2018

Police in Lamu have been accused of demanding bribes from traders during the ongoing crackdown on contraband sugar.

Police are said to demand bribes of between Sh5,000 and Sh10,000.

Residents led by Mkomani Ward Rep Yahya Shee said the war on contraband goods can never be won if police turn the entire process into a cash cow.

Mr Yahya called on the government to quickly probe the situation and have culpable officers prosecuted.

HARASSMENT

"Instead of conducting genuine crackdown on contraband sugar and other illicit goods, they are now focusing on how they will enrich themselves by soliciting bribes from traders and locals. If they continue doing this, then illegal goods will never stop coming to Lamu. Some of the officers even go as far as begging for money from the traders," said Mr Shee.

Traders in Lamu have stopped stocking sugar in their shops, citing harassment by police.

Omar Athman, a trader, said he has grown tired of police visits.

"If there is sugar on the shelf, they take it without even confirming whether it's contraband or genuine sugar. You have to pay them or otherwise they can make your life hell. So now I don't sell sugar anymore," said Mr Athman.

NECESSARY TESTS

He said traders who refuse to bribe police always find themselves in trouble as the visits only become frequent until you give them something.

Ahmed Sharif accused the police of assuming that every sugar is contraband without even subjecting it to the necessary tests.

"Since the contraband crackdown started, every sugar has become contraband. I think it's high time police move around with officers from KEBS so that they can assist them tell the difference between contraband and genuine sugar," said Mr Sharif.

Lamu County Police Commander Muchangi Kioi denied the allegations.

"MALICIOUS ALLEGATIONS"

Mr Kioi said such "malicious" information is being spread by traders whose contraband sugar and other illicit items were seized by police.

He called on those with proof of the allegations to submit directly to his office for action since corruption is an offence punishable by law.

"I don't think their complaints are genuine. I think those creating such lies are those involved in the contraband business but we shall stay focused and do our job and do it by the book. But if someone has the evidence, let them bring it to my attention for action because corruption is a serious offence," said Mr Kioi.

Locked up for being sick: Kenyan prisoners recount their experience (CNN)

By Christabel Ligami

June 28, 2018

Gideon Wanjohi was arrested in 2015 and sentenced to two years in prison in his hometown in Kirinyaga County in central Kenya.

His crime: not taking his pills.

The year before, Wanjohi was diagnosed with multidrug-resistant tuberculosis and immediately prescribed a treatment spanning almost two years.

This level of resistance means the bacteria that cause the infection are resistant to at least two of the most powerful anti-TB drugs, isoniazid and rifampin.

Wanjohi was required to take more than 10 large tablets a day, in addition to daily injections of kanamycin, he said, which made his feet swell until he could no longer walk at times.

The injection in particular was painful, he said, and made him dizzy and nauseated.

The treatment was prescribed for 20 months, but two months in, he stopped taking it at all.

Two weeks after that, he was arrested.

Public health officials arrived at his mother's home at 7 a.m., just before breakfast.

"They came in a private car and walked straight up to me and ordered me to get into the car," Wanjohi said. "I knew one of the officers because he was in charge of the drugs at the clinic, but he didn't even want to say hello."

Any discussions would happen at the police station, they told him.

"At first, I thought it was a joke until I got to the police station and got locked up," Wanjohi said.

The 40-year-old construction worker says he was taken to court the following day, charged with interrupting his TB treatment cycle by not taking his drugs, and sentenced to two years in jail.

"I tried to explain to the magistrate," he said. "But the magistrate insisted that it's a crime and I should be jailed."

Kenya's Public Health Act previously allowed public health officers to take any action necessary, including the detainment or isolation of infectious patients in prison, to prevent the spread of disease and minimize risk to the general public.

It was overturned in 2016, but not before dozens of patients were sent to jail.

Depending on the resistance pattern of the bacteria behind the disease, Mycobacterium tuberculosis, treatment for TB can involve a daily cocktail of drugs including 10 to 15 tablets in addition to an injection for up to 18 to 20 months, according to Dr. Andrew Owuor of the Respiratory and Infectious Disease Unit at Kenyatta National Hospital.

Those choosing not to adhere to the regimen risked being incarcerated and having it forced upon them.

A recurring -- and evolving -- infection

This was the third time Wanjohi had been diagnosed with TB.

Infection affects a person's lungs, resulting in symptoms such as a prolonged cough, chest pain and coughing up blood.

Transmission is through the air from person to person, and infections are typically curable with antibiotics such as isoniazid, rifampin, ethambutol or pyrazinamide.

An estimated 169,000 people were infected with TB in Kenya in 2016, with at least 29,000 dying from the disease, according to the World Health Organization. Globally, 10.4 million people were infected with tuberculosis that year, and approximately 1.7 million died.

Wanjohi first contracted the infection in 1986, when he noticed a persistent cough, chest pains and fever. He

was placed on treatment for six months, but two months into it, he felt better and stopped taking the pills. Four years later, the infection came back, but this time, it also struck his two sisters.

"We were all put on a six-month treatment course. I stopped at the fourth month, but my sisters finished their treatment," he said.

"I was drinking too much and kept on forgetting to take my drugs, and so I saw no point of taking them anymore." He had also started feeling better, he said.

When treatment for any bacterial disease is stopped or interrupted, the bacteria can develop resistance against the drugs being used. If the bacteria evolve and infection returns, it can be much harder to treat.

WHO lists Kenya as a high-burden country for multidrug-resistant tuberculosis, one of 30 nations grappling with the disease.

Kenya also features on the high-burden lists for regular tuberculosis and joint TB/HIV cases and deaths. Weakened immunity from an infection with HIV can make people more prone to contracting or developing TB.

Protection through incarceration

In Kenya, standard TB treatment is prescribed for the long-term, but for the multidrug-resistant version, patients must be supervised by a health officer when taking their medication, a requirement under WHO guidelines for the Direct Observed Treatment strategy.

For Wanjohi, this involved visiting Kerugoya Health Centre in Kirinyaga County -- approximately 30 miles from home -- on a daily basis.

Owuor added that multidrug-resistant TB treatment is a lot more lethal and has many more side effects than treatment for regular TB.

Kanamycin is a painful daily injection that can cause hearing problems, while some of the pills can have psychological effects, such as convulsions, hearing problems and numbness.

"Because MDR-TB treatment is so difficult to take, many patients don't complete their drug course and don't get cured. In fact, only about half of them end up TB-free," Owuor said.

But incomplete treatment can result in increasingly resistant bacteria and the risk of transmission to others, which led Kenya to implement some extreme laws.

Since the 1930s, but especially between 1986 and 2016, TB patients who defaulted on their treatment could be incarcerated because they posed a risk to the general public, according to Sections 17 and 27 of Kenya's Public Health Act.

"The Public Health Act authorized public health officers to take whatever action they deem necessary -- including detaining infectious patients -- to prevent the spread of disease," said Samuel Misoi, assistant director for public health at the National Tuberculosis, Leprosy and Lung Disease Program.

The Public Health Act has been in place since September 1921 and was used to isolate people who had diseases such as leprosy or TB under quarantine or asylum.

It wasn't until the 1980s, when TB cases began to rise, that patients began being isolated in prisons, according to Misoi.

"In prisons, the patients could not run away, and they had no other option but to take their drugs as prescribed under supervision," he said.

Misoi says the act was good because it protected innocent people from being infected by TB and ensured that others completed their treatment.

"The TB cases are going up, and people are still dying of the disease, yet it can't be cured because there is no one to force them to finish their drugs," Misoi said.

Dr. Solonka Nombaek, head of the Clinical TB Control Unit at the Kajiado County Hospital in the Rift Valley region, said that before the act was nullified in 2016, he sent four patients to prison because they refused to take their medication.

"Would you rather risk the life of many because of one individual or save them?" he asked. "I have many cases of patients defaulting on TB treatment, and I can't do anything now."

Nombaek cited a case in which a man got TB and then defaulted on treatment and infected his wife and 4-month-old. His child then died.

"The mother came to hospital, but it was already too late for the child. This is a case where imprisonment was important," he said.

Life inside

Wanjohi was detained in Kerugoya Prison in central Kenya, a maximum-security facility, from June 2015 to January 2016. He did not finish the two-year sentence because of a presidential pardon on Mashujaa Day (Heroes Day) that allows the release of a set number of petty offenders each October.

He says he shared a cell with 10 other TB patients, and they were otherwise indistinguishable from other inmates who had committed more serious crimes.

"The only difference was that unlike the other prisoners, we were given porridge early in the morning before taking our drugs. Nothing more," Wanjohi said. Their drugs could not be taken on an empty stomach.

"Everything else was just as the other criminals who were in jail," he said.

Wanjohi described how he would wake as early as 4 a.m., when all the prisoners woke up, take a cold bath and wait for his porridge at 6 a.m. "As soon as I finished the porridge, I would head straight to the room where the prison warden gave us the drugs. A slight delay or failure meant a thorough beating with the cane," he said.

"We would then sit and wait for lunch, sit and wait for dinner, then sleep," he said, adding that his movements were limited to isolation zones.

David Kingoo, deputy commissioner of Kenya's prisons, said that although there was no special treatment for the prisoners, no TB patient was subjected to harassment or mistreatment while in isolation.

He added that waking early is normal for everyone in prison, "but there was no beating."

"Just like any other prisoner, the patients were to follow the strict rules like taking their drugs on time and doing the right thing at the right time," Kingoo said. "The prisons didn't have a budget to handle the cases of TB patients, and therefore it was not possible to have a special diet for them."

After his release in January 2016, Wanjohe found it difficult to pick up his old life.

"No one back at home believed that I was imprisoned for just not taking my TB drugs," he said. "To date, they still doubt it, which has elicited all sorts of rumors about me in the village."

Wanjohe has been unemployed since his release and relies on his mother to survive, he said.

Serving more than your times

Elisha Njoroge, 34, from the town of Mwea in central Kenya, was imprisoned for defaulting on his TB treatment in 2015 and served a full two-year sentence.

Njoroge's father and brother died of TB two and three years before he was sentenced. He said he was diagnosed with multidrug-resistant TB in 2014 and put on a 20-month treatment plan. But nine months in, he was involved in a road accident and soon stopped taking his drugs.

"I lost my memory and forgot to take my drugs for two weeks," the 34-year old public transport driver said.

"I was then arrested and taken to jail by the health officials, and the magistrate sentenced me to two years in

jail for defaulting on my treatment."

His sentence in Mwea Prison was longer than his remaining treatment term, with the magistrate saying he was to serve more months as discipline, he said. He was released in June 2016.

Njoroge was almost finished with his treatment before he defaulted, and at that time, anyone who defaulted on medication was to be imprisoned for two years, said Franklin Mwenda, a health officer at Kerugoya Medical Center and former health officer in charge of TB in Kirinyaga County.

"Though it is not anywhere in the law, that was the minimal time they were to be in jail, because within two years the patients will have successfully finished their treatment," Mwenda said.

Mark Ambundo, a medical officer and warden at Mwea Prison, said it had an isolation unit with 20 rooms for patients to be quarantined.

But Wnajohi and Njorage's reports suggest otherwise, with them claiming that many shared one cell.

Ambundo, who does not believe that patients should be in prison, insists that at no point did patients share a room.

"Their movement was limited because of the risk of their disease," he said. "Other than taking drugs under supervision, we would ensure that the patients are observing precautionary measures like wearing masks to avoid the spread of the disease to others."

Challenging the system

In Kapsabet, in the Rift Valley, brothers Daniel Ng'etich and Patrick Kipng'etich were arrested in 2010 and each sentenced to one year in Kapsabet GK prison for defaulting on their TB medication because of the side effects. They argued that they were not fully informed about the full course of treatment due to language barriers and received shorter sentences.

Ng'etich's wife left him and took their five children while he was inside, he said.

Kipng'etich, who has a wife and two children, lost his job a tea picker. He now sells milk from the one cow he owns.

But unlike Wanjohe and Njorage, the brothers did not have to see out their sentences. They served two months before a human rights group, the Kenya Legal and Ethical Issues Network on HIV and AIDS, secured their early release.

The group challenged the government's decision to isolate TB patients in prisons on the basis that it was a violation of their constitutional rights, including their right to dignity, freedom of movement and protection from torture, said Lucy Ghati, the network's HIV/TB program manager.

"Isolating TB patients in prisons is dangerous to the prison population too, as there are no precautions taken to prevent the spread of TB within the prison," Ghati added.

he group filed a petition against their imprisonment. It used the brothers' case to challenge the government on two issues: the constitutionality of involuntary confinement as a measure to protect public health and the use of Section 27 of the Public Health Act to confine persons with communicable diseases to a government prison.

Hassan Tari, commandant at Mwea Prison, also believed the patients didn't belong there.

"These were not criminals, and it was not right for them to be held in prisons. The prisons have no specialized facilities like the hospitals," he said.

He said that the major concern while patients were in prison was the risk of transmission.

His team raised concerns with the Ministry of Health and urged an alternative to isolating the patients in the prison. "The officials would only give us an explanation that the prison was the only place to isolate the patients, as they would not run away and would be closely supervised," he said.

The Kenyan High Court declared the practice illegal and unconstitutional on March 24, 2016. The judge

ruled that patients were best suited to being cared for in health facilities.

"Not only is such action not sanctioned by the Public Health Act, it is also patently counterproductive," Justice Mumbi Ngugi said in her ruling.

The court directed the government to develop a TB policy that would abide by international rights.

Ngugi ruled that confinement was justifiable, but not in a penal institution. "It cannot be proper to take anything but a human rights approach to the treatment of persons in the position of the petitioners."

The judge also found that Kenya's prisons were ill-equipped to care for TB patients, given that they are overcrowded and poorly ventilated, an environment conducive to the spread of TB.

WHO's End TB Strategy states that involuntary isolation of TB patients should be used only as a last resort in extremely rare circumstances and never as a punishment.

Officials at the Ministry of Health say the newly revised National Tuberculosis Isolation Policy has launched and is awaiting implementation.

Misoi, of the National Tuberculosis, Leprosy and Lung Disease Program, explained that TB patients will now be isolated in a manner that respects their human rights.

"The policy will serve the public health purpose of protecting the public while using a patient-centered and rights-based approach to TB prevention, treatment and management."

Politics, weak structures hindering war on corruption (The Star)

By Lillian Mutavi

July 4, 2018

Politics and weak structures are the greatest hindrances to the fight against corruption in Kenya, Kirinyaga Governor Anne Waiguru has said.

While welcoming the lifestyle audit pronounced by President Uhuru Kenyatta, the former Cabinet Secretary said that accountability will not be possible when people politicise the fight.

She was speaking at London-based think-tank Chatham House where she was invited to give a talk as the vice chair of the Council of Governors.

"It's (lifestyle audit) a big step forward. A huge problem in Kenyan politics is the pressure from families that want to benefit from their relative's time in office. This is why the president has rightly opted for the audit," Waiguru told her audience.

She, however, noted that the structures to ensure accountability in Kenya remain weak but the 2010 constitution was a key step forward.

"Regarding accountability, a danger is that the fight against corruption becomes politicised and used by individuals to harm their enemies. Social media can be a key tool in the fight for greater transparency," Waiguru said.

She added that if citizens lack civic education, this hinders their ability to demand accountability from government.

Waiguru said that County governments are engaging strongly in this matter as she lauded the steps made by devolution since inception.

She praised devolution on its inclusivity towards equality and gender stating that Kenya's devolved system was brought into being to include those previously excluded: to enhance what could be called 'Project One Kenya'.

"The current Jubilee government remains committed to making devolution work in Kenya. Central government assistance to counties has included capacity building, developing model laws, and conducting institutional reviews to ensure skills matched to mandates," she said.

Waiguru also said that devolution implementation suffered few challenges during the first years following a

contestation between central and devolved government, as well as within county governments over mandates and functions.

On gender, Waiguru said that being a woman she faced challenges during her campaign over the fact that Kenyan women and girls, who have traditionally been marginalized in politics.

She added that Kenya is on the right track, as the first three women governors were elected at the 2017 elections.

However, Kenya is still lagging behind other countries in East Africa on women's representation including Rwanda and Tanzania.

"I'm determined that after the next election, we have at least 11 women governors in place. An issue with getting support from male governors on this is that they think we are after their seats," Waiguru said.

Waiguru said that the way to get support from male governors for a female candidate is to target those who will have completed two terms and can't run again.

"But an issue with early endorsement is women are then exposed to a long and vicious time in the spotlight," she said.

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

French Court Drops Fr. Wenceslas Munyeshyaka's Genocide Case (KT Press)

By Jean de la Croix Tabaro

June 21, 2018

The umbrella of Genocide survivors association in Rwanda has expressed disappointment about a French court's decision to drop the case of Father Wenceslas Munyeshyaka, a Genocide suspect on Thursday.

Father Munyeshyaka was a vicar at Saint Famille Catholic Church in Kigali during the 1994 Genocide against the Tutsi.

During the Genocide, thousands Tutsis went to seek protection at St. Famille church.

In collaboration with Prefect of Kigali Tharcisse Renzaho, Munyeshyaka is accused of killing innocent Tutsi and raping women who sought refuge at the nearby St Paul Center and at the church itself.

In a widely known photo, Munyeshyaka is seen in military attire during the Genocide period.

After the Genocide, he fled to France where he is allegedly still serving as a priest at Gisors Parish in Evreux Diocese.

In 2015, a French court had ruled that Munyeshyaka would not stand trial for all charges leveled against him. The courts cited "poor quality of evidence."

However, several civil society organizations operating in France including CPCR (Collectif des Parties Civiles pour le Rwanda) appealed against that decision in a Paris court.

Ever since, the hearing of this appeal has been postponed on several occasions.

"The investigation started 20 years ago and the final ruling was made by the French Justice today-Thursday," writes Radio France Internationale(rfi).

FR Munyeshyaka(Right) is still ministering in France

"Father Wenceslas Munyeshyaka will never be charged on his alleged role in the 1994 Genocide," rfi further writes.

Ibuka is disappointed by the decision.

"It is sad, very unfortunate bias by the French court. We know they have heard all witnesses; everyone who needed evidence, be it the media and the court itself were given the opportunity to get them on the ground," said Naphtal Ahishakiye, the executive secretary of Ibuka.

"We would ask other institutions that provide justice beyond France as a country to challenge this decision so that one day this man is brought to book."

When contacted Johnston Busingye Rwanda's Minister of Justice and Attorney General told KT Press it was too early to comment about the case basing on the little information in the media.

Tech firms commit to use ICT to fight genocide ideology (The New Times)

By Frederic Byumvuhore

June 22, 2018

Several players within the country's ICT sector have committed to use their skills to fight genocide ideology as well as rebuilding the country.

Members of ICT Chamber in the Private Sector Federation made the commitment on Thursday while visiting the Kigali Genocide Memorial in Gisozi to pay tribute to victims of the 1994 Genocide against the Tutsi.

The event was organised by the chamber in partnership with National Unity and Reconciliation Commission (NURC).

Among the players in the ICT sector, majority are youth and the event was a good time to explain to them more about the history of the country from the preparation of the genocide, its execution and the aftermath.

After laying the wreath on the mass graves where nearly 200,000 Genocide victims are laid to rest, the youth were challenged to use their potential to rebuild the country.

Addressing the youth, Bishop John Rucyahana NURC the president said that country's liberators were nurtured with a revolutionary and patriotic mindset, much as many lived in exile.

Rucyahana challenged them to play their role to ensure the gains achieved by those who stopped the Genocide and liberated the country are sustained.

"There are these social ills like drugs that are killing our youth; this should not be accepted, you should take charge of the nation's transformation journey and you cannot do that if you indulge in drugs," he said.

He encouraged them to emulate those that liberated the country, specifically challenging them to use ICT skills to tell the world the history and success stories of the country.

Clement Uwajeneza, Chief Executive Officer of Rwanda Online, said tech firms have been delivering services to ensure information about the past and current of Rwanda is well accessed, but added that much more can be done.

"Rwanda had its history. We have to recount to the world using technology. Inaccurate information has been spread through social platforms and it is our task to innovate ways through which accurate information can be disseminated and widely," he said.

Uwajeneza added that the firms will keep on developing more platforms to archive history, testimonies and progress of the country to show the world how far the country has gone despite the dark past.

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Somalia

The Somali strongman (The Africa Report)

By Tom Gardner

July 3, 2018

How Abiy handles his relationship with Abdi Iley, the powerful leader of Ethiopia's Somali Region, has implications for the country's fragile system of ethnic federalism

Somali Regional State (SRS), Ethiopia's second-largest region and home to its third most populous ethnic group, is at a crossroads. The secessionist Ogaden National Liberation Front (ONLF) had been almost entirely defeated, but SRS is still, in the eyes of many Ethiopians, a byword for violence and lawlessness. "From the centre, Somali Region is seen as a wilderness," says Fekadu Adugna, an academic at Addis Ababa University (AAU).

