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AFRICA

CENTRAL AFRICA

Central African Republic

Official Website of the International Criminal Court
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Central African Republic militia leaders hit with U.S. sanctions
Reuters
The United States imposed financial sanctions on Wednesday against two militia leaders accused of collaborating on violence intended to destabilize the Central African Republic, which is struggling to end years of division and bloodshed.

The assets of Abdoulaye Hissene and Maxime Mokom were both frozen, although it was not clear whether either holds any property within U.S. jurisdiction. Generally, U.S. nationals are also prohibited from transactions with those under sanctions.

Hissene is a chief in the mainly Muslim Seleka rebel coalition that ousted then-President Francois Bozize in 2013. Mokom is a leader in the Christian militias known as anti-balaka, which arose in reaction to Bozize's ouster.

Violence between the Seleka and the anti-balaka, which included waves of ethnic cleansing, has left the country deeply divided along religious fault lines.

"Today's action underscores our ongoing efforts to target those responsible for fuelling violence and human rights abuses in the Central African Republic," said John E. Smith, the director of the U.S. Treasury Department's Office of Foreign Assets Control.

The allegations against Hissene and Mokom, who initially hailed from rival armed factions, underline the increasingly convoluted web of alliances between rebels and militias that continue to undermine security despite successful elections.

U.S. authorities accuse them of collaborating as part of a plot to overthrow Central African Republic's transitional government in September 2015 and attempting to derail through violence a constitutional referendum later that year.

They were suspected of planning to disrupt the arrival of President Faustin-Archange Touadera at the airport in the capital, Bangui, last June, raising fears of a possible coup attempt.

"From seemingly opposing sides of the conflict, Hissene and Mokom have in the past few years conspired to keep the war going, much for their own personal benefit," said Ruben de Koning of The Sentry, which researches the financing of conflict in Africa.

Both Hissene and Mokom have commanded fighters during a new wave of clashes that has struck the center of the country since November.

The violence, among the worst since 2015-16 elections, has stretched the capacity of a U.N. peacekeeping mission and highlighted the chaos that still reigns in much of the former French colony.

Central African Republic violence worst in years – MSF
Daily Mail
April 13, 2017

Violence against civilians in Central African Republic (CAR), including summary executions and mutilations, is reaching levels not seen since the height of its years-long conflict, Medecins Sans Frontieres (MSF) has said.

The country descended into chaos when a mainly Muslim Seleka rebel alliance ousted then-president Francois Bozize in 2013, sparking reprisals from Christian militias. Religion has played a waning role as splinter groups now clash over control of territory and resources.

Recent violence has been concentrated in four prefectures in the centre and east, where the government and a 13,000-strong United Nations peacekeeping mission have struggled to contain the bloodshed, the medical charity said.

"Our teams have witnessed summary executions and have found mutilated bodies left exposed to terrorise populations," Rene Colgo, the deputy head of MSF's mission in CAR, said in a statement released late on Wednesday.
Fighting has spread to parts of the country previously considered stable but where rival armed groups are now battling for control of towns and areas with gold and diamond mines.

Some 100,000 people were displaced between September 2016 and February 2017 amid the renewed clashes, according to the United Nations, and MSF is now treating trauma victims at clinics intended to provide healthcare to rural communities.

"The Central African Republic is spiralling into levels of violence that have not been seen since the peak of the conflict in 2014," said MSF representative Emmanuel Lampaert.

One in five Central Africans is currently displaced and around 2.2 million people, half the total population, need humanitarian assistance, according to the United Nations.

The United States on Wednesday imposed financial sanctions against two militia leaders - one a Muslim rebel chief and the other a Christian militia leader - accused of collaborating on plans to destabilize CAR.

The Ugandan army has announced its withdrawal from the Central African Republic (CAR).

African News
April 16, 2017

The announcement was made during a meeting with the local authorities in the region, this comes less than three weeks after the decision of the United States to put an end to the activities of Joseph Kony.

The commander of the Ugandan troops said the withdrawal should take place during May next year, according to a timetable that has not been communicated.

The Ugandan army was deployed to the east of the CAR in 2009 as a result of a resolution of the African Union. Its objective was to put an end to the atrocities of the Lord resistance Army who had fled to Uganda.

A group that monitors LRA activities, The Resolve initiative, says the group is still a threat to civilians and cautions against drawing down troops prematurely.

The Lord's Resistance Army (LRA) was founded in northern Uganda and is led by a Ugandan native called Joseph Kony but the group no longer has any presence in Uganda. It comprises a mix of Ugandans and fighters from other countries. Kony has been indicted for war crimes and many of his followers were forcibly recruited as children.

Years of joint US-African Union efforts to destroy the LRA have been stymied by the group's guerrilla tactics and its propensity to retreat into harsh terrain and unstable or ungoverned areas. Several years ago Kony was rumored to be hiding in the Kafia enclave, a disputed territory occupied by the Sudanese army.

Uganda ends hunt for LRA leader Joseph Kony
BBC News
April 19, 2017

Ugandan troops have pulled out of the hunt for rebel leader Joseph Kony in the Central African Republic (CAR), the army has said.

He and his Lord's Resistance Army (LRA) group had become "weak", and no longer threatened Uganda, it added.

The LRA was notorious for chopping off people's limbs and abducting children to use as soldiers and sex slaves.

Mr Kony, wanted on war crimes charges, first emerged in Uganda but fled more than a decade ago.

He and his fighters roamed the jungles of the Democratic Republic of Congo, before moving to CAR.


Kony2012, a video made by US-based activists calling for the world to capture Kony, went viral in 2012.
The Ugandan army, backed by US special forces and African Union (AU) troops, have been searching for him in CAR since 2012.

The US withdrew its forces last month.

Several of the LRA's top commanders have surrendered, including Dominic Ongwen who is on trial at the ICC on charges of war crimes and crimes against humanity.

In a statement, Uganda's army said it had "successfully achieved" its mission to "neutralise" the LRA and its troops would withdraw from CAR.

"Joseph Kony with less than 100 armed fighters is now weak and ineffective. He no longer poses any significant threat to Uganda's security and northern Uganda in particular," it added.

The LRA was formed in Uganda more than two decades ago, and claimed to be fighting to install a government based on the Biblical 10 Commandments.

It operated mostly in the north, where hundreds of thousands of people were displaced by the conflict.

**Hope as C. Africa holds disarmament talks**

*Daily Mail*

*April 22, 2017*

*The Central African Republic held unprecedented talks with armed groups this week seeking to speed up disarmament in a country struggling to turn the page on years of bloodshed, officials said Saturday.*

For the first time since the disarmament process began, the government -- facing a resurgence of violence since last September -- sat down with representatives of 14 armed groups in Bangui on Thursday and Friday.

"General progress has been quite substantial," said Jean-Marc Tafani, head of the disarmament process for the UN peacekeeping mission in Central Africa, MINUSCA.

The national plan for Disarmament, Demobilisation and Reintegration (DDR) "was drawn up with details of steps to implement the project," he added.

Responding to concerns that former fighters could escape unpunished under the process, Tafani said "people suspected of various crimes will be brought to justice," and "kept out of the DDR programme," although he noted that during this week's talks "certain groups said they were against this".

President Faustin-Archange Touadera has repeatedly stressed the importance of the DDR since he took power last year in a country scarred by conflict since the 2013 overthrow of former president Francois Bozize by a Muslim-dominated rebellion.

A counter-offensive by majority Christian militias left thousands dead and forced hundreds of thousands to flee their homes.

The nation breathed a sigh of relief in March 2016 when Touadera took office, with a mandate to lead the country through its transition to peace.

But Central Africa's war wounds have proved hard to heal, with swathes of the country still facing unrest.

Since November, violence has raged in the central Ouaka region, leaving hundreds dead and many more injured.

Due to the rise of violence, coupled with a shortfall in aid funding, the humanitarian situation in the country has taken a turn for the worse.

The UN says some 2.2 million people -- more than half the population -- remain in dire need of assistance.

While parts of the country remain wracked by violence, a military intervention in 2013 by France and MINUSCA restored relative calm to the capital Bangui.

But since France withdrew in October, and with the Central African army still under an international arms
On Wednesday, US special forces begin pulling out of the Central African Republic (CAR) where they were deployed in 2011 to help hunt the brutal Lord's Resistance Army (LRA) warlord, Joseph Kony. The move, which was announced last month, will see US troops pulling out of the country's east where they have been helping Ugandan forces track down the feared LRA's rebels.

"The time has come to move forward because the organisation itself is really in a survival mode," general Thomas Waldhauser, head of the US military's Africa Command (Africom) said in a telephone briefing last week.

One of Africa's longest-surviving rebel groups, the LRA has terrorised parts of central Africa for 30 years. Several years ago it counted several thousand fighters but today has fewer than 100, with the rebels dispersed across parts of CAR, the Democratic Republic of Congo, Sudan and South Sudan.

Since it was set up by Kony in 1987, the LRA has slaughtered more than 100,000 people and abducted 60,000 children who were forced to become sex slaves and soldiers, UN figures show.

In 2011, Washington sent in about 100 US troops to eastern CAR to help regional forces hunt down Kony, adding another 150 special forces airmen three years later. But last month, Africom said it would be wrapping up the operation which has cost between $600m and $800m, even though Kony remains at large. "This operation was a significant success," Jeffrey Hawkins, the US envoy to CAR, told France's RFI radio in early April.

Ugandan troops, who have been in eastern CAR since 2009, are also withdrawing from the area. Last week, the army said the mission to neutralise the LRA had been "successfully achieved" and that Kony "no longer poses any significant threat" to Uganda's national security.

Although his power is much diminished, Kony — who combines religious mysticism with guerrilla tactics and a grim reputation for kidnapping and mutilation — remains at large. According to Paul Ronan of the US-based advocacy group Invisible Children, which was behind an explosive 2012 video highlighting Kony's atrocities and calling for his capture, the warlord is believed to be either in Sudan or CAR.

A self-styled prophet, Kony launched his bloody rebellion in a bid to overthrow the Ugandan government and impose a regime based on his own version of the Ten Commandments. He is wanted by the International Criminal Court in The Hague for war crimes and crimes against humanity, where one of his commanders, Dominic Ongwen, is currently on trial.

Earlier this year, questions appeared to arise over the level of US commitment to its various operations in Africa in the form of a set of questions posed by the transition team of incoming president Donald Trump to the US state department. "The LRA has never attacked US interests, why do we care? Is it worth the huge cash outlays? I hear that even the Ugandans are looking to stop searching for him, since they no longer view him as a threat, so why do we?" said the document, a copy of which was obtained by The New York Times.

And last month, Africom's Waldhauser confirmed the operations were drawing to a close, saying there were only about 100 LRA rebels and that the mission had "essentially taken that group off the battlefield".

A resident of Obo, a town in CAR's southwest, told AFP by phone that "Everywhere, in cafés, people are talking about the departure of the Ugandan and American troops". On April 17, about 6,000 people in the town took to the streets to demand that both sets of troops stay in place until they can be replaced by Central African forces. Although there are UN peacekeeping forces from its Multi-dimensional Integrated Stabilisation Mission in CAR, very few of them are present in the east of the country.

"This withdrawal will lead to a renewal of LRA attacks in the southeast," warns Thierry Vircoulon, a specialist on central Africa at IFRI, the French institute for international relations. "Nobody is under any illusion that the Central African troops which are to be sent there to avoid a security vacuum will be able to neutralise the LRA."

As well as the threat from Kony's militia, the eastern region is also struggling with attacks by other "armed
"Even though we are officially ending the so-called counter-LRA mission, we are certainly aware of the fact that we don't want to leave a void there," said Waldhauser, adding that Washington would continue to offer support to African troops in the form of both "training" and "intelligence".

**Sudan & South Sudan**

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

**Fighting in South Sudan's Raga kills at least 14 people**
Al Jazeera
April 15, 2017

At least 14 people have been killed in South Sudan after new fighting erupted between government forces and the main rebel group.

Lam Paul Gabriel Lam, the SPLM-IO rebel group's spokesman, told Reuters news agency on Saturday during the past two days the army has bombed rebel-held areas around Raga - a northwestern town near the border with Sudan and Central African Republic.

"Yesterday our forces decided to go and raid Raga," he said. "Around 14 people were counted killed but many are injured. We had one soldier killed with some injuries."

Santo Domic Chol, the government's military spokesman, said he was in Raga and would provide information later on.

The United Nations, which has a large peacekeeping force in the East African nation, confirmed the latest outbreak of violence.

"Fresh fighting has broken out between government and opposition forces in a number of locations including Raga in the west of South Sudan, Waat in Jonglei to the east, and in the area of Wunkur and Tonga in the northern Upper Nile region," the UN said in a statement.

Aid workers flee

The surge in fighting in eastern South Sudan has forced 60 aid workers to flee, hurting efforts to help desperate civilians in the famine-hit nation, the UN humanitarian agency OCHA said on Saturday.

Three UN World Food Programme workers were killed this week while trying to get to a supply warehouse amid fighting between rebel and government troops near the western city of Wau.

"There are no words left to explain the level of frustration and outrage I feel regarding the continued attacks against humanitarians in South Sudan who are simply trying to help the civilians suffering as a result of this conflict," said Eugene Owusu, OCHA coordinator, in a statement.

"Separately, 60 humanitarian workers have had to relocate from multiple locations in Jonglei yesterday and today - including Waat and Walgak - due to intensified conflict in the area."

The outbreak of violence in the eastern Jonglei region came after fierce clashes in southern Pajok and western Wau in the past two weeks.
According to a tally of UN figures and deaths that witnesses reported to AFP, 101 people were killed in the two towns.

The UN peacekeeping mission UNMISS, which has been blocked from accessing some conflict zones, said 13,500 people had fled to their base near Wau this week. More than 3,000 others were seeking refuge at a Catholic church compound.

Moustapha Soumare, the special representative for the UN secretary general in South Sudan, on Saturday called for a halt to fighting, urging "all parties to prove their commitment to peace".

"They must show restraint and demonstrate their responsibility to ensure the sanctity of life of all South Sudanese citizens," he said in a statement.

Oil-rich South Sudan has been riven by violence since 2013, when President Salva Kiir, an ethnic Dinka, fired his deputy Riek Machar, an ethnic Nuer.

The political showdown quickly split along ethnic lines and has drawn many tribes into a complex patchwork of conflict.

**Sudan: 'Sudan Govt. Wanted Darfur Land Only' - Janjaweed Leader**

*All Africa*

*April 23, 2017*

> **According to a former Darfur janjaweed leader, who was arrested in Sweden in early April, the Sudanese authorities wanted to rid Darfur of the indigenous population.**

The arrestee allegedly served as a militia leader in North Darfur for the Sudanese government during the first years of the war that started in 2003. After that, he fled to Sweden, where he applied for political asylum.

Charged with crimes against humanity committed in Darfur, he was taken into custody by the Swedish War Crimes unit in the first week of April, the electronic Sudanile reported on Thursday.

His lawyer told the Swedish daily Dagens Nyheter that it was important for the accused and his relatives not to reveal his identity. "The investigation is still in its infancy and I did not get all the information. I can only say that my client rejects the charges against him."

**Janjaweed**

Though the Swedish authorities refrain from mentioning the name of the Darfuri arrestee, Sudanese sources point to Arbab Idris, who served as a North Darfur militia commander between April 2003 and December 2004, after which he fled to Sweden, where he reportedly stayed under the radar, claiming asylum.

Sudanile reported Idris' arrest in his home town Östersund on Thursday. The SLM-AW posted the video of an interview conducted by Phil Cox of MORE4 news East Africa with the former militia leader on its Facebook page on Friday.

"He said to us exactly: We need only land, we don't need the people there."

In the interview, the former militia commander claims he personally dealt with millions of dollars sent by Khartoum to fund the war, and that he had organised the recruitment of thousands of young Arab men to fight as janjaweed.

He spoke about "a secret agreement" between him and a leading member of the Sudanese government in 2003, when the war broke out. The militia leader would recruit combatants among the Arab tribesmen in the region while the government would provide camels, horses, military uniforms, arms, and funds to carry out attacks on Darfur villages and strongholds of the armed movements.

He said that the government official had explicitly informed him that they wanted the land to be freed of the indigenous population. "He said to us exactly: We need only land, we don't need the people there."

Asked about the reason, he replied that "It is a racist and a tribal issue. We were attacking villages where there
The militiamen operated mainly in North Darfur's Kutum. The first village they attacked was Fata Borno. "No rebels in the village. It is more than 25 villages. No rebels. They had nothing to do with the rebels".

He said that the militiamen attacked the villages randomly. "Firstly, our intention was that when we entered a village, we were to steal and loot whatever we could. As for the water wells, we put sand in and blocked them. We cut down trees and burnt villages. We wanted to force the population out of their areas and give them no chance to live there again.

"These instructions came from Khartoum. Because there is a promise to the janjaweed, beside the money they give them, he must take everything in the village."

"It is a racist and a tribal issue. We were attacking villages where there were only blacks, niggers. These people were civilians. They had no weapons.

His men also raped women and girls. "I tried to stop them but they refused. They carried on raping. They said they were allowed."

Idris told the interviewer that he regrets the past. "At that time in my life, I was satisfied and OK with what I was doing. But all that time, I was seeing horrific crimes and killing. I have changed."

War

Early 2003, two Darfur rebel movements, the Sudan Liberation Movement, founded by Abdelwahid El Nur (SLM-AW), and the Justice and Equality Movement (JEM), headed by the late Khalil Ibrahim, took up arms against Khartoum. They accused the Sudanese government of politically and economically marginalising the country's western region and oppressing the population, largely of African origin.

The government responded by carrying out fierce attacks against villages, suspected of harbouring rebels. However, the Sudan Armed Forces in cooperation with large groups of militiamen attacked and destroyed hundreds of villages, regardless of the presence of rebel fighters. These militiamen, locally called janjaweed, had been recruited among young, impoverished nomads of Arab origin in the region.

According to United to End Genocide, the Darfur conflict has claimed 300,000 lives, displaced 2.7 million people, and forced another 250,000 to flee abroad, mainly to Chad.

In 2009, the International Criminal Court (ICC) indicted President Omar Al Bashir for war crimes and crimes against humanity. A year later the Court issued a second arrest warrant for Al Bashir on three counts of genocide.

**South Sudan army minimises calls to pull troops of out Juba town**

Sudan Tribune
April 25, 2017

South Sudanese army (SPLA) has attached little importance to calls by civil society groups to withdraw troops currently deployed in the streets of the national, instilling fear and movement in the town.

The army started deploying troops over the weekend, posting tanks, heavy artillery weapons including howitzer to key and strategic places in town. The areas which experienced huge deployment include ministries area, parliament, the presidential palace, markets and Mausoleum of late John Garang de Mabior, founding leader of the governing Sudan People's Liberation Movement (SPLM).

The purpose of the deployment remains unclear. There has not been a statement from the office of the army spokesman. The police spokesman and the presidential press secretary have given conflicting comments.

Police spokesman, Brigadier General Daniel Justin, described the development as a temporary measure to protecting properties while presidential spokesman claimed it was a normal deployment to strengthen security in the town. Both officials did not provide elaborate comments.

The development received mixed reactions from the population, with members of the civil society calling for withdrawal in order to allow free movement of the civilians in the town.
There is no way you can bring out military tanks and weapons to the streets when there is an economic crisis. The government must withdraw all the forces on the streets of Juba because the civilians are not armed and they have nothing to do with the army," Akuoc Ajang, head of the civil society alliance.

Ajang called on authorities to allow civilians to move freely so that they could have the opportunity to freely come together and raise their grievances during the current economic hardship in the country.

"What is happening is a harassment of civilians, but any harassment of civilians by the government is not acceptable. They need to pull out their guns, tanks and all the forces that are on the streets of Juba," he stressed.

Observers say the deployment could be an indication that the government is leaning towards giving the military greater influence to make major decisions in the country.

Military commanders frustrated by what they consider ineffective management of the situation by the executive have argued for greater freedom to make daily decisions on how best to control the situation.

**Sudan: Bombing Jebel Marra 'Violates Ceasefire': SLM-AW**

AllAfrica
April 26, 2017

The holdout rebel group in Darfur's Jebel Marra has condemned the aerial bombardments by the Sudanese Air Force last weekend which led to an unknown number of casualties. "The government had announced an unilateral ceasefire."

The leader of the Sudan Liberation Movement, Abdel Wahid El Nur, recounted that the Air Force bombed ten sites in north-west Jebel Marra on Saturday and Sunday with the aim to hit their positions. Sudanese pro-government militias attacked its stronghold in Torantora on Saturday and 17 militiamen were reportedly killed.

After a relative calm for months, the Sudanese air force dropped three barrel bombs on the area of Jawa in the eastern part of Jebel Marra on 6 April. The latest bombing occurred in October, weeks after renewed fighting had broken out between government forces and SLM-AW combatants.

Former United States President Barack Obama ordered the easing of financial sanctions against Sudan because he found the country had reduced military activities in the Darfur region, pledged to maintain a unilateral ceasefire, and improved access for humanitarian organisations.

Last January President Omar Al Bashir announced a ceasefire in Darfur without an agreement with the SLM-AW, which is the only main rebel group to not have announced a similar unilateral ceasefire. The announced cessation of hostilities has also been broken in the conflict zones of South Kordofan and Blue Nile.

"This government attack on the movement's bases underlines the lack of credibility of the government, which earlier announced a unilateral ceasefire," said El Nur. "This requires us to move to resist and confront it, until it is changed to establish a legitimate democratic system."

Camp dismantling

The rebel leader reacted to Khartoum's plans to dismantle the camps for displaced people in Darfur and relocate the populations saying it's "the other face" of the violent marginalisation of Darfuris.

"Armed settlers are preventing the displaced people from returning to their villages and depriving them from getting out of the camps for simple tasks, like to collect straw and firewood, until the camps have become large prisons." The issue of land has made the situation for displaced people and refugees who want to return to their villages difficult, he said.

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UN investigators in the Democratic Republic of the Congo have confirmed the existence of at least 17 further mass graves in Kasai Central Province, which has been the scene of clashes between soldiers and members of a local militia known as Kamuina Nsapu. This brings to 40 the number of mass graves documented by the UN in Kasai Central and Kasai Oriental Provinces since August 2016.

The presence of the additional graves was confirmed during an investigation mission to Kasai Central between 5 and 7 April by staff from the UN Joint Human Rights Office (UNJHRO) and UN Police (UNPOL).

Fifteen of the mass graves were in a cemetery in the town of Tshimbulu and two in the locality of Tshienke. The UN team gathered information that soldiers from the Forces armées de la République démocratique du Congo (FARDC) had reportedly dug the graves, after clashing with presumed elements of the Kamuina Nsapu militia between 26 and 28 March. At least 74 people, including 30 children, were reported to have been killed by soldiers as a result of these clashes.

The UN team also visited Kananga to gather information about alleged abuses and violations there. Between 28 and 30 March, FARDC soldiers were reported to have shot dead at least 40 people, including 11 children and 12 women, in the Nganza commune of Kananga, and injured at least 21 others. The majority of the victims were said to have been killed in their homes as soldiers went door to door looking for militia members.

Two of the victims died in hospital, while the remaining 38 were reportedly buried by the local population in three mass graves. FARDC soldiers were also reported to have buried an unknown number of bodies in a fourth mass grave in Nganza cemetery.

UNJHRO also received reports that at least two women and three girls had been raped by FARDC soldiers during the same operation in Nganza. Defence and security forces were alleged to have arrested and detained 27 people, including 10 boys and a 15-year-old girl.

The UN investigators, who also visited the Katoka commune of Kananga, heard reports that during search operations by officers from the Police nationale congolaise (PNC) on 28 March, a 23-year-old man, a 17-year-old boy and a one-month-old baby had been killed. The UN team was told that the baby had been fatally injured after being trampled on by police officers searching their house.

The Kamuina Nsapu militia, which is loyal to a local customary chief killed by the army on 12 August last year, has been accused of recruiting hundreds of children into its ranks, and targeting state agents and symbols, including government premises, schools, hospitals, police stations, as well as churches. An example of such violence happened on 30 March when about 30 alleged Kamuina Nsapu militiamen attacked the parish church of Saint-Jean de Masuika in Luiza territory, where they ill-treated at least three nuns and a priest, threatening to kill them. In addition, the priest and one of the nuns were reportedly abducted and then released the next day after money was paid. The militiamen also vandalized the church, breaking doors and windows, and burning the priest's chasubles.

"The discovery of yet more mass graves and the reports of continued violations and abuses highlight the horror that has been unfolding in the Kasais over the last nine months," said UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein.

"It is absolutely vital that the Government of the DRC takes meaningful steps, which to date have been lacking, to ensure that accountability is achieved for these violations and abuses and that the security forces respect and protect human rights in the Kasais region."
ensure that there is a prompt, transparent, independent investigation to establish the facts and circumstances of alleged human rights violations and abuses perpetrated by all parties, and other abuses of justice. My Office has offered its assistance in conducting such a credible investigation. We reiterate our request for access to all sites of mass graves, as well as to all witnesses, including those in detention, and other relevant information necessary to determine responsibility at all levels," Zeid said.

"The scale and nature of the violence increasingly underscores the need to monitor the situation closely. Should there be no effective national investigation, I will not hesitate to urge the international community to support an investigation by an international mechanism, including the International Criminal Court, which recently reminded the DRC authorities of their primary responsibility under the Rome Statute to investigate and prosecute the alleged acts of violence in the Kasais," the High Commissioner said.

1.5 million children affected by violence in Kasaï region of Democratic Republic of Congo

UNICEF
April 21, 2017

The crisis in the Greater Kasaï region of the Democratic Republic of the Congo (DRC) is having a devastating impact on children, UNICEF warned today. More than 1.5 million children, including 600,000 who have already been displaced from their homes, are at risk due to the extreme violence.

"Children in Kasaï are being forced to endure horrific ordeals," said Dr Tajudeen Oyewale, UNICEF Representative a.i. in DRC, following a field visit to the affected region. "Hundreds of children have been injured in the violence, with reports of children detained, raped, and even executed. This horrific abuse of children cannot be allowed to continue, and perpetrators must be held to account."

Violence and instability in the Kasai provinces, among the poorest regions of the country, began in August 2016 after a traditional leader was killed in fighting with security forces, and deteriorated further during the first three months of 2017.

According to UNICEF estimates:

- 2,000 children are being used by the militias in the affected region.
- At least 300 children have been seriously injured in the violence.
- More than 4,000 children have been separated from their families.

The violence has also had a devastating impact on education and health systems in the region. More than 350 schools have been destroyed. In the Province of Kasaï Central 1 in 3 health centers are no longer functional, putting children at an increased risk of disease.

"These children should be safe in their homes, schools and playgrounds, not forced to fight on the battlefield or wounded or killed in the violence," said Dr. Oyewale.

Unless the situation improves rapidly, UNICEF has warned that the six million children – the entire child population of the three Kasai provinces - are at risk.

UNICEF has secured the release of 384 children detained or held in the Kasaï region, previously enrolled in the militias.

UNICEF has also scaled up its emergency response in the region, including projects targeting 173,000 people with health, nutrition, protection, education, WASH and Non-food-items (NFI.)

UNICEF renews its call on all parties to the conflict to ensure the rights of children are upheld.

UNICEF is also appealing for funding. To date, the organization has only received US$3.5 million of the US$20.6 million needed to respond to the crisis in Greater Kasaï.

U.N. 'horrified' by video showing killing of experts in Congo

Reuters
By William Clowes
April 24, 2017
Congo's government showed the film to reporters in Kinshasa on Monday, saying it showed members of an anti-government militia carrying out the act.

Government spokesman Lambert Mende did not explain how authorities obtained the video, but said they were showing it to rebuff suggestions that Congo authorities were complicit in the killings.

The pair, from the United States and Sweden, went missing on March 12 on a mission to the Kasai Central province, where rebels have intensified an anti-government insurgency in recent weeks that has left dozens dead on both sides.

Their bodies were found later last month.

"Our colleagues in the DRC (Democratic Republic of Congo) have seen the video and we are utterly horrified at what appears to be the killing of Michael Sharp and Zeida Catalan," said U.N. human rights spokeswoman Ravina Shamdasani.

The U.N. is carrying out its own investigation into the killings and has urged Congo to do so as well.

The video shown to a group of journalists in the capital Kinshasa on Monday appeared to show the two experts walking with a group of men wearing red headbands characteristic of the local Kamuina Nsapu militia, according to a Reuters reporter present.

Since July, when the militia first launched an uprising, the United nations estimates at least 400 people have been killed.

The film, narrated by a Congolese police spokesman, cuts mid-way through and the two are seen sitting on the ground and then shot. Catalan is subsequently beheaded.

Government spokesman Lambert Mende said it was filmed by the Kamuina Nsapu militia and had been secured by police.

He declined to give further information on how the video was obtained, but said it was being screened to show that Congo was not responsible for their deaths.

"Our police and soldiers are accused of being implicated in the assassination of the two U.N. experts. That is not the case," he said. "The images speak for themselves. It is not our soldiers that we see in the video executing the two U.N. workers but the terrorists of the Kamuina Nsapu militia."

The government also presented another video including images showing a large group of beheaded bodies wearing police uniforms that authorities say were also victims of militia violence.

Congo's government is under pressure to investigate the violence in Kasai, where the United Nations says it has found a total of 40 mass grave sites it says may need to be probed by the International Criminal Court if the government fails to.

Several Congolese officials close to President Joseph Kabila are subject to Western sanctions for police brutality -- allegations which Congo regularly denies.

Tensions with the West are also high due to criticism of Kabila, whose mandate to rule the country of 70 million people expired in December 2016.

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An Ivory Coast court convicted six ex-soldiers for the kidnapping, torture and murder of four foreigners in 2011 during a civil war that following a disputed election, the prosecution said.

Gunmen kidnapped the four victims - two Frenchmen, a Beninese and a Malaysian - from the Novotel hotel in Abidjan in April 2011 and took them to the presidential palace where they were tortured and killed, according to a court statement from the public prosecutor.

The ex-soldiers, sentenced on Thursday evening, were loyal to former president Laurent Gbagbo, who triggered the conflict by his refusal in 2010 to accept defeat in a run-off against current President Alassane Ouattara.

The soldiers' victims included the Novotel's French manager and French citizen Yves Lambelin, then-president of agro-industrial company Sifca.

Former police chief Osee Loguey was sentenced to 20 years in prison while General Bruno Dogbo Ble, then-commander of the elite Republican Guard, to 18 years.

Four other members of the military were handed sentences of 18 years or shorter for kidnapping, torture and complicity in murder. A further four were acquitted.

More than 3,000 people were killed in the four-month conflict, which ended when Ouattara's forces, backed by the French army, arrested Gbagbo.

The former president is on trial at the International Criminal Court for crimes against humanity allegedly committed during the conflict.

Dogbo Ble's lawyer Rodrigue Dadje said on Friday his client would lodge an appeal.

"The court made a political decision yesterday concerning General Dogbo Ble who has nothing to do with this affair. This is not justice," Dadje said.

Ivory Coast has emerged from the conflict as one of the world's fastest-growing economies but a string of army mutinies this year exposed the deep social divisions that still plague it.
remaining Chibok girls and thousands of others abducted across the northeast by Boko Haram, said Amnesty International on the third anniversary of the armed group’s chilling abduction of 276 Chibok schoolgirls.

"Boko Haram continues to abduct women, girls and young men who are often then subjected to horrific abuses, including rape, beatings and being forced into suicide bombing missions. Sadly, many such abductions go unnoticed and unreported by the media. This has left many parents and relatives without any hope of being reunited with their loved ones," said Interim Country Director Amnesty International Nigeria, Makmid Kamara.

"These appalling abductions and other attacks, some of which constitute war crimes and crimes against humanity, are carried out by Boko Haram on an almost daily basis. They must stop. Today we remember and lend solidarity to the families of the Chibok girls as well as the thousands of other women, girls and men abducted, killed or displaced by Boko Haram."

Amnesty International, which stands in solidarity with #BringBackOurGirls campaigners, is also urging the Nigerian government to ensure that all other abductees are accounted for and their families given adequate support.

The organization has documented at least 41 other cases of mass abductions by Boko Haram since the beginning of 2014. While the Nigerian government is making considerable efforts to recover the 195 girls remaining in Boko Haram’s custody, victims of less-publicized mass abductions have not benefitted from similar support.

"The Nigerian government is making progress in recapturing territory held by Boko Haram but more needs to be done to prevent further abductions, bomb attacks and provide proper support to all those who have already been rescued or escaped Boko Haram captivity," said Makmid Kamara.

"This bloody Boko Haram insurgency and the security forces' efforts to end it, has displaced more than two million people across the north-east and brought many to the brink of starvation. It is vital for the Nigerian people that those responsible for atrocities in the conflict are brought to justice."

Background

Since 2009, Boko Haram has been carrying out a violent campaign against civilians in north-eastern Nigeria through almost daily killings, bombings, abductions and looting. Towns and villages have been pillaged. Schools, churches, mosques and other public buildings have been attacked and destroyed. Boko Haram is brutally mistreating civilians trapped in areas under its control and has disrupted the provision of health, education and other public services.

Amnesty International's research shows that Boko Haram has committed war crimes and crimes against humanity with impunity.

In April 2014 Boko Haram fighters kidnapped 276 girls from the Government Girls Secondary School in Chibok. Abductions are a consistent part of Boko Haram's attacks and on 14 April 2015, Amnesty International released a comprehensive report which documented 38 cases of abduction by Boko Haram.

Since April 2015, thousands of women, men and children who were abducted by Boko Haram have escaped or been rescued, but thousands more remain in captivity.

Nigeria: Why ICC Must Prosecute El-Rufai
All Africa
By Abdulmumin Giwa
April 13, 2017

The Zaria pogrom of December 2015 is an incident that has permanently been recorded by history and the major actors and stakeholders already have their names written boldly in the black books of history. There is no way the genocide perpetrated by the Buhari regime on the Islamic Movement in Nigeria (IMN) members can ever be forgotten most especially as it has affected the IMN members as individuals directly or indirectly and generally as a group.
IMN member were mercilessly killed with some burned alive including the elder sister of Sheikh Ibraheem Zakzaky and his nephew while others were buried alive and women were molested by the Nigerian Army.

Three children of the IMN leader were brutally murdered by the Army while he was literally killed but he didn’t die. It was a very terrible incident that even the Nigerian Army had to officially operate as a coward in order not to allow itself be identified with that dirty job it did.

A lot of Nigerians wondered how the Army could descend so low and operate just like a terrorist organization and murder innocent unarmed civilians who pay tax to support them without any form of instigation whatsoever simply because their Commander-in-Chief is a Sunni Muslim and their victims are Shiah Muslims.

Being a proxy war they are fighting for their masters in America, Israel and Saudi Arabia, it was easy for them to initiate the Kaduna state Governor Nasir El-Rufai, an amateur politician looking for the slightest opportunities, into the project.

Governor El-Rufai in whose state the historic genocide took place decided to play a major role to please his masters. He took everything personal and was in an all-out war with the IMN. He even got himself initiated into the global Wahhabbi/Salafi club, the official Islam of CIA and founders of international terrorism.

He even embraced the local Wahhabi dogs that blackmailed him during his campaign days by accusing him of being a Shiite by printing and spreading posters containing his picture when he visited Sheikh Zakzaky in Zaria after the 2014 genocide where he joined hands with them to fight a common enemy, The Shiites!

During their attack on IMN, the Nigerian Army used Rocket Propelled Missiles, Armored Personnel Carriers (APC) and Automatic Machine Guns (AMG) on unarmed civilians made up of women, children and youth struggling to duck and hide with a lot of them trapped inside building roofs and soak away pits for days. Knowing fully well that they have committed crimes against humanity they decided to also kill all possible evidences.

Governor El-Rufai employed state machinery to help demolish the physical evidences of the army terror on IMN property and pretended nothing happened. He ordered the demolition of the residence of the leader of the IMN as well as the Husainiyya Islamic Center where even the rubbles was packed away to unknown destinations. The entire area was cordoned off and all blood stains were washed off the streets and they picked up bullets and bomb shells they used on IMN as revealed by the Amnesty International.

Being that they have killed just too many people, running to over a thousand within the 36 hours of operation and there were just too many people with bullet injuries that were summarily killed by the army, they now joined hands together again with governor El-Rufai to hide the casually figures by burying them in a mass grave far away from the site of the genocide.

There too they wanted to hide the incident to the public where the Chief of Army Staff Lt. Gen. Tukur Buratai claimed before the National Human Rights Commission that he killed only seven people and the army also took along that track.

Revelations that included satellite footages released by the Amnesty International forced the Kaduna Governor to reveal that they buried 347 in a mass grave in Mando near Kaduna, about 100 kilometers away from the site of the genocide. This is just one of the mass graves they have revealed.

There wasn't anything to show that all of those buried were actually dead. This was in total violation of all known law within and outside Nigeria. Despite this violation there was a statement released from the office of Governor El-Rufai claiming that what he did was in accordance with the provisions of the Geneva Convention just to deceive the ignorant public.

They violated the provisions that have to do with identification of those buried, proximity of the mass grave, confirmation of cause of death and those that are actually dead, burial rights in accordance to religion and a mischievous burial in the middle of the night.

Governor El-Rufai went further to spread hate speech on the IMN and its leadership all in order to justify the crimes against humanity they have committed.

He claimed that the IMN was an insurgent group without any reference or evidence; he claimed that the IMN as a religious group is not registered and he also declared the IMN as an unlawful society based on laws that are inferior to the Nigerian Constitution all to save his neck from crimes against humanity.
This led to mass killings of IMN members by his sect members escorted by Police in Kaduna, Funtua, Kano, Jos and other places. IMN members were attacked and killed and their property destroyed while the state executives looked the other way.

The issues of mass grave, demolition of evidences, hate speeches and misuse of office to deceive the public on his criminal role on humanity are very substantial in getting him prosecuted at The Hague.

There is a study published by the Associated Press on 30 August 2016 in which it was revealed that 72 mass graves have been located in Iraq and Syria which resulted from activities of the American backed ISIS.

The estimated number of bodies inside them based on excavation findings and memories of witnesses and survivors ranges from 5,200 to 15,000. Majority of those mass graves are located in Iraq.

In Nigeria also there are mass graves that resulted from acts of state terrorism and genocide perpetrated by the Nigerian Buhari regime in Zaria in December 2015. The government was forced to confess illegally mass burying 347 IMN members that were victims of mass genocide it perpetrated. The IMN on the other hand has collected names and profiles of almost nine hundred missing persons since the pogrom.

Under Article 7 of the Rome Statutes, enforced disappearance and extra-judicial killings which may lead to existence of mass graves are unlawful and when perpetrated as part of a widespread or systematic attack directed against civilians may constitute a crime against humanity.

Similarly directing attacks at a civilian population or willful killing as perpetrated by President Buhari, Gen. Burutai and Governor El-Rufai within an armed conflict may constitute war crime under Article 8 of the Rome Statutes.

In addition and consistent with most religious and cultural practices, customary, international humanitarian law prohibits the despoliation and mutilation of the dead under Article 8(2)(b)xxi and 8 (2) (c) (ii) of the Rome Statute. Outrages against personal dignity in particular humiliating and degrading treatments are war crimes that can have adverse effects on investigation and identification efforts.

Building on these legal provisions international legal scholars believe that indecent disposal of corpses as done by Governor El-Rufai to IMN members in December 2015 amount to international crime against humanity itself. Hence, the International Criminal Court (ICC) must prosecute Governor El-Rufai for crimes against humanity he perpetrated against IMN.

**Aid Group Says Cameroon Expelling Refugees to Nigeria**  
The Washington Post  
April 19, 2017

The Doctors Without Borders aid group says it has witnessed Cameroon's military returning Nigerian refugees to their country as the number of people fleeing hunger and Boko Haram extremist violence there has mounted.

The medical charity said Wednesday its teams have observed refugees being returned to Nigeria several times last year and this year.

A Cameroon government spokesman strongly denies the allegations. Issa Tchiroma calls them "particularly unjust."

Doctors Without Borders, also known by its French acronym MSF, described a dire humanitarian situation in Nigeria's northeast, saying health facilities are not functioning and it is too dangerous for patients to travel.

The northeast is home to Boko Haram, which continues to carry out suicide bombings even as Nigeria's military pushes it from strongholds. The insurgency has left millions facing hunger.

**Nigeria's Army Launches Month-Long Operation to Stem Deadly Ethnic Violence**  
Reuters  
By Paul Carsten  
April 19, 2017
The Nigerian army on Wednesday launched a month-long operation to reduce violence in the center of the country, as ethnically charged fighting pressures a government already tackling Boko Haram in the northeast and militants in the oil-rich south.

Hundreds are thought to have died in clashes that often carry religious overtones in deeply divided Nigeria, with Muslim herders facing off against Christian farmers in a country almost evenly split between the two faiths.

Precise figures for deaths are hard to come by, but the incidents threaten a political backlash for the administration of President Muhammadu Buhari, himself a Muslim.

"The operation is aimed at addressing the issue of insecurity in southern Kaduna state and parts of Kano, Plateau and Bauchi states," said the military in a statement.

The army will also offer humanitarian aid to the region including medical support, it said.

Buhari, a former military ruler, had vowed to restore order in Africa's most populous nation when he came to power in May 2015.

Mali

Mali: "There Is A Crisis Overlap in Northern Mali"
Medecins Sans Frontieres
By Côme Niyomgabo
April 20, 2017

Interview with Côme Niyomgabo, Head of Mission in Mali

Côme Niyomgabo has just returned from Mali where for more than two years he has been coordinating MSF’s work in the regions of Gao and Kidal, in the north of the country.

How has Mali changed in these two years?

The evolution of the conflict has not been positive. I arrived in Mali in February 2015, a few days before the Algerian accords between the government of Bamako and several pro-independence and pro-government groups in the north were made public; they were finally signed on 20 June the same year. Despite signing the agreement, its implementation was fraught from the beginning and hostilities between the armed groups in the north did not stop. Some months later, a pact was agreed at community level among Tuareg groups in the town of Anefis, but this has not led to increased peace and stability. Since then, the presence and attacks of jihadist groups has increased considerably, there has been an outburst of conflicts between communities spearheaded by armed groups, and crime has also increased. In this context, the humanitarian space has been further reduced in the affected regions.

What is the humanitarian situation in the north of the country?

In Mali, there is not a single crisis; there is an overlap of crises that adds up to a chronic crisis. If we do not say that there is an acute humanitarian crisis in northern Mali today, it is only because of the low population density in the area. The northern regions of Mali account for two-thirds of the country's territory, but have a population of less than two million people. The majority of the people are nomadic, so it is easy for their situation to go unnoticed, even if it is critical.

There is now the risk of an acute crisis in the centre of the country. Radical groups have moved in, taking advantage of the population's sense of neglect and injustice from the government, while the historical conflicts between the Bambaras (traditionally grain farmers) and Peuls (traditionally livestock farmers) groups continue.
Meanwhile, it seems that international actors are starting to show signs of fatigue of the crisis, with the Humanitarian Plan barely reaching 37% of its funding goal last year.

Has the population situation in northern Mali improved in these two years?

It depends on the area. In Gao, for example, the government (which was completely absent after the Tuareg rebellion in May 2014) slowly started to return to the region at the beginning of 2015. However, its presence is limited to towns and is almost symbolic in terms of providing social services for the population. On the other hand, in 2015 there were many more humanitarian actors and funding. Now, humanitarian assistance has declined sharply and the government has not yet been able to cover the needs, mainly in peripheral areas that are often under the control of armed groups. So, the population is in a more marginal situation.

In Kidal, the government is still completely absent, and after more than five years of armed conflict, the people have no further resources to deal with the crisis. However, the humanitarian organizations that left the region mainly due to insecurity reasons have begun to return, including MSF, and more actors are now arriving. Overall there are now more services than in 2015 but they are still insufficient.

MSF has just published a report on the appropriation of humanitarian aid by armed actors. How is this happening on the ground?

The two main military operations in Mali – the UN mission (MINUSMA) and the French military operation Barkhane – use humanitarian aid for their military and political objectives. Today, there are examples of soldiers distributing medicines in a health centre, but not in response to needs, rather to improve their acceptance for the benefit of their own interests.

The risk of this policy is enormous for us as we depend on the acceptance of the population and all armed groups to do our work. If we are seen as collaborators to one of the parties in conflict, this acceptance can be broken and we can become targets of attacks by other groups, preventing us from doing our work and assisting the population. That is why we have published this report to ask all actors to establish a clear separation between humanitarian assistance and military operations and objectives.

Can you give us an example of how this appropriation of aid is harmful to humanitarian aid?

In January 2017, we went to Douentza, in the centre of Mali, to assess the humanitarian situation and see if an intervention was necessary. A few weeks earlier, local elections had been held. The military were afraid of being attacked by the armed groups present in the region, so they decided to hold the elections at the health centre, which was then attacked by the armed groups to demonstrate their lack of support for the elections. The health staff left the area and the health centre was closed, depriving people of access to health care.

Another example of the potential risk to humanitarian activities is the foreign military’s use of unidentified vehicles to avoid being easily identified and directly targeted by armed actors. Since these non-identified vehicles can be confused for humanitarian vehicles, there is a real risk that armed actors will begin to target all non-identified vehicles with the assumption they are carrying military personnel.

What projects does MSF currently have in the north of the country?

We are working in Ansongo district, in the Gao region, supporting a referral hospital and a health centre. In addition, we have identified key people within the nomadic community and trained them to be able to diagnose and treat the most common diseases during the six months of the year in which these people migrate with their livestock far from the health centres. In 2016, we also provided preventive antimalarial treatment to more than 57,000 children during the peak malaria season, while we implemented a massive vaccination campaign.

In Kidal, we are supporting two health centres in the town and four more on the outskirts. Last year, in collaboration with local authorities, we were able to implement a malaria prevention campaign in the area for the first time, which reached more than 16,000 children.

Finally, we will soon start a project in the area of Douentza, in Mopti, supporting the reference hospital.

Mali Militants Frustrate Peace Keepers
AllAfrica
By Rudd Konte
April 20, 2017
Peace Keepers in Mali are enduring daily attacks from militants thriving on the anarchy prevailing in the country. Two attacks have been recorded this week, which left several members of the United Nations Multidimensional Integrated Stabilization Mission in Mali (Minusma) and civilians injured. A vehicle belonging to the peacekeeping mission has struck an improvised explosive device or mine about 30 kilometres south of Tessalit in the Kidal region. The vehicle, part of an escort of a logistics convoy, has been damaged. In another incident, unidentified armed men have targeted positions of the Malian Armed Forces and the National Guard at Gourma Rharous, located about 120 kilometres east of the capital Timbuktu. "There is hardly a day when reports of abominable acts of terrorism committed by enemies of peace and this country and its people are not received," said Mahamat Saleh Annadif, Minusma head. He described the attacks as cowardly. "Their goal is to impose the reign of violence and chaos." Mali has been in turmoil since a coup in 2012.

Mali Extends State of Emergency
World Bulletin
April 20, 2017

A state of emergency that has been in force almost non-stop for 17 months in Mali was extended by 10 days from Thursday, the government said.

The measure has been renewed several times since jihadists stormed the Radisson Blu hotel in Bamako in November 2015, killing 20 people in an attack claimed by Al-Qaeda's regional branch.

The west African nation's troubled north has witnessed a spate of rebel strikes despite the emergency. On Tuesday armed men killed five soldiers and injured 10 others in an attack on an army post in the tense Timbuktu region.

"Almost every day we receive reports of abominable acts of terrorism committed by enemies of peace and enemies of the country and its people," Mahamat Saleh Annadif, the head of the UN peacekeeping mission in Mali, said on Tuesday.

The government on Wednesday said the extension was needed as the "security situation in Mali and in the sub-region is still characterised by the continued threat of terrorism and serious attacks on people and their belongings."

Mali's north fell under the control of jihadist groups linked to Al-Qaeda in 2012 who hijacked an ethnic Tuareg-led rebel uprising, though the rebels were largely ousted by a French-led military operation in January 2013.

But rebels continue to roam the country's north and centre, mounting attacks on civilians and the army, as well as French and UN forces still stationed there.

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The leader of the Tabliq Sect Sheikh Yunus Kamoga and 13 other accused persons yesterday chose the option of remaining silent as a form of their defence to rebut the allegations of being behind the wave of killings of rival Muslim clerics about two years ago.

"My lords, we had a discussion with my clients/ accused persons about their rights at this stage and they have decided to remain silent... " Counsel Fred Muwema, one of the lead defense lawyers in this case, told the International Crimes Division of the High Court yesterday.

In criminal law, the accused person/s once court establishes that he/she has a case to answer, they have three options to defend themselves.

The first option is to give their defense on oath with their respective lawyers guiding them and the state prosecutors cross examining them.

The second option is to give their defense not on oath, meaning that their defense lawyers won't guide them and the State prosecutors will also not ask them any questions.

The last option is to just keep quiet and equally no questions will be asked, an option that all the 14 accused persons chose yesterday.

Explaining the implication of remaining silent, human rights lawyer Ladislaus Rwakafuuzi said court will now have to rely on the evidence of the prosecution that is on record to reach its finding of either "a guilty verdict" or "not guilty verdict".

Mr Rwakafuuzi explained that if the evidence on record is sufficient enough, then court can convict them but if it's weak, then they will be acquitted.

In further explaining this option, Mr Rwakafuuzi said sometimes it's wise for the accused person/s to remain silent because putting a defence could strengthen the prosecution's weak case instead.

"When the court ruled that there is a prema-facie case against them, it meant that there was something or an allegation that needed to be explained by them.

However, if an accused person thinks the prosecution has not made out a case against them, it's better to remain silent or else you may strengthen the prosecution's case in attempting to defend yourself," counsel Rwakafuuzi said.

This is not the first high profile case that a suspect/s chooses to remain silence and in the end court acquits them.

About seven years ago, the Mufti of Uganda Shaban Mubajje, city businessman Hassan Basajjabalaba and Dr Edris Kasenene had been accused of fraudulent disposal of Muslim properties, forgery and conspiracy to commit an offence. They choose to remain silent and then Buganda Road Court Chief Magistrate Margaret Tibulya acquitted them.

It's alleged that the 14 accused masterminded the coordinated assassinations of rival Muslim leaders resulting into the killing of Mustafa Bahiga who was gunned down at Bwebajja Mosque and Sheikh Hassan Kirya, who was gunned down at Bweyogerere, Wakiso District.

They face grave charges ranging from murder, terrorism, crimes against humanity to attempted murder.

The accused

The other accused persons charged alongside Sheikh Kamoga include; Sheikh Siraje Kawooya, Abdulsalam, Abdulhamid Sematimba, Rashid Jingo, Twaha Sekkitto, Yusuf Kakande alias Abdallah, Sheikh Murta Mudde Bukenya, Kakim Kinene Muswaswa, Muzamilu Kasawuli, Arafa Serunjoji alias Bukenya, Badru Bukenya, Alex
The National Super Alliance (NASA) was formed in 2017. It aims to increase opposition chances of defeating President Uhuru Kenyatta. The announcement will be made just over 100 days before voting, but the country's ruling Jubilee party has said NASA's delayed candidacy selection only highlights its disorganization amid an election campaign plagued by violence.

On Thursday, President Kenyatta said he would not tolerate any violence in the lead up to Kenya's national election. The president's warning comes after chaotic party primaries resulted in bloody scuffles between rival political supporters.

"I and my administration are concerned that those incidents of chaos and violence that have sometimes featured in such primaries may be repeated," Kenyatta said in a televised press briefing at State House in the country's capital Nairobi. "Let me say clearly, again, a culture of hooliganism during the electoral process must not and will not be allowed to gain currency and acceptance."

This year's election comes a decade after disputed poll results fueled fighting that left more than 1,100 dead and hundreds of thousands displaced.

Election-fueled violence

The Kenya National Commission on Human Rights (KNCHR) as well as the National Democratic Institute (NDI) have warned of possible violence during this year's elections.

Primaries to choose candidates for local government and parliament have already been affected by violence and dramatic last-minute floor-crossings. Dozens were injured earlier this month at the Nairobi headquarters of opposition party Orange Democratic Movement (ODM), when supporters of one senate nominee drew guns claiming her rival had already secured the party ballot.

Local media also reported on Wednesday that fistfights between rival supporters left at least nine injured.

Ethnic and political alliances

Politics in the East African nation is decided largely along ethnic lines, with political alliances typically based on who can lure which votes from Kenya's influential five main ethnic groups.

Kenyatta, 55, is seeking a second and final term in office, running alongside his deputy William Ruto. The two men allied in 2013, bringing together two ethnic groups, Kenyatta's majority Kikuyu and Ruto's Kalenjin, who had violently clashed in 2007.

The wealthy son of the country's first president, Kenyatta managed to win the vote four years ago despite being charged with crimes against humanity by the International Criminal Court (ICC). The charges, over his role in the
In an attempt to oust the powerful party, five opposition heavyweights united under NASA. They have spent months agonizing over the winning combination of flag-bearers that will draw in the most votes from key ethnic groups.

NASA also ushered in new member Isaac Ruto on Thursday. The Governor of the southwest Bomet region brings with him support from Kenya's Rift Valley, the largest province in the country.

"We want to say no to misrule, we cannot continue like that, we must eliminate tribalism in Kenya, there are so many issues I have raised with the current regime for more than four years but they have continued to rubbish it and abuse everybody from Turkana all the way to Loitokitok. Is that the country we want?" Ruto said during his induction. "I cannot continue to associate myself or my supporters with such a ridiculous regime."

A confident opposition

Despite the upcoming late candidacy announcement, NASA members said Thursday's addition of Ruto highlights the diversity of its campaign. The support Ruto brings with him will help the opposition party remove Kenyatta from power, they said.

"The unity of our nation is within sight, I am proud to welcome honorable Isaac Ruto to the NASA summit, with his entry we launch a new march towards August 8 general elections," principle party member and former Prime Minister Raila Odinga said. "We will liberate Kenyans from the yoke of Jubilee."

Odinga, a veteran opposition leader, is a frontrunner for the opposition presidential candidacy. If chosen, the 72-year-old will face his last shot at the presidency after losing three past elections. He blamed his 2007 and 2013 losses on vote rigging.

This year, some 19 million voters are registered to take part in the election, pending a final audit to remove dead voters or double listings.

With an Eye on Electoral Violence, Kenya Keeps Tight Rein on Media
The Wire
By Justus Wanzala
April 25, 2017

As the clock ticks down to Kenya's general elections slated for August 8, a move by the Kenya Communication Authority (CAK) to make journalists adhere to guidelines on election coverage has elicited fear that the government could be trying to control how they report on the polls.

The rules, announced on February 28, require Kenyan journalists to keep all notes and recordings for six months and ensure that radio and TV guests do not make hateful statements about individuals and ethnic groups.

"Considering that most media houses are privately owned by influential politicians and well connected individuals, it remains to be seen whether those who flout the rules will face justice." – Kennedy Epalat

On March 7, the media managers also signed up to another poll coverage code designed by the Media Council of Kenya (MCK) in collaboration with Independent Electoral and Boundaries Commission (IEBC). The council is a quasi-governmental body charged with protecting media independence and enforcing standards of professionalism.

MCK rules also require media organisations to remain truthful to the tenets of responsible journalism that is sensitive to peace and objectivity during the polls. Kenya was engulfed in post-election violence in late December 2007 and January 2008 due to a poll dispute that saw some 2,000 people lose their lives and over 3,000 flee their homes. The media was blamed for not doing enough to forestall the violence, which took an ethnic angle.

The scenario was to influence the subsequent election in 2013, which was peaceful but saw the media depicted as being overly timid. Critics noted that most coverage failed to raise the tough issues facing the country during the election period.

Not everyone thinks the guidelines are a bad thing. According to Dennis Odunga, a reporter at the Daily Nation,
Kenya’s leading daily newspaper, enforcement of the rules will be a challenge as long as impunity continues to prevail. But the CAK guidelines are just a reminder that the media is expected to promote fair coverage in line with journalistic standards.

"For instance, keeping notes and recordings is not a new thing in the media world. It is a rule we apply when dealing with sensitive matters like in investigative stories," he observed.

He said that it is possible to check hate speech in both print and electronic media. In the case of radio and television programmes, hosts should be in control of their guests and be fast in interrupting those who use the platform to whip up ethnic emotions – although such a measure should be done with decorum.

"Freedom of expression and access to information is not absolute [under the constitution]," he noted. "But, being a government entity, we must be wary of the possibility of mischief in some of the rules, especially on programming that could affect the flow of revenue for media houses."

Fair coverage of the election might remain a mere wish anyway, given that media houses are known to be driven by both ownership and editorial interests, he said.