Last year, SRS's long-standing tensions with the neighbouring region of Oromia, home to Ethiopia's largest ethnic group, the Oromo, erupted on an unprecedented scale. Amidst fighting between regional security forces, hundreds lost their lives and approximately one million civilians fled their homes. In the SRS capital of Jijiga, thousands of Oromos were herded into trucks by police and removed from the city. Many have not returned. Somalis, meanwhile, flooded back the other way.

Dealing with the legacy of the violence will be one of the most sensitive – and urgent – tasks for Ethiopia's new prime minister, Abiy Ahmed, who was sworn in on 2 April and is the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF)'s first Oromo leader in its 30-year history. At the heart of this task is his relationship with SRS president Abdi Mohamed Omar – known as Abdi Iley, 'the one-eyed'. Abdi is one of the most powerful Somali leaders in the Horn of Africa. Over the past decade, he has acquired an authority unprecedented in the region's recent history.

Hot-footing it to Jijiga

Both men hail from traditionally marginalised regions with secessionist histories, and both represent constituencies eyeing greater power at the centre. But last year's violence fuelled mutual mistrust, especially a suspicion among Oromos that Abdi is too close to the Tigrayan People's Liberation Front (TPLF), which dominated Ethiopian politics, as well as the security apparatus, for much of the past three decades. Some in Oromia and elsewhere hope that the decline of the TPLF heralded by Abiy's appointment might spell the end of Abdi, too.

Prime Minister Abiy's decision to visit the SRS capital, Jijiga, on 7 April, as his first official trip, was thus symbolic. It was a bid to calm nerves in a region anxious once again about its fate in the hands of distant authorities in Addis Ababa, and fearful of what an Oromo prime minister might mean for Somalis. On a stage in Jijiga, Abiy and Abdi, who is said to have been deeply unhappy about the latter's appointment, shook hands and promised peace between the two regions.

Bringing change to SRS will be Abiy's "litmus test", says Abdifatah Mohamud Hassan, former vice-president of the region, now in exile in Addis Ababa. "It is the epicentre of all the problems in the country". The region is unique but in some respects it is Ethiopia in miniature: a Gordian knot of poverty, authoritarianism, corruption, and ethnic and clan rivalries.

Understanding SRS's future means taking a look at its past. For this, the central statue in Jijiga offers some clues. Unveiled in 2013 by Abdi, it depicts Sayyid Mohammed Abdullah Hassan, a turn-of-the-century warlord, poet and cleric known to the British as the 'Mad Mullah' and to Somalis as the father of Somali nationalism. Hassan resisted not only the invading British and Italians but also the then Ethiopian empire. The monument is a reminder that, more than a century later, SRS remains a land of conflicting loyalties.

Successive regimes in Addis Ababa have sought to incorporate SRS, or 'the Ogaden' as it is still widely known, into the Ethiopian state, with mixed fortunes. Before the neighbouring country of Somalia's government collapsed in 1991, Mogadishu had claimed the region as part of 'Greater Somalia', and a bloody war was fought between the two neighbours between 1977 and 1978. The separatist ONLF insurgency emerged from the ashes of Somalia's defeat. By the late 1990s, it was waging all-out-war against the EPRDF, a multiethnic coalition that seized power in Addis Ababa in 1991.

But a counterinsurgency campaign launched after a deadly ONLF attack on a Chinese oil exploration camp in 2007 brought a measure of stability. "People used not to be able to travel because of war," says Mohammed Ali, a 24 year-old school administrator. "But now you can go anywhere." Ermias Gebreselassie, a lecturer in journalism at Jijiga University, which opened in 2007, says that when he arrived in the region 10 years ago it was "almost a war zone". He recalls "bombings everywhere" and an environment that was "very, very hostile. You couldn't move around at night without being harassed by the police."

Diaspora returnees

Today locals also point to belated signs of economic development. Between 1994 and 2007, SRS had the country's lowest economic outcomes and experienced the fewest improvements. Even today, its school enrolment rates are the lowest in the country. But now members of the Somali diaspora, such as Hafsa Mohamed, a US-Canadian who runs a local non-governmental organisation (NGO), are beginning to return home. There are now three airports, better hospitals and paved roads. A better-educated, younger generation is increasingly taking up posts in regional offices.

Until relatively recently, the region had almost no government. Clan rivalries and endless meddling by the authorities in Addis Ababa ensured the region churned through nine presidents from three different political parties in the two decades after its creation. Such was the political paralysis that, in the early 2000s, a chain was drawn across the entrance to the administration compound in Jijiga to keep vagrants from squatting in the buildings.

Now the administration is centred on an imposing palace overlooking the city, surrounded by freshly manicured gardens. "There's been an improvement in the past five or six years," says Hallelujah Lulie, a political analyst in Addis Ababa. "They've started building a state structure modelled on highland Ethiopia."

Abdi Iley has been key to this. A member of the Ogadeni clan, the largest in SRS, Abdi was regional security chief from 2005, and, unlike many of his predecessors, was prepared to work with the Ethiopian state while at the same time championing Somali nationalism. This had the effect of neutralising the ONLF while winning him a following among his fellow Ogadenis. "After Abdi came to power, he removed the bandits from the region," says Abdo Hilow Hassan, a lecturer in journalism at Jijiga University. "And it has been at peace."

But it is an uneasy sort of peace. The counterinsurgency campaign of the late 2000s was effective but also brutal. A June 2008 report by the NGO Human Rights Watch found that the Ethiopian National Defence Force and the ONLF committed war crimes in the Somali Region between mid-2007 and early 2008.

Abdi, aided by the federal authorities, established a special police force known as the Liyu, who continued to report to him directly even after he became president in 2010. Members of the 40,000-strong outfit have been implicated in extrajudicial killings, torture, rape and violence against civilians. "It's a state within a state," says Abdiwasa Bade, an academic at AAU. "They [the Liyu] will only listen to Abdi Iley."

The Ethiopian government's approach has been likened, by government officials and outside observers alike, to Vladimir Putin's counterinsurgency strategy in Chechnya: handing a local strongman resources, state power and unprecedented autonomy in exchange for stability.

Abdi's fiefdom

The price of stability is extreme authoritarianism. When, in 2015, anti-government protests erupted across Oromia and Amhara, SRS was quiet. Locals in Jijiga laugh at the idea of protests against Abdi's rule – though there have been sporadic demonstrations in parts of the region dominated by non-Ogadeni clans since April. Abdi's critics refer to the region as a 'fiefdom' in which all power is concentrated in the hands of the president and his family.

"For the last 10 years, people have not been safe," says a local teacher, who claims he was arrested and beaten twice, and who asked not to be named. "There is collective punishment. If one person speaks out, the whole family will be arrested and punished." He continues: "Why is the federal government quiet about these things? [...] I feel like it's two different countries: you can be safe in Addis Ababa, but you are not safe here."

Many of these dynamics coalesced in last year's conflict with Oromia. The border between the two regions has been contested – often bloodily – since the introduction of ethnic federalism in 1995. Members of both regions have a history of seizing land and resources from each other, often with the backing of local

politicians. Last year, violence took on a worrying new dimension, as regional security forces engaged in open warfare. Each side blamed the other for the dramatic upsurge in bloodshed.

Oromos pinned the blame squarely on Abdi and the Liyu. Many pointed to the SRS president's close links with generals in the federal military, and argued that the failure of the federal authorities to intervene was evidence of political involvement at the upper-echelons of government.

Even outside Oromia, many argue the conflict was deliberately engineered to weaken the region's new leaders, notably Abiy and Oromia president Lemma Megersa, who were then clamouring for more power. As for Abdi, his economic clout is underpinned by the flows of contraband commerce that run through his region. Some people say he acted in order to halt efforts by Oromo authorities to disrupt the smuggling routes he and his allies rely on. When violence escalated and Addis Ababa stayed mostly silent, it seemed a blind eye had been turned once again to Abdi's excesses.

But leaders in Oromia also share part of the blame, not least since atrocities went unpunished on both sides. Indeed, for many ordinary Somalis, the little attention paid to victims on their side, of whom there were also many thousands, merely highlights their relative invisibility in Ethiopian public life. "I feel like the Oromo narrative is quite dominant," says Hafsa, the returnee who last year met with Somali women who had been brutally attacked and sexually assaulted by Oromo men. "Somalis are often criminalised in this particular conflict. It seemed like only Oromos were victims, even though both sides had victims."

Abiy's subsequent election and the rise of his Oromo faction to pre-eminence within the multiethnic EPRDF sparked fears of a backlash against Somalis. "People worried he would punish us," says Abdo, the Jijiga University lecturer, though he adds that such anxieties have been largely quelled since the prime minister's visit to the region. But how long will the truce last?

Federal conundrum

Abiy's room for manoeuvre is limited. Any attempt to tame Abdi's autonomy will likely be met with stiff resistance. His power to remove elected regional officials is limited. Efforts to reform or even disband the Liyu security force would face similar constitutional hurdles, and in any case would be politically difficult without tackling the special police that operate in other regions at the same time. Moreover, reforming the federal security apparatus in SRS will depend largely on the extent to which the new prime minister manages to assert his control over the entire military hierarchy.

Even more vexing, though, is the age-old challenge of turning SRS into a fully paid-up member of the Ethiopian federal state. On one level, this may mean doing away with the second-tier status of the Somali People's Democratic Party within the EPRDF. Unlike the coalition's four main constituent parties, the Somali faction is merely an 'affiliated' grouping, a legacy of deep-seated prejudices against Ethiopia's nomadic populations. One consequence of this is that Somalis remain woefully underrepresented in the federal government: Abiy's cabinet has only two Somali ministers.

That might change as Ethiopian Somalis slowly become more assertive. "If we continue like this, one day we will lead Ethiopia," says Abdo, the Jijiga University lecturer. "We've had a Tigrayan, a Southerner and an Oromo prime minister. Why can't we have a Somali prime minister one day?"

Torture in Somali Region Prison (Human Rights Watch) July 4, 2018

Prison officials and security forces have arbitrarily detained and tortured prisoners for years in the notorious regional prison known as Jail Ogaden. Ethiopia's new prime minister Dr. Abiy Ahmed, should urgently order investigations into the horrific situation, and the government should ensure regional security forces and officials are held accountable.

The 88-page report, "'We are Like the Dead': Torture and other Human Rights Abuses in Jail Ogaden, Somali Regional State, Ethiopia," describes a brutal and relentless pattern of abuse, torture, rape, and humiliation, with little access to medical care, family, lawyers, or even at times to food. The prison's security forces, including the Somali Region's notorious paramilitary force, the Liyu police, are implicated. The unit reports to the Somali Region president, Abdi Mohamoud Omar, known as Abdi Illey. Most prisoners are accused of some affiliation with the Ogaden National Liberation Front (ONLF), a banned opposition group, but most never face charges or trials.

"Ethiopia's new prime minister admitted security forces have tortured Ethiopians, but he has yet to tackle Ethiopia's culture of impunity and ensure accountability for abuses by the security forces," said Felix Horne, senior Africa researcher at Human Rights Watch. "The horrific situation in Jail Ogaden requires immediate and transparent investigation into the actions of the regional president, other senior Somali Region officials, and the Liyu police."

In a remarkable break with the government's normal posture of denial, Ethiopia's prime minister acknowledged in a speech before parliament on June 18 that security force personnel engage in torture. He did not speak of abuses in Jail Ogaden in particular or comment on what the government would do to ensure accountability for torture throughout Ethiopia or justice for the victims.

Human Rights Watch interviewed almost 100 people, including security force members, government officials, and 70 former detainees and documented abuses in Jail Ogaden between 2011-early 2018.

"I was kept in solitary confinement in complete darkness for most of my [three year] detention," one former prisoner said. "I was only taken out at night for torture. They [prison officials] did many things to me – they electrocuted my testicles, they tied wire around them, and they put a plastic bag with chili powder over my head. I often had a gag tied in my mouth so I wouldn't scream too much."

Detainees said they were stripped naked and beaten in front of the entire prison population and made to carry out humiliating acts in front of fellow inmates to instil fear.

"They once made me lie naked on the ground in front of everyone and roll around in the mud while they beat me with sticks," said Hodan, 40, who was imprisoned without charge for five years. "Once they made an old man stand naked with his daughter...you would feel such shame after these treatments in front of all the other prisoners."

Prisoners said that top jail officials, including senior Liyu police officials, not only ordered torture, rape, and denial of food, but personally took part in the rape and torture. In overcrowded cells at night, head prisoners further violently interrogated detainees, passing notes on to prison leaders, who then selected people for further punishment.

The serious overcrowding, torture, starvation and disease outbreaks, grossly inadequate food, and water and lack of health care and sanitation led to deaths in detention.

Many children are born in Jail Ogaden, including some allegedly conceived through rape by prison guards. Female prisoners described giving birth inside their cells, in many cases without health care or even water.

Almost all of the former prisoners interviewed said that they had not been to court or been charged with any crime. Former judges told Human Rights Watch that Somali Region officials pressured them to sentence detainees they have never met or seen any evidence on to prison terms.

In 2007/8 the Ethiopian army committed crimes against humanity and war crimes during counterinsurgency operations against the ONLF, including extrajudicial executions, torture and rape. The Liyu police, established after that period, have repeatedly committed similar crimes in the Somali Region, continuing the pattern of collective punishment. Liyu police incursions into Oromia Regional State beginning in 2016 have left hundreds dead. About one million people from those areas were displaced.

The federal government should substantially reform the Somali Region's Liyu police and hold its senior members to account, Human Rights Watch said.

Torture is a serious problem throughout Ethiopia and Human Rights Watch regularly receives reports of abusive interrogations countrywide. Ethiopia's Human Rights Commission has inspected Jail Ogaden on many occasions since 2011, but reports of those visits are not publicly available, and it is not clear what actions, if any, were taken to address abuses.

Many former detainees said that the most visibly injured, children, and pregnant women were held in secret rooms or moved out of the prison ahead of commission visits. Others said they were told what to say to commission officials. Those who spoke to them openly faced brutal reprisals.

Ethiopia's prime minister should establish a federal commission of experts to investigate abuse at Jail Ogaden that would identify officials, regardless of rank, to be criminally investigated for abuse in the prison. This commission should also develop a process to evaluate the cases of each prisoner currently held at Jail

Ogaden, and either release them or charge them with a crime based on credible evidence.

"The scale of torture and abuse in Jail Ogaden cannot be overstated," Horne said. "Dr. Abiy should continue to publicly condemn torture and take action on Jail Ogaden to show he is serious about stopping torture and ending impunity."

Selected Accounts (All names are pseudonyms.)

On the nonstop cycle of abuse, from Abdusalem, 28:

I was kept in solitary confinement in complete darkness for most of my [three-year] detention. I was only taken out at night for torture. They [prison officials] did many things to me – they electrocuted my testicles, they tied wire around them, and they put a plastic bag with chili powder over my head. I often had a gag tied in my mouth when they did all this so I wouldn't scream too much. During the day, I was given very little food – one bread and occasionally a bit of stew. They also raped my wife [who was also in Jail Ogaden]. She gave birth to a child that was not mine there.

On torture involving water techniques, Fatuma, 26:

They would tie my hands together with rope, put us in the pool deeper than my head and keep you in. They would put around 10 people in that pool at a time. ...They ask you all the usual questions: 'Who do you know from ONLF? How did you support them?' Some people they pull out and there is no response from them. I don't know if they died.

On nightly self-evaluations, Ali, 32:

When night falls the evaluations start. It is only inmates doing this to each other, in the morning the report is given to the guards. The more you deny, the worse the torture. The better the confession, the less the beatings. The more you admit to during the evaluation, the more people will clap during your self-assessment, and if you don't admit to things the kabbas [head prisoner] or prisoners will beat you right there.

On stripping and humiliation of detainees, Mohamed, 28:

I witnessed hundreds of men being undressed completely. It was at night and it was raining and muddy. They had called us out of the room, told us to take our clothes off, lie down and roll in the mud. Then some of us were taken back to our rooms naked. Others were told to walk in line holding each other's genitals. Once you go back into the room you can let go. The guards took pictures of this laughing."

On the psychological torment of being pressured to abuse other prisoners, Abdirahman, 31:

We were always being told to humiliate each other, but the worst was one day they brought together a number of prisoners, and each was told to beat another person to death. They had metal sticks to give us for this. I was told if I refused then I had to kill myself. When we refused, they just beat us – but it's that constant psychological punishment that is the worst.

On giving birth in detention, Ayan, 31:

None of the children born while I was there had any [professional] help, only from the women prisoners. I requested [medical care] treatment for my birth because I knew I would give birth soon. Liyu police said, 'Put it [the baby] in the toilet, they are of no use, they will just grow up to be a sympathizer of the Ogaden National Liberation Front (ONLF).' I asked to be taken to hospital for birth. They laughed. I asked for extra water. They refused. So I gave birth in the jail. The women had a sharp piece of metal they used to cut the umbilical cord and they tied it themselves.

On the constant state of fear and the regular deaths in detention, Hodan, 30:

Every night I could hear them hitting people. I heard so much crying. In the morning when people are sitting in front of my house eating breakfast everyone would speak quietly about who had been taken away the night before: 'Mr so and so was killed by beating last night, so and so was raped last night, or beaten last night.' Every morning we would go through the list of those who had died or just didn't return to their cell. We lived in a constant state of fear that we would be next.

On the visits of Ethiopia's Human Rights Commission, Amina, 34:

"When the human rights commission comes they take out the serious cases, and just leave the new people. I was one of the people they were hiding. They took me to the military camp, Garbassa. First time I was there for seven days. They took out elderly women, and those who had been beaten in the face, or had wounds, or had small children.

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NORTH AFRICA

Libya

**Official Website of the International Criminal Court
ICC Public Documents - Situation in the Libyan Arab Jamahiriya**

**UNSMIL documents 16 civilian deaths and 15 injuries in Libya in June (The Libya Observer)
By Abdulkader Assad
July 2, 2018**

The United Nations Support Mission in Libya (UNSMIL) said it had documented 31 civilian casualties in Libya in last June.

The UNSMIL explained in its monthly human rights violation report that the casualties were 16 deaths and 15 injuries, who were victims of the conduct of hostilities across Libya.

& quot;Victims included 12 men, one women, two girls and one boy killed and nine men, three women, two girls and one boy injured.& quot; The UNSMIL said in its website.

It indicated that the majority of civilian casualties were caused by shelling (seven deaths and eight injuries), followed by airstrikes (five deaths and one injury), gunfire (three deaths and five injuries), and explosive remnants of war (ERW, one death) adding that it could not establish the exact cause of another injury.

UNSMIL further explained that it had documented civilian casualties in Derna (10 killed and eight injured), Ajdabiya (three killed and seven injured), and Beni Walid (three killed).

It also said that it had documented 11 additional casualties from other possible violations of international humanitarian law and violations or abuses of international human rights law in Al-Ajilat, Derna, Misrata, Sabha and Tobruk.

In May, the UNSMIL documented 101 civilian casualties –47 deaths and 54 injuries – during the conduct of hostilities, including car and suicide bombings, across Libya.

The death toll of May was the highest recorded by UNSMIL for any month in 2018.

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EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

France Extradites Serb War Crimes Suspect to Bosnia (Balkan Insight)

By Emina Dizdarevic

June 25, 2018

Radomir Susnjar, alias 'Lalco', who is charged with committing crimes against civilians in Visegrad in eastern Bosnia in June 1992, appeared in court in Sarajevo on Monday after being extradited from France to Bosnia and Herzegovina the previous day.

He is accused of participating in a war crime in which 57 Bosniak civilians from the village of Koritnik were forcibly detained in a house in Pionirska Street in Visegrad, which was then set on fire.

Susnjar and other Bosnian Serb Army troops and members of paramilitary groups then opened fire at the house to prevent the civilians from escaping.

The prosecution asked the court to remand him in custody for a month.

"The prosecution considers that there is a fear that he will destroy, hide and modify evidence, interfere with criminal proceedings, and affect witnesses who are direct victims and his neighbours," said prosecutor Seid Marusic.

"He knows the identity of the witnesses, and the accused would have the motive to influence them," Marusic added.

However the defence said that Susnjar had never tried to hide from prosecution, and should be put under house arrest, not remanded in custody.

Susnjar had lived in France for many years, and was tracked down in an investigation by the Bosnian prosecution.

AFP news agency reported that he was arrested in France in 2014 then released under court supervision before being arrested again this month in Seine-Saint-Denis, north of Paris.

Russian Ambassador Cancels Srebrenica Visit amid Genocide Row (Balkan Insight)

By Danijel Kovacevic

June 26, 2018

Russian ambassador Petr Ivanov has indefinitely postponed a visit to Srebrenica which was planned for Wednesday because Bosniak politicians said he could not visit the genocide memorial-cemetery complex in Potocari, where massacre victims are buried.

"They said that Ivanov was not welcome in Potocari because he allegedly denied the genocide. After that, the ambassador's office cancelled the visit to Srebrenica," said Mladen Grujicic, the Serb mayor of Srebrenica.

Grujicic's Bosniak deputy Nermin Alivukovic said he had initially agreed to meet the Russian ambassador.

"Then another call came in which the ambassador expressed his desire to visit the Potocari Memorial Centre and pay tribute to the victims of genocide. Respecting the decision of the victims of genocide and the decision of the Mothers of Srebrenica Association... not to allow anyone who denies the genocide in Srebrenica to visit the Memorial Centre, I could not accept that request," Alivukovic told FENA news agency.

"We know very well what Russia's position on this issue is. It's the position they put forward at the United Nations, putting a veto on the resolution on genocide in Srebrenica," he added.

In July 2015, Russia voted down a British-drafted UN Security Council resolution intended to mark the 20th anniversary of the July 1995 massacres of more than 8,000 Bosniaks by Bosnian Serb forces, saying it was anti-Serb and would cause more divisions in Bosnian society.

In a gesture of gratitude in November 2017, a far-right Bosnian Serb organisation called Eastern Alternative unveiled a monument to Vitaly Churkin, the now-deceased Russian ambassador to the UN who vetoed the genocide resolution.

Ramiz Salkic, the Bosniak vice-president of the country's Serb-dominated Republika Srpska entity, in which Srebrenica is situated, said that Moscow's ambassador should not be allowed to visit the memorial centre.

"There is no place at the Potocari Memorial Centre for those who are not ready to accept the fact that the genocide against the Bosniaks has been proved and judicially ruled upon," Salkic told Bosnian media.

"The Russian Federation, with its negative attitude to the UN, clearly stood by those who committed genocide and committed a joint criminal enterprise when it was discussing the Srebrenica genocide," he added.

But Srebrenica's mayor described such reactions as unacceptable.

"I call on the Russian ambassador to visit Srebrenica, and I will always be happy to host him in my office and in Srebrenica," Grujicic said.

**Female Bosnian Croat Ex-Fighter Appeals Conviction (Balkan Insight)
By Albina Sorguc
June 29, 2018**

Indira Kameric's lawyer Lejla Covic told BIRN on Friday that the defence has filed an appeal to the Constitutional Court against the state court's verdict convicting the former fighter of wartime crimes in Bosanski Brod.

The appeal, which claims that Kameric was not a member of the Croatian Defence Council, the wartime Bosnian Croat armed force, is due to be considered on July 5, Covic said.

"The appeal was filed due to the violation of human rights, considering that Indira Kameric was not a member of any military formation at all and that evidence proving it had been included in the case file, so she could not have been sentenced for war crimes," Covic explained.

Kamerica was found guilty, as a member of the 101st Bosanski Brod Brigade of the Croatian Defence Council, of participating in the mental and physical abuse of prisoners detained at the FK Polet football stadium in Bosanski Brod in 1992.

However she was acquitted of physically and mentally abusing a detainee at the police station in Bosanski Brod, and of aiding the rapes of female prisoners at the FK Polet stadium.

The four-year sentence handed down was below the legal minimum because Kamerica was young at the time she committed the crimes, and because she showed respect towards the victims, said the presiding judge.

**US to Extradite Alleged Wartime Killer to Bosnia (Balkan Insight)
By Lamija Grebo
June 29, 2018**

Judge Phillip Green confirmed on Thursday at the Western District Court of Michigan in the US city of Grand Rapids that Aleksandar Knjeginjic can be extradited to Bosnia and Herzegovina, US media reported.

Former Bosnian Serb Army soldier Knjeginjic is suspected, along with three other people, of having participated in the murder of a Bosniak married couple, Rejhan and Razija Sikiric, in 1994.

He was acquitted of the charges in Bosnia and Herzegovina, but a new trial was ordered.

In 2009, the District Court in Banja Luka sentenced Dusan Gagic and Mladen Popovic to ten years in prison each for killing the Sikirics.

But Knjeginjic argued at the Michigan court that the suggested extradition should be rejected based on a 'political offence exception', because the killings took place during a war.

The defence said Knjeginjic and the others were angry after Serb police officers were killed by Bosnian Army

troops, and wanted revenge.

But the judge rejected this line of argument.

"The only evidence that the murders were politically motivated is a statement by the defendant that the murders were retaliation for the deaths of eight police officers, but subjective political motivation does not make any act of isolated violence 'a political offence within the exception'," Green explained.

He said that the two victims were unarmed civilians and there was no evidence that they had any political affiliation, just an assumption by Knjeginjic and the others that, due to their Muslim religion, the couple were somehow associated with the Bosniak side in the conflict.

Neither Bosnia's state prosecution nor the district prosecutions in Banja Luka and Prijedor were able to confirm by the time of publication whether or not they are seeking Knjeginjic for trial.

US media reported that Knjeginjic has lived in the US since 2001, but was stripped of his citizenship last year because he lied to the immigration service about the murder suspicions and about his wartime military service with the Bosnian Serb Army.

Extradited Serb Pleads not Guilty to Bosniaks' Murders (Balkan Insight)

By Elma Selimovic

July 2, 2018

Radomir Susnjar, alias 'Lalco', pleaded not guilty at the Bosnian state court on Monday to participating in a war crime in Visegrad in eastern Bosnia in June 1992.

"I plead not guilty," Susnjar said.

He is accused of involvement in the killings of 57 Bosniak civilians from the village of Koritnik who were forcibly detained in a house in Pionirska Street in Visegrad, which was then set on fire.

Susnjar and other Bosnian Serb Army troops and members of paramilitary groups then opened fire at the house to prevent the civilians from escaping death, the prosecution alleges.

e was extradited to Bosnia and Herzegovina on June 24 from France, where he had lived for many years.

Bosnia Arrests Serb for Wartime Rape, Prisoner Abuse (Balkan Insight)

By Denis Dzidic

July 3, 2018

State Investigation and Protection Agency police officers arrested ex-soldier Sladjan Pajic on Tuesday on suspicion that he committed war crimes against the civilian population in Vlasenica from May 1992 to the end of that year, the Bosnian state prosecution said.

"He is suspected of having participated in multiple rape and sexual abuse of a Bosniak woman, as well as another minor victim, and inhumane treatment, causing severe physical pain and suffering, the torture and detention of civilians - Bosniak men - in the police premises in Vlasenica," the prosecution said in a statement.

Pajic will be questioned, then the prosecution will decide whether or not to file a custody motion or request any other restraining measures against him.

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International Criminal Tribunal for the Former Yugoslavia
(ICTY)

Official Website of the ICTY

France hands over war crimes suspect to Bosnia (Reuters)

June 25, 2018

An ex-Bosnian Serb soldier suspected of taking part in an operation in which 57 Muslim Bosniaks were burned alive in the country's 1992-95 war appeared in court on Monday after being extradited from France, the Bosnian prosecutor's office said.

Radomir Susnjar, 63, also known as Lalco, is charged also with robbery and illegal detention of civilians near the eastern town of Visegrad in 1992, the office said.

The group of 57 Bosniak Muslims are alleged to have been seized in the village of Koritnik and were later burned alive in a house that was set ablaze with an accelerant and explosives.

Susnjar and other Bosnian Serb Army troops and members of paramilitary groups also opened fire at the house to prevent the civilians from fleeing, the Bosnian prosecutor's office, who sought his extradition, said in a statement.

Susnjar lived in France for many years before being tracked down, the office said.

Bosnian Serbs Milan and Sredoje Lukic were sentenced by the International Criminal Tribunal for the former Yugoslavia (ICTY) to life and 27 years in prison in 2012 for the same crimes.

Bosnian Serb forces, helped by the now-defunct Serb-dominated Yugoslav People's Army (JNA) and Serbian paramilitaries, committed the worst atrocities against Muslim Bosniaks in eastern Bosnia early in the conflict as part of their bid to create exclusively Serb territories.

Around 100,000 people died in the 1992-95 war, a large majority of them Bosniaks.

The ICTY, set up in The Hague to prosecute atrocities committed during the breakup of Yugoslavia in the 1990s, closed its doors last December, having tried 161 suspects.

Serbian Radicals' Case Transfer to Belgrade Challenged (Balkan Insight)

By Radosa Milutinovic

June 27, 2018

Prosecutor Dianna Ellis said on Wednesday that she will file an appeal against the decision to transfer the case against Serbian Radical Party officials Petar Jovic and Vjerica Radeta to Belgrade.

The decision to try the two Serbian nationalist politicians before a Belgrade court, instead of in The Hague, was announced earlier this month by the Mechanism for International Criminal Tribunals.

Ellis said that Hague judge Aydin Sefa Akay made a mistake by not attributing sufficient importance to Belgrade's refusal for several years to extradite Jovic and Radeta to The Hague, which according to the tribunal it was obliged to do under Serbian and international law.

The prosecutor also argued that the judge disregarded the fact that the Serbian authorities had refused to arrest Jovic and Radeta despite a warrant issued by the UN court.

The UN court first accused Jovic and Radeta in 2012 of influencing witnesses in the Hague trial of their party leader Vojislav Seselj by persuading them to change their testimonies or not testify at all, using threats, blackmails and bribery.

Since then, the Serbian authorities have been locked in a long-running dispute with the tribunal over the arrest and extradition of the two Radicals.

The tribunal submitted a warrant ordering their arrest in January 2015.

But in May 2016, the war crimes chamber of the Belgrade Higher Court ruled that there were no legal grounds for extraditing the Radicals because Serbia's Law on Cooperation with the Hague Tribunal obliged Belgrade to extradite people charged with war crimes, but not those charged with contempt of court.

In October 2016, the tribunal issued an international warrant for the arrest of Jojic and Radeta, saying that Serbia had refused to act on the Tribunal's order to arrest and extradite them several times.

Interpol then issued 'red notices' for Jojic and Radeta.

The tribunal has reported Serbia to the UN Security Council several times for non-cooperation in the case.

A third Radical Party member who was also accused in the case, Jovo Ostojic, died in Serbia last year.

In April this year, the Mechanism for International Criminal Tribunals sentenced Radical Party chief Seselj to ten years in prison for the persecution of Croats in the village of Hrtkovci in Serbia's Vojvodina region in 1992.

However, Seselj will not serve any further jail time because of the years he has already spent in custody.

Seselj, who is a Serbian MP, has said he will not quit parliament despite his war crimes conviction, which legally disqualifies him from sitting in the legislature.

Serbian Paramilitary Arkan 'Shot Captive in Head' (Balkan Insight)

By Radosa Milutinovic

July 3, 2018

A protected prosecution witness codenamed RFJ-129 told the retrial of Jovica Stanisic and Franko Simatovic at the Mechanism for International Criminal Tribunals in The Hague on Tuesday that he saw Serbian paramilitary chief Arkan kill a man out of revenge.

"Following the death of one of Arkan's lieutenants, captives were brought. I saw Arkan take a pistol and shoot one of them directly in his forehead. One of Arkan's men hit another captive and stabbed him in the back with a knife after finding a bayonet on him," witness RFJ-129 said.

The witness said he was forced to work with Raznatovic's paramilitary unit, the Tigers, in Croatia and Belgrade as well as in Bosnia and Herzegovina from 1995 to 1997.

He said he heard from members of the Tigers that they had killed and deported Bosniaks and Croats from various locations in Croatia and Bosnia, such as Vukovar and Zvornik, since 1991.

"The soldiers told me, after drinking some alcohol, that they committed big crimes and expelled Croats from Vukovar... and committed mass murders and gave beatings in Bijeljina and Zvornik," RFJ-129 testified.

He also said that in March 1996, Arkan's men took him to a well near the Tigers' base in Erdut in the Eastern Slavonia area of Croatia, and told him to fill it in and camouflage it because it was a mass grave of victims from Vukovar.

"I heard that Arkan's men had done it, that those people had been killed at that place and that it must not be noticed. So we covered it with branches and land," he said.

While in the base in Erdut, where he worked from October 1995, the witness heard about a visit by Simatovic from some people who ordered special food to be prepared for the Belgrade security official. However, he did not personally see Simatovic.

According to the charges, Stanisic, the former chief of the Serbian State Security Service, and Simatovic, who was his assistant, were protagonists in a joint criminal enterprise led by Slobodan Milosevic aimed at permanently and forcibly removing Bosniaks and Croats from large parts of Croatia and Bosnia and Herzegovina in order to achieve Serb domination.

Stanisic and Simatovic are charged with persecution, murders and deportations in Croatia and Bosnia and Herzegovina, which according to the charges were committed by members of Arkan's paramilitary group and the Red Berets unit, which the prosecution claims were controlled by the Serbian State Security Service.

Stanisic and Simatovic both pleaded not guilty in December 2015 after the appeals chamber of the International Criminal Tribunal for the Former Yugoslavia overturned their acquittal in their first trial.

The appeals chamber ruled that there were serious legal and factual errors when Stanisic and Simatovic

were initially acquitted of war crimes in 2013, and ordered the case to be retried and all the evidence and witnesses reheard in full by new judges.

The trial continues on Wednesday.

Serbian Security Officials: Bosnian Serbs Controlled Arkan (Balkan Insight)
By Radosa Milutinovic
July 4, 2018

Defence lawyers at the retrial of Jovica Stanisic and Franko Simatovic told the Mechanism for International Criminal Tribunals in The Hague on Wednesday that Zeljko 'Arkan' Raznatovic's paramilitaries were part of the Bosnian Serb Interior Ministry in 1995, and were not controlled by the Serbian State Security Service.

Stanisic's lawyer Wayne Jordash and Simatovic's lawyer Mihajlo Bakrac presented several documents to the court, according to which Raznatovic's so-called 'Tigers' paramilitaries operated in Bosnia and Herzegovina in 1995 as part of the Bosnian Serb Interior Ministry.

Jordash read an entry from the war diary of the former commander of the Bosnian Serb Army, Ratko Mladic, written during a major offensive in September 1995, saying that "300 of Arkan's volunteers" had arrived and they had been "placed in the Bosnian Serb Interior Ministry to arrest deserters behind the frontline".

Bakrac then cited what he called an authorisation given by Bosnian Serb President Radovan Karadzic at the same time, calling on "the special unit of the Bosnian Serb Interior Ministry called the 'Tigers' to arrest all deserters and fugitives".

The lawyers were cross-examining a protected prosecution witness who testified on Tuesday that the Tigers were under the control of the Serbian State Security Service.

According to the charges, Stanisic, the former chief of the Serbian State Security Service, and Simatovic, who was his assistant, were protagonists in a joint criminal enterprise led by Slobodan Milosevic aimed at permanently and forcibly removing Bosniaks and Croats from large parts of Croatia and Bosnia and Herzegovina in order to achieve Serb domination.

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The retrial continues on Thursday.

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Domestic Prosecutions In The Former Yugoslavia

Holidaying War Crimes Suspects Face Arrest in Croatia (Balkan Insight)
June 25, 2018

The head of the Serbian NGO Veritas, Savo Strbac, Strbac said that Croatia has stepped up arrests of Serbs wanted for alleged war crimes, so war veterans should be careful when crossing the country's borders.

"We record an average of up to 10 arrests per summer season, depending on the year," Strbac told BIRN.

His comment came after the reported arrest at the Batrovci border crossing between Serbia and Croatia on Sunday of a Serbian citizen, Dusko Gacesa, who is accused an alleged war crime against civilians in the Croatian municipality of Benkovac in the 1990s.

The Serbian and Croatian justice ministers agreed in March that the two countries will exchange files on war crimes suspects in order to avoid what Croatian minister Drazen Bosnjakovic called "unpleasant situations" at the border.

Strbac said that Serbian war veterans and former soldiers should check if they are on the list. "Ask around, hire lawyers, you all know where you have been and what you were doing," he advised.

**Witness Recalls Surviving Shooting by Arkan's Paramilitaries (Balkan Insight)
By Radosa Milutinovic
June 26, 2018**

A protected prosecution witness told the retrial of Jovica Stanisic and Franko Simatovic at the Mechanism for International Criminal Tribunals in The Hague on Tuesday that he managed to survive the shooting by members of Zeljko 'Arkan' Raznatovic's paramilitary unit in Sanski Most in Bosnia in 1995 despite having been hit in the back and chin.

The witness testified that in September 1995, Arkan's men took 12 Bosniaks, including himself, from the Sanus hotel in Sanski Most, where Arkan had examined them, to the nearby village of Trnova.

"Not a single thing could have happened without Arkan approving and ordering it," the witness said.

According to the witness's testimony, on arrival in Trnova, the paramilitaries took the Bosniaks from the truck, handcuffed in pairs, to a nearby house. While they were approaching the house, the witness heard gunshots from that direction.

"They took the handcuffs off in front of the door. I asked if they could somehow avoid killing. A soldier said: 'Yes, you are lucky to have fallen into Arkan's hands. Give us 5,000 Deutschmarks each,'" he recalled.

"I said I was from Kljuc and had no money with me, while the man standing next to me said he had 200 marks. They cursed the 200 marks and forced us to go inside the house," he added.

On entering the house, the witness said he saw "dead people and pools of blood".

"As soon as I stepped inside, a bullet hit me in the back. I fell down and broke two of my ribs," he said.

When another pair of prisoners entered the house, a paramilitary ordered them to kneel down.

"He told the second soldier, the one called Zeljo: 'You get the sweetest part of the job'... I heard the sound of a knife being pulled out. They slaughtered both of them, while their blood splashed my face," the witness said.

One of Raznatovic's men then said there were survivors, so the paramilitaries began shooting the victims in their heads, he continued.

"They moved from one man to another, lit them with a flashlight and shot them in the head. The light came to me, a bullet was fired. It hit me in my chin," he added.

After the soldiers had left, he fled to a nearby village.

According to the charges, Stanisic, the former chief of the Serbian State Security Service, and Simatovic, who was his assistant, were protagonists in a joint criminal enterprise led by Slobodan Milosevic aimed at permanently and forcibly removing Bosniaks and Croats from large parts of Croatia and Bosnia and Herzegovina in order to achieve Serb domination.

Stanisic and Simatovic are charged with persecution, murders and deportations in Croatia and Bosnia and Herzegovina, which according to the charges were committed by members of Arkan's Serbian Volunteer

Guard paramilitary group and the Red Berets unit, which the prosecution claims were controlled by the Serbian State Security Service.

During cross-examination, Stanisic and Simatovic's defence lawyers said they did not deny the truthfulness of the witness's testimony.

But Stanisic's lawyer Ian Edwards tried to disassociate Arkan from the crimes committed by his men.

Edwards suggested that the witness "can't be a 100 per cent sure that Raznatovic saw them put handcuffs on your hands and load you onto the truck".

The witness confirmed that, but said Arkan was in a hotel room right next to the place where the prisoners were loaded up.

"You did not hear him ordering that?" Stanisic's lawyer asked.

"No," the witness answered, repeating that he had the impression that nothing could have happened without Arkan approving it.

"You did not hear Arkan order the shooting," the defence lawyer suggested.

The witness agreed this was true.

Stanisic and Simatovic both pleaded not guilty in December 2015 after the appeals chamber of the International Criminal Tribunal for the Former Yugoslavia overturned their acquittal in their first trial. The appeals chamber ruled that there were serious legal and factual errors when Stanisic and Simatovic were initially acquitted of war crimes in 2013, and ordered the case to be retried and all the evidence and witnesses reheard in full by new judges.

The trial continues on Wednesday.

**Kosovo Campaigners File 150 Criminal Complaints Against Serbs (Balkan Insight)
By Blerta Iberdemaj & Die Morina
June 27, 2018**

Representatives of the Civil Society Group, which works on collecting evidence and preparing legal allegations about war crimes committed by Serbs during the Kosovo conflict, filed 150 criminal complaints to the Special Prosecution Office on Wednesday.

The complaints contain accusations against named Serbs who are alleged to have committed crimes in the municipality of Gjakova/Djakovica during wartime.

Mevlyde Saraqi from the Civil Society Group said that these 150 criminal complaints represent the fifth tranche of allegations about crimes committed in Gjakova/Djakovica that the organisation has sent to the prosecutors.

"I call on other municipalities to [file similar complaints], as Gjakova/Djakovica is doing, because information from only one municipality is not enough... Criminals went through the whole of Kosovo and expelled one million Albanians, and they [Serbs] are responsible for the crimes they committed," Saraqi told media.

"We cannot enjoy freedom until the criminals are convicted," she added.

Saraqi insisted that there is enough evidence to take the cases to court.

"We filed the criminal complaints, we talked with the legal official who is dealing with this issue and about the complaints we filed earlier, and we were told that they have been taken forward," she said.

"I hope we will soon see the criminals in court," she added.

More than 10,000 ethnic Albanian civilians were killed during the war in Kosovo, and hundreds of thousands expelled.

Some of the victims were found later in hidden mass graves in Serbia, including one on the outskirts of Belgrade.