CAK's Angela Koki, speaking on behalf of Director General Francis Wangusi, told IPS that the Kenya Information and Communication Act 1998 gives the authority power to prescribe a code that sets standards for the time and manner of programmes to be broadcast.

She said the authority prepared the Programme Code and Complaints Handling procedure for use in the regulation of broadcasting services with stakeholders. "The consultation was done in line with the constitution and consolidation of inputs, the final documents were published and came into effect on 1st July 2016," she said.

In exercising its mandate, Koki said the CAK is simply reminding media houses about already existing regulatory provisions governing the responsible use of broadcasting platforms before, during and after the elections.

"Coverage of elections and political parties can be found under section nine of the Programming Code and requires that broadcasters provide equitable coverage and opportunities to political parties participating and candidates among other standards," she said.

On whether media practitioners are being burdened by the multiplicity of regulations, Koki said CAK's mandate is to regulate broadcasting houses as its licensees and does not extend to journalists or journalistic practices.

She added that the Media Council of Kenya (MCK) is the regulator mandated to handle professionalism and accountability of media workers and journalists.

"The requirement to keep broadcast recording for a period of one year and also the requirement of delay of live broadcasts by seven seconds so as to manage unintended content before it goes on air applies to broadcasting houses as an entity and not to journalists," she clarified.

She concurred with Odunga that the Programming Code is a living document and is to be reviewed every two years. She thus urges journalists to give their inputs towards the improvement of the document whenever there is a call for stakeholder consultations.

Her views were echoed by MCK Deputy Chief Executive Officer Victor Bwire who said there are no new guidelines announced by the communication authority of Kenya. He reiterated that the authority just talked about the need for implementation of its programmes code for radio and television that was instituted in 2016 noting too that CAK's programmes code was arrived at in a participatory manner.

Bwire said views were sought from CEOs of media houses and representatives of the Editors Guild. "They are really not new, we just update to include issues relating to gender sensitivity and emerging matters like fake news," he said.

"The aim is to ensure fair and professional coverage of elections. The measure is also aimed at adherence to standards, just as is the case in when it comes to climate change and business reporting. There is nothing new, if anything each media house has its in-house policy," he added.

Kennedy Epalat, a radio news editor at the Kenya Broadcasting Corporation, said CAK's move is influenced by the perception that media helped foment the post-election violence of 2007/8, especially local radio stations.
"By retaining the recorded material and the scripts for six months, relevant agencies get evidence to sustain prosecutions in order to avoid the propagation of hate in future," he observed.

In relation to radio and television guests, Epalat said it is incumbent upon programme producers to blacklist those with notoriety in propagating hate. Guests should also be prepared by the programme hosts on the dos and don'ts, although such measures are not devoid of challenges.

"In 2004, I black-listed a member of parliament [MP] from participating in my radio programmes because of attacking the president whenever he was talking about crime or corruption. This is even after asking him to avoid the same. I even told my presenter as much. Two months later, the MP was appointed as an assistant minister for Information and Broadcasting and asked my station to set aside one hour weekly for him which he would use to outline government policy. Fortunately, I was not victimised," he recalled.

Commenting on how the multiplicity of guidelines will impact the 2017 general election coverage, Epalat said that accessing information and freedom of expression will be impeded under certain circumstances.

"The people you seek information from may not offer that information as freely as they would do if you came from their community. People will tend to trust one of their own with information – especially if it is sensitive," he said.

He said the challenge will be aggravated if those covering the elections have not undergone training in light of the emerging rules. And like Odunga, he is concerned with the problem of impunity.

"Considering that most media houses are privately owned by influential politicians and well-connected individuals, it remains to be seen whether those who flout the rules will face justice," he observed.

To fellow journalists, he said since MCK has signed a memorandum of understanding with the IEBC on elections coverage, as long as they abide by its guidelines, and apply the rule of common sense; cognizant of the past chaotic elections, then they do not need to worry.

**Amid Violence and Fraud, Kenya has Hired International Auditors to Oversee Its Election**

Quartz

By Lily Kuo

April 26, 2017

**In less than 107 days, Kenya goes to the polls to elect a new president, 47 governors, 290 parliament seats, and 1,450 county level seats.**

But preparations for the upcoming general election in one of Africa's most stable democracies and largest economies aren't going so well. So far the process has been marred by delays, infighting, and protests.

The main opposition party, which has yet to choose a candidate, postponed its primaries after a warehouse storing its ballot papers was stormed this week. The ruling Jubilee party under president Uhuru Kenyatta last week cancelled all of its primaries because organizers ran out of ballot papers. The party explained the shortfall by saying, "nobody expected the kind of turnout we saw."

In primaries that did go ahead, police fired teargas on voters in western Kenya who claimed vote rigging. Angry residents in central Kenya burned ballots to protest missing candidate names.

The appearance of fair and free elections in Kenya is almost as important as the real thing. Few political transitions have gone smoothly in Kenya since it instituted a multi-party democracy in 1992. Accusations of vote rigging in the 2007 election erupted two months of violence, leaving more than 1,000 people dead and over half a million displaced. Similar accusations were made after elections in 2013, when electronic voting systems failed and officials had to revert to manual counting.

That's why, over the next few weeks, much hinges on the results of an audit of Kenya's voter registration poll. A massive voter drive has increased the number of registered voters by almost 40% since the last election, to 19.6 million, almost half of Kenya's population. Critics say the voter roll includes underage voters, dead people, and duplicate registrations.

The international auditing firm KPMG has been checking the names of voters against the government's birth and death registers, housing and population censuses, and recently issued passports and national identification cards. KPMG is to deliver its report to Kenya's election board in early May.
It may still be inconclusive. Kenya's birth and death records, as well as census data, are incomplete. A civil society group, Kenya Human Rights Commission, also says the audit doesn't address those left off of the register altogether or deep-seated mistrust among the public toward Kenya's election board.

"It will not be able to substantively comment on people's lived experiences with registration or on how voter registration problems are disenfranchising parts of the population," the director of the commission, George Kegoro, told local media.

Without assurances of transparency, more protests, violence, and instability for East Africa's largest economy are likely. Already, the International Monetary Fund has revised its forecasts for Kenya downward—to grow 5.3%, from an earlier prediction of 6%—due to heightened "political instability."

International observers are also wary. After sending a team of researchers to Kenya earlier this month, the Washington-based National Democratic Institute said in a report: "Numerous stakeholders asserted to the delegation that the question is not whether there will be violence, but how much and where."

### Rwanda (International Criminal Tribunal for Rwanda)

**Official Website of the ICTR**

**Rwanda: Return Home, Zimbabwe Tells Rwandan Refugees**

The New Times

April 24, 2017

**Zimbabwe will repatriate hundreds of Rwandan nationals staying in the southern African country as refugees in compliance with the Cessation Clause which has certified Rwanda as safe for them to return.**

The Zimbabwean Minister for Public Service, Labour and Social Services, Prisca Mupfumira, said the Rwandans should go back and participate in the rebuilding of their country. Minister Mupfumira said the Rwandans will be repatriated by December 31 this year.

The minister was speaking during her maiden tour of Tongogara Refugee Camp where she donated some foodstuffs last Friday.

Refugees from Rwanda, Burundi, DR Congo, Mozambique, Somalia and Ethiopia are staying at the refugee camp, almost five hundred kilometers south east of Harare.

"It's not the government of Zimbabwe coming with a position that Rwandan refugees must go back come December 31," Minister Mupfumira said.

"It's a position taken last year in October in Geneva affecting Rwandans where ever they may be."

She said refugee status should not be a permanent situation.

"The idea of being a refugee is not a permanent issue," said the minister.

"I have been a refugee before independence in the UK but when we got independence the UNHCR had to come and repatriate us."

She said Zimbabwe will comply with the Cessation Clause and repatriate all Rwandans.

"Come December 31 the Cessation Clause will come into effect. Our hands are tied because we have to comply with the UN," Mupfumira said.
But many Rwandan refugees staying in Zimbabwe are reluctant to return to their motherland. Some say they have already started families in Zimbabwe and can no longer leave the country.

Rwandan refugees fled to Zimbabwe in the aftermath of the Genocide against the Tutsi in 1994.

Previous statistics put the figure of Rwandan refugees in Zimbabwe at close to 400.

Recently government and UNHCR announced that voluntary returnees upon arrival in Rwanda, are given a lump sum of $250 per adult person to support their resettlement, while children are entitled to $150.

The government has already prepared Nyarushishi camp in Rusizi District to receive the returnees, according to Seraphine Mukantabana, the Minister for Disaster Management and Refugee Affairs.

By December 31, 2017, any Rwandan who will not have repatriated will not be considered as a refugee.

The Ministry of Disaster Management and Refugee Affairs estimates that about 280,000 Rwandans could be still living as refugees across 20 countries in the world. Majority of them, close to 245,000 are believed to be in the DR Congo.

**Zambian MPs Pledge to Help Bring Rwandan Genocide Suspects to Book**

*Lusaka Times*

April 25, 2017

*Members of the Zambian Parliament, who are in Rwanda for a study tour have pledged to press for Rwandan Genocide fugitives living in Zambia to be brought to justice.*

Led by Patricia Mwashingwele, the seven lawmakers yesterday met with their Rwandan counterparts, including Speaker Donatile Mukabalisa.

She explained that Rwanda's history offers lessons to the rest of the continent.

"We were briefed about the 1994 Genocide against the Tutsi and how Rwanda has risen from that and the aspect of reconciliation, working together as a nation. We understood that it's really the drive and the will in the people that matters if you are going to have things done correctly," she said.

She described the visit as an enlightening experience.

"What we've seen and heard has been extremely humbling. What we are taking away from here is not only technology and innovation but also the aspect of human experience that Rwanda went through in 1994. We want to have a better Africa and we believe Rwanda offers lessons," Mwashingwele said.

Zambia is said to host at least 10 Genocide fugitives.

Speaker Mukabalisa said the visiting lawmakers were briefed about the Genocide and its consequences.

"We told them that there are perpetrators who are yet to face justice living in different countries, including Zambia. We have also talked about the possibility of enacting laws that punish Genocide denial in Zambia as well as extraditing suspected perpetrators to Rwanda to face justice and they promised us to do something about it," she said.

The visit by Zambian MPs aims at sharing experiences and best practices on science, technology and innovation practices.

Earlier, the delegation held discussions with members of the parliamentary standing committee on Education, Technology, Culture and Youth.

**Finally Rwanda gets the apology it is owed**

*The Independent*

By Gerald Caplan

April 26, 2017

*April 7 marked the 23rd anniversary of the genocide of Rwanda's Tutsi by*
the country's Hutu majority, and the Roman Catholic Church has gifted the country with a belated treasure – seeking forgiveness for its complicity in the genocide. Pope Francis has acknowledged that the church bore institutional responsibility, as did individual priests and nuns who "succumbed to hatred and violence, betraying their own evangelical mission" by their participation.

Alas, his statement is fully two popes and 23 years late.

Those who still regard Africa as the dark continent might be surprised to learn that about 80 per cent of Rwandans are Christian, two-thirds of whom are Roman Catholic. This is true of both Hutu and Tutsi. It was Catholic missionaries, almost a century before the 1994 genocide, who popularised the notion of Hutu and Tutsi as two distinct, irreconcilable peoples, forever divided. For three decades before the genocide, the church helped disseminate the lethal proposition that the Hutu were superior to the untrustworthy alien Tutsi.

For most of the 20th century, the Catholic hierarchy in Rwanda shared power with secular authorities. In the years just before the genocide, the senior Catholic archbishop was an intimate of both the Hutu dictator and his wife, who ran the country as a corrupt ethnic family dictatorship.

Once the genocide began, church leaders, now mostly Hutu, failed to condemn their Hutu extremist friends who were carrying out this African holocaust. While some priests and nuns distinguished themselves by saving threatened Tutsi, far more, alas, actively collaborated with the genocidaires in their murderous exploits or at best stood by, silent.

Had they stood up and denounced the plot, had Pope John Paul II, a great traveller, flown to Rwanda during the genocide (as he had earlier) to demand that his flock stop their killing, the genocide might well have been stopped in its track. Instead, they allowed perhaps a million defenceless, innocent Tutsi to be murdered by the extremists.

When it was all over, Catholic officials, both in Rwanda and Rome, intransigently refused to apologise. Indeed, the defeated Hutu killers evidently had powerful friends in the Vatican who helped accused priests and nuns hide throughout Europe, evading justice. In 1996, for example, John Paul II refused to accept institutional blame for the church's role in the genocide. "The church in itself," he wrote, "cannot be held responsible for the misdeeds of its members who have acted against evangelical law."

Four years later, however, John Paul did make a general apology for a host of Catholic sins and crimes over its 2,000-year history. Anxious to be known as the great healer who recognised the Church's sins, the Pope even apologised for the two millennia during which his church fomented anti-Semitism among its flock. Yet he steadfastly refused to acknowledge, let alone apologise for, the notorious role of his church in setting the stage for, enabling and ultimately participating in the genocide in Rwanda.

To be fair, there were other sins for which John Paul II failed to apologise. In a powerful book, `Genocide in Rwanda: Complicity of the Churches', some 20 mostly Catholic writers, including the nun who co-edited the book and several Rwandans, overwhelmingly agreed that the church was indeed complicit. But not just in Rwanda.

Setting the larger perspective, one contributor, Jerry Fowler of the U.S. Holocaust Memorial Museum in Washington, pointed to the many other nightmares for which the church had never accepted responsibility, from Central America to Congo/Zaire. In those, Fowler wrote, leading church hierarchs had openly aligned themselves with terrorising elites who practised wholesale violence and unspeakable human-rights abuses, or at best, remained bystanders. The evidence, argued Fowler, showed that Rwanda was just another day's work for the Roman Catholic Church.

Today, the church is a house deeply divided. As a recent headline from the Guardian Weekly summed it up, "Civil War Strikes Vatican: Despite Francis's global popularity, rebellion is in the air." Nor is it clear Francis will best the intransigent old guard conservatives on many vital issues, including, shockingly, child abuse and its cover-up. But on Rwanda at least, and at long last, the side of the angels finally triumphed.
Kenyan military warplanes were reported to have launched an airstrike on al-Shabaab bases in Gedo region in southern Somalia on Monday night, Garowe Online reports.

Residents said Kenyan warplanes dropped bombs in al-Shabaab camp in War-Gadud, located 40 kilometers west of El Ade district in southern Somalia.

Residents confirmed to GO that Kenyan Defense Forces (KDF) planes targeted the militants' positions in the village and killed several fighters, while many others sustained serious wounds.

Other reports indicated that al-Shabaab fighters have responded with anti-aircraft missiles against the Kenyan warplanes, but so far it is not clear if they are any causalities behind the attack against the warplanes.

Sources added that residents were refused to approach the areas and were instructed to stay away over fears of intensified clashes and airstrikes in the area. Kenyan helicopters were spotted conducting surveillance missions over El Ade district and War-Gadud area on Tuesday morning.

However, the militant group al-Shabaab has not commented on the aerial attack targeting their bases in Gedo region.

The airstrike comes following recent Kenyan airstrikes in El Ade town that killed 135 al-Shabaab fighters, according to a statement released by the Kenyan Ministry of Defense.

At least five people were killed, and several injured when Somali National Army (SNA) soldiers exchanged fire in the capital Mogadishu on Wednesday, Garowe Online reports.

Witnesses confirmed to GO that the clashes took place at the busy market near Seypiano area in Mogadishu's Hodon district, where is the stimulant leaves, locally known as Khat is sold.

It is not yet clear the exact reason behind the deadly shoot-out that claimed the lives of five people, including local traders in the market.

More than five people, among them pedestrians were critically wounded in the skirmish, and were immediately taken to the hospital, according to the witnesses who spoke to GO over the phone.

Somali Police officers later intervened to end the deadly clashes in the market.

There were several incidents when Somali Military, police and Intelligence soldiers clashed in Mogadishu over suspicion and quarrel on the demolition of disputed slums; subsequently triggering a gun battle.

Somali army commanders and Benadir regional administration officials did not comment so far on Wednesday's confrontation in the capital, which has seen increased security incidents in the past weeks.

Al-Shabaab fighters have ambushed Ethiopian soldiers' convoy serving with the African Union Mission in Somalia (AMISOM) in the central region of
Dozens of al-Shabaab fighters attacked the military convoy on Wednesday in a remote area of Burdar, located 40 kilometers east of Beledweyne town, the regional capital of Hiiraan region.

"We were in state of fear and shock as both sides exchanged heavy weaponry, including RPGs and machine guns during the gun battle," said a resident in Burdar village, where the attack took place.

The number of casualties are not clear as the area, but al-Shabaab claimed through their affiliated media that they have killed two Ethiopian soldiers and destroyed military vehicles.

An official in the region who spoke on the condition of anonymity told GO that the Ethiopian troops switched off the telecommunication services following the attack, as they called-in for reinforcements.

AMISOM is yet to comment on the al-Shabaab attack against the Ethiopian forces as they were traveling in the main road connecting Beledweyne town to Buloburde town.

The areas has witnessed many ambushes against the AU and Somali forces over the past few years as al-Shabaab controls still large swathes of rural areas in Hiiraan region, and disconnected some main routes.

**EUROPE**

**The Court of Bosnia and Herzegovina, War Crimes Chamber**

Official Court Website [English translation]

Indictment confirmed in the case v. Saša Cvetković
The Court of Bosnia and Herzegovina
April 19, 2017

On 13 April 2017, the Court of Bosnia and Herzegovina confirmed the Indictment under which the Accused Saša Cvetković is charged with the criminal offense War Crimes against Civilians in violation of Article 142 of the Criminal Code of SFRY.

The Indictment alleges that the Accused Saša Cvetković, during a direct threat of war in the territory of the municipality of Srebrenica and Bratunac and armed conflict between the Territorial Defense of the Republic of Bosnia and Herzegovina and Army of Serb Republic of Bosnia and Herzegovina, in the territory of municipality of Srebrenica and Bratunac, committed murders and rapes of Bosniak civilians.

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Domestic Prosecutions In The Former Yugoslavia

Kosovo Indicts Ex-Policeman for 1999 War Crimes
Balkan Insight
April 20, 2017

*Kosovo's Special Prosecution charged a former police reservist with committing war crimes against civilians in Vushtrri/Vucitrn and Mitrovica, including "brutal" killings, intimidation and theft.*

Kosovo's Special Prosecution filed an indictment on Thursday charging a former police reservist with committing war crimes against the civilian population between the town of Vushtrri/Vucitrn and the villages of Studime e Eperme/Gornja Studimlja and Studime e Poshtme/Donja Studimlja on or about May 2, 1999.

The suspect is also accused of committing war crimes against civilians at the Smrekovnica Detention Centre in the Mitrovica municipality in the weeks afterwards.

"These crimes include brutal and unlawful killings, inhuman treatment, causing immense suffering, application of measures of intimidation and terror, property confiscation, pillaging, and stealing [on a large scale]," said a statement issued by the EU rule-of-law mission EULEX.

The suspect, identified only by the initials Z.V., was charged after having been extradited from Montenegro, the statement said.

Serbia Shortlists Chief War Crimes Prosecutor
Balkan Insight
By Marija Ristic
April 20, 2017

*At a government session on Thursday, prosecutors Snezana Stanojkovic and Milan Petrovic were proposed as candidates to lead the Office of the War Crime Prosecutor, established in 2003 to prosecute crimes that were committed during the 1990s wars in the former Yugoslavia.*

The government's proposal will be sent to the parliament for the final vote, the date of which has yet to be set.

Petrovic is currently acting head of the War Crimes Prosecutor's Office, while Stanojkovic works in the same office as a prosecutor.

The State Prosecutorial Council, the body in charge of pre-selecting prosecutors, sent a list of three candidates - Stanojkovic, Petrovic and Dejan Terzic - to the government in October, but no decision was made for six months, leaving the vital institution in limbo.

Serbia has been without a chief war crimes prosecutor since December 2015, sparking criticism from independent bodies, human rights organisations and the European Union in its annual progress report.

According to observers, this has further damaged the already fragile institution, which has been suffering from a lack of support and resources, as well as being subjected to political pressure over the last couple of years.
The number of war crimes prosecutions has been the lowest for years - in 2014, only four indictments were issued, in 2015, there were no indictments, while in 2016 eight were issued; one was the first ever Serbian case for war crimes in Srebrenica, but the others mostly small-scale crimes with one defendant.

This month the prosecution issued two new indictments related to the Bosnian war - one for the murder of Bosniaks in town of Strpci and for the killings in Sanski Most.

No indictment for war crimes in Kosovo has been issued for three years.

Prosecutors have also failed for the first time to attend regional meetings with their colleagues from other former Yugoslav states aimed at boosting cross-border cooperation, which is crucial to ensure prosecutions of suspects living in other countries.

Pressure and threats

Vladimir Vukcevic, the former and so far Serbia's only chief war crimes prosecutor, ran the office since it was established in 2003 until 2015.

But many claimed that his office was never truly independent and prosecuted suspected criminals according to the government's agenda.

Vukcevic's critics also accused him of lacking the courage to prosecute Serbs - or claimed that what he damaged the national interest by only convicting Serbs.

Tabloid newspapers also often targeted the chief prosecutor and his advisers as 'traitors' who were taking orders from foreign embassies.

After some of these front-page accusations, people working in the prosecution received threats, some of which targeted their families, while the chief prosecutor was even guarded by the police for some periods.

The threats increased in 2014 after several politicians, mainly from Prime Minister Aleksandar Vucic's ruling Progressive Party, publicly accused the prosecution of working for foreigners.

Since it started working in 2003, the War Crimes Prosecutor's Office has secured the convictions of 73 people in 45 cases. At the moment, there are 19 war crimes cases ongoing before Higher and Appeals Courts in Belgrade, while 14 further cases are in the investigation phase.

No army or police general has ever been indicted. According to an OSCE report published last year, none of the defendants prosecuted in Serbia so far held "high-ranking positions at the time of the offences", while only ten per cent of them were medium-ranking.

The report also said that most of the 27 cases focus on more minor incidents - 40 per cent of the cases involve three victims, while four cases involve killings of 100 people or more, and another four involve the killing of 50 or more.

Major challenges ahead

Whichever prosecutor is chosen for the post already has a full agenda ahead.

In the national strategy for war crimes prosecution that was adopted in February 2016, the government made significant pledges to improve its record.

The prosecution office has also been urged to adopt its own investigation strategy, and has already missed the deadline set by the EU as part of Serbia's accession negotiations.

Serbia's further progress in the EU negotiations, especially within Chapter 23, the section that covers the rule of law, will be partly assessed on the basis of how successful the War Crimes Prosecutor's Office will be in dealing with violations committed during the 1990s wars.

Serbia will also have EU member Croatia exerting pressure, as Zagreb is still threatening to block Belgrade's progress in the EU talks if it does not change a law that gives it universal jurisdiction over war crimes committed in the former Yugoslavia. Zagreb fears this will be used to target Croats.
At home, the new prosecutor needs to deal with a number of complex cases, like the one for crimes committed in Srebrenica, which defence lawyers have already claimed is based on poor evidence.

It also needs to finally launch several new cases - prosecutions for the murders of three Albanian-Americans after the Kosovo war, and for the killings of 300 Albanian civilians in the village of Meja in Kosovo during the 1999 conflict.

More importantly, it needs to secure genuine support from the government so it can get the personnel and resources that it needs to do its job.

The new chief prosecutor's actions will be closely scrutinised by Brussels, but in order to fulfill the EU's demands, serious domestic challenges will have to be overcome first, observers believe.

Serbian Court Refuses to Call Mladic to Testify
Balkan Insight
By Vanja Djuric
April 21, 2017

A call for former Bosnian Serb military chief Ratko Mladic to testify in an appeal against the acquittal of ten people accused of aiding him while he was a fugitive was dismissed.

The Belgrade appeals court on Friday rejected the defence's call for Mladic to take the stand and give evidence in support of ten people accused of helping him evade arrest while he was on the run from war crimes charges between 2002 and 2006.

"This wasn't officially proposed before this hearing today, so we decided to reject it," said appeals court judge Omer Hadziomerovic.

Defence lawyer Goran Petronijevic argued that Mladic's testimony might help exonerate the defendants.

"He [Mladic] knows best if someone has been hiding him, and who," Petronijevic told the court.

Stanko Ristic, Ljiljana Vaskovic, Borislav Ivanovic, Predrag Ristic, Sasa Badnjar, Ratko Vucetic, Tatjana Vaskovic Janjusevic, Bojan Vaskovic, Marko Lugonja and Blagoje Govedarica were all acquitted in May 2016 of helping Mladic dodge his pursuers.

They had been accused of aiding Mladic at various periods of time between 2002 and 2006, although they knew that the International Criminal Tribunal for the Former Yugoslavia had issued an arrest warrant for him.

They were acquitted because the court found that the statute of limitations had expired.

In previous phases of the case, Marko Lugonja, a high-ranking Bosnian Serb military official, did not deny that he helped Mladic, although the other defendants insisted they did not.

In court on Friday, defendant Stanko Ristic said: "I am innocent." Others also insisted they were not guilty.

The court will now consider its verdict in the case.

The original indictment alleged that Bosnian Serb Army officer Jovo Djogo was the main organiser of the attempts to conceal Mladic, but he died during the trial.

Mladic was eventually arrested in 2011 in the village of Lazarevo near Zrenjanin in northern Serbia after 16 years on the run.

He is now on trial in The Hague for genocide in Srebrenica, the persecution of Bosniaks and Croats throughout Bosnia and Herzegovina, which reached the scale of genocide in several other municipalities, terrorising the population of Sarajevo and taking UN peacekeepers hostage.

The defence and prosecution gave their closing statements in his trial in December last year.

The verdict is due in November.
An ex-soldier accused of involvement in the killing of Kosovo Albanians in 1999 while he was serving with the Yugoslav Army will start next month - the first war crimes trial in Montenegro in years.

Montenegrin citizen Vlado Zmajevic, suspected of killing of at least six ethnic Albanians in Kosovo in 1999, will go on trial for war crimes on May 10.

It will be the first war crime trial in Montenegro in several years; the country's judiciary has tried only six cases so far, which all concluded by 2013, the majority ending in acquittals.

Zmajevic, who was part of Yugoslav Army forces fighting in Kosovo in 1998 and 1999, was arrested by Montenegrin police in last August in the town of Niksic.

Zmajevic is charged with having committed crimes against the civilian population.

"The suspect will be questioned by the special prosecutor, after which a decision on further proceedings in this case should be made," the Special Prosecution said in August last year.

According to the Humanitarian Law Centre in Kosovo, Zmajevic is a key suspect in a crime committed by Serbian paramilitaries in the Kosovo village of Zegra in March 1999.

He was one in the group of seven fighters allegedly involved in the killings of Kosovo Albanians in Zegra, the director of the Humanitarian Law Centre, Bekim Bljakaj, said on Thursday.

"Based on the testimony of eyewitnesses, on March 29, 1999, eight buses with obviously army volunteers came to the village and killed six people," Bljakaj told Radio Free Europe.

"Of course, they were all civilians, of Albanian ethnicity, including old men and women. What we know so far is that there were two women and four men," he said.

Zmajevic's name is mentioned in Hague Tribunal records relating to the trials of Serbian police general Sreten Lukic and Yugoslav Army general Nebojsa Pavkovic.

Defence witnesses in both cases claimed Zmajevic was responsible for the killings in the village of Zegra.

According to the Hague court's records, Zmajevic was a member of the Yugoslav Army's 175th Motorised Brigade.

After the war in Kosovo ended in 1999, he was arrested, prosecuted by the army and sentenced to 20 years in prison for the crimes in Zegra.

However he did not serve the sentence; the reasons for this are unknown.

Three former Croatian military policemen were jailed for crimes against Serb prisoners of war who were beaten and tortured at the Lora prison camp in the coastal city of Split in 1992.

Former Croatian military policemen Tonci Vrkic, Ante Gudic and Andjelko Botic were convicted on Monday of committing war crimes against Serb prisoners of war at the Lora military prison camp in Split in 1992, Croatian news site Index reported.

In the so-called 'Lora 2' case, Split county court sentenced Vrkic, the deputy commander of the camp, to six years in prison, and two members of the 72nd battalion of Croatia's military police, Gudic and Botic, to four years each.
The men were found guilty of physically abusing the prisoners in the camp. Prisoners were beaten, tortured with electricity, subjected to mock executions and doused with cold water.