About 1,600 victims are still missing, mostly ethnic Albanians but also some Serbs

Serbian Paramilitary Arkan 'Shot Captive in Head' (Balkan Insight)

By Radosa Milutinovic

July 3, 2018

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"Following the death of one of Arkan's lieutenants, captives were brought. I saw Arkan take a pistol and shoot one of them directly in his forehead. One of Arkan's men hit another captive and stabbed him in the back with a knife after finding a bayonet on him," witness RFJ-129 said.

The witness said he was forced to work with Raznatovic's paramilitary unit, the Tigers, in Croatia and Belgrade as well as in Bosnia and Herzegovina from 1995 to 1997.

He said he heard from members of the Tigers that they had killed and deported Bosniaks and Croats from various locations in Croatia and Bosnia, such as Vukovar and Zvornik, since 1991.

"The soldiers told me, after drinking some alcohol, that they committed big crimes and expelled Croats from Vukovar... and committed mass murders and gave beatings in Bijeljina and Zvornik," RFJ-129 testified.

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The trial continues on Wednesday.

Serbian Court Accepts Disputed Evidence on Journalist's Murder (Balkan Insight)

By Maja Zivanovic

July 4, 2018

Belgrade Higher Court decided on Wednesday to allow previously rejected evidence about mobile phone communications in the Slavko Curuvija murder case after the appeals court ruled that it had been acquired legally.

According to Beta news agency, among the evidence is a police report about 40 tapes from mobile operator Mobtel's base stations, some of which reveal the communications and movements of the accused Serbian state security officers at the time of the murder.

Serbian media reported on Tuesday evening that the appeals court in Belgrade ruled that the evidences is valid and should be included in the trial.

The Higher Court had previously decided for a second time in June to throw out the evidence allegedly placing former Serbian state security officers at the scene of the 1999 murder of journalist Slavko Curuvija.

The chairman of Serbia's commission for solving cases of killed journalists, Veran Matic, welcomed the decision but claimed that the progress of the trial at the Higher Court was being obstructed.

"You can't conclude anything else but that this really points to an intention to make a decision to acquit those indicted much earlier than the trial ends," Matic said, according to N1 television.

The Society of Judges of Serbia claimed however that Matic was putting pressure on the judges in the Curuvija case.

"Only if someone who is being prosecuted is convicted in a lawful manner will he go to prison," Dragana Boljevic from the Society of judges told N1.

The trial for the murder of Curuvija opened in 2015, 16 years after he was shot dead in Belgrade. He was allegedly killed because of his opposition to Yugoslav President Slobodan Milosevic.

According to the indictment, an 'unknown person' ordered the killing of Curuvija, and Radomir Markovic, the former head of Serbian State Security, abetted the crime, while three former security service officers – Ratko Romc, Milan Radonjic and Miroslav Kurak – took part in the organisation and execution of the murder.

Kurak was the direct perpetrator, while Romc was his accomplice, it is alleged.

Three of the suspects have pleaded not guilty, while Kurak is on the run and is being tried in absentia.

Markovic is currently serving a 40-year sentence for the murder of former Serbian President Ivan Stambolic and other crimes, while Romc was acquitted alongside Radonjic in September last year of the attempted murder of opposition party leader Vuk Draskovic.

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MIDDLE EAST AND ASIA

Afghanistan

Defense briefs The Hague on war crimes inquiry (The Australian)

By Paul Maley

June 21, 2018

Australia has notified the International Criminal Court in The Hague that it is investigating possible war crimes committed by Australian troops in Afghanistan, raising the possibility that Australia may have to provide details of its Afghan probe to prevent international prosecutors trying Australian troops.

The Australian can reveal that the ICC's independent prosecutor Fatou Bensouda has been officially

informed of the Australian Defence Force Inspector-General's inquiry into possible atrocities committed by members of Australia's elite special forces in Afghanistan.

Inspector-general James Gaynor revealed yesterday his staff had interviewed 220 witnesses since his inquiry into the Special Operations Task Group in Afghanistan began in May 2016.

"The focus of the inquiry is what, if any, substance there is to reports and rumours of breaches of the law of armed conflict by or concerning the Special Operations Task Group deployments in Afghanistan during the period 2005 to 2016," Mr Gaynor told The Australian yesterday.

"The scope of the inquiry includes organisational, structural and cultural factors which may have contributed to any such conduct or rumours of it."

Mr Gaynor seconded NSW Supreme Court judge and former Army Reserve major general Paul Brereton SC to conduct the inquiry on behalf of his office, a decision defence sources said reflected the scale and complexity of the job.

Under ICC rules, member states, of which Australia is one, are given the first option to prosecute war crimes or crimes against humanity committed by their own people. If they are unable or unwilling to mount a credible prosecution the ICC prosecutor can step in under a provision known as the "complementarity principle".

Military sources have told The Australian one of the reasons the inspector-general was called in was to eliminate any legal risk to Australian troops of possible criminal prosecution by the ICC.

The Defence Department yesterday confirmed the ICC had been briefed on the Australian investigation.

"The ICC prosecutor is aware of the IGADF Afghanistan inquiry," the spokesman said. "In connection with her request to open an investigation into incidents in Afghanistan generally, the ICC prosecutor has publicly stated that she will abide by the principle of complementarity, which provides for primacy of state jurisdiction where a genuine investigation is being conducted."

The department added that at this stage the ICC had not requested information from Australia "about the conduct of ADF members in Afghanistan".

However, legal sources consulted by The Australian said that might change.

Bret Walker SC, who served as independent national security legislation monitor until 2014, said Australia might have to brief the ICC on the details of the investigation to satisfy the ICC that it had done a rigorous job.

"It may involve making available documents that would otherwise be confidential and it may involve direct discussions," Mr Walker told The Australian.

Mr Walker said in his view there was no practical risk of Australian troops being hauled before The Hague as Australia's investigative and judicial processes were first-rate, meaning the ICC had no claim to jurisdiction.

"It's only in default of Australia doing what everybody involved is expecting Australia to do that there is any prospect of the ICC being involved," he said.

"It's almost unthinkable."

However, it is not clear if the ICC has received independent complaints about alleged misconduct by Australian troops from Afghan citizens, and if it has, what action has been taken.

When contacted by The Australian, a spokesman for the ICC replied that its prosecutor was not responding to requests for information "at this time".

However, in a report published in December the ICC said it had received notifications about possible war crimes committed by the Taliban, US forces and "special forces of certain international forces operating in Afghanistan".

The inspector-general began his investigation into the special-forces community in May 2016 after the SASR

hierarchy received credible information its troops might have committed war crimes.

Mr Brereton is expected to report by the end of the year.

Defence has declined to comment publicly on the inquiry.

Afghanistan blast: Sikhs among 19 dead in Jalalabad suicide attack (BBC News)
July 1, 2018

A suicide bombing in the eastern Afghan city of Jalalabad has killed at least 19 people, most of them members of the country's Sikh minority.

Police said they had been travelling in a vehicle to meet President Ashraf Ghani, who is visiting Nangarhar province, when the bomber struck.

Among those killed was the only Sikh candidate who had planned to contest October's parliamentary elections.

The Islamic State (IS) group said it carried out the attack.

Hours earlier, Mr Ghani had opened a hospital in Jalalabad during his two-day visit to Nangarhar. Officials said he was not in the area when the suicide blast occurred.

The Indian embassy in Kabul condemned the "cowardly terrorist" attack.

It confirmed that Awtar Singh Khalsa, the only Sikh candidate running in the 20 October elections, was among the dead.

"The attack underlines the need for a united global fight against international terrorism without discrimination and accountability of those who support terrorists in any manner," the embassy tweeted.

Nangarhar health director Najibullah Kamawal told AFP news agency that 17 of the dead were Sikhs and Hindus. Another 20 people were wounded, he added.

The bomber targeted the vehicle as it passed through Mukhaberat square in the city, governor's spokesman Attaullah Khogyani said. The explosion badly damaged shops and buildings.

Small communities of Sikhs and Hindus live in Afghanistan which is otherwise an overwhelmingly Muslim nation.

Correspondents say increasing numbers have moved to India due to persecution and repeated threats.

IS said on its Amaq news agency that it had carried out the attack although it gave no evidence for the claim.

The latest attack comes after last month's three-day ceasefire between government forces and the Taliban.

The brief truce did not include IS which is fighting both the Taliban and government forces.

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Yemen

Fighting moves closer to center of Yemen's main port city, missiles fired at Riyadh (Reuters)
By Mohammed Ghobari
June 24, 2018

The Iran-aligned Houthi movement launched missiles on the Saudi capital Riyadh on Sunday, and reinforced Yemen's main port city of Hodeidah as an Arab coalition moved closer to the city center in the largest offensive of the war.

Saudi Arabia's air defense forces intercepted two ballistic missiles over Riyadh, state media reported, in at least the sixth attack targeting the Saudi capital since December. Houthi-run media said the rockets were aimed at the Saudi defense ministry and other targets.

The Saudi-led military alliance launched its assault on the heavily defended Yemeni Red Sea city of Hodeidah on June 12 to try to weaken the Houthis by cutting off a key supply line for the group, which controls the Yemeni capital Sanaa and most populated areas.

"There is a heavy deployment of armed Houthis in the city and new check points have been set up in neighborhoods where there are supporters of the Tehama brigades," said one resident on Sunday, referring to a Yemeni faction from the Red Sea coastal plain that is fighting with coalition forces.

Fierce clashes broke out near Hodeidah University, 3 km (1.9 miles) west of the city center, on the coastal road linking the airport to the port, added the resident, requesting anonymity.

Coalition forces seized the airport on Wednesday and have been consolidating their hold in the area as U.N. efforts continued to reach a political deal that would avert an assault on the port, a lifeline for millions of Yemenis.

The United Nations fears the escalation in fighting could exacerbate what is already the world's most urgent humanitarian crisis, with 22 million Yemenis dependent on aid and an estimated 8.4 million believed to be on the verge of starvation.

The World Food Program said the fighting could result in up to 1.1 million people being either displaced or trapped within the city and in need of emergency food assistance.

Medical charity Medecins Sans Frontieres said it received 151 injured people in recent weeks in its trauma center in the southern city of Aden, many of whom came from Hodeidah, and expects to receive more as fighting moves toward Hodeidah city.

The Western-backed coalition intervened in Yemen in 2015 to restore the internationally recognized government in exile, but since then neither side has made much progress in the war, widely seen as a proxy conflict between Saudi Arabia and Iran.

U.N. ROLE

The Arab states say they must recapture Hodeidah to deprive the Houthis of their main source of income and prevent them from smuggling in Iranian-made missiles. The group and Tehran deny the accusations.

U.N. envoy Martin Griffiths has visited Sanaa and Saudi Arabia to try to negotiate a solution.

The Houthis have indicated they would be willing to hand over management of the port to the United Nations, sources told Reuters. A U.S. official said Washington was urging the Saudis and Emiratis to accept the deal.

Yehya Sharafeddine, vice president of the Yemeni Red Sea Ports administration, said that ships heading for Hodeidah were already subject to U.N. inspections.

"The supervision is already in place even if they're (U.N.) not present at the port. Anything that enters the port is under the supervision of the United Nations," he told a press conference at the port, adding that it was operating normally.

The United Nations has beefed up its inspections of ships bringing humanitarian aid to ensure no military items are being smuggled and to speed delivery of relief supplies, which have been slowed down by additional checks enforced by the coalition.

The coalition has pledged a swift military operation to take over the airport and seaport without entering the city center, to minimize civilian casualties and maintain the flow of goods.

The International Crisis Group said the battle for Hodeidah was reaching "the point of no return".

**Yemeni officials: Saudi strikes kill at least 8 in northwest (Minneapolis StarTribune)
By Ahmed Al-Haj**

June 25, 2018

A pair of airstrikes by the Saudi-led coalition on Monday killed at least eight civilians — all members of a single family — in Yemen's northwestern Amran province near the capital, Sanaa, security officials said.

The airstrikes, which hit sites in the al-Barid neighborhood in the city of Amran, also wounded over 20 people, the officials said.

Also Monday, the Saudi-led coalition claimed that one of their airstrikes killed at least 41 Shiite rebels, known as Houthis, including eight Lebanese Hezbollah members who were fighting with them, in Yemen's northern Saada province.

Meanwhile, in the port city of Hodeida, officials and witnesses said hundreds of families have been forced to leave their homes in the surrounding province, about two weeks after the coalition launched an assault to take Hodeida from the Houthis.

A convoy of at least 50 vehicles, carrying hundreds of people, has left the city, heading to the southwestern city of Taiz, they said. All the officials spoke on condition of anonymity because they were not authorized to talk to the media while the witnesses feared for their safety.

The Saudi-led coalition launched the campaign to retake Hodeida earlier this month, with Emirati troops leading the force of government soldiers and irregular militia fighters backing Yemen's exiled government. Saudi Arabia has provided air support, with targeting guidance and refueling from the United States.

Hodeida, home to 600,000 people, is some 150 kilometers (90 miles) southwest of Sanaa. The campaign to take Hodeida threatens to worsen Yemen's humanitarian situation as it's the main entry point for food, humanitarian aid and fuel supplies to the country.

Aid groups fear a protracted fight could force a shutdown of the port and potentially tip millions into starvation. Some 70 percent of Yemen's food enters via the port, as well as the bulk of humanitarian aid and fuel supplies. Around two-thirds of the country's population of 27 million relies on aid and 8.4 million are at risk of starving.

The Houthis seized control of Sanaa in September 2014, and later pushed south toward the port city of Aden. The Saudi-led coalition entered the conflict in March 2015, and has faced criticism for a campaign of airstrikes that has killed civilians and destroyed hospitals and markets.

The Houthis, meanwhile, have laid land mines, killing and wounding civilians. They have also targeted religious minorities and imprisoned opponents.

Impoverished Yemen has been devastated and pushed to the brink of famine by the stalemated three-year civil war that has left around two-thirds of Yemen's population of 27 million relying on aid, and over 8 million at risk of starving.

**Yemen war: Exchange of prisoners as fighting continues (AlJazeera)
June 25, 2018**

Houthi rebels have released 40 prisoners during the battle for Hudaida port. In exchange, Saudi-UAE coalition forces supporting Yemen's army have freed 70 Houthi prisoners.

The EU is calling on all parties in Yemen to prevent any further escalation of the conflict - and to work towards a nationwide ceasefire.

Despite this, fighting continues as the Saudi-Emirati coalition battles against Houthi rebels for control of the strategic Hudaida port.

Rebels there say that the coalition has carried out five air attacks in the area.

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Extraordinary Chambers in the Courts of Cambodia (ECCC)

Official Website of the Extraordinary Chambers

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

Cambodia Tribunal Monitor

Cambodian dictatorship propped up by 12 ruthless generals, says rights group (The Telegraph)

By Nicola Smith

June 28, 2018

Cambodia is hurtling towards dictatorship under a crackdown orchestrated by 12 ruthless security force officers intent on securing victory for the country's authoritarian prime minister in July elections, Human Rights Watch said on Thursday.

In a new 213-page report – Cambodia's Dirty Dozen: A Long History of Rights Abuses by Hun Sen's Generals – the group identified 12 army and police chiefs who for decades have formed the “backbone” of the Southeast Asian nation's abusive and authoritarian regime.

“Over the years, Hun Sen has created and developed a core of security force officers who have ruthlessly and violently carried out his orders,” said Brad Adams, Asia director at Human Rights Watch. Their iron-fisted rule and dedication to Hun Sen, Cambodia's prime minister since 1985, has made an upcoming July 29 poll all but meaningless, claim human rights activists.

“The importance of Cambodia's generals has become even more apparent ahead of July's elections, as they engage in crackdowns against journalists, political opponents, and anti-government protesters – and openly campaign for Hun Sen.”

Hun Sen, who officially calls himself the “princely exalted supreme great commander of gloriously victorious troops” is set for a certain win after the main opposition Cambodian National Rescue Party was banned last year and its leaders jailed or exiled.

However, less well known has been the role of the faithful cadre within the country's security forces who have masterminded his rise for decades, some since the violent rule of dictator Pol Pot's Khmer Rouge regime in the late 1970s.

The new report accuses the 12 security chiefs of being implicated in crimes against humanity and war crimes.

“Most of the 12 have been implicated in the use of unnecessary, excessive, and sometimes lethal force against protests about unfree and unfair elections, land confiscations, labour abuses, and low wages,” it says.

“Many have also been involved in non-political abuses against the ordinary population, such as land takings, murder, torture, and arbitrary detention.”

Cambodia's Ministry of Interior, which is responsible for the police, rejected the allegations in the report.

"Human Rights Watch is a professional liar," said Huy Vannak, under secretary of state at the ministry. "The report is too dramatic and it reflects a criminal intent of HRW to continue to downgrade Cambodia," he said.

Defense ministry spokesman Chhum Socheat said the report was unfair.

"On behalf of the Ministry of National Defense, we dismiss this report which lacks evidence," he said.

Cambodian PM's son gets military roles amid human rights concerns (Aljazeera)

July 1, 2018

The son of Cambodia's long-serving leader was promoted to two senior military posts on Saturday as his father looks to tighten his family's grip on the country's

leadership.

The move comes after 12 generals were accused of committing decades of human rights abuses to prop up Prime Minister Hun Sen in a Human Rights Watch report released on Thursday.

Hun Sen is alleged to be priming his three sons for a political dynasty in advance of national elections he is expected to win this month after the dissolution of the main opposition party last year.

His eldest son, Lieutenant General Hun Manet, was promoted to acting chief of joint staff and commander of the army headquarters, according to defence ministry spokesperson Chhum Socheat.

The 40-year-old West Point-trained officer will keep his current roles as head of the defence ministry's anti-terrorism unit and the deputy commander of Hun Sen's personal bodyguard unit.

The defence spokesperson said Hun Manet's promotion was merit-based and not because of his family name.

"There is nothing strange, his promotions have been made based on his qualifications and experience in the army," Chhum Socheat told AFP news agency on Saturday.

Hun Sen's second son, Hun Manit, is the head of a powerful military intelligence unit and his youngest, Hun Many, is a parliamentarian who oversees the ruling party's far-reaching youth movement.

'Abusive and authoritarian'

Two generals named in the Human Rights Watch report - Pol Saroeun and Kun Kim - also stepped down from their senior military roles this week in order to run for parliament in the July 29 vote.

"These 12 men are the backbone of an abusive and authoritarian political regime over which an increasingly dictatorial Hun Sen rules," the report said of the generals.

They were accused of "violations of human rights, war crimes, and crimes against humanity committed from the 1970s to the present," it said.

"Most of the 12 have been implicated in the use of unnecessary, excessive, and sometimes lethal force against protests about unfree and unfair elections, land confiscations, labour abuses, and low wages."

The Cambodian defence ministry denied the HRW's allegations, calling it a "deranged report".

Several others were moved in the military shuffle, including military police commander-in-chief Sao Sokha who was appointed acting supreme commander of the Royal Cambodian Armed Forces.

Deteriorating freedoms

One of the world's longest-serving leaders, Hun Sen is accused of stifling political freedoms in the country.

The previous largest opposition party, the Cambodia National Rescue Party (CNRP) was dissolved in November after being accused of plotting to overthrow the government.

They performed well in the last general and in local elections, but candidates lost their seats when the party was banned.

The opposition leader Kem Sokha was jailed and charged with treason.

There has been international condemnation of the move with 45 countries signing a letter calling for the opposition to be reinstated and for Kim Sokha to be freed.

The United States and the European Union have also withdrawn funding for July's vote.

The government says it is not concerned about the criticism, and will not intervene in the judicial process.

"They can voice, but that doesn't reflect the spirit of all the people in those countries. They're very negative on Cambodia today, but in the future, they will come back to us, it's normal," Huy Vannak from the Cambodian interior ministry told Al Jazeera.

Many locals, however, are losing faith in the political process.

"Most people who used to support my party in the area say that if there's no Cambodia National Rescue Party in the election, they won't vote," CNRP candidate Hean Keu said.

'War on independent media'

Several independent media outlets have been shut down in Cambodia during the past year.

In September, independent newspaper The Cambodia Daily announced it was shutting down after being slapped with a \$6.3m tax bill, which its publishers said was politically motivated.

The Daily's closure came weeks after a government crackdown on 32 radio stations, including Radio Free Asia's Phnom Penh bureau, according to figures compiled by Reporters Without Borders (RSF), an organisation aimed at protecting press freedom.

RSF alleges Hun Sen's government is leading "an all-out war on independent media outlets with the aim of ensuring victory in the general elections".

Several senior staff at the Phnom Penh Post also resigned in May, after the publication's new owner fired the editor-in-chief over a story concerning the paper's sale to Malaysian businessman Sivakumar S Ganapathy.

Under the headline "Phnom Penh Post sold to Malaysian investor", the article raised concerns over Ganapathy's links to Hun Sen and the Malaysian government.

"We are worried about our editorial independence heading into this year's national elections ... Cambodia has lost a lot of independent media, so we were widely considered to be the last independent news outlet here," Post reporter Erin Handley told Al Jazeera.

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Special Tribunal for Lebanon

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

**Special Tribunal defense focuses on dropped Taha investigation (The Daily Star)
By Victoria Yan
June 27, 2018**

Defense counsel David Young grilled former Special Tribunal for Lebanon investigator Michael Taylor Tuesday on decisions not to further look into Khaled Taha, a close friend of Ahmed Abu Adass.

**Oneissi defense closes case, shifts focus to Abu Adass (The Daily Star)
By Finbar Anderson
June 29, 2018**

The defense counsel for the accused Hussein Oneissi closed her case Thursday at the Special Tribunal for Lebanon by submitting evidence seeking to implicate a Palestinian in the killing of former Prime Minister Rafik Hariri. Defense Counsel Natalie Von Wistinghausen's target, Ahmad Abu Adass, was at the center of early investigations, having been shown apparently making a confession in a videotape recovered shortly after the 2005 assassination of Hariri in a bomb blast that also killed 21 others.

The prosecution team has since argued that Abu Adass was forced into making the confession by those currently indicted. His DNA did not match that found in the vehicle that was used in the assassination.

Von Wistinghausen submitted various documents into evidence that, she argued, demonstrated Abu Adass' susceptibility to the ideologies of extremist groups.

She said the various tape recordings and that examples of extremist literature she submitted showed that Abu Adass' "claim of responsibility for the attack was in compliance with the ideology he was advocating."

Among the four defense teams, Oneissi's was the only one to present a case. Such a move is not out of the ordinary given that the burden of proof lies with the prosecutor, and the defense teams may choose to make their arguments in the final briefs. These briefs were requested from the teams representing the prosecution and the interests of the victims by July 16, with responses from the defense by Aug. 13.

President of the Trial Chamber Judge David Re said he did not anticipate any further STL hearings until August or September of this year.

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Bangladesh International Crimes Tribunal

**Bangladesh court turns down Sayeedi's plea for division in jail (bdnews24.com)
June 28, 2018**

The High Court has turned down a petition filed by war crimes convict Delwar Hossain Sayeedi seeking special privileges in jail.

Justice Syed Muhammad Dastagir Husain and Justice Md Iqbal Kabir rejected the petition on Thursday.

On June 24, Sayeedi, a leader of the Jamaat-e-Islami, filed the petition explaining that he had received division, a special privilege, while he was a prisoner on trial.

Sayeedi urged the HC to order the jail authorities to provide him with the division facilities in jail and to send him to a specialised hospital for treatment.

The Supreme Court on Sept 17, 2014 reduced the punishment from death sentence to life imprisonment following a petition by Sayeedi.

On Feb 8, 2013, the International Crimes Tribunal-1 sentenced Sayeedi to death for war crimes committed in the 1971 Liberation War.

**UN Chief Antonio Guterres to visit Bangladesh to assess Rohingya situation (Money Control)
June 29, 2018**

UN chief Antonio Guterres will travel to Bangladesh next week to take stock of the situation on the ground towards the safe, voluntary and dignified return of tens of thousands of Rohingya refugees to Myanmar.

According to the UN estimates, nearly 600,000 minority Rohingya Muslims have fled to Bangladesh to escape violence in Myanmar's Rakhine State since August 25 when the army launched a military crackdown, triggering one of the world's worst refugee crises.

The Secretary General will travel on July 1 in a joint visit with World Bank President Jim Yong Kim, UN spokesperson Stephane Dujarric told reporters here yesterday.

He said the visit will highlight the generosity of Bangladesh in hosting the largest refugee influx of 2017 and the need of the international community to do more.

The visit also aims to lay the groundwork for further dialogue with the Government of Bangladesh on medium-term planning for the refugee situation and to reiterate the UN and the World Bank's support for finding comprehensive solutions to the situation of the Rohingya people.

In Dhaka, Guterres and Kim will have bilateral meetings with Bangladeshi authorities, including with Prime Minister Sheikh Hasina.

They will travel to Cox's Bazar on July 2 to visit Rohingya refugee communities and humanitarian workers and advocate for more donor support.

They will be accompanied by High Commissioner for Refugees (UNHCR) Filippo Grandi and Executive Director of the UN Population Fund (UNFPA) Natalia Kanem.

They will review the situation of the newly arrived Rohingyas in Bangladesh, and assess progress towards a safe, voluntary and dignified return of refugees, in line with international standards.

Meanwhile, UN rights expert on Myanmar is "strongly" recommending that the International Criminal Court (ICC) investigate and prosecute those allegedly responsible for "decades of crimes" in the form a grave violations of international human rights and humanitarian law inside the country.

In a briefing to the Human Rights Council, Special Rapporteur Yanghee Lee underscored that accountability for crimes committed in Myanmar "is the only way" to end the long-term cycle of violence.

"I strongly recommend the persons allegedly responsible for the violations of international human rights law and international humanitarian law be investigated and prosecuted by the ICC or a credible mechanism," she said.

Even though the number of new arrivals has tapered off and an agreement reached on establishing conditions in Myanmar to allow the refugees to return voluntarily and in safety, UN agencies on the ground have reported that such conditions are yet not present.

In her briefing, Lee also drew attention to the possible war crimes and crimes against humanity by security forces in other regions of Myanmar, including in Kachin and Shan states, where other minorities have endured protracted conflicts since shortly after the country gained independence in 1948.

"Far too many crimes have been committed, and have been documented and reported with scant consequences faced by those who perpetrated them," said the Special Rapporteur.

The UN human rights expert also voiced "deep concern" over the "apparent inability" of the UN Security Council to unite to refer the situation to the ICC, and urged the Human Rights Council "as a matter of urgency", to back her proposal to establish an international accountability mechanism.

The mandate of the Special Rapporteur on the situation of human rights in Myanmar was first established in 1992.

Since then, it has been extended annually, and broadened on two occasions – in 2014, in relation to the electoral process and in 2016, concerning priority areas for technical assistance.

In December last year, the Government of Myanmar denied all access to Lee and withdrew cooperation for the duration of her tenure.

**Bangladesh's Crossfire Doctrine (The Diplomat)
By Siddharthya Roy
July 3, 2018**

When the audio clip of Ekramul Haque being shot dead on May 26, 2018 went viral online, it did two things.

First, it put on record the horrific reality of Bangladesh's extrajudicial killings.

A wailing wife and children hearing their husband and father being shot dead on the other end of the line, the repeat gunshots by a remorseless paramilitary unit, and the groans of an innocent man begging for his life, telling his killers they've got the wrong guy: It's a set of sounds that once played, just can't be forgotten.

Second, the tape has, for the first time, made the Bangla government set up a formal commission of inquiry into an unlawful killing by law enforcement.

As per official numbers, in barely two months spanning April and May 2018, 157 people have been gunned down by the police and paramilitary in what they term as “crossfire.” Scores more have been picked up for questioning and then disappeared or detained indefinitely without charge.

The Killing of Ekramul

“Ekram was called on his phone by the local police and asked to come discuss a case,” an aide of the police commissioner recounted. “He was a local leader who knew the community. And this wasn’t the first time he had been taken into confidence for an investigation. Ekramul thought this too would be another routine discussion where the police and intelligence needed his help.”

Forty-six-year-old Ekramul Haque was indeed a local leader from the ruling Awami League party. He’d grown through the party’s ranks, first as a student leader and then a leader of the Jubo League (the youth wing of the Awami League). At the time of his killing, he was a sitting city councilor in the city’s mayoral office.

“Honestly even the police had no idea this is how it would end,” the aide said. “What I’ve heard is the paramilitary were looking for a different person with the same first name. Ekram even told his captors that when taken into custody. But they thought he was lying. They’d come ready to kill.”

Although *The Diplomat* could not independently verify the claim, the hit list is said to have had the name Ekramul Hassan and not Ekramul Haque in it. But Haque’s captors passed this off as a clerical error and concluded he was simply lying to protect his skin. They went ahead with the execution anyway.

The meeting with the commissioner, however, can be corroborated from the tape.

In the first clip, Haque’s wife is clearly heard saying: “Please put me through to the commissioner – I’m his missus talking – hello... is the commissioner there?”

Haque is heard telling his little daughter to go to bed as his work at the police station will take him longer than expected.

“Honestly, the police had nothing to do with this,” the aide explained. “The paramilitary and intelligence people just took charge of him the moment he stepped in. The commissioner didn’t even have a chance to talk. They drove him off and the rest we all know.”

Not just the local police, but also Bangladesh’s nodal agency for narcotics control has distanced themselves from the killing of Haque.

Within hours of Haque’s family releasing the audio tape at a press conference and challenging the agencies to prove their claim that he was an armed and dangerous drug dealer, the Department of Narcotics Control issued a statement saying: “We did not have any file on Mr. Haque and we’re unaware of any record of his involvement in drug dealing.”

Even the general secretary of the Awami League, Obaidul Quader, grudgingly admitted that: “One or two mistakes can occur during the ongoing anti-narcotics drives.”

“Ekramul’s brother Ashraful worked with me in our campaigns against addiction,” Rashed Didarul, an anti-drug campaigner in Cox’s Bazar recounted. “At one point of time he was an addict, but later recovered under my care and the active support of Ekramul. He actually worked alongside me in the USAID backed de-addiction and anti-drug program. It is just absurd to claim that this family was involved in Yaba trade.”

The Crossfire Doctrine

In all of the 157 cases, the three agencies involved – the Rapid Action Battalion (RAB), the Bangladesh Police, and the Detective Branch – claim the men were killed in crossfire.

In general, the standard line of explanation goes like this: The agencies conducted a raid, the agents were fired upon and the men who died did so due to retaliatory fire in self-defense. But the evidence to back this claim up has at best been thin if not outright dubious.

The authorities tried something similar in Haque’s case, but have thus far failed to convince many. There are multiple witnesses who saw him arrive voluntarily, unarmed. As for the tape, the RAB said they’re probing its authenticity – implying it was doctored to make them look bad and discredit the drug war. No follow up

statements were issued.

“This is no war,” Nur Khan put it bluntly. “Let’s call it what it is – extrajudicial killings carried out in cold blood by government forces.”

Nur is a human rights activist who runs the Human Rights Support Society in Dhaka. He’s been documenting extrajudicial killings and providing legal and logistical support to those wrongfully targeted by the government.

In May 2014, Nur himself narrowly escaped abduction by the intelligence service, which view him as a troublemaker who was talking too much.

“Let’s assume for argument’s sake that these people who’ve been killed were drug dealers,” Nur continued. “Does that make it right to shoot them dead without due process and access to legal recourse? Is that the law of the land? And this claim of crossfire is patently bogus. Even the RAB claims to have found just country-made revolvers and a few Yaba pills on the bodies of these people. Let’s say the several witnesses who’ve seen these being planted on dead bodies were all lying. Even then... even then... tell me, who in their right mind, armed with a shabby country revolver engages in fire with a team of military personnel armed with assault rifles?”

Extrajudicial Killings as State Policy

Even though the Bangla drug war is being likened to what Filipino President Rodrigo Duterte has been doing in his country, the crossfire doctrine isn’t necessarily borrowed from him. Bangladesh’s present government has been using extrajudicial killings as state policy well before the recent drug war.

Ever since the Holey Artisan attack in July 2016, extrajudicial killings have virtually replaced regular investigative and police work. Brute force has gone from being the last resort in law enforcement to becoming the weapon of choice in all matters from fighting Islamists to quelling student protests.

Soon after taking office in 2009, the incumbent government enacted the Anti-Terrorism Act with a claim that it would be used to quell Islamist tendencies. Despite widespread international criticism, the act kept the definition of terrorist and terrorism vague and wide open. Bolstered by the successes of the War Crimes Tribunal, which sentenced to death past Islamists who had collaborated with the Pakistani army in 1971, the terror act was amended in 2012 and sweeping powers were given to the state and its paramilitary to execute and detain suspects without trial.

In 2016, bypassing the legislature, the prime minister’s office signed executive orders that gave paramilitaries and special units of the civilian police large, unaudited budgets and absolute autonomy of operations. These measures essentially allowed the agencies to operate with no fear of judicial or executive oversight – and to kill with impunity.

A host of human rights bodies like the Human Rights Watch, as well as foreign embassies, have raised concerns about the Bangladesh government’s trigger-happy ways. In March 2017, the UN Human Rights Committee expressly named the Rapid Action Battalion as being responsible for the extrajudicial killings and enforced disappearances. The report says:

The Committee is concerned at the reported high rate of extrajudicial killings by police officers, soldiers and Rapid Action Battalion force members and at reports of enforced disappearances, as well as the excessive use of force by State actors. The Committee is also concerned that the lack of investigations and accountability of perpetrators leave families of victims without information and redress. It is further concerned that domestic law does not effectively criminalize enforced disappearances, and that the State party does not accept that enforced disappearances occur.

Political Fallout

In 2018, Bangladesh will hold general elections. The drug war has stirred in yet another violent complication in the already turbulent cauldron of Bangla politics.

“Yes, Yaba addiction is a huge problem in this country and is gnawing at the very future of our people,” A. Hassan, the general secretary of the student union of the Bangladesh Nationalist Party – the principal opposition party – said in an interview. “And no, there can be no tolerance to the spread of this. But the question is what does zero tolerance mean? How should that zero tolerance be put into practice? Do you just

go shoot people dead or do you actually create a framework of laws and launch awareness programs to wean addicts away?"

According to many observers — including members of parties that are in alliance with the Awami League — the incumbent government has hit a massive low in popularity. The drug war is in part a desperate attempt to be seen as assertive, an attempt to win the voters over with decisive action.

“The crossfires in the name of fighting drugs are also a ruse to carry on with the political witch-hunt which this government has perfected,” Hassan continues. “The data is out there for everyone to see. Yaba boomed in this country after the Awami League took power in 2009. And it’s an open secret that their leaders are the kingpins of the trade. But have you seen a single major dealer being shot dead? [E]kramul Haque was an exception and he too was at best a mid-level leader of the League. All others killed have been just small fry — the mules who ferry Yaba for minimum wage.”

In May, a secret report from the Department of Narcotics Control was leaked to the press. It named Abdur Rahman Bodi — the Awami League’s member of parliament from Teknaf and longtime political strongman — along with his cousins and step-brothers as being the godfathers of the Yaba trade. The Bodi family were the main gatekeepers of the stock coming in from Myanmar, the report said.

In stark contrast with the alacrity with which the agencies have killed other people, the government dragged its feet in acting against Bodi or his family.

After trying to brazen it out for a few weeks and threatening journalists who had carried the news of the leaked report, in early June, Bodi fled to Saudi Arabia while his cousin and lieutenant Mong Mong Sen took shelter in Myanmar.

**Dhaka seeks int’l recognition of 1971 genocide (The Independent)
July 4, 2018**

Bangladesh has sought support from the international support for the recognition of the genocides that took place during country’s War of Independence in 1971. Tareq Md. Ariful Islam, chargé d’affaires of permanent mission at the United Nations and deputy permanent representative, asked for the support while taking part in an open debate on ‘Responsibility to Protect and the Prevention of Genocides, Ethnic Cleansing, War Crimes and Crime against Humanity’ at the UN headquarters in New York on Monday.

The UN general assembly organised the debate, according to a press release forwarded by the permanent mission yesterday. With regards to ethnic cleansing, genocides and violence, the deputy permanent representative mentioned the displaced Rohingyas, who took shelter in Bangladesh, saying, “The violence and extensiveness of the crisis have moved the conscience of the world.” He hoped that the recent involvement of the UN in the Rakhine state of Myanmar will help prevent the recurrence of violence against the Rohingya community. It will also be helpful in voluntary, safe and dignified returns of the displaced Rohingyas to their homes or to the places of their choice, he added.

The deputy permanent representative reiterated Prime Minister Sheikh Hasina’s demand for a safe zone for the protection of the Rohingyas in Rakhine state made at the UN general assembly in 2017.

As part of Bangladesh’s contribution to the UN peacekeeping activities and in line with the lasting and progressive efforts at the national level, Dhaka will always uphold the international humanitarian and human rights laws, he said, referring to the country’s pledge to universalise the convention related to genocide and Rome Statute of International Criminal court. The representative also reiterated Bangladesh’s commitment to the Responsibility to Protect (R2P) declared and adopted in the world conference in 2005.

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War Crimes Investigation in Burma

**Atrocity Alert No. 111, 27 June 2018: Myanmar (Burma) (Relief Web)
June 27, 2018**

Sanctions and accountability for atrocities in Myanmar (Burma)

On Monday, 25 June, the European Union (EU) and Canada imposed sanctions on seven senior members of Myanmar's military and police, including the former head of the army's Western Command, Major General Maung Maung Soe, who was also sanctioned by the United States in December 2017. The sanctioned individuals are all banned from traveling to the EU and face asset freezes.

According to the EU, the officials were targeted "because of their involvement in or association with atrocities and serious human rights violations committed against the Rohingya population in Rakhine State in the second half of 2017." Six of the sanctioned officers are also on the list of thirteen officials identified by Amnesty International on 27 June as having command responsibility for atrocities committed in Myanmar.

Since so-called "clearance operations" began in Rakhine State on 25 August 2017 Myanmar's security forces have committed mass killings, sexual violence and the systematic burning of at least 362 Rohingya villages. These crimes may amount to genocide.

Following the announcement of the new sanctions the Myanmar military reported that it had fired Major General Maung Maung Soe for under-performance of duties. Another sanctioned officer, Lieutenant General Aung Kyaw Zaw, was reportedly "given permission to resign" in May, according to a statement by the military.

The sanctions represent an important step by members of the international community in response to atrocities committed by the Myanmar authorities against the Rohingya population. The firing of Major General Maung Maung Soe was perceived to be in direct response to Monday's announcement. However, more than ten months since the beginning of the "clearance operations" that forcibly displaced over 700,000 Rohingya, there has still been no legal accountability for the perpetrators.

The firing or retirement of a few generals does not constitute a credible justice process. The UN Security Council should immediately refer the situation in Rakhine State to the International Criminal Court for investigation. The Council should also impose an arms embargo on Myanmar and targeted sanctions on all senior military officers with command responsibility for atrocities committed against the Rohingya. All states with bilateral ties with Myanmar should follow the example of the EU and Canada and immediately impose similar sanctions.

UN Special Rapporteur calls for investigation and prosecution of Myanmar authorities responsible for Rohingya war crimes (SOFREP)

**Luke Ryan
July 1, 2018**

Special Rapporteur on the situation of human rights in Myanmar/Burma, Yanghee Lee, spoke to the U.N. Human Rights Council on Wednesday. She said that, "I strongly recommend the persons allegedly responsible for the violations of international human rights law and international humanitarian law be investigated and prosecuted by the ICC or a credible mechanism."

The International Criminal Court (ICC) is an international tribunal based out of The Hague in the Netherlands, and it is used to investigate war crimes, allegations of genocide, crimes against humanity, and it has the authority to prosecute based on their findings. They are not a part of the U.N., legally speaking, but these investigations have led to imprisonment in the past, for example Abu Tourab was a member of Ansar Dine, and was convicted of destroying religious and historical buildings in Timbuktu — he is currently serving a nine-year sentence. Many more have been indicted and are currently fugitives on the run (Joseph Kony, for example). However, since the organization has only been up and running since 2002, they are still relatively new and many cases are still open. The ICC has also received criticisms in the past, particularly in its limitations. For example, if someone is accused, investigated and charged, the country from which they originate still has to cooperate to some degree, especially with extradition — this means the ICC has been accused of only picking cases with somewhat cooperative governments, which can limit their purview.

Now Ms. Yanghee Lee has once again drawn the ICC's attention to Myanmar. She also expressed her disappointment and concern at the U.N.'s ability to document and point out human rights abuses in the

country, and yet still without any action taken or even referral to the ICC. “Far too many crimes have been committed, and have been documented and reported with scant consequences faced by those who perpetrated them,” she said.

Recently, two of the generals in charge of the military campaign against the Rohingya have recently been dismissed or resigned. These generals were Lt. Gen. Aung Kyaw Zaw and Maj. Gen. Maung Maung Soe — they led a campaign in which the UN, non-governmental aid organizations, news agencies and other sources all documented severe human rights abuses. This military campaign included using rape as a weapon, killing thousands of children under the age of 5 over months of fighting, and burning countless homes and properties. All of this wound up forcing approximately 700,000 Rohingya refugees across the border and into Bangladesh.

As the fighting has shifted from the Rohingya up to the north with the Kachin, many like Ms. Lee are expressing concern over the lack of accountability in Myanmar as they freely move from one conflict to the next. In the media, each conflict is treated separately, and seem like they have no common denominator — the state-run media in Myanmar portrays the fight against the Rohingya as a fight against Islamic extremism. The same media portrays the fight against the Kachin as a fight against an organized, rebel army. This strategy keeps the campaigns of accountability and prosecution of war crimes at bay, as the country moves swiftly from one conflict to the next, stalling until the previous conflict is largely forgotten.