Some of the prisoners sustained bullet wounds and broken bones, and three of them – Bojan Vesovic, Dusan Jelic and Vlade Savic – were killed and buried in an Orthodox cemetery in the western Bosnian town of Tomislavgrad. They were later exhumed and reburied by their families.

In a separate case in 2007, the Croatian supreme sentenced Vrkic to eight years in prison, and Gudic and Botic to six years for war crimes against Serb civilians at the Lora camp in 1992.

In this case, which was dubbed 'Lora 1', the former military policemen were tried for the torture and abuse of Serb civilians, and the murder of two of them, Gojko Bulovic and Nenad Knezevic.

As a result of these previous convictions and sentences, the Split court said on Monday that the men should serve combined prison sentences for both convictions: Vrkic ten years and Gudic and Botic eight years each.

Although the accused did not admit to committing the crimes, their defence representatives said that they will not appeal.

The trial in the 'Lora 2' case started in September 2015 but was postponed several times due to procedural issues.

Two men who were accused along with them, prison commander Tomislav Duic – arrested in February 2016 after 11 years on the run – and another military policeman Emilio Bungur – arrested in August 2015 after ten years on the run – are being tried separately.

Duic and Bungur are also undergoing a retrial in the 'Lora 1', case since the verdict was delivered in their absence.

Another case known as 'Lora 3', which centres on alleged war crimes committed against Yugoslav People's Army prisoners, mostly Montenegrins, is still being investigated by the Croatian state attorney’s office.

Kosovo Special Court Forced to Revise Procedures
Balkan Insight
By Marija Ristic
April 26, 2017

After Kosovo’s Constitutional Court said some of its procedural rules are not in line with the constitution, the new specialist court to try Kosovo wartime fighters must make changes, again delaying prosecutions.

The Kosovo Constitutional Court ruled on Wednesday that out of a total of 208 rules, ten provisions in the new Hague-based specialist court's Rules of Procedure and Evidence need further consideration as they are not in line with Kosovo constitution - meaning another delay to the start of its judicial work.

The president of the Hague-based court, Ekaterina Trendafilova, said that a new plenary session will be scheduled where the set of rules will be revised in line with the decision.

"The review by the Specialist Chamber of the Constitutional Court of the adopted Rules of Procedure and Evidence is an indispensable corollary to ensure that, as required by the Constitution of Kosovo, the highest human rights standards are applied by the Kosovo Specialist Chambers," Trendafilova said in a statement.

"Compared to other institutions dealing with similar crimes, this represents an innovative step forward," she added.

The rules will only enter into force once the Constitutional Court has finally determined that all them conform to Kosovo's constitution.

Once the rules are revised, the Constitutional Court will make another legal assessment, after which, if they are approved, they will enter into force in seven days.

According to the court the procedure and evidence rules are aimed at "enhancing the fairness, expeditiousness, efficiency, integrity and security of the proceedings before the Specialist Chambers, while complying with the Constitution [of Kosovo] and the highest human rights standards".
They also deal with the protection of witnesses, victims and other people at risk because of their testimony or cooperation with the new court.

Senior Kosovo Liberation Army figures are expected to be indicted and stand trial at the new court for alleged crimes committed during and after the war with Serbian forces.

It will hear cases arising from the 2014 EU Special Investigative Task Force report which said that unnamed KLA officials would face indictments for a "campaign of persecution" against Serbs, Roma and Kosovo Albanians believed to be collaborators with the Belgrade regime.

The alleged crimes include killings, abductions, illegal detentions and sexual violence.

International judges and prosecutors will staff the court, although it will operate under Kosovo’s laws.

The SITF report was commissioned after the Council of Europe published an inquiry in 2011 which alleged that some senior Kosovo officials, including current President Hashim Thaci, were responsible for various human rights abuses.

Thaci strongly denied the allegations, and since he become president, he has publicly supported the establishment of the new court.

For the past 18 years since the war ended, the international community has been administering justice in Kosovo, but its results have been poor - fewer than 20 final verdicts in war crimes cases. Serbia has prosecuted seven cases related to the Kosovo war.

However, it was believed that the Kosovo prosecution couldn't handle sensitive cases against high officials, which was one of the reasons why the international community decided to establish the new court.

In Kosovo itself, the court is seen as biased as it will only try former KLA fighters - people perceived as liberators by the majority of the country's Albanian population - while in Serbia, the court has wide support due to hopes that it will prosecute crimes against Serbs.

The Kosovo war saw some 13,000 people killed, mostly Kosovo Albanians, and a million expelled, while 1,666 people are still listed as missing.

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An airstrike by the American-led coalition fighting the Islamic State killed 18 Syrian fighters allied with the United States, the military said on Thursday.

The strike, on Tuesday in Tabqah, Syria, was the third time in a month that American-led airstrikes may have killed civilians or allies, and it comes even as the Pentagon is investigating two previous airstrikes that killed or wounded scores of civilians in a mosque complex in Syria and in a building in the west of Mosul, Iraq.

Tuesday's strike was requested by coalition allies who were on the ground near Tabqah, the United States Central Command, which oversees combat operations in the Middle East, said in a statement. The fighters had called in the airstrikes and "identified the target location as an ISIS fighting position," it said, using another name for the Islamic State.

The Central Command statement said that the target location turned out to be a "fighting position" for the Syrian Democratic Forces, who have been fighting the Islamic State alongside the United States.

It was unclear whether the strike came from an American warplane or one from the other coalition partners.

"The coalition's deepest condolences go out to the members of the S.D.F. and their families," Central Command said in the statement, calling the episode "tragic." Military officials said the cause is being investigated.

As the American-led military campaigns against the Islamic State in Iraq and Syria have intensified in recent months, so, too, have reports of civilian casualties and, now, friendly fire.

Military officials say that is to be expected as Iraqi forces try to retake Mosul in what is seen as the last big urban hurdle to defeating the extremist Sunni militant group in Iraq, and while forces allied with the United States are moving in on the group's de facto capital of Raqqa, in Syria.

President Trump has indicated that unlike President Barack Obama, who had his White House scrutinize many military operations, he will leave more operational decision-making to the Pentagon and to American commanders in the field.

That move has been welcomed by many in the military, who often expressed frustration at what they saw as a cumbersome decision-making process in Mr. Obama's White House. But it has raised questions about whether Mr. Trump is exercising sufficient oversight.

**Syria war: Thousands evacuated from besieged towns**

**BBC News**

April 14, 2017

Several thousand people have been evacuated from four besieged towns in Syria under a deal between the government and rebels.

People from the north-western towns of Foah and Kefraya were taken to government-held areas near Aleppo.

Evacuees from rebel-held Madaya and Zabadani, near Damascus, were bussed to Idlib province.

It is hoped that more than 30,000 people will be moved under the deal to end a grave humanitarian crisis.

Last month, the UN described the situation in the four towns as "catastrophic", with more than 64,000 civilians "trapped in a cycle of daily violence and deprivation".

Many people are reported to have died as a result of shortages of food or medicine.

Meanwhile, in Moscow, the foreign ministers of Russia, Iran and Syria pledged to investigate a suspected chemical attack in Syria earlier this month that the West has blamed on the Syrian government.
But Syrian President Bashar al-Assad has already said reports of a chemical attack committed by his forces were "100% fabrication".

'A difficult feeling'

Mohammad Darwish, who lived in Madaya, was a dentistry student in Damascus when the conflict began but for the past two years was one of just two medics treating about 40,000 residents.

He left his hometown today and sent the BBC this message: "It's a difficult feeling to leave your homeland, your memories, your families, your country. All negative feelings, we have it now."

Foah and Kefraya, most of whose residents are Shia Muslims, have been encircled by rebels and al-Qaeda-linked Sunni Muslim jihadists since March 2015.

Madaya and Zabadani, which are predominantly Sunni, have meanwhile been besieged since June 2015 by the Syrian army and fighters from Lebanon’s Shia Muslim Hezbollah movement.

As part of what is known as the "Four Towns Agreement", the warring parties have allowed the UN and the Red Cross to deliver aid on a few occasions in the past two years and to remove limited numbers of sick and injured people.

The evacuation deal was brokered by Iran, an ally of Mr Assad’s government, and Qatar, which supports the rebels. But critics say it amounts to forced demographic change.

Some 4.7 million people live in hard-to-reach and besieged areas in Syria, including 644,000 in UN-declared besieged locations.

The meeting in Moscow on Friday between Russian, Iranian and Syrian foreign ministers was the first held between the three allies since the US launched a missile attack on a Syrian airbase in response to the alleged chemical attack.

Russian Foreign Minister Sergei Lavrov said there was evidence that the suspected attack was "staged". He said Russia, Iran and Syria would conduct an "exhaustive, objective and impartial" investigation.

He also said the three allies were unanimous in considering the US missile strikes on Shayrat airbase "an act of aggression".

The alleged chemical attack targeted the rebel-held town of Khan Sheikhoun, and killed more than 80 people, including many children.

Recent attack on evacuated civilians in Syria 'likely a war crime,' says UN rights office
UN News Centre
April 18, 2017

The United Nations human rights office today expressed great concern about the safety of civilians being evacuated in Syria, saying a weekend attack on a convoy near Aleppo likely amounts to a war crime and the situation in Syria should be referred to the International Criminal Court.

"We add our voice to the condemnation of the attack near Rashideen near western rural Aleppo Governorate that hit a convoy carrying people from the besieged Syrian towns of Fuha and Kefraya to Government-controlled areas, killing dozens of people," Rupert Colville, a spokesperson for the Office of the UN High Commissioner for Human Rights (OHCHR), told journalists in Geneva.

"It is an attack which likely amounts to a war crime," he stressed.

OHCHR is calling on all parties to ensure the safety and protection of people being evacuated.

"We reiterate the High Commissioner's call for accountability and the need to refer the situation in Syria to the International Criminal Court," Mr. Colville said.

He noted that while OHCHR cannot confirm how the attack was carried out or those responsible, footage seen by
the Office "showed children gathering around a person giving out sweets just prior to the explosion."

Hospitals in Aleppo city received the bodies of 96 civilians, including 67 children, Mr. Colville confirmed, adding that the number of children reportedly killed is "particularly abhorrent."

In addition to the people killed, OHCHR has confirmed that some of the injured civilians remain missing.

"Some are believed to have been taken by armed opposition groups to opposition-controlled hospitals in Idleb Governorate," he said. "Due to their perceived sympathies for the Government of Syria, their families are concerned for their safety."

The groups are among those being evacuated from Fuha and Kerfraya as part of the "Four Towns Agreement" negotiated by Qatar and Iran. The two other towns are Madaya and Zabadani.

"These people had been living under incessant shelling for more than two years, with little food or medical supplies, and under the constant fear of attack by armed groups," Mr. Colville said.

Also today, the Security Council condemned in the strongest term the "barbaric and cowardly" attack, and expressed sympathy and condolences to the families of the victims and all other people in Syria.

In a press statement, the 15-member Council also reiterated the need to combat terrorism and to bring the perpetrators, as well as any group that financed or sponsored the attacks, to justice.

Today's condemnations echo senior UN officials, including the Organization's top humanitarian official and the head of the UN Children's Fund (UNICEF), who have expressed "horror" at the attack on civilians evacuated from the besieged towns.

Syria war: Sarin used in Khan Sheikhoun attack, OPCW says

BBC News
April 20, 2017

"Incontrovertible" test results show sarin gas or a similar substance was used in the chemical weapons attack in Syria earlier this month, the Organisation for the Prohibition of Chemical Weapons (OPCW) says.

Samples from 10 victims had been analysed at four laboratories, OPCW head Ahmet Uzumcu said.

The attack on rebel-held Khan Sheikhoun killed at least 87 people.

The Syrian military denied using any chemical agents.

Its ally Russia meanwhile said an air strike hit a rebel depot full of chemical munitions - but this suggestion has been widely rejected.

The US responded to the attack by launching air strikes on a Syrian military airfield.

Footage following the incident showed civilians, many of them children, choking and foaming at the mouth.

Mr Uzumcu said samples had been taken from three people who died in the attack and were analysed at two OPCW designated laboratories.

Another set of samples from seven people being treated in hospitals were also analysed in two other laboratories.

"The results of these analyses from four OPCW-designated laboratories indicate exposure to sarin or a sarin-like substance. While further details of the laboratory analyses will follow, the analytical results already obtained are incontrovertible," Mr Uzumcu said.

An OPCW fact-finding mission was ready to deploy to the town if the security situation meant it was possible, he said.

The team was continuing to conduct interviews and collect samples, he added.

Syria had been obligated to give up its chemical weapons arsenal under the terms of a deal agreed between the US
The chemical weapons attack in the Syrian town of Khan Shaykhun earlier this month has led to renewed calls for members of the Assad regime to face justice. Boris Johnson and Jean-Marc Ayrault recently wrote in The Guardian, for example, "there will be no impunity."

But promises by the international community to pursue justice in Syria are all too often short sighted and impulsive. They fail to consider how such promises will be carried out. If arrest warrants are issued, especially ones that target members of the Assad regime, who will arrest them? It is one thing to issue an arrest warrant; it is quite another to enforce it.

The Problem with Arrest

Judicial bodies set up to establish individual responsibility for the atrocities committed in Syria since 2011 have an important mandate—however, they have no teeth. International tribunals do not have their own police force. Instead, they rely on state cooperation to arrest suspects.

As a result, arrest warrants can linger for years, leaving victims in limbo as they wait indefinitely to see their perpetrators held to account. Since 2009, for instance, Sudanese President Omar al-Bashir has had two International Criminal Court (ICC) arrest warrants lingering over his head for charges of war crimes, crimes against humanity, and genocide in Darfur. Eight years later, the Court and those who advocated for its involvement continue to wait for his arrest in vain.

When arrest warrants linger like this, it seriously damages victims' faith in achieving justice (or at least those victims who are not yet disillusioned by international law).

The Problem with Trial

Moreover, without a realistic plan for how to ensure an actual trial takes place, knee-jerk justice promises unnecessarily raise the expectations of victims and set them up for major disappointment.

The prospects for fair trials that address the Syrian conflict are extremely weak. The ongoing violence and the practical challenges to ensuring that suspects are physically present at a trial only scratch the surface of the enormity of the task.

If a high-level Syrian suspect were to be tried, where would this trial take place? Ongoing violence and a deeply polarized judiciary would make Syria a very unlikely venue. If a trial were held inside Syria, we could be looking at another trial a la Saddam Hussein: limited in its charges, highly politicized, and rushed without due process, leaving many victims disappointed.

An international or even a hybrid tribunal would also face considerable challenges. Would the multiple parties to the conflict be investigated and tried for the atrocities committed since 2011? Who would ensure their arrest, custody, and physical transfer to the location of the tribunal? Would accused perpetrators be given a platform to spew political rants and posturing for the history books? And would victims from all sides be able to provide testimony without fear for their safety? What about the victims of both Assad regimes, pre-2011? Would they be given the opportunity to see their perpetrators on trial and to establish some form of truth regarding pre-2011 abuses? Would Syrian state agencies cooperate to enable the collection of evidence?

Pros and Cons to International Efforts

To be sure, calls for justice in Syria are not premature. If anything, they are very late, given that horrific atrocities have been committed in Syria not just since the 2011 uprising, but also for decades under both Assad regimes. The chorus of demands to hold Syrian war criminals accountable has led to some international activity around the
A few days after the chemical attack on Khan Shaykhun, several U.S. senators introduced the Syrian War Crimes Accountability Act. It calls for the potential creation of a hybrid tribunal "to hold Assad and his regime accountable for their heinous acts."

Efforts to trigger universal jurisdiction laws in Germany, Spain, Sweden, and other countries have been somewhat successful. A Spanish court is investigating the role of President Bashar Assad’s security forces in "state terrorism," following the kidnapping, torture, and execution of a truck driver in 2013. While this case addresses a single act as opposed to the systemic crimes being committed in Syria, it is a landmark case, as its investigation targets the Syrian leadership. But an arrest warrant in that case remains elusive.

Some would argue that some justice is better than no justice—that identifying the perpetrators by name and shaming them is in and of itself a form of justice. But naming suspects falls far short of any meaningful accountability. The absence of trials and verdicts only deepens the black hole of unanswered questions regarding who is responsible for such heinous crimes. For many, the fugitive lifestyle of named suspects—such as that which Omar al-Bashir has been comfortably leading since 2009—only compounds their sense of victimization, this time by an international criminal law that relies on the (non)cooperation of states to enforce its edicts.

There is also the broader question of whether the pursuit of criminal accountability in Syria harms the prospects for a resolution to the conflict. Thus far, neither peace nor justice has been achieved. In Yemen, immunity for former President Ali Abdullah Saleh has facilitated his thunderous political comeback. Embroiled in a brutal civil war that, like Syria, has several regional actors involved militarily, Yemen has seen neither peace nor justice since 2011.

In such a complex, deadly, and gruesome conflict, the priority is clearly to find a way to end the violence in Syria. There are no reassurances, however, that the conflict will end soon.

The Chinese and Russian veto of a U.N. Security Council resolution that would have referred the Syrian situation to the ICC was a blow to those seeking accountability in Syria. Hopes were then raised with the creation of the International, Impartial and Independent Mechanism (IIIM) to assist in the investigation and prosecution of those responsible for the most serious crimes under international law committed in Syria.

Such mechanisms, however, still have to contend with the challenge of establishing responsibility for individuals engaged in an ongoing and raging conflict. An ICC referral might have marginalized the Assad regime in certain international circles. But it would also renew accusations that the Court is imperialist, prosecuting the weaker countries and not the more powerful ones. Regardless, if Sudan provides any example, criminal charges would not necessarily help bring the conflict to an end.

It is, then, crucial to take a step back and consider other more realistic options for the pursuit of justice—whether now or in post-conflict Syria.

This is why the heroic efforts of Syrian activists, lawyers, civil society organizations, victims, and witnesses to document violations in Syria are vital. Such documentation is a treasure trove for investigations and future prosecutions. But it also lays the foundation for a meaningful national reconciliation process, the preservation of memory, and a potential truth commission.

While calls for justice are typically reactive, they must not be reckless. Empty promises of holding perpetrators to account will only further torment victims of the deadliest conflict of the 21st century.

Editor’s note: This piece originally appeared in Markaz.

Syrian opposition: ICC accepted lawsuit against Assad
Middle East Monitor
April 26, 2017

The International Criminal Court (ICC) has accepted the criminal lawsuit filed by the coalition against Syrian regime President Bashar Al-Assad for war crimes and crimes against humanity, the head of the legal committee in the National Coalition for the Syrian Revolution and Opposition Forces said.
In an interview with Quds Press, Haitham Al-Maleh said the coalition’s legal committee has filed a criminal complaint with the prosecutor's office of the International Criminal Court against Bashar Al-Assad, his brother Maher and nearly 126 military officials.

He said their acceptance of it is "very important" in order to hold the perpetrators of crimes in Syria accountable.

**Islamic State of Iraq and the Levant**

**Iraqi Held After Borussia Dortmund Attack Is Suspected of ISIS Ties**

*The New York Times*

By Alison Smale

April 13, 2017

An Iraqi who was detained after the bombing of a soccer team bus in Dortmund is suspected of having led an Islamic State unit before fleeing to Germany last year, the federal prosecutor said Thursday.

The 26-year-old Iraqi, identified only as Abdul Beset A. in keeping with German privacy laws, was arrested on Wednesday after the police searched his home in the Ruhr city of Wuppertal in connection with the attack on Tuesday that forced the postponement of a Champions League quarterfinal match.

One player was wounded in the bombing, which stirred widespread anxiety about the security of the nation’s — and the world’s — most popular sport, and the Borussia Dortmund team’s coach and several players spoke harshly about the decision to play the rescheduled game less than 24 hours later.

Frauke Köhler, a spokeswoman for the federal prosecutor's office in Karlsruhe, said there was insufficient evidence to link the Iraqi to the Dortmund bombing, but she maintained that he should be held because of his connection to the Islamic State.

"According to the findings," Ms. Köhler said, he commanded a unit of about 10 fighters whose task was to prepare and carry out kidnappings, blackmail and killings. He left for Turkey in March 2015 and arrived in Germany early last year, at the tail end of a wave of more than one million migrants.

The authorities said that a letter that was found after the explosions demanded that Germany withdraw its Tornado aircraft from the multinational campaign against the Islamic State in Syria and close Ramstein Air Base, a hub for American and NATO military forces.

The police, prosecutors and politicians have come under fire for failing to expel or detain Islamist suspects since it emerged that a Tunisian terrorist who seized a truck and plowed it into a Christmas market in Berlin last year, killing 12 people and wounding 50, was a criminal who should have been deported.

Last Friday, an Uzbek citizen stole a beer truck and rammed it into shoppers in Stockholm, killing four people. He, too, was ordered to leave months earlier.

The police also searched the home in Unna, near Dortmund, of a 28-year-old German, but found nothing linking him to the bombing, a spokesman for the federal prosecutor said Thursday.

The explosion of three devices placed in a hedge on the route taken by the soccer team’s bus to the stadium on Tuesday night prompted a national debate about security, particularly in Dortmund’s state, North Rhine-Westphalia, Germany’s most populous.

The debate is particularly intense there because the state harbors hundreds of people who are believed to be Islamists, and it will hold elections in May that are widely viewed as a bellwether before national elections on Sept. 24.
Chancellor Angela Merkel, a soccer fan who condemned the Dortmund bombing as a "repulsive act," said in an interview published on Thursday that the varying practices of the authorities in Germany's 16 states were partly to blame for the security problem.

In unusually direct terms perhaps dictated by the coming state election — her center-right party is expected to lose — Ms. Merkel criticized the state for failing, for instance, to allow spot ID checks and searches of people the police consider suspicious.

As home to almost 18 million people and one in five German voters, North Rhine-Westphalia also takes the most asylum seekers under a system devised by the Allies after World War II.

Tuesday's soccer match, the first leg of a Champions League quarterfinal against Monaco, was postponed that evening but quickly rescheduled to Wednesday evening, less than 24 hours after the bombing.

Monaco won, 3-2, with a return match next week. The decision by Borussia Dortmund officials and UEFA, soccer's governing body in Europe, to play so soon after the terrifying episode was denounced by the team's coach and several players.

"We were informed by text message," the coach, Thomas Tuchel, told reporters after the match. "To decide things in Switzerland when we are affected did not feel good."

"At the very least, it makes you feel powerless," he added.

Speaking in English at a news conference on Thursday, Mr. Tuchel said the feeling in the bus seconds after the bombing was "surrealistic." He said he hugged and comforted the players, some of whom witnessed the explosion.

"Those faces in the bus, in those minutes, will stay with me my whole life," Nuri Sahin, a Turkish-German stalwart of the Dortmund team, said after the match. "It was terrible."

Another team member, Roman Weidenfeller, said violence always seems far away, but suddenly it was "so close."

"We had great luck that it wasn't worse," he said.

Yemen

**US Major Funder of Saudi War on Yemen: American Activist**

Tasnim News Agency
April 16, 2017

A prominent anti-war activist based in California highlighted the US support for the war crimes committed by the Saudi-led coalition in Yemen and said Washington is "the major funder" of Riyadh's bombardment of civilians in the Arabian Peninsula country. "The United States is playing a very important role in supporting Saudi Arabia in these war crimes," Cindy Lee Miller Sheehan said in an interview with the Tasnim News Agency.

"Saudi Arabia plays a pivotal role in the region in making sure the oil keeps flowing to the United States, so in response, the US is allowing the Saudi murderous regime to perpetrate these crimes against the Yemeni people," she added.

Cindy Lee Miller Sheehan, son, US Army Specialist Casey Sheehan, was killed by enemy action during the Iraq War. She attracted national and international media attention in August 2005 for her extended anti-war protest at a makeshift camp outside President George W. Bush's Texas ranch—a stand that drew both passionate support and criticism. Sheehan ran for Congress in 2008. Her memoir, Peace Mom: A Mother's Journey Through Heartache to Activism, was published in 2006. Sheehan was the 2012 vice-presidential nominee of the Peace and Freedom Party.
Tasnim: For two years, the Yemeni civilians have been targets of cruel attacks and airstrikes by the Saudi-led coalition. Yemen’s Legal Center for Rights and Development, an independent monitoring group, has recently put the civilian death toll at 12,041, including 2,568 children and 1,870 women. According to the United Nations, nearly 3.3 million people in Yemen, including 2.1 million children, are acutely malnourished because of the war and total siege imposed on them. They include 460,000 children under age of five with the worst form of malnutrition, who risk dying of pneumonia or diarrhea. Why is the international community so indifferent to the heinous crimes committed by the Al Saud regime in the Arabian Peninsula country?

Sheehan: Don’t forget, though, that even though the Saudis are leading the bombardment, the United States is a major funder of the effort and has used bombs to target civilians in the country. I am not sure why there is so much indifference to the disaster in Yemen by the international community. I just know that most people in the United States, for example, either don’t know about it or are conditioned to believe that the US only slaughters people for very good reasons.

Tasnim: Certain Western countries are continuously claiming that they are champions of human rights. However, it seems that they are pursuing double standard policies on Saudi Arabia’s atrocities. On March 10, 2017, the administration of US President Donald Trump approved the resumption of weapons sales to Saudi Arabia which critics have linked to Riyadh’s killing of civilians in Yemen. The $1.15 billion deal was previously blocked by former President Barack Obama after Saudi warplanes targeted a funeral hall in Yemen killing scores of civilians, provoking an international outcry. How do you see the role of the US in the regime’s aggression against the impoverished Arab country?

Sheehan: Like I said in the previous comment, the United States is playing a very important role in supporting Saudi Arabia in these war crimes. Saudi Arabia plays a pivotal role in the region in making sure the oil keeps flowing to the United States, so in response, the US is allowing the Saudi murderous regime to perpetrate these crimes against the Yemeni people.

Tasnim: Since the start of its war on Yemen, the Saudi regime has failed to reach its objectives. In 2015, the kingdom had a record budget deficit of almost $100 billion, prompting it to rein in public spending in a bid to save money. Why is the regime continuing its heinous attacks on the Arab country despite its failures and cash-strapped economy?

Sheehan: I have heard that Afghanistan is the "graveyard of Empires," but I also know that Yemen has been extremely hard to conquer in the past. The attacks are heinous like you say, and the international community should demand that the war criminal Saudi regime immediately ceases its bombing campaign. There is absolutely NO excuse for allowing the people of Yemen to starve for the power mad Saudi royals.

Everybody knows that the Saudis are also brutal to their own people, especially women, and the USA should cease to support and ally with the Saudi monsters.

Tasnim: If possible, would you please make some comments on the recent US missile attack on Syria, which was launched under the pretext of an earlier suspected chemical attack in the Arab country?

Sheehan: Our analysis is that this is obviously not a new Imperial aggression, but only an escalation of a brutal policy against the Middle East that the US has been operating under for several decades.

Under Barack Obama’s mismanagement, US/Israel and Saudi Arabia have trained and given material support to terrorist groups, which have been operating in Syria to overthrow the Assad regime in Damascus for over four years. This is mostly because the Assad regime is the biggest ally of Iran in the region and because of the capitalist’s need to control resources and open new markets for its goods and services. This dangerous escalation by US imperialist forces must be strongly opposed due to the danger of regional and global escalation because the Syrian government has the support of Russia.

We would also like to note that Hillary Clinton the nominee of the DNC against Trump in 2016 came out of her self-imposed political-exile just hours before the US attack on the Shayrat Air Field in Homs saying (disgustingly, to huge applause) at a "Women in the World" summit in NYC:

"Assad has an air force, and that air force is the cause of most of these civilian deaths as we have seen over the years and as we saw again in the last few days. And I really believe that we should have and still should take out his airfields and prevent him from being able to use them to bomb innocent people and drop sarin gas on them."
This latest attack had come after a US strike killed over 200 civilians in Mosul, Iraq and an escalation of the US-led war against the people of Yemen. The "justification" given for the cruise missile attack in Homs is the government of Assad used chemical weapons against Syrians in Idlib and the alleged attack was launched from Shayrat Air Field. So far, the only "proof" we have seen of this attack is from inherent liars in US politics and their rubber-stampers in the propagandist global media. Additionally, this is also the only "proof" we have that Syrian president Bashar al-Assad is a "bad-guy."

These false "humanitarian" justifications smack of Iraqi WMD, babies being thrown out of incubators by Iraqi troops in Kuwait and the old adage that came from an officer during the US-led war against the people of Vietnam: "We have to destroy the village to save the village.

Parenthetically, we would like to take this opportunity to point out that many neo-conservative and neo-liberal pundits are now praising Donald Trump and calling him, "presidential" because of his unethical and illegal attack in Syria. What does that say about the US that a president has to join the long line of vicious murderers to gain legitimacy and respect?

In conclusion, we feel that the only way to end US imperial aggression, murder, and crimes against humanity, is to have international working-class solidarity and refuse to be used as pawns for US imperial hegemony.

Iran's defense chief rejects US claim of sending arms to Yemen

Press TV
April 19, 2017

Iranian Defense Minister Brigadier General Hossein Dehqan has rejected the US allegation that Tehran is sending weapons to Yemen, saying the claims were made as Washington continues to supply arms to terrorists committing crimes in different parts of the world, including in Syria and Iraq.

Dehqan's remarks came in response to US Defense Secretary James Mattis, who during a visit to Saudi Arabia on Tuesday, accused Iran of supplying missiles to Yemen's Houthi Ansarullah fighters.

The oppressed Yemeni people have stood up to the Saudi aggression, which has enjoyed full-fledged US support, by reliance on their own power and capabilities and have managed to prevent their foes from achieving their objectives, Dehqan said.

"Today, Takfiri-Wahhabi terrorists are committing crimes in different parts of the world, particularly in Iraq and Syria, with US-made weapons and munitions," Dehqan said.

He said the American officials had better review the historical record of US military interventions and war crimes committed in Vietnam, Iraq, Somalia, Afghanistan and recently in Syria and Yemen, adding that the US leveled accusations against others to get itself out of the quagmire it has been stuck in.

The US defense chief and other senior US strategists should know that the era of launching military aggression, accusing others and interfering in other countries' affairs has come to an end, the Iranian minister said, adding that the US needed to avoid playing blame games against other countries.

Dehqan said the US officials also needed to address their domestic problems instead of creating new crises and fanning the flames of war in the Middle East and on the Korean Peninsula.

Yemen has been under Saudi Arabia's military aggression since March 2015. Certain Arab countries, including the United Arab Emirates, Bahrain and Qatar, are partners to the Riyadh's military aggression, which has reportedly claimed the lives of more than 12,000 people, most of them civilians.

The military aggression was launched to reinstate Abd Rabbuh Mansur Hadi, the president who has resigned and is a staunch ally of Riyadh, and undermine the Houthi Ansarullah movement.

The US has so far sold weapons worth billions of dollars to Saudi Arabia.

In March, Amnesty International condemned the US and UK for their "shameful" weapons transfers to Saudi Arabia, saying Washington and London were fueling the serious human rights violations and war crimes in Yemen committed by Riyadh.
The US-backed Saudi-led coalition warplanes continued committing war crimes against the Yemeni people over the past hours, officials told Saba on Sunday.

One airstrike wounded eleven civilians, including women and children, when it targeted the regular road in Burkan area of Razih district, Saada province.

Another two airstrikes hit the car belonging to a citizen in Bin Hazen area in Serwah district in Marib province. Also in Marib, the enemy warplanes dropped cluster bombs on the Directorate of Harib Karamish.

In Taiz province, the aggression fighter jets launched two raids on Zahrawi area and Nar mountain in Mokha city, as well as one more raid on Kassara area in Makbanah district, five strikes on Ghurafi village and junctions of Moza and Wazieya.

In the capital Sanaa, the warplanes launched one raid on Dailamy air base.

In Hajja province, the warplanes waged six strikes on Mazrak area of Haradh district and one raid on Medi area.

In Lahj province, the enemy planes waged one airstrike on Kahbob area.

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

Was the Khmer Rouge Tribunal Worth It
Gulf News
April 14, 2017

After spending more than a decade and nearly $300 million (Dh1.10 billion), the UN-backed tribunal prosecuting the crimes of the Khmer Rouge has convicted just three men.

It appears now that they could be the only people to answer in court for the deaths of at least 1.7 million Cambodians from 1975 to 1979 in one of the worst episodes of mass killing in the last century.

Three more potential defendants have been investigated by the tribunal, an ungainly mix of Cambodian and international prosecutors and judges. But because of resistance on the Cambodian side, there are serious doubts that their indictments will proceed.

"From the start, the Cambodian government had a very different idea about how many people would be tried, and their view appears to be prevailing," said Alexander Hinton, an anthropology professor at Rutgers University-Newark. "The court's legacy will be tainted and greatly diminished if it fails to try further cases."

Awkward compromise

The trial’s slow pace and its susceptibility to political interference are in part a result of an awkward compromise reached by Cambodia and the United Nations when they agreed to set up a combined international court, which
formally began in 2006.

Questions about the tribunal's effectiveness and independence have been raised from the start. "From the perspective of truth and justice, a de facto show trial of a few senior political figures would almost be a worst-case scenario," Stephen Heder, an expert on Cambodia at the School of Oriental and African Studies in London, said in 2003 as plans for the tribunal were being put in place.

Of the three people convicted, two were members of the highest circle of the radical Communist regime: Nuon Chea, 90, who was No. 2 in the hierarchy, and Khieu Samphan, 85, the chief of state. They were sentenced to life in prison for crimes against humanity and are undergoing a separate trial for genocide and other crimes.

The third convict, Kaing Guek Eav, known as Duch, who commanded a notorious Khmer Rouge prison, was also sentenced to life in prison for crimes against humanity.

Prime Minister Hun Sen has opposed further indictments, suggesting that an expanded trial would lead to civil war. Hor Namhong, the former foreign minister, said when he held the post that further indictments "will not be allowed."

The government includes several former members of the Khmer Rouge, including Hun Sen himself, and it has been careful to protect its own. In addition to trying to limit the number of defendants, it has denied access to potential witnesses who now hold influential government positions.

Few defendants

The limited number of convictions is partly the result of the quarter-century of civil war and political turmoil that elapsed between the fall of the Khmer Rouge and the start of the trials.

Many potential defendants are no longer alive, including Pol Pot, the movement's chief, who died in 1998. Two of the original five defendants died before their trials were completed. The small number of defendants also reflects the court's narrow brief to try only "senior leaders" and those who were "most responsible" for the crimes.

That second category is open to interpretation and has so far been applied to only one person, Duch, the prison superintendent.

In February, the court ruled that another Khmer Rouge official, Im Chaem, 74, did not fit in the "most responsible" category, although she was accused of overseeing the deaths of tens of thousands of people in a labour camp. Charges against her were dropped, leaving her to tend her garden and enjoy living among her children and grandchildren.

But for all its flaws, the tribunal plays an important role in Cambodia's recovery from the Khmer Rouge years, said Hinton, author of a new book on the Duch trial, Man or Monster?

"Amid all of the political storms, it's remarkable that the court has been able to deliver two final judgements that are viewed as relatively fair and legally sound," he said, referring to the separate trials of Duch and of the two senior leaders. "It has delivered a degree of justice, both for the victims and the spirits of the dead."

He added: "Bottom line, would you rather have the justice that was rendered here — this court, with all its problems — or have nothing at all?" Given the political realities, he said, this was the only court on offer.

Without a tribunal to examine and adjudicate its traumatic past, Cambodia would in large part have been left in the dark, and the worst perpetrators would have been left to live out their days in quiet retirement.

In addition to the convictions it has reached, the tribunal has brought the crimes of the Khmer Rouge into the open in a society where survivors often prefer to forget and where the younger generation is often mistrustful and disbelieving.

Breaking Silence on Forced Marriage
The Phnom Penh Post
By Erin Handley
April 24, 2017

Mom Vun speaks not for the camera, but to a courtroom: "This was
unforgettable humiliation," she says. "I will never forget what happened that night." One of an estimated 250,000 Cambodian men and women, Vun was forced into marriage under the Khmer Rouge regime, in what is alleged to have been a state-sponsored program designed to bolster the population. Instead, it resulted in countless cases of rape.

The issue of forced marriage and rape came before the Khmer Rouge tribunal last year, grabbing international headlines. It's the subject of Breaking the Silence, a 50-minute documentary funded by the British Embassy and due to premiere in Phnom Penh tonight.

The reason the topic was catapulted to the world stage is, in part, because for so long it had remained forgotten – even ignored, suggests David Cohen, the director of the Handa Centre for Human Rights and International Justice at Stanford University.

A second reason, he suggests, is that sexual violence is pervasive in conflicts dotted across the world, although the crime of forced marriage is less common. "Sexual violence has to be seen as an inevitable, unfortunate consequence of mass atrocity and armed conflicts wherever they occur," he told The Post.

This, for many victims who had nursed their shame in silence, can be a bitter pill to swallow. The film explores how, after decades of secrecy, victims who come forward will not see their rapists brought to justice before the Khmer Rouge tribunal – an impossibility given the sheer number of victims and perpetrators.

The film opens with historic shots of labour camps and enthused communist chanting, before homing in on the "hidden dimension of that suffering": sexual violence.

It switches to an idyllic palette of greens and blues, in Kampot province. One survivor of the regime, her name withheld, explains how she was lined up, paired off and married by Khmer Rouge cadres. She split from her husband after the fall of the regime; their daughter, now grown, does not know if her father is alive.

Couples were monitored, forcing them to consummate. Victims recount their stories, revealing a traumatic pattern, as lawyers and experts weigh in on how such crimes could happen.

The documentary doesn't shy away from the criticisms the court received, notably about the length of time it took to address the crimes of sexual violence – a full decade after the multinational court was established to try senior members of the Khmer Rouge.

But it does leave out crucial voices, like those of the defendants and their lawyers. The documentary essentially removes the two former senior leaders – Nuon Chea and Khieu Samphan – from the picture, and instead focuses on the lived experience of survivors, as well as artistic programs outside the courtroom designed to help victims heal.

The film also draws a thread between the sexual violence of the past, and a "culture of impunity" surrounding rape and domestic violence in modern-day Cambodia.

It closes with words from First They Killed My Father director Angelina Jolie, who praises the victims for braving the stigma and speaking out. "I believe they are heroes to us all," she says in the documentary.

"It is simply unacceptable that crimes against women and girls happen with impunity and are still treated as a lesser crime."

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During their final day of cross-examination, defense counsel at the Special Tribunal for Lebanon Wednesday pressed expert witness Gary Platt on the veracity of cell records related to a so-called false claim of responsibility. The prosecution claims that, as part of the conspiracy leading up to the attack that killed former Prime Minister Rafik Hariri and 21 others, two people made efforts to frame a man named Ahmad Abu Adass for the explosion. The alleged goal, according to the prosecution, was to direct attention away from the actual conspirators.

The prosecution alleges that two of the named suspects in the case – Hussein Oneissi and Assad Sabra – left a taped confession made by Abu Adass in a tree outside the Beirut offices of Al-Jazeera. The defense counsel for Oneissi, Vincent Courcelle-Labrousse, focused on text messages sent between Oneissi and Sabra, as well as between Al-Jazeera staff members who were near their offices when the tape was found.

The prosecution relied on cellphone data to establish the location of the five named defendants at various points in the lead-up to the attack. In this case, prosecutors used the predictive coverage of various cell towers near the Al-Jazeera headquarters to locate Oneissi near the offices at the time the tape was discovered.

Courcelle-Labrousse, however, emphasized that the area where the tape was found was at the confluence of several different cell tower areas, making it difficult to ascertain the exact originating location of various calls and SMS messages. "We've observed that when you're at the site of the tree, you can accidentally switch to multiple cell towers," Courcelle-Labrousse said.

Because the geographic coverage of these other cell towers was expansive, Courcelle-Labrousse claimed that there was no precise evidence placing Oneissi in the area. "You have no material at all corroborating that [Oneissi] was in a specific location at a specific time. What you have is predictive coverage that doesn't represent reality," he said. "You can't derive conclusion from that."

In a separate and dramatic episode near the end of Courcelle-Labrousse's cross-examination, he threatened to withdraw if the presiding judges continued to interrupt his questioning. "The Oneissi team shall withdraw if we keep getting interrupted on points that are not relevant," he said. "I cannot work under these conditions."

The issue was eventually resolved and the defense continued.

After Platt's testimony came to an end, expert witness John Edward Philips was brought in to discuss what he called "single user analysis."

According to Philips, the term refers to the process by which investigators can determine whether multiple phones might have been used by a single person. His testimony will continue on April 20.

At the Special Tribunal for Lebanon hearing Thursday, expert witness John Edward Philips gave evidence to bolster the "single user analysis" theory, suggesting that multiple phones were likely used by the same user. Philips, appearing for the second day, is an expert in telecommunications. Having testified multiple times throughout the trial he is the prosecution's principal expert in cellular sites.

The witness's testimony has contributed to the prosecution's case against the five suspects indicted for the 2005 Beirut bombing that killed former Prime Minister Rafik Hariri and 21 others.

Thursday, Philips expounded on the cellular activity of a pair of cellphones labeled Green 071 and Purple 231 – the
color labels signifying distinct cellular networks that have been identified in the case – that the prosecution has argued were used by indicted suspect Hassan Merhi.

Philips also detailed the activity of a cellphone labeled Green 023 and that of three personal mobile phones, all of which were allegedly owned by Mustafa Badreddine. Another of the five men indicted for the conspiracy, Badreddine is thought to have died in Syria in 2016.

A number of phones were used to organize the 2005 bombing, but the prosecution has claimed that each handset doesn’t necessarily correspond to a distinct operative.

Philips tried to demonstrate that both Green 071 and Purple 231 showed near-simultaneous activity in a single area covered by the signal range of one cell tower, on a number of separate occasions – suggesting that Merhi operated both devices.

Certain pockets of cellular activity have been classified by the prosecution as occurring in "unusual areas" and marked as significant. Because only one suspect allegedly visited the areas in question, Philips attested that there was a high probability a single suspect used the multiple phones in those locations.

After giving evidence on Merhi's cellphone usage, Philips turned to the cellular activity of Badreddine and came to similar conclusions. Based on the available evidence, he attempted to determine that Badreddine had operated several devices.

After Trial Chamber President Judge Re asked about the possible margin of error in his analysis, Philips expressed cautious confidence. "I don't think you can ever be 100 percent sure, but I think the element of coincidence becomes very, very remote once you have a lot of very different examples," he said. "Analysis can be taken that a single user was using the mobile phones."

Special Tribunal looks at 'anomalies' in call data
The Daily Star
By Rhys Dubin
April 22, 2017

During testimony at the Special Tribunal for Lebanon Friday, investigator John Edward Philips explained the appearance of anomalies in the "single-user analysis" theory. The technique, put forward by the prosecution, has been used by investigators throughout the case to demonstrate that multiple phones were likely used by the same person.

Cellular data similar to the information that Philips analyzed has been integral to the prosecution's case against the five defendants accused of planning and executing the assassination of Prime Minister Rafik Hariri and 21 others in 2005.

Prosecutors have used the movement and coordination between various cellphones attributed to individuals to track the alleged conspiracy leading up to the attack, as well as identify the defendants in the case.

The "anomalies" that Philips discussed Friday centered on several instances before the assassination where phones attributed to one individual appeared to utilize cell sites far apart from each other. At first glance, said Philips, this would indicate that different phones were used by different individuals.

One instance included several calls made on Jan. 18, 2005, where two phones attributed to Salim Ayyash appeared to switch cell towers in quick succession: from one site in Downtown Beirut to another in the southern suburbs.

However, according to Philips, these discrepancies were often the result of irregularities in cell coverage. Citing a previous case he worked on in the U.K. that involved tracking phone calls from an apartment building, he said that, "at the time, the call patterns didn't coincide with people being in that building."

Nevertheless, when he actually went to the building and measured the cell signals, he found that "the cell of interest wasn't the best serving cell site until I got to the floor where the alleged activity was. If you looked at it as a paperwork exercise it would look like an anomaly, but when you went there it wasn't. On the correct floor, the call patterns were consistent with a single user operating from a single location."
Philips attributed these irregularities to several factors – including calls originating from top floors of apartments and the behavior of cell signals over large bodies of water. Both factors, according to Philips, could produce odd patterns of call data.

Throughout the rest of the proceedings, Philips used this framework to both identify potential anomalies in the cellular data and then demonstrate why the calls were still consistent with a single user.

**STL single-user theory has holes, but still sound: witness**
The Daily Star
By Victoria Yan
April 25, 2017

On his final day of answering prosecutors’ questions at the Special Tribunal for Lebanon, expert witness John Edward Philips again traced the appearance of anomalies in the "single-user analysis" theory. In doing so he pointed out cases in which calls were placed between several phones attributed to the same individual.

The single-user theory proposed by the prosecution suggests that phones linked to the planning of the 2005 Beirut bombing that killed former Prime Minister Rafik Hariri and 21 others did not necessarily each have distinct, separate users but a group of handsets were used by each of the suspected conspirators.

Having provided evidence to back up the single-user theory in previous appearances, Philips Monday reviewed instances that might challenge the theory.

One example the expert witness presented was an instance that occurred on Jan. 28, 2005, in which two phones attributed to Salim Ayyash, one of five indicted suspects in the trial, were used to communicate with each other.

Using a map, Philips showed data of two personal mobile phones attributed to Ayyash – "091" and "170" – moving away from one another. While Phone 091 remained near Beirut airport, Phone 170 was moving north from Beirut's southern suburbs toward the Zouk Mosbeh area, about 12 km north of the capital.

During the period in which the two phones were located in different regions, two phone calls were made between the devices.

"This is the first time we see contact between these two phones," Philips said, highlighting a potential anomaly in the single-user theory.

Philips answered frankly when prosecutor Marc Desalliers asked what the irregularity implied. "Well, it's pretty obvious that two people were using the phone," he said.

He then added, "It would appear that for a period of the day, one of the phones was given to someone else, while the other stayed at the airport. So there has to be two [people]. ... Since there are two calls [between the phones], information is being passed between them."

As direct examination of Philips wound down in the afternoon session, Desalliers questioned the witness as to whether the number of anomalies should be considered "significant," from his informed perspective. Judge Janet Nosworthy asked if Philips could provide a "percentage" value to illustrate the margin of error.

Despite a series of objections from the defense at this line of questioning, the expert witness answered these queries. "I will not give a figure ... [but as] for Subject 1 and 2 [Ayyash and Mustafa Badreddine], there are a lot of examples, and lots of varied examples, [that support the single-user theory]."

Defense counselor Chad Mair brought Monday's session of the STL to a close by beginning her cross-examination. She will continue her questioning Tuesday.

**STL: Accuracy of cellphone-coverage maps contested**
The Daily Star
By Victoria Yan
April 26, 2017

Special Tribunal for Lebanon defense counselor Chad Mair cross-examined
expert witness John Edward Philips throughout Tuesday’s hearing, focusing on anomalies in cellular coverage maps and questioning testimonies made based on unclear data. Cellular evidence has been critical for both the prosecution and the defense, as the five indicted suspects accused of carrying out the 2005 Beirut bombing that assassinated former Prime Minister Rafik Hariri and killed 21 others are currently undergoing trial in absentia.

Mair, representing the interests of defendant Salim Ayyash, spent the majority of Tuesday's session highlighting inconsistencies in original data provided by Lebanese cellular network company MTC touch. The data was then used to create cellular coverage maps, which the prosecution has previously used to track the movements of the five accused.

In particular, Mair focused on a phone call made by a cellphone attributed to an unnamed defendant in the southern governorate of Nabatieh. While Philips' expertise led him to believe that "Nabatieh C" area was the accurate cell attribution in the case of this call, cellular coverage maps pointed instead to "Nabatieh D" site.

"Nabatieh C was the best serving cell [area covered by the local tower] ... If they drove the other way they may initially find that Nabatieh D is the best serving cell," Philips said. "But the findings [leading to Nabatieh D] are from MTC, and I'm not about to disagree with them."

The expert witness, who has been named the prosecution's principal expert in cellular sites, admitted that MTC touch was not able to give proper explanations for inconsistencies in the original data used in the creation of the cellular coverage maps used in the trial.

"I don't think what they've shown [us] is the complete answer, and I don't think it's consistent. They said they were experiencing 2G problems, and I'm not exactly sure what that means," Philips said.

The defense has pushed that the second-best practice would be to cross-check the maps against the reality on the ground. Philips said much the same, noting that the best way to double-check coverage would be "if there is a drive test and field survey done to compare the best predicted coverage plot to what's going on in reality."

But it was revealed Tuesday that Philips had not traveled to Lebanon during the initial STL investigations.

The expert witness admitted that his last visit took place in the '70s, before cellular phones were in use, thereby rendering him unable to give "on-the-ground" testimony on Lebanese cellular networks.

During last month's cross-examination of expert witness Gary Platt – another covert cellular networks specialist – defense counselor Vincent Courcelle-Labrousse similarly found that Platt could not confirm the accuracy of cellular coverage maps.

At the time, Courcelle-Labrousse, representing the interests of Hussein Oneissi, claimed the maps could be up to "30 or 40 percent inaccurate."
According to prosecutor Tureen Afroz, they were also convicted of rape, torture and other forms of crimes.

A three-member International Crimes Tribunal (ICT) jury lead by Justice Anwarul Haque declared the verdict on the basis of majority.

Out of the two accused, Mohammad Hossain is now a fugitive. Home minister and police chief have ordered to arrest the fugitive and the authority has also been advised to get help from the INTERPOL.

They received death penalties by the tribunal only for killing 26 villagers of Gurui village under Nikli upazila. The criminal Hossain was being accused for the 4th time on which the verdict came up for committing rape of Hindu women.

According to the charge sheet, the two war criminals stood against the liberation of Bangladesh during the war of liberation in 1971.

Out of them, Hossain was named and known as Razakar Daroga in Nikli thana area and Moslem Pradhan was as Razakar Commander in Nikli union area.

The tribunal found that they committed mass crimes at the different areas of the then Kishoreganj Mahokuma personally or jointly.

The tribunal issued death sentence to Husain's elder brother Mohammad Hasan alias Hasen Ali also for committing crimes against humanity in liberation war who is also a fugitive at present.

Tribunal’s prosecutor Turin Afroz, in a quick statement on the verdict, said, "We are happy on the judgment. We have worked successfully. Two death sentences, one life imprisonment and another one for 22 years imprisonment over three accusations have been pronounced."

In a statement over the success of the tribunal, she further said," The rape has been recognized as genocide. The mass rape in '71 has been recognized as genocidal rape, on which followed the death sentence."

On the other hand, lawyer of the criminals Abdus Satter Paloan said, "We respect the tribunal and the law. We shall decide for the later decision over the appeal procedure against the verdict."

Appeal can be filed in the tribunal within a month, according to the rules. But fugitive Mohammad Hossain will have to surrender to the court if he wishes to take the opportunity of the appeal.

So far, 30 war criminals have received highest punishment, out of 48 accused in 28 cases.

**ICT indicts six Netrakona war crime suspects**
The Financial Express
April 19, 2017

The International Crimes Tribunal (ICT) has framed charges against six war crimes suspects from Netrakona district for the atrocities they committed during Bangladesh’s independence struggles in 1971.

The war crimes suspects are Abdur Rahman, Abdul Khaleque Talukder, Sheikh M Abdul Majid, Abdus Salam, M Kabir Khan and Nuruddin.

A three-member ICT panel, headed by Justice Anwarul Haque, framed the charges taking seven charges into cognizance.

The court also fixed June 12 for the next order.

Of them, Abdur Rahman is in jail while five others are on the run.

**Seven held in Khulna on war crimes charges**
Dhaka Tribune
By Hedait Hossain Molla, Khulna
April 21, 2017

The allegations of war crimes committed during the 1971 liberation conflict
Police arrested seven alleged war criminals in separate drives conducted in Khulna from midnight on Thursday to early Friday.


Detective Branch (DB) of Khulna police Officer-in-Charge Akkas Ali said they had been arrested at the request of the investigation agency of the International Crimes Tribunal.

The arrestees were initially brought to the local DB police office and were later transferred to Khulna court, said OC Akkas.

**Militants open fire at police in N.W. Bangladeshi district**

*Xinhua News*  
By Zhou Xin  
April 26, 2017

A team of Bangladeshi police raided a house in the country's Chapainawabganj district on Wednesday morning when at least four militants with huge explosives opened fire at the law enforcers.

The militants also hurled crude bombs at the policemen.

No one was hurt in the incidents of gunfire and blasts, an official of Bangladesh's Counter-Terrorism Police Unit told Xinhua in Dhaka.

The official who did not like to be named said the law enforcers surrounded the village house on Wednesday morning, 302 km northwest of capital Dhaka, suspecting presence of militants there.

He said police, through a loudspeaker, asked the suspected militants to surrender.

Specially-trained law enforcers from Dhaka have already reached the scene to boost local police efforts to flash out the militant den recover the arms and ammunition.

Bangladeshi authorities have already imposed a restriction on movement of vehicles and pedestrians around the terror hideout which are now under siege by the security forces.

No further details were immediately available about the raid which came days after a team of Bangladeshi police busted a terrorist hideout and recovered large quantity of arms and ammunition Chapainawabganj's neighboring Jhenidah district, 178 km west of capital Dhaka.

Security has been tightened in Bangladesh since militants attacked a Spanish cafe in Dhaka's Gulshan on July 1 last year, killing 22 people, mostly foreigners.

Since the cafe attack, Bangladeshi law enforcers apparently have gone tough against Neo-JMB (an offshoot of the banned militant outfit Jamaatul Mujahideen Bangladesh) which is blamed for the attack.

**AQIS head of Bangladesh affairs killed in Afghanistan**

*The Daily Star*  
April 27, 2017

Tariq alias Sohel, the "chief" of the Bangladeshi affairs of al-Qaeda in the Indian Subcontinent (AQIS), and five of his accomplices were killed in Afghanistan's Qandahar, says a statement purportedly from the top leader of the terror outfit.

The statement, uploaded on early Wednesday on Telegram, a cloud-based instant messaging service, however, does not say when and how the militants were killed.
It also does not say whether the five accomplices of Sohel were Bangladeshis. They are Qari Abdul Aziz alias Abdul Halim, Yaqub alias Saddam Hossain, Asadullah alias Nazimuddin Maimoon, Abu Ibrahim alias Saiful Islam Hasan and Abu Bacr alias Anuj Hasib.

The 13-page statement, titled "Behold", is said to be a transcript of an audio message from the "top AQIS leader Asim Omer". The alleged chief of the Bangladeshi affairs of AQIS and his five companions were mentioned only in a paragraph.

The statement was also published in al-Qaeda's media production house "As-Sahab Media", with a photograph of Sohel, said Bangladeshi law enforcement members.

This newspaper could not independently verify the authenticity of the statement.

Asked, Assistant Inspector General (confidential) of the Police Headquarters Mohammad Moniruzzaman said they had no information about Sohel and the five other men.

"We are looking into the matter and verifying the information," Moniruzzaman, who deals with the crimes related to militancy, told The Daily Star yesterday. He has been assigned to maintain communications with the Afghan police on the matter.

He said the information was scanty and it seemed the photograph used in the statement was old.

Contacted, several officials from the Counter Terrorism and Transnational Crime (CTTC) unit of Dhaka Metropolitan Police also said they had no information about Sohel and the five others.

The statement was uploaded on Telegram early Wednesday, said sources in Bangladeshi law enforcement agencies.

Sohel's death was first learnt from a video released by As-Sahab Media last month, as mentioned by Ansar al-Islam members in Dawahilallah online forum. Ansar al-Islam is believed to be the Bangladesh chapter of AQIS.

Maj (dismissed) Syed Ziaul Haque is the only known top ranking leader of Ansar al-Islam and the operational wing chief of the outfit.

On several occasions, Home Minister Asaduzzaman Khan Kamal said Zia could be arrested any time as he was under surveillance of law enforcers.

Mufti Jasim Uddin Rahmani, the alleged founder and spiritual leader of Ansarullah Bangla Team (now Ansar al-Islam), has been in jail since August 2013.

Osama bin Laden's successor, Egyptian Islamist ideologue Ayman al-Zawahiri, announced the formation of AQIS in September 2014 to carry the group's fight to India, Pakistan and Bangladesh.

Ansarullah Bangla Team (ABT), which allegedly started targeted killings of war crimes trial campaigners and secularists in 2013, was banned in 2015 after Ansar al Islam/AQIS claimed responsibilities for several murders of freethinkers, atheist bloggers and publishers in Bangladesh.

The group has so far claimed responsibility for 13 attacks in which 11 individuals including writers and bloggers, one publisher and two LGBT activists were killed.