A shift from majority Muslims to majority Christians: Myanmar government continues its push against ethnic minority states (SOFREP)

Luke Ryan

July 3, 2018

The Rohingya are a Muslim majority people who have been forced to flee to the border of Bangladesh — approximately 700,000 people (90% of Rohingya in Rakhine State, Burma/Myanmar) have left their homes due to the recent conflict. Many of these people are only able to carry what they have on them at the time. Though this conflict is long-standing, the most recent one was spurred off by ARSA (Arakan Rohingya Salvation Army), a militant Rohingya group, and their attacks on police and military personnel. The government responded in kind with overwhelming force, using rape as a weapon, killing thousands of children under the age of five, torture, burning the faces off of bodies so that families could not identify them — just to name a few of the war crimes committed against civilians.

And there are reasons like this with all of the other genocidal efforts throughout the country, against ethnic minority states of all religions and origins. This includes the Karen, Shan, Karenni and the Chin. All have suffered greatly under the thumb of the Burmese military, and many did not strike against the military first.

Still, there are some commonalities between all of these conflicts.

The government’s violent methods towards defeating the ethnic minorities date all the way back to WWII (making it the longest standing civil war in modern history). Many of the minorities sided with the British as the government submitted to the Japanese. When the Allies won the war, the Burmese government was still in charge, and that bad blood didn’t just disappear. From there, you have a continued cycle of violence that might take breaks with individual minority groups, but doesn’t let up entirely. This is why it’s partially disingenuous to treat the ARSA attacks as independent attacks. This part of the conflict is more like a family feud — you have retaliatory attacks that go back and forth with no end in sight. This is, of course, a very simplified way of looking at it, and it’s only one piece of the puzzle. Especially when you consider that many of these ethnic groups would stop fighting altogether if they were simply left alone.

The Burmese government also wants complete control over its own nation — this makes sense, on the face of it. The reality is that the ethnic states have no desire to fall under the government’s purview. Living independently and being left alone is far more ideal to many of these people, especially the Karen to the east, who have suffered immensely over the years under the thumb of the same government that wants to seize control of their land.

I recently spoke to a Karen immigrant in the U.S. He told me that, “We are not against the Burmese people, even the Burmese people suffer under the regime. They suffer terribly too, and it’s happening to every tribe (like the Karen) and every ethnic nationality.”

And one of the reasons the Burmese government seeks to exert control over these areas is the fact that they are natural resource-rich. As mentioned before, the north has many gold and jade mines, and is plentiful with teak wood iron and other valuable resources. This includes the huge amount of poppy production in the north. It is not the first time that a military has been used to oust local populations by force in order to secure valuable resources.

These are just a few of the complexities of the conflict, and the fact that it's so complex has contributed to the length of the war that has lasted for over 70 years.

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Israel and Palestine

The Palestinians' Child Soldiers Are Their Most Dangerous Threat (Haaretz)

By Amiram Levin

June 24, 2018

"This child, who is grasping the stone, facing the tank, is it not the greatest message to the world when that hero becomes a martyr? We are proud of them." – Yasser Arafat

Hanging above Israel is a strategic threat that, at the end of the day, is greater than Hamas terror, burning kites, tunnels and rockets, greater even than Iran and Hezbollah. It is the threat of "child soldiers," a tool the Palestinians have been using successfully since the 1970s to promote anti-Israel propaganda and earn the favor of the West. It is a wicked and cynical modus operandi that works perfectly.

We're not talking about "humani shields," "incitement" or any other clumsy euphemism of the government's tired and ineffectual hasbara machine. We are talking about the cruel use of children in a prolonged, cynical, no-holds-barred campaign of psychological warfare. Through it, the Palestinians cause us to doubt the justice of our path, to fight terror with our hands tied, to explain and to apologize to the world and to turn our allies into our adversaries.

They take advantage of our natural compassion, and that of every civilized society, toward children and turn it into power, and we are supposed to apologize for being the only country in the world where every new house or apartment contains a blast-resistant "safe room," which spends huge sums on the Iron Dome anti-missile system and which does not supply, after each attack deliberately targeting its civilian population, the gory images for which the global media hungers.

Not only does Israel's government fail to address this threat and understand why this form of warfare is so successful from a psychological perspective, the government supplies the fuel for it. For decades we have done an excellent job fighting Palestinian terror militarily, but we continue to lose this war of public diplomacy. This emotional manipulation can and must be stopped; if not, we won't be able to gain the compassion and solidarity that we deserve. Nor is a peace agreement attainable, as long as the world views us as criminals.

In the absence of a strategy to combat the Palestinian propaganda war, time and time again we fall into the same trap. Our army is compelled to respond with force, which by necessity results in Palestinian casualties. We deserve more than a government that only reacts and whose agenda is set by Hamas and the Palestinian Authority. We deserve more than a government that lifts up the BDS movement on the backs of Lionel Messi and Eurovision winner Netta Barzilai, while whining pathetically about "anti-Semitism," its excuse for all its failures.

The hasbara war is war. It requires a strategy and a sustained, effective and powerful offensive. After 30 years of propaganda, the time has come to expose the Palestinians' strategy of using children, to document it and to turn this weapon against them. In our 70 years of independence, we have created a story that is much greater and more inspiring than what we have shown to the world. We must give voice to this story. Hasbara is no substitute for a persistent war on terror, but in a cynical, media-saturated world it is necessary.

And we absolutely must also take the initiative in proposing a peace plan instead of waiting for the barren notions of others. Without a diplomatic initiative, our military victories will be for naught and we will lose the hasbara wars again and again. The solution and the victory in the conflict are one, and they will be achieved only through a combination of military offensive, public diplomacy and political security arrangements. When we genuinely search for political solutions we shall find them, and when we do we shall fight better until we realize them.

We deserve a government with vision that initiates solutions, not a government that makes do with reaction and containment at the expense of its citizens, out of weakness.

And against the loathsome ideology of Arafat and his successors, we are sufficiently strong and enlightened to propose our own ideology:

“And cursed be he who cries out: Revenge! / Vengeance like this, for the blood of a child, / Satan has yet to devise. / Let the blood fill the abyss!” (Chaim Nahman Bialik, 1903, after the Kishinev pogrom)

We are a strong and moral society, we have a strong and moral army, so let’s behave like the strong and replace vengeance with solutions.

**Gaza Fighters Fire Projectiles after Israel Struck Gaza Refugee Camp (The Palestine Chronicle)
June 27, 2018**

Israel struck a Gaza refugee camp late on Tuesday, targeting a car allegedly belonging to a ‘ Hamas operative’, prompting Gaza fighters to fire a dozen rockets into Israel in response.

Israeli aircraft and a tank struck the vehicle in the Nuseirat refugee camp in the central Gaza Strip, where local residents said the car exploded in a ball of flames. A picture posted on social media showed a fireball in an alleyway said to be the car that had been hit.

A statement by the Israeli military claimed the car had belonged to a militant “heavily involved in launching arson and explosive balloons from the Gaza Strip into Israel”. Two Hamas observation posts were also hit, it added.

No casualties were reported.

The incendiary balloons, as well as kites, have become a potent symbol of a wave of Palestinian protests that broke out on March 30 against Israel’s crippling decade-long blockade of Gaza.

No one has been hurt by the fires, but the flames – stoked by Mediterranean winds – have caused crop losses, Israel has claimed.

Hamas spokesman Fawzi Barhoum in Gaza said Israel’s targeting of the car had “merited a quick response” in the firing of the rockets and showed armed factions were ready to “defend our people and protect their interests”.

Barhoum added in an English-language statement:

“Every silly measure taken by the Israeli occupation against the Palestinians proves the failure of the Israeli policies and miscalculation of the Israeli plans.”

Three projectiles were destroyed in flight by Israel’s Iron Dome air defence system, an army spokesman told AFP.

**Two Palestinians, Including 13-year-old boy, allegedly killed by Israeli forces in Gaza (news.com.au)
June 30, 2018**

Two Palestinians including a teenage boy were killed and scores wounded by Israeli fire on Friday, Gaza health officials said, as weekly border rallies organised by the Islamic militant group that rules the territory continued.

The 13-year-old was fatally shot in the head and a 24-year-old man died of gunshot wounds to his leg and abdomen, the Gaza Health Ministry said.

More than 130 wounded were evacuated to hospitals for treatment with at least three in serious condition, the ministry said.

About 90 others received first aid.

A paramedic, Mutasem Khatib, said the teenager was throwing stones “very close to the fence” before he was shot.

“It was a critical injury from the beginning, which damaged a significant portion of his head,” Khatib said in a telephone interview.

“He died as soon as we arrived at the hospital.”

The military said thousands of Palestinians participated in the “extremely violent” demonstration.

It said troops thwarted numerous Palestinian attempts to breach the border and, in one incident, a grenade was thrown at soldiers. It said it is investigating reports of the teenager’s death.

Hamas, the group that rules Gaza and is sworn to Israel’s destruction, has led three months of protests that turned violent. Over 125 Palestinians have been killed by Israeli fire since they began.

Israel says it is defending its border and nearby communities and accuses Hamas of using the protests as cover for attempts to breach the fence and carry out attacks.

The rallies are aimed in part at drawing attention to the Israeli-Egyptian blockade imposed after Hamas seized Gaza in 2007.

Late on Friday afternoon, protesters flocked to five tent camps erected some 300 meters (330 yards) away from the Israeli border. A few dozen ventured to the fence and threw stones and fire bombs toward Israeli forces.

Other Palestinians launched kites and balloons rigged with incendiary materials at neighbouring Israeli communities to set fires.

Israel has been battling large fires caused by the flaming kites and arson balloons launched from Gaza that have destroyed forests, burned crops and killed wildlife and livestock.

Palestinians said they downed an Israeli drone in central Gaza that was firing tear gas at protesters.

Videos of the episode emerged showing dozens of teenagers gathering to pick up the drone and chanting “God is Great” in Arabic while others fired in the air with pistols.

**Israeli forces wound scores of women in Gaza rally (Aljazeera)
July 3, 2018**

At least 134 Palestinians have been wounded by Israeli gunfire as thousands of Palestinian women demonstrated along the heavily fortified fence with Israel in the besieged Gaza Strip.

Ashraf al-Qudra, spokesperson for Gaza’s health ministry, said in a statement on Tuesday that media representatives covering the event were among those who were injured at the scene, east of the enclave.

The protest was the first mass women’s demonstration to take place in the strip since popular protests calling for Palestinians’ right of return began on March 30 in the strip.

Palestinians in the strip have taken part in the protests, dubbed the Great March of Return, calling for their right of return to the homes from which they were expelled from in 1948 during a violent ethnic cleansing campaign that forcibly expelled more than 750,000 Palestinians from their towns and villages.

They have also been demonstrating against the Israeli-Egyptian land, sea and naval blockade that has been in place since 2006, when Hamas – the party governing the strip - came to power.

Women on Tuesday arrived in buses from across the port city, home to more than two million people, many accompanied by their children.

They moved in groups to within 50 metres of the fence, AFP reported.

"I came to finish the march that my daughter had started," Rim Abu Irmana said, waving a picture of her 15-year-old daughter, Wasal, who was killed by live Israeli ammunition on May 14 - the same day more than 60 other Palestinians were also killed.

May 14, which commemorated the 70 years since the Nakba, coincided with the controversial US embassy move from Tel Aviv to Jerusalem.

"These demonstrations are peaceful. We are only defending our land and our rights," said Irmana, holding the hand of her young son.

Since the protests began on March 30, Israeli forces killed at least 138 Palestinians.

**Israel set to raze Palestinian village (Gulf News)
July 4, 2018**

Residents and activists voiced concern on Wednesday that Israel is set to raze a Bedouin village in a strategic part of the occupied West Bank ignoring international calls for a reprieve.

Activists said the Israeli military issued a warrant to the 173 residents of Khan Al Ahmar on Tuesday authorising it to seize access roads to the village.

Heavy equipment, including at least one bulldozer, were seen around the village on Wednesday, leading to speculation a road was being prepared to facilitate its evacuation and demolition.

"Today they are proceeding with infrastructure work to facilitate the demolition and forcible transfer of residents," Amit Gilutz, spokesman for Israeli human rights group B'Tselem, told AFP.

The UN's main human rights body expressed concern on Tuesday over the expected demolition as critics say is being carried out to make room for more Jewish colonies.

In a statement, a spokeswoman for the UN High Commissioner for Human Rights called on Israel to abandon the demolition plans and said the destruction of private property by an occupying power violated international law.

"We call on the Israeli authorities not to proceed with the demolition of (Khan al Ahmar), to respect the rights of residents to remain on their land and have their status regularised," the spokeswoman, Liz Throssell, said.

Israeli authorities claim the village and its school were built illegally and in May, the supreme court rejected a final appeal against its demolition.

But activists say the villagers had little alternative but to build without Israeli construction permits as the documents are near impossible for Palestinians to obtain for that part of the occupied West Bank.

Israel has a systematic policy of making it difficult for Palestinians to build on their own land in an attempt to frustrate them and force them off of it.

Israeli demolitions of Palestinian homes are carried out regularly and under the pretext that owners did not obtain legal permits to build.

Israel also demolishes homes of Palestinian resistance fighters or activists as a part of its collective punishment policy.

Rights groups have blasted Israel's continuous colonisation projects in the Occupied West Bank and Palestinians say such moves are proof that Israel is not serious about peace.

Britain's minister of state for the Middle East, Alistair Burt, visited the village in May and called on the Israeli government to show restraint.

He warned that any forced relocation "could constitute forcible transfer of people as far as the United Nations is concerned."

Forcible transfer is considered a violation of the Geneva Conventions.

Khan Al Ahmar is located east of Occupied Jerusalem near several Israeli colonies along a road leading to the Dead Sea.

Activists are concerned continued Israeli colony construction in the area could effectively divide the West Bank in two.

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AMERICAS

South America

Killings by security forces rife in Venezuela, rule of law 'virtually absent' (Reuters)

By Stephanie Nebhay

June 22, 2018

Venezuelan security forces suspected of killing hundreds of demonstrators and alleged criminals enjoy immunity from prosecution, indicating that the rule of law is “virtually absent” in the country, the United Nations said on Friday.

The U.N. human rights office called on the government to bring perpetrators to justice and said it was sending its report to the International Criminal Court (ICC), whose prosecutor opened a preliminary investigation in February.

The U.N. report cited “credible, shocking” accounts of extrajudicial killings of young men during crime-fighting operations in poor neighbourhoods conducted without arrest warrants.

Security forces would tamper with the scene so that there appeared to have been an exchange of fire, it said.

There was no immediate response from the government of President Nicolas Maduro to the report.

Critics say Maduro has used increasingly authoritarian tactics as the OPEC nation’s economy has spiralled deeper into recession and hyperinflation, fuelling discontent and prompting hundreds of thousands to emigrate in the past year.

About 125 people died in anti-government protests last year.

Security forces were allegedly responsible for killing at least 46 of them, U.N. rights spokeswoman Ravina Shamdasani told a news briefing, adding: “Evidence has reportedly disappeared from case files.”

Maduro says the opposition protests were aimed at overthrowing him and accuses the United States of directing an “economic war” against Venezuela.

“The failure to hold security forces accountable for such serious human rights violations suggests that the rule of law is virtually absent in Venezuela,” said Zeid Ra’ad Al Hussein, U.N. High

Commissioner for Human Rights. “The impunity must end.” Zeid called on the U.N. Human Rights Council on Monday to set up an international commission of inquiry into alleged violations in Venezuela — one of its 47 member states.

“The time has come for the Council to use its voice to speak out before this tragic downward spiral becomes irreversible,” Leila Swan of Human Rights Watch said in a statement on Friday.

The unpopular Maduro has cast the release of dozens of opposition members as a peace gesture following his re-election to a new six-year term last month, which was condemned by most Western nations as an undemocratic farce. His government denies the detainees are political prisoners.

Venezuela is suffering from an economic collapse that includes chronic shortages of food and medicine and annualised inflation around 25,000 percent. Maduro blames an “economic war” directed by the opposition and the United States — which has imposed new sanctions on Venezuela’s oil industry.

Under previous attorney-general Luisa Ortega Diaz, who fled Venezuela last year, 357 security officers were believed to be under investigation for crime-related killings, but there has been no public information since then, the report said.

**UN warns Colombia over war crimes tribunal delays (Columbia Reports)
By Adriaan Alsema
June 26, 2018**

The United Nations called on Colombia to “urgently remove the obstacles” impeding a war crimes tribunal or risk being called out on failures to comply with an ongoing peace process.

The so-called Special Jurisdiction for Peace (JEP) became the center of controversy again last week after conservative President-elect Ivan Duque called on changes to the procedural rules of the court.

The war crimes tribunal came to force in March to seek justice for war crimes committed by the armed forces and the FARC, the group that demobilized 14,000 people last year.

Duque’s hard-right Democratic Center (CD) party has opposed peace with FARC since talks began in 2012 and on Tuesday demanded that the court froze investigations against members of the military.

How to impose justice after decades of impunity

Civilian and non-armed state actors who are suspected of war crimes have already been shielded from compulsory appearance before the court.

Congress last year even introduced a controversial ban on magistrates with experience in war crime cases involving state actors.

The United Nations, which oversees the peace process, seems to have lost its patience and “called on the competent State institutions and the political forces to remove the obstacles that continue to impede that Colombia’s peace process complies with its commitment to justice and victims rights.”

The Special Jurisdiction has been constitutionally established, with the support of the Constitutional Court and, among others, the Supreme Court of Justice, and opened its doors on March 15 this year. However, three months later, the JEP still lacks the standard procedures required to provide greater legal certainty for its judges’ decisions. More than a year after the approval of Legislative Act 01, which created the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, the victims are still waiting for the first hearings and appearances of those who were involved in serious violations of human rights and international humanitarian law.

United Nations Verification Mission Those responsible for war crimes are the ones in power

The delays in justice are largely due because of the huge number of human rights violations committed by the state, often involving officials that continue to wield a lot of power.

Duque’s party is led by Senator Alvaro Uribe, who was commander in chief of Colombia’s armed forces between 2002 and 2010 when the military executed between 4,500 and 10,000 civilians and falsely presented them as guerrillas killed in combat.

Once a friend of the Ochoa crime family that founded the Medellin Cartel, Uribe’s legal troubles have become so bad he is now investigated for three massacres and a homicide.

Duque’s vice-president-elect, Marta Lucia Ramirez, was defense minister between 2002 and 2004 when the mass killings began to escalate.

An end to impunity about these widespread and systematic killings could have devastating effects for Uribe, Ramirez and their party.

Nevertheless, 8.5 million Colombians are waiting for justice or want to return to the farms from where they were displaced. They, not political interests, are priority for the international community that oversees the process.

Colombia's armed conflict with the FARC began in 1964 and involved multiple armed actors. Since then, at least 265,000 people were murdered. The families of 80,000 people who are still missing have been waiting on the transitional justice system in the hope for closure.

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TOPICS

Truth and Reconciliation Commission

Admitting guilt in Ethiopia: Towards a truth and reconciliation commission? (Ethiopia Observer)

By Kjetil Tronvoll

June 22, 2018

In a House of People's Representatives session in Addis Ababa on June 18, Prime Minister Abiy Ahmed gave a seminal speech where he outlined his intention to heal the political, historical and ethnic divisions in the Ethiopian populace, and beyond.

The speech represented yet another milestone in his young premiership, as he phrased his vision of a new Ethiopia in language that respects the long-held grievances of the people, stresses the need for individual as well as collective reconciliation, and points towards a future of unprecedented political accountability.

Ethiopians of all walks of life were touched by Abiy's openness, honesty, and reconciliatory manner. Through his speech and actions, Abiy is establishing a new social contract with the Ethiopian people; a social contract where the government will serve the people, and is accountable to the people.

In the follow-up session, a member of parliament asked Abiy about the constitutionality of pardoning those who had been convicted of terrorist acts; therefore implicitly criticising the direction of his reforms. With an unprecedented manner of rectitude and reflection, Abiy responded:

"What is terrorism, and who is a terrorist? By going this way, what have we profited? It is necessary to look at it thoroughly. Terrorism includes using forces in anti-constitutional manner to stay in power. Terrorism includes using inappropriate ways to grab power. We have to bear in mind that everyone should respect the constitution.....Does the constitution say anyone who was sentenced by a court can be tortured, put in a dark room? It doesn't. Torturing, putting people in dark rooms, mutilation of prisoners' body parts is our act of terrorism. These unconstitutional acts have been done in every kebele, woreda and zone. Not only at federal levels, but at every lower level."

The EPRDF government has over the years been routinely accused by domestic and international observers of gross human rights violations, but has rejected most claims as baseless. When violations were admitted, they were explained away by a lack of knowledge of particular individuals, or as perpetrated by overzealous local administrators.

Despite such excuses, it is now a long time ago that it dawned upon the old cadres of the Tigrayan resistance that the struggle's core objectives of human rights and democracy have gone astray. However, democratic centralism and the discipline of the Front inhibited a process of accountability from within, and a genuine

change of guard was needed to open up this issue.

With his remarks, Abiy not only admits to the violation of human rights by his government, but the way it is described, as being perpetrated at all levels of government throughout Ethiopia, it alludes to a description of 'widespread and systematic' human rights violations. If so, Abiy discloses that the EPRDF government may have committed crimes against humanity on their own people.

In a democracy with the rule of law firmly established, such confessions by the head of government would lead to a range of consequences. First of all, criminal investigations against officials believed to have committed human rights violations and against their superiors for issuing orders or knowing about abuses without taking appropriate action. Furthermore, parliament would have held such a government accountable for such violations. However, following up on his 'full disclosure' rhetoric, Abiy explained:

"EPRDF has clearly apologised to the public. Saying we have made mistakes, blunders. Including me, thanks to you, when you named me Prime Minister, I have apologized and asked for forgiveness, standing just here. What does that mean? There were serious mistakes. The compassionate people have forgiven us. We need to seize this opportunity. As if we have not been doing unconstitutional things ourselves. We as party members undertook self-evaluation and admitted our own failures, as you know. The people also showed their mercy not in words but in act. Not that the people did not have the choice of putting us all into prison. There were reasons enough, the robbery, murder, theft were there. If we go to jail, that would not bring change for Ethiopia."

Abiy is a strong believer in forgiveness: politically, religiously and scholarly. In the fragile political transition Ethiopia is currently experiencing, it seems impossible for the prime minister to conduct a mass arrest of suspected perpetrators of human rights violations from his own cabinet down to each village and hamlet throughout the country.

Instead he looks set to chart a new course; a forward-looking path for a new Ethiopia where all individuals have the same rights, and no one is above the law. In these parliamentary comments, Abiy has begun redefining the hitherto excluding and exclusive political space monopolised by the EPRDF, thereby setting about establishing an open, just and equal public domain.

History has shown us that individuals may turn around the most entrenched political systems. Abiy follows the best of this tradition by admitting guilt, asking for forgiveness, and promising to rectify mistakes. These were the principles the post-apartheid South African Truth and Reconciliation Commission (TRC) based their work on. Abiy therefore has big shoes to fill; and so far his approach to transforming the political culture of Ethiopia resembles the language used by Nelson Mandela.

But Mandela also knew that for reconciliation to reach down to the grassroots and out to each village and hamlet throughout the country, not only the top-level government had to change. A bottom-up process of truth seeking, confession and forgiveness was instrumental in a national process of healing and reconciliation; to create a new political culture and a definite breach with the past.

The Ethiopian Red Terror trials established after 1991 never managed to heal the Ethiopian people and abolish impunity for human rights violations. Maybe this is the time to establish an Ethiopian truth and reconciliation commission to reconcile public grievances and finally put an end to the culture of official impunity.

Central African Republic: Truth and Reconciliation Commission is Pathway to Peace (allAfrica)

By Lisa Schlein

July 4, 2018

A U.N. human rights official is urging the government of the Central African Republic to establish, without delay, a truth and reconciliation commission as a pathway to peace.

Marie-Therese Keita-Bocoum welcomes progress made in institutional reforms this year. But, she says authorities in the Central African Republic have to do much, much more to repair the country's chronically troubled security and political situation.

Speaking Wednesday to the U.N. Human Rights Council, she said escalating attacks by armed groups are traumatizing the population, which is losing trust in the ability of the government to protect it. She deplores the hate speech employed by several factions, which, in many cases has a dangerous religious component.

Keita-Bocoum condemns the growing number of what she calls odious attacks against aid workers and U.N. peacekeepers. She says it is vital to bolster protection for human rights in the country, in particular, economic and social rights.

She says the establishment of a Truth and Reconciliation Commission is an important element in this mix. She speaks through an interpreter.

“The government shared with me its determination to develop a transitional justice strategy, which would consist of dealing with the mass atrocities committed in the past, establishing culpability, guaranteeing non-repetition of conflict, and restoring trust and national social cohesion. It includes judicial and non-judicial mechanisms including the truth commission, institutional reform and reparation,” she said.

Keita-Bocoum says the willingness on the part of the government deserves stepped-up support from the international community.

“The situation in the C.A.R. is becoming unbearable. It reveals more than ever the urgent need to simultaneously bolster protection of civilians, humanitarian aid, combating impunity, and peace initiatives and development,” she said.

The C.A.R. ambassador to the U.N. in Geneva, Leopold Samba, agrees with the independent expert’s assessment of the situation and is appealing for greater international support.

He calls the displacement of 600,000 people and the deaths and injuries of some 4,000 people in the C.A.R.’s long-running civil war unacceptable. Samba says additional measures are needed to restore peace throughout his country’s battered national territory.

**Reconciliation, Berlin Process and the Civil Society Forums: A Review (European Western Balkans)
July 4, 2018**

The Berlin Process has brought new vigour to official regional cooperation and has given strong incentives for forwarding the EU accession process. Civil society actors have, nevertheless, since its beginning warned of the lack of progress made in the areas of regional reconciliation. Unsolved issues pertaining to reconciliation leave an open space for dangerous populist narratives and security deterioration.

The Berlin Process was, shortly after its conceiving, enriched with the official Civil Society Forum, which has provided decision makers with valuable input. This input was necessary for including the citizens living in the Western Balkans and for selection of the most important issues for them as well as for the Europeanization process.

CSOs have, for years now, warned that the states in the region fail to recognize reconciliation as one of the main prerequisites of cooperation, which would put a stop to the practice of manipulation for short-term political gains, and which would, if institutionalized, better the prosecution of cases of war crimes.

One of the main problems is that European institutions offer new instruments for the acceleration of reconciliation, but do not offer indicators for monitoring its progress. Actually, CSOs have discussed this issue extensively and have offered their ideas during each of the Summits held within the Berlin Process.

Civil Society Forum Vienna’s (April 2018) Working Groups’ Recommendations for the reconciliation in the Western Balkans were, first and foremost, aimed at the creation of the Regional commission for the establishment of facts and other serious violations of human rights committed in the former Yugoslavia between 1991 and 2001 (RECOM).

Secondly, institutions responsible for education were urged to improve their respective curriculums, in order to alleviate the heavily politicized burden of the past. In February 2018, European Commission has launched their six flagship initiatives, one of which directly tasked Regional Youth Cooperation Office (RYCO), a regional initiative which promotes youth exchange and the needs of the youth, with the specific mission of combating nationalistic narratives through the educational system.

In Paris in 2016, it was recognized that “CSOs are part of the process of resolving bilateral disputes, because they can offer expertise, raise awareness and promote reconciliation”. This direct call to action was crystallized during the next meeting on the margins of Berlin Process.

During the Trieste Summit in 2017, reconciliation was also further operationalized, as it was recognized as one of the best ways to counter the rising populism, prevalent in European societies as well.

The civil society insists on the fact that “traumas caused by war events will not disappear, and the reconciliation will not be achieved by ignoring and forgetting what happened. This stance is based upon the belief that the transitional justice is linked with the reconciliation process”.

Civil society actors have communicated nearly in unison that the establishment of RECOM would be the most direct way of initiating regional cooperation on the issue of reconciliation, that this would be a great indicator of progress in this area, and that “truth and reconciliation commissions have a specific and limited mandate, both in time period in which they operate and investigate, and in regards to examining certain types of human rights violations” .

Because of the new momentum to the enlargement process through the Berlin Process, the representatives of the coalition for RECOM have stated “that the agreement on establishment of this commission should be signed at the London Summit of the Berlin Process to be held next week”.

In order to advance the process of regional reconciliation, which is a necessary precondition for cooperation and security in the Western Balkans and the EU accession, “the successors of the former Yugoslavia should conclude the Agreement on the Establishment of RECOM”, concludes the Initiative for RECOM.

The London Summit of the Berlin Process will be held on 9 and 10 July 2018, with participation of civil society and youth representatives.

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Terrorism

Terrorism suspect's court cases to be consolidated (Grand Haven Tribune)

By Audra Gamble

June 27, 2018

A West Olive man accused of making threats of terrorism, among other things, is seeking to have his three court cases consolidated into two.

Ryan Charles Dime, 31, was arrested by the Ottawa County Sheriff's Office after he was stopped in his vehicle in Robinson Township on Jan. 19. After a half-hour standoff, Dime surrendered peacefully to deputies and a tactical unit. Several weapons were found in Dime's vehicle, but no firearms.

He is also facing charges related to a domestic violence incident that happened the day before in his West Olive home, where Dime allegedly became threatening over a child custody case. Police said Dime threatened police officers, family members and Child Protective Services workers.

The following charges were split into three court cases. One case includes the terrorism charge, another case is for the possession of a firearm by a person convicted of a felony and, though police said they did not find any firearms in his vehicle, Dime was charged with being in possession of a machine gun.

Dime will have a hearing July 9 in Ottawa County Circuit Court to consolidate the machine gun and terrorism charges into one court case, rather than two. The possession of a firearm by a person convicted of a felony case will remain its own separate court case.

All three original cases include habitual offender notices, which would increase Dime's potential maximum sentences if he is convicted.

Dime has several former criminal charges on his record in Ottawa County, including guilty pleas for being a felon in possession of a weapon and threatening a Family Independence Agency employee in 2017. He also has pleaded guilty to disturbing the peace, driving with an invalid license, and using marijuana between 2010 and 2014.

Making threats of terrorism is a felony punishable by up to 20 years in prison and/or fines up to \$20,000.

Because Dime is listed as a fourth-offense habitual offender and the original charge has a maximum of more than 15 years in prison, he is facing up to a sentence of life in prison if he is convicted. There are additional prison sentences attached to his other charges.

Currently, a jury trial is scheduled for Dime's terrorism charge on Sept. 11 in front of Judge Karen Miedema.

**Iraq executes 13 death row jihadists in response to Islamic State killings (The Times of Israel)
June 29, 2018**

Iraq executed a dozen death row jihadists on the order of Prime Minister Haider al-Abadi, his office said Friday, in retaliation for the Islamic State group's murder of eight captives.

The executions on Thursday came shortly after Abadi ordered the "immediate" implementation of the death sentences of hundreds of convicted jihadists in response to the killings by IS.

"By order of Prime Minister Haider al-Abadi, 13 terrorists sentenced to death (whose appeals were exhausted) were executed on Thursday," a statement released by Abadi's office said.

It did not specify how they were executed but death sentences in terrorism-related cases are usually carried out by hanging.

More than 300 people, including around 100 foreign women, have been condemned to death in Iraq and hundreds of others to life imprisonment for membership of IS, a judicial source said in April.

Most of the convicted women are Turkish or from former Soviet republics, while a Russian man and a Belgian national are also on death row.

Abadi, who has faced charges of failing to respond in force to IS, on Thursday ordered "the immediate punishment of terrorists condemned to death" whose appeals have been exhausted, his office said.

He vowed to avenge the deaths of the eight IS captives, a day after their bodies were found along a highway north of Baghdad.

"Our security and military forces will take forceful revenge against these terrorist cells," he told senior military officials and ministers.

"We promise that we will kill or arrest those who committed this crime," he added.

The corpses, found at Tel Sharaf in Salaheddin province, were decomposing and had been strapped with explosive vests, the army said.

They included six abductees who had appeared in an IS video with badly bruised faces. IS claimed they were Iraqi police officers or members of the Hashed al-Shaabi paramilitary force which was key to the jihadists' defeat.

In the video posted Saturday by the Amaq propaganda outlet of IS, the jihadists threatened to execute their captives unless Baghdad released Sunni Muslim women held in its prisons within three days.

But Abadi said autopsies indicated the captives were already dead when the recording was posted and that "the terrorists posted the video to try to dupe us."

Iraqi security forces "will also find out who passed on information to the terrorist cell," he pledged.

The change of tone from the prime minister came after criticism on social media of his failure to react forcefully to the grisly discovery.

Iraq declared victory over IS in December after expelling the terrorists from all urban centers including second city Mosul in a vast military campaign.

But the Iraqi military has kept up operations targeting mostly desert areas along the porous border with Syria.

Iraq, which has repeatedly faced criticism over the high number of death sentences handed down by its anti-

terrorist courts, hanged at least 111 convicts in 2017.

Around 20,000 people were arrested in the three-year battle for Iraqi forces to evict IS, which had seized swathes of western and northern Iraq in 2014.

Human Rights Watch last week urged Iraq's judiciary to deal with foreign women and children affiliated with IS on a case-by-case basis instead of slapping them with "one size fits all" sentences.

Since January, HRW said Iraq's judiciary had "proceeded with rushed trials against foreigners on charges of illegal entry and membership in or assistance" to the terror group.

Most foreign women had been sentenced to death or life in prison and children aged nine and above to between five and 15 years in jail for taking part in violent acts, it said.

The New York-based watchdog called on Iraq "to take into account their individual circumstances and actions and give priority to prosecuting the most serious crimes while exploring alternatives for lesser ones."

Planning for when Palestinian terrorism no longer pays (The Jerusalem Post)

By Charles Bybelezer

July 4, 2018

The state of the Palestinian Authority was already on precarious grounds when the Australian government this week announced that it will end direct assistance to Ramallah over its so-called "pay-for-slay" policy of disbursing stipends to Palestinian prisoners and to the families of those killed in clashes with Israeli forces.

The news was widely welcomed in Israel, a large portion of whose populace is repulsed by the PA's allocation of seven percent of its budget to what is widely viewed as an initiative that promotes terrorism.

While Canberra's decision will have little tangible impact given the aid in question — which will now be redirected through the United Nations to humanitarian projects primarily in the Hamas-ruled Gaza Strip — amounts to only \$10 million, it is representative of a wider trend that could have significant implications.

In March, the US Congress passed the Taylor Force Act — named after an American citizen killed in a Palestinian terror attack in Tel Aviv — which, if approved by the Senate and signed into law by President Donald Trump, will cut off hundreds of millions of dollars in American financial support to the PA.

And now, the Israeli parliament has passed into law similar legislation that will immediately begin deducting portions of the estimated \$400 million the PA pays out annually to terrorists and their relatives from the taxes Jerusalem collects on Ramallah's behalf, as stipulated by the 1993 Oslo Accords.

The PA is thus staring directly in the face of a major crisis that, barring intervention, has the potential to lead to its total collapse (a predicament that obviously could be averted at the stroke of Abbas' pen were he to choose to stop paying these "salaries"). Nevertheless, the PA is likely to weather the storm over the short-term, with other countries, particularly those in Europe, liable to step in to fill the budgetary shortfall.

The second reason Abbas' regime will probably stay afloat is somewhat counter-intuitive; namely, that the prevailing assessment within the Israeli political and military establishments is that the PA's breakdown would have substantial adverse effects.

In this respect, while Abbas is widely regarded as no friend of the Jewish state, he is the proverbial devil that Israel knows, whose tenure — with the exception of the 2015-16 "Stabbing Intifada" — has not been marred by the type of mass-casualty violence that characterized the final years of his predecessor Yasser Arafat's reign.

Moreover, security cooperation between Israel and the PA remains robust and is a primary bulwark against Hamas' ongoing efforts to enhance its operations in the West Bank. To this end, it must be highlighted that Abbas is not acting out of the goodness of his heart, but, rather, out of self-interest, if not self-preservation, as Hamas poses an existential threat to his rule.

According to Professor Boaz Ganor, Founder and Executive Director of the International Policy Institute for Counter-Terrorism at the Interdisciplinary Center-Herzliya, there is "no doubt" that the "pay-for-slay"

scheme encourages violence.

“There is usually a combination of a few factors leading to the co-called 'rational decision' to conduct a terrorist attack,” he explained to The Media Line, “[ranging] from the ideological to incitement to personal considerations. But the fact that [Palestinian perpetrators] know that if they are killed or arrested their families will be rewarded for life is certainly part of the consideration. That there is a correlation between the amount of money disbursed and the intensity of the act also serves to promote more severe attacks.”

Nevertheless, Dr. Ganor qualified, “Abbas, unlike Arafat, understands that terrorism is counter-productive for Palestinian national aspirations. He is by no means a Zionist but knows that Israel is not going anywhere. From this perspective, Abbas needs to change the policy and given that he previously broke from Arafat's strategy, which was not easy, it is possible that he could do the same now.”

By contrast, Ashraf al Ajrami, previously a Palestinian Minister of Prisoners Affairs, noted that “the first government established under [former PA prime minister] Salam Fayyad started issuing these payments in 2007 and since then the amount of terrorism decreased by a huge margin. There is no proven connection between the money and violence,” he contended to The Media Line, adding that “this is just an excuse to withhold Palestinian funds and use them for Israeli projects in the West Bank.”

In addition to the new law being misguided, Al Ajrami expressed the belief that it will have no bearing on the PA's calculus.

“The conflict contains four or five main issues that are very important for Palestinians such as borders, Jerusalem, refugees and, as well, the matter of prisoners. Hundreds of thousands of Palestinians have been arrested by Israel so we are speaking about almost every person affected. Because of that no Palestinian leadership can do anything in this regard.”

In fact, most analysts who spoke to The Media Line agreed that the PA is both unlikely to fall or even reverse course, thus begging the question: what, then, is the purpose of the pressure being applied?

Aside from the moral implications, the most-often cited reason was to force Abbas back to the negotiating table once the Trump administration unveils its much-anticipated peace plan. And while the PA chief has boycotted the White House since its recognition in December of Jerusalem as Israel's capital, the prospect of financial meltdown might induce him to play ball, at least superficially.

More fundamentally, many are construing the seemingly coordinated move as a message to the Palestinian leadership that the longstanding status quo is being upended and therefore the PA needs to alter its collective mindset.

As regards terrorism, specifically, countries are making clear that this route is a dead-end for the Palestinians; and with respect to statehood, generally, a signal is being sent that the PA must drop its maximalist positions as the geopolitical conditions that a decade ago compelled then-Israeli premier Ehud Olmert to offer Abbas a deal containing virtually every Palestinian demand no longer exist.

But to every action there is an equal and opposite reaction, with the age-old Chinese adage — be careful what you wish for — seemingly applying in this case.

Despite his back being up against a wall, Abbas retains a multitude of options, including following through on previous threats to dismantle the PA; attempting, once again, to reconcile with Hamas in order to forge a united Palestinian front; or even taking the middle path of reducing or deferring “pay-for-slay” funding to some 36,000 Palestinian families, whose ire might then be redirected towards Israel.

Given the uncertainty, Jerusalem is in need of a comprehensive strategy that addresses the full spectrum of potential outcomes of its evolving relationship with the PA.

As the Israeli government just contributed to fast-tracking the changing dynamics, one can only assume that a multitude of contingency plans have already, or are in the advanced stages of, being devised.

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Teamwork aims at pirates, diseases in Africa (China Daily)

By Li Yan

June 27, 2018

China will deepen security and defense cooperation with African countries to help them better tackle complex security issues ranging from piracy to epidemics, officials said on Tuesday.

Major General Hu Changming, director of the Office for International Military Cooperation under the Central Military Commission, made the remark at the opening of the first China-Africa Defense and Security Forum in Beijing. Representatives from 50 African countries and regional organizations attend the ongoing forum.

The history of Sino-African security cooperation dates to the mid-20th century, and the China-Africa security ties, which are win-win in nature, have become a major factor in maintaining regional peace and security, Hu said.

Boosting African countries' own defense capability will provide a solid foundation for development of the Belt and Road Initiative and a community with a shared future for mankind. The Chinese military is willing to provide comprehensive support to help African nations improve their abilities to tackle security challenges, he said.

The support includes necessary equipment, technologies, personnel, strategic advice as well as medical, training and legal cooperation, Hu said. China will also continue to participate in peacekeeping, disaster relief, humanitarian aid and escort missions in partnership with and consensus from African nations.

Lieutenant General Brima Sesay, chief of defense staff of the Republic of Sierra Leone Armed Forces, said African countries highly value their military cooperation with China and are willing to strengthen exchanges and collaboration with the Chinese military.

China has consistently been providing military support across all military branches to African countries, and has recently expanded cooperation in addressing nontraditional security threats, such as diseases and natural disasters, Sesay said.

"China is a reliable, dependable partner and friend. It has reached out to African countries through cooperation based on respect and true friendship," he said.

Colonel Ibrahim Yahye of the Somalia Air Force, said President Xi Jinping, as well as Chinese speakers at the forum, have emphasized truthfulness, honesty, closeness and sincerity in China-Africa relations, and "there are no hidden agendas or price", he said.

Colonel Bana Segale Pilane, defense adviser at the embassy of the Republic of Botswana to China, said the Chinese military has much experience dealing with counterterrorism, piracy, peacekeeping and disaster management and aid. "I imagine China-Africa cooperation can only get better," he said.