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When army helicopters fired on Rahim's village in northwest Myanmar one day last November, the Rohingya schoolteacher told his pregnant wife to take their three young daughters and leave. He stayed behind with his 72-year-old mother.

At dawn the next morning soldiers encircled and then entered the village. Rahim and his mother crept into a rice field. Crouching, Rahim said they saw the soldiers set fire to homes and shoot fleeing villagers.

"I thought we were going to die that day," said Rahim, who like many Rohingya identifies by a single name. "We kept hearing gunshots. I saw several people shot dead."

His account, told in a Bangladesh refugee camp where thousands of Rohingya are sheltering, was corroborated by four people from his village.

The attack on Rahim's village, Dar Gyi Zar, on Nov. 12-13, claimed dozens of lives, Rohingya elders said. The killings marked the start of a two-week military onslaught across about 10 Rohingya villages in northwest Rakhine State, a Reuters reconstruction of events has found.

Rohingya elders estimate some 600 people were killed. A United Nations report from February said the likely toll was hundreds. At least 1,500 homes were destroyed, Human Rights Watch satellite imagery shows. Countless women were raped, eyewitnesses and aid workers said. Doctors in Bangladesh told Reuters they treated women who had been raped.

It was the latest round of ethnic bloodletting in Myanmar, a majority Buddhist country where the roughly one million Muslim Rohingya are marginalised, often living in camps, denied access to healthcare and education and uprooted and killed in pogroms.

Myanmar's march to democracy, beginning in 2011, uncorked long-suppressed ethnic and religious tensions between Rakhine's Buddhists and the Rohingya. Clashes between the two communities in 2012 killed at least 192 people and displaced 140,000, mostly Rohingya.

This latest eruption of violence drove some 75,000 Rohingya across the border into Bangladesh, the United Nations said. Myanmar's government has conceded some soldiers may have committed crimes but has rejected charges of "ethnic cleansing." It has promised to prosecute any officers where there is evidence of wrongdoing.

The military assault involving a little under 2,000 soldiers has presented Aung San Suu Kyi with the first major crisis since her party won elections in late 2015. Many hoped Suu Kyi, a Nobel Peace Prize winner, would bring a new era of tolerance after five decades of military rule. While generals remain in control of a significant part of the government, she now faces accusations of failing to oppose human rights abuses.

Suu Kyi's National Security Adviser Thaung Tun said some individuals may have committed abuses "in the heat of the confrontation." But he stressed the government did not approve of such conduct. Suu Kyi did not respond to detailed questions from Reuters about events in Rakhine.

The army began its "clearance operation" in Rakhine after Rohingya militants attacked border posts there on Oct. 9. For a month, it tried to pressure villagers to hand over the rebels, without success. That approach changed on Nov. 12-13 in Dar Gyi Zar and the neighbouring village Yae Khat Chaung Gwa Son, marking a sharp escalation of the military operation.

"It is possible that individual security officers or individual policemen may have reacted in an excessive manner. But what we want to make clear is that it's not the policy of the government to condone these excesses."

This article pieces together how events unfolded, drawing on interviews with Rohingya refugees, diplomats, aid workers and Myanmar government officials. Reuters also gained rare access to Myanmar security officials and spoke with a Rohingya militant leader.

The reconstruction of the military operation contains previously unreported details about army negotiations with villagers over the insurgents, a shift in military strategy and the army units involved. Reuters also learned new details about investigations into alleged atrocities that are being conducted by Myanmar's army and by the home affairs ministry.
The violence was brutal. A 16-year-old girl assaulted in the village of Kyar Gaung Taung, said two soldiers raped her. Speaking in a Bangladesh refugee camp, she said she still suffers anxiety and trauma after the attack.

"I am angry with myself for being Rohingya," said the teen, whose name Reuters is withholding. "If I had been Bangladeshi or American, I would never have been raped. But they did it to me because I was born Rohingya."

The army has denied there were widespread abuses and said it was carrying out a legitimate counterinsurgency operation. The army and the ministry of home affairs did not respond to detailed questions from Reuters about events in Rakhine.

"It is possible that individual security officers or individual policemen may have reacted in an excessive manner," Thaung Tun, the security adviser, said. "But what we want to make clear is that it's not the policy of the government to condone these excesses."

After years of persecution, some Rohingya have begun to fight back. A militant group called Harakah al-Yaqin, or "Faith Movement", was formed by Rohingya living in Saudi Arabia after the 2012 violence, according to the International Crisis Group. Its leader, Ata Ullah, said hundreds of young Rohingya men have joined the ranks of the group, which now wants to be known as the Arakan Rohingya Salvation Army. Myanmar's government estimates it has about 400 fighters.

"In 2012, they killed us and we understood at that time, they would not give us our rights," said Ata Ullah, speaking by video link from an undisclosed location in Myanmar.

Before dawn on Oct. 9, Rohingya militants staged attacks on border police. The army set about trying to capture the rebels. For a month, it attempted to pressure villagers to give up the insurgents, according to Rohingya elders and villagers.

The village of Kyet Yoe Pyin, located on the main road north to Bangladesh in northwest Rakhine, was one of the first to draw the army's attention on Oct. 13, according to a military intelligence source. Insurgents had used logs to erect roadblocks near the settlement of 1,300 houses, blocking the way for military vehicles, residents and the military intelligence source said. In retaliation, about 400 soldiers burned down a part of Kyet Yoe Pyin and shot several people, according to four villagers. Officials have blamed insurgents and villagers themselves for the burning of homes.

After a few days of trying unsuccessfully to capture the insurgents, the soldiers asked village elders to negotiate. The meeting took place in western Kyet Yoe Pyin. About 300 soldiers crowded the road while four commanders led the talks with five Rohingya men, according to a village elder who attended the meeting. The talks, confirmed by the military intelligence source, were an example of the army's attempts in those early weeks to pressure the villagers to help identify the rebels.

"Their first question was: 'Who cut the trees?' We told them we didn't know," the village elder recounted. "They told us: 'We will give you a chance: You can either give us the names of the insurgents, or we will kill you'."

The officers visited Kyet Yoe Pyin on several further occasions, asking about insurgents and taking money in exchange for leaving the remaining houses untouched, the villagers said. A variation of this scene was repeated in other villages in the weeks leading up to Nov. 12, residents said.

On Nov. 12, this low-grade violence escalated abruptly when the army clashed with rebels north of two villages in northwestern Rakhine – Rahim’s village Dar Gyi Zar, a settlement of more than 400 houses, and Yae Khat Chaung Gwa Son, with some 600 houses.

Muhammad Ismail, another Rohingya teacher from Dar Gyi Zar, said the army spotted insurgents a few kilometres to the north of his village at around 4 a.m. After a two-hour shootout, the militants fled towards neighbouring Yae Khat Chaung Gwa Son, where fighting resumed in the afternoon. The area is densely forested, and residents could not say how many militants there were.

The leader of the insurgents, Ata Ullah, said he and his men found themselves surrounded. "We had to fight," he told Reuters. He did not say how many insurgents were involved in the clash.

During a day-long battle, some villagers joined the insurgents, fighting the security forces with knives and sticks, according to Ata Ullah and the military. A senior officer was killed and the army brought in two helicopters mounted with guns as back-up, according to official accounts, which described the incident as an ambush by the
The helicopters swooped in around 4 p.m., hovering low over the road connecting Dar Gyi Zar and Yae Khat Chaung Gwa Son, according to eyewitnesses. The villagers dispersed in panic as one of the helicopters sprayed the insurgents with bullets. The other helicopter fired indiscriminately on those fleeing, five eyewitnesses said. The military intelligence source confirmed that the helicopters dispersed the crowd but denied they shot at civilians.

It marked the start of an offensive across a section of northwest Rakhine that lasted about two weeks, according to villagers, aid workers and human rights monitors and a review of satellite imagery from Human Rights Watch and Amnesty International. Security and administrative officials confirmed the scope of the sweep but said they were not aware of abuses.

Whole communities fled north towards larger villages and then west to Bangladesh, pursued by the army. Women who were raped said the soldiers shouted "go to Bangladesh."

Three doctors from small clinics near refugee camps in Bangladesh have described treating some three dozen cases of Rohingya women whom they say were raped.

"I treated one woman. She was so badly raped she had lost sensation in her lower limbs," said John Sarkar, 40, a Bangladeshi doctor who has worked with Rohingya refugees for eight years.

National Security Adviser Thaung Tun said a commission, set up by Suu Kyi in December and chaired by vice president Myint Swe, a former head of military intelligence, needed time to investigate.

"We find it really difficult to believe that the Myanmar military would use (sexual violence) as a tool, sex slaves or rape as a weapon. In Myanmar this is repulsive, it's not acceptable," he said.

The Suu Kyi appointed investigation is one of several. The army is conducting an internal probe and the ministry of home affairs, which is controlled by the army, is also carrying out an inquiry. Separately, the United Nations has ordered a fact-finding mission to examine allegations of human rights abuses.

A senior government source and a senior military source said the commander of the army division that led the operation, Major General Khin Maung Soe, had been questioned by investigators in the army probe. The army did not respond to Reuters questions about Khin Maung Soe’s role and Reuters was unable to contact him directly.

The ministry of home affairs, meanwhile, is examining 21 cases, including five suspected murders, six rapes, two cases of looting and one case of arson and seven unexplained deaths, according to police colonel Shwe Thaung. Investigators were seeking the army's cooperation to interrogate soldiers.

When the sun went down on the villages of Dar Gyi Zar and Yae Khat Chaung Gwa Son on Nov. 12, the fighting stopped. "The night was tense. Some people sneaked out to neighbouring villages. Others were preparing to move first thing in the morning," said Muhammad Ismail, the Rohingya teacher who witnessed fighting.

But at dawn the next day, soldiers encircled the two villages and set the houses on fire, five eyewitnesses said.

Those who could, fled. But the elderly and the infirm stayed. From the rice field where he hid, Rahim said he saw soldiers shooting indiscriminately.

Police reports from the period confirm that security forces focused their attention on about 10 villages - Dar Gyi Zar, Yae Khat Chaung Gwa Son and other settlements nearby. They detained nearly 400 people between Nov. 12 and 30, according to a senior administrator in the state capital of Sittwe who received the daily dispatches.

The administrator, who briefed Reuters on condition of anonymity, said the reports described a lawful counterinsurgency operation.

One of the villages that bore the brunt of the post-Nov. 12 crackdown was Kyar Gaung Taung, a settlement of about 300 houses in northwest Rakhine.

Residents say that for five days starting around Nov. 16, security forces swooped in, searching for men. As in neighbouring villages, they arrested or killed most working-age men, and gathered the women in groups, carrying out invasive body searches.

Reuters talked to 17 people from Kyar Gaung Taung from November through March by telephone and in person in
Bangladeshi camps, including five rape victims, three close relatives of those raped and several village elders. They corroborated one another's accounts.

"One of the soldiers put a machete to my chest and bit me on the back. Then, they started picking women from the group gathered on the road. I was selected and pulled inside the house. I knelt down thinking that may help and the last thing I remember was one of the soldiers kicking me in the head," said Shamshida, who identifies with a single name.

When her husband and her sister found her several hours later, she was stripped naked, unconscious, covered in bruises and bleeding from her mouth and her vagina.

They carried her to the neighbouring village of U Shey Kya several hundred metres away, where she regained consciousness, was showered and taken care of by a village doctor.

After eight days, she returned to her village, where there were no men left and many houses were burned down.

Doctors in Bangladesh said the Rohingya women they treated had torn vaginal tissue and scars inside their mouths from having guns inserted. In some cases, the women couldn't walk and had to be carried by relatives to the clinics. Many were covered in bruises and bite marks.

Sarkar, the Bangladeshi doctor, and others administered abortion-inducing kits, painkillers and antibiotics. In cases where the kits didn't work, they referred the women to regional hospitals for abortions.

As thousands of Rohingya were fleeing across the river border to Bangladesh, Suu Kyi was not in the country. In early December she went to Singapore, attending meetings and a ceremony to have a purple orchid named after her in the city-state's botanic gardens.

Suu Kyi's defenders, including some Western diplomats, say she is hamstrung by a military-drafted constitution that left the army in control of key security ministries and much of the apparatus of the state. Suu Kyi may be playing a long game, these diplomats said - back the military for now and coax the generals into accepting a rewriting of the constitution to reduce their power.

During her trip, Suu Kyi gave an interview to state broadcaster Channel News Asia, in which she accused the international community of "always drumming up cause for bigger fires of resentment," adding it didn't help "if everybody is just concentrating on the negative side of the situation." She appealed for understanding of her nation's ethnic complexities, and said the world should not forget that the military operation was launched in response to the Rohingya insurgents' attacks on border posts.

Rahim, the village schoolteacher, and his family were among thousands of Rohingya who made the 2 kilometer (1.2 mile) river crossing to Bangladesh.

On April 8, in a Bangladesh refugee camp, Rahim's wife Rasheda gave birth to their first boy, Futu, or "little son." Rahim doesn't know whether Futu will ever see his homeland.

China Ready to Mediate Between Burma and Bangladesh over Arakan Refugees

The Irrawaddy
April 26, 2017

China offered on Tuesday to help tackle a diplomatic row between Bangladesh and Burma over the flight of minority Rohingyas, two Bangladesh foreign ministry officials said.

Around 69,000 Rohingyas have fled to Bangladesh to escape violence in northern Arakan State since October, straining relations between the two neighbors who each see the stateless Muslim minority as the other nation’s problem.

Chinese special envoy Sun Guoxiang, beginning a four-day trip to Bangladesh, urged Dhaka to resolve the row with Burma bilaterally, but also said Beijing stood ready to help in the matter, a foreign ministry official in Dhaka told Reuters.

Sun made the proposal during a meeting with Bangladesh Foreign Secretary Shahidul Haque, the official said. He declined to be named, saying he was not authorized to speak to the media.
The envoy told us at the meeting that they were ready to help if necessary," the official said. Another foreign ministry official confirmed the information but also asked not to be named, citing the sensitivity of the matter.

China has strong ties with both Burma and Bangladesh, helping in infrastructure development in both countries. Relations with the former have warmed further since Burma President U Htin Kyaw struck a deal in China on an oil pipeline between the neighbors after almost a decade of talks.

Beijing has established a strong presence in Bangladesh, building roads and power stations and supplying military hardware.

During the talks on Tuesday, Foreign Secretary Haque told Chinese envoy Sun that Bangladesh welcomed Chinese efforts to tackle its problems with Burma stemming from the influx of Rohingyas into Bangladesh, the officials said.

Dhaka has proposed that Sun travel to Cox’s Bazar near the border with Burma to see the plight of the tens of thousands of people camped there. China’s ambassador to Bangladesh, Ma Mingqiang, visited a Rohingya camp there in March.

Burma has faced growing international criticism over the latest eruption of violence against the Rohingyas. Burma’s government has conceded some soldiers may have committed crimes but has rejected charges of ethnic cleansing.

Israel and Palestine

Hundreds of Palestinians held by Israel launch hunger strike
The Salt Lake Tribune
By Mohammed Daraghmeh
April 17, 2017

Hundreds of Palestinians in Israeli prisons launched a hunger strike Monday, in what their leader behind bars called a new step in the Palestinians' "long walk to freedom."

Activists said more than 1,500 of about 6,500 Palestinians held by Israel as so-called security prisoners joined the open-ended protest and that it was the largest such strike in five years. The hunger strikers’ immediate demands included better conditions, including more contact with relatives, and an end to Israel’s practice of detentions without trial.

In the West Bank and Gaza, thousands staged solidarity marches Monday to mark Prisoners' Day in the Palestinian areas.

The hunger strike was led by Marwan Barghouti, a prominent figure in Palestinian President Mahmoud Abbas' Fatah movement. Over the years, polls have indicated that Barghouti is the most popular choice among Palestinians to succeed the 82-year-old Abbas who has failed to groom a political heir.

Barghouti was arrested in 2002 during the violent Palestinian uprising and convicted on multiple counts of murder. Israel charged him with directing suicide bombings against its citizens and he was sentenced to five life terms.

Barghouti is one of the best-known among thousands of Palestinians jailed for charges ranging from stone-throwing and membership in groups outlawed by Israel, to attacks that wounded or killed Israelis.

In an op-ed published in The New York Times, Barghouti wrote that Israeli prisons have become the "cradle of a lasting movement for Palestinian self-determination."
"This new hunger strike will demonstrate once more that the prisoners' movement is the compass that guides our struggle, the struggle for Freedom and Dignity, the name we have chosen for this new step in our long walk to freedom," he wrote.

In what appeared to be a punitive measure, Israel's prison service said Barghouti had been transferred to a different prison.

Israel media reported that Barghouti had violated the conditions of his incarceration by communicating with the newspaper and that he had likely smuggled the text out through his lawyer.

Prison Service spokesman Assaf Librati refused to elaborate on Barghouti's role.

"The strike is a decision of the prisoners. We are containing the situation and monitoring its developments," he said.

The hunger strike was launched as the approaching half-century mark of Israeli rule over Palestinians appeared to generate renewed interest in the long-running conflict, which in recent years was often overshadowed by war and turmoil elsewhere in the region.

Israel captured the West Bank, Gaza Strip and east Jerusalem in the June 1967 Mideast war.

Abbas and his supporters seek a Palestinian state, roughly in the pre-1967 lines. The Islamic militant group Hamas, which seized Gaza from Abbas in 2007, has called for an Islamic state in historic Palestine, including in what is now Israel. Hamas recently suggested it would support a smaller Palestine state, without specifying if this would be a stepping stone to Israel's destruction.

In Gaza City, about 2,000 people turned out for a march, raising flags of different Palestinian factions.

Militants from Hamas surrounded cages on truck flatbeds depicting cells. One cage held two Palestinians in Israeli prison uniform. The other cage bore the pictures of two Israeli soldiers killed in the 2014 war between Israel and Hamas, and the pictures of two Israeli civilians who disappeared after entering Gaza. Hamas is believed to hold the two civilians and the remains of the soldiers.

"Your soldiers will not see the light unless the price is paid," read a banner on the truck.

Clashes between Israeli forces and Palestinians showing support for massive hunger strike

Jerusalem Online
By Becca Noy
April 17, 2017

Israel Border Police officers have arrested four Palestinians who threw stones at them in Beitunia near Ofer Prison. The Palestinians were participating in a support rally for the security prisoners who started a massive hunger strike this morning.

Clashes between Palestinians demonstrating support for the hundreds of security prisoners who began a collective hunger strike today (Monday) and Israelis security forces were reported this afternoon in Beitunia near Ofer Prison. Dozens of Palestinians started to throw stones at the Israel Border Police forces at the scene. Four of them were arrested.

Meanwhile, a support tent for the prisoners has been set up in Umm al-Fahm. MK Yousef Jabareen (Joint Arab List) arrived at the tent and said: "We support their struggle."

The massive hunger strike began this morning with over 1,100 security prisoners in Israeli prisons participating in it. The official reason behind the strike is the Fatah security prisoners' demands, which have been rejected by the Israel Police Service. However, Israeli security officials believe that the real reason Marwan Barghouti, a Fatah leader who is currently serving five consecutive life sentences, announced the strike is to show that he still holds considerable political power in the Palestinian world.

Stop the Imprisonment of Palestinian Children

The Nation
By Azadeh Shahshahani
April 17, 2017

**Today, to mark Palestinian Prisoners' Day, about 1,000 prisoners have begun a hunger strike in protest against decades of arbitrary arrest and inhumane treatment. Approximately 6,300 Palestinians are currently held in Israeli prisons and detention centers, including 300 children.**

In 2014, as part of a National Lawyers Guild delegation to Palestine, we met with a young Palestinian boy from the village of Beit Ummar near Hebron in the occupied West Bank. Mohammed, 15, described his arrest by the Israeli occupation forces, transfer to three different detention centers, time in solitary, and eventual release three months later after a confession for stone-throwing was extracted from him under torture. Since his release, he had picked up smoking and quit school because he would have had to repeat his previous grade as a result of his absence for three months.

Mohammed is not alone. After release from detention, many children exhibit signs of PTSD, nightmares, behavioral changes, and loss of interest in school. Some will have to repeat grades and some will quit school.

Since 2012, Israel has held about 200 Palestinian children in custody each month.

Palestinian children from the occupied West Bank are in fact routinely imprisoned by the Israeli military. At the end of February 2016, there were 440 Palestinian children in the Israeli prison system, including 104 between the ages of 12 and 15. Since 2012, Israel has held about 200 Palestinian children in custody each month.

Children are often coerced into signing confessions in Hebrew without understanding the language or content of the statement. The most common charge for children is stone-throwing, which carries a maximum sentence of 10 to 20 years.

Oftentimes, arrest and imprisonment are used as retaliatory tactics aimed at countering youth activism or as a means of retribution against older family members. To take just one example, Hamza Hammad was held in administrative detention (a tactic often used by the Israeli military of keeping Palestinians in prison without charge or trial) for 10 months. At 16, he was the youngest Palestinian held in administrative detention and had been detained since February 28, 2016. He was arrested at 2 am, when the Israeli military raided the family’s house after blowing up their front door. He had previously been arrested as well and subjected to torture.

Israel is the only country that systematically prosecutes between 500 and 700 children per year in military courts.

Israel has two separate legal systems in the West Bank, depending on whether the person is a Palestinian or a Jewish settler. Military law has applied to Palestinians in the West Bank since 1967, which means this year marks 50 years that they have lived without freedom, equality, or basic rights. Meanwhile, Jewish settlers—occupying Palestinian land in violation of international law—are subject to Israel's civilian legal system. According to the US State Department, military courts have a more than 99 percent conviction rate for Palestinian defendants. Israel is the only country that automatically and systematically prosecutes between 500 and 700 children per year in military courts. According to the UN Children's Fund (UNICEF), mistreatment in the military detention system is "widespread, systematic, and institutionalized throughout the process."

Defense for Children International Palestine (DCIP) collected over 400 affidavits from detained children between January 2012 and December 2015 (watch a video on the report here). Three-quarters suffered some form of physical violence following arrest. Stress positions (seating children in low metal chairs just inches off the ground during prolonged interrogation sessions, while often shackling their hands and feet to the chair too), threats, and isolation were used to coerce confessions from some of these children. Sixty-six children were held in solitary confinement for an average period of 13 days. Roughly half the children reported denial of basics such as food, water, and access to a toilet. Ninety-seven percent had no parent present during interrogation or access to legal counsel. The great majority were not adequately informed of their rights. Many were transferred on the floor of military vehicles.

Treatment of children by Israel runs counter to international human-rights law and international humanitarian law, which mandates that countries have a distinct juvenile-justice system that recognizes the special status of children, protects minors from violence, and focuses on rehabilitation and reintegration.

The presidency of Donald Trump is already changing for the worse the landscape around the Palestinian people's right to self-determination, as we saw with the Israeli Knesset's recent passage of a law retroactively legalizing settlements on privately owned Palestinian land. Now confident that it has a true supporter in the White House,
the Israeli government is unlikely to end its systematic human-rights violations, including those against children. In fact, a report commissioned by the UN recently characterized Israel as having established an apartheid regime.

The situation on the ground could get even grimmer for the Palestinians in the absence of a sustained international movement to bring to light the abuses and pressure the Israeli government through tactics such as the Boycott, Divestment, and Sanctions (BDS) movement.

On this Palestinian Prisoners' Day, what can we as Americans do to help protect the rights of Palestinian children and all Palestinians? One is advocating for the appointment of an ombudsperson to monitor the situation of Palestinian children. Twenty members of Congress sent a letter to President Obama this past summer urging him to appoint a special envoy for Palestinian youth. The other is freezing military aid to Israel. Rather than holding Israel accountable for its violations of international law and human rights, the United States has agreed to give Israel $38 billion in military aid over the next 10 years, the largest sum ever. And we should continue to support efforts to hold the Israeli government accountable through BDS and other means.

Israeli Prime Minister Netanyahu should know that while he may have a friend in the White House, the American people will not stand for the abuses committed in our name.

The Paradoxical Role of Israeli Prisons in the Palestinian Resistance Movement
Muftah
By Oscar Jarzmik
April 20, 2017

The Palestinian Committee for Prisoner's Affairs, the Palestinian Prisoner's Society, and the Palestinian Bureau of Statistics released a joint statement on Saturday, April 15, 2017, just two days ahead of Palestinian Prisoner's Day. According to the statement, Israeli authorities have detained approximately one million Palestinians since Israel's establishment in 1948.

As reported by Addameer, a Jerusalem-based prisoner's support and human rights organization, roughly 6,300 Palestinian political prisoners are currently in Israeli prisons, including 500 being held in administrative detention (incarceration without charge or trial). Israel routinely uses this method of indefinite detention against Palestinians, particularly in the occupied Palestinian territories (oPt), holding prisoners "for periods ranging from several months to several years." A January 2014 report from Addameer states that up to 40% of Palestinian males in the oPt have been arrested through Israeli military orders.

Typical of repressive regimes, Israel uses its detention facilities and prisons to quash nationalist opposition and break the spirit of resistance against its settler-colonial project. Indeed, mass arrest campaigns of Palestinian activists and elected officials have occurred several times in the past. For example, in the lead-up to the January 2006 PLC (Palestinian Legislative Council) elections, 450 members of the "Change and Reform" (Hamas) bloc were detained by occupation forces. Dozens of cabinet officials and members of parliament were also rounded up following the capture of Israeli soldier Gilat Shalit by Hamas operatives in June 2006. According to the Palestinian prisoner solidarity network, Samidoun, there are currently twelve legislators, representing Hamas, Fatah, and the Popular Front for the Liberation of Palestine, sitting inside Israeli jails.

But, if Israeli prisons function as tools to regulate the native population, they simultaneously serve as sites for Palestinian political and social mobilization.

To mark Palestinian Prisoner's Day, on Monday, April 17, some 1,600 Palestinian prisoners across the political spectrum launched an open hunger strike, calling for an end to their inhumane treatment and the establishment of a mass movement against the Israeli occupation. Thousands of Palestinians in the West Bank and Gaza Strip responded to the call, by rallying in support of the initiative and clashing with Israeli forces.

The hunger strike is being led by jailed Fatah leader, Marwan Barghouti, who has been commonly referred to, in the international press, as the "Palestinian Mandela"; in an attempt to foil the hunger strike, Barghouti has been forced into solitary confinement, along with six other hunger strikers.

Israeli prisons served as training and recruiting grounds for the resistance after June 1967 and well into the 1980s. In confinement, Palestinian detainees received instruction and developed a "revolutionary culture" through educational programs, seminars, smuggled literary/historical writings, and "ideological curricula" organized and
disseminated by other prisoners (usually veteran guerrillas). This instruction prepared these detainees for leading roles in political organizations upon their release.

Because the Israeli military and security apparatus penetrates "virtually all aspects of Palestinian life," just about every Palestinian family has had a relative incarcerated by the Israeli regime. As a result, prisoner initiatives have tended to spread and resonate within Palestinian society.

According to the Palestinian Prisoner's Society, the first Palestinian hunger strike happened in 1968, less than a year after Israel's conquest of the oPt. Since then, about twenty-five hunger strikes have been held. The last and most notorious hunger strike was the "battle of empty stomachs," which was launched in 2012, following the high-profile administrative detention of Khader Adnan, a suspected activist for Islamic Jihad. Adnan's first hunger strike lasted an unprecedented sixty-six days and successfully drew international attention to the issue of administrative detention of Palestinian prisoners. Images of Adnan and the detainees became symbols throughout the region of Palestinian steadfastness.

For the current prisoner's movement to achieve its demands, it will take more than resolve. Public support and mobilization on the ground is crucial, coupled with sustained media attention and scrutiny of Israel's abusive practices towards the Palestinian population.

PENAL TERRORIST ATTACK LEAVES FOUR WOUNDED IN TEL AVIV
The Jerusalem Post
By Eliyahu Kamisher
April 23, 2017

A Palestinian man stabbed four people near the Tel Aviv Promenade on Sunday afternoon in what police called a terrorist attack.

Police said the assailant, an 18-year-old from the Nablus area, carried a small, unidentified weapon to the popular beachfront area.

A security camera recorded video of him as he entered the Leonardo Beach Hotel at around 2:30 p.m., then charged and attacked an employee before assaulting three others, lightly wounding two men and one woman.

Police quickly arrived along with Shin Bet (Israel Security Agency) agents, arrested the suspect and began investigating the incident.

One man in his 70s and three other victims in their 50s – two men and a woman – were evacuated with light injuries to Tel Aviv Sourasky Medical Center.

"We received a report on a number of injured. We arrived very quickly to the scene, within a few seconds.

"We arrested a suspect adjacent to the [Leonardo Beach Hotel]," Yarkon District head Cmdr. Shlomi Sagi told press at the scene. "From an initial investigation, we are speaking of a lone attacker who arrived to the boulevard area and attacked four people."

Sagi said it is unclear how the Palestinian entered Israel.

"We are speaking about an 18-year-old resident of the West Bank. How and why he entered is currently being investigated."

A gag order was placed Sunday on details of the investigation and the suspect by the police.

An employee of the Leonardo Beach Hotel who was one of the wounded told Maariv, "I was standing in the lobby with my husband helping a customer, when the [attacker] entered the hotel. He was staring at me and I asked him what he wanted. That's when he struck me in the ear with something and fled."

Emergency medic Muhammad Arrabi said, "On the sidewalk, a man of about 70 was lying fully conscious and suffering from bruises. We gave him medical treatment on the ground and he was evacuated in a light and stable condition to the hospital."

Israel admits it lost bodies of 100 Palestinian martyrs
Gulf News Palestine
April 26, 2017

Israel has admitted losing the bodies of more than 100 Palestinian martyrs killed by the occupation forces during the Second Palestinian Intifada which took place between 2000-2004.

The admission comes after a Palestinian committee tasked with getting the bodies back petitioned the Israeli High Court to investigate the matter.

After 17 years, the Israeli regime was finally forced to admit its gross negligence in dealing with bodies of Palestinian martyrs.

A senior Israeli Justice Ministry official told the Israeli daily, Haaretz, the search for the bodies began only recently.

"The truth must be told, many bodies have been lost," the unnamed official said.

Apparently, private companies were hired to bury the bodies of Palestinians and they provided no official record over the locations of the graves, another official explained.

Documents and records went missing as some companies went bankrupt, the official said.

The High Court has given Israeli authorities four months to provide details on all withheld remains.

Bodies of Palestinians are often withheld by Israeli authorities to punish the families of alleged Palestinian attackers.

Bodies that they bury themselves are often treated with gross negligence and disrespect.

The graves are usually no deeper than 50 centimetres. Strong winds often uncover the corpse leaving it vulnerable to being eaten by wild animals.

Since the 1960s, Palestinians say Israel has withheld a least 500 bodies of martyrs.

Palestinian families often insist on DNA tests before accepting bodies because they do not trust Israeli authorities.

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North Korea

North Korea will host UN Human Rights Council expert for the first time
Scroll.in
By Staff
April 27, 2017

North Korea has, for the first time, agreed to host an independent expert designated by the United Nations Human Rights Council. The United Nations Special Rapporteur on the rights of persons with disabilities, Catalina Devandas-Aguilar, will visit the country, officially called the Democratic People’s Republic of Korea, from May 3 to 8 to learn about the condition of people with disabilities there.

"My upcoming visit to North Korea represents a key opportunity to learn firsthand about national realities, laws, policies and programmes concerning people with disabilities, as well as the challenges and opportunities the government faces in implementing the Convention," the human rights expert said in a statement.
The United Nations Human Rights Council has accused North Korea of committing crimes against humanity and detaining up to 1,20,000 people in brutal prison camps, AFP reported on Thursday. The Kim Jong-un regime had last month boycotted a rights council session held to scrutinise its record, branding the body's work a "mere political attack".

Devandas-Aguilar will meet government representatives, United Nations officials, international humanitarian organisations, the Korean Federation for the Protection of the Disabled and other affiliated organisations, and people with disabilities themselves. During her six-day mission, she will visit Pyongyang and the South Hwanghae Province.

"I look forward to engaging with the government, humanitarian actors and people with disabilities to identify needs and practical approaches in order to formulate constructive recommendations that can contribute to enhance protection for people with disabilities and compliance with the Convention," she said.

UN point man on N. Korean human rights urges halt to rising hostility on Korean Peninsula
The Korea Herald
April 26, 2017

The UN point man on the North Korean human rights situation made an "urgent appeal" on Wednesday to de-escalate tensions on the Korean Peninsula as US military assets were deployed in the region to counter North Korea's growing provocations.


"At a time the international community needs to come together to protect the rights of people in the DPRK (North Korea), we are instead witnessing a rise in incitement to armed confrontation," he said, referring to the North's recent threats of military actions and the deployment of the US aircraft carrier Carl Vinson in the waters off the peninsula.

"Statements that feed hatred and polarization do nothing but undermine opportunities to improve the dire situation of ordinary North Koreans," he said, indicating that the heightened tension is already having an impact on the people.

"The onus is on all of us to lower tensions and restore dialogue, including on human rights," he said. "But UN member states, in particular the DPRK and other governments involved in current hostilities, have to realize the great responsibility on their shoulders to preserve peace and stability in accordance with the UN Charter."

In the release, the special rapporteur also pointed out that North Korea has conducted five nuclear tests since 2006 and continues to carry out long-range missile launches on a regular basis despite the international and unilateral sanctions the country is facing. (Yonhap)
April 17, 2017

Canada is moving to strip citizenship from a man accused of slaughtering villagers in Guatemala using a grenade, gun and sledgehammer during the country’s civil war.

The federal government said in newly filed court documents that Jorge Vinicio Sosa Orantes concealed his role in a 1982 massacre by the Guatemalan military when he obtained Canadian citizenship a decade later. He's one of four former soldiers arrested by U.S. authorities in 2010 on allegations of participating in the killing of more than 200 people in the village of Las Dos Erres.

Sosa, 59, is now serving a 10-year sentence for immigration fraud in the United States, where he also held citizenship until it was revoked in 2014.

Canada has opted to strip citizenship in only a handful of modern-day war crimes cases.

Sosa was arrested in Canada in 2011 and extradited to California, where he stood trial for lying about the massacre on his naturalization forms. He left Guatemala in 1985 and sought asylum in the United States, claiming he was fleeing guerrillas. When he was denied, he went to Canada, where he became a citizen. He later married an American, got a green card and applied to naturalized in 2007.

He had been working as a martial arts instructor in Riverside County. U.S. authorities searched his home in 2010, but he had left for Mexico and later Canada, where he was arrested on U.S. charges.

He was a second lieutenant in the army during the massacre. At Sosa's trial, another former Guatemalan soldier suspected of helping carry out the massacre testified that Sosa fired his rifle and threw a grenade at villagers who screamed from within a well. Sosa is expected to be deported after his U.S. prison sentence ends.

The slaughter went unpunished for years, even after Guatemalan authorities issued 17 arrest warrants. In 2009, the Inter-American Court of Human Rights demanded the country prosecute the perpetrators.

Sosa has denied being in Las Dos Erres the day of the massacre.

In ordering his extradition to the U.S., the Alberta Court of Queen's Bench said the evidence establishes he was one of the commanding officers who decided to murder the villagers and that he "actively participated in the killings with a sledgehammer, with a firearm and a grenade."

Omar Khadr's criminal record in Canada shows 'absolute ignorance,' lawyer says
CBC News
By Colin Perkel
April 17, 2017

Omar Khadr's official criminal record in Canada contains oddities and errors that are at odds with how the federal government viewed him on his return from the notorious prison on the U.S. naval base at Guantanamo Bay, Cuba.

The record, obtained by The Canadian Press, makes no reference to the fact that Khadr, 30, was convicted by an internationally condemned U.S. military commission for purported offences he committed as a 15-year-old in Afghanistan.

Instead, the document states only that he was convicted at "Guantanamo Bay, Cuba (Youth Court)." It makes no reference anywhere to the United States or the commission.

While it's not clear when the record was first created, Khadr's Canadian lawyers call it bizarre. For one thing, they note there's no such thing as a Guantanamo Bay youth court.

However, despite the document, the Canadian government argued strenuously for years against treating Khadr as a young offender - placing him, for example, in a series of maximum security adult prisons on his return to Canada in September 2012.

Additionally, the lawyers say, the record appears to formalize the fact that Khadr was convicted as a youth for alleged crimes that occurred in a war zone, which would make him a child soldier - a label the government has also
always avoided.

Lawyer surprised

Dennis Edney, one of Khadr's lawyers, who was initially unaware of the document, expressed profound surprise at its contents.

"There's not such a being as a criminal youth court in Guantanamo," Edney said from Edmonton. "Why would you do that? Internationally, the place was condemned because it didn't distinguish between Omar being a child and Omar being an adult."

The Americans captured the horrifically wounded Khadr in the rubble of a bombed out compound in Afghanistan in July 2002 following a fierce firefight that left an American special forces soldier dead and another partly blinded.

In October 2010, the Canadian citizen pleaded guilty to five war crimes before a military commission at Guantanamo Bay, and was handed an eight-year sentence. The Toronto-born Khadr, who has long maintained the Americans tortured him during his lengthy captivity, later said he only pleaded guilty so he could return to Canada.

Edney said it's important people understand the context of the convictions - something sorely lacking in the official record.

"It shows absolute ignorance. It misstates itself in a very fundamental way," Edney said. "It shows no understanding of what Guantanamo is (and) demands an explanation as to why it is so described."

Concurrent sentences

The RCMP document also erroneously states that Khadr was sentenced to five concurrent eight-year terms for each of his five charges. In fact, Canadian courts have ruled Khadr was handed a single eight-year sentence on all counts.

Co-counsel Nate Whitling, who also had not seen the document, called it unsurprising Khadr has a record in Canada given his transfer here to serve out his sentence. But Whitling still called it "weird." He noted there's no such thing as a concurrent sentence at Guantanamo Bay, and suggested Canadian authorities had "tried to fit a square peg into a round hole."

Khadr's lawyers say his conviction record should not enjoy legal recognition in Canada given that it has no reference to a legitimate court in a foreign country but arises out of military commissions that were set up to avoid U.S. constitutional scrutiny. Still, the criminal record could have an impact on Khadr, who hopes to study nursing, when he applies in the future for employment.

Barney Brucker, the Justice Department's lead lawyer on the Khadr file, did not respond to a request for information. Public Safety Minister Ralph Goodale was not immediately available to comment on Monday.

Khadr was granted bail in Alberta in 2015 pending an ongoing appeal of his U.S. conviction - a process that will likely take several more years at least. The appeal rests on the fact that he was convicted for acts that were not crimes at the time he did them.

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Brazilian military police in front of Congress hurled tear gas at thousands of indigenous protesters, who responded by throwing spears and shooting arrows as a peaceful demonstration turned into chaos Tuesday.

There were no reports of any injuries on either side.

Police said protesters got too close to a large fountain of water on the esplanade in front of Congress in Brasilia, Brazil’s capital.

"The Indians did not comply with the agreement they made with police" about the boundaries of the protest, a police statement said. "They were threatening to invade Congress."

Demonstrators denied that, saying police were just looking for an excuse to remove them. They said that police had agreed the protesters could come close to the fountain and that the march was peaceful.

"Unfortunately, the brute force of the police caused this," said Kleber Karipuna, a protester who came to Brasilia from the northern state of Amapa. "It’s natural that three thousand Indians are going to respond" with spears and arrows.

Protesters said at least four people were arrested in the clash. Police did not provide details.

Brazil, Latin America's largest nation, is home to numerous tribes, many of which live in the Amazon region. Clashes with ranchers, logging companies and other businesses operating near or on their lands are common. However, indigenous leaders say the violence has gotten worse in the last year amid Brazil’s economic crisis.

They have called for a campout in front of Congress all week to lodge a long list of complaints. They claim the government of President Michel Temer is working to roll back protections in various parts of the Amazon and allowing ranchers and other big-money interests to steal their lands.

Argentina group IDs 122nd person taken as baby

An Argentine human rights group says DNA tests have determined the identity of another person taken from parents by the country’s former dictatorship, bringing the number of such cases to 122.

The identity of the man has not been released yet. But the human rights group Grandmothers of the Plaza de Mayo said Tuesday that he's the biological son of Iris Garcia Soler and Enrique Bustamante.

They belonged to the Montoneros guerrilla group and were kidnapped by dictatorship agents in 1977.

Their son was born in captivity at the former Argentine Navy School of Mechanics. That's where thousands of leftist dissidents were jailed and tortured during the 1976-1983 dictatorship.

Former military and police figures have been convicted of organizing the theft of babies from political prisoners who were often executed. [back to contents]
The Truth and Reconciliation Commission has prepared an 'implementation plan' for probing insurgency-era rights violation cases and recommending action against perpetrators and reparation for victims.

The plan has set a target of completing preliminary investigation into more than 58,000 rights violation complaints in six months. Likewise, it has mooted conducting detailed investigation of serious cases, establishing facts, recommending reparation for victims and action against perpetrators and submitting the final report to the government by 9 February 2018.

Senior TRC member Lila Udasi Khanal said the implementation plan has incorporated a 10-month work-schedule. The transitional justice body's term was extended by one year on February 10.

As per the plan, conflict victims will again be given chance to lodge complaints as many of them could not register their cases last year.

TRC had carried out a nationwide complaint receiving drive from mid-April to mid-July in 2016, during which at least 58,052 human rights violation cases were collected. They were allegedly committed during the decade-long Maoist insurgency.

Investigation into these complaints is yet to begin due to lack of proper implementation guideline, conflict among TRC members and the long absence of its Chairman Surya Kiran Gurung, who has not reported to work for the last two months.

As per the plan, preliminary investigation of complaints will be conducted from May 8 till mid-October. Khanal, however, said some works mooted in the draft would require revision considering the upcoming local polls on May 14.

"We have sensed that some targets set in our implementation plan will be affected by elections," he said. "So, we will complete internal and preparatory work until the elections."

Khanal said many cases would be settled during preliminary investigation and detailed investigation would be conducted on serious cases in a phase-wise manner once the preliminary investigation was completed.

Meanwhile, TRC faces human resource crunch as four of its gazetted second-class officers have been deputed for elections. "The deputation of senior staffers will impact our overall work at a time when we need more staffers," Khanal argued. He further expressed concern about more staffers being pulled away during elections.

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Gambia's public life has dramatically changed since the departure of former President Yahya Jammeh. He was forced out of office after losing the December elections and refusing to relinquish power. He now lives in Equatorial Guinea after the regional bloc Ecowas pushed him to leave the country.

The capital Banjul is experiencing a new vibe, with ordinary people now finding their voices on a range of issues affecting the country including politics. This would have never happened under Jammeh. During his reign, his opponents including politicians, activists, journalists and ordinary people were constantly harassed and jailed without trial for speaking their mind publicly.

Many were tortured and others died in detention and their bodies buried in secret locations. The new government has recently unearthed the atrocities.

Three men are arguing about where Jammeh should be tried. But Gambia is buckling under a backlog of dozens of unsolved cases from the Jammeh era.
A prominent activist and member of one of Gambia's opposition parties, Solo Sandeng was arrested during a peaceful demonstration in April last year. He died in detention and his body was exhumed and returned to his family just last month.

The nine members of the notorious National Intelligence Agency, who arrested him, were charged for their involvement in Solo Sandeng's death and jailed.

The country's Finance Minister is optimistic that the new democratic values adopted by the country are finding favour even with international donors.

He says they are assisting Gambia to deal with all the court case arrears, finding lawyers and judges. Gambia is also expected to set up a Truth and Reconciliation Commission within six months.

President Adama Barrow's government is hoping that the commission will help in healing the country. But it is saddled with over 1 billion dollar in debt and is struggling to function.

"That is where the challenge is. If you have 50 victims whose families have lodged complaints to the police and investigations have to be conducted simultaneously, where you are going to get the resources from."

An association of victims and their relatives is demanding reparations and Jammeh's assets be frozen. But for the moment it is Gambia's own state funding that is frozen.

**Three years later, is Canada keeping its Truth and Reconciliation Commission promises?**

*The Globe and Mail*

By Tracy Bear

April 21, 2017

*The year 2017 is especially symbolic for Canada. In addition to marking the 150th year of its confederation, it also is the third anniversary of the Truth and Reconciliation Commission's completion. Two years ago, the TRC released its final report and 94 calls to action to "redress the legacy of residential schools and advance the process of Canadian reconciliation." Amid celebrations, a vigorous debate has erupted over the gap between the Canadian federal government's promises to Indigenous peoples and what might charitably be termed the muted delivery on those promises.*

At possibly no other time in our history has so much discussion taken place, country wide, about issues relating to reconciliation and the calls for a renewed relationship between Canada and Indigenous peoples. In the midst of these ostensibly celebratory conversations, however, some examples have emerged that demonstrate just how far we have to go. Nationally, Senator Lynn Beyak recently commented on what she regarded as the TRC's excessively negative depiction of Canada's Indian residential schools. Her remarks are as profoundly tone deaf as they are historically inaccurate and they led to her removal from the Senate committee on aboriginal peoples. Here in Alberta, the local council in Strathcona County (directly east of Edmonton) recently voted against beginning its meetings with an acknowledgment of their presence on Treaty 6 territory.

Ms. Beyak's comments and the actions in Strathcona County demonstrate a profound lack of knowledge about issues particular to residential schools and treaty acknowledgment, but broader issues are at play. CBC was forced to shut down its comments section for any Indigenous stories because of the overwhelming hateful and racist posts, and Saskatchewan Premier Brad Wall was recently forced to speak out against the deluge of vicious, racist comments his Facebook page received in relation to the killing of Colten Boushie, several of which the RCMP say they have forwarded to Crown prosecutors as potential hate-speech crimes.

Thus, while the discriminatory remarks of the Canadian public on Indigenous issues in online media comment sections and many social media demonstrate a general lack of knowledge of Indigenous histories, they are equally indicative of how much more Canadians need to learn about Indigenous issues and Indigenous peoples' historical and contemporary relationships with Canada and (other) Canadians.

Part of the issue is that most Canadians do not know enough to know what they don't know. This isn't necessarily surprising, given that little of Canada's public education system is dedicated to studying the complexities of Indigenous histories. And often, postsecondary education does little better - Indigenous departments, for example, are among the least-funded and most marginalized disciplines on most Canadian university campuses, if
In recent years, university campuses across the globe have attempted to create new modes to engage with the many people without the inclination or the resources to attend university courses. One of the most widespread efforts includes the creation of MOOC - Massive Online Open Courses. Begun in earnest in the mid-2000s, MOOCs offer free online courses for student learning that allow universities to use new formats to offer subject matter to audiences that otherwise are impossible to reach.

The University of Alberta, as with many universities, has produced a number of MOOCs. One in particular that has just been launched is Native Studies 201: Indigenous Canada. This course, divided into 12 modules with accompanying video-lectures, guest lectures and course notes, provides students with a broad background on an array of historical and contemporary issues important to understanding the relationships between Indigenous peoples and Canada. Although created at an introductory university level, this course is open to anyone with internet capability.

Without a concerted effort on the part of all Canadians, the old adage that "failing to learn from the past ensures its inevitable repetition in the future" is not just a foreseeable reality but a certainty. Indigenous Canada arrives at a compelling juncture, amid this country's 150-year confederation celebrations. Gift-giving often accompanies Indigenous celebrations, and this can be considered as such. It offers a unique opportunity to learn about the histories and contemporary lives of Indigenous peoples and their challenging relationships with Canada. The future generations of all Canadians will thank us.

The Case For A Truth And Reconciliation Commission in Kashmir

The Citizen
By Sheikh Attar & Palvi Singh Ghonkroka
April 25, 2017

Every time one thinks that life in Kashmir has returned to its normal course and hopes that no more innocent lives are lost, the hope gets mercilessly shattered with news of young boys dying in protests. Death is not new to Kashmir. Here seasons' change, moods change, governments change but the only thing that remains constant is the loss of innocent life. Since the nineties, fake encounters, extra-judicial killings, internal displacements, disappearances etc have marred the struggle for a permanent solution of the conflict. Unfortunately, in focussing on the political aspects of the discourse, the concept of justice to the people, has taken a backseat.

The recent deaths of eight young civilians on the polling day once again underscores the need move beyond the sovereignty versus azaadi debate or even the embittered dynamics of the neighbourhood territorial dispute and mend fences closer home, before the embers of dissatisfaction spill over the streets again. The narrative should shift stance on justice dispensation, a crucial facet, which is often ignored by the political class and state institutions alike. Pursuing the idea of justice in the strife torn landscape of Kashmir is a particularly tricky proposition for several reasons. Yet this is precisely why, delivering justice is imperative to the reconciliation process and rebuilding strained relations in this protracted conflict.

Invoking transitional justice that is armed with both judicial and non-judicial remedies such as fact finding and truth-telling initiatives, criminal prosecutions, reparation processes, vetting and institutional reform can perhaps alleviate the long festering wounds of the Kashmiri people.

In terms of a concrete measure, a Truth and Reconciliation Commission can be established, by the central legislature aided by International jurists, as a sincere manifestation of its commitment towards addressing the massive human rights abuses that have plagued Kashmir over decades, with an eye on restoring the dignity of individuals.

Historically TRCs are instituted by the State/regime in power, post the conflict period. This has been cited as a reason to keep its formation in abeyance, given the ongoing armed conflict and widespread civil unrest in Kashmir. However, the open ended nature of the Commission's mandate offers a window of opportunity, if the period to be probed pertains to the past, say the troubled nineties. So a specific mandate, with an inclusive term of reference, that cover actions by state as well as armed non state actors to investigate and document the truth behind the dark period in the Valley's past, namely, the forced disappearances, the unmarked graves, the pandit exodus and the extra judicial killings in detention camps, may open the door for justice that has long eluded
Further an effective reparations policy is a must, as it comprises the most tangible efforts of atonement, bearing a direct impact on the victim's welfare. Official public apologies, a specialised health care program for survivors, pension for victims and victims' families, rehabilitation of the internally displaced persons as well as symbolic reparation via identification of the mass graves, memorialisation of victims, publicly listing names of the disappeared and the dead, disclosure of offenders' names and vetting in official posts to avoid recidivism are important measures in redressing past abuses and regaining the lost trust.

Equally, holding public hearings to record testimonies of victims, witnesses and perpetrators to officially acknowledge the truth must not be underscored as it has unparalleled effects on the sufferers', survivors', their families' and the community's psyche by providing due recognition of wrongs, creating an authoritative record, according responsibility and lifting the veil of impunity that offender's enjoy by naming and shaming.

For the government, it provides the opportunity to shoulder meaningful responsibility of addressing the judicial aspect of a political problem that has been long skirted. Effectively it can extinguish long standing fires of distrust and alienation, while disengaging from the larger political scenario that requires a consensus, which is hard to achieve at present. Further, it strikes the right balance between maintaining the State's authority and public accountability, while circumventing the question of allowing third party involvement, which has been the subject of much debate, thereby avoiding all discordant notes. If successfully executed, it would amount to revitalising a moribund dialogue, significantly boosting the government's credibility in the valley and would bring about a holistic closure for the masses while reiterating the state's obligation towards fostering reconciliation with the people.

The role of the media is crucial in unearthing and dissemination of facts and walking the thin line to maintain a balanced and objective coverage without becoming polarised in its narrative. Significant media initiatives include documentaries on the report with the aim of contributing towards building a collective memory and educating the masses. For example, the report of the Argentine National Commission on the Disappeared (Nunca Mas meaning Never Again), is widely used for civic education and reprinted in various formats.

No doubt for its critics transitional justice with its emphasis on restorative rather than retributive justice, particularly in the context of systematic human rights abuses can seem like too little too late. However its benefits may outweigh its misgivings. Its flexibility allows for an efficacious justice delivery within the contours of the socio-political ground reality. Moreover, as an official agency, it lends the much needed stamp of legitimacy and state recognition needed to restore public faith in the rule of law and equality before law. It should therefore be viewed as an opportunity to leverage access to justice that has remained a mirage for the average Kashmiri, rather than an outright denial of justice.

It goes without saying that political will and genuine commitment is a prerequisite for the process. An onus on truth seeking instead of obliterating facts and figures, arming the commission with adequate teeth such as the power to hold someone guilty, limited exchange of amnesty for testimony, allowing statements to form the basis of criminal prosecutions where grave crimes have been committed and providing adequate resources such as legal support staff are critical to piece together a comprehensive, well documented history of past abuses and atrocities.

Finally, the report itself should be considered an important national document, its recommendations implemented in letter and spirit, with the long term aim of reconciling a divisive society with a deeply troubled past. This includes inter alia reforms of state institutions and policies by reviewing acts like AFSPA that bestow sweeping powers and have the tendency to turn into draconian laws if left unfettered, if proposed by the Commission.

Azaadi can mean several things to several people - for those who've suffered and seen wrong without justice being meted out, it could well mean having access to justice, even if restorative.
Global leaders on Wednesday urged all nations to help "banish forever the evil of chemical weapons", as the world’s watchdog warned that decades-long progress towards eliminating them was under threat.

UN chief Antonio Guterres led praise at a solemn ceremony in The Hague for the work of the Organisation for the Prohibition of Chemical Weapons (OPCW) to mark the agency's 20th anniversary.

So far some 95 percent of the world's declared stockpiles of such arms have been destroyed by the OPCW.

And its dangerous, painstaking work to implement the April 1997 Chemical Weapons Convention won it the Nobel Peace Prize in 2013.

But amid reports of sarin, mustard and chlorine gas attacks unleashed during the bitter civil war in Syria, Guterres warned that despite "two decades of success... progress is under threat."

"In the Middle East regions are breaking the norm against chemical weapons. The recent attack in Syria was a horrific reminder of this threat. There can be no impunity for these crimes," he stressed in a video-taped message to the ceremony.

"For 20 years we have been allies in this cause. Now let us resolve to consign these diabolic weapons to the pages of history."

In an unprecedented step in November, the OPCW's executive council condemned Syria's use of toxic weapons -- its first public condemnation of any of the 192 members of the convention.

Syria joined the OPCW in 2013 after denying for years that it had toxic arms. And while 100 percent of its declared stockpile has been destroyed in an operation involving some 30 countries, there are growing fears that the Syrian regime did not reveal the true extent of its armoury.

OPCW director general Ahmet Uzumcu acknowledged Wednesday that "our collective journey to banish forever the evil of chemical weapons has reached momentous landmarks."

But he warned that "in Syria the OPCW has faced its greatest test of commitment as well as resilience."

"Our work in Syria is not yet finished. It is of grave concern that we continue to see reports of the use of chemical weapons."

He urged Egypt, Israel, North Korea and South Sudan -- the last four countries which have not yet signed the convention -- to join up "without delay".

And with some victims in the audience, he paid tribute to those who have suffered most from such deadly weapons, first used on the battlefields of Ypres in World War I.

The victims "remind us of the human toll when morality is recklessly abandoned and universal norms callously breached," Uzumcu said.

"The work of the OPCW represents the most effective response to such cruelty; a ray of hope illuminating a dark shadow on our history."

U.S., European Military Chiefs Call for Better Data-sharing against Terrorism

Reuters
By Andrea Shalal
April 26, 2017

Top military officials from the United States and Europe called on Wednesday for better information-sharing to fight terrorism and regular coordinating meetings for justice officials.

"Terrorism is a transregional problem and presents a clear and present danger to us all," U.S. General Curtis
Scaparrotti, commander of U.S. European Command, told reporters after the first gathering of European defense chiefs to focus specifically on countering violent extremism.

He said it was imperative to improve the speed at which data was shared, and to address countries' concerns about revealing "sources and methods" to bolster the fight against Islamic State and other extremist groups.

"We've made advances in this without a doubt, but it still remains one of the things that we've most got to work on," Scaparrotti said. The challenges were growing due to growing use of social media and encryption by Islamic State, he said.

Failure to share information could keep authorities from connecting the dots and preventing violent attacks, he said, citing the Paris attack that killed a police officer last week.

"No nation stands alone and no nation is immune to the threat of violence posed by terror," he said.

Scaparrotti said European chiefs of defense, foreign ministers and defense ministers already met regularly to coordinate on counterterrorism, but similar meetings were needed for judicial officials too.

Italy's defense chief, General Claudio Graziano, said Wednesday's talks allowed officials to share experiences and discuss ways to increase intelligence-sharing given the growing threats of failed states, illegal migration, poverty and violence.

"I'm encouraged that we're going to carry on this effort," he said. "We have to recommend some possible options to our political leaders."

The all-day meeting included senior military officers from 28 European nations, the United States, and officials from the European Union, the U.S. Defense Department and the U.S. National Counterterrorism Center.

Scaparrotti underscored the need for NATO members to boost military spending to the agreed target of 2 percent of gross domestic product. Many NATO members still spend less.

Scaparrotti said growing threats had changed the equation.