Maritime Industry Releases BMP5 and Global Counter Piracy Guidance (allAfrica)

June 28, 2018

EU NAVFOR welcomes the announcement of the publication of BMP5. In addition we welcome the launch of Global Counter Piracy Guidance. These documents have and will continue to contribute to the security and safety of merchant shipping transiting the High Risk Areas off the Horn of Africa.

BMP5 continues to strongly encourage shipping operators to register their transits with EU NAVFOR MSCHOA and to follow the self-protection advice contained within BMP5.

BMP5 and Global Counter Piracy Guidance documents are now available on the following websites; <http://eunavfor.eu/media-room/> and www.mschoa.org. It can also be found on a new industry website www.maritimeglobalsecurity.org, which provides a one-stop shop for companies and mariners seeking guidance on a wide range of Maritime Security Issues.

Somali piracy has not been eradicated and remains a threat. As well as piracy, regional instability and

conflict have resulted in the deliberate targeting of ships by extremist groups using weapons such as anti-ship missiles, sea mines and Water-Borne Improvised Explosive Devices (WBIED).

Warships and aircraft of EU NAVFOR Somalia's Operation Atalanta continue to patrol the region, providing a permanent presence to deter, prevent and repress piracy and other maritime security threats and the protect World Food Programme (WFP) and other vulnerable shipping off the Horn of African and the Coast of Somalia.

**World Maritime University Collaborates Against Piracy (Port Technology)
July 2, 2018**

ReCAAP (The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia) is a regional government-to-government agreement that promotes and enhances cooperation against piracy in the Asia region — consisting of 20 member states across Asia and Europe and including America and Australia.

The new partnership between the organizations will involve ReCAAP ISC sharing its experience combatting piracy and armed robbery in Asia with the postgraduate students at WMU's campus in Malmö, Sweden.

ReCAAP ISC will also host postgraduate students at the WMU during their field studies to Singapore.

Executive Director of ReCAAP ISC, Masafumi Kuroki, said: "In 2015, ReCAAP ISC delivered the first lecture to students at WMU.

"Since then, both organizations have had useful mutual exchanges in the promotion of maritime safety and security as a vital topic for maritime leaders.

"ReCAAP ISC highly appreciates WMU's shared interest in having their students gain a better appreciation of the piracy and sea robbery situation in Asia, and this MOU provides a framework to deepen our mutual cooperation."

President of the World Maritime University, Dr. Cleopatra Doumbia-Henry, commented: "The threat posed by piracy and armed robbery against ships has been a focus of the IMO's agenda from the early 1980s until today.

"This MoU with ReCAAP will advance the University's commitment to supporting IMO's work and strengthen our mutual effort with ReCAAP in fighting piracy at sea in Asia.

"The expertise shared by ReCAAP will inform maritime security research at the University as well as educate future maritime leaders from around the globe.

"It also follows on the heels of the ILO's recent adoption of Amendments to the MLC, 2006 providing for seafarers to continue to be paid if held captive as a result of piracy or armed robbery against ships, an important milestone in protecting the rights of seafarers."

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Gender-Based Violence

**Relentless war puts Syria among most dangerous countries for women (Middle East Monitor)
June 26, 2018**

Seven years of war have turned Syria into one of the world's most dangerous countries for women, according to a global poll released on Tuesday, with experts sounding the alarm over rising child marriage, domestic abuse and sexual exploitation, the Thomson Reuters Foundation reports.

Syria, which ranked third behind India and Afghanistan, did not feature in a similar poll conducted by the Thomson Reuters Foundation in 2011, the year the conflict broke out.

“I’m very afraid of being one of the last educated women in my country,” said Maria Al Abdeh, executive director of Women Now For Development, which supports women’s centres in Syria.

“I’m witnessing a new generation who have no access to education, to economic opportunities, to law or to sexual health,” added Al Abdeh, who has lost colleagues in the war.

Half a million people have been killed in the conflict and half the population have fled their homes.

But bullets and barrel bombs are far from the only dangers.

“Sexual violence has been used with impunity,” said Al Abdeh. “There is a complete absence of any rule of law.”

Laila Alodaat, of the Women’s International League for Peace and Freedom, said while international attention was focused on the “horrific” crimes committed by Daesh, the biggest threat to women was from the Syrian regime.

“Although various actors in the conflict have used sexual violence, regime forces have used it as a weapon of war both to torture women and to terrorise wider populations,” said Alodaat who left Syria in 2011.

UN investigators said in March that the use of rape and other sexual violence during ground operations, house raids, at checkpoints and in detention constituted war crimes and crimes against humanity.

Experts said women were also being sexually exploited by men delivering aid for local and international charities and higher numbers were abused at home as violence became more pervasive.

The poll ranked Syria second worst behind Afghanistan for the risks women faced from non-sexual violence and for access to healthcare, and joint third worst on sexual violence.

The poll asked 548 experts in women’s issues which five of the 193 United Nations member states were most dangerous for women and which was worst for healthcare, sexual and non-sexual abuse, economic resources, cultural practices, and trafficking.

“There’s definitely a normalisation of violence,” said Jennifer Miquel of the UN Population Fund (UNFPA) who coordinates humanitarian efforts to tackle gender based violence in Syria.

“It’s not just about the frontline, it’s also about how violence has entered the home.”

Aid workers said rising poverty and fears of sexual violence were fuelling a rise in child marriage with reports of girls as young as 11 being married but no official data on numbers.

Struggling families were marrying off daughters early for financial reasons and hoping it would protect them.

Campaigners say early marriage limits girls’ education and increases the risks of domestic abuse and death in childbirth, particularly with limited access to healthcare. “We have witnessed women dying in childbirth or having Caesareans without anaesthetic because they don’t have access to hospital due to heavy bombing, or because the hospital has been destroyed,” Al Abdeh said.

But the UNFPA’s Miquel said Syrian women and girls should not be seen simply as victims.

With many men killed, injured or absent, experts estimate one third of households are now headed by women.

“We cannot just see women as complete victims in all this – they are certainly agents of change as well,” said Miquel.

“There are many empowered and dynamic young women who I believe will be contributing to the future of Syria.”

Amnesty calls on Libya to protect women human rights defenders (Jurist)

By Erik Slobe

June 26, 2018

Amnesty International (AI) [advocacy website] called [AI report] on the Libyan government on Monday to protect women human rights defenders in the country.

The call comes four years after Libyan human rights lawyer and activist Salwa Bugaighis was assassinated in the country. AI has found “an escalation of gender-based violence against women who continue to fight for political inclusion,” including assaults abductions, sexual violence and defamation on social media.

AI has blamed some of the escalation on a lack of adequate response to the assassination of Bugaighis, saying that the response to the assassination “sent a message to members of armed groups that they could target other women human rights defenders without fear of repercussions.”

AI has called upon the government of Libya to “address the entrenched discrimination against women” and conduct effective investigations into Bugaighis’ assassination and other crimes against women human rights defenders.

Libya has been accused of committing war crimes by several groups in recent years. UNSMIL chief Ghassan Salamé called [JURIST report] for a joint tribunal in November to try individuals in Libya suspected of war crimes. Human Rights Watch accused [JURIST report] the Libyan National Army of committing war crimes in March 2017. In November 2016, the International Criminal Court chief prosecutor announced [JURIST report] that they would be increasing investigations in Libya.

Victim of wartime sex slavery dies at 100 (Korea Joongang Daily)
By Lee Ga-Young, Non Shin-Young
July 2, 2018

Kim Bok-deuk, a survivor of the Japanese military’s sexual slavery during World War II, died on Sunday. She was 100.

Her death has reduced the number of registered “comfort women,” a euphemistic term that the Japanese military used, to 27 in Korea. Five Korean survivors have died so far this year.

The Korean Council for the Women Drafted for Military Sexual Slavery by Japan, which represents victims, said Kim passed away at around 4 a.m. on Sunday in Tongyeong, South Gyeongsang. Yoon Mee-hyang, a representative of the council, said Kim “battled through her days in the hospital with strong will” and even celebrated her 100th birthday in January, but her health quickly deteriorated before she passed away on Sunday.

According to Yoon, Kim lost her father at age 12. When she was 22, she went to the Philippines on the pretense that she would get a factory job there. Instead, she was forced to provide sexual services to the Japanese military.

After seven years abroad, Kim returned to Korea, where she actively spoke out against the Japanese military’s war crimes.

In 2017, allegations surfaced that Kim’s family received 100 million won (\$90,000) without her knowledge from the Reconciliation and Healing Foundation, which was established after the Korean government made a controversial deal with Japan to settle the issue in 2015.

Kim said she did not know about the compensation or check her bank account, but the foundation said it sent the money because Kim and her relatives had consented. Kim had repeatedly expressed her desire to return the money.

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Commentary and Perspectives

Establishing a War Crimes Court Is a Test of President Weah’s Commitment to Defense of Human Rights (Daily Observer)
June 28, 2018

One key issue both Liberians and some international partners have attached great significance to and have been calling on the George Weah Administration to consider is the establishment of a War and Economic Crimes Court.

A group under the umbrella of “Citizens Action for the Establishment of War and Economic Crimes Court” assembled at the Legislature about a month ago, petitioning that lawmaking body to enact a law establishing a War Crimes Court.

Prior to the convergence of this group at the Capitol, people in the Diaspora and some human rights organizations had called on the Weah Administration to establish a War Crimes Court. To drive home the point that justice is important to the restoration of genuine peace and reconciliation in Liberia, Governments of the United States, Great Britain and the Netherlands have taken some practical measures which should serve to put the Weah Administration on notice that the time has come to put an end to impunity in Liberia.

For instance, in April this year, the US Government prosecuted and convicted former warlord and fierce fighter, Mohammed Jabateh (alias Jungle Jabbah), for lying about his role in the civil war and the atrocities he committed in order to gain asylum status in the United States. (Reuters, 2018). Dutch businessman, Guus Kouwenhoven, has also been convicted and sentenced to 19 years for smuggling weapons to Charles Taylor between 2000 and 2002 against United Nations Security Council embargo (Dutch News.In, 2018).

The US Government is at this time prosecuting former National Patriotic Front of Liberia (NPFL) Defense Minister, Tom Woewiyu, for his role in the Liberian war and some issues relating to United States Immigration Laws. In 2017 the government of the United Kingdom arrested Agnes Reeves Taylor, former wife of Charles Taylor, for her role in the Liberian war (Human Rights Watch, 2017).

The United Nations itself has also pleaded over time for justice in Liberia and other countries where human rights abuses are being perpetrated. It may be recalled that in 2017, a UN high official, Andrew Gilmour visited Liberia and expressed the need for justice to prevent a recurrence of the civil war.

In the June 27th edition of the Daily Observer and editions of other local dailies, the Country Representative of the United Nations Office of the High Commissioner for Human Rights, Uchenna Emelonye said, “There can be no peace without accountability.” He said if there should be peace in Liberia, warlords and others who committed human rights abuses should be made to account for their actions.

The OHCHR Country Representative said the UN cannot rely on the outcome of the Truth and Reconciliation Commission (TRC), and therefore a War Crimes Court should be established. He said without justice, war victims will turn violent someday if perpetrators go with impunity. We also read in the June 27th edition of this paper that the US Government deported an ex-bodyguard of jailed former President Charles Taylor for human rights violations.

Instead of complementing efforts by the international community to institute justice, Liberians have continued to reward warlords with top public positions. Others, out of pure fear of the warlords, usually say, “Let bygones be bygones;” an expression that emboldens perpetrators of war crimes who are fond of boasting of their deeds and the roles they played in the 14-year civil war.

President Weah, who at some point in time, pleaded for justice and peace in Liberia, sits in the best position now to bring relief to war victims who are crying for justice here. We recently published a story about Mrs. Suzana Vaye whose husband, Isaac Vaye, was slaughtered for undisclosed reasons. She, like others, is crying for justice and hoping that one day a War Crimes Tribunal will be established to bring the perpetrators to justice.

If President Weah wants the Liberian people to place trust in his pronouncements of unparalleled support for accountability and the defense and protection of Human Rights, then addressing the plight of war victims by establishing a War Crimes Court and providing Reparations to victims will give him the kind of standing he desires in the International Human Rights community.

Former President Ellen Johnson-Sirleaf, perhaps owing to her role in the conflict, failed to establish the Extraordinary Criminal Tribunal, the Palaver Hut and Reparations Commissions as recommended by the TRC but, not before getting the Supreme Court of Liberia to declare the recommendations of the TRC unconstitutional.

With the emergence of George Weah as Liberia’s President, one who played no active role in the civil conflict

and bears no such burden, Liberia now has the chance to restore the hope of war victims who have long since been roiling with grief and languishing in despair.

The Benefits of Hybrid Tribunals in Prosecuting War Crimes (Borgen Magazine)

By Jilly Fox

June 28, 2018

Crimes against humanity, war crimes and acts of genocide are all crimes that fall under international jurisdiction. The prosecution of these crimes, however, still remains a complex, contentious and multidimensional process 70 years after the first international tribunals in Nuremberg and Tokyo.

During the 1990s, ad hoc (meaning arranged for a particular purpose) tribunals were instituted to prosecute crimes that occurred during the Bosnian War and the Rwandan genocide. The International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the Former Yugoslavia continue as active bodies today, operating out of The Hague in the Netherlands. Although many precedents have been set by the actions of these courts, most notably with respect to the prosecution of sexual assault during genocide, their effectiveness has been criticized by champions of state sovereignty and others. The distance and third-party involvement make the scope of ad hoc tribunals limited, and only top-level offenders can be prosecuted.

Hybrid tribunals adjudicate international crimes by blending domestic actors while respecting international norms, such as human rights statutes and the Geneva Conventions. By involving state and local penal codes, judges and legal professionals, state sovereignty is respected while cultural and political expectations are retained. The benefits of hybrid tribunals are vast, most specifically for the rights of victims. The crime is not distanced from where it occurred, and justice remains within the jurisdiction of the state. In addition, the decisions are more likely to be respected and upheld if they are made within a country. The precedents set by local courts also have the possibility to make waves in future legislative decisions.

There are caveats to the benefits of hybrid tribunals, however. A lack of universal jurisdiction occurs when different tribunals are constructed for every conflict. There is less consistent treatment of international crimes, since criminal bodies that incorporate more domestic law will vary from state to state. In addition, different sociocultural standards and interpretations could enable punishment to be legislated according to the state, rather than international law. If a state viewed rape, for example, as a less severe offense, the punishment would be lessened. International standards were created for a reason; these laws exist because universal ethical standards deserve to be in place and serve a purpose for justice. Hybrid tribunals could compromise the adjudication of these principles.

In a modern context, prosecution of war criminals in Syria calls for the creation of some kind of international body. The multidimensional conflict situation in Syria remains volatile and unresolved almost eight years after its Arab Spring, and many war crimes and crimes against humanity have been committed. Three avenues exist for prosecution: the International Criminal Court could launch an investigation, a hybrid tribunal could be created or foreign national courts could prosecute and create an accountability process.

Unfortunately, none of these options are extremely viable at this point, due to existing structures of international governance and the complex nature of the situation. In order for the International Criminal Court to prosecute, a U.N. Security Council resolution would have to be passed giving them jurisdiction. Currently, any proposed resolutions that aim to enable this have been vetoed by Russia and/or China. Unless these governments sever ties with the Assad regime, this avenue is impossible.

The benefits of hybrid tribunals have been argued; however, the solution is currently not feasible, because the host state must consent. An international buffer zone has also not been successfully established, and security concerns combined with high costs would not be worth the limited positive effects. A neighboring country could host, but Turkey and Jordan are unlikely to agree to that. One strong possibility is that the Special Tribunal of Lebanon could expand its purview to include Syrian war criminals, but sovereign and state immunities create obstacles for high-level officials.

In light of the current circumstances, it is important to reflect on the successes of international prosecution and revel in the knowledge that, as time passes, justice will be served. When the time comes, and the situation in Syria becomes approachable, a hybrid court can be established that will deliver justice to victims.

UN Special Rapporteur calls for investigation and prosecution of Myanmar authorities responsible for Rohingya war crimes (SOFREP News)

By Luke Ryan

July 1, 2018

Special Rapporteur on the situation of human rights in Myanmar/Burma, Yanghee Lee, spoke to the U.N. Human Rights Council on Wednesday. She said that, "I strongly recommend the persons allegedly responsible for the violations of international human rights law and international humanitarian law be investigated and prosecuted by the ICC or a credible mechanism."

The International Criminal Court (ICC) is an international tribunal based out of The Hague in the Netherlands, and it is used to investigate war crimes, allegations of genocide, crimes against humanity, and it has the authority to prosecute based on their findings. They are not a part of the U.N., legally speaking, but these investigations have led to imprisonment in the past, for example Abu Tourab was a member of Ansar Dine, and was convicted of destroying religious and historical buildings in Timbuktu — he is currently serving a nine-year sentence. Many more have been indicted and are currently fugitives on the run (Joseph Kony, for example). However, since the organization has only been up and running since 2002, they are still relatively new and many cases are still open. The ICC has also received criticisms in the past, particularly in its limitations. For example, if someone is accused, investigated and charged, the country from which they originate still has to cooperate to some degree, especially with extradition — this means the ICC has been accused of only picking cases with somewhat cooperative governments, which can limit their purview.

Now Ms. Yanghee Lee has once again drawn the ICC's attention to Myanmar. She also expressed her disappointment and concern at the U.N.'s ability to document and point out human rights abuses in the country, and yet still without any action taken or even referral to the ICC. "Far too many crimes have been committed, and have been documented and reported with scant consequences faced by those who perpetrated them," she said.

Recently, two of the generals in charge of the military campaign against the Rohingya have recently been dismissed or resigned. These generals were Lt. Gen. Aung Kyaw Zaw and Maj. Gen. Maung Maung Soe — they led a campaign in which the UN, non-governmental aid organizations, news agencies and other sources all documented severe human rights abuses. This military campaign included using rape as a weapon, killing thousands of children under the age of 5 over months of fighting, and burning countless homes and properties. All of this wound up forcing approximately 700,000 Rohingya refugees across the border and into Bangladesh.

As the fighting has shifted from the Rohingya up to the north with the Kachin, many like Ms. Lee are expressing concern over the lack of accountability in Myanmar as they freely move from one conflict to the next. In the media, each conflict is treated separately, and seem like they have no common denominator — the state-run media in Myanmar portrays the fight against the Rohingya as a fight against Islamic extremism. The same media portrays the fight against the Kachin as a fight against an organized, rebel army. This strategy keeps the campaigns of accountability and prosecution of war crimes at bay, as the country moves swiftly from one conflict to the next, stalling until the previous conflict is largely forgotten.

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WORTH READING

Fighting Terrorism Under All Applicable Law

By Joshua Andresen

Forthcoming in Using Law to Fight Terror, OUP 2018

June 25, 2018

This chapter shows that attempts to liberalize restrictions on the use of force outside

active war zones should be rejected not only on legal grounds, but also as contrary to our national security interest.

An increasing number of empirical studies show that more force, particularly in the form of airstrikes, increases terrorist violence and recruitment while increasing popular support for terrorist groups. A restrictive approach to the law governing the use of force against terrorist threats is thus the most effective way to address the reality of those threats. Contrary to the view that international humanitarian law (IHL) is the only source of restrictions on the use of force in counterterrorism operations, the chapter argues that international human rights law (IHRL) can impose additional restrictions on the use of force, particularly when force is used in civilian populated areas away from active combat. Following the jurisprudence of international courts on the application of IHL and IHRL to armed conflict, the chapter puts forward seven factors that should be analyzed to determine the relative application of IHL and IHRL to the use of force in counterterrorism operations. A determination of whether an armed conflict exists is just the first step in determining what kind of force may be used. It is also necessary to consider the circumstances in which force will be used and the reliability of the information on which a strike is predicated to determine the extent of law properly governing the operation.

Targeting State and Political Leadership in Armed Conflicts
By Agnieszka Jachec-Neale
Vanderbilt Journal of Transnational Law, Vol. 51, No. 3, 2018
June 24, 2018

Despite repeated attacks on various figures of authority and political leaders such as Saddam Hussein, the scholarly debates in the law of armed conflict have not given much attention to an analysis of if, and if so, when, state and political leadership may be subject to lawful attack, or the question of when physical objects associated with exercising of the official functions contributing to the prosecution of military operations can satisfy the criteria of the definition of military objectives.

Whilst examining various positions of leadership, such as Prime Ministers and political party figures, it is argued that there is a relationship between the character and the scope of the activity of such individuals, which may impact a legal assessment of the objects used or intended to be used in the furtherance of such functions. The existence of such relationships is best demonstrated by the example of individuals vested with the Commander-in-Chief functions. This Article demonstrates, contrary to previous assertions in the literature, that their status will be based either on their membership in armed forces or on their conduct constituting direct participation in hostilities. The result of such assessment could result in opposing outcomes of legal evaluation of the infrastructure associated with activity of such individuals, with possibly far-reaching consequences of incorrect application of the principle of distinction in armed conflict.

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<http://law.case.edu/grotian-moment-blog/>

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