"It's important because we are living in an environment that is changing dramatically," he said. "It will take resources, determination and resolve to see the end of terror in Europe."

Piracy

2 Pirates Killed While Trying to Hijack Ship Near Somalia
VOA News
April 16, 2017

A Somali official says foreign naval forces in international waters shot dead two pirates and wounded another when the bandits attempted to hijack a ship on Saturday.

Ahmed Abdullahi, an official with the anti-piracy force in the semi-autonomous Puntland region, said the two killed men were part of a group of nine pirates in a boat approaching an unidentified ship near the Gulf of Aden when a naval force opened fire on them.

He said the six other pirates survived the attack and escaped.

Residents in Durduri, a coastal village in Sanaag region, said that on Sunday morning they found two dead bodies, apparently left by the pirates, near the coast.

In recent weeks there has been a resurgence of piracy off Somalia's coast, after five years of inactivity.

Abu Sayyaf Beheads Captain of Philippine Fishing Vessel
Maritime Executive
April 17, 2016

**Philippine officials reported Monday that fighters with the terrorist organization Abu Sayyaf have beheaded a fisherman, Noel Besconde, who was taken hostage during the hijacking of the Ramona 2 late last year. Besconde was the vessel’s captain.**

"We express our sincerest condolences to the bereaved family of FB Ramona 2 captain Noel Besconde, who met untimely death in the hands of the kidnap-for-ransom group Abu Sayyaf," said Philippine presidential spokesman Ernesto Abella in a statement. "We strongly condemn this senseless and coldblooded murder committed during the Holy Week."

Besconde was killed on April 13, one day before Good Friday. The Armed Forces of the Philippines (AFP) believes that the murder occurred near Patikul, Jolo, but Besconde’s remains have not been found.

Unlike Abu Sayyaf’s last four hostage beheadings, which the group carried out when ransom deadlines passed, the killing appeared to be motivated by the need for mobility. "The reason why he was beheaded is that he was delaying their movement," said Brigadier-General Cirilito Sobejana, speaking to Al Jazeera. "They are highly mobile and we are pursuing them."

The pirates are still holding Reyjim Rocabo, the Ramona’s engineer, and crewmembers Roy Ramos and Roel Liones. In total, Philippine authorities believe that Abu Sayyaf has over two dozen hostages, including 20 seafarers who were captured during the yearlong campaign of piracy.

The Philippine military successfully thwarted an Abu Sayyaf terrorist operation on the island of Bohol last Tuesday, and ten people were killed when security forces made contact with the ASG infiltrators. Second Lieutenant Estelito Saldua, Jr. was among the four servicemembers who died in the encounter, and on Monday, Philippine president Rodrigo Duterte recognized Saldua’s sacrifice with the Gold Cross medal, the nation’s third highest combat award. The governor of Batangas gave Saldua’s three brothers and sisters all scholarship awards, according to ABS CBN, and Duterte reportedly told the family that they should contact him directly if they need anything.

The municipality of Inabanga has issued a wanted poster for the remaining Abu Sayyaf fugitives on Bohol, including Joselito "Alih" Milloria, who is suspected of acting as the group’s local guide.

**Philippine Forces Thwart Pirate Attack**
**Maritime Executive**
April 18, 2017

**On Tuesday morning, the Philippine Coast Guard foiled an attempted pirate attack on the cargo vessel Doña Anabelle. The attempted boarding occurred off Siocon, Zamboanga del Norte - over 50 nm to the north of the Sulu archipelago, the epicenter of recent pirate attacks in the region.**

Regional police chief Billy Beltran told the Inquirer that armed fighters on two motorboats fired at the vessel off the village of Santa Maria, Siocon. Zamboanga Coast Guard Station Commander Alvin Dagale told the Philippine Sun Star that the attackers fled when military patrol vessels approached. None of the crew were injured, and the responders escorted the Anabelle for the remainder of her voyage to Zamboanga City.

Beltran said that the affiliation of the attackers is not yet known, and the incident is under investigation.

The ISIS-aligned terrorist group Abu Sayyaf (ASG) has made the waters between the Philippines and Malaysia among the most dangerous in the world for maritime piracy. The group is believed to be holding about 20 seafarers hostage, a number that has fallen in recent weeks due to a series of escapes, rescues and executions.

While its activities have focused on the Sulu Archipelago, a group of ASG fighters recently mounted an operation on the island of Bohol, several hundred miles to the north - potentially a reflection of increasing pressure from the military and law enforcement. The Armed Forces of the Philippines (AFP) is engaged in a full-scale campaign against ASG on the ground in Sulu and Basilan, and the Philippines, Indonesia and Malaysia have announced joint naval patrols to suppress the group’s activities in the waters between Tawi Tawi and Sabah. Japan has offered to provide the Philippines with military advisors and small pursuit boats, and Philippine president Duterte has called on the ASEAN nations to coordinate their activities against the ASG."
Rodrigo Duterte has even invited the Chinese navy and coast guard to help patrol the area.

Pirates Attack Tanker Near Somali Coast
Maritime Executive
April 24, 2017

On Saturday, a product tanker was attacked at 05.7 N 048.9 E, just six nm off the coast of Somalia’s Mudug region. The attack was 30 nm northeast of Hobyo, a small port town that was once the home base of pirate leader "Afweyne's" criminal enterprise.

According to the IMB and the UKMTO, six to ten armed pirates in a launch approached the underway tanker and opened fire. The master transmitted a distress signal and began evasive maneuvers, but the skiff continued to pursue and harass the vessel for another two hours. The pirates eventually departed and the crew and vessel are confirmed safe. One crewmember was injured during the chase.

The reports did not identify the vessel, but EUNAVFOR reports that it received a distress call at about the same time from the UAE-owned product tanker Costina. The Spanish Navy vessel ESPS Galicia was about 14 nm away, and she changed course and launched a Sea King helicopter to respond. EUNAVFOR said that the pirates fled as the Galicia approached.

Galicia's boarding team found that the Costina's superstructure had bullet holes from the attack, but the ship was still in suitable condition to continue to her next port of call.

The Costina's AIS signal was last picked up off Yemen on April 19, broadcasting Mogadishu as her destination. The reports did not discuss whether there were private maritime security contractors on board.

Somali pirates have recently shown an ability to mount hijacking expeditions far out into the Gulf of Aden and the Indian Ocean, and inshore traffic might be an easier target. EU NAVFOR spokesperson Commander Jacqui Sherriff said that "this attack again highlights the need for vigilance and adherence to the self-protection measures as laid down in Best Management Practices (BMP)4. It is crucial that Somali pirates are denied opportunities to attack vessels."

The 1984-built Costina is flagged in Sierra Leone, and has not had a PSC inspection recorded in Equasis since 2007.

Food shortages may be contributing to resurgence of piracy

In remarks at Camp Lemonnier, Djibouti on Sunday, head of U.S. Africa Command Gen. Thomas Waldhauser suggested that drought and food shortages in Somalia may be a contributing factor in the recent pirate attacks in the region.

"Some of the vessels that have been taken under hijacking have had some food and some oil on them. Moreover, these particular ships have been very small in statute [sic] and really a lucrative target for pirates," Waldhauser said. He stopped short of suggesting that the recent uptick in attacks constitutes a "trend," but he said that U.S. forces will "continue to watch."

The U.N. began warning of a catastrophic famine in February - "a famine on a scale we cannot imagine, if we don't act right know," according to U.N. humanitarian coordinator Peter de Clercq. de Clerq said that his agency had already received anecdotal evidence of deaths in Somaliland as a result of the drought.

The last round of famine in Somalia killed an estimated 260,000 people, and de Clerq said that this time could be worse. "We are seeing growing similarities to the conditions that led to the famine in 2011 though, as numbers are showing, a much larger percentage of the country is at risk this time around," de Clerq said.

The potential impact of the drought extends across the region: the U.N. World Food Program suggests that about 20 million people in South Sudan, Nigeria, Yemen and Somalia may be vulnerable to starvation within the next six months.

Duterte Threatens to "Eat" Abu Sayyaf Fighters Alive
Maritime Executive
April 25, 2017
On Sunday, Philippine president Rodrigo Duterte threatened to eat members of the terrorist group Abu Sayyaf if they were captured alive. The group has abducted dozens of seafarers over the past year, and it has developed a reputation for torturing and beheading its kidnapping victims. Duterte suggested that he was capable of similar methods.

"If you want me to be an animal, I'm used to that. We're just the same," he said, in comments translated by Manila-based outlet BusinessWorld. "I can even eat you alive, just give me salt and vinegar . . . I told the military, don't sleep, find them and kill them. I want them dead. Don't give them to me alive."

Former president Fidel Ramos criticized Duterte's threats in an interview Tuesday. "This must be avoided especially when you are talking to our young people," he told ANC. He said that he supports Duterte, but the president must "act like a president all the time."

Duterte's rhetoric mirrored his statements regarding his administration's campaign against drug trafficking. Thousands of suspected drug dealers have died in encounters with the police and with unidentified vigilantes since Duterte took office, and the president has broadly encouraged the police and the public to kill suspected criminals. "Please feel free to call us, the police, or do it yourself if you have the gun - you have my support," he told a rally last June.

The U.N. Human Rights Commission has urged Philippine prosecutors to investigate Duterte for his own involvement in possible human rights violations. Despite the allegations (and his own public struggle with prescription drug abuse), Duterte remains highly popular in the Philippines.

Four more Abu Sayyaf militants killed on Bohol

On Saturday, soldiers and police killed four more suspected Abu Sayyaf militants in a running firefight on the island of Bohol. A small squad of suspected terrorists has been on the run since last week, when authorities were tipped off to the militants' presence. The Philippine military believes that the group intended to infiltrate the popular tourist destination in order to kidnap more civilians - a cause for alarm, as Bohol is hundreds of miles from the group's usual area of operation. Four fighters and four security personnel were killed when government forces first made contact with the group.

Two more suspects remain on the run on Bohol, and in a briefing at the presidential palace on Tuesday, AFP spokesman Brigadier General Restituto Padilla said that the fugitives were surrounded. "They don't pose any serious threat anymore . . . Because of their long exposure to the elements, what they are doing now is to fight for their survival," he said.

President Duterte has offered a bounty of $20,000 for information leading to the capture of the remaining militants on Bohol, "dead or alive."

Abu Sayyaf beheads kidnapped soldier

On Monday, the Abu Sayyaf Group beheaded a fighter of the Moro National Liberation Front (MNLF), a former rebel group that has joined the AFP in the fight against the terrorist organization.

The body of the soldier - staff sergeant Anni Siraji - was found in Patikul, Sulu. The AFP condemned the execution and expressed its condolences to Siraji’s family. "We were saddened by that news and we express our sympathies to the family," said spokesman Brigadier General Cirilito Sobejana, speaking to ABS CBN. "As it was, we understand that it's all part of our jobs as soldiers and protector of our people.

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The United Nations refugee agency (UNHCR) has expressed concerns after recording thousands of cases of sexual and gender-based violence (SGBV) among the refugees in Chad during 2016.

As at 31 December last year, Chad hosted a total of 393,161 Sudanese, Central African, Nigerian, Congolese and other nationalities in 19 camps.

In its latest report, UNHCR and its partners documented 1247 cases of SGBV in 2016, out of which 95% are female and 20.4% under 18.

Rape, exploitation and sexual assault account for 14.9% of all SGBV cases recorded last year. 95% of victims are refugee girls and women.

With at least 65 cases (a third of SGBV cases among girls) reported mainly among Sudanese and Central African refugees, child marriage is the first most reported violence among young girls. This is despite the 2015 promulgation of the legal provisions prohibiting child marriage in Chad.

However, the agency said these figures are likely to be an underestimate, due to underlying socio-cultural norms.

Despite a slight decrease in the number of incidents in 2016 compared to 2015, ”the overall situation of sexual and gender-based violence remains a major concern despite the various interventions," the UNHCR said in its report.

The UN agency noted a downward trend in cases of female genital mutilation (1.2% of all SGBVs identified) likely related to stepped up efforts to monitor, counter and raise awareness about the practice.

Challenges identified with regard to the response to these incidents included access to adequate security and confidentiality of the victims, access to legal and psycho-social services provided to victims.

Thus, only 1.28% of victims in need of safe houses had access to the service, 6.49% of victims had access to legal services, 26.06% were attended to by the police, 30.15% had access to material support, 39.69% consulted for medical care and 78.9% consulted the psycho-social services.

"Since the development of the five-year strategy for the effective fight against SGBV, UNHCR and partners have exerted much effort in the camps despite the financial and material challenges as well as the lack of qualified manpower," UNHCR said in its report.

According to UNHCR's Chad bureau, the persistence of certain SGBV incidents is linked to socio-economic conditions, the dearth of education opportunities, cultural norms and taboos and the misinterpretation of certain religious and legal texts in Chad.

Commentary and Perspectives

Just or Unjust? Mixed Reactions on Whether Ongwen Should be on Trial
International Justice Monitor
By Lino Owor Ogora
April 24, 2017

As the trial of former Lord's Resistance Army (LRA) commander Dominic Ongwen continues before the International Criminal Court (ICC), people in northern Uganda are still divided on whether or not his trial is justified. In response to the question of whether they felt Ongwen's trial was fair or not, Civil Society Organization (CSO) representatives responded in different ways, citing different reasons for their answers.

Ongwen is charged with 70 counts of war crimes and crimes against humanity allegedly committed in attacks on camps for people displaced by the conflict in northern Uganda. The attacks took place between 2003 and 2004 in the camps of Pajule, Odek, Abok, and Lukodi. Ongwen has also been charged with sexual and gender-based
crimes, including the crime of forced marriage.

A Fair Trial

Proponents who say the trial of Ongwen is fair cite various reasons, among them being the gravity of the crimes that he allegedly committed, the need to ensure justice for victims, and the fact that Ongwen did not make any attempts to escape and benefit from an amnesty program that was in place at the time.

As Pamela Angwec, a CSO representative in Gulu said, "For every crime one commits there has to be accountability. Even in Uganda's prisons we have people who committed petty crimes like stealing chicken, but still they are being prosecuted. Now looking at the magnitude of the crimes Ongwen committed, I say it is fair for him to be tried. You cannot kill somebody anyhow and not be accountable for your action and expect to just walk away free."

Another reason cited by many people was the fact that Ongwen had numerous chances to escape and to take advantage of an amnesty program, which was in place at the time. However, he did not do this.

"I can say he is being fairly prosecuted because so many young people came out of the bush, but why didn't [Ongwen] come back like others? Even if he is set free, I am very sure people will not [be happy] and may take the law in their hands," said Joyce, a CSO representative based in Gulu.

James Engemu, another CSO activist working in eastern Uganda thought the trial of Ongwen is fair based on the way the ICC was handling the case and the way Ongwen was being treated.

"For me, I think he is being fairly prosecuted because he is in safe custody and in good health, and he is not worried he is going to die. When the case started the lawyer of Ongwen said he was not in good health, so he was given time to recover and that is an indicator of fairness. In fact, he has been given the freedom to be present in court," said James.

Other people held the view that the trial of Ongwen is fair because it presented an opportunity for appeasement of his victims. As some people argued, the trial was a means for Ongwen to live peacefully with his former victims in the event that he returned to northern Uganda after the trial.

Hellen Acham, a CSO activist working in Lira District said, "I would say it is fair because after the trial he will be free to socialize with people; because people already know he has been in court for his actions, and no one will raise any new issues against him again. This is a security for him."

In addition, as Hellen and others pointed out, there is a need to focus not only on Ongwen as a victim, but also the people whom he allegedly committed crimes against.

"Let us not only look at Ongwen's side as a victim in the first place, but also look at the harm he has caused his own people," added Hellen.

Other people believed the trial of Ongwen is fair because it enhances the rule of law and ensures that Uganda is standing by its international obligations to fight impunity.

As Fred Ngom Okwee, a CSO representative said, "The trial is a fulfillment of Uganda's obligations before the ICC. Ongwen's prosecution will provide justice to the victims, who will see that the law is on their side. The trial has opened a wider space for international criminal justice in Uganda; for instance the International Crimes Division (ICD) has been formed in Uganda, and it deals with similar cases like that of ICC."

Alice, another CSO representative concurred with Fred. "This prosecution is fair because Ongwen committed a lot of crimes against humanity, and he needed to face charges. His prosecution makes the victims feel a big relief because they see their interests being fought for and proves that the law is active and that human rights are important. This will make other criminals know that the law is not sleeping."

An Unjust Trial

Despite the above perspectives, many people still continue to hold steadfast to their views that the trial of Ongwen is unfair. They cite reasons ranging from his abduction and indoctrination into the LRA at a young age, to the fact that the LRA as an organization should be the one to blame for crimes committed in northern Uganda. Another reason frequently cited was the fact that many other senior LRA commanders, who some believe committed worse
Bishop MacLeod Baker Ochola, an outspoken activist on amnesty and forgiveness believes the trial of Ongwen is unjust. "I have said it many times that Ongwen is a victim and therefore Uganda as a nation cannot punish him twice because he was already punished by the LRA. When he was abducted to his way to school his humanity was destroyed, and he has become a killing machine for the LRA so the whole LRA has to be punished and not the individual people. Prosecution against Ongwen is not just unfair but the most unfortunate. The LRA should be prosecuted because it is an organization and however big it is, it should be prosecuted," said Bishop Ochola.

Furthermore, some CSO representatives believe that there were other senior LRA commanders who should have been tried instead of Ongwen. They argued that some of these commanders joined LRA willingly, unlike Ongwen, They also allege that other commanders committed worse crimes than what Ongwen is charged with and have not faced similar consequences. For example, Brigadier Kenneth Banya and Sam Kolo are two former commanders who were granted amnesty. Ceaser Acellam, a senior commander who was captured in 2012, was also never tried. Based on these examples, some CSO representatives argued that Ongwen’s trial is unfair.

"He was forcefully abducted. He did not join the rebellion by himself as some leaders like Sam Kolo, Kenneth Banya, and many others did. It is unfair since he was misled. He should not be prosecuted but Joseph Kony, the LRA leader himself should be tried," said Omara Christopher, a CSO representative based in Gulu district.

Stella Lanam, a former LRA abductee and a CSO representative now working with formerly abducted girls in Gulu, also thought that Ongwen’s trial was unfair. In her words, "Dominic is being unfairly prosecuted because he committed most these crimes in order to protect his life. He worked on orders of the LRA leaders. There are other top leaders who are walking freely and yet they committed the worst crimes if compared to that of Ongwen. Museveni and Kony should be the ones to be prosecuted since they are the ones who triggered the war."

David, another CSO activist agreed with Stella. "The top commanders like Banya and many others are walking freely without any trial, making Ongwen’s trial very unfair. Age should be considered because there are children who were abducted and grew up from the bush. These include the likes of Ongwen, who grew up believing that committing crimes was part of life. Kony himself must be arrested and prosecuted since he is the one who masterminded the war."

Many people who thought Ongwen’s trial was unfair also believed that LRA leader Joseph Kony should be the person trial.

In addition, a prosecution witness, who had served in the LRA, testified on cross-examination by the defense that he was happy when he received news that Ongwen had escaped. Among other reasons, this witness said Ongwen had been a good commander to him and treated him well compared to other LRA commanders. Such opinions further strengthen arguments of people who believe that Ongwen should not be on trial.

Based on the nature of the conflict in northern Uganda, characterized by the use of abducted children to serve in the ranks of the LRA, there will continue to be conflicting views on whether or not people like Ongwen should be tried. These varying opinions, which have existed since the time of Ongwen’s arrest, demonstrate the divisions that exist among the people in northern Uganda and seem unlikely to evolve as the trial continues.

80 years later, the Nazi war crime at Guernica still matters
The Washington Post
By Ishaan Tharoor
April 26, 2017

The Nazi aircraft appeared above Guernica in the late afternoon of April 26, 1937. It was market day in the historic Basque town, with hundreds of residents congregated in the central square. They couldn’t have imagined what was about to happen: Over the next three hours, the planes dropped 100,000 pounds of high-explosive and incendiary bombs, reducing Guernica to a smoldering ruin.

It was one of the first crimes against humanity to grip the global imagination. The atrocity, carried out by the German air force in league with Spain’s fascist Gen. Francisco Franco, is considered the first deliberate attack on a civilian target from the air - years before Coventry, Dresden and Hiroshima, and decades before Aleppo. Guernica contained nothing of real military value. It was, and remains, a Basque cultural center and home to a sacred tree
that symbolized the traditional freedoms of the Basque people - privileges Franco had little interest in defending.

To this day, the scenes of catastrophic suffering recorded in Guernica are a black mark on Spanish history.

"I was the first correspondent to reach Guernica, and was immediately pressed into service by some Basque soldiers collecting charred bodies that the flames had passed over," wrote Noel Monks of the London Daily Express. "Some of the soldiers were sobbing like children. There were flames and smoke and grit, and the smell of burning human flesh was nauseating. Houses were collapsing into the inferno."

The Manchester Guardian reported that "even flocks of sheep were machine-gunned" and that "the fires have been so extensive that many bodies will never be recovered." Estimates placed the death toll around 1,600 people, though later studies have reduced the number significantly.

"The raid on Guernica is unparalleled in military history," wrote George Steer in the Times of London two days after the bombing. "Guernica was not a military objective. A factory producing war material lay outside the town and was untouched. The object of the bombardment was seemingly the demoralization of the civil population and the destruction of the cradle of the Basque race."

Indeed, as it later emerged, the bombing of Guernica was part of a trial run for the Nazi war machine. The Condor Legion, a Luftwaffe unit created to fight alongside Franco's Nationalists, carried out the assault in coordination with Franco's troops and with support from the air force of fascist Italy. According to one historian's account, "the destruction of Guernica was planned as a belated birthday present from [Hermann] Göring to [Adolf] Hitler, orchestrated like a Wagnerian Ring of Fire."

"Guernica, city with 5,000 residents has been literally razed to the ground," wrote Wolfram von Richthofen, the Condor Legion's commander, in his diary. "Bomb craters can be seen in the streets. Simply wonderful."

Such sentiment is chilling and shocking, but it's no relic of the past. To this day, American politicians bluster with alarming glee about the prospect of carpet-bombing other parts of the world.

If Guernica's ordeal still echoes powerfully in the present, it's in large part thanks to the efforts of Spanish artist Pablo Picasso, who debuted his now-famous mural of the slaughter at an international arts exhibition in Paris in July 1937.

A "cubist apocalypse," as British art critic Jonathan Jones recently put it, the painting received mixed reviews from Picasso's initial audience. But of all the works at the exhibition - lavishly sponsored pieces of propaganda by governments including Germany's - it is Picasso's colorless tableau of grotesque forms, broken and brutalized, that is remembered to this day.

"Picasso knew exactly what he was doing when he painted Guernica," wrote Jones. "He was trying to show the truth so viscerally and permanently that it could outstare the daily lies of the age of dictators."

Both Franco's Nationalists and the Nazis initially denied any culpability in the attack, blaming it instead on retreating Republican troops. Their callousness - and the international community's mute shock - was invoked by observers last year as they watched the regime of Syrian President Bashar al-Assad and his Russian allies relentlessly bomb rebel-held areas of Aleppo.

"When it comes to incendiary weapons and munitions such as bunker buster bombs and cluster bombs, the U.N. makes it clear that the systematic use of such indiscriminate weapons in densely populated areas amounts to a war crime," said British politician Andrew Mitchell to parliament last October. "We are witnessing events that match the behavior of the Nazi regime in Guernica in Spain."

A Portuguese cartoonist updated Picasso's work to show Assad's face and that of Russian President Vladimir Putin.

The rebels have been mostly driven out of Aleppo - and so, too, hundreds of thousands of residents. It will take a long time for the devastated city to be made whole again.

It also took a while for Guernica. Franco's dictatorship suppressed Basque rights until his death in 1975. Picasso's mural, after a peripatetic life around the world, only made its way home in 1981. Eight decades on, Spain is still coming to grips with how to reckon with its bloody, divided past. In Guernica, there is now a dedicated peace museum, as well as a verdant "peace park" in the foothills surrounding the town.
And there are survivors.

Earlier this year, Luis Iriondo Aurtenetxea, who was 14 at the time of the bombing and saw Guernica burn to ash around him, spoke to the Guardian of what endures.

"We survivors will disappear. We want people to carry on our message. We want every town hall to have a peace committee to talk to their governments," he said. "When the German ambassador came here to apologize in 1997, I was asked to speak for the town. I said to him: 'A flag of peace should be raised from the ruins of what our town once was. This must never happen again.'"

**Dutch Man Convicted for War Crimes in Liberia: Where Do Liberians Stand with Justice?**

Daily Observer
April 27, 2017

On Friday, April 21, the world witnessed a historical event in The Hague where a Dutch businessman, Gus Kouwenhoven, was convicted by the Dutch Appeal Court and subsequently sentenced to 19 years for smuggling arms to fuel the Liberian war. According to the verdict, Kouwenhoven, who during the regime of former President Charles Taylor, operated the Oriental Timber Company (OTC), was convicted as "an accessory to war crimes" for selling weapons to Mr. Taylor between 2000 and 2003 in defiance of United Nations Arms Embargo against Liberia at the time.

The decision to prosecute and convict this Dutch man does not only serve as a precedent to those who may want to go against the UN mandate, but it also expresses to the world the significance of justice and its power to heal psychological wounds that are inflicted on people during war. We thank the Global Witness and others who pursued the case and arrived at this result.

The biggest question: Where is Liberia with justice in its own case? It is quite unfortunate that our country, the majority of whose people claim to be believers in God, will accept to give blind eye to justice and find pleasure in corruption, ritual killings and hypocrisies; forgetting the scripture that says "To do justice and judgment is more acceptable to the LORD than sacrifice" (Proverbs 21:3). Sierra Leone, where ten years of brutal war was fought, saw justice as a means of healing the people. It established a United Nations-backed war crimes court wherein those that committed heinous crimes, including Liberia's own Charles Taylor, were prosecuted and convicted. Since this tiny West African country completed prosecution of war criminals, it has remained peaceful and more united. Not only are the people there enjoying peace and unity, people with evil intent now fear that their deeds will lead to their prosecution and punishment.

For this so-called Christian country built on "Christian principles," its war players called for establishment of the Truth and Reconciliation Commission (TRC) for fear that if a war crimes court were established, they will be convicted and may not have the opportunity to pay themselves for killing Liberians.

The victimized Liberians, on the other hand, accepted this idea that was meant only as an open escape route for perpetrators of war crimes. They feared that establishing a war crimes court would plunge the country into another war. Liberians also backed their decision to accept the TRC with this idiotic statement, "Let bygones be bygones." Above all, we went on to reward war criminals and players with power, disregarding this biblical warning, "Whosoever rewards evil for good, evil will not depart from his house" (Proverbs 17:13). As evidently seen, the decision to give power to war criminals and players gave them the grounds to steal our resources to benefit themselves and their families, and to boast of committing even more atrocities here.

Well, the Truth and Reconciliation Commission was accepted, granted! But what has become of the recommendation of this TRC Report since it was submitted in 2009? The Comprehensive Peace Accord (CPA), approved in Ghana in 2003, gave the TRC Commission enormous power to address issues of impunity, national unity, and reconciliation as conditions for lasting peace. On June 30, 2009 the Commission presented its final report to the National Legislature to act upon and then sent same to the President of Liberia, Ellen Johnson Sirleaf. Some of the simple recommendations excluding the ones that choked the President herself and others included reparations for affected communities and palava hut discussions. Since these recommendations were submitted, however, the Liberian Government and its Independent National Human Rights Commission (INHRC) are yet to fully implement them, but repeated a lot of what led to war in this country. Even President Sirleaf, in her final Annual Message, this year, admitted to her failure to reconcile Liberians and to fight corruption. Thank God and the poverty-stricken citizens of Liberia for upholding the peace in this country!
This Editorial is purposely intended to remind Liberians that without justice there can be no genuine peace and security in any land, and because the Dutch know the significance of justice, they have set the example for Liberians to emulate. Will we?

Time is running out or, many may admit, time has indeed run out for the Sirleaf administration to fulfill the CPA mandate, or even to reconcile the country. Are these not a fundamental part of the legacy she was expected to have left behind? What is going to happen now?

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War Crimes Prosecution Watch is prepared by the International Justice Practice of the Public International Law & Policy Group and the Frederick K. Cox International Law Center of Case Western Reserve University School of Law and is made possible by grants from the Carnegie Corporation of New York and the Open Society Institute.


